



LINCOLN COUNTY BOARD OF COMMISSIONERS

January 19, 2016
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 9:08 a.m. Clerk Lisa Lloyd called the roll.

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

LISA LLOYD, Clerk
DANIEL HOOGE, District Attorney

There is a quorum present and the agenda was posted on 1-12-16. The Invocation was offered by Paul M. and Kevin led the Pledge of Allegiance.

#2-PUBLIC COMMENT

Kevin called for public comment. None offered.

CONSENT AGENDA

#3 Approve/Deny minutes of the January 1-14-16 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 the minutes; seconded by Paul D. All voted in favor.

#5-VOUCHERS

Recorder/Auditor Leslie Boucher presented the cash balance report. General County has a balance of \$981,429.62 with estimated expenditures being \$153,459.84. General County will have a balance of \$827,969.78. Leslie contacted the Department of Taxation with regards to the new fund. They will be calling her back with direction to set up the new fund. **Paul M. made a motion to approve the vouchers as presented with the exception of the LCTS and Mountain Merc vouchers; seconded by Varlin. All voted in favor. Paul M. made a motion to approve the LCTS vouchers; seconded by Varlin. Paul D. disclosed he is an employee of the telephone company; he abstained. Motion carried. Paul M. made a motion to approve the Mountain Merc vouchers; seconded by Varlin. Kevin disclosed that he is part owner of the Merc; he abstained. Motion carried.**

#6-OFFICER/DEPARTMENT HEAD REPORTS

ASSESSOR Mark Holt reported there are a couple of Board of Equalization petitions that will be handled the first part of February. **GRANTS ADMINISTRATOR** Elaine Zimmerman advised that the AEDs in the County reached the end of the life December 31, 2015. At this time, Rick Stever and Elaine are pursuing other funding to replace the units. Elaine asked for direction from the Board; would they like to pursue funding? The Grant Match Fund wasn't fully budgeted again this year; Elaine will be asking for an augmentation at a future meeting. Paul D. commented that we get a lot of grants that are late. How do we schedule the grants so that we address issues like the AEDs before they reach the end of life? Elaine stated she wasn't notified in time to get the units replaced. Paul D. asked if there is a list of potential grants that the County can pursue so that we are ahead of things instead of behind. Elaine responded that she keeps tabs on grants and researches them. Rick will be

speaking with the different fire departments concerning grants. Toni Acuff also keeps in touch with Elaine concerning upcoming grants. Many times it is difficult to proceed with grants even if Elaine has early notice; if she doesn't have cooperation she can't proceed. The funding source that the AEDs originally came from is not recurring. Many of the grants that we receive are not recurring but there are other sources to turn to in order to maintain various things received via grants. We need to be more proactive versus reactive when it comes to grants. Paul D. suggested that a calendar or spreadsheet be created so that we are aware ahead of time when the end of life for equipment is coming so we can be ready to pursue funding beforehand. Elaine will attend a meeting next week concerning the AEDs; she'll know at that time what might be available for the replacements.

LC NUCLEAR OVERSIGHT PROGRAM COORDINATOR Connie Simkins discussed The Monument. Southern NV PLMA has funded the BLM request to the tune of \$408,000 to initiate steps for the management plan, visitor education, survey the boundary, and ensure site protection. A monument manager has been hired; her name is Alicia Styles. Connie has spoken with Alicia concerning out next steps and how the County can be involved. Prior to scoping, they will be holding individual meetings with people and they will have questionnaires to fill out with regards to how people think it should be planned. Alicia doesn't think the group public meetings will take place until later this fall. Tomorrow, Connie will take part in a teleconference with DOE concerning consent based location of repositories and how to move/store this stuff. 2-17 there is a NWTRB meeting in TN; Connie will not attend. The nuclear power industry has put out a statement that with the new technology the Democrats should consider nuclear energy to be sustainable and clean. CA officials are lobbying to have their waste that is currently being stored in Oceanside, CA, moved to TX. Connie has been working to get a Pinyon-Juniper project in LC. Connie presented a map of the overview of the area west of Pony Springs. Two of the parcels have already been worked on and one that is being proposed belongs to the Cole family. The Governor has put a sage grouse ecosystem conservation work project out. Funding must be applied for by 2-8. Connie has been working with an association of grazers that own Brown Springs. The Cole property that they will be working towards is the Peb Cole property; Connie will be meeting with them next week to see if they are interested in cutting their trees. It is attractive because it is right next to the past BLM projects and provides connectivity to sage grouse habitat. The Pinyon-Juniper Project supports this endeavor. The Agriculture Resource Service in Reno will be involved as well to see what seeds exists now and what will need to be added to it post project. Cory advised BLM has some projects on the west face of Table to create a corridor of movement for the sage grouse. Connie and Cory are working to initiate connectivity for the sage grouse. These are really good projects and Cory commented that he hopes the Board will support them. Connie would like to Board to encourage BLM to finish the Hamblin Valley watershed plan. The Grazing Board, back in August, wrote a letter to Senator Heller asking that something be done to take care of the horses. Senator Heller wrote a letter back stating that he knows there are 2,000-3,000 horses in NV. There are at least ten fold that in NV. Gracian Uhalde wrote a letter to Senator Heller, which was presented in person to him. Connie asked the Board members who will be attending the Washington County meeting bring up the predator control money supported by Congressman Amodei. Connie stated candidate locations for a project in Cave Valley have been discussed; she will contact owners in that area soon.

PLANNING/BUILDING DEPARTMENT DIRECTOR Cory Lytle stated that the next CSGID will be 2-16; they'll be bringing the board up to speed on various things. Cory spoke with Gerry Klein concerning getting the desk done and installed. The best date Cory could come up with was at the end of February. The other meeting room at the Panaca Town Center is nearly complete. Cory and Melissa continue to work on the road plan, including updating data on County roads and RS2477 roads. Cory hopes to have a draft road plan within the next couple of months.

#7-HIGHWAY COMMISSION

This item was handled under a separate agenda.

#8-LINCOLN COUNTY FIRE DISTRICT

This item was covered under a separate agenda.

#9-PANACA FIRE DISTRICT

This item was covered under a separate agenda.

#10-TRAVEL AND PER-DIEM RATES

The state rates decreased. This resolution will tie the County rates to the state rates, so we will fluctuate as the state does. The new rate for mileage will be \$.54. There is a rule that requires an individual be paid half the

rate, \$.27, if someone elects to use their own car when a county car is available. The LC auditor will establish the protocols for which mileage will be used if MapQuest is included. Paul D. stated that he disagrees with the payment of the half rate if a personal vehicle is used instead of a county car and he'd like to have that requirement removed from the resolution. There was some discussion concerning how cumbersome it is for certain individuals to have to travel to Pioche to pick up a county car prior to travel. Varlin agreed that the requirement to use the county car should be waived. **Paul D. made a motion to approve the resolution but to remove the requirement to use a county car, thereby being paid at a rate of half; seconded by Varlin. All voted in favor.**

#11-WESTERN ELITE YOUTH FUND

Hailey Zierow, Sam Anderson, and Jesse Mathews presented their request for funds. **Paul M. made a motion to approve the request from LC High School for \$2,000 of Western Elite Youth Funds for the trip to Washington, DC; seconded by Paul D. All voted in favor.**

#12-ALL HAZARDS EMERGENCY OPERATION PLAN

Elaine Zimmerman, Grants Administrator, presented the review of the updates to the All Hazards Emergency Operation Plan. **Paul D. made a motion to approve; seconded by Varlin. All voted in favor.**

#13-LAKE VALLEY GROUNDWATER ASSESSMENT

Paul M. made a motion to approve the special assessment on all taxable property within the confines of the Lake Valley Groundwater Basin for FY 2016-2017 in the amount of \$7,766.73; seconded by Paul D. All voted in favor.

#14-PENOYER VALLEY GROUNDWATER ASSESSMENT

Paul D. made a motion to approve the special assessment on all taxable property within the confines of the Penoyer Valley Groundwater Basin for FY 2016-2017 in the amount of \$4,523.32; seconded by Paul M. All voted in favor.

#15-ADVISORY BOARD REAPPOINTMENTS

Paul D. made a motion to reappoint the following: Angie Wright and Brad Loveday (Alamo Town Board), Tyler Free (Panaca Town Board), John Christian and Phyllis Robistow (Pioche Town Board), Glennon Zelch and Susan Agee (Planning Commission), Ron Kozak, Bill Devlin, and Keith Stever (Housing Board), Dane Bradfield and John Tibbitts (Game Management Board), Ed Maloy and Wade Poulsen (Debt Management (Bond) Commission), Merre Scott and Summer Pearce (Fair & Rec/Room Tax Board), Stana Hurlbert (RTC Board), Adam Katschke (Board of Equalization), Dan Simkins and Varlin Higbee (Airport Authority); seconded by Paul M. All voted in favor.

#16-LANDFILL WAIVER

Robert Bender has requested a 50% waiver for his landfill fees for year 2015. This property was transferred into his name in October 2015. Denice advised that this property didn't go through escrow; he bought it outright. The previous owner had paid for 2014 but not 2015. When Robert purchased the property he didn't know that until he recently received his bill for approximately \$400. **Varlin made a motion to approve the 50% waiver for the year 2015 fee; seconded by Paul D.** Daniel stated that all of these are able to be liened; they run with the land. Typically what happens, a mortgage or title company will call and ask what the liens are then pay them off. Because this man didn't use a title company the County is going to "eat it". It isn't the County's fault that this man didn't look into the liens. Robert has a legal cause of action against the previous owner for not disclosing. **All voted in favor.**

#17-LANDFILL WAIVER

Roy Johnston has requested a 50% waiver for his landfill fees for year 2015. A waiver form was filled out and mailed in but the Treasurer did not receive it. Roy didn't become aware of this until he received his bill for 2016. **Paul D. made a motion to approve; seconded by Paul M. All voted in favor.**

#18-WIND AND SOLAR LEASING RULES

Connie Simkins discussed the Public Land Renewable Energy Act of 2015. On page 12 of the act, the Wilderness Society can have 40% of the funds raised through permits and royalties for renewable energy projects. 25% of the funds are available to the state, 25% to the counties from which the projects come. Connie advised that the County's interests need to be inserted, which would mean we have two opportunities for funding (the guaranteed 25% and then we can apply for the 40%). Varlin agreed with Connie. When these things are passed those who are most impacted are the local counties. If there are funds available, they should go to the area that is most impacted. These natural resources belong to the County. The letter needs to state that we support Senator Heller's bill if he includes language that allows us to gain not only the 25% but to also be able to apply for the additional 40%. Kevin is opposed to using government funding to support anti-resource, anti-business efforts. Varlin suggested that we mention in the letter that the natural resources drive our local economy. The sale of these resources should stay within the County. Cory suggested that Connie add language that explains the direct relation between having a local solar project and subsequent local improvements. **Paul D. made a motion to approve a letter to the Bureau of Land Management (BLM) asking them to complete their wind and solar leasing rules as well as asking for the inclusion of language that reflects local interests and allows local government entities to apply for the amount up to 40%; seconded by Paul M. All voted in favor.**

#19-SAGE GROUSE

Paul M. made a motion to approve the letter of support Congressman Amodei regarding additional funding for the United States Department of Agriculture (USDA) Wildlife Services and sage grouse predator control programs; seconded by Varlin. All voted in favor.

#20-QUARTERLY JAIL TOUR

Paul M. advised that he and Varlin toured the jail last week. They were understaffed due to staff illness. With the threat of Clark County pulling the contract from us, there is a great deal of uncertainty with regards to job security and finances of the jail. It is affecting some of the families that work down there. At the last meeting that Lt. Neighbor and Captain Davis attended, it has been noted we will be the last contract to go as our prices are so much lower than anyone else's. We have at least one year security but it is unknown what will happen after that. It is estimated it will cost about \$90 per inmate per day for them to staff the holding facilities in Clark County. Lt. Neighbor pointed out that the Commissioners missed a great opportunity by not attending the Clark County Commission meeting where this was discussed. The Sheriff is watching this closely. Kevin advised that everyone can go to their website and look at the minutes. There are some major maintenance things that must be done at the jail but they are in a holding pattern right now. The Board needs to be aggressive during the budget process to try and give the employees some security or at the very least a timeline. Some of the employees are looking for work elsewhere and some have left. These individuals will not be rehired at this time. The number of inmates is still high but we have long-term uncertainty that is creating pressure on employees and on the Board's decision regarding maintenance issues. Paul D. commented that this contract has never been secure; we've only had two year contracts. Paul D. advised that we must pursue security with Clark County based on our cost of \$74 per day. This is a difficult situation, trying to figure out what point in the process we address it financially is hard. Based on answers we're getting now, Paul M. believes we address the financial impacts in the next budget year. If the contract goes away, and we still have the responsibility of running the jail just for LC, it'll cost about \$600,000-800,000 from General Fund. The Detention Center right now is nearly \$5 million per year; it would have to be reduced to \$600,000-800,000. Paul M. stated the people that work at the DC are working hard and they do a good job. The Board needs to be proactive with the contract issue. Varlin is working to set up meetings with individuals from Clark County to discuss this problem. Many of the improvement projects have been put on hold; Kevin stated he doesn't see why. They need to proceed and keep this facility in top shape. Paul M. advised there is no one assigned to do maintenance at the DC. There has been discussion about adding a maintenance position for the County. The result of this would be that we still have to hire another part time person. Cory stated that he needs to sit down with the Sheriff to see what would be required of a maintenance position; how many hours would this include? If we create this position, do we hire a part time person to do custodial duties at the courthouse? We need to see, on paper, what needs to be done. DC has some major maintenance issues that must be addressed.

#21-COMMISSION REPORTS

COMMISSIONER PAUL MATHEWS spoke with Brandon Vaught of Tri-County Weed concerning their budget, which looks good. They will have money to augment their budget but won't purchase their new truck this year as the engine was rebuilt on the old truck. **COMMISSIONER KEVIN PHILLIPS** met with Varlin and the Sheahans on 1-15 concerning the federal government's eminent domain action on their property. Kevin met the contractor of the bridge, Meadow Valley Construction; they will start once the weather breaks. Kevin will attend a formal Congressional Natural Resources Committee meeting on 1-22 in St. George, UT, concerning public lands and associated issues. **COMMISSIONER PAUL DONOHUE** met with BLM last Friday to discuss the riprap for the bridge going into the Youth Center. Caliente has laid claim to the riprap and rock that is there. BLM said if the County wanted to apply for a permit to get rock from there they'd give it to us for free. The County could haul it for the contractor to use it on the bridge. BLM has told us if we need to produce a larger aggregate we might need a mining plan. The pit is located up Antelope Canyon. Paul D. will talk to Jerry Carter concerning this issue. The County is doing in-kind work. A detour road will be installed before the project then the County will remove it once the repairs have been done.

#22-PUBLIC COMMENT

Kevin called for public comment. Wade Poulsen advised that those going to Washington County should know that Congressman Bishop will be there; he's the chairman for the Natural Resource Committee for Congress. Letters of concern have previously been sent to him. NWRA conference is March 2 and 3.

#23-ADJOURN

There being no further business for the Board to attend to, Kevin adjourned the meeting at 12:08 p.m.

Attest: _____ Approve: _____

[Large red handwritten signature or scribble]