

EUREKA COUNTY BOARD OF COMMISSIONERS

January 20, 2021

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 20, 2021. The meeting was conducted telephonically pursuant to Governor Sisolak’s Declaration of Emergency Directive 006, which was extended by subsequent Directives through duration of the State of Emergency. Present were Chairman J.J. Goicoechea; Vice Chair Michael Sharkozy (via telephone); Commissioner Rich McKay; District Attorney Ted Beutel (via telephone); and Administrative Assistant Jackie Berg. The meeting was called to order at 9:30 a.m. and began with the Pledge of Allegiance.

APPROVAL OF AGENDA

Chairman Goicoechea noted two changes to the agenda – the Senior Center items will be taken early to accommodate a scheduling conflict, and Item #4 under the Natural Resources section has been resolved. Commissioner McKay motioned to approve the agenda as amended; Commissioner Sharkozy seconded the motion; motion carried 3-0.

PUBLIC COMMENT

Chairman Goicoechea opened the floor for public comments, welcoming White Pine County Commissioners Richard Howe (Chairman) and Travis Godon (Vice Chair) who were in attendance.

Child Advocacy Center: Elko County District Attorney Tyler Ingram joined by telephone to give an update on the planned regional Child Advocacy Center (CAC). Elko County has agreed to organize the CAC under the District Attorney’s office and Elko County will be responsible for ongoing maintenance and utility costs once the center is built. Mr. Ingram will attend the next Elko City Council meeting where the Council plans to formalize the commitment to donate land for the center.

These commitments helped the CAC qualify for Phoenician Foundation grant funds of about \$1.2 million. The Foundation requires formal engineering and building plans, and Mr. Ingram requested permission to use all or part of the \$100,000.00 donated by Eureka County over the past two fiscal years for the required design and planning.

The Commissioners agreed the contribution was intended to help build or acquire a building and concurred that engineering services are part of building costs. A letter will be drafted to PACE Coalition informing that the funds can be released for this purpose, and the letter will be formally ratified at the next regular meeting.

Thanks to Emergency Responders: Mike Worley publicly expressed gratitude for the Sheriff’s Office and “wonderful” EMS team, who responded to a recent health scare he had, adding that because of them he was healthy and back to work.

APPROVAL OF MINUTES

January 4, 2021: Commissioner Sharkozy motioned to approve minutes of the January 4, 2021, meeting; Commissioner McKay seconded the motion; motion carried 3-0.

SENIOR CENTERS

Request to Reinstate Limited Transportation Services: Senior Center Program Director Millie Oram sent a written request to the Board seeking authorization to resume certain transportation services in Eureka and Crescent Valley. She outlined the transportation plan, which will require seniors and staff to strictly observe COVID-19 recommendations.

Chairman Goicoechea relayed that the Board of Health discussed this in a meeting earlier that morning and recommended that some senior transportation services resume on March 1st as long as pandemic numbers remain low. The Board of Health will meet before March to evaluate the situation and either concur with or postpone the transportation plan.

Commissioner Sharkozy motioned to uphold the Board of Health's recommendation to authorize the Senior Center Program to reinstate certain transportation services in Eureka and Crescent Valley beginning March 1, 2021, contingent upon conditions stated by the Board of Health. Commissioner McKay seconded the motion. Motion carried 3-0.

COMPTROLLER

Payment of Expenditures: Expenditures were presented for approval by Comptroller Kim Todd. Commissioner Sharkozy motioned to approve expenditures in the amount of \$591,955.41 for accounts payable, \$573,498.47 for payroll and benefit related expenses (including employee paid deductions); \$900,579.11 for a pass-through tax allocation to the School District; \$533,092.69 for a pass-through to the Nevada State Controller; \$7,050.00 for a pass-through to the Nevada Division of Minerals; \$467.06 for a pass-through to the Nevada Department of Taxation; \$160.00 for a pass-through to the Washoe County Crime Lab; and \$40.00 for a pass-through to Manufactured Housing, for a grand total of \$2,606,842.74. Commissioner McKay seconded the motion. Motion carried 3-0.

Fund Balance Report: The Board reviewed the report on current fund balances.

COMMISSIONERS

Extend EPSL and EFMLA: Kim Todd explained that EPSL and EFMLA paid leave benefits were provided in the COVID relief package that expired on December 31st. Recent passage of the Consolidated Appropriations Act of 2021 has extended these benefits through March 31, 2021. This does not provide additional EPSL hours or EFMLA time, but will extend unused benefits.

Commissioner Sharkozy motioned to extend the EPSL and EFMLA leave benefits and associated policy through March 31, 2021, in accordance with the Consolidated Appropriations Act of 2021, making benefits retroactive to January 2, 2021. Commissioner McKay seconded the motion. Motion carried 3-0.

Resolution Supporting Local Economy & Businesses: A proposed resolution was read into the record. Chairman Goicoechea stated it has been a rough ten months, but County officials have worked hard to manage the pandemic and keep the economy rolling. He credited the communities for doing the right thing when there has been a spike in cases. But he recognized that the continued Directives and oversight have driven the County to the door of a depression or recession, stating it was time to take a stand. The Chairman called for a motion and, before taking the vote, invited public comment on the resolution.

Commissioner McKay motioned to adopt the resolution supporting the local economy and businesses adversely impacted by COVID-19 restrictions. Commissioner Sharkozy seconded the motion.

Comments on Resolution: Commissioner McKay acknowledged the attendance of local business owners, his family, and Commissioners Howe and Godon from White Pine County. He stated, *"We are perfectly capable of managing ourselves in Eureka County without additional oversight. We've had less than 50 cases and no deaths from COVID in the County. This is due to our ability to manage locally."* Commissioner McKay felt the Governor has made no effort to work with the local economies and has overreached his constitutional authority with Directives that are strangling the business community. He felt OSHA's monitoring and business fines were aggressive in a County that is proactively managing the situation. Commissioner McKay said that the resolution is calling for the Governor to quit treating Eureka and rural Nevada as a one-size-fits-all State, adding, *"It is time to open rural Nevada back up for business."*

Sheriff Watts' Comments: Sheriff Jesse Watts encouraged the Commissioners to sign the resolution. He agreed that Governor Sisolak and Nevada OSHA have overreached the legislative intent of their offices and are violating people's God-given and Constitutional rights. *"They have infringed on our rights as Battle Born Nevadans, but more importantly as free Americans. The last 200 years our Bill of Rights has slowly been eroded due to people not standing up and telling the government enough is enough."*

The Sheriff said it is the obligation of elected officials in Eureka County to stand up and be the voice of the people and to reverse the growth of government which shows signs of having grown beyond the consent of the governed. He asserted, *"I, Sheriff Jesse J. Watts, as the chief law enforcement officer of Eureka County proclaim that Nevada OSHA or any other State entity attempting to enforce Governor Sisolak's Emergency Directive, written to this point or in the future, shall not write citations, sanctions, or summons, or take any enforcement action without my express and explicit written permission prior to doing so."*

White Pine Commissioners: Chairman Richard Howe said that White Pine County adopted a similar resolution a month earlier. He spoke of how citizens and rural economies depend on the goods and services provided by local businesses. White Pine County voted to allocate a portion of the CARES Act money to local businesses (\$10,000.00 to businesses with up to 10 employees and \$20,000.00 to businesses with 10 to 50 employees). He thanked Eureka County for considering the resolution, speaking of the strength and impact Nevada's rural counties can have when they join forces on an issue.

Vice Chair Travis Godon concurred with the previous comments. He said that White Pine County's resolution requires a 14-day quarantine for OSHA officials entering their county for COVID inspections, and it allocated \$50,000.00 to help pay fines imposed on local businesses if deemed unwarranted. He thanked Eureka County and Commissioner McKay for the invitation to attend, concluding that rural counties are stronger together and should do what's right by their constituents.

Eureka resident Joe Luby stated he supported the resolution fully, but asked the Commission to go a step further and lift the restriction on public events. He spent Christmas in Henderson with his grandson and said a sign at a nearby Costco limited occupancy to 1,823 customers. He observed, *"That's almost our entire County inside that building."* He contrasted this with the outdoor Christmas Tree Lighting Ceremony that was cancelled in Eureka that might have drawn a couple hundred people.

Jeb Rowley said he appreciated the support for the community and local businesses struggling through this pandemic, but asked that the Board and the business owners be sensitive to those who have concerns or fears surrounding the virus. People with legitimate health concerns, either for themselves or someone in their home, may feel vulnerable in an establishment that doesn't practice restrictions. He said opinions on this situation vary widely, and he asked business owners to be sensitive to the apprehension of others.

Eureka business owner Giovanni Minoletti supported the resolution. He commented that one year into the pandemic Eureka County has only seen 49 cases of COVID. He felt the businesses were being targeted as the source of contamination when that is not the case. He challenged concerned officials to *"...find out what's going on,"* suggesting that much of the spread came from County buildings. Mr. Minoletti thanked Commissioner McKay and Sheriff Watts for their leadership and thanked White Pine County for their support.

As County Health Officer, Chairman Goicoechea said sources have been traced and identified, but due to HIPAA this information is protected. He concurred that some County employees have been infected, but he is convinced the source was never a County building.

Scott Raines of Raines Market supported the resolution. He described OSHA's overreach related to his business, stating OSHA officials encouraged him to break several laws, including fire codes and HIPAA regulations. They asked that he call the Sheriff each time a customer refuses to wear a mask. He felt OSHA's suggestions on how to enforce customer compliance were nothing more than blackmail.

Dana Lee Freund said she moved to Eureka a while back as the new Tourism Director, a challenging undertaking during the current shutdown. She supported the resolution and concurred with Mr. Luby's request to reinstate events.

Resolution Adopted: Being no further public comment, the Board voted unanimously to adopt the resolution supporting the local economy and businesses adversely impacted by COVID-19 restrictions.

RESOLUTION NO. 2021-01

A RESOLUTION IN SUPPORT OF THE LOCAL ECONOMY AND BUSINESSES OF EUREKA COUNTY IMPACTED BY COVID-19 RESTRICTIONS INCLUDING REQUESTS FOR RELIEF OF SAID RESTRICTIONS

WHEREAS, our Founding Fathers recognized the abuses inherent with a totalitarian government and drafted two of the most sacred documents in history – the Declaration of Independence and the United States Constitution – to limit the government's power and to clearly define and protect the God given rights we enjoy as Americans; and

WHEREAS, we as Eureka County Commissioners have sworn to, "support, protect, and defend" that Constitution; and

WHEREAS, Nevada Governor Steve Sisolak (Governor) has sworn the same oath; and

WHEREAS, on March 12, 2020 the Governor issues a Declaration of Emergency to facilitate the State's response to the COVID-19 pandemic, and since that date has issued over 35 Emergency Directives (Directives); and

WHEREAS, the Governor has extended the current "statewide pause" despite record cases of COVID-19 being recorded and no obvious data to support the notion that continued restrictions are having the desired impact on controlling the disease; and

WHEREAS, the Fourteenth Amendment to the U.S. Constitution declares, "No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States"; and

WHEREAS, the Governor unilaterally bypassed the Nevada Legislature by creating de facto law with his Directives and claiming the right to do so under the authority of "emergency powers" extended for over 10 months; and

WHEREAS, the Governor deemed it within his power and discretion to classify many businesses as non-essential despite many of these businesses being substantially the same as others he classified as essential; and

WHEREAS, we assert the Governor's order that our businesses be restricted to 25% capacity violates our Fifth Amendment right that declares no citizen shall be deprived of his property, "without the due process of law"; and

WHEREAS, the Governor has singled out bars and restaurants even though only a limited number of COVID-19 infections have been traced to those sources; and

WHEREAS, the Directives and their enforcement by the Nevada Health and Safety Administration have caused harm to the residents and businesses of Eureka County; and

WHEREAS, to date, Eureka County health officials, aided by the continued trust and diligence of Eureka County residents, have managed outbreaks of COVID-19 without seeing large scale community spread as witnessed in some counties; and

WHEREAS, current shutdown policies will cause intellectual, emotional, and economic devastation that will last for generations.

NOW THEREFORE BE IT RESOLVED that the Eureka County Board of Commissioners calls on the Governor to uphold his solemn pledge to "support, protect, and defend" the U.S. Constitution and insists he correct course by removing orders restricting our local businesses and limiting the size of peaceful gatherings; and

BE IT FURTHER RESOLVED that the Eureka County Board of Commissioners considers all independently owned businesses essential and demands the Governor treat them as such; and

BE IT FURTHER RESOLVED that the Eureka County Board of Commissioners calls on the Governor to direct his OSHA inspectors to discontinue abusive inspections and fines on our county businesses; and

BE IT FURTHER RESOLVED that the Eureka County Board of Commissioners calls on the Governor to rescind the ineffective Directives before more businesses and county constituents are harmed; and

BE IT FURTHER RESOLVED that the Eureka County Board of Commissioners supports the concept of creating a fund supported by individual donations, to be administered by a non-county entity, to support businesses that may have been fined by State enforcement agencies; and

BE IT FURTHER RESOLVED that the Eureka County Board of Commissioners urges residents and citizens to follow COVID-19 mitigation best practices and measures under the auspices of being self-governing and committed to protecting our well-being and that of our neighbors without coercion; and

BE IT FURTHER RESOLVED that the Eureka County Board of Commissioners encourages our legislative representatives to aggressively support amendments to the Nevada Revised Statutes that would limit any Governor's authority to restrict our freedoms under the auspices of a declared and prolonged declaration of emergency; and

BE IT FURTHER RESOLVED that Eureka County staff shall research county ordinances for possible amendments supporting local businesses and/or limiting access by State enforcement agencies; and

BE IT FURTHER RESOVLED that Eureka County shall research litigation opportunities that the county, or multiple counties collaboratively, could pursue to provide relief to our local businesses; and

BE IT FURTHER RESOLVED that Eureka County recognizes its right, as stated in our Declaration of Independence, to confront the government when it has subjected its citizens to a "long train of abuses and usurpations" and our solemn duty to "throw off such Government" if those abuses are not corrected.

Adopted this 20th day of January, 2021.

/s/ J.J. Goicoechea, DVM

J.J. Goicoechea, Chairman

Board of Eureka County Commissioners

Attest: /s/ Lisa Hoelue

County Clerk

EUREKA ELEMENTARY SCHOOL

Honor Library: Eureka Elementary School Student Council officers, President Brooke Watts, Vice President Russell Rowley, Secretary Maycie Brown, Treasurer Quil Filippini, and Sergeant at Arms Annie Tibbitts were in attendance to tell of plans to start an Honor Library in Eureka. Fiona Goettle, Student Council Advisor, was also in attendance.

The students, each in turn, introduced themselves and provided information on the library. The High School shop class is willing to build the structure, and the students hope to place the library at the Pocket Park (commonly called the Caboose Lot in Eureka). The library is free, will operate on an honor system, and will be registered at littlefreelibrary.org. People may borrow or exchange books and donations are encouraged. The students believe this will help encourage kids to read.

The Commissioners asked the students to work with the Public Works Director to select a location at the Pocket Park, which they will formally approve at the next meeting. They also invited the students to request a donation once they meet with the shop teacher to determine costs.

IT DEPARTMENT

IT Update: IT Director Misty Rowley reported on IT projects and activities, noting that a lot of her time has been spent planning for the next fiscal year and working on the budget.

Completed Projects: Ms. Rowley reported that LV.net completed installation of equipment and cable for the wireless point-to-point connection in Diamond Valley. Additionally, Quest Media has completed fiber connections for County facilities (Admin. Facility, Opera House, Courthouse, Crescent Valley Town Center, and Crescent Valley Sheriff Substation). Syber Networks has been scheduled to assist Ms. Rowley in patching over the new fiber.

Airport Connection: Ms. Rowley requested approval to purchase items needed to complete connection of the Eureka Airport to the County network.

Commissioner McKay motioned to approve purchase and installation of a rackmount cabinet and UPS unit for a not to exceed amount of \$5,500.00 (\$4,611.69 with 20% contingency) utilizing monies budgeted for capital outlay (010-01-55010-000) in the Technology Support budget. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Fiber Projects: Ms. Rowley explained that additional costs were encountered when installing fiber optic cable to County buildings. A 40-foot trench had to be dug from the utility pole to the Sheriff's Office and there was an underground blockage at the Administrative Facility.

Commissioner McKay motioned to authorize an additional \$3,000.00 for the County facilities fiber project to be paid from monies budgeted for fiber optic and network upgrades (042-140-55010-203) in the Capital Projects Fund. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

As work continues to complete this project, Ms. Rowley asked for authorization to access budgeted funds in order to avoid delays by addressing unforeseen events as they occur.

Commissioner Sharkozy motioned to authorize the IT Director to expend funds budgeted for fiber optic and network upgrades (042-140-55010-203) in the Capital Projects Fund for equipment, labor, and supplies, in an amount not to exceed \$8,000.00. Commissioner McKay seconded the motion. Motion carried 3-0.

E-Rate Funding: Ms. Rowley and Commissioner McKay have been meeting with representatives of the Governor's Office of Science, Innovation & Technology to develop a plan to leverage federal funding opportunities to help supply fiber optic connectivity to County entities in Crescent Valley. Jojo Myers Campos, Broadband Development Manager, and Mel Van Patten, Nevada State E-Rate Team, joined the meeting by telephone to explain the available funding. The E-Rate Program grants monies for installation of broadband internet at libraries and schools and pays a percentage of recurring monthly costs, and the Rural Health Care Program provides monies for installation of internet at rural medical clinics.

Ms. Rowley clarified that she was not yet seeking approval for these projects, but wanted authorization to begin the process necessary to apply for the grants. These steps will not obligate Eureka County to move forward with the proposed fiber optic upgrades, and formal approval will be sought at a later date. By taking advantage of the federal funding, overall cost to the County for these two Crescent Valley fiber projects is not expected to exceed \$30,000.00 in Fiscal Year 2022.

Commissioner McKay motioned to send a request to the Elko-Lander-Eureka County Library System asking for filing of all FCC forms required to seek federal E-Rate funding to increase broadband internet connectivity at the Crescent Valley Library with installation of fiber optics. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Commissioner McKay motioned to direct County staff to file all FCC forms required to seek federal Rural Health Care funding to increase broadband connectivity at the Crescent Valley Clinic with installation of fiber optics. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Commissioner McKay motioned to plan a County-paid project that will occur simultaneously with the projects receiving E-Rate and Rural Health Care funding to provide fiber optic internet connectivity at the Crescent Valley Town Center. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Seek Bids for Point-to-Point Connection: Ms. Rowley is ready to seek bids to build an internet connection between Eureka and Crescent Valley to replace the point-to-point connection currently provided by SkyFiber Internet. This will increase County efficiencies and provide a reliable connection for public safety purposes.

Commissioner Sharkozy motioned to authorize the IT Department to solicit bids to build out or lease a wireless point-to-point connection from the County hub in Eureka to the Crescent Valley Town Hall, at an estimated project cost of \$120,000.00. Commissioner McKay seconded the motion. Motion carried 3-0.

AMBULANCE & EMS

Report on Activities: EMS Director Kenny Sanders reported there were a total of 29 calls for ambulance service in December. Of those, nine patients were transported by ground to hospitals, seven were transported to MedX AirOne, and one was transferred to Lander County EMS. The remaining calls represented transport refusals, treated at scene, etc.

Mr. Sanders reported there were a total of 229 runs in 2020 (145 in the Eureka area and 84 in the Crescent Valley area).

Quarterly Report: The quarterly report on federally mandated write-offs of Medicaid and Medicare ambulance account balances showed \$1,925.00 for October, zero write-offs for November, and \$166.00 for December.

NEVADA DEPARTMENT OF TRANSPORTATION

Plans for New Maintenance Station: Ross Baker, Buildings Capital Improvements Manager for NDOT, joined the meeting by telephone to report on plans to build a new highway maintenance station in Diamond Valley near the Collingwood Pit. He described how the current station and facilities in Eureka are inadequate due to size constraints and structural, grading, and drainage issues that are cost prohibitive to repair or remediate. NDOT wanted to reach out to the local governing board while planning is in the preliminary stages.

NDOT holds a mining lease on the Collingwood Pit to extract material, and plans to submit a Recreation & Public Purposes application to the BLM proposing withdrawal of 20 acres for the new maintenance station site. This process will involve the BLM reaching out to local government and State planning, as well as soliciting comments from the public.

Current Station & Crew: The local NDOT highway maintenance crew is staffed with seven full-time positions. They maintain about 300 lane miles on US Hwy. 50, State Route 278, and State Route 892.

The existing maintenance station (built around 1955) includes office space, storage space for maintenance needs, repair shop for the equipment, radio communications for NDOT and local emergency responders, and provides fuel for NDOT and approximately 86 State and local agencies, with more than 5,000 individual users.

Steps for New Station: It is not yet clear whether NDOT will be drilling a well on site or will be connecting to the Devil's Gate water system. Once the R&PP lease is executed, funding will be sought from the State Legislature to build the project, and application for a patent to the land will ultimately be made.

Lumos & Associates: NDOT has tentatively selected Lumos & Associates as an engineering consultant, and wanted to ensure that Eureka County didn't perceive a conflict of interest since Lumos serves as the County Engineer. Lumos has prepared a limited opinion on the existing station, will prepare the development plan for the new station, and will assist in finding and transferring two acre feet of water rights to the new location. As plans progress, NDOT will advertise for an architectural engineering team to complete final design.

Questions & Answers: Chairman Goicoechea asked if a NEPA contractor has been selected for the project and asked that NDOT keep close coordination with the County as the Environmental Assessment is completed.

Mr. Baker responded that the project is in preliminary planning stages and they are just starting to communicate with the BLM. NDOT hopes to complete NEPA internally with its environmental team (under an existing Interlocal Agreement between the BLM, NDOT, and the Federal Highway Administration), as was allowed on a recent project in Lyon County.

Commissioner McKay asked about the tentative timeline, understanding that it is somewhat dependent on the NEPA process, and inquired about future plans for the existing yard.

Based on similar projects, Mr. Baker estimated two years to execute the lease. Then the Legislature will be approached for funding to cover the bulk of the work (design, NEPA, and initial construction costs) in the 2022-2023 biennium, with final construction funding sought in the subsequent biennium. With this, construction is a minimum of six years out. The current plan is to retain the existing station site as a laydown yard.

Commissioner Sharkozy asked if NDOT plans to construct a turn lane to avoid traffic congestion on Highway 50.

Mr. Baker said that decision will be made by the Roadway Design Division. (After the meeting, Mr. Baker sent an email indicating that turn lanes will be considered.)

ASSESSOR

Hiring Freeze Waiver – DMV Technician: Assessor Michael Mears requested authorization to fill a new position in his office. He reminded the Board that a senior employee is retiring within the month and he decided to restructure his office to include a DMV Technician instead of hiring a fourth appraiser. This will save the County money and help address the ever-increasing demands that DMV duties are placing on his office.

Commissioner Sharkozy motioned to authorize the Assessor to fill the position of DMV Technician/Department Assistant; Commissioner McKay seconded the motion; motion carried 3-0.

HEALTHY PAWS OF EUREKA

Funding Request: Vice Chairman Sharkozy presided over this portion of the meeting after Chairman Goicoechea recused himself from discussion and action because he is currently doing contract veterinary work for Healthy Paws of Eureka (HPOE).

Cindy Beutel, President of HPOE, sent a letter to the Board in January outlining the need for assistance if Healthy Paws is to continue caring for animals in need in the County and thanking the Board for earlier financial support. Healthy Paws' continuing work includes providing food, transport, vaccinations, veterinary care (including spaying and neutering), and successful placement of feral animals. The letter expressed the need for an adequate animal shelter and requested a commitment of matching funds to help locate, build, and operate a shelter.

Ms. Beutel was not able to attend the meeting, so provided a follow-up letter describing HPOE's work in Eureka County and answering frequently asked questions. In 2020, HPOE assisted with capture and spay and neuter of over 650 cats, placed over 250 kittens in permanent homes, placed 30 adult feral cats on farms at the owner's request, and placed over 20 dogs in permanent homes. In 2020, HPOE expended over \$5,000.00 in assistance for pet food and veterinary care. This work is possible because of the help of volunteers, help from other animal organizations, and financial donations.

HPOE requested \$35,000.00 to continue this much-needed work, and asked for a commitment of up to \$500,000.00 in matching funds towards the aforementioned shelter.

Commissioners Sharkozy and McKay briefly discussed the request, commenting that the dollar amounts were substantial and, therefore, raised some questions. Based on this, they took no action, but asked that this be placed on a future agenda when Ms. Beutel is able to attend and provide more detail to substantiate the requests.

TREASURER

Treasurer's Report: The Treasurer's Report for December was submitted by Treasurer Pernecia Johnson, showing an ending General Fund balance of \$34,925,238.68. Commissioner McKay participated with Ms. Johnson in a recent Investment Committee meeting where they discussed a recent, but slight, downturn in interest rates.

SHERIFF

Out-of-State Travel: Sheriff Jesse Watts explained it was necessary to travel to Oregon on January 7th to extradite an inmate on an outstanding warrant. Commissioner McKay motioned to ratify out-of-state travel on January 7th & 8th for the Sheriff to extradite an inmate to Oregon; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Quarterly Reports: The Sheriff presented a quarterly report with patrol, communication, and detention statistics for October, November, and December. There were 5,375 patrol incidents with 10 arrests and 78 citations for the quarter. There were 15 new bookings and a total of 22 inmates at the Detention Facility during the quarter, for a total of 356 inmate days. Sheriff Watts informed that concrete repair and/or sealant is needed in two cells and in two shower units.

COUNTY FACILITIES

Facilities Update: Joyce Jeppesen, Public Works Assistant Director-Administration, gave an update on activities at County managed facilities.

Eureka Opera House: In December, the Opera House had 19 tourists and 46 participants in scheduled meetings and the Blue Blood Drive. Social events remain suspended due to COVID.

Sentinel Museum: The Museum had 50 visitors in December, approximately 20 less than typical for this time of year.

Swimming Pool: There were 37 swimmers at the Pool for the month. It is available from 6:00 to 9:00 a.m. and 2:00 to 4:00 p.m. by reservation, which is working well for the regular lap swimmers and exercisers. During the down times, the Lifeguards are working to advance their skills.

Eureka Airport: In December, the Airport sold 104 gallons of avgas.

Eureka Landfill: The Landfill had 442 (403 municipal, 39 commercial) customers in December, and received 126.5 tons of municipal waste and 165 tons of construction and demolition debris. Nine loads of steel, totaling 181 tons, were removed by Metro Recyclers of Utah.

PUBLIC WORKS

Public Works Update: Public Works Director Jeb Rowley reported on projects and activities.

Emergency Management: Mr. Rowley reported that 200 doses of Moderna are expected soon for the sixth week of vaccinations. Mr. Rowley is working closely with staff and William Bee Ririe to administer vaccines in proper order through the tiered priority groups. He has learned there is no residency requirement for critical frontline workers (only for the general population), allowing employees of mining contractors to be vaccinated. He thanked EMS Director Kenny Sanders for traveling to Crescent Valley on January 11th to administer vaccines to seniors and tier one individuals.

Vehicle/Equipment Tracking: Senior Public Works Mechanic David Jones is working on a spreadsheet to track vehicles and equipment to identify if parts and support are still available. This will serve as a tool to track maintenance and repair costs to determine the most fiscally responsible replacement schedule.

Yamaha Kodiak 450 4-Wheeler: One of the 4-wheelers is due for replacement and is needed for weed mitigation, work at the sewer ponds and around buildings, plowing sidewalks, spreading fertilizer, etc.

Commissioner McKay motioned to approve the quote from 5th Gear Powersports for a 2020 Yamaha Kodiak 450 4-Wheeler, in an amount not to exceed \$8,662.80, utilizing funds budgeted for capital outlay (045-178-55010-000) in the Eureka Water/Sewer Utility Fund. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Crescent Valley Town Park: Monies were budgeted to repair the pavilion at the Crescent Valley Town Park. A plan has been developed to do the work in-house at a cost savings that will allow remaining funds to be used to make repairs to the gazebo as well, including roof repairs and concrete work to address drainage issues.

Commissioner Sharkozy motioned to approve using funds budgeted for capital outlay (042-140-55010-311) in the Capital Projects Fund to remodel structures at the Crescent Valley Town Park, in an amount not to exceed \$50,000.00. Commissioner McKay seconded the motion. Motion carried 3-0.

NATURAL RESOURCES

Report on Activities: Natural Resources Manager Jake Tibbitts reported on recent activities. He is already busy tracking natural resource and water legislation proposed in the upcoming Nevada Legislative Session that will begin February 1st.

Water Regulations: Mr. Tibbitts worked closely with the water attorney to submit comments on behalf of Eureka County to the Division of Water Resources concerning proposed regulation changes related to filing extensions of time. The hearing was held on January 13th, and Mr. Tibbitts attended virtually.

Lahontan Cutthroat Trout: Mr. Tibbitts is participating in several interagency meetings (Nevada Department of Wildlife, Fish & Wildlife Service) concerning the Lahontan Cutthroat Trout. The agencies are attempting to have the fish removed from the endangered species list, and there are potential land use consequences that could affect Eureka County.

Upcoming Meetings: Upcoming meetings include a County Advisory Board to Manage Wildlife meeting on January 21st, the annual meeting of the Nevada Water Resource Association on January 27th (Mr. Tibbitts will participate in a panel discussion), and a Humboldt River Basin Water Authority meeting on January 29th.

Diamond Valley Adjudication: Mr. Tibbitts has been in the field with consultant William Price the past three weekends visiting sites of the claimed Public Water Reserves in preparation for the expert reports due by February in the court case regarding the Diamond Valley Adjudication.

Certification of Expenditure of Title III Funds: The County receives annual payments through the Secure Rural Schools & Community Self-Determination Act, which provides tax payments to counties to replace lost revenues from tax-exempt forest lands. The County receives funds under Title III of the Act and elected to use those funds for the Firewise Communities Program. Somewhat less was spent in 2020 since the main events – Firewise Days in May – had to be cancelled due to COVID. A report of expenditures is due each year by February 1st.

Commissioner Sharkozy motioned to approve the 2020 Certification of Expenditures of Title III Funds in the amount of \$4,063.02; Commissioner McKay seconded the motion; motion carried 3-0.

Wild Horse Gather: Mr. Tibbitts prepared a letter to the BLM (State Office and Battle Mountain District) thanking them for the recent successful Fish Creek HMA gather and encouraging continued coordination to maintain good working relationships and achieve healthy horses and healthy rangelands.

Commissioner Sharkozy motioned to send the letter to the BLM in response to the recently completed Fish Creek Herd Management Area wild horse gather; Commissioner McKay seconded the motion; motion carried 3-0.

CORRESPONDENCE

Correspondence was received from: Dan Stevens; Healthy Paws of Eureka (2); Garney Damele; District Attorney Ted Beutel (2); Sheriff Jesse Watts (2); Senior Center Program Director Millie Oram; Communication Supervisor Clara Bundy; County Advisory Board to Manage Wildlife; Television District; Abigail Johnson; UNR College of Business; Nevada Dept. of Transportation; Nevada Tobacco Prevention Coalition; US Dept. of the Interior-BLM (4); National Assoc. of Counties; Governing E-newsletter; and White House Office of Intergovernmental Affairs.

RECESS FOR LUNCH

The Board recessed for lunch from 12:00 to 1:00 p.m.

FISCAL YEAR 2021-2022 BUDGET - TAX RATE

Fiscal Year 2021-2022 Tax Rate: Chairman Goicoechea motioned that the County-wide tax rate remain the same for Fiscal Year 2021-2022, with no proposed increases; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Allocation of Tax Rate: Comptroller Kim Todd provided a breakdown of the current tax rate and anticipated revenues for each fund based on preliminary projected assessed valuations. Final revenue projections from the State will be received later in the budget process.

Following a discussion of each fund and anticipated needs for the upcoming and subsequent fiscal years, the Board discussed allocation of the County's tax rate. Commissioner Sharkozy motioned to approve the following allocation of the Fiscal Year 2021-2022 tax rate; Commissioner McKay seconded the motion; motion carried 3-0. *Funds with an asterisk (*) are set by statute.*

	<u>FY20-21</u>	<u>FY21-22</u>
General Fund	\$0.6125	\$0.6375
Future Reserve Fund	\$0.0000	\$0.0000
Road Fund	\$0.0500	\$0.0500
RTC Fund	\$0.0900	\$0.0700
Ag District #15	\$0.0000	\$0.0000
Building Maintenance & Reserve Fund	\$0.0000	\$0.0000
Landfill Fund	\$0.0500	\$0.0500
Water Mitigation Fund	\$0.0250	\$0.0450
Natural Resource Multiple Use Fund	\$0.0100	\$0.0050
Capital Improvement Fund	\$0.0700	\$0.0500
Agricultural Extension Fund	\$0.0100	\$0.0100*
Accident Indigent Fund	\$0.0150	\$0.0150*
County Indigent Fund	\$0.0033	\$0.0033*
Hospital Indigent Fund	\$0.0100	\$0.0100*
<i>Total General County</i>	<i>\$0.9458</i>	<i>\$0.9458</i>
Television District	\$0.0085	\$0.0085*
Crescent Valley Town	\$0.2153	\$0.2153*
Eureka Town	\$0.2153	\$0.2153*
Diamond Valley Weed District	\$0.0781	\$0.0781
Diamond Valley Rodent District	\$0.0400	\$0.0400

FISCAL YEAR 2021-2022 BUDGET - DEPARTMENTAL BUDGETS

NOTE: ALL DEPARTMENTAL BUDGETS ARE SUBJECT TO REVISION BEFORE ADOPTION OF THE FINAL BUDGET AT A PUBLIC HEARING, WHICH WILL BE HELD IN MAY.

District Attorney / Law Library: District Attorney Ted Beutel explained the only change requested in the District Attorney's budget for the upcoming fiscal year was a \$1,000.00 increase in telephone/fax. No changes were requested in the Law Library budget. (In an earlier meeting, it was explained that the IT Director recommended that departments only use electronic fax services that are HIPAA compliant, which accounts for the increase).

Technology Support (IT Department): IT Director Misty Rowley requested a net increase of \$979,000.00, explaining that this represents additional costs for a multitude of reasons. This includes completing the move to an independent network and eliminating reliance on Express Internet and SkyFiber. It includes necessary changes to comply with new legislation and regulations related to IT security, 911 systems, and multi-factor authentication necessary for secure remote work. It includes upgrades for equipment that is end-of-life and equipment that no longer supports existing and new platforms (expanded Dispatch Center, use of mobile RIMS, increased security at Sheriff's Office, etc.). \$720,000.00 of this represents a private 4G LTE network that could potentially improve cell phone service in the County (this could be reduced by \$360,000.00 if a phased approach is taken).

A significant portion of this budget request is based on recommendations from the County-wide assessment completed by Quest Media. Other increases represent items previously accounted for in the Capital Outlay budget. Some line items are pending more definitive quotes and estimates, but take into account equipment costs, supplies, contractor costs, and monthly recurring costs.

Natural Resources: Natural Resources Manager Jake Tibbitts submitted an operating budget with a net decrease of \$2,700.00, primarily due to a decrease in office supplies. Despite the decrease, this budget will support purchase of a new desktop computer, if needed.

NRAC: Mr. Tibbitts proposed a flat budget for the Natural Resources Advisory Commission.

Game Board: This budget supports the County Advisory Board to Manage Wildlife. Expenses are reimbursed by the State, but must be budgeted. Mr. Tibbitts proposed a net decrease to the operating budget of \$1,000.00.

Diamond Valley Weed District: Mr. Tibbitts proposed an increase of \$40,000.00 in contract services as contingency only. If the proposed Weed Technician position is hired, this money will not be used. This will simply ensure that the County has the ability to engage a contractor to fully utilize BLM grant monies in the event the hired position resigns before the season ends or doesn't work out for another reason. Mr. Tibbitts recommended budgeting for a replacement 4-wheeler. Comptroller Kim Todd suggested making the purchase in the current fiscal year and the Board agreed.

Diamond Valley Rodent District: Mr. Tibbitts proposed a \$40,000.00 reduction in the operating budget for the Rodent District, which will leave \$40,000.00 in contract services if the Rodent District Board decides to do a project in the upcoming year.

Water Mitigation Fund: This fund supports the Consulting Hydrogeologist contract, the US Geological Survey Joint Funding Agreement, and any test drilling and test pumping in Kobeh Valley. Mr. Tibbitts recommended no changes.

Natural Resources Multiple Use Fund: Mr. Tibbitts recommended a flat budget for this fund.

Conservation District: Mr. Tibbitts requested that the Commissioners include \$25,000.00 in miscellaneous grants in their budget for a potential grant to the Conservation District, noting that the District will not request a grant unless they approve a project that will benefit Eureka County.

County Commissioners: The Commissioners reviewed their budget. Reductions in contract services, travel/training, and office supplies accounted for a \$31,000.00 decrease. The amount for miscellaneous grants was increased by \$45,000.00, and there were slight increases to machine maintenance, NACO dues, and telephone/fax. The bulk of the overall \$319,500.00 increase in the proposed operating budget was accounted for by substantial increases in legal fees and water legal fees due to pending and current litigation.

Library: Elko-Lander-Eureka County Library System did not yet have the final contract amount, but estimated an increase of about \$9,000.00 primarily for computer and monitor replacement at both branches.

North End Activities Fund: No changes were proposed for this fund.

D&T Center (Medical Clinics): This fund supports the contract with William Bee Ririe Hospital and the contract with Rehab Services of Nevada. Ms. Todd proposed a \$50,000.00 decrease to this budget since that amount can be expended from the Hospital Indigent Fund.

Agricultural Extension: The proposed budget for Cooperative Extension had a net decrease of \$19,500.00 due to a reduction in service contracts.

PUBLIC COMMENT

Chairman Goicoechea called for public comments; there were none.

ADJOURNMENT

Commissioner Sharkozy motioned to adjourn the meeting; Commissioner McKay seconded the motion; the meeting was adjourned at 2:43 p.m.

Approved by vote of the Board this 22nd day of February, 2021.

/s/ J.J. Goicoechea

J.J. Goicoechea, Chairman

I, Jackie Berg, Commissioner Administrative Assistant, attest that these are a true, correct, and duly approved minutes of the January 20, 2021, meeting of the Board of Eureka County Commissioners.

/s/ Jackie Berg

Jackie Berg, Commissioner Administrative Asst.

I, Lisa Hoehne, Clerk Recorder of Eureka County, acknowledge and accept the attached minutes as approved by the Board of Eureka County Commissioners and attested to by the Commissioner Administrative Assistant.

/s/ Lisa Hoehne

Lisa Hoehne, Clerk