



LINCOLN COUNTY BOARD OF COMMISSIONERS

January 22, 2020
Commission Chambers
Lincoln County Courthouse
181 Main Street
Pioche, Nevada

Commissioners

Varlin Higbee, Chair
Jared Brackenburg
Bevan Lister
Kevin Phillips
Keith Pearson

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

The meeting was called to order at 9:03 a.m. Clerk Lisa Lloyd called the roll.

PRESENT: KEVIN PHILLIPS LISA LLOYD, Clerk
JARED BRACKENBURY DYLAN FREHNER, District Attorney
VARLIN HIGBEE
ABSENT: KEITH PEARSON
BEVAN LISTER

There is a quorum present and the agenda was posted on 1-14-20. The Invocation was offered by Varlin and Kevin led the Pledge of Allegiance.

#2-PUBLIC COMMENT

Varlin called for public comment. Dr. Don Deever from Cooperative Extension discussed radon. NV has a higher radon exposure than most areas of the US. LC is about 1 in 3 homes. The rates in Panaca are particularly high, 1 in 2 homes have radon. They have free radon testing kits. The average person in LC thinks the Cooperative Extension office is only for residents of Caliente; this isn't the case and they're here for the entire county.

CONSENT AGENDA

- #3 Approve/Deny amended minutes from the January 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).

Kevin made a motion to approve the consent agenda; seconded by Jared. All voted in favor.

#5-VOUCHERS

Recorder/Auditor Amy Elmer presented the cash balances and payroll reports to the Board. General County has an estimated balance of \$1,190,436.25. Grants has a negative estimated balance of \$4,207.85. Detention Center has an estimated negative balance of \$106,358.76. The December billing still hasn't been received; it's for over \$157,000. **Bevan appeared telephonically to vote on the vouchers. Jared made a motion to approve the vouchers with the exception of Mountain Merc vouchers; seconded by Kevin. All voted in favor. Jared made a motion to approve the Mountain Merc vouchers; seconded by Bevan. Kevin abstained as he is part owner of the firm. Motion carried.**

#6-OFFICER/DEPARTMENT HEAD REPORTS

CLERK Lisa Lloyd reported there are massive changes being made to elections cybersecurity that will result in the need to purchase more equipment, including a laptop and a server. Tracy Lee advised the SOS is agreeing to pay for the required infrastructure upgrades, which are going to be quite costly. Tracy estimates the upgrades will cost about \$15,000-20,000. We have to purchase biometrics, which isn't supported by Windows. We can't store voter registration information in the cloud, which is our current offsite storage location. Tracy discussed the termination of Advanced Data Systems. Devnet, which is being used by the Assessor and the Treasurer, purchased the intellectual properties of ADS for the Assessor's/Treasurer's office only. Devnet has requested access to our old data and server. After a conversation with the stakeholders, the request was denied. Devnet is not happy about this decision but until they can provide concrete evidence as to why they need it, it isn't going to change. The county purchased the software and data from ADS outright; we can use it,

modify it, but we can't resell it. PPU MANAGER Nathan Adams reported the power has been turned over to LCPD and they've spent a great deal of time with LCPD helping them get familiar with the system. Pioche is now tackling finances and how the change will impact the finances. Costs could be upwards of \$20 per customer in order to maintain current services. Pioche Town Board is going to look at the issue at the next meeting. They've been burning slash at the transfer station for the last couple of days. LC AMBULANCE Sherlyn Fackrell reported the cash is \$35,422.69. Kristan Umina presented the breakdown for December. There were 22 calls altogether, and 11 were billed. Total receivables was \$9,454.44. The Medicare audit starts this month and will continue through the year. ASSESSOR Mark Holt advised assessment notices have been sent. Devnet has restructured and they have a gentleman coming to help with their systems frequently. BUILDING/PLANNING DEPARTMENT COORDINATOR Cory Lytle advised the DA's office is going to help resolving some issues with unidentified property owners at the top of Pioche town. Cory will meet with Mrs. Swank concerning the assessment on the Mt. View later this week. Cory will present a comprehensive list of facilities and issues that have arisen in the last few months at the second meeting in February. We were awarded a wildlife subgrant for the trap range in Pioche. Part of our match is Cory's time. The trap club will take care of their side of things. This is a pass-through grant; we expend the funds first then get reimbursed. COMMISSIONERS' ADMINISTRATIVE ASSISTANT/GRANTS ADMINISTRATOR Denice Brown advised the documentation for the heritage fund grant will be submitted shortly. Denice continues to work on cleaning up existing grants. There is about \$142,000 that will come in within the next month or so. Jared and Denice attended the SNPLMA training in Las Vegas last week. Denice will be helping Lisa in her office tomorrow and next week. Denice discussed the advisory boards. There are 2-3 people on each board that need to be reappointed or seats that need to be filled. Denice will advertise those. The appointments will be made at the first meeting in March. February 18th in Elko, BLM is holding a public meeting concerning the restructuring of AUMs. DISTRICT ATTORNEY Dylan Frehner advised there is a jury trial next week. LIBRARY DIRECTOR Sharron Faehling got an A- on her last class; she's taking this semester off to prepare for the summer reading program. All of their computers were from 2006 and had Windows 7; Sharron can't operate any current programs on there because of security issues. Sharron needs 9 computers and has been working with Best Buy for patron computers, desktops for her and her employees. Sharron is trying to go low end as she can't justify spending more than \$1,000 on a computer due to type of usage. The computers get used quite a bit. Sharron anticipates she'll have a quote from Best Buy within the next few days or so. The state wanted Sharron to purchase a new computer just for the census as well as have her dedicate one employee to the project. She simply can't make it happen. TREASURER Shawn Frehner presented information on FHN and the NV economic report.

#7-HIGHWAY COMMISSION

This item was covered under separate agenda.

#8-LINCOLN COUNTY FIRE DISTRICT

This item was covered under separate agenda.

#9-PANACA FIRE DISTRICT

This item was covered under separate agenda.

#10-DESIGNATION OF NATURAL DISASTER

The Board discussed the letter from USDA regarding designation of natural disaster due to drought. Since we're border counties, we can apply for drought relief. The relief would be for grazing operators. Different agencies tend to see things differently; several think there isn't a drought. No action was taken on this item.

#11-AREA 51 2020 EVENT

This item concerns a resolution proclaiming the non-support of an Area 51 event for 2020. Connie West advised she understands the financial impacts the event had on the county. It needs to be restructured so there is no major cost to the county in the future. Connie has researched the permits and the cost for such nationwide. We are very far below average. During large events, permit costs rise across the nation. Many counties do a projected sales analysis on vendors; taxes are usually collected on half of the projected sales for the event. The vendors didn't pay Connie or the county for the 2019 event. If allowed to happen again, Connie would like to gear the event more towards families. She'd like to host several different events, including things

pertaining to astronomy, ufology, midway type games, a haunted house, and photography. Connie has been approached by a very well-known band who would like to offer something attractive to get folks to come out. Connie has a great deal of sponsors who have reached out to help but they only want to take part if it's called Alienstock. Connie is currently in a legal battle over the trademark of Alienstock. Connie is asking BLM for a permit to help prevent people from parking across the highway and causing problems with traffic. She's been talking to contractors about fencing to shrink the size of the event. Given more time, Connie can accomplish more and get it done. Connie commented if she doesn't get one permit, she won't be able to get any of them. She knows the event is fantastic for county tourism and she'd like to continue to grow the event so we can provide something unique to the world. Connie is working on plans for NDOT permits. Without sponsorships, she can't do this. Connie stated the event was very beneficial for the businesses in the county; there were several motels that were full and are already being booked for 2020. Connie would like to keep the event small, between 5,000-10,000 people. The event itself was extremely costly for the county. Jared asked to have the resolution put on the agenda to go against any future Area 51 events unless there is something providing for the county to be paid back. To date, we've paid well over \$127,000 in expenses for the 2019 event (this doesn't include wages). Jared would like to see a plan for how the county will get the money back and how the events will be handled in future. We don't have the staff to police these events. Jared commented we have to at least break even; if we continue to spend this kind of money on future events the county will go broke. Kevin agreed; we must figure out how the necessary costs can be paid for things like public safety and everything else the county had to pay for. Retail tax funds don't help the county whatsoever as they go to the state. Kevin asked Connie how we can make sure the county has any and all expenses covered. Connie is willing to do more research on this. For events 5,000 and above, the responsibility for medical and security are covered 100% by the promoter. Both Connie and the county suffered extreme financial loss for the 2019 event. Connie feels she can grow the event in the future and recoup her losses. Jared asked Connie to bring some ideas for how the county can recoup funds as well as how future events will benefit the county. Connie said she will take responsibility for security and medical for future events. If she can lock them in now, her costs are much lower. Kevin responded the county had to have EMS and law enforcement present as well due to our legal responsibility. If structured correctly, Connie believes costs can be fully addressed and nobody will lose financially. Fencing and shrinking the area will help. BLM permits will help. Kevin asked if a \$200,000 bond, payable to LC, would suffice. This bond would guarantee any and all county costs would not come from taxpayer dollars. There must be some kind of guarantee to the residents there is no cost for these events. Jared reiterated his request to Connie for a plan that outlines how the county costs will be recovered. The Board agreed they are most likely not going to get the emergency declaration funding, which means the county will bear the entire burden of the 2019 event. Varlin stated the permitting process needs to be revamped to allow these events to move forward without being a burden to the county; these changes could include requiring bonds. Pat Travis said every single entity sustained a massive financial loss. If everyone will work together, it will come off just like every other big event in the county. There will be a good many people who return to Rachel. It has been insinuated the county pushed the event; that's not true. The Board did everything they could to stop it, including encouraging people not to come and not to attempt to breach a military institution. Pat and Connie both agreed they don't every endorse anyone storming the gates of Area 51. Connie said the event is being geared towards Ufology, astronomy, and music. If allowed to have another event, there will be absolutely nothing geared towards storming Area 51. Jared commented if we can't get safeguards in place, he is in favor of the resolution not supporting another event. If, however, we can get a bond in place and all safeguards properly in place, Jared will support it. Connie said a portion of the ticket sales need to go to the county. Varlin will approach NACO to discuss how the revenues from events are divided up. Jared suggested this resolution be put back on the agenda for a later date, perhaps the second meeting in May. Connie will send the Board everything she has by that time. The more time she has to work on sponsors, the better. Jared asked the Board to give Connie some time to present a solution, to present a structured plan that would demonstrate the event can go forward without tremendous loss. Varlin commented, unless the resolution is structured in such a way that it is fair and equitable in comparison to the large events held in other county towns, he will not be in favor of it. Kevin cited the core issue is the need to ensure all county incurred expenses will be covered in full. Connie will look into a bond; there must be something out there to address this problem. Jared agreed, if you compare the 2019 event to future events, it can be singled out because of the costs to the county. This is why it's so important to keep the resolution on the table. Varlin responded the Board has the ability to deny the permit. There is still the worry about people that come anyway. Varlin said this time it won't be the county's problem; the county will not spend one dime on it. The county will take care of the residents and

whatever else happens with those that come uninvited will happen. Pat stated a threat was put on the county and everyone did the best they could to respond. The county can't afford to respond in that fashion again and asked Connie to show how it can be done. This item will be on the second agenda in April. No action was taken.

#12-4-H PROGRAMS

Kevin made a motion to authorize Varlin to draft a letter to the Board of Regents to expand 4-H programs in rural Nevada; seconded by Jared. All voted in favor.

#13-GRANTS

Kevin made a motion to approve and ratify a letter in support of Dr. Stephen Clarke/Quan Verge Inc. Wood Innovation grant application; seconded by Jared. All voted in favor.

#14-PANACA TOWN BOARD

Kevin made a motion to accept the resignation from Kristan Wadsworth from the Panaca Town Board; seconded by Jared. All voted in favor.

#15-PANACA TOWN BOARD

Jared made a motion to appoint Kristan Wadsworth as Panaca Town Board secretary; seconded by Kevin. All voted in favor.

#16-BOARD OF EQUALIZATION

There was some discussion as to people who could be appointed to this board. It will be advertised. No action was taken.

#17-AGREEMENT BETWEEN LC/NV SECRETARY OF STATE FOR ALBERT SENSOR

Jared made a motion to approve the interlocal contract between the Secretary of State and LC for the Albert sensor; seconded by Kevin. All voted in favor.

#18-HAGGERTY CREEK WATER RIGHTS

This item was tabled.

#19-ALAMO LANDING FIELD

This item concerned an update from Armstrong Consultants on the Alamo Landing Field master plan. Justin Peets of Armstrong Consultants addressed the Board. The master plan was started about a year ago and is moving forward nicely. It is a 20-year plan. The draft document will be released shortly. Cost estimates for items shown on the plan are included. The development is included but is not a necessity. Depicting future capital projects helps in obtaining grants. An aeronautical survey was completed and a request to FAA was put in for instrument approach procedures. No action was taken on this item.

#20-GRANTS

Kevin made a motion to approve the grant application to the Federal Aviation Administration in the amount of \$228,750 with a grant match of \$15,520 for a total of \$244,000 to install PAPIs and REILs at the Alamo Landing Field; seconded by Jared. All voted in favor.

#21-2020 ROUND 9 AND 10 LAND DISPOSALS

Cory Lytle presented the proposed 2020 Round 9 and 10 disposal of Bureau of Land Management (BLM) managed land located within LC per LC Conservation, Recreation, Development Act (LCCRDA) and the BLM Ely District Resource Management Plan. Cory proffered maps to the Board. Currently, there is a wild horse gather going on in LC. There is a strong need for temporary holding facilities for the horses before they ship them back east permanently. Contractors are making between \$3-5 per head per day. It costs about \$3 per head per day to feed them. Once we get going, it might be possible to increase costs. We could design and mirror facilities the government is happy with. There are several benefits to moving forward with this, including a permanent veterinarian in the county. You have to be ten miles away from a herd area in order to build a facility unless you make a buffer around the area. The ten-mile radius would have to be fenced in order to prevent

contamination from herds in the northern part of the county. Or, we could go south. The further south we go, there are obstacles like tortoises. We can put a request for RFP to move forward, find the land, get a design set, and submit it. Once the RFP is approved, it can be built. If the county moves forward, the Board can decide whether or not it should be sold to a private entity or kept public. Cory suggested there are some good ideas, including the county keeping it and leasing it out to a private entity. The horses are currently being shipped to Palomino Valley and they must be fed organic hay. There is a possibility that some revenues can be generated for the county if we move forward with this type of project. No action was taken on this item as it will be presented at a future meeting.

#22-QUARTERLY JAIL TOUR

This item was tabled.

#23-COMMISSIONER REPORTS

COMMISSIONER JARED BRACKENBURY attended NSSAB meeting; he presented the classifications of waste being transported to the Test Site. There are some grants funds coming available for this waste that is being transported through our county. Eric Holt and a Commissioner will attend the meeting to see if we can obtain some of the funding. Jared and Denice attended SNPLMA training in Las Vegas. The scope of SNPLMA can be increased, but it has to be done via Washington, DC. There is no funding for the Caliente BLM complex horse gather; Jared was told to talk to Director Raby about this problem. COMMISSIONER KEVIN PHILLIPS attended SLUPAC. COMMISSIONER VARLIN HIGBEE participated in several teleconferences, including National Association of Counties.

#24-PUBLIC COMMENT

Varlin called for public comment. Cory Lytle stated it is very important that the special events ordinance be looked at. In terms of defining the scope of what needs to be done, it needs to start with county code language. Public safety and EMS need to be heavily involved in the process. If we start to individualize the permits, it will be a tremendous waste of time. We need to look at what's in black and white and decide how to move forward. Kevin agreed and stated he wants to make sure that everything is covered that needs to be. It must be one size fits all.

#25-ADJOURN

There being no further business for the Board to attend to, the meeting was adjourned at 1:01 p.m.

Attest: _____ Approve: _____