

**EUREKA COUNTY BOARD OF COMMISSIONERS**

**February 6, 2014**

STATE OF NEVADA )  
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COUNTY OF EUREKA )

**CALL TO ORDER**

The Board of Eureka County Commissioners met pursuant to law on February 6, 2014. Present were Chairman J.J. Goicoechea; Vice Chairman Jim Ithurralde; Commissioner Michael Sharkozy; District Attorney, Ted Beutel; and Executive Assistant, Jackie Berg. The meeting was called to order at 9:30 a.m. and began with the Pledge of Allegiance. The interactive video conferencing system was connected and utilized between Crescent Valley and Eureka for the entire meeting.

**APPROVAL OF AGENDA**

Chairman Goicoechea noted that the Clerk & Treasurer agenda items will be taken earlier in the meeting to accommodate a change in the Clerk’s schedule. Commissioner Sharkozy motioned to approve the agenda with that change; Commissioner Ithurralde seconded the motion; motion carried 3-0.

**PUBLIC COMMENT**

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

**APPROVAL OF MINUTES**

January 6, 2014: Commissioner Ithurralde motioned to approve minutes of the January 6<sup>th</sup> meeting; Commissioner Sharkozy seconded the motion; motion carried 3-0.

**CLERK & TREASURER**

Revised Investment Policy: Clerk & Treasurer, Beverly Conley, stated some minor revisions were made to the Investment Policy, which was last updated in 2006. The main change in the policy will reflect how realized gains and losses on the investments are now being reported. Commissioner Ithurralde motioned to adopt the Eureka County Investment Policy as revised; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Current Investments: Ms. Conley provided a spreadsheet and graphs showing current investments through December 2013, with an ending book value of \$38,477,469.55.

**FINANCE**

Payment of Expenditures: Expenditures were presented for approval by Recorder & Auditor, Mike Rebaleati. The Board asked about several expenditures, including a \$13,694.00 payment to Merry X-Ray/Source One. It was explained that the maintenance agreement and software had expired on the digital x-ray machine at the Eureka Clinic and this fee renewed maintenance and software. Following this initial purchase, the annual fee will run ~\$1,400.00.

Commissioner Ithurralde motioned to approve expenditures in the amount of \$434,581.98 for accounts payable, \$449,633.06 for payroll, and \$295,642.64 for a pass-through tax allocation to the School District, for a grand total of \$1,179,857.68; Commissioner Sharkozy seconded the motion; motion carried 3-0. Commissioner Ithurralde motioned to approve Yucca Mountain expenditures in the amount of \$2,579.95; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Auditor’s Report: Mr. Rebaleati deferred the Auditor’s Report to the budget portion of the meeting later in the day when fund balances will be discussed.

BenefitSolver Contract: Mr. Rebaleati reported that BenefitSolver is a good employee benefits enrollment program, but is more suited to larger entities. Since utilization does not

support the cost of this contract, he requested authorization to provide the required cancellation notice. Commissioner Ithurralde motioned to terminate the BenefitSolver service provided through Hunt Insurance Group, LLC, and authorized Mr. Rebaleati to provide the 60-day cancellation notice. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Kafoury, Armstrong & Company: Teri Gage, CPA/Managing Shareholder with Kafoury, Armstrong & Company, was introduced as the new lead auditor for the Eureka County annual audit. Also in attendance was Jonnye Jund, CPA/Senior Accountant, who was a manager on the Eureka County account for the Fiscal Year 2012-2013 audit. Ms. Gage replaces Jerri Norton as lead auditor for Eureka County. After many years of service, Ms. Norton accepted the position of Comptroller with the Elko County School District.

Ms. Gage, was born and raised in Nevada and has been in Elko for 15 years. She has experience working with local governments and municipalities and is looking forward to working with Eureka County.

Fiscal Year 2014-2015 Tax Rate: Each year the Nevada Department of Taxation requests the proposed tax rates from each county. Once the Commissioners formally propose a tax rate, Mr. Rebaleati will send a response to the Department of Taxation. The Board stated that no increases to the tax rate are under consideration. Commissioner Ithurralde motioned that the Fiscal Year 2014-2015 ad valorem tax rate remain status quo with no increases; Commissioner Sharkozy seconded the motion; motion carried 3-0.

## **COMMISSIONERS**

Update Reports: Commissioner Ithurralde attended Medical Clinic Advisory Committee meetings on January 22<sup>nd</sup> and February 5<sup>th</sup>; attended the NACO meeting on January 24<sup>th</sup> via teleconference; and attended an Investment Committee meeting on January 31<sup>st</sup>.

Commissioner Sharkozy attended the Boulder Valley Maggie Creek Monitoring Plan meeting in Carson City on January 28<sup>th</sup>; attended a Crescent Valley Volunteer Fire Department meeting on the evening of January 28<sup>th</sup> where new officers were elected (Rick Hardin Chief; Richard Crum, Assistant Chief; and Cathy Wolf, Secretary); and attended the Great Basin Regional Development Authority meeting in Ely on February 3<sup>rd</sup>.

Chairman Goicoechea met with representatives of Nevada Division of Environmental Protection and US Environmental Protection Agency on January 22<sup>nd</sup>; chaired the Sagebrush Ecosystem Council meeting in Carson City on January 23<sup>rd</sup>; met with Mike Baughman of Intertech Services the evening of January 23<sup>rd</sup>; attended the NACO Public Lands & Natural Resources Subcommittee meeting on January 24<sup>th</sup>; attended the Nevada Land Management Task Force meeting on January 24<sup>th</sup>; participated by phone in a meeting at the Nevada Division of Water Resources in Carson City on January 30<sup>th</sup>; and had a phone call on February 4<sup>th</sup> with Rich Haddock, Vice President and General Counsel for Barrick Gold regarding some State issues, which resulted in subsequent calls with Leo Drozdoff, Director of Nevada Department of Conservation & Natural Resources; Tony Wasley, Director of Nevada Division of Wildlife; and Jim Barbee, Director of Nevada Department of Agriculture.

Library Contract: The library contract for Fiscal Year 2014-2015, in the amount of \$119,424.00, was submitted for approval. Mr. Rebaleati noted that while most contracts received budget cuts for the current fiscal year, the library contract was not adjusted. The Commissioners agreed they would like to see information for the three libraries (Eureka, Beowawe, Crescent Valley) on library usage, operating hours, and other statistics and would like to negotiate a 10% to 15% decrease in costs of library services. Commissioner Ithurralde motioned to send a letter to Elko-Lander-Eureka Library System inviting representatives to attend the next meeting to negotiate a 10% to 15% reduction in dollar amount of the library contract for Fiscal Year 2014-2015. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Agreement with Midway Gold: Mike Protani, General Manager of Midway Gold, explained that with development of the Pan Mine Project they are seeking to install communication equipment in order to provide phone and internet service to the mine site. The best way to accomplish this is to install a microwave link on Prospect Peak and transmit a signal to a 20-30 ft. tower Eureka. Midway would like to enter into a joint agreement with the Television District (to utilize building and antenna Prospect Peak) and Eureka County (for a small tower site in Eureka). They are interested in locating the tower on a small portion of property adjacent to the Eureka Library and the Television District building behind the County Courthouse.

Mike Rebaleati confirmed that this would cause no interference with television or communication services in the County and any fiber optic involved will be between Midway Gold and AT&T. The minimal maintenance and upkeep will be the responsibility of Midway Gold. The Board directed Mr. Protani to work with the District Attorney and County staff on an agreement to be drafted by Mr. Beutel for final approval by the Television District and the Commissioners at upcoming meetings.

Commissioner Ithurralde motioned to approve entering into a joint agreement between Eureka County, the Television District, and Midway Gold to provide Midway Gold access to a small portion of property adjacent to the Eureka Library and Television District building, and access to the antenna on Prospect Peak for installation of communication equipment. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Nevada Medical Marijuana Legislation: Changes in Nevada legislation regarding dispensing of medical marijuana prompted the Commissioners to consider how this might affect Eureka County. State law now provides for issuance of medical marijuana licenses based on population, with a minimum of one per county, subject to local business regulations. The start-up and annual fees are exorbitant and quantities (plants, production, possession, and delivery) will be strictly regulated.

Commissioner Ithurralde noted that Nevada Association of Counties informed its members that some local governments have already taken action to prohibit dispensaries within their counties. Others are studying the legislation and considering their options. Commissioner Ithurralde motioned to propose an amendment to Eureka County Code prohibiting medical marijuana dispensaries in Eureka County, suggesting that this could be added to Title 6, Health, & Welfare, which contains prohibition of prostitution establishments. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Letter to Nevada Rural Housing Authority: Chairman Goicoechea explained that he and Clerk & Treasurer, Bev Conley, met with Bill Brewer of USDA Rural Development several weeks ago to discuss debt repayment options for Nevada Rural Housing Authority on the multifamily portion of the Eureka Canyon Subdivision. Subsequent phone calls between the Chairman and Mr. Brewer led to a plan that has been outlined in a letter to NRHA.

Eddie Hult, Director of Real Estate for NRHA, was in attendance and said a similar letter addressed to Eureka County with a proposed repayment plan is currently before the NRHA Board for approval. Another meeting between Mr. Brewer, Mr. Hult, and the Chairman is set for February 14<sup>th</sup> in Carson City. All parties believe they are close to a resolution. Commissioner Ithurralde motioned to approve sending the letter to Nevada Rural Housing Authority outlining a proposed repayment plan for the multifamily development at Eureka Canyon Subdivision. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

County Staffing: Mr. Rebaleati had an idea presented to him that he felt was worthy of placing on the agenda for discussion. It was recommended that the Commissioners consider adopting an ordinance setting benchmarks for County-wide staffing levels, including standards and guidelines for future reductions or increases in local government. Staffing levels are basically set each year when the Commissioners approve the departmental budgets. This would identify what criteria is applied for increases and reductions and would set consistent guidelines for department heads to follow when justifying changes in staffing levels. Mr. Rebaleati further

explained that this is meant to be a flexible tool to provide guidance in a time when the County faces more severe budget cuts or experiences population changes. Nothing has been drafted yet; he just wanted the Board to begin discussing and contemplating the idea.

Chairman Goicoechea invited department heads and elected officials to comment on whether this would be a worthwhile document. Ron Damele offered that policies already exist that allow the Commission to control staffing levels, but he has observed over the years that the Commission has a difficult time saying 'no' to requests for additional employees; if such a document would make it easier for the Board to enforce existing policies then it would probably prove useful. Several others offered brief comments that mostly agreed with Mr. Damele. A few commented that an adjustment period would be needed if cuts are contemplated and should be undertaken in a progressive manner with guidance from the Board. EMS Coordinator, Mike Sullivan, and Undersheriff Keith Logan commented that more flexibility should be allowed for public safety positions. District Attorney, Ted Beutel, offered that such a document should be forward looking and not reactionary in nature.

No action was taken, but the Commissioners agreed to continue this discussion during future budget sessions.

Recommendation for County Comptroller: At the last meeting, Mike Rebaleati informed the Board that he will not be filing for County Recorder in this election cycle. Over the years he has acquired additional duties and responsibilities that should not be expected of a future Recorder. He felt it was time for the County to consider appointing a County Comptroller and suggested a public announcement should be made prior to candidate filing which begins on March 3<sup>rd</sup>. He read the following letter into the record:



OFFICE OF  
**Eureka County Recorder/Auditor**

EUREKA COUNTY COURTHOUSE  
10 SOUTH MAIN STREET  
P.O. BOX 556 - EUREKA, NEVADA 89316  
PHONE: (775) 237-5263 • FAX: (775) 237-5614

MICHAEL REBALEATI  
COUNTY RECORDER/AUDITOR

E-MAIL: [mr@eurekanv.org](mailto:mr@eurekanv.org)

2/6/14

Eureka County Commissioners  
PO Box 677  
Eureka, NV 89316

Dear Commissioners:

I will attempt to keep today's discussion simple concerning the splitting of the ex-officio County Auditor duties from the elected Recorder office. The management and legal responsibilities that I basically volunteer to manage are Human Resources, IT, LEPC, Public Guardian, Ambulance billing, and producing the annual audit report. I get paid for the budget director duties, the Recorder duties, and the ex-officio auditor duties as prescribed by the Nevada Revised Statutes. That's it! The public needs to understand that my volunteer area of responsibilities is not required of my elected status in any manner. More importantly, anyone has a chance of being elected this fall to the Recorder position. This individual would have the legal right to say no to all volunteer duties. Any sane person would say no.

What is the right way to split up all of these duties and not create new benefit positions? If General Moly was going full ahead on the construction and mining process my recommendations would be different. Obviously, this is not happening soon so the responsible thing is for me to give the public a recommendation to either replace me with just one person or to look at the overall operation and reduce this whole realm of responsibilities by one. I will start with the possibilities of reducing the realm by one employee.

There are so many possibilities of what could happen that I will concentrate on two scenarios. First of all, I believe the Commission should look within the current organization before looking outside. I believe we should recruit and hire within the existing staff before seeking a new employee. The election itself will require a new person but there is a chance that one of my

staff will run for office. It would be best for the county if one would. Even if one of the individuals does run for the office, my voluntary duties must be carved out of their duties.

I recommend to the Board of County Commissioners to split the Recorder/Auditor duties from the Recorder position. Furthermore, I recommend the Commission look within the current workforce for the Comptroller position. We have a major opportunity to spread things out within our current workforce. If you refer back to the first paragraph of this letter, I will summarize how this can work. The most important functions of the County Comptroller is to ensure proper deployment of county payroll, accounts payable, and posting account receivables. These functions are paramount and they can be easily done by our current staff.

The Human Resources, IT, budget director and annual audit are the functions that create the bulk of my current workload. My plan is to have the oversight of the IT function to be assigned to Michael Mears. I am currently working on the beginning phase of incorporating the Human Resource portion of POOL/PACT to assume the core portion of the HR duties. I am currently in the process of distributing the work load for the process of producing the annual audit. Also, the budget director duties can be assigned by the Commissioners within our current County workforce. Keep in mind that I will volunteer to teach and mentor all parties in this migration.

Politically this can be a major score for the current Commission. You can legitimately say that you negotiated a win-win. You reduce the overall workforce and basically maintain the same level of service. The key to this is to get the current employees to buy into the plan. If the public elected another person, then the public would be deciding the extra person by a vote.

Regards,



Michael Rebaleati  
Eureka County Recorder/Auditor

Chairman Goicoechea received numerous phone calls from the public in opposition to creating this position and essentially creating an additional County department. He researched similar moves in other Nevada counties, and while it may have been beneficial in most instances, it has certainly been expensive. He felt this may be a serious consideration for Eureka County in the future, but didn't feel it was necessary right now. Commissioner Ithurralde also made phone calls to other counties and reached the same conclusion as the Chairman. Commissioner Sharkozy agreed that the current structure should remain in place.

The Board has the statutory ability to appoint a County Comptroller at any time. The possibility of placing an advisory question on the ballot for the public to weigh in on this decision was briefly discussed, but it was agreed that this does not address the immediate election.

Commissioner Ithurralde motioned to deny the request to appoint a County Comptroller; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Plain Talk Newsletter: The *Plain Talk* newsletter is published on a quarterly basis, and Consultant, Abby Johnson, requested input regarding content of the next issue. Suggested topics include the 2014 election, NACO's wild horse lawsuit, the mercury storage facility planned in northern Eureka County, and an upcoming Open House planned by Nevada Health Centers at the Eureka Medical Clinic.

## **YUCCA MOUNTAIN**

Update on Activities: Abby Johnson, Nuclear Waste Advisor, gave a brief update on the Yucca Mountain Project. The Nuclear Regulatory Commission is responding to the US Court of Appeals direction to resume the license application hearing process for the Yucca Mountain repository. The NRC is working on putting their team back together, has located some additional funding for the licensing process (\$2.2 million), is placing all licensing documents on their website for public access, and is working to complete the safety evaluation report that was stopped midstream.

Ms. Johnson will attend a meeting of the Nevada Legislative Committee on High-Level Radioactive Waste on February 21<sup>st</sup>, and a meeting of the Nuclear Waste Technical Review Board in Albuquerque in March. Transportation Advisor Rick Moore will attend a transportation meeting in May and is involved in talks on Section 180(C) of the Nuclear Waste Policy Act, which deals with transportation and emergency response. Loreen Pitchford of NWOP Consulting, Inc., continues assisting with the archiving project.

## **SENIOR CENTERS**

Update Report: Senior Center Site Directors, Millie Oram and Adell Panning, reported on their respective centers. In January, Eureka served 944 meals and Crescent Valley served 726 meals. A total of \$7,820.22 was deposited for the month. In Eureka, there are three patients receiving nursing care through Genesis Home Health Services, Inc., and there are 12 clients receiving home aide services through Consumer Direct Personal Care, LLC (dba Better @ Home). Ms. Oram has helped several residents apply for utility payment assistance.

Kitchen Equipment Purchase: Ms. Panning submitted a quote for replacement pots, pans, baking implements, utensils, storage containers, etc. to replace existing equipment. She is awaiting a quote for a commercial coffee maker to replace the 1995 model currently in use. Commissioner Ithurralde motioned to approve a capital outlay purchase of kitchen equipment for the Fannie Komp Senior Center, not to exceed \$2,000.00; Commissioner Sharkozy seconded the motion; motion carried 3-0.

## **NDEP & US EPA**

Update on Lead & Arsenic Cleanup in Eureka: Representatives of Nevada Division of Environmental Protection and US Environmental Protection Agency gave an update on activities related to the lead and arsenic cleanup in Eureka. Those in attendance were Greg Lovato, Chief, Bureau of Corrective Actions (NDEP); Dave Emee, Deputy Administrator (NDEP); Tom Dunkelman (EPA, Region 9); and via telephone Dan Meer, Assistant Director, Superfund Division (EPA). Mr. Emee led the discussion and began with an update on residential properties in the Townsite of Eureka. They estimate that half of the occupied residential properties in the townsite have been soil tested for lead and arsenic contamination. A handful of residents have taken advantage of the free blood testing for lead levels provided at the Eureka Clinic. A total of 18 properties (17 residential yards and one School District property) have been remediated so far. Remediation work is planned this spring on approximately 18 more properties. All cleanup has been voluntary with the property owners signing access agreements and work plans.

Typically cleanup strategies involve focus on residential exposure in the near-term, done under the emergency response arm of the EPA Superfund Program, with a handoff to the remedial side of the Superfund Program to deal with the longer-term cleanup. Often that involves listing the site on the national priority list, which provides access to additional funds.

The long-term plan and formulation of an exit strategy for Eureka includes plans to implement an EE/CA (Engineering Evaluation/Cost Analysis) in the town to determine future involvement. After brief mention of a RIFS (Remedial Investigation Feasibility Study) by Mr. Emee, District Attorney Ted Beutel asked him to clarify whether an EE/CA or a RIFS is planned for Eureka (RIFS being a much longer, more involved, and very expensive process). Mr. Emee replied that the agencies are looking at the EE/CA as an alternative to a RIFS, since they know the desire of the Eureka community and local government is for an exit strategy and a culmination of agency involvement. They are looking at keeping Eureka under the emergency response side of the Superfund Program and are in the process of requesting continued financing without listing Eureka on the national priority list. In citing *Eureka, Utah*, as an example of a long-term cleanup site, Mr. Emee stated, "*We... hear loud and clear that you really don't want that here.*"

It was further explained that an EE/CA is a more streamlined way (typically lasting 6-9 months) of identifying alternatives for dealing with areas of higher concentrations of contamination beyond what has been identified in residential properties tested to-date. In this case, primary focus is on the slag piles and former mill and smelter sites. More residential properties, occupied or unoccupied, may be included on a voluntary basis. Mr. Emee assured the Board that the County will be involved as the EE/CA process moves forward and there will be opportunities for public comment as well. There are no expectations that the County will be approached to assist in any funding, although communities are sometimes asked to provide 'in-kind' services.

Dialogue continued regarding the geographical scope of the EE/CA, timing, budget, whether funding drives the decision making process, level of involvement, etc. Mr. Lovato offered to provide maps before the next meeting showing the geographical footprint planned for the study; and if requested, representatives can attend a future meeting to review the maps with the Board.

### **RECESS FOR LUNCH**

The Board recessed for lunch from 12:20 to 1:05 p.m.

### **LOCAL EMERGENCY PLANNING COMMITTEE**

SERC Grant Application: LEPC Secretary, Amanda Pearce, submitted a grant application for approval. Commissioner Ithurrealde motioned to approve signing the State Emergency Response Commission grant application prepared by the Local Emergency Planning Committee for a Fiscal Year 2014-2015 award of \$4,000.00. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

### **ROAD DEPARTMENT**

Report on Activities: Road Department Superintendent, Raymond Hodson, reported on Road Department projects and activities. A good portion of the month was spent hauling material. Southern crews hauled to the 3 Bars Road; two miles remain and then blading will begin. Northern crews hauled to the Rose Ranch Road, Geothermal Road, and Dry Hills Road. A couple of days were spent on the Fish Creek Road blading, mowing, and installing new sign sockets. Crews spent several days plowing and removing snow.

An asphalt crack filling machine was rented and picked up in Reno. Crack filling is usually included in the annual street maintenance contract, but doing this in-house is more economical for the County.

### **PUBLIC WORKS**

Robins Street Project - CMAR Selection Process: Public Works Director, Ron Damele, reported that six proposals were received in response to the advertisement for a Construction Manager at Risk for the Robins Street Improvements & Utility Upgrade Project. All candidates were evaluated and ranked on pre-determined criteria. The top two companies - Legacy Construction & Development Inc. and Qualcom Contractors Inc. - are scheduled to be interviewed by the five-member selection panel on February 12<sup>th</sup>. Interviews will be followed by negotiations with the successful CMAR candidate for preconstruction services. If negotiations are successful, a contract will be presented for approval at the February 20<sup>th</sup> meeting.

Public Works Projects & Activities: In addition to the CMAR process, work has begun on all budgets under Public Works, including the various Fire Department budgets.

Courthouse HVAC Project: In light of budget restrictions in the current fiscal year and upcoming fiscal year, Mr. Damele requested affirmation before moving forward with the Eureka Courthouse HVAC Control Remodel & Efficiency Upgrade Project. The boiler and air conditioner are in good condition, but the control system has never functioned properly. This project was

budgeted in the current fiscal year. Assessor Michael Mears has committed \$300,000.00 from the Assessor's Tech Fund, which should fund most of or the entire project.

Mike Rebaleati and Michael Mears both voiced the need for this upgrade. Mr. Rebaleati felt it was a good long term investment in light of the extra energy costs expended as some offices try to regulate temperatures with portable heaters while other offices are unbearably hot. Mr. Mears agreed that his offices are cold year-round and portable heaters are used frequently.

In light of prior budget approval, availability of capital from the Assessor's Tech Fund, and the justification provided, Commissioner Ithurrealde motioned to approve moving forward with the Eureka Courthouse HVAC Control Remodel & Efficiency Upgrade Project. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Appraiser Resolution: County Code allows for periodic updating of the list of general appraisers utilized for sale of County owned property. Public Works contacted appraisers to determine who was willing to travel to Eureka to conduct appraisals and the list was updated accordingly. Commissioner Sharkozy motioned to adopt the resolution updating the list of persons qualified to act as general appraisers in Eureka County, pursuant to Eureka County Code, Title 2, Chapter 60. Commissioner Ithurrealde seconded the motion. Motion carried 3-0.

Eureka, Nevada	<b>RESOLUTION</b>	February 6, 2014
<b>UPDATING THE LIST OF ALL PERSONS QUALIFIED TO ACT AS GENERAL APPRAISERS IN EUREKA COUNTY</b>		
<p>WHEREAS, the Board of Eureka County Commissioners are guided by Eureka County Code 2.60, Sale of County Owned Property; and</p> <p>WHEREAS, pursuant to the Ordinance, the Commissioner may change the list of persons qualified to act as general appraisers in Eureka County by resolution, according to ECC 2.60.030; and</p> <p>NOW THEREFORE BE IT RESOLVED the Board of County Commissioners hereby adopt the following list of appraisers, to be filed together with the original Ordinance held in the Clerk's Office.</p> <p style="padding-left: 40px;">Andrea Davis, Certified General Appraisal - 741 Spring Creek Parkway, Spring Creek, NV 89815  Ruby Mountain Realty &amp; Appraisal - PO Box 845, Eureka, NV 89316  Turner Appraisals - Russell Turner, PO Box 127, Grand View, ID 83624</p> <p>Adopted this 6<sup>th</sup> day of February, 2014.</p>		
		<p><u>/s/ J.J. Goicoechea</u>  Chair of the Board  Eureka County Commission</p>
<p>Attest: <u>/s/ Jackie Berg</u>  Executive Assistant</p>		

**EUREKA COUNTY PLANNING COMMISSION**

Parcel Map for Conley Land & Livestock, LLC: A parcel map was presented by Conley Land & Livestock, LLC, for approval. The Commissioners verified that all elements, including required dedication of water rights, were in place. Per recommendation of the Planning Commission, Commissioner Ithurrealde motioned to approve the parcel map submitted by Conley Land & Livestock, LLC, to divide a 5.382 acre parcel and a 5.367 acre parcel from existing APN 007-340-33. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

**NATURAL RESOURCES**

Report on Activities: Natural Resources Manager, Jake Tibbitts, reported on recent activities and meetings. Mr. Tibbitts participated in conference calls for the Battle Mountain District BLM Resource Management Plan on January 22<sup>nd</sup>; toured Horse Ranch and Horse Canyon with Barrick representatives and Dale Bugenig on January 23<sup>rd</sup> to see progress of

exploration and water developments; joined the Sagebrush Ecosystem Council meeting via video broadcast on January 23<sup>rd</sup>; had a conference call on the Ruby Hill Reclamation Biochar Project on January 23<sup>rd</sup>; attended the meeting of the County Advisory Board to Manage Wildlife on the evening of January 23<sup>rd</sup>; traveled to Carson City to meet with the Nevada State Engineer and Diamond Valley irrigators on January 30<sup>th</sup> to discuss the proposed water management plan for Diamond Valley; and attended a Eureka Firewise Committee meeting on January 31<sup>st</sup>.

Time Extension on Chapters 1-3, BLM Battle Mountain District RMP: During the Four Counties Coalition call, the counties pushed for an additional extension of time for submission of comments on Chapters 1-3 of the Resource Management Plan; the BLM agreed to grant an extension to the end of February.

Diamond Valley Water Meeting: The State Engineer will host a meeting in Eureka in the District Courtroom of the County Courthouse on February 25<sup>th</sup> at 1:00 p.m. regarding the waters of Diamond Valley. Mr. Tibbitts encouraged all interested water users to attend, as a water management plan will affect domestic wells, irrigation wells, and water consumers in Eureka since town water is supplied from sources in Diamond Valley.

National Association of Conservation Districts: Mr. Tibbitts traveled to Anaheim, California, to attend the National Association of Conservation Districts annual meeting on February 1<sup>st</sup>-5<sup>th</sup>. This organization represents over 3,000 Conservation Districts across the United States. The Association took action to adopt a Greater Sage-Grouse Resolution that will allow them to comment on all BLM Resource Management Plan updates.

Upcoming Meetings: Upcoming meetings include a State Land Use Planning Advisory Council meeting in Las Vegas on February 7<sup>th</sup>; a Eureka Conservation District meeting on February 12<sup>th</sup>; a Natural Resources Advisory Commission meeting the evening of February 12<sup>th</sup>; and a Crescent Valley Firewise Committee meeting on February 19<sup>th</sup>.

NDOW Comment on Greater Sage-Grouse Draft Land Use Plan & EIS: Mr. Tibbitts remarked on the firestorm that has been created with submission of a comment letter to the BLM on the Nevada & Northeastern California Sage-Grouse Draft Land Use Plan Amendment & Environmental Impact Statement. Comments were from an authorized agent of Nevada Department of Wildlife (Wildlife Staff Specialist, Shawn Espinosa). The letter basically supported the BLM's plan rather than the State plan which is being prepared by the Governor through the Sagebrush Ecosystem Council. It's very disturbing that the Director of NDOW, Tony Wasley, would allow these damaging comments to be issued from a State agency. The Natural Resources Advisory Commission plans to address this and recommend a response.

County Comment on Greater Sage-Grouse Draft Land Use Plan & EIS: Mr. Tibbitts prepared and submitted 125 pages of County comments to the BLM on the Greater Sage-Grouse Draft Land Use Plan Amendment & Environmental Impact Statement. The letter stepped through the Eureka County Master Plan, Eureka County Code, and County plans and policies. The Board thanked Mr. Tibbitts for his tremendous effort and the excellent finished product. Commissioner Ithurralde motioned to ratify comments to the BLM on the Nevada & Northeast California Greater Sage-Grouse Draft Land Use Plan Amendment & EIS. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Cooperating Agency MOU – Gold Rock Project: The Ely District BLM incorporated the County's requested changes into the Memorandum of Understanding establishing Eureka County as a Cooperating Agency on the Midway Gold Corporation Gold Rock Project. Commissioner Ithurralde motioned to approve signing the Memorandum of Understanding with Ely District BLM for the NEPA process on Midway Gold's proposed Gold Rock Project. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

## **COUNTY ADVISORY BOARD TO MANAGE WILDLIFE**

Appointment to CAB: Pursuant to NRS 501.265(3), within 60 days after a vacancy occurs, the Board of County Commissioners shall appoint a member to the County Advisory

Board to Manage Wildlife. Mr. Tibbitts informed the Board that 60 days were up as of today (February 6<sup>th</sup>) and one letter of interest had been received. Commissioner Ithurralde motioned to appoint Brad Heyen to the County Advisory Board to Manage Wildlife, representing the interests of the general public. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

### **HEALTH INSURANCE COMMITTEE**

**Resolution – Health Insurance Advisory Committee:** A draft resolution recognizing establishment of the Health Insurance Committee was reviewed and amended during the January 21<sup>st</sup> meeting. Committee Chair, Kim Todd, requested an additional change, to allow the Chair and Vice Chair to hold office for consecutive years. With that change, Commissioner Ithurralde motioned to adopt the resolution memorializing formation of the Health Insurance Advisory Committee. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Eureka, Nevada

### **RESOLUTION**

February 6, 2014

**TO RECOGNIZE THE ESTABLISHMENT OF, DEFINE THE SPECIFIC PURPOSE FOR,  
AND LIST THE DUTIES OF THE HEALTH INSURANCE ADVISORY COMMITTEE OR HIAC**

WHEREAS, on April 20, 2006, without utilizing a written resolution or ordinance, the Board of Eureka County Commissioners (the Board) determined it would be beneficial to create the Health Insurance Advisory Committee or HIAC; and

WHEREAS, the HIAC was tasked by the Board with several duties to help the Board to evaluate costs, benefits, coverage, etc. of health, dental, life and vision insurance coverage for Eureka County current and retired employees, and providing regular reports to the Board; and

WHEREAS, the Board has determined it is necessary and proper to clarify in writing the establishment, purpose and duties of the HIAC;

NOW THEREFORE BE IT RESOLVED the Board of Eureka County Commissioners recognize the establishment of, define the specific purpose for, and list the duties of the advisory board known as the HIAC until further action of the Board to amend, modify, or discontinue the HIAC:

- A. There shall be no more than seven (7) persons appointed by the Board to serve on the advisory board to be known as the Health Insurance Advisory Committee or HIAC. Interested persons are required to submit a letter of interest to the Board for consideration, and HIAC members shall be appointed by the Board to serve two (2) year terms following staggered initial appointments to provide for continuity on the HIAC. At least three persons selected by the Board shall serve an initial one (1) year term to maintain continuity on the HIAC.
- B. There shall be one (1) alternate member to be selected from the citizens of Crescent Valley. The alternate shall have a vote only when necessary to constitute a quorum of the HIAC for meetings.
- C. The Board reserves the right to appoint or remove HIAC members, including alternate members, for any reason that is in the best interests of the residents of Eureka County.
- D. Each calendar year the HIAC shall select a member to be the Chair and a member to be the Vice Chair.
- E. Meetings of the Committee shall occur in the Commissioners chambers of the Eureka County Courthouse at the call of the Chair or Vice Chair in the Chair's absence, and be performed in accordance with the Open Meeting Law, and in a way that ensures the continued confidentiality of medical information that may come to the attention of HIAC members. Access to the meetings for persons in Crescent Valley shall be accomplished through the use of interactive audio/video, unless there are technical difficulties; in which case a speaker phone will be made available during the meetings.
- F. The HIAC shall report to the Board upon invitation to do so or at the HIAC's request.
- G. The HIAC shall, with direction from the Board, work with the County's health insurance broker to review

the cost of health, dental, life, and vision insurance for current and retired employees of Eureka County. The focus will be on coverage plans, benefits and premiums, and other relevant information at the request of the Board.

- H. The HIAC shall bring recommendations to the Board regarding community/employee health fairs and flu shot clinics.
- I. The HIAC shall work with the County's health insurance broker, the insurance providers, and the payroll department annually to coordinate open enrollment with the employees and retirees.
- J. The Board may assign additional duties to the HIAC at any time by resolution or action upon the minutes of the Board.

ADOPTED this 6<sup>th</sup> day of February, 2014.

/s/ J.J. Goicoechea

Chairman of the Board

Eureka County Commissioners

ATTEST: /s/ Jackie Berg

Executive Assistant

Letter of Resignation: A resignation letter was received from Garney Damele. The Board thanked Ms. Damele for her service. Commissioner Ithurralde motioned to accept the resignation of Garney Damele from the Health Insurance Advisory Committee; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Appointment to Committee: Ms. Todd explained that the vacancy represents Courthouse employees. All those eligible were notified and asked to submit a letter if interested. One letter was received from Tina Hubbard. Commissioner Ithurralde motioned to appoint Tina Hubbard to a two-year term on the Health Insurance Advisory Committee representing Courthouse employees. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

### **MEDICAL CLINIC ADVISORY COMMITTEE**

Draft Resolution – Medical Clinic Advisory Committee: A draft resolution memorializing formation of the Medical Clinic Advisory Committee was discussed during the January 21<sup>st</sup> meeting, and Committee Chair, Garney Damele, promised to get feedback from the Committee. The MCAC met on February 5<sup>th</sup> and recommended that a seven-member committee be retained (there are currently nine members) effective July 1<sup>st</sup>, and that meetings be held quarterly with additional meetings at the discretion of the Chair. It was recommended that the Committee consist of a minimum of one Crescent Valley resident and a minimum of two County employees. Ms. Damele asked that the Chair and Vice Chair have the option of serving consecutive terms. The Board wanted community members on the Committee and Commissioner Sharkozy suggested they should be users of the clinics. Everyone agreed. Commissioner Ithurralde motioned to table approval of the resolution so these changes could be incorporated into the draft. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Medical Services Operation Fund: The MCAC recommended creation of a Medical Services Operation Fund to ensure consistent funding of medical services within the County. A portion of the tax rate could be allocated specifically to this fund. The primary purpose would be to establish financial security for the operation of both medical clinics, but it could also encompass other medical services.

Mr. Rebaleati supported the fund, noting that the intent was not to have this in place for the upcoming tax season, but to begin a progressive discussion regarding long-term commitment to funding medical services, which the County has already proven is a priority.

There are two ways to build up the balance of this type of fund: (1) dedicating a portion of the tax rate; or (2) a gradual accrual through budget transfers from the General Fund.

Commissioner Ithurralde motioned to table a decision regarding a Medical Services Operation Fund and to continue discussions during the budget process; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Update on Medical Clinics & NVHC: Ms. Damele reported on the quarterly performance audit conducted on Nevada Health Centers; results were satisfactory and no penalties were assessed for either clinic.

A physician was hired for the Eureka Clinic. Laurel Kleinman and David Memmoli, mid-level providers, will begin coverage for the Crescent Valley Clinic, as Dr. Bain will no longer be available. NVHC would like to invite the Commissioners to a luncheon at the Owl Club on February 7<sup>th</sup> to meet the interim provider and the recently hired physician. An Open House will be scheduled in March at the Eureka Medical Clinic for the public to meet these physicians. The permanent physician will occupy one of the County-owned houses.

Ms. Damele followed-up with Monica Taylor, Chief Operations Officer for NVHC, regarding the new federal requirement for medical providers conducting physical examinations for commercial motor vehicle drivers, effective in May. Ms. Taylor said this will be included as part of their orientation to ensure providers are in compliance.

The Committee recommends that Eureka County maintain any contracts/maintenance agreements for County-owned equipment housed at the clinics, in order to ensure proper upkeep. Ms. Damele is coordinating a walk-through of the Eureka Medical Clinic and the Crescent Valley Medical Clinic in order to update equipment inventory lists and address maintenance issues and pertinent agreements. The walk-throughs will be done in conjunction with the MCAC, Public Works, and NVHC.

## **CORRESPONDENCE**

Correspondence was received from: Jeff Lynn; Lynda Stidham; Robert Riddle; Brad Heyen; Garney Damele; Tina Hubbard; District Attorney, Ted Beutel (2); Deputy Recorder, Tina Hubbard; Executive Assistant, Jackie Berg (2); Eureka County Planning Commission; Eureka County Economic Development Program (2); Medical Clinic Advisory Committee (4); Local Emergency Planning Committee; Eureka County Television District; University of Nevada Cooperative Extension, Fred Steinmann; Eureka Library/Eureka Senior Center/Eureka County School District joint mailing re: computer classes; MolyBits Messenger; Crescent Valley Town Adv. Board (2); Schroeder Law Offices (2); Elko-Lander-Eureka County Library System; Elko County Commissioners (2); Tri-County Committee; Lumos Insights; Assemblyman Ira Hansen; Nevada Dept. of Taxation; Nevada Controller; National Assoc. of Counties; American Lands Council; Western Counties Alliance (3); and US Nuclear Waste Technical Review Board.

## **FISCAL YEAR 2014-2015 TENTATIVE BUDGET**

Budget Workshop: Budget Officer, Mike Rebaleati, conducted a budget workshop that included review of current fund balances, projected revenues for the upcoming fiscal year, and preliminary discussions related to departmental budgets and personnel budget items.

Legislative Issues Affecting Revenues: Mr. Rebaleati noted that upcoming changes in Nevada legislation could affect future revenues, particularly net proceeds and assessed valuation. He doesn't expect much change in the immediate fiscal year, but subsequent years will likely experience major changes. This necessitates long-term financial planning that includes collaboration with the department heads when creating their operating budgets. Mr. Rebaleati added that he is not trying to paint a dire picture; Eureka County still has a strong tax base; it is just prudent to take action now so the County is prepared when revenues drop off in the future.

Current Tax Rate & Valuations: Mr. Rebaleati reviewed the current County tax rate, indicating that he expects real property and personal property valuations to remain stable for the

upcoming year. Once Nevada Department of Taxation provides revenue projections to the counties, he will be able to tighten up the numbers. One option to address future revenue shortfalls is to consider increasing the County tax rate. The Board took action earlier in the meeting to keep the rate the same for the upcoming fiscal year, but Mr. Rebaleati felt this should be considered in the future.

Annual Audit / Capital Improvements: Mr. Rebaleati walked through the annual audit for Fiscal Year 2012-2013 to give the Board an overall picture of the County's financial status. The County has put over \$20 million in capital improvements in the County over the past several years. These infrastructure projects will serve the County for the next 50 years. The only major capital improvement project planned for the upcoming fiscal year is the Robins Street Project.

Budget Reductions / Attrition Policy / Retirement Liability: Budget reduction strategies will include continued evaluation of contract services, tightening of the overall budget, enforcement of the attrition policy and a plan for reducing staff levels through proactive methods. There are no immediate plans to staff Human Resources. Mr. Rebaleati will consult with the District Attorney and is working on a plan to transition some of the HR duties to Nevada Pool/PACT. A lengthy discussion ensued regarding retirement liability and what will be needed to fund this adequately.

Next Budget Workshop: In future budget workshops, Mr. Rebaleati will give a more concentrated overview of specific areas. For the February 20<sup>th</sup> meeting he plans to focus on salaries and wages and services and supplies.

## **PUBLIC COMMENT**

Chairman Goicoechea called for public comments. Lisa Wolf commented on the County's concern over adding an additional position (County Comptroller), but noted that Mike Rebaleati has provided multiple services to the County on a volunteer basis. Those tasks carry a value and the County may want to calculate and take this value into consideration.

## **ADJOURNMENT**

The meeting was adjourned at 3:32 p.m.

*Approved by vote of the Board this 6<sup>th</sup> day of March, 2014.*

/s/ J.J. Goicoechea

J.J. Goicoechea, Chairman

*I, Jackie Berg, Executive Assistant to the Board of Eureka County Commissioners, attest that these are a true, correct, and duly approved minutes of the February 6, 2014, meeting of the Board of Eureka County Commissioners.*

/s/ Jackie Berg

Jackie Berg, Executive Assistant

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

/s/ Beverly Conley

Beverly Conley, Clerk & Treasurer