

EUREKA COUNTY BOARD OF COMMISSIONERS
Budget Meeting - January 26, 2016

STATE OF NEVADA)
 :ss
COUNTY OF EUREKA)

CALL TO ORDER

The Board of Eureka County Commissioners met pursuant to law on January 26, 2016, for a budget meeting. Present were Chairman J.J. Goicoechea; Vice Chairman Michael Sharkozy; Commissioner Fred Etchegaray; District Attorney, Ted Beutel; and Commissioner Clerk, Jackie Berg. The meeting was called to order at 1:00 p.m. and began with the Pledge of Allegiance. The interactive video conferencing system was connected and utilized between Crescent Valley and Eureka for a portion of the meeting; due to technical difficulties the remainder of the meeting was teleconferenced between the two locations.

APPROVAL OF AGENDA

Commissioner Etchegaray 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. In relation to future agenda items, the Chairman noted he had a scheduling conflict for the regular meeting scheduled on February 19th and would like an item placed on the next agenda to consider moving the meeting to February 22nd or another date agreeable to the Board.

COMMISSIONERS

Report from District Attorney on NRS 281.210 & Position of Comptroller: District Attorney, Ted Beutel, addressed the Board in relation to Nevada Revised Statutes 281.210. This statute prohibits any board or commission, with limited exceptions, from employing a relative of a person sitting on the board or commission who is within the first, second, or third degree of consanguinity (blood relative) or affinity (relative by marriage) to any one of the board members.

Chapter 251 of NRS grants the Board of County Commissioners authority to create the position of Comptroller, which Eureka County did by ordinance effective January 1, 2016, to address an immediate need. NRS 251.170 identifies the Commissioners as appointing authority for this position. The Board selected the only applicant, Kim Todd, from the existing pool of employees to serve as County Comptroller.

Mr. Beutel emphasized that there were no concerns with Ms. Todd or her work performance and he noted that she was still serving as Comptroller. Items concerning the position of Comptroller were placed on the agenda to consider an allegation made by a member of the public that NRS 281.210 had been violated with this appointment. The concern was that Commissioner Etchegaray is related by marriage and is uncle-in-law to Ms. Todd.

The Eureka County Personnel Manual, updated and distributed in 2010, contains a chart identifying relationships in regard to consanguinity and affinity. According to this chart, the Commissioner is within the fourth degree of affinity to the Comptroller (the relationship by marriage was disclosed by Commissioner Etchegaray at the time the appointment was made). Fourth degree relationships do not constitute a violation of NRS 281.210. District Attorney Beutel confirmed that according to the State relationship chart, the Commissioner and Comptroller are within the third degree of affinity (since the State chart recognizes the spouse in the same position as the employee, rather than one degree removed as in the County chart).

Based on this, the District Attorney recommended the following steps: (1) Commissioner Etchegaray should state the relationship according to the State's chart and abstain from

deliberation and voting on this matter; (2) the remaining Commissioners should entertain a motion to rescind appointment of the Comptroller; (3) the Commissioners should recognize that the former Comptroller is not unemployed as a result of the appointment being rescinded, but she will simply continue her previous employment with the County in a position not hired by or managed by the Board; (4) to satisfy NRS 281.210(3)(a), the District Attorney and Board members should share in the cost of personally repaying the compensation received by the Comptroller during her service in that position; and (5) the vacant Comptroller position should again be posted internally with a deadline determined for receipt of applications.

The District Attorney added, *“There is no reason to claim this was a deliberate or willful attempt by anyone to circumvent the law. On the contrary, the facts and circumstances point to every County official trying to do what is best for Eureka County and its citizens within the law.”*

Abstention of Commissioner Etchegaray: Commissioner Etchegaray stated that with the determination of NRS 281.210, he is within the third degree of affinity with Kim Todd and recused himself from discussion and action on this matter. At this point in the meeting, Commissioner Etchegaray left the Commission Chambers.

Appointment of Comptroller Rescinded: Chairman Goicoechea motioned to rescind the decision of the Board, dated December 21, 2015, regarding the appointment of Comptroller, thereby making the position vacant. Commissioner Sharkozy seconded the motion. Motion carried 2-0.

Internal Job Posting of Comptroller Position: Commissioner Sharkozy motioned the following: an internal job posting for the position of Comptroller will immediately be posted with applications due by 9:00 a.m. on February 1st; all applications received will be forwarded to contract Human Resources for review and recommendation; interviews will be conducted and an appointment will be considered during the budget meeting scheduled for 1:00 p.m. on February 1st. Chairman Goicoechea seconded the motion. Motion carried 2-0.

Appreciation of Ms. Todd: Personally and on behalf of the Board, Chairman Goicoechea thanked Ms. Todd and offered appreciation for her willingness to step forward and take on the duties of Comptroller.

Upon conclusion of this matter, Commissioner Etchegaray rejoined the proceedings.

FISCAL YEAR 2016-2017 BUDGET PREPARATIONS

Revenue Projections: Ross Eardley, of McMullen McPhee & Company, joined the meeting by telephone and provided a quick update on revenue projections from the State of Nevada. Penny Hampton, Budget Analyst with Nevada Department of Taxation, informed him that the Department is still gathering property reports from the counties and will use the information to compile projections, which should be distributed in mid-February. Ms. Hampton indicated she isn't aware of anything that would create a major change for Eureka County.

Budget Director, Michael Mears, and Clerk & Treasurer, Beverly Conley, concurred with Ms. Hampton's observations, noting that in-house property tax numbers and projections for the upcoming fiscal year look very similar to the current budget year.

DEPARTMENTAL BUDGET REVIEWS

Juvenile Probation: Juvenile Probation Officer, Steve Zimmerman, and Senior Department Assistant, Joyce Jeppesen, discussed services provided by Juvenile Probation. The primary statutory requirements of the department are supervision of juveniles and the associated case work assigned by the District Judge. In addition to Eureka County, the Juvenile Probation Office serves White Pine and Lincoln Counties.

Mr. Zimmerman and Ms. Jeppesen provided a detailed overview of the multiple programs managed by their department. Most are funded by grants, while others are completely self-

funded. This includes youth groups and activities, tutoring and educational services, and recreational programs such as sports, dance classes, etc.

Staffing consists of two full-time positions. Additional staffing is in the form of grant facilitators and volunteers, with any additional paid positions completely funded by the grants.

County Recorder: County Recorder, Sara Simmons, briefly reviewed the statutory requirements of her office. Most duties are related to the recording, maintaining, and indexing of historical and current documents, as well as computing and collecting fees related to these records. Ms. Simmons noted that her office is taking on additional duties that will not affect administrative costs or staffing level. These include processing passports and scanning of County documents.

Her office requires two full-time positions, including the elected Recorder. Occasionally, a casual person or employee from another constitutional office may fill in should both staff members be unavailable.

County Assessor: Assessor, Michael Mears, discussed the prescribed duties of the Assessor's office as required in NRS 360 and NRS 361. This includes management of 4,000 taxable parcels – reappraisal, recosting, mapping, upkeep of parcel records, and handling any appeals. Much of the work is conducted in the field since physical evaluation of each property is required every five years. Staff must be certified to conduct the appraisals.

The Assessor's office also provides DMV (Department of Motor Vehicle) services. Although this can take a substantial amount of time, Mr. Mears coordinates this service so there are minimal impacts on existing budget and existing staff. He feels this is a valuable service that the County should continue providing.

Minimum staff needed to perform Assessor duties is comprised of three full-time positions, including the elected Assessor, and one casual position. With no room to cut essential services, Mr. Mears informed the Board he plans to submit a status quo budget.

Information Technology / Network Services: Mr. Mears serves as IT/Network Analyst Supervisor and reviewed necessary IT services. Technology is an expensive, but necessary, component of doing business. Mr. Mears shared several ways that he and IT/Network Analyst, Misty Rowley, are working to reduce costs and streamline these services.

Technology will now be consolidated under one budget. For many years costs have been split between accounts and certain contracts and services have been shared across different departments. This has made it difficult to ascertain a true figure of overall technology costs.

All services and contracts are being evaluated in order to reduce or eliminate items that are duplicated or obsolete, and this will be an ongoing effort. Mr. Mears gave several examples where expenses have been eliminated entirely or have been reduced while refining services.

Mr. Mears anticipates some critical technology expenditures in the upcoming fiscal year, but plans on utilizing the Assessor's Technology Fund for these capital expenditures. Staffing for this department consists of one full-time position and the contracted services of Business Continuity Technologies (BCT).

Sheriff's Office: Sheriff Keith Logan presented an overview of essential services for the departments under the Sheriff. The legal duties of the Sheriff are outlined in NRS Chapters 211, 212, 244, 245, 248, 289, 364, and 432B. Duties provided by the Sheriff's Office include patrol, detentions, dispatch including 911 services, search and rescue, legal and civil process service, coroner services, animal control, gaming and liquor licenses, civil background investigations, duties related to the courts including serving as Bailiff, first response, and other duties.

Sheriff Logan provided more detail on communications/dispatch, patrol, detentions, and administration, as those are the areas with designated staff. His department consists of 18 full-time positions, including the elected Sheriff and the appointed Undersheriff. Three of those positions are currently vacant.

Breakdown of current staff is as follows: Sheriff, Undersheriff, four Dispatchers (three Dispatchers and a Communications Sergeant), four Detention Deputies (three Deputies and a Sergeant), a total of three Patrol Deputies for Eureka and Crescent Valley (two Deputies and a Sergeant), and two administrative staff (Civil Process Administrator and Senior Administrative Assistant). Current vacancies include one Dispatcher and two Patrol Deputies.

Overtime and on-call hours were discussed. The migration to Deputy I, Deputy II, and Deputy III positions, with the ability to work either patrol or detentions, has helped manage coverage, but overtime is still an issue. Payroll costs are affected by “forced hours” and “forced overtime” that must be paid. Policy defines the work period for law enforcement as a guaranteed 171 hours within a 28 day period, and anything worked in excess of that is overtime.

The option of changing Deputies to salaried positions, with salaries calculated to include compensation for overtime hours, was considered. The Board asked Sheriff Logan to work with contract Human Resources to evaluate whether this would provide a cost savings.

FUTURE BUDGET MEETINGS

Future budget meetings are scheduled for February 1st, February 5th (during the regular meeting), and February 11th. The Board reviewed agenda items for the upcoming meetings.

PUBLIC COMMENT

Chairman Goicoechea opened the floor for public comments. The Chairman explained that, following interviews and applicant presentations on January 12th, the University of Nevada Cooperative Extension offered the position of Extension Educator in Eureka to one of the candidates. Unfortunately, the applicant turned down the position and the search committee has decided to readvertise the position. The search committee shared the following response from the candidate, *“After much consideration and research into the position in Eureka County, I respectfully decline the offer of employment. After the interview, I had a good tour of the city and was given an insightful explanation of the county situation, real estate investment, and people in the community where I’d be physically working. In consultation with real estate investors who understand the local market, it became clear that this would not be a wise place to invest in a home or acreage and has the high potential for major loss.”*

ADJOURNMENT

Commissioner Sharkozy motioned to adjourn the meeting; Commissioner Etchegaray seconded the motion; the meeting was adjourned at 3:15 p.m.

Approved by vote of the Board this 5th day of February, 2016.

/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 26, 2016, budget 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