

EUREKA COUNTY BOARD OF COMMISSIONERS

February 5, 2010

STATE OF NEVADA)
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COUNTY OF EUREKA)

CALL TO ORDER

The Board of Eureka County Commissioners met pursuant to law on February 5, 2010. Present were Chairman Leonard Fiorenzi, Vice Chair Jim Ithurrealde, Member Mike Page, District Attorney Theodore Beutel, and Clerk & Treasurer Jackie Berg. The meeting was called to order at 9:32 a.m. and began with the Pledge of Allegiance. The interactive video conference 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 Page seconded the motion. Motion carried 3-0.

PUBLIC COMMENT

Chairman Fiorenzi called for public comments. There were none.

APPROVAL OF MINUTES

Commissioner Page motioned to approve the minutes of the January 14, 2010, budget meeting; Commissioner Ithurrealde seconded the motion; motion carried 3-0. Commissioner Ithurrealde motioned to approve the minutes of the January 14, 2010, joint meeting with the Eureka County School District; Commissioner Page seconded the motion; motion carried 3-0. Commissioner Ithurrealde motioned to approve the minutes of the January 20, 2010, Commissioner meeting; Commissioner Page seconded the motion; motion carried 3-0. Commissioner Ithurrealde motioned to approve the minutes of the January 20, 2010, Open House for the Main Street Water and Sewer Project; Chairman Fiorenzi seconded the motion; motion carried 2-0 (Commissioner Page abstained from voting because he did not attend the meeting).

FINANCE

Payment of Expenditures: Expenditures were presented for approval by Mike Rebaleati, County Recorder & Auditor, noting that it included a \$507,549.04 payment to the Eureka County School District. Chairman Fiorenzi abstained from voting on any vouchers for Pernecia Johnson, Deputy Public Guardian, due to a close family relationship. Commissioner Ithurrealde made a motion to approve County expenditures in the amount of \$1,301,878.82, which included \$44,100.50 for the quarterly POOL/PACT payment, \$304,909.72 in payroll, \$441,148.23 in accounts payable, and \$511,720.37 in special accounts payable. Commissioner Page seconded the motion. Motion carried 3-0.

Commissioner Page made a motion to approve expenditures for Yucca Mountain in the amount of \$11,400.72. Commissioner Ithurrealde seconded the motion. Motion carried 3-0.

Auditor's Report: Mr. Rebaleati presented the Auditor's Report, noting that the General Fund was recently reduced because of approved budget transfers to other County funds. Also, the County's Loss Control Internal Fund will be reviewed at the next budget meeting.

CORRESPONDENCE

Correspondence was received from: Darlene Moody, Drug-Free Committee Chairperson; Eureka Moly newsletter; Ted Beutel, District Attorney (4); Ron Damele, Public Works Director (3); Eureka County Planning Commission; Eureka County Economic Development Program; Eureka County Television District; Crescent Valley Town Advisory Board (3); Elko, Lander, Eureka County Library System; Elko County Board of Commissioners; Nevada Association of Counties (6); Nevada Division of

Water Resources; Nevada POOL/PACT; Nevada Dept. of Taxation (3); Nevada Dept. of Motor Vehicles; Nevada Gaming Control Board; US Rural Development, Nevada State Office; Office of Nevada Energy Commissioner; NDOT Centerline; NHD Reporter; Nevada Economic Update; Western Watersheds Project; National Translator Association; Congressman Dean Heller; National Association of Counties (2); and US Dept. of the Interior-Bureau of Land Management (4).

EUREKA COUNTY HUMAN RESOURCES

Update Report: Jerry Larson, Human Resources Analyst, reported that he completed the Essential Management Course offered by POOL/PACT and will be recommending the course to County department managers. Focus meetings have been held for employees and managers in Crescent Valley and Eureka to discuss proposed personnel policy changes.

Draft Eureka County Personnel Policy Manual: Mr. Larson provided a summary of employee recommendations for the personnel policy manual update. Members from the Wage & Salary Committee were present during this agenda item to discuss suggested changes. Recommendations, resulting from the focus meetings, included: option of a pay increase after employee's completion of the six-month probationary period; replacement of the current thirty step pay program to eliminate the ceiling for step increases; and inclusion of a layoff policy. Commissioner Page motioned to tentatively approve leaving the six-month pay increase in place; the motion failed for lack of a second on the motion. Discussion continued on different levels of job classifications; percentage step increases; developing new job descriptions for different classifications; rewarding employees for accelerated improvements and training; cost of living adjustments (COLA); merit increases; wages and increases in relation to County financial stability. Chairman Fiorenzi requested a spreadsheet with information regarding pay scales for each job description within the County, as well as a copy of the original policy manual to compare proposed changes. The Board will review the proposed changes to the personnel policy in detail at the February 24th budget meeting.

Insurance Costs for Exempt Personnel: Mr. Larson felt there were inconsistencies in the benefits packages provided to exempt employees. The Board clarified that exempt employees under the direct supervision of the Board of County Commissioners, who *also* supervise staff in their department, receive the higher benefit. Exempt employees under direct supervision of the Board, but without any supervisory responsibilities, receive the same benefits package as non-exempt employees. The Board directed staff to address this issue by providing clarification in the personnel policy, and to bring it back before the Board for endorsement.

ROAD DEPARTMENT

Update Report: Raymond Hodson, Road Superintendent, reported on Road Department activities. The Road Department has been working on Keg Road and helping with snow removal. A copy of the Winter Snow Removal Policy was provided to the Board for review. Mr. Hodson has attended 30 hours of Occupational Safety and Health Administration (OSHA) training. The Road Department has also been working on the Dry Hills Road and various cattle guards in the northern part of the County.

PUBLIC WORKS

Public Works Update: Ron Damele, Public Works Director, reported that the Senior Center entrance is being treated for mold remediation. The floor is being dried, which may take up to two weeks, and repair will follow. The leak at the Crescent Valley clinic is being addressed. The area is being dried and must be washed down and dried twice. The repair of both facilities is being expedited as they are critical facilities to the County. A cost estimate is being developed by Belfor, the company facilitating the repairs.

Timing System for Eureka Fairgrounds: Mr. Damele reported that the current electronic timing system at the Fairgrounds is no longer adequate. The Recreation Board suggested that the Commissioners approve the purchase and that the Public Works Department be in charge of

the system. Two quotes for a new timing system were received in the amount of \$2,478.00 (Farm Tech) and \$1,783.00 (Signature Gear). Mr. Damele noted that funds were available in the budget for the Fairgrounds. Commissioner Ithurralde motioned to refer the purchase of a new electronic event timing system back to the Recreation Board for consideration; Commissioner Page seconded the motion; motion carried 3-0.

Department Assistant in Crescent Valley: Mr. Damele explained that the need for a casual Public Works position is anticipated in Crescent Valley. In order to be prepared to hire a casual worker, a job description is needed for that position. Mr. Damele noted that the casual hours are already provided in the budget. Commissioner Ithurralde made a motion to approve a job description for a casual department assistant in Crescent Valley; Commissioner Page seconded the motion; motion carried 3-0.

Transuranic Nuclear Waste Shipments: Mr. Damele received a letter from the Nevada Agency for Nuclear Projects explaining that the US Department of Energy plans to begin shipments of transuranic nuclear waste along Interstate 80. The shipments, from several California sites, will be going to the Idaho National Laboratory near Idaho Falls. Mr. Damele explained that the waste includes materials, such as clothing and tools, contaminated with small amounts of plutonium. Shipments will be escorted by the Nevada Highway Patrol from border to border, and the State has offered training for local departments including emergency medical services, police, and fire departments. Mike Sullivan, EMS Coordinator, and Sam Hicks, Battalion Chief, will be organizing training for volunteer departments. The State will also provide certain equipment, but security of the equipment must be arranged.

Commercial Water and Sewer Service Application: A new 2-inch commercial water and sewer service application was received from the Eureka County School District for the new concession building planned at the football field on Vandal Way. Mr. Damele confirmed that the County currently has the capacity to support the service, but recommended that the approval be conditional upon the proper abandonment of the current septic tank. Commissioner Page made a motion to approve the 2-inch water and sewer application for the football field on Vandal Way; Commissioner Ithurralde seconded the motion; motion carried 3-0.

Swap and Trade Proposal: Mr. Damele explained that the County received a proposal from Frank & Elmer, LLC, for a swap and trade of property and road abandonment in Eureka. Mr. Damele noted that unless road rights-of-way were reverted to acreage, he would not recommend abandoning the County rights-of-way as outlined in the proposal. If properties were developed near the proposed abandonments then easements would be required. Mr. Damele described a right-of-way conflict associated with the proposal which would need to be resolved. There are parcels that the County may be interested in trading for in the proposal that may prove beneficial in the future. The Board directed Mr. Damele to contact Frank & Elmer, LLC, and convey the proposal suggestions for consideration.

Eureka Sheriff Dispatch Remodel Project: The contract for the Dispatch Remodel Project is for 270 days, which concludes on May 10th. The security door has been relocated, electrical work is nearly complete, and roofing is expected to be installed in approximately one week.

Retaining Wall: Mr. Damele is working with the County Engineer to draft a proposal to place monitoring survey points on the Paul Street retaining wall, as directed by the Board. The proposal should be available by February 19th.

COUNTY ENGINEER

Ruby Hill Sidewalk Project: Tom Young, Lumos & Associates, reported that the Ruby Hill Sidewalk Project is complete. Applications for payment reimbursement on the project have been submitted to Nevada Department of Transportation and the County is waiting for those funds.

Change Order #4 for Ruby Hill Sidewalk Project: Mr. Young explained that Change Order #4 will reduce the overall contract amount by \$36,940.00. Commissioner Ithurralde made a motion to approve Change Order #4 for the Ruby Hill Sidewalk Project, deducting \$36,940.00

from the contract to balance quantities; Commissioner Page seconded the motion; motion carried 3-0.

2009 Street Maintenance Project: Mr. Young reported that the 2009 Street Maintenance Project is complete, and similarly needs a reduction in the overall contract amount to reflect force account funds not used.

Change Order #3 for 2009 Street Maintenance Project: Commissioner Page motioned to approve Change Order #3 for the 2009 Street Maintenance Project, deducting \$50,003.25 from the contract to balance quantities; Commissioner Ithurralde seconded the motion; motion carried 3-0.

Main Street Water and Sewer Replacement Project: Mr. Young reported on the open house held on January 20th in order to gather comments from the public regarding the Main Street Water and Sewer Replacement Project. Approval is needed from the Nevada Department of Environmental Protection for the project plans, and the plans were resubmitted to Nevada Department of Transportation for issuance of the permit. Advertising for the project is expected to begin on February 16th, with a pre-bid meeting on March 8th, bid opening on March 19th, and a possible award of the project on April 6th. If the expected schedule is followed, construction may begin during the first week in May.

YUCCA MOUNTAIN

Update Report: Abby Johnson, Nuclear Waste Advisor, reported on Yucca Mountain activities. On January 29th, Secretary of Energy, Steven Chu, appointed a 15 member blue ribbon commission to examine nuclear waste storage and disposal and to find solutions other than Yucca Mountain. On February 1st, funding for Yucca Mountain under the Office of Civilian Radioactive Waste Management for Federal Fiscal Year 2011 was zeroed out; however, funding for remediation and closeout of Yucca Mountain was made in the Environmental Management Budget under the Department of Energy (DOE). The DOE announced their intention to withdraw the Yucca Mountain licensing application with prejudice within 30 days. Once this occurs, the DOE could only re-file for licensing with permission from the Nuclear Regulatory Commission (NRC). Ms. Johnson reported that the Yucca Mountain Licensing Board will direct involved parties on how to proceed with maintaining and archiving the licensing support network collection of documents. Mr. Beutel asked whether alternatives to Yucca Mountain or waste disposal have been addressed publicly by the federal administration. Ms. Johnson relayed that the nuclear industry has been talking about on site dry cask storage for new power plants until another site is identified. A plan and budget for the close out of County activities concerning Yucca Mountain will be brought forward to the Board when more information is available.

NEPA COMMITTEE

Update Report: Abby Johnson, EIS Coordinator, and Jake Tibbitts, Natural Resources Manager, reported on National Environmental Policy Act (NEPA) Committee activities. A NEPA Committee meeting was held on February 4th where an updated schedule for the Mount Hope Project was received verbally. Eureka Moly is expecting to submit revised versions of the Hydrology Report, Pit Lake Report, and Ecological Assessment by the end of February. If there are no major issues with these reports, the administrative draft Environmental Impact Statement (EIS) may be released at the end of March. A 3M Plan meeting to discuss thresholds is being planned with the BLM as well. Ms. Johnson reported that she is continuing to communicate with the County's technical review team in order to keep them informed on the schedule for potential document review. The next NEPA Committee meeting is tentatively planned for February 18th.

Mount Hope Project Correspondence: Mr. Tibbitts reported that the County received an updated Plan of Operations from Eureka Moly. The amended Plan of Operations includes additional water wells that will be used during the construction phase of the mine. Kirk Wings, of Environ, provided the County with comments on the revised Air Quality Report. Items of

concern brought up by Mr. Wings will be addressed in other sections of the mine's EIS, according to Pat Rogers, Eureka Moly Environmental Manager.

RECESS FOR LUNCH

The Board recessed for lunch from 12:00 p.m. to 1:03 p.m.

NEVADA DIVISION OF FORESTRY

Training System: Sam Hicks, Eureka County Battalion Chief with the Nevada Division of Forestry (NDF), explained that a computer based training system would be beneficial for training volunteer fire departments in Eureka County. The program will allow volunteers to carry out training and testing on the system, and the training can be tracked. The cost of the system is between \$20,000.00 and \$25,000.00, which was provided for in the current fiscal year budget. Commissioner Ithurrealde made a motion to approve the purchase of the training system; Commissioner Page seconded the motion; motion carried 3-0.

Type 6 Engine Purchase: Mr. Hicks explained that the 2005 Ford 550, used by NDF firefighter Ty Hanson, is in need of replacement. The vehicle has had multiple repairs under warranty, and the warranty has just expired. Mr. Hicks relayed that \$85,000.00 was budgeted for a replacement vehicle, but actual cost is expected to be closer to \$72,000.00. Discussion was had on the use of the Eureka County vehicle by a State employee, liability issues, use of the vehicle within the County borders, and titling of the vehicle. Pursuant to County policy, Mr. Hicks agreed that specifications and purchase of the vehicle will be done through Public Works. Terry Conaway, Diamond Valley Fire Chief, added that the responsibility of the maintenance of the vehicle should be considered. Chairman Fiorenzi clarified that a County vehicle will be maintained by the County. Mr. Hicks added that any time a County owned vehicle is used outside of the County lines, the County is reimbursed at a daily rate charge and notification is provided to the County fire departments. Commissioner Page motioned to approve purchasing a Type 6 engine through State purchasing; Commissioner Ithurrealde seconded the motion; motion carried 3-0. The Board agreed that titling of the vehicle will be decided at a later time.

Out-of-State Travel for Battalion Chief: Commissioner Page motioned to approve out-of-state travel and payment of per diem travel expenses for the Eureka County Battalion Chief to attend leadership training in Boise, Idaho, in March; Commissioner Ithurrealde seconded the motion; motion carried 3-0. Mr. Hicks explained that the training is provided at no cost and is a continuation of a leadership class.

AMBULANCE AND EMS

Cardiac Monitor/Defibrillator: Mike Sullivan, EMS Coordinator, explained that he has been assisting Nevada Health Centers in purchasing replacement defibrillator/monitors for the Eureka and Crescent Valley clinics, which were budgeted for Fiscal Year 2009-2010. The replacement defibrillator/monitors will greatly enhance the ability of the clinic staff to save a life. One unit will be placed in Crescent Valley, and two units will be placed in Eureka. The units are Philips Heart Start MRX Monitor Defibrillators and will go out for bid. Commissioner Ithurrealde made a motion to direct the EMS Coordinator to bid for the "sole source" cardiac monitor/defibrillators; Commissioner Page seconded the motion; motion carried 3-0.

SENIOR CENTERS

Update Report: Millie Oram, Eureka Senior Center Site Director, reported that she traveled to Elko for orientation on the new transportation grant application which is due March 18th. Meal counts for January were 898 in Eureka and 720 in Crescent Valley. Ms. Oram continues to help residents in applying for welfare and emergency assistance. There are currently 56 families in Eureka County on food bank assistance. The senior centers deposited \$14,299.00 for the month of January which included funds from an equipment grant. The Senior

Center Advisory Board will meet on February 16th. Adell Panning, Fannie Komp Senior Center Site Director, reported that the State Health Inspector inspected the Crescent Valley Center and it received a 100% grade.

Notification of Grant Award: Ms. Oram explained that the amount for a nutrition equipment grant received by the County was \$500 more than expected, and the amended Notification of Grant award was signed on January 19th due to time constraints. Commissioner Ithurralde made a motion to ratify the signing of the Notification of Grant Award from the Nevada Aging and Disability Services Division in the amount of \$3,618.00, with a County match of \$639.00; Commissioner Page seconded the motion; motion carried 3-0.

EUREKA COUNTY SHERIFF

New Job Description: Sheriff Ken Jones explained that the Sheriff's Office needs to fill a position through promotion which is greatly needed. The opening in the office is for a Lieutenant; however, replacing the Lieutenant position with a Captain position will allow that individual to obtain an executive POST certificate. An executive POST certificate is essentially a management certificate and the individual would be considered a law enforcement manager. Sheriff Jones added that eliminating the Lieutenant position and replacing the position with a Captain will save the County money. The Captain position would be an exempt position, which would eliminate overtime accrual. Sheriff Jones consulted with Mr. Larson regarding the new job description. Mr. Larson explained that PERS will have to determine whether the position and job description is acceptable. The Board agreed to table the consideration of the Captain's position until the budget meeting on February 24th when more information is available.

EUREKA COUNTY HEALTH INSURANCE COMMITTEE

Community Health Fair: Kim Todd, Health Insurance Committee Chairperson, reported that Saint Mary's (County's health insurance provider) was contacted regarding participation in the County's Health Fair. Saint Mary's will provide basic services for the Health Fair at a cost of \$69.00 per person. Additional tests will cost extra and will be paid by the participant. Based on 200 participants, the cost estimate is \$14,350.00. Barrick Gold (Ruby Hill Mine) confirmed they will donate \$1,500.00; donations will also be requested from Eureka Moly and the Eureka County School District.

Funding for the 2010 Community Health Fair: Commissioner Ithurralde motioned to fund the 2010 Community Health Fair; Commissioner Page seconded the motion; motion carried 3-0.

NATURAL RESOURCES

Activity Report: Jake Tibbitts, Natural Resources Manager, attended: the NEPA Committee meeting on January 21st; a fuels reduction tour with NDF on January 27th; a Negotiating Team meeting on February 1st; a meeting with Dale Bugenig, of Eco:Logic, and Ron Damele on February 2nd; the budget meeting on February 3rd; and a phone conference regarding the Western Watersheds lawsuit on February 4th. The Nevada portion of the Western Watersheds lawsuit has been severed from the Idaho case and transferred to Nevada. Mr. Tibbitts reported that the County is now a cooperating agency in the Solar Programmatic EIS and the Memorandum of Understanding with the State has yet to be received. Mr. Tibbitts explained issues relating to the BLM filing for stock water rights. Ruby Hill Mine sent a copy of their Fourth Quarter 2009 Water Use Report, depicting consumptive water use and re-infiltration of groundwater. NDOT sent a letter inviting Mr. Tibbitts to sit on a newly formed technical advisory committee to assist in development of a land use compatibility guidebook. Chairman Fiorenzi suggested that Mr. Tibbitts attend the first NDOT advisory committee meeting before committing. Mr. Tibbitts relayed that a decision was issued by the State Water Engineer on Southern Nevada Water Authority's water applications.

Upcoming Meetings: Mr. Tibbitts will be attending: Boulder Valley and Maggie Creek Monitoring meeting in Carson City on February 9th; a Natural Resource Advisory Commission (NRAC) meeting on February 10th with BLM representatives in attendance; and a Mormon cricket and grasshopper update by the Nevada Department of Agriculture on February 16th. Mr. Tibbitts added that the BLM is holding an open house at the Opera House on February 23rd regarding the 3-Bars Ecosystem and Landscape Restoration Project.

Natural Resources Legislation: Mr. Tibbitts provided a letter addressed to Senator Reid and Senator Ensign regarding geothermal royalty payments to counties. The current federal administration has made a proposal to permanently repeal county royalty payments on geothermal operations. Commissioner Ithurrealde made a motion directing the Chairman to sign the letter to Nevada's congressional delegation regarding geothermal royalty payments to counties; Commissioner Page seconded the motion; motion carried 3-0. Mr. Tibbitts reported that the Environmental Protection Agency announced that it can now regulate greenhouse gases under the Clean Air Act. A letter will be drafted and brought to the Board opposing the measure.

Synergy Resource Solutions, Inc.: Mr. Tibbitts explained that the scoping period for the BLM's proposed 3-Bars Ecosystem and Landscape Restoration Project is upcoming and Jack Alexander, Synergy Resource Solutions, Inc., submitted a proposal to provide comment on behalf of the County. Mr. Alexander is familiar with similar projects. The proposal will not exceed \$2,000.00 and funds are available in the NRAC budget. Commissioner Ithurrealde motioned to hire Synergy Resource Solutions, Inc., to provide comment during the scoping period of the 3-Bars Project, not to exceed \$2,000.00; Commissioner Page seconded the motion; motion carried 3-0.

EUREKA COUNTY MASTER PLAN UPDATE

Joint Meeting Between Planning Commission and County Commissioners: Vera Baumann, Planning Commission Administrative Assistant, reported that recommended revisions have been made to the Master Plan Update. The Commissioners pointed out several additional corrections. Commissioner Ithurrealde made a motion to set a joint Planning Commission and County Commissioners' meeting for Wednesday, February 17th at 9:30 a.m.; Commissioner Page seconded the motion; motion carried 3-0.

EUREKA COUNTY CLERK AND TREASURER

December 2009 Treasurer's Report: Discussion was had on the availability of projected net proceeds payments made to the County for production year 2009. Clerk & Treasurer, Jackie Berg explained that pre-paid net proceeds for production year 2009 will be budgeted for Fiscal Year 2010-2011. The projected net proceeds payments will be balanced in April or May when the mines 'true-up' their reports and submit final payments to the Nevada Department of Taxation. The Board reviewed the December 2009 Treasurer's Report without further comment.

EUREKA COUNTY SCHOOL DISTRICT

October, November, and December Financial Reports: Commissioner Page motioned to accept the School District's financial reports for October, November, and December 2009; Commissioner Ithurrealde seconded the motion; motion carried 3-0.

COMMISSIONERS

Update Reports: Commissioner Page attended the most recent Crescent Valley Town Advisory Board meeting, and visited a historical building at the Dean Ranch with Jay Scott, President of the Crescent Valley Historical Society. Commissioner Ithurrealde attended the Main Street Water and Sewer Project public meeting; a meeting with the Human Resources Analyst;

and a meeting with the Budget Officer on February 1st. Chairman Fiorenzi attended the public meeting on the Main Street Water and Sewer Project and the NEPA Committee meeting.

Resignation Letter from Chuck Henry: Commissioner Page made a motion to accept Chuck Henry's letter of resignation from the Crescent Valley Town Advisory Board; Commissioner Ithurralde seconded the motion; motion carried 3-0.

Termination of Bond Tax Rate: The Board reviewed the resolution to terminate the portion of the County tax rate assessed for the Eureka County School District general obligation bond (\$0.1625) to be effective Fiscal Year 2010-2011. Chairman Fiorenzi expressed concerns with language in the resolution stating that "the Commissioners want to ensure that the School District has sufficient funds after the reconciliation of 2009 net proceeds of mine tax payments is concluded to retire the School debt." Commissioner Page motioned to approve adopting the resolution to terminate the portion of the County tax rate assessed for the Eureka County School District general obligation bond; Commissioner Ithurralde seconded the motion; motion carried 2-1. Chairman Fiorenzi voted against because he felt that the resolution was unnecessary.

Eureka, Nevada

February 5, 2010

**RESOLUTION TO AFFIRM THAT THE EUREKA COUNTY SCHOOL DISTRICT
WILL PAY OFF THEIR LONG TERM DEBT EARLY AND TO REMOVE THE
TAX RATE FOR THE SCHOOL DEBT FROM THE TAX ROLL**

WHEREAS, the Board of Eureka County Commissioners is committed to keeping promises to the taxpayers of Eureka County by paying down debt as quickly as possible; and

WHEREAS, the Board of Eureka County Commissioners is committed to the proper management of taxpayer monies; and

WHEREAS, the price of gold along with a recent prepayment of the net proceeds of mine tax has made it possible for the school debt to be retired in five years; and

WHEREAS, the prepayment of net proceeds would be negatively affected if the tax rate for the school debt was removed earlier than July, 2010; and

WHEREAS, the Board of Eureka County Commissioners wants to ensure the School District has sufficient funds, after the reconciliation of the 2009 net proceeds of mine tax payment is concluded, to retire the school debt; and

WHEREAS, the Board of Eureka County Commissioners with this resolution is affirming that the Eureka County School District will pay off the recent bond issued for the high school remodel in the next few months;

NOW THEREFORE, BE IT RESOLVED, that the Board of the Eureka County Commissioners on behalf of the citizens of Eureka County, will not apply any tax rate for the Eureka County School District debt for fiscal year 2010-2011 beginning in July, 2010.

ADOPTED this 5th day of February, 2010.

Board of Eureka County Commissioners
County of Eureka, State of Nevada

By: /s/ Leonard Fiorenzi
Leonard Fiorenzi, Chairman

By: /s/ J.P. Ithurralde
J.P. Ithurralde, Vice Chairman

By: /s/ Mike Page
Mike Page, Member

ATTEST: /s/ Jackie Berg
Jackie Berg, Clerk of the Board

Mount Hope Project EIS and NEPA Process: The Board reviewed a draft letter to the BLM relaying that the County is pleased with certain items regarding the Air Quality Impact Analysis that have been addressed, but concerns still exist that need to be addressed as well. Commissioner Ithurralde made a motion to authorize the Chairman to sign the letter addressed to Dave Davis, Natural Resource Specialist with the BLM, regarding the Air Quality Impact Analysis; Commissioner Page seconded the motion; motion carried 3-0.

PUBLIC COMMENT AND OPEN DISCUSSION

Chairman Fiorenzi stated that future requests for County positions, wage proposals, or job descriptions need to incorporate more information including associated pay range, in order for the Board to make informed decisions. He also suggested that the Human Resources Analyst be involved in reviewing positions for the County and provide the Commissioners with his recommendations. Mr. Beutel added that the new personnel policy manual should be in place in order to provide guidance for employee job descriptions and related matters.

Chairman Fiorenzi opened the floor to public comments. Terry Conaway, new Assistant Chief for the Diamond Valley Volunteer Fire Department, informed that Ernie Dempsey has been elected as the new Diamond Valley Fire Chief. The Commissioners thanked Mr. Conaway for his volunteer efforts and his recent term as Fire Chief for the Diamond Valley Volunteer Fire Department.

ADJOURNMENT

At 2:48 p.m., Commissioner Ithurralde motioned to adjourn the meeting; Commissioner Page seconded the motion; motion carried 3-0.

Approved this 19th day of February, 2010.

/s/ Leonard Fiorenzi
Leonard Fiorenzi, Chairman

Attest: /s/ Jackie Berg
Jackie Berg, Clerk