



LINCOLN COUNTY BOARD OF COMMISSIONERS

August 1, 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 9:02 a.m. Clerk Lisa Lloyd called the roll.

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

LISA LLOYD, Clerk
DANIEL HOOGE, District Attorney

There is a quorum present and the agenda was posted on 7-27-16. The Invocation was offered by Adam 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 July 15, 2016 and July 25, 2016 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 M. made a motion to approve the consent agenda with the exception of the minutes; seconded by Varlin. All voted in favor.

#5-VOUCHERS

Recorder/Auditor Leslie Boucher presented the cash balance report. General County has a balance of \$287,806.68 with estimated expenditures being \$278,513.64. General County will have a balance of \$9,293.04. Panaca Town is in the red \$1,288.32. Panaca's insurance premiums are due in the amount of \$3,997; it will be paid from General County then Leslie will bill them. Consolidated tax is in and will be apportioned soon. Taxes will also start coming in soon. **Adam made a motion to approve the vouchers as presented with the exception of the A&H Katschke, LCTS, and Mainstreet Market vouchers; seconded by Varlin. All voted in favor. Adam made a motion to approve the LCTS vouchers; seconded by Varlin. Paul D. advised he is an employee of LCTS; he abstained from the vote. Motion carried. Paul D. made a motion to approve the vouchers for A&H Katschke and Mainstreet Market; seconded by Varlin. Adam disclosed he is owner/part owner of those firms; he abstained. Motion carried.**

#6-OFFICER/DEPARTMENT HEAD REPORTS

NUCLEAR OVERSIGHT COORDINATOR Connie Simkins met with Senator Heller's representative in Ely last week to discuss N4 Grazing Board issues. The state nuclear projects office has made comments on the consent based siting. The State's position is that the law needs to be changed to slant it away from Yucca Mountain. LC took position to obey the law as it stands today. Connie met with Alicia Styles regarding the conservation easement that the Los Angeles Museum of Art is asking BLM to enter into with them. It seems BLM will not disturb anything outside the boundaries of the 1,300 deeded acres. BLM believes the conservation easement will give them more control inside the deeded acres. Connie advised that LC wants to be involved in the travel management plan, the visitor management plan, and the watershed management plan. The visitor management plan will be written by the LA Museum of Art. A weed management plan and a flood erosion

drainage plan must be done; these studies will not be done on the deeded acres. If the conservation easement area caught fire the LA Museum of Art would be responsible for restoring it. This appears to be another layer of bureaucracy that will give BLM some control. Connie cautioned Alicia that they advised the American Indians that they would be entering into this conservation easement agreement. Letters weren't sent to the County, the Grazing Board, the cowboys, nor any of the people that expressed an interest. Alicia responded they were obeying the law because they contacted the American Indians. Connie advised her that LC should have been involved. **GRANTS ADMINISTRATOR** Elaine Zimmerman advised USDA sent paperwork for the Caliente Senior Center grant we received. It must be sent back this week. They are requiring that we include a notice of nondiscrimination statement on all of our agendas. It is extremely large and Elaine asked the Board to make the decision as to whether or not to include it. Adam advised he has not problem putting the short statement on the agenda. Elaine has provided the Safe Routes to School to various individuals in the County over the last few years. It requires a committee, but so far no one has shown an interest in taking that on. Traffic counts are required as well. Paul D. indicated there are several people interested and there might be enough to get a committee together.

#7-HIGHWAY COMMISSION

This item was handled under a separate agenda.

#8-NEVADA DEPARTMENT OF TRANSPORTATION LINCOLN COUNTY WORK PROGRAM

Sondra Rosenberg of NDOT offered the 2016 Transportation Report Lincoln County. **Paul M. made a motion to accept the FY 2017 NDOT LC work program; seconded by Varlin. All voted in favor.**

#9-LINCOLN COUNTY FIRE DISTRICT

This item was covered under a separate agenda.

#10-LINCOLN COUNTY HAZARD MITIGATION PLAN

Adam made a motion to approve the resolution adopting the Hazard Mitigation Plan; seconded by Paul D. All voted in favor.

#11-LC HUMAN SERVICES EMPLOYEE WAGE INCREASES

Paul M. made a motion to approve the 3% raise for the following LC Human Services employees: Kathy Bingley, Gloria Banta, Wendy Rounsville, Amber Box, Marsha LeFevre, Frank Friel, John Freitas, Jim LeFevre, Alamo Homemaker, and Alamo Server (raise is retroactive to July 1, 2016); seconded by Paul D. All voted in favor. The new people for Alamo Homemaker and Alamo Server will be started at a lower rate.

#12-TRINA LYTLER'S WAGE

Paul D. made a motion to put Trina on the wage scale at 23-07 and that grade 23 will be used for this position for all future dealings; seconded by Varlin. All voted in favor.

#13-MUSEUM STAFF WAGE INCREASES

Paul D. made a motion to approve the wage increases for Leslie Childers (\$11.00 per hour) and all other employees to \$9.00 per hour, retroactive to July 1, 2016; seconded by Adam. All voted in favor.

#14-DEPUTY CLERK LATERAL TRANSFER

Clerk Lisa Lloyd advised that a lateral transfer for Shannon Miller, Deputy Clerk, is entirely appropriate since she will be going from one unit to another, both under the auspice of Teamsters. Lisa asked that the Board approve the transfer, with Shannon going from grade 28-5 under Dispatchers to grade 27-05 under Clerical and that Shannon be allowed to keep her anniversary date. **Adam made a motion to approve the lateral transfer, putting Shannon at grade 27-05 under Clerical with the same anniversary date; seconded by Paul M. All voted in favor.**

#15-AGREEMENT BETWEEN LC SHERIFF'S OFFICE AND LAS VEGAS METRO POLICE DEPARTMENT

Paul D. made a motion to sign the agreement between LCSO and Las Vegas Metro Police Department; seconded by Varlin. All voted in favor.

#16-AGREEMENT BETWEEN LC AND NV DEPARTMENT OF TRANSPORTATION

Paul D. made a motion to sign the interlocal agreement between LC and NDOT for the Coyote Springs communication tower; seconded by Varlin. All voted in favor.

#17-RECOLOGY

The City of Caliente met last Friday. The research has been done on the title; it looks good. Daniel looked into the appraisal issue. We have an appraisal which was completed in March; that satisfies statute. It came out at \$750 per acre. Daniel hopes to get everything funded prior to August 7 but we're ready to close now. It may have to go through escrow if they desire. Once we close there will not be anyone operating the landfill. Daniel suggested that the Board set up funds and hire the two individuals currently working out there, Jennifer Lytle and Ryan Dixon. Daniel suggested that a transition team be put in place who has the authority to hire and get day-to-day things done. Someone needs to be put in charge like Cory Lytle or Shane Cheeny. Daniel suggested that both Cory and Shane be included on the team. Paul M. asked what fund would be used to fund the two employees. Decisions need to be made quickly. Whatever fund the money is taken from will result in a deficit situation until next year. The garbage bills being paid are simply paying the hauling contract, but this is still the cheapest option on the table. In December, the contract rate we are currently paying Western Elite will expire. It was further suggested that the Landfill Committee be used as the committee and that Shane, Cory, and Jerry Carter be included. Daniel advised the Board to hold a special meeting on August 8 to approve the decisions of the committee. Treasurer Shawn Frehner is still holding the refund check from Recology. Should it be deposited? Yes, this check should be deposited into the Solid Waste Fund. Shawn has worked with Deputy Assessor Arla Hurlbert concerning possessory use. Research has revealed that some of these bills these were for the transfer sites and we will need to change the entity being billed for possessory use to Western Elite. The County owns the land but the possessory use tax comes into play because they are using it. Adam feels it is good to transfer the tax to WE because it will give us a better idea of how much we've been paying. WE owns the bins being used at the transfer stations. Possessory tax isn't something we thought about when we entered into this. Total cost for possessory use is about \$100 per site. When we negotiated with WE, they promised to charge us the same rate we were paying to Recology. We're currently paying them exactly what we were paying Recology and they don't have to do disposal. A couple of hundred dollars is fairly negligible. Shawn reiterated that this hasn't been discussed with Assessor Mark Holt, just his deputy. Kevin asked who is going to do the hauling in the future? If we do the hauling, LC will not pay the taxes. There was continued discussion about whether or not possessory use tax has to do with real property. Daniel said there is a fine line with regards to having possessory use; this is an issue that will have to be researched and figured out. If the County's bins are being used, he doesn't believe it falls under possessory use. Dylan Frehner advised that Caliente City Council met last Friday. The Council reviewed the proposal and took action to accept the assignment of the contract from Recology to LC with the condition that, after June 2017, if there was a 10% variance, above or below, then either party could reopen the contract for negotiation. Dylan provided a draft amendment to the DA. It was previously approved that the funding for this MOU would be taken out of the LC Land Act fund. Shawn asked if the landfill needs to be added to our insurance policy. This is a question for POOL/PACT. Adam, Cory, and Shane will work together this week to begin addressing the myriad issues related to the landfill. **Adam made a motion to have a landfill committee/landfill transition team meeting on 8-8 at 10 a.m. and a special Commission meeting on 8-8 at 1 p.m.; seconded by Paul D. All voted in favor.**

#18-TAX STRIKE

Paul D. made a motion to approve the tax strike for the US Air Force from 22,479,078 to 21,189,788, APN 009-012-53; seconded by Paul M. All voted in favor.

#19-DEPARTMENT OF ENERGY NATIONAL CLEANUP WORKSHOP

Paul D. made a motion for two Commissioners to attend the Department of Energy's National Cleanup workshop on September 14-15, 2016, in Washington, DC; seconded by Paul M. All voted in favor.

#20-SHEEP FLAT HABITAT ENHANCEMENT PROJECT

Paul M. made a motion to approve the Heritage Trust Fund grant award to LC for the Sheep Flat habitat enhancement project in the amount of \$100,000; seconded by Varlin. All voted in favor.

#21-SILVERSTATE TRAILBLAZERS

Varlin made a motion to approve the Silverstate Trailblazers' AMA National Hare n' Hound motorcycle race on August 27, 2016; seconded by Paul D. All voted in favor.

#22-WESTERN ELITE YOUTH FUND

Paul D. made a motion to approve the request from the LC basketball programs for the Better Shots for Our Kids program in the amount of \$6,500. Motion died for lack of a second. Adam made a motion to approve \$2,500 towards the request; seconded by Paul D. Varlin suggested that we give them a couple of months to go and raise at least half the funds then the County can match it. There was some discussion regarding use of these funds. Paul M. and Varlin were opposed. Motion carried.

#23-GRANTS

Paul M. made a motion to sign the United We Stand FY 2017 grant award in the amount of \$24,925; seconded by Varlin. All voted in favor.

#24-GRANTS

Paul D. made a motion to sign the State Emergency Response Commission (SERC) FY 2017 grant award in the amount of \$28,982; seconded by Paul M. All voted in favor.

#25-PARTNERS FOR FISH AND WILDLIFE PROGRAM

Adam made a motion to sign the landowner agreements for Partners for Fish and Wildlife program award in the amount of \$25,000; seconded by Paul D. All voted in favor.

#26-QUARTERLY JAIL TOUR

Commissioners Paul D. and Kevin toured the Detention Center. Currently there are 50 Clark County inmates and 9 County inmates. Should the power go out, the generator will not support the kitchen nor the lift station. There was some discussion concerning remodeling the kitchen and the possibility that the DC can obtain the new kitchen at no cost. The new storage building is complete and the fencing company will return shortly to finish the fencing. No action was taken on this item.

#27-COMMISSIONER REPORTS

COMMISSIONER VARLIN HIGBEE met with Jeremy from Senator Dean Heller's office last Thursday to discuss The Monument and other issues. COMMISSIONER ADAM KATSCHKE attended the meeting in Caliente on Friday. Adam will dedicate as much time as he can to resolve the landfill issues. COMMISSIONER PAUL DONOHUE stated we can't lose the Detention Center. Paul D. continues to work with the City of North Las Vegas as well as Mike Willden with regards to getting an inmate contract for the DC. It has been proposed that we might take female inmates. Paul D. attended the meeting in Ely last week with Senator Heller's office.

#28-PUBLIC COMMENT

Kevin called for public comment. Dylan Frehner addressed the Board on behalf of Caliente. Jerry Carter is available to discuss garbage collection issues at any time. Dylan addressed SNPLMA. Recently, the end of June a pump track came through Caliente. This was amazing and they said of all the places they've been so far Caliente had the most kids show up. They stayed two hours longer than anticipated. SNPLMA program is huge to the citizens of both the City and Caliente. The bike path will open up tourism and other opportunities within the County. The SNPLMA will have a huge impact on all of the County by bringing in the mountain biking.

#29-ADJOURN

There being no further business for the Board to attend to, Kevin adjourned the meeting at 11:41 a.m.

Attest: _____ Approve: _____