

EUREKA COUNTY BOARD OF COMMISSIONERS
January 5, 2018

STATE OF NEVADA)
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COUNTY OF EUREKA)

CALL TO ORDER

The Board of Eureka County Commissioners met pursuant to law on January 5, 2018. Present were Chairman J.J. Goicoechea; Vice Chairman Michael Sharkozy; Commissioner Fred Etchegaray; District Attorney, Ted Beutel; and Commissioner Clerk, Jackie Berg. The District Attorney was absent for a portion of the meeting to attend District Court. The meeting was called to order at 9:30 a.m. and began with the Pledge of Allegiance. The interactive video conferencing system was connected and utilized between Crescent Valley and Eureka for the entire meeting.

APPROVAL OF AGENDA

Commissioner Sharkozy motioned to approve the agenda as posted; Commissioner Etchegaray seconded the motion; motion carried 3-0.

PUBLIC COMMENT

Chairman Goicoechea called for public comments; there were none.

APPOINTMENT OF OFFICERS

Chairman: Commissioner Etchegaray motioned to reappoint J.J. Goicoechea as Chairman for Calendar Year 2018; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Vice Chairman: Commissioner Etchegaray motioned to reappoint Michael Sharkozy as Vice Chairman for Calendar Year 2018; Chairman Goicoechea seconded the motion; motion carried 3-0.

APPROVAL OF MINUTES

December 20, 2017: Commissioner Etchegaray motioned to approve minutes of the December 20, 2017, meeting; Commissioner Sharkozy seconded the motion; motion carried 3-0.

COUNTY COMPTROLLER

Payment of Expenditures: Expenditures were presented for approval by Comptroller, Maureen Garner. Commissioner Etchegaray motioned to approve expenditures in the amount of \$353,898.53 for accounts payable, \$342,442.94 for payroll, \$1,441,325.49 for a pass through to the School District, \$406,344.84 for a pass through to the State Controller, \$4,260.00 for a pass through to the Nevada Division of Minerals, \$1,512.62 for a pass through to the Nevada Department of Taxation, and \$4,010.00 in Yucca Mountain expenditures, for a grand total of \$2,553,794.42. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Fund Balances Report: The Board reviewed the report of current fund balances.

Mileage Reimbursement Rate: In keeping with federal and State changes, Commissioner Sharkozy motioned to increase the County's mileage reimbursement rate from \$0.535 to \$0.545 effective January 1, 2018; Commissioner Etchegaray seconded the motion; motion carried 3-0.

COMMISSIONERS

Update Reports: The Commissioners had no activities to report over the holidays.

Walker & Associates Contract: Walker & Associates has provided lobbyist and consulting services to the County for several years. The contract includes a clause allowing extension of the existing contract. Steve Walker was in attendance and predicted that the next Legislative Session will hold challenges related to some major ongoing issues.

Commissioner Etchegaray motioned to approve a one-year contract renewal with Walker & Associates, beginning January 6, 2018; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Upcoming Retirement of EMS Coordinator: A letter was received from EMS Coordinator, Mike Sullivan, notifying the Board of his decision to retire in February 2018. He initially expected to retire February 3rd, but agreed to work through the end of the pay period, February 10th. This will give the Board an additional week to seek an interim replacement.

Commissioner Sharkozy motioned to accept the notice of retirement from EMS Coordinator, Mike Sullivan, with a final working day of February 10, 2018; Commissioner Etchegaray seconded the motion; motion carried 3-0.

Before the vote, the Commissioners thanked Mr. Sullivan for his service to the County and its citizens. Chairman Goicoechea stated, *"I'd like to thank Mr. Sullivan for his years here. I served on that service with him and he has been great for this community and there are a lot of us that owe him more than we can say; so, thank you."*

Sagebrush Ecosystem Program and Nevada Greater Sage-Grouse Conservation Plan: The Sagebrush Ecosystem Council will meet again on February 8th. Chairman Goicoechea commented that there are "a lot of moving parts" in the sage grouse arena right now and the SEC will continue their efforts on multiple tasks.

APPOINTMENT OF COUNTY DIRECTORS / DEPARTMENT HEADS

Annual Appointments: Annual appointments are made to the following at-will positions, which answer directly to the Board of County Commissioners.

Public Works Director: Commissioner Etchegaray motioned to reappoint Ron Damele as Public Works Director; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Natural Resources Manager: Chairman Goicoechea motioned to reappoint Jake Tibbitts as Natural Resources Manager; Commissioner Etchegaray seconded the motion; motion carried 3-0.

County Comptroller: Commissioner Sharkozy motioned to reappoint Maureen Garner as County Comptroller; Commissioner Etchegaray seconded the motion; motion carried 3-0.

EMS Coordinator: Chairman Goicoechea motioned to reappoint Mike Sullivan as EMS Coordinator until his retirement in February; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Senior Centers Program Director: Commissioner Etchegaray motioned to reappoint Millie Oram as Senior Centers Program Director; Commissioner Sharkozy seconded the motion; motion carried 3-0.

IT/Network Supervisor: Commissioner Sharkozy motioned to reappoint Michael Mears as IT/Network Supervisor; Commissioner Etchegaray seconded the motion; motion carried 3-0.

County Webmaster: Chairman Goicoechea motioned to reappoint Michael Mears as County Webmaster; Commissioner Etchegaray seconded the motion; motion carried 3-0.

COMMITTEES & BOARDS

Appointments & Reappointments: By action of the Board, with unanimous vote on each motion, the following appointments were made to Eureka County boards and committees:

County Advisory Board to Manage Wildlife

Trent Gordon / Public Interests / three-year term (new appointment)

Jim Evans / Sportsmen / three-year term

Lester Porter / Sportsmen / three-year term

Michael Mears / Alternate / three-year term

Debt Management Board

J.J. Goicoechea / Commissioner / two-year term

Bill Leppala / Television District / two-year term (new appointment)

Diamond Valley Rodent District Board

Sandy Green / Agriculture / three-year term

Fair Board (District #15 Agriculture Board)

Rebecca Glocknitzer / County At Large / four-year term

Hallee DeChambeau / County At Large / four-year term

Health Insurance Advisory Committee

Kim Todd / Courthouse Employees / two-year term

Bruce Harland / North-End Employees / two-year term

Joyce Jeppesen / Annex Employees / two-year term

Roger Hubbard / Alternate / two-year term

Local Emergency Planning Committee

Pete Goicoechea / State Elected Official / one-year term

Mike Sharkozy / Local Elected Official / one-year term

Keith Logan / Law Enforcement / one-year term

Ron Damele / Civil Defense, Emergency Management / one-year term

Mike Sullivan / First Aid; Health / one-year term

Michael Mears* / Community Groups; Broadcast or Print Media / one-year term

*also serves as Alternate-Local Elected Official

Jayne Halpin / Firefighting / one-year term

Earl Overholser / Local Environmental, EPCRA Facility / one-year term

John Schweble, Jr. / Transportation / one-year term

Roger Hubbard / Alternate-Firefighting / one-year term

Shealene French / Alternate-First Aid / one-year term

Cathy Wolf / Alternate-Health / one-year term

Misty Rowley / Alternate-Broadcast or Print Media / one-year term

Planning Commission

Robin Hicks / Commissioner District #2 / four-year term

Jim Ithurralde / Commissioner District #1 / four-year term

Regional Transportation Commission

Mike Sharkozy / Commissioner / two-year term

Philip Brown / Resident of Largest Town in County / two-year term

Dissolution of Economic Development Program Board: The agenda contained an item that authorized the Commissioners to restructure or eliminate any boards or committees under their jurisdiction. The Economic Development Program Board is advisory in nature, with the Board of Commissioners serving as the Economic Development authority for the County. Since the County joined Northeastern Nevada Regional Development Authority in 2016, the local board has become increasingly less active.

After consulting the District Attorney and reviewing Title 7 of Eureka County Code (Eureka County Economic Development Program), the Board agreed it was a suitable time to sunset this board. Commissioner Sharkozy motioned to make no appointments and to sunset the Eureka County Economic Development Program Board; Commissioner Etchegaray seconded the motion; motion carried 3-0.

NON-COUNTY BOARDS & COMMITTEES

Representatives, Members, Liaisons: Eureka County is represented on many non-County groups or boards. By action of the Board, with unanimous vote on each motion, the following people were appointed as representatives, liaisons, or members to the following groups:

American Lands Council

Jake Tibbitts / Liaison

Boulder Valley Monitoring Plan

Mike Sharkozy / Liaison

Jake Tibbitts / Liaison

Central Nevada Regional Water Authority

Fred Etchegaray / Commissioner / Member

Jim Gallagher / Farming / Member

Marty Plaskett / Farming / Member

J.J. Goicoechea / Commissioner / Alternate

Jake Tibbitts / Eureka County / Alternate

Diamond Natural Resources

Protection & Conservation Association

Jake Tibbitts / Liaison (non-voting)

Homeland Security Working Group

Keith Logan / Sheriff, Eureka County

Humboldt River Basin Water Authority

J.J. Goicoechea / Commissioner / Member

Carl Slagowski / Eureka County / Member

Tom Tomera* / Eureka County / Member

*moved from Alternate to Member

Jake Tibbitts / Eureka County / Alternate (new)

Mt. Hope 3M Plan Tech. Adv. Comm.

Jake Tibbitts / Eureka County / Member

Dale Bugenig / Eureka County / Alternate

EUREKA COUNTY LIAISONS

Liaisons Reappointed: The County appoints liaisons to work on certain issues or with various groups. With a motion by Commissioner Sharkozy, a second by Commissioner Etchegaray, and by unanimous vote of the Board, the following liaisons were all reappointed:

Census Issues

Michael Mears

Crescent Valley VFD

Mike Sharkozy

Eureka VFD

J.J. Goicoechea

NDF & Rural VFDs

J.J. Goicoechea

Legislative Representatives

J.J. Goicoechea

Michael Mears

Jake Tibbitts

Keith Logan

Natural Resources

J.J. Goicoechea

NV Department of Taxation

Michael Mears

Mt. Hope 3M Plan Water Adv. Comm.

J.J. Goicoechea / Eureka County / Member

Nevada Association of Counties

J.J. Goicoechea / Eureka County / Member

Mike Sharkozy / Eureka County / Alternate

Nevada Pinyon-Juniper Partnership

Jake Tibbitts / Eureka County / Member

Nevada POOL/PACT Board

Beverly Conley / Eureka County / Member

Ted Beutel / Eureka County / Alternate

Ron Damele / Eureka County / Alternate

Nevada Project Heartbeat

Michael Sullivan / Eureka County / Member

Shealene French / Eureka Co / Alternate (new)

Nevadaworks

Mike Sharkozy / Eureka County / Member

NE Nevada Regional Development Authority

Mike Sharkozy / Commissioner / Member

Ruby Hill Community Advisory Committee

Fred Etchegaray / Commissioner / Member

Water Protest Filings

J.J. Goicoechea

Water Rights

Ted Beutel

Yucca Mountain

J.J. Goicoechea

SENIOR CENTERS

Update Report: Senior Centers Program Director, Millie Oram, reported on activities at the Eureka Senior Center and Fannie Komp Senior Center. In December, Eureka served 653 meals and Crescent Valley served 468 meals. A total of \$9,274.98 was deposited for the month.

Nutrition Grant: Commissioner Sharkozy motioned to ratify Notification of Grant Award from Nevada Aging & Disability Services Division for Nutrition Grant #07-000-57-NX-18 in the amount of \$760.00, with no match required from Eureka County. Commissioner Etchegaray seconded the motion. Motion carried 3-0.

Disposal of Vehicle: A Senior Center van is no longer operational and Public Works determined it is not worth repairing. Commissioner Sharkozy motioned to dispose of the 2003 Dodge Grand Caravan, Vehicle Identification Number 2D4GT44L63R300513, by declaring it surplus property; Commissioner Etchegaray seconded the motion; motion carried 3-0.

ROAD DEPARTMENT

Report on Activities: Raymond Hodson, Assistant Public Works Director, reported on Road Department activities. The southern crew has spent most of the past month hauling material and working on the Roberts Creek Road. They recently moved to the 3 Bars Road to continue work. The northern crew completed work on the Geothermal Road. They are now repairing cattle guards in Crescent Valley and installing new culverts on the Spa Road. They will soon begin blading in the Town of Crescent Valley.

PUBLIC WORKS

Public Works Update: Assistant Public Works Director, Raymond Hodson, reported on Public Works projects and activities. All utility systems are in good working order. The Fiscal Year 2018-2019 insurance applications are complete and are being reviewed by the Clerk/Treasurer.

Solid Waste Collection: The Statement of Qualifications is being advertised for a contractor to provide County-wide solid waste collection.

Eureka Smelter Site Control Plan: Public Works is reviewing the Eureka Smelter Site Control Plan and will provide comments to Nevada Division of Environmental Protection.

Upcoming Training: Red Card training for wildland firefighting will be held in Eureka in February. Public Works is working on scheduling a dozer operator/boss class, also to be held in Eureka.

Provider Housing: William Bee Ririe hired the second full-time practitioner for the Eureka Clinic and she has moved into the recently cleaned and repaired provider house. Both medical provider houses are now occupied.

SERC Grant – Webcams: Webcams have been installed in Eureka and Crescent Valley. They serve a safety purpose and will allow monitoring of weather and ground conditions. They were purchased with a SERC (State Emergency Response Commission) Grant applied for through the Local Emergency Planning Commission.

County Facilities: The Opera House has been busy and has several more events planned in the upcoming months. The Sentinel Museum tracks visitor counts and these reports show that foot traffic has remained consistent since 2003.

Residential Sewer Service: Commissioner Etchegaray motioned to approve an application from William & Ericka Whisenhunt for residential sewer service at APN 001-171-19; Commissioner Sharkozy seconded the motion; motion carried 3-0. Mr. Hodson noted this will eliminate another septic tank in the Town of Eureka.

COUNTY RECORDER

Deputy Casual Worker: Recorder, Lisa Hoehne, submitted a Hiring Freeze Waiver Justification form requesting a casual worker. This is not a new position, but will fill a vacancy. This employee is primarily utilized for coverage on occasions when Ms. Hoehne and her Deputy cannot be present due to training, illness, etc. The budget includes 200 hours for this position.

Commissioner Etchegaray motioned to authorize the Recorder's office to hire a Deputy Casual Worker; Commissioner Sharkozy seconded the motion; motion carried 3-0.

PROPERTY EXCHANGE PROPOSAL

Discussion Regarding Potential Land Trade: Dennis Cunningham, Eureka resident, inquired about the possibility of a property exchange between himself and Eureka County Assessor, Michael Mears, provided maps showing three adjoining parcels owned by Mr. Cunningham in Eureka, with several rights-of-way across them. Roadways planned when the townsite was originally platted were later constructed elsewhere, creating additional easements through the property that are now paved streets. Mr. Cunningham's property extends completely across one of the paved streets and also includes his neighbor's entire front yard.

Mr. Cunningham would like to build a garage and proposes exchanging the property he owns under the paved streets to gain use of the unutilized rights-of-way. At the same time, he would like to adjust property lines and deed or quitclaim the front yard that he referenced to his neighbor.

The Board explained that before considering boundary line adjustments, all affected property owners must be in agreement. Then a survey is typically done with costs shared by the County and the property owner. Public Works will want to ensure that utilities are not affected and that there are no other unforeseen impacts. The Board directed Mr. Cunningham to consult with Mr. Mears and Public Works Director, Ron Damele, to work out the details and then return with specifics and survey information.

NATURAL RESOURCES

Report on Activities: Natural Resources Manager, Jake Tibbitts, reported on upcoming meetings and recent activities.

Upcoming Meetings: The Groundwater Management Plan Advisory Board will meet on January 9th, then the full group Groundwater Management Plan meeting is scheduled for January 22nd in the Commissioners' Chambers. The State Engineer has scheduled public workshops on the Humboldt River Basin water modeling studies, to be held January 9th (Lovelock and Winnemucca) and January 10th (Elko). Other meetings include the Pinyon Juniper Partnership Executive Committee teleconference on January 10th; the Natural Resources Advisory Commission meeting the evening of January 10th; the first interim meeting of the Legislative Committee on Public Lands in Las Vegas on January 12th; and the County Advisory Board to Manage Wildlife meeting on January 18th.

BLM Fracking Rule Rescinded: On December 29th, the BLM formally rescinded their rule on hydraulic fracturing. It was proposed in recent years at the same time the State was creating oil and gas development regulations that already addressed fracking. During the rulemaking process, the County commented on the duplicative nature of the rule and stated that regulatory jurisdiction belonged to the State.

Critical Minerals: On December 12th, President Trump signed the Executive Order on a Federal Strategy to Ensure Secure & Reliable Supplies of Critical Minerals. The purpose is to reduce America's dependency on foreign minerals.

That same day, Secretary of the Interior, Ryan Zinke, issued Secretarial Order 3359 regarding critical mineral independence and security. The Order directs the US Geological Survey to compile a list of critical minerals and to outline a plan for improving mapping to support mineral exploration. It also directs each bureau head with land management responsibilities to provide recommendations to improve access to lands to explore for and develop critical minerals and to streamline the permitting and review processes.

Sage Grouse Issues: On December 27th, six new Instruction Memoranda were issued by the US Department of Interior, BLM, in relation to the 2015 Greater Sage-Grouse Approved Resource Management Plans & Amendments. They provide direction in the following areas: (1) sage grouse habitat assessment, (2) evaluating adaptive management triggers, (3) incorporating

thresholds and responses into grazing permits, (4) setting priorities related to grazing authorizations and monitoring, (5) implementation of the Habitat Objectives Table, and (6) oil and gas leasing and development prioritization.

The US Forest Service recently filed *Notice of Intent to Amend Land Management Plans for Greater Sage-Grouse Conservation and Prepare Associated Environmental Impact Statement*. The comment deadline has been extended to January 19th. Mr. Tibbitts prepared a letter with scoping comments covering issues that need to be addressed and impacts to Eureka County. The letter addressed the following: multiple use on public lands, application of consistent and lawful standards, use of the best available science, lack of socioeconomic data, and need for consistency with the County's plans and policies.

Commissioner Etchegaray motioned to send the letter to the USDA Forest Service providing scoping comments related to their intent to amend Land Management Plans for Greater Sage Grouse and to prepare an associated EIS. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Wild Horse Gather Plan: Mr. Tibbitts prepared a table showing the BLM's responses to the County's main comments on the Final EA and Decision Record for the Antelope and Triple B Complexes Wild Horse Gather Plan. The County supported Alternative A, where the BLM proposes removing horses to or below AML (Appropriate Management Level) and then imposing fertility control. The BLM selected and approved Alternative A.

The County asked that the gather area be expanded outside of the complexes to compensate for drift into other areas as the horses move between HMAs (Herd Management Areas). The BLM responded that data does not show significant interchange.

The County noted that socioeconomic analysis should be included. The BLM responded that it was outside the scope of this analysis. They also responded that cost-based decision making is not authorized under the Wild Horse & Burro Act, but that was not the County's request.

The EA talks about forage and water limitations. The County's last main comment asked that water rights issues be addressed, not just water availability. The BLM responded that this issue was outside the scope of this analysis. The BLM further stated that wild horses will drink any available water. The County understands that, but wanted the legal aspect of water use to be discussed and recognized as an appropriate gather incentive.

The decision is final with no further opportunity for comment, but Mr. Tibbitts offered that a letter could be sent. The Board agreed that the County's concerns should be further documented. There are some concerns that Alternative A may not be appropriately implemented. Chairman Goicoechea asked that the letter also describe how horses are disturbing the BLM's Emergency Stabilization & Rehabilitation at the sites of the Diamond Fire and both Pinto Fires. Mr. Tibbitts will prepare a letter for approval at the next meeting.

BLM Programmatic EISs: A letter was received from the BLM Idaho State Director informing that the BLM Idaho, Nevada, Utah, Oregon/Washington, and California State Offices are planning to prepare two Programmatic Environmental Impact Statements, one for Fuel Breaks across the Great Basin Region and the other for Fuels Treatments & Habitat Restoration. The letter invited Eureka County to participate as a Cooperating Agency. This will be formalized with a Memorandum of Understanding.

Mr. Tibbitts prepared a response letter accepting the BLM's invitation to participate as a Cooperating Agency and outlining the County's special expertise (which qualifies the County's participation).

Commissioner Sharkozy motioned to send the letter to the BLM Idaho State Office accepting Cooperating Agency status for the Programmatic Environmental Impact Statements for Fuel Breaks across the Great Basin Region and for Fuels Treatments & Habitat Restoration. Commissioner Etchegaray seconded the motion. Motion carried 3-0. The letter will be copied to the BLM Nevada State Office as well.

CORRESPONDENCE

Correspondence was received from: Trent Gordon; District Attorney, Ted Beutel; Clerk & Treasurer, Beverly Conley; Comptroller, Maureen Garner; Assistant Comptroller, Kim Todd (2); Public Works Director, Ron Damele; Natural Resources Manager, Jake Tibbitts; EMS Coordinator, Mike Sullivan (2); Senior Centers Program Director, Millie Oram; Commissioner Clerk, Jackie Berg; Natural Resources Advisory Commission; Eureka Owl Club (3); Nevada Assoc. of Counties (2); William Bee Ririe Hospital; Walker & Associates; POOL/PACT Human Resources, Neal Freitas; Nevada Aging & Disability Services Div.; Nevada Supreme Court (3); Nevada Div. of Water Resources (5); Nevada Dept. of Taxation; Nevada Dept. of Transportation; Nevada Highway Safety Fatalities Report; Idaho State BLM Office; and US Navy, NAS Fallon.

PUBLIC COMMENT

Chairman Goicoechea opened the floor for public comments.

Michael Mears announced that the Republican Party's Lincoln Day Dinner will be held on Friday, January 12th, at 6:00 p.m. at the Eureka Opera House. Being a mid-term election year, there will be a fair number of speakers.

ADJOURNMENT

Commissioner Sharkozy motioned to adjourn the meeting at 10:35 a.m.; Commissioner Etchegaray seconded the motion; motion carried 3-0.

Approved by vote of the Board this 19th day of January, 2018.

/s/ J.J. Goicoechea

J.J. Goicoechea, Chairman

I, Jackie Berg, Commissioner Clerk, attest that these are a true, correct, and duly approved minutes of the January 5th, 2018, meeting of the Board of Eureka County Commissioners.

/s/ Jackie Berg

Jackie Berg, Commissioner Clerk

I, Beverly Conley, Clerk & Treasurer of Eureka County, acknowledge and accept the attached minutes as approved by the Board of Eureka County Commissioners and attested to by the Commissioner Clerk.

/s/ Beverly Conley

Beverly Conley, Clerk & Treasurer