

EUREKA COUNTY BOARD OF COMMISSIONERS

January 6, 2014

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 6, 2014. Present were Chairman J.J. Goicoechea; Vice Chairman Jim Ithurrealde; Commissioner Michael Sharkozy; District Attorney, Ted Beutel; and Executive Assistant, Jackie Berg. 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 Ithurrealde motioned to approve the agenda as posted; Commissioner Sharkozy seconded the motion; motion carried 3-0.

PUBLIC COMMENT

Chairman Goicoechea opened the floor for public comments; there were none.

APPOINTMENT OF OFFICERS

Chairman: Commissioner Ithurrealde motioned to retain J.J. Goicoechea as Chairman for the 2014 calendar year; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Vice Chairman: Commissioner Sharkozy motioned to retain Jim Ithurrealde as Vice Chairman for the 2014 calendar year; Chairman Goicoechea seconded the motion; motion carried 3-0.

APPROVAL OF MINUTES

December 20, 2013: Commissioner Sharkozy motioned to approve the minutes of the December 20, 2013, meeting; Commissioner Ithurrealde seconded the motion; motion carried 3-0.

Correction to October 21, 2013, Minutes: Commissioner Sharkozy motioned to amend the minutes of the October 21, 2013, meeting to correctly identify the tax delinquent splinter parcel acquired by the County as APN 002-025-08. This is a non-buildable parcel located in Crescent Valley and will become part of the right-of-way for Airport Avenue.

COMMISSIONERS

Update Reports: The Commissioners reported that due to the holidays, there had been no meetings to attend.

Update on Sage Grouse Issues: Chairman Goicoechea reported that the next two to three weeks are an important time in Nevada related to ongoing sage grouse issues. In addition to the recent extension of the comment period for the proposed Bi-State Sage-Grouse Draft EIS, there are some important meetings. The Sagebrush Ecosystem Council will meet on January 8th & 9th to consider significant changes proposed to the State Plan (Strategic Plan for Conservation of Greater Sage-Grouse in Nevada). A public meeting of State and local officials will be held in Winnemucca on January 15th to discuss sage grouse issues and the recently proposed legislation by Senators Harry Reid and Dean Heller (draft Nevada Sagebrush Landscape Conservation & Economic Development Act). Northeastern Nevada Stewardship Group is hosting an informative meeting in Elko on the evening of January 14th to discuss impacts related to the ongoing listing process and related issues.

COUNTY DIRECTORS & DEPARTMENT HEADS

Appointment of Direct Reports to Commission: Commissioner Ithurralde motioned to appoint the following County Directors and/or Department Heads who report directly to the Board of County Commissioners: Public Works Director, Ron Damele; Natural Resources Manager, Jake Tibbitts; Auditor/Budget Officer, Mike Rebaleati; EMS Coordinator, Mike Sullivan; Cultural, Tourism & Economic Development Director, Andrea Rossman; Eureka Senior Center Director, Millie Oram; Fannie Komp Senior Center Director, Adell Panning; and County Webmaster, Michael Mears. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

EUREKA COUNTY COMMITTEES & BOARDS

Crescent Valley Town Advisory Board: Commissioner Ithurralde motioned to accept the letter of resignation from Jimmie Davids for the Crescent Valley Town Advisory Board; Commissioner Sharkozy seconded the motion; motion carried 3-0.

The CVTAB is an elected board, but the Commissioners are authorized to make mid-term appointments. Commissioner Ithurralde motioned to direct the Clerk's Office to advertise for a qualified elector in the Town of Crescent Valley to fill the mid-term vacancy on the Crescent Valley Town Advisory Board for the term ending December 31, 2014. Commissioner Sharkozy seconded the motion. Motion carried 3-0. It was clarified that anyone interested in running for this seat in the 2014 election must file their candidacy in March 2014 (for the term of January 1, 2015, through December 31, 2016). Exact filing dates can be obtained from the County Clerk.

Debt Management Board: Commissioner Ithurralde motioned to reappoint J.J. Goicoechea (Commissioner representative) and David Pastorino (Television District representative) to the Debt Management Board for two-year terms. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Diamond Valley Rodent District Board: Commissioner Ithurralde motioned to reappoint Bob Burnham to the Diamond Valley Rodent District Board for a three-year term representing agriculture. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Diamond Valley Weed District Board: Commissioner Ithurralde motioned to reappoint Gary Betschart to the Diamond Valley Weed District Board for a three-year term representing landowner/agriculture. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Economic Development Program Board: Commissioner Ithurralde motioned to reappoint Lisa Wolf (representing northern Eureka County) and Ken Jones (representing southern Eureka County) for two-year terms on the Economic Development Program Board; Commissioner Sharkozy seconded the motion; motion carried 3-0. Commissioner Ithurralde motioned to reappoint Lee Raine (County-at-large), Earl Overholser (southern Eureka County), Sondra Sharkozy (northern Eureka County), and Karen Rowley (alternate) for one-year terms on the Economic Development Program Board; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Fair Board – Agriculture District #15: Commissioner Ithurralde motioned to reappoint Amy Damele (County-at-large) for a four-year term on the Eureka County Fair Board. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Health Insurance Committee: Commissioner Ithurralde motioned to reappoint Garney Damele (Courthouse) and Kim Todd (Annex) for two-year terms on the Health Insurance Committee; Commissioner Sharkozy seconded the motion; motion carried 3-0. Commissioner Sharkozy motioned to appoint Bruce Harland (north-end employee) to the Health Insurance Committee for a two-year term; Commissioner Ithurralde seconded the motion; motion carried 3-0. Commissioner Sharkozy motioned to appoint Nona Kellerman as an alternate to the Health Insurance Committee for a two-year term; Commissioner Ithurralde seconded the motion; motion carried 3-0.

Local Emergency Planning Committee: LEPC Vice Chair, Mike Sullivan; Secretary, Amanda Pearce; and past Secretary, Lisa Hoehne, discussed LEPC membership with the

Board. Membership has grown to the point where it is hard to reach a quorum in order to hold a meeting. Statute outlines certain categories that must be represented on the Committee, but a seated member can represent more than one category. The Commissioners agreed that it would be beneficial to streamline membership and they asked that this be discussed during the LEPC meeting scheduled at 12:00 noon, with a recommendation brought back to the Commissioners later in the meeting.

Commissioner Ithurrealde motioned that Mike Sharkozy continue as the Commissioner representative on the Local Emergency Planning Committee for a one-year term. Chairman Goicoechea seconded the motion. Motion carried 3-0.

Natural Resources Advisory Commission: Commissioner Ithurrealde motioned to appoint Raymond Hodson to a four-year term on the Natural Resource Advisory Commission representing wildlife. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Planning Commission: Commissioner Ithurrealde motioned to reappoint Ron Rankin (Commissioner District #3) and Cecil Wright (Commissioner District #3) to the Planning Commission for four-year terms; Commissioner Sharkozy seconded the motion; motion carried 3-0. Chairman Goicoechea motioned to appoint Craig Benson as an alternate member for a four-year term on the Planning Commission representing Commissioner District #1; Commissioner Ithurrealde seconded the motion; motion carried 3-0.

Regional Transportation Commission: Commissioner Ithurrealde motioned to reappoint Mike Sharkozy (Commissioner) and Philip Brown (resident of largest town in County) for two-year terms on the Regional Transportation Commission. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Safety Committee: Mike Rebaleati recommended dissolving the Safety Committee which hasn't met for approximately three years. He felt it would better serve the County's needs to establish an in-house working group to address safety issues. Commissioner Sharkozy motioned to dissolve the Safety Committee as recommended; Commissioner Ithurrealde seconded the motion; motion carried 3-0.

Senior Center Advisory Board: Commissioner Ithurrealde motioned to reappoint Roberta Dinwiddie (Eureka), Susan Fye (Crescent Valley), and Chet Hull (Eureka) to the Senior Center Advisory Board for three-year terms. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Wage & Salary Committee: The Wage & Salary Committee has not met for approximately two years. Commissioner Ithurrealde motioned to dissolve the Wage & Salary Committee; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Wildlife Advisory Board: One vacancy exists on the Wildlife Advisory Board. Notices have been posted by Natural Resources, but no responses have yet been received.

Changes to Committees & Boards: The Board noted that the Health Insurance Committee and Medical Clinic Advisory Committee have never been established by resolution, and they asked the District Attorney to prepare draft resolutions for review at a future meeting.

NON-COUNTY COMMITTEES & BOARDS

American Lands Council: Commissioner Ithurrealde motioned that Jake Tibbitts continue as representative to American Lands Council; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Boulder Valley Monitoring Plan: Commissioner Sharkozy motioned to retain himself and Jake Tibbitts as representatives for the Boulder Valley Monitoring Plan; Commissioner Ithurrealde seconded the motion; motion carried 3-0.

Central Nevada Regional Water Authority: Commissioner Sharkozy motioned to retain representatives Jim Ithurrealde, Jim Gallagher, and Marty Plaskett, and alternates J.J. Goicoechea and Jake Tibbitts on the Central Nevada Regional Water Authority. Commissioner Ithurrealde seconded the motion. Motion carried 3-0.

Diamond Natural Resources Protection & Conservation Association: Chairman Goicoechea motioned to retain Jake Tibbitts as a non-voting liaison to the Diamond Natural Resources Protection & Conservation Association; Commissioner Ithurrealde seconded the motion; motion carried 3-0.

Great Basin Regional Development Authority: Commissioner Ithurrealde motioned to retain Mike Sharkozy, Andrea Rossman, and Travis Gallagher as members to the Great Basin Regional Development Authority. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Homeland Security Working Group: Chairman Goicoechea motioned to retain Undersheriff Keith Logan as representative to the Homeland Security Working Group; Commissioner Ithurrealde seconded the motion; motion carried 3-0.

Humboldt River Basin Water Authority: Commissioner Sharkozy motioned to retain representatives J.J. Goicoechea, Carl Slagowski, Rita Stitzel, and alternates Tom Tomera and Donna Bailey on the Humboldt River Basin Water Authority. Commissioner Ithurrealde seconded the motion. Motion carried 3-0.

Mt. Hope 3M Plan Technical Advisory Committee: Commissioner Sharkozy motioned to retain Jake Tibbitts and Dale Bugenig as members on the Mt. Hope 3M Plan Technical Advisory Committee; Commissioner Ithurrealde seconded the motion; motion carried 3-0.

Mt. Hope 3M Plan Water Advisory Committee: Commissioner Ithurrealde motioned to retain J.J. Goicoechea as member on the Mt. Hope 3M Plan Water Advisory Committee; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Nevada Association of County Officials: Commissioner Sharkozy motioned to retain Jim Ithurrealde as member and J.J. Goicoechea as alternate for Nevada Association of County Officials; Chairman Goicoechea seconded the motion; motion carried 3-0.

Nevada Pinyon-Juniper Partnership: Commissioner Ithurrealde motioned to retain Jake Tibbitts as member to the Nevada Pinyon-Juniper Partnership; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Nevada Pool/PACT: Commissioner Ithurrealde motioned to retain Mike Rebaleati as representative and Ted Beutel as alternate to Nevada Pool/PACT; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Nevada Works: Commissioner Ithurrealde motioned to retain Mike Sharkozy as representative to Nevada Works; Commissioner Sharkozy seconded the motion; motion carried 3-0.

COUNTY LIAISONS

Mt. Hope Project - Water Issues: Commissioner Ithurrealde motioned to retain J.J. Goicoechea as liaison on Mt. Hope Project water issues and protests; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Nevada Division of Forestry: Commissioner Ithurrealde motioned to retain J.J. Goicoechea as liaison to Nevada Division of Forestry and Beowawe, Dunphy, Pine Valley, and Diamond Valley Volunteer Fire Departments. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Crescent Valley Volunteer Fire Department: Chairman Goicoechea motioned to retain Mike Sharkozy as liaison to the Crescent Valley Volunteer Fire Department; Commissioner Ithurrealde seconded the motion; motion carried 3-0.

Eureka Volunteer Fire Department: Chairman Goicoechea motioned to retain Jim Ithurrealde as liaison to the Eureka Volunteer Fire Department; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Yucca Mountain Project: Commissioner Ithurrealde motioned to appoint J.J. Goicoechea as liaison for Yucca Mountain issues; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Natural Resources: Commissioner Ithurralde motioned to retain J.J. Goicoechea as liaison for Natural Resources; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Water Rights: Chairman Goicoechea motioned to retain Ted Beutel as liaison on water rights issues; Commissioner Ithurralde seconded the motion; motion carried 3-0.

Nevada Department of Taxation: Commissioner Sharkozy motioned to retain Jim Ithurralde and Michael Mears as liaisons to the Nevada Department of Taxation; Chairman Goicoechea seconded the motion; motion carried 3-0.

Census Issues: Commissioner Ithurralde motioned to retain Michael Mears as liaison for Census, Local Update of Census Addresses, and Redistricting issues; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Insurance Contracts & Coverage: Commissioner Ithurralde motioned to retain Mike Rebaleati as liaison for insurance contracts and coverage; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Legislative Representatives: Commissioner Ithurralde motioned to retain J.J. Goicoechea, Michael Mears, Mike Rebaleati, and Jake Tibbitts as legislative representatives; Commissioner Sharkozy seconded the motion; motion carried 3-0.

FINANCE

Payment of Expenditures: Expenditures were presented for approval by Recorder & Auditor, Mike Rebaleati. Commissioner Ithurralde motioned to approve expenditures in the amount of \$645,565.05 for accounts payable, \$455,571.35 for payroll, a pass-through tax allocation to the School District for \$22,339.74, and a pass-through tax allocation to the State of Nevada for \$319,276.22, for a grand total of \$1,442,752.36; Commissioner Sharkozy seconded the motion; motion carried 3-0. Commissioner Ithurralde motioned to approve Yucca Mountain expenditures in the amount of \$4,404.95; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Auditor's Report: Mr. Rebaleati reviewed the Auditor's Report in conjunction with the budget discussion.

PRELIMINARY BUDGET DISCUSSION

Current Fund Balances: Mr. Rebaleati reviewed current fund balances, with a current overall cash balance of \$49 million. He explained that fund balances are usually low in January and February, but cycle back up in May and June with receipt of net proceeds. Current balance in the General Fund is \$11.4 million but approximately half will be distributed to the Future Reserve Fund, RTC Fund, Building Maintenance & Reserve Fund, and possibly the Eureka and Crescent Valley Utility Funds.

Revenues for Fiscal Year 2014-2015: Mr. Rebaleati explained that the operating budget is based on projected revenues from ad valorem tax, CTX tax, and other taxes and fees for services. Net proceeds of mines is not included in the operating budget, but is utilized for infrastructure and capital projects. The County can expect a substantial downturn in net proceeds due to decreased mining activity and other changes related to pre-payment of this tax in recent years. Refunds due as these amounts are audited and 'trued-up', will be deducted from future payments. Mr. Rebaleati expects to see some minor deductions in the 2014 payment, and will keep the Board posted on what might be expected in the 2015 payment.

Attrition Policy & Personnel Budget: Mr. Rebaleati noted that the gross salaries reported to the IRS for calendar year 2013 were slightly higher than 2012, but percentage of growth was lower than in previous years. He attributed this to enforcement of the attrition policy and expects this decline to continue. This will favorably impact the overall personnel budget for upcoming fiscal year.

Budget Meetings: Mr. Rebaleati recommended a minor format change to the budget workshops. Rather than each department presenting detailed budgets during a meeting, Mr. Rebaleati can provide printed budgets. Department Heads requesting major changes or increases can formally present their requests before the Board. Chairman Goicoechea felt it was beneficial for newer members of the Board to go through detailed budget presentations to fully understand the process. The Commissioners agreed that options for presenting the budget can be discussed in more detail at future meetings.

SENIOR CENTERS

Update Report: Senior Center Site Directors, Millie Oram and Adell Panning, reported on their respective centers. In December, Eureka served 1,005 meals and Crescent Valley served 723 meals. A total of \$8,907.54 was deposited for the month. Christmas parties were held at both centers. Ms. Panning thanked the County and Public Works for use of the Crescent Valley Community Center for the Food Bank Program which has outgrown the center.

Ms. Panning reported that the Crescent Valley Activities Program hosted the Community Christmas Dinner, Parade of Lights, and Christmas Tree Auction. All events were a big success.

ROAD DEPARTMENT

Update Report: Road Superintendent, Raymond Hodson, reported on recent projects and activities. Crews finished assisting Nevada Department of Transportation with the bus turnarounds in Pine Valley. Blading was done on Monitor Valley Road, County Road 101, 3 Bars Road, Grass Valley Road, and a cattle guard was cleaned on the Rose Ranch Road. Quite a bit of time was spent on snow removal. The new light plant in Crescent Valley has been a big help during the cold weather. Five pieces of equipment can be plugged in to it and it is proving very economical to run. The Crescent Valley Shop has taken over maintenance of Sheriff's Office, EMS, and Senior Center vehicles.

(Note: Commissioner Ithurralde was excused at approximately 11:00 a.m. for the remainder of the morning session. He returned when the meeting reconvened at 1:00 p.m.).

PUBLIC WORKS

Authorization Letter to BLM: Public Works Director, Ron Damele, requested signature of a letter to the BLM authorizing him to submit an application for a Title 5 road right-of-way on federal lands. Commissioner Sharkozy motioned to approve a letter to the BLM authorizing the Director of Public Works to submit an Application for Transportation & Utility Systems & Facilities on Federal Lands. Chairman Goicoechea seconded the motion. Motion carried 2-0.

Appraiser List: Authorized appraisers are listed in County Code for the purpose of conducting appraisals for sale of County property, as required by statute. Mr. Damele contacted each appraiser in order to update the list. He noted that several of the appraisers no longer wish to travel to Eureka. Commissioner Sharkozy motioned to approve the updated list of appraisers for sale of County-owned property; Chairman Goicoechea seconded the motion; motion carried 2-0. Pursuant to Eureka County Code, Title 2, Chapter 60, Section .030, a resolution officially updating the list will be adopted at a future meeting.

Grant to Carlin Volunteer Fire Department: A request was received from Carlin Volunteer Fire Department for assistance in purchasing a new command vehicle. Mr. Damele explained that Eureka County has historically helped Carlin because of the substantial emergency response they provide in northern Eureka County. Carlin VFD submitted a letter outlining the request and providing response statistics showing that 28% to 35% of their calls in recent years have been in Eureka County. Commissioner Sharkozy motioned to approve the grant request from Carlin Volunteer Fire Department for assistance in purchasing a new command vehicle, not to exceed \$38,922.75; Chairman Goicoechea seconded the motion; motion carried 2-0.

COUNTY ENGINEER

Paul Street Retaining Wall: Tom Young, Lumos & Associates, provided copies of monitoring reports on the Paul Street Retaining Wall. He also provided previous reports, including an evaluation conducted by BJJ Architectural & Engineering in 2010 and updates from Lumos & Associates. The top of the wall meanders between private property and the public road right-of-way and is in varying states of deterioration. Monitoring points were installed and periodic surveys have been conducted by Lumos & Associates since 2010, with no movement detected. The BJJ Report also indicated no movement from the time of an earlier survey in 1996 until their evaluation in 2010.

Mr. Young outlined several options the Commissioners can consider: (a) do nothing, based on reports that no movement is occurring; (b) continue monitoring the wall; (c) initiate a process of replacing the wall over time; or (d) replace the entire wall in one shot. BJJ Architectural & Engineering estimated replacement cost at \$570,000.00. Mr. Young felt an updated cost estimate is closer to the \$1 million range and could be as high as \$1.5 million if utility work is encountered as part of construction. Commissioner Sharkozy motioned to have Lumos & Associates continue monitoring and surveying the Paul Street Retaining Wall in the Town of Eureka once per year in conjunction with other trips to Eureka. Chairman Goicoechea seconded the motion. Motion carried 2-0.

Eureka Airport Capital Improvement Plan: Mr. Young, Mike Bennett of Lumos & Associates, and Ron Damele consulted by phone with the Federal Aviation Administration regarding the Airport Capital Improvement Plan. Based on FAA comments and timing of projects to better utilize federal entitlement funds, Mr. Young submitted a modified plan for the Board's review. Commissioner Sharkozy motioned to approve the amended Eureka Airport Capital Improvement Plan for submission to the Federal Aviation Administration; Chairman Goicoechea seconded the motion; motion carried 2-0.

DISTRICT ATTORNEY

Legal Secretary Job Descriptions: District Attorney, Ted Beutel, submitted two job descriptions for approval: (a) Administrative Legal Secretary at a salary range of 122, and (b) Legal Secretary at a salary range of 119. Mr. Beutel explained that the job description for Administrative Legal Secretary includes training and supervising duties. This formalizes work that has been occurring in the office for quite some time, but hasn't been outlined in any job description. It was clarified that these job descriptions are creating job classes within the District Attorney's office, but are not creating any new positions. Commissioner Sharkozy motioned to approve the Administrative Legal Secretary job description at a salary range of 122 and the Legal Secretary job description at a salary range of 119. Chairman Goicoechea seconded the motion. Motion carried 2-0.

NATURAL RESOURCES

Report on Activities: Natural Resources Manager, Jake Tibbitts, reported on recent activities and meetings. There were very few meetings due to the holidays, but January is already filling with activities.

Nevada Division of Environmental Protection posted notice on December 19th regarding issuance of a draft permit for Barrick Gold's Dry Hills Facility, the proposed hazardous waste management facility for mercury storage in northern Eureka County. Mr. Tibbitts notified NDEP that Eureka County will be requesting a public hearing. An item will be placed on the January 15th agenda for the Commissioners to authorize a formal request.

Upcoming Meetings & Activities: Upcoming meetings include an Executive Committee meeting of the Nevada Pinyon-Juniper Partnership on January 7th; a Diamond Natural Resources Protection & Conservation Association meeting on the evening of January 7th; a Crescent Valley Firewise Committee meeting on January 8th; a Natural Resources Advisory

Commission meeting the evening of January 8th; the Sagebrush Ecosystem Council meeting on January 8th & 9th; Midway Gold's groundbreaking ceremony for the Pan Mine Project on January 14th; an informative meeting in Elko hosted by the Northeastern Nevada Stewardship Group regarding sage grouse on January 14th; the Commissioners' Quarterly meeting in Crescent Valley on January 15th; a meeting of State and local officials in Winnemucca on January 15th regarding sage grouse issues; and a Town Hall Meeting hosted by Cooperative Extension available through their video conferencing system on January 16th.

Draft MOU with Ely BLM District: Mr. Tibbitts provided the Board with a draft Memorandum of Understanding with Ely BLM District establishing Eureka County as a Cooperating Agency for the Gold Rock Mine Project EIS. The BLM modeled some of the language after the MOU that was done for the Pan Mine Project, so it is a better document than some in the past, but Mr. Tibbitts still recommended some minor changes. The suggested changes mainly focused on required coordination and consultation with Cooperating Agencies. Commissioner Sharkozy motioned to accept the draft Memorandum of Understanding establishing Eureka County as a Cooperative Agency for the Gold Rock Mine Project EIS, with the changes recommended by the Natural Resources Manager, and to forward the modified MOU to the BLM, Egan Field Office. Chairman Goicoechea seconded the motion. Motion carried 2-0.

RECESS FOR LUNCH

The Board recessed for lunch until 1:00 p.m.

LOCAL EMERGENCY PLANNING COMMITTEE

LEPC Restructuring & Annual Appointments: LEPC Chair, Keith Logan, stated that as directed LEPC discussed streamlining their Committee and based on that, presented their recommendations for appointment and/or reappointment as follows: Mike Sharkozy representing Elected Local Official; Keith Logan representing Law Enforcement; Ron Damele representing Civil Defense & Emergency Management; Mike Rebaleati representing Firefighting; Mike Sullivan representing First Aid and Health; Earl Overholser representing Local Environmental and EPCRA Facility Owners/Operators; Clyde Oram representing Transportation; Anne Kniefel representing Broadcast or Print Media; and Michael Mears representing Community Groups. Rather than appointing alternates to each category as has been done historically, three alternates were recommended: Cathy Wolf for First Aid and Health; Michael Boharsik for First Aid and Health; and Dan Green for Local Environmental and EPCRA Facility Owners/Operators. Existing members can serve as alternates for additional categories for which they qualify. This reduces membership of the Committee to nine regular members and three alternate members.

Commissioner Sharkozy motioned to appoint the following members to the Local Emergency Planning Committee representing the categories outlined by the LEPC Chairman: Mike Sharkozy, Keith Logan, Ron Damele, Mike Rebaleati, Mike Sullivan, Earl Overholser, Clyde Oram, Anne Kniefel, and Michael Mears; and alternate members Cathy Wolf, Michael Boharsik, and Dan Green. Commissioner Ithurrealde seconded the motion. Motion carried 3-0.

Undersheriff Logan stated letters will be sent to Committee members that were not reappointed thanking them for their service and explaining the downsizing of this Committee.

Letter of Promulgation: Undersheriff Logan and Secretary, Amanda Pearce, presented the Letter of Promulgation. Commissioner Sharkozy motioned to approve signing the Letter of Promulgation for inclusion in the Eureka County Hazardous Materials Response Plan. Commissioner Ithurrealde seconded the motion. Motion carried 3-0.

ROBINS STREET IMPROVEMENTS & UTILITY UPGRADES PROJECT

Construction Manager at Risk Project Delivery Method: Lumos & Associates representatives, Tom Young, Mike Bennett, and Rod Savini, gave a detailed overview of the

Construction Manager at Risk (CMAR) project delivery method as an option for the Robins Street Improvements & Utility Upgrades Project. Similar to the lowest bidder method that the County has utilized for past projects, CMAR is governed by NRS (Chapter 338). Potential contractors must meet established criteria. The CMAR method provides a broader range of construction services.

Lumos & Associates outlined how the process is implemented. A public notice for CMAR qualifications/proposals will be advertised. A Selection Panel will be appointed to “shortlist” the applicants, interview the top-ranked candidates, and make a recommendation to the Board of County Commissioners. The Commissioners will consider award of a contract for preconstruction services (fee schedule and scope of work will be pre-negotiated by the Director of Public Works). A separate construction contract, which is optional, is negotiated later between the County, CMAR, design engineer, and Independent Cost Estimator. (A construction contract with the CMAR is optional, since the County has the option of advertising for a lowest bidder contractor).

There are three options, outlined in statute, for setting terms of the CMAR contract for preconstruction services: (1) cost of work plus a fee, with a guaranteed maximum price; (2) a fixed price; or (3) a fixed price plus reimbursement for overhead and other costs. Lumos & Associates recommends option #1 – cost of work plus a fee, with a guaranteed maximum price.

Because of the location of the Robins Street Project – in the midst of a residential area involving a major street in the Town of Eureka, with involvement of major public utilities – Lumos & Associates feels the CMAR method is the preferable approach for this project. They cited benefits of a CMAR: high standard of qualifications (hired based upon qualifications rather than being low bidder); more of a team player/collaborative effort; improved communication between all parties, including interaction with the public; overview of entire project by contractor, rather than just construction portion; improved phasing and scheduling for complicated projects; reduction in change orders; etc.

The main concern the Commissioners had was cost – they had several questions related to the difference in cost between contracting with a design build lowest bidder contractor in comparison to contracting with a CMAR. Lumos & Associates responded that in their experience, they have not seen a major difference in overall project costs. The main difference is that with a CMAR there are added costs up front for professional services, but with the low bidder contractor there are often added costs later in the project for change orders to cover unforeseens.

Approval to Advertise for CMAR: Commissioner Ithurralde motioned to authorize advertising a Request for Qualifications to select a Construction Manager at Risk for the Robins Street Improvements & Utility Upgrades Project. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Select CMAR Construction Contract Pricing Option: Commissioner Sharkozy motioned to approve selecting CMAR Construction Contract Pricing Option #1 – cost of work plus a fee, with a guaranteed maximum price. Commissioner Ithurralde seconded the motion. Motion carried 3-0.

WESTERN COUNTIES ALLIANCE

Update on Public Land & Legislative Issues: Ken Brown, of Western Counties Alliance, updated the Commissioners on various public land and legislative issues of interest to Eureka County. These included: Payment in Lieu of Taxes and Mr. Brown’s thoughts for continued funding of the program (2014 levels are still unknown); geothermal resources and revenue disbursements (Eureka County received \$11,801.94 in 2013); WCA’s support of transfer of public lands management to State and local governments, including revenue opportunities and support of mining activity; wild horse and burro issues, including wild horse slaughter, proper herd management, and WCA’s encouragement of the NACO lawsuit; sage grouse issues and

far-reaching impacts related to proposed listing of the bird as an endangered species, and preferable alternatives such as predator control; and Secure Rural Schools and Community Self-Determination Act and continued funding of the program.

Request for Fiscal Year 2014-2015 Membership Budget Allocation: Mr. Brown noted that several western counties have recently joined Western Counties Alliance, including a block of five counties in Arizona. The dues paid by membership counties enable WCA to continue advocating for public land issues that benefit the western states. Eureka County's membership fee for the current fiscal year was \$3,500.00, and Mr. Brown requested that the Commissioners include a budget allocation for the annual membership fee as they work on the budget for Fiscal Year 2014-2015.

The Commissioners thanked Mr. Brown for traveling to Eureka County to give his presentation.

CORRESPONDENCE

Correspondence was received from: Jimmie Davids; Lee Raine; Lisa Wolf; Kim Todd; Garney Damele; Nona Kellerman; Bruce Harland; Ken Fujii; Lisa Hoehne; Public Works Director, Ron Damele (2); EMS Coordinator, Mike Sullivan; Cultural, Tourism & Economic Development Director, Andrea Rossman; Eureka Senior Center Director, Millie Oram; Fannie Komp Senior Center Director, Adell Panning; Executive Assistant, Jackie Berg; Eureka County Fair Board; Lumos & Associates; Nye County Board of Commissioners; Nevada Association of Counties (2); Nevada Div. of Environmental Protection (2); Nevada Pool/PACT; Nevada's Economy newsletter; Western Counties Alliance; US Dept. of Interior-BLM (2); and US Fish & Wildlife Service.

PUBLIC COMMENT

Chairman Goicoechea called for public comments. The Commissioners briefly discussed items for the next agenda. There were no comments from the public.

ADJOURNMENT

The meeting was adjourned at 2:28 p.m.

Approved by vote of the Board this 6th day of February, 2014.

/s/ J.J. Goicoechea

J.J. Goicoechea, Chairman

I, Jackie Berg, Executive Assistant to the Board of Eureka County Commissioners, attest that these are a true, correct, and duly approved minutes of the January 5, 2014, meeting of the Board of Eureka County Commissioners.

/s/ Jackie Berg

Jackie Berg, Executive Assistant

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 Executive Assistant of the Board.

/s/ Beverly Conley

Beverly Conley, Clerk & Treasurer