

# EUREKA COUNTY BOARD OF COMMISSIONERS

March 7, 2011

STATE OF NEVADA        )  
                                  ):ss  
COUNTY OF EUREKA     )

## **CALL TO ORDER**

The Board of Eureka County Commissioners met pursuant to law on March 7, 2011. Present were Chairman Leonard Fiorenzi, Vice Chair Mike Page, Member Jim Ithurralde, District Attorney Theodore Beutel, and Clerk & Treasurer Jackie Berg. The meeting was called to order at 9:30 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 Ithurralde motioned to approve the agenda with one minor change of moving the resolution honoring Gladys Goicoechea to before the lunch break; Commissioner Page seconded the motion; motion carried 3-0.

## **PUBLIC COMMENT**

Chairman Fiorenzi called for public comments. Scott Raine made a request to speak during the first Public Works agenda item. Zach Spencer, External Communications Manager for General Moly, stated that Eureka Moly issued a press release the previous week anticipating that the Draft Environmental Impact Statement would come out during the second quarter of 2011, and that Eureka Moly planned to hold Town Hall meetings at the Opera House on April 5<sup>th</sup>, both a luncheon and an evening session.

## **FINANCE**

Payment of Expenditures: Expenditures were presented for approval by County Recorder & Auditor, Mike Rebaleati. Commissioner Ithurralde motioned to approve expenditures in the amount of \$305,180.52 for payroll and \$560,615.61 for expenditures (which included a pass-through amount to the School District of \$170,261.00), for a grand total of \$865,796.13; Commissioner Page seconded the motion; motion carried 3-0. Commissioner Page motioned to approve Yucca Mountain expenditures in the amount of \$10,717.96; Commissioner Ithurralde seconded the motion; motion carried 3-0.

Auditor's Report: Mr. Rebaleati presented the Auditor's Report for review. He commented that the Television District's \$60,000.00 grant was received, so it is not necessary to transfer any operating capital for the remainder of the fiscal year.

## **COMMISSIONERS**

Update Reports: Commissioner Ithurralde reported that he met with members of the Diamond Natural Resources Protection & Conservation Association (DNRPCA) on March 3<sup>rd</sup>. Chairman Fiorenzi met independently with DNRPCA, and has been in contact with Jack White regarding the Eureka Canyon Subdivision. Commissioner Page was in Carson City on February 24<sup>th</sup> and met with Assemblyman Pete Goicoechea, Senator John Lee, Marilyn Kirkpatrick of the Government Affairs Committee, and later Senator Dean Rhoads (by telephone). Ms. Kirkpatrick was able to put Commissioner Page in touch with Mike Skaggs, State Economic Development Director, who will visit the area on March 18<sup>th</sup>. Commissioner Page also met with Tim Bailey regarding farming issues.

Waive Facility Fees: Commissioner Ithurralde motioned to waive the facility fees for the Crescent Valley Boy Scouts to meet at the Crescent Valley Community Center; Commissioner Page seconded the motion; motion carried 3-0.

DMV Services: County Assessor, Michael Mears, reported that he recently met with Bruce Breslow, Director of the Nevada Department of Motor Vehicles, and his staff. The DMV cannot fund expansion of DMV services in Eureka County based on current transactions and population, but would support it if the County is willing to purchase the necessary equipment. Mr. Mears is awaiting cost estimates and will update the Commissioners at their next meeting.

Carlin Television District: A letter was received from Carlin Television District inquiring whether the Eureka Television District would be interested in acquiring Carlin's assets. The Board stated they would discuss this at the March 8<sup>th</sup> budget meeting with Dave Pastorino, President of the Eureka Television District.

## **LEGISLATIVE ISSUES**

Senate Bill 68: Natural Resources Manager, Jake Tibbitts, provided an update on Eureka County's water bill, SB68. He visited with Assemblyman Goicoechea, who will continue to advocate for the bill, which is somewhat stagnant currently but has garnered more support with the amended language. No further information was received on the other bills that Eureka County is tracking.

## **ROAD DEPARTMENT**

Update Report: Road Superintendent, Raymond Hodson, reported on recent Road Department activities. Keg Street in Diamond Valley has been completed; equipment was moved to Crescent Valley to assist with the 10<sup>th</sup> Street Project; work has been done to widen the Baumann Road; and blading has begun in the Crescent Valley area. The road crew reclaimed an old gravel pit in the Crescent Valley area that people had started using as a garbage dump. Four staff members attended the recent CPR/First-Aid class in Eureka and two staff members attended the one in Crescent Valley. Commissioner Ithurralde noted that a complimentary letter was received regarding the County's assistance on the 10<sup>th</sup> Street Project in Crescent Valley.

## **CORRESPONDENCE**

Correspondence was received from: Jerry & Trina Machacek; Brigette Nunley; Jeanette Cobb; District Attorney, Ted Beutel (2); Public Works, Ron Damele (2); Economic Development Program; Local Emergency Planning Committee; Eureka County 4H News; Crescent Valley Town Advisory Board (2); Allison MacKenzie et al; Lumos Landmarks newsletter; Pinon-Juniper Encroachment Workshop flyer; National Summit of Mining Communities; Klondex Gold; Carlin Television District; Washoe County E-Update; R&R Roofing; Summit Engineering (2); Sierra Nevada Construction (2); Winkel Motors; Central Nevada Regional Water Authority; Nevada State Assembly-Committee of Government Affairs; Nevada Humanities press release; Nevada Housing Division; Nevada Pool/Pact; Nevada Dept. of Taxation; Nevada Tax Commission; Nevada Dept. of Agriculture; Nevada Div. of Environmental Protection (2); Nevada Dept. of Motor Vehicles; Nevada Connections newsletter; Nevada Economic Report newsletter; The Nevada Economy newsletter; Modoc County Farm Bureau; Western Counties Alliance; USFS-Ely Ranger District; USDA-Rural Development Corp.; US Dept. of the Navy; National Assoc. of Counties; and Cook Telecom, Inc.

## **RESOLUTION HONORING GLADY GOICOECHEA**

Commissioner Ithurralde motioned to adopt a resolution honoring Gladys Goicoechea; Commissioner Page seconded the motion; motion carried 3-0. The resolution was read into the record, and the Board thanked Ms. Goicoechea for her many years of service with Eureka County.

**RESOLUTION**  
**COMMENDING GLADY GOICOECHEA**  
**FOR THIRTY-ONE YEARS OF COUNTY SERVICE**

*WHEREAS, the Board of Eureka County Commissioners wishes to commend long-time employee, Gladly Goicoechea, upon her retirement; and*

*WHEREAS, Eureka County acknowledges the following biographical information: a Eureka native, Gladly graduated from Eureka County High School in 1969. She married fallow alumnus, Pete Goicoechea in 1972. The Goicoecheas resided in Eureka and raised their family, fourth general Eureka's: sons, Julian Joseph "JJ", Baptista "Tista", and daughter, Jolene. JJ and his wife, Sally, live in Eureka and are proud parents of Gladly's first grandchild, Julianna Grace. Jolene and her husband, Dan Lema, reside in Meridian, Idaho. Tista, although not here in body, is always with Gladly in mind and spirit.*

*Gladly is a lifelong member of St. Brendan's Catholic Church, is actively involved in the Eureka Alumni Association, and is the Vandal's number one basketball fan. She continues to travel to games to support the teams, even though it has been years since her own children played.*

*A talented quilt maker, Gladly sews many quilts which she often gives away. She has used her love of sewing as a way to express her compassion for family and friends in times of sorrow, to share their joy in times of happiness, as a gift celebrating the birth of a new baby, as a means of support for those in need, or simply in gratitude for help given or kindness that someone has shown.*

*WHEREAS, the Board of Eureka County Commissioners wishes to honor Gladly Goicoechea for her thirty-one years of County service and wishes to recognize and acclaim the following: Gladly began working in the Assessor's Office in December 1978 as a Secretary, was appointed as Deputy Assessor on June 2, 1980, and was promoted to Chief Deputy Assessor on January 1, 1986. Gladly obtained the training and knowledge to work for many years as a personal property appraiser, and provided many years of service for the Department of Motor Vehicles, which is integrated into the Assessor's office. Gladly championed a number of causes on behalf of her fellow employees and Eureka County. Gladly worked under two long-time Assessors, first James P. Ithurrealde until 2006, and currently Michael A. Mears.*

*NOW THEREFORE, IT IS HEREBY RESOLVED, that the Board of Eureka County Commissioners recognizes these accomplishments and honors Gladly Goicoechea for her commitment to service and her contributions to Eureka County.*

*BE IT FURTHER RESOLVED, that a copy of this resolution be provided to Gladly Goicoechea and be published in the minutes of the Board of Eureka County Commissioners to remain a part of the permanent records of Eureka County.*

*ADOPTED this 7<sup>th</sup> day of March, 2011.*

*/s/ Leonard Fiorenzi*  
\_\_\_\_\_  
*Leonard Fiorenzi, Chairman*

*/s/ Mike Page*  
\_\_\_\_\_  
*Mike Page, Vice Chairman*

*/s/ J.P. Ithurrealde*  
\_\_\_\_\_  
*J.P. Ithurrealde, Member*

*ATTEST: /s/ Jackie Berg*  
\_\_\_\_\_  
*Jackie Berg, Eureka County Clerk*

## **PUBLIC WORKS**

**Request to Purchase County Property:** A written request was received from Jerry & Trina Machacek to purchase County owned real property (APN 001-222-02) which is part of the annexed property in the area being developed as the Eureka Canyon Subdivision. The Machaceks were in attendance and explained to the Board that they were interested in the property for purposes of starting a storage business.

Chairman Fiorenzi explained that pursuant to Eureka County Code, Title 2, Chapter 60, there are six steps involved for the sale of County owned property: (1) decide if sale of the property is in the best interest of the County; (2) select an appraiser; (3) adopt a resolution declaring details and requirements of the sale; (4) set the minimum price; (5) conduct the sale; and (6) submit a written report of the sale to the Legislative Counsel Bureau. The Chairman noted that a request had already been received for a portion of the annexed property which includes the parcel referenced by the Machaceks, adding that the County needs to explore and make a decision regarding what type of businesses they want to allow adjacent to the subdivision and would like community input, especially from the local businesses, regarding what should or should not be encouraged in the area.

Scott Raine reminded the Board that he and Lee Raine had appeared at Commission meetings on more than one occasion requesting this piece of property and asking about the feasibility of the County acquiring more BLM property for commercial development. If the population increases as projected, they are ready, willing, and able to construct a larger store, but downtown Eureka simply isn't designed to accommodate a larger facility.

Economic Development Department Assistant, Trish Reynolds, stated the Economic Development Program Board has been interested in collaborating with the new Eureka Business Network on preservation of the downtown area and feedback regarding commercial sites at the Eureka Canyon Subdivision. The Board asked Ms. Reynolds to poll or survey the businesses located in the Eureka townsite regarding what retail they would like to see, or would not like to see, at the subdivision site.

Commissioner Ithurralde made a motion to table a response to the Machacek's written request until more information is gathered; Commissioner Page seconded the motion; motion carried 3-0.

**Crescent Valley Well Project:** Public Works Director, Ron Damele, reported on several ongoing projects. The contractor for the Crescent Valley Well Project moved in on March 2<sup>nd</sup> and drilled the test well. They are currently doing a packer test and collecting samples. They will use the data to design and build a screen and then return to drill the permanent well.

**Eureka Road Shop Energy Efficiency Upgrade Project:** This project is near completion and the Nevada State Office of Energy will inspect the work on March 9<sup>th</sup>.

**Crescent Valley Arsenic Plant Pre-Purchase:** Approval of the arsenic plant by the Bureau of Safe Drinking Water is anticipated in about two weeks. Once received, the notice to proceed will be issued for construction of the plant, which will take approximately 60 days to build.

**Crescent Valley Transmission Line & Treatment Plant Building Project:** Plans for the Crescent Valley Transmission Line and Plant Building are at 90% and have been forwarded to the Nevada State Health Department. Approval is expected in a couple weeks at which time the notice for bids will be advertised, with an anticipated bid opening date of April 20<sup>th</sup>.

**Beowawe Municipal and Domestic Well:** The pump failed on the Beowawe well, so the pump was pulled and the well was examined. It is in poor shape, so a brush cleaning will be done to clean up the well perforations before a pump is reinstalled.

**Off-Site Water Line Crossing to Eureka Canyon Development:** A proposal was received from Summit Engineering Corp. for engineering, surveying, and material testing/inspection services related to the off-site water line crossings at US Hwy. 50 to the Eureka Canyon Subdivision. Commissioner Ithurralde motioned to approve the proposal from Summit

Engineering for engineering and related services for the off-site water line crossings at US Hwy. 50 mileposts 36.02 and 35.45 in the amount of \$16,030.00; Commissioner Page seconded the motion; motion carried 3-0.

A change order proposal was received from Sierra Nevada Construction to install the off-site water line at US Hwy. 50 to the Eureka Canyon Subdivision. Mr. Damele explained that this will include installation of an 8-inch water line and a fire hydrant to the Eureka Fairgrounds. Commissioner Ithurralde motioned to approve the change order from Sierra Nevada Construction to install off-site water line crossings at US Hwy. 50 mileposts 36.02 and 35.45 in the amount of \$236,007.00; Commissioner Page seconded the motion; motion carried 3-0.

Off-Site Sewer Main to Eureka Canyon Development: A proposal was received from Sierra Nevada Construction for installation of 7,836 lineal feet of off-site sewer main from the point of connection at the Eureka Canyon Subdivision to the wastewater treatment facility. Commissioner Page motioned to approve the proposal from Sierra Nevada Construction for installation of 7,386 lineal feet of off-site sewer main for the reduced amount of \$575,250.00; Commissioner Ithurralde seconded the motion; motion carried 3-0.

NDOT Approaches to Eureka Canyon Development: Summit Engineering Corp. submitted a proposal for design services related to the NDOT approaches to be constructed during Phase 1 of the Eureka Canyon Subdivision Project. Commissioner Ithurralde motioned to approve the proposal from Summit Engineering for design of the NDOT approaches to the Eureka Canyon Subdivision in the amount of \$65,410.00; Commissioner Page seconded the motion; motion carried 3-0.

Purchase of 2011 GMC Sierra: Mr. Damele explained that a replacement vehicle for the Road Superintendent was approved in the current fiscal year's budget and he requested authorization to move forward with this purchase. Commissioner Page motioned to approve purchase of a 2011 GMC Sierra ¾ ton truck in the amount of \$33,399.00 plus additional title fee, utilizing Nevada State Purchasing fleet vehicle bid #7662; Commissioner Ithurralde seconded the motion; motion carried 3-0.

Beowawe Library Roof: Mr. Damele reported that the roof on the Beowawe Library is in poor condition, so a quote was obtained from R&R Roofing. Commissioner Page motioned to approve the proposal from R&R Roofing to replace the existing roof at the Beowawe Library for \$7,560.00; Commissioner Ithurralde seconded the motion; motion carried 3-0.

10-Hour Days for Road Department: Each year the Road Department requests approval to migrate to 10 hour days during the spring and summer months. Commissioner Ithurralde motioned to approve the Road Department moving to 10-hour days beginning March 13<sup>th</sup> and ending October 30<sup>th</sup>; Commissioner Page seconded the motion; motion carried 3-0.

10-Hour Days for Public Works Department: Public Works also moves to 10-hour days, although on a slightly different timeframe. Commissioner Ithurralde motioned to approve Public Works moving to 10-hour days beginning May 1<sup>st</sup> and ending October 2<sup>nd</sup>; Commissioner Page seconded the motion; motion carried 3-0.

## **COUNTY ENGINEER**

2010 ARRA Street Maintenance (11<sup>th</sup> Street) Project: Tom Young, Lumos & Associates, reported that this project required far more paperwork than most projects in Eureka due to the federal funding involved. Final documentation should be completed within 30 days at which time the County can expect a reimbursement in the amount of \$360,000.00.

2011 Street Maintenance Project: Mr. Young reported that the topographical survey was completed and preliminary designs for the 2011 Street Maintenance Project will be submitted to Public Works for review in approximately two weeks.

Spring Rehab & Water System Improvement Project: Plans for this project (Summit Spring and Laney Spring) were submitted to the Nevada Division of Environmental Protection

and comments were received back. Eureka County replied to those comments and then received several additional comments which will be addressed within the week. If approval is received in the next few weeks, as expected, this project will be advertised for bid with a bid opening of May 6<sup>th</sup> and bid award of May 20<sup>th</sup>. The environmental assessment on these springs showed a potential bird habitat, so each spring will have to be cleared (confirmation of no nesting sites) seven days before construction can begin, which may lead to some delays.

### **AMBULANCE & EMS**

Job Description – Volunteer Emergency Vehicle Driver: EMS Coordinator, Mike Sullivan, submitted a job description for approval, noting that it had been approved by Bill Zelinski of Nevada Pool/Pact. Commissioner Page motioned to approve the job description for the Volunteer Emergency Vehicle Driver position; Commissioner Ithurralde seconded the motion; motion carried 3-0.

Safety Sensitive Positions: During the previous meeting, Mr. Sullivan presented several positions for inclusion on the safety sensitive list pursuant to the Eureka Personnel Policy. The Board had asked Mr. Sullivan to make sure the volunteers weren't opposed to this inclusion. Mr. Sullivan reported that no negative feedback was received. Commissioner Ithurralde motioned to place the following positions on the safety sensitive list: (a) EMT-3; (b) Volunteer First Responder/Emergency Vehicle Driver; and (c) Volunteer Emergency Vehicle Driver; Commissioner Page seconded the motion; motion carried 3-0.

Commissioner Ithurralde noted that a letter was received commending the ambulance service and Mr. Sullivan.

### **SENIOR CENTERS**

Update Report: Senior Center Site Directors, Millie Oram and Adell Panning, reported on their respective centers. The new dishwasher was installed at the Eureka center. The Fannie Komp Senior Center also had problems with their dishwasher, but Public Works was able to repair it. Meal counts for the month were 842 in Eureka and 693 in Crescent Valley. Deposits for the month totaled \$7,745.14.

Grant Application for Transportation Services: The Board reviewed the grant application to the Nevada Aging & Disability Services Division for a transportation grant in the amount of \$22,500.00 which had been submitted by Ms. Oram.

Approval of Grant Application to NDOT: The Senior Center Directors requested authorization to submit a grant application to the Nevada Department of Transportation for a new wheelchair accessible van with a 10% match requirement (estimated to be \$5,000.00). Commissioner Ithurralde motioned to approve submitting the 5310 grant application to NDOT for a wheelchair accessible van, with a 10% match requirement from the County; Commissioner Page seconded the motion; motion carried 3-0.

### **NEVADA RURAL HOUSING AUTHORITY**

Fifty Townhome Units: March 7<sup>th</sup> was the agreed upon deadline for the Board of County Commissioners to accept or reject the 50 townhome units from NRHA. District Attorney, Ted Beutel, pointed out that the loan documents were not ready and it may take another two weeks for NRHA to finalize those documents. Ideally, the documents should have been available before the Commissioners accepted the townhomes, but Mr. Beutel encouraged the parties to find some 'middle ground'.

David Craig, Director of Real Estate for NRHA, stated if the County does not accept the townhome units, NRHA will direct him to immediately start looking for an alternate buyer. He added that NRHA has been working in good faith with the attorneys, Jones Vargas, to create documents that benefit both parties (NRHA and Eureka County), and the final documents are

expected in seven to ten days. The Housing Core Group will meet on March 8<sup>th</sup> to review an outline of the documents.

The Board decided that they would recess the next day's budget meeting (March 8<sup>th</sup>), allow the Core Group to meet, and then reconvene the budget meeting to review the outline and consider any recommendations the Core Group may have.

Commissioner Ithurralde motioned that the County accept the 50 townhome units, provided both parties continue working in good faith on the loan documents to be executed on or before March 21<sup>st</sup>; Commissioner Page seconded the motion; motion carried 3-0.

Letter of Acceptance: Commissioner Ithurralde motioned to sign a letter of acceptance for the fifty townhome units and to authorize the Chairman to sign it outside of the meeting once some minor revisions are made; Commissioner Page seconded the motion; motion carried 3-0.

## **NEVADA DIVISION OF FORESTRY**

Update Report: Eureka County Battalion Chief, Sam Hicks, provided an update on the Nevada Division of Forestry reductions being considered by the State Legislature. Effective in 2012, all-risk services will become the responsibility of the individual counties. There are additional plans to reduce the wildland coverage in the subsequent year. Mr. Hicks visited with Storey County regarding their wildland fire coverage, because they already coordinate with NDF for fire suppression through a 'subscription' type agreement where they provide part of the funding and the State assigns seasonal firefighters and an administrator, which is basically one of the proposals before the Legislature.

Mr. Hicks reported that Cortez Mine has requested a Memorandum of Understanding with NDF for coordination of wildland training so their people can be utilized to staff an engine. The State is currently working on the draft MOU.

## **NATURAL RESOURCES**

Report on Activities and Meetings: Natural Resource Manager, Jake Tibbitts, reported on the following meetings: NEPA Committee meeting on February 22<sup>nd</sup>; Mt. Hope conference call on March 1<sup>st</sup>; US Forest Service Resource Advisory Committee (RAC) meeting in Eureka on March 2<sup>nd</sup>; Wildlife Advisory Board meeting on March 2<sup>nd</sup>; and a conference call on March 3<sup>rd</sup> regarding the new strategy proposed by the BLM for wild horse and burro management.

The Mt. Hope conference call informed that another preliminary draft Environmental Impact Statement will be issued shortly for comments. The County received the technical memos related to the water modeling alternative, and continues to ask for the actual model itself with no response. The USFS RAC meeting discussed use of the Title III money through the Secure Rural Schools funding and will accept project proposals until March 31<sup>st</sup>. The new strategy for wild horse and burro management proposed by the BLM has raised many concerns; Mr. Tibbitts will provide a comment letter for the Commissioners' signature at the next meeting.

Upcoming Meetings: Upcoming meetings include: the Pinion-Juniper Workshop the evening of March 7<sup>th</sup> at the Opera House with presenter, Dr. Tamzen Stringham from the University of Nevada; a Eureka Firewise meeting on March 8<sup>th</sup>; a Crescent Valley Firewise meeting on the evening of March 8<sup>th</sup>; a Eureka Conservation District meeting on March 9<sup>th</sup>; a Natural Resources Advisory Commission (NRAC) meeting on March 9<sup>th</sup>; the upcoming meeting at the Naval Air Station in Fallon; the Central Nevada Regional Water Authority (CNRWA) meeting on March 11<sup>th</sup>; a Mt. Hope conference call on March 15<sup>th</sup>; and a Ruby Hill Community Advisory meeting on March 16<sup>th</sup>.

Mr. Tibbitts noted that the Ely BLM will be attending the NRAC meeting to discuss a recent Western Watersheds Project lawsuit which could affect the grazing allotments adjacent to Eureka County. Dale Bugenig will address the CNRWA regarding water issues and water

planning in Eureka County. Mr. Tibbitts is unable to attend the Naval Air Station meeting, so Commissioner Page agreed to represent Eureka County.

Natural Resource Issues: Mr. Tibbitts reported that a 75% reduction in PILT (payments in lieu of taxes) for the western counties has been proposed in Congress. The bill was introduced by Congresswoman Marcy Kaptur of Ohio, who referred to PILT as 'welfare payments to the west'.

Resolution Regarding Forest Service Planning Rule: Mr. Tibbitts presented a resolution for approval, which basically requests that the US Forest Service coordinate with local governments, specifically Eureka County, when implementing new policies or rules. Commissioner Ithurralde motioned to adopt a resolution to the US Forest Service outlining rationale for adoption of protocol by which coordination between local governments and the Forest Service should be implemented in the new 2011 Forest Service Planning Rule; Commissioner Page seconded the motion; motion carried 3-0.

Eureka County, Nevada

March 7, 2011

### **RESOLUTION**

**RESOLUTION ADOPTING AND ENDORSING REPORT AND ANALYSIS OUTLINING RATIONALE FOR ADOPTION OF SECTION 219.7 OF THE 1982 PLANNING RULE OF THE FOREST SERVICE AS EUREKA COUNTY'S PLAN AND POLICY FOR THE PROTOCOL BY WHICH COORDINATION BETWEEN THE COUNTY AND THE UNITED STATES FOREST SERVICE SHALL BE IMPLEMENTED**

WHEREAS, Eureka County has local governmental authority as to land use, water and resource management and environmental planning processes within the boundaries of the County; and

WHEREAS, THE State of Nevada, through NRS 278 and NRS 321, has enacted laws which empower the Eureka County Board of Commissioners (Board) to develop and implement processes for determining land use, resource and water management, and environmental planning as necessary to serve the public health, safety, convenience, and welfare; and

WHEREAS, laws and regulations of the United States mandate that planning and actions of the Federal agencies must be coordinated with the plans and policies of local government; and

WHEREAS, the National Forest Management Act requires the United States Forest Service to coordinate its planning processes and its management actions in implementation of its plan with the Board, as an established unit of local government, in order to attain and maintain consistency between the Federal and local plans and actions and further to remain aware of the Board's planning processes, plans, and implementation actions because consistency is the on-going goal set by Congress; and

WHEREAS, the 1982 Planning Rule of the Forest Service, through Section 219.7, clearly outline the protocol by which coordination with local governments shall take place by mirroring the Congressional mandate for coordination; and

WHEREAS, Eureka County submitted substantive input regarding inclusion of Section 219.7 of the 1982 Planning Rule in the 2011 Planning Rule of which input was formally provided during the comment period on the Notice of Intent to prepare a new Forest Service Planning Rule through a letter dated February 12, 2010 and at the regional roundtable in Elko, Nevada on April 8, 2010; and

WHEREAS, the proposed 2011 Planning Rule does not adequately include the coordination mandate as contemplated by Congress and the proposed 2011 Planning Rule was not developed in compliance with the current rules because it was not developed in coordination with local governments; and

WHEREAS, the Board has reviewed the report of Fred Kelly Grant and Sean Curtis which analyzes and outlines the rationale for inclusion of the Section 219.7 of eth 1982 Forest Service Planning Rule in the 2011 Planning Rule.

NOW THEREFORE BE IT RESOLVED that the Eureka County Board of Commissioners hereby adopts and endorses the report and analysis of Mr. Grant and Mr. Curtis and submits it as the rationale for this adoption of Section 219.7 of the 1982 Planning Rule of the Forest Service as Eureka County's plan and policy for the protocol by which coordination between the County and the United States Forest Service shall be implemented.

BE IT FURTHER RESOLVED that Eureka County Board of Commissioners strongly urges the Forest Service to include Section 219.7 of the 1982 Planning Rule in the 2011 Planning Rule.

BE IT FINALLY RESOLVED that the Eureka County Board of Commissioners strongly urges the Forest Service to adequately coordinate with local governments, including Eureka County, with regard to the proposed 2011 Planning Rule before efforts are made by the Forest Service to finalize the new Rule.

PASSED AND ADOPTED by the Eureka County Board of County Commissioners this 7<sup>th</sup> day of March, 2011.

Dated this 7<sup>th</sup> day of March, 2011  
BOARD OF COUNTY COMMISSIONERS  
Eureka County, Nevada

/s/ Leonard Fiorenzi  
Leonard Fiorenzi, Chairman

/s/ Mike Page  
Mike Page, Vice Chairman

/s/ J.P. Ithurrealde  
J.P. Ithurrealde, Member

ATTEST: /s/ Jackie Berg  
Jackie Berg, Eureka County Clerk

Water Quality Subgrant Agreement with Nevada Division of Environmental Protection:

This subgrant agreement with NDEP is for installation of a livestock watering facility near Frazier Creek, intended to draw livestock off of riparian areas. Mr. Tibbitts explained that NDEP's approval of this agreement is contingent on the granting of water rights which have been filed with the State Engineer by Roberts Creek Ranch. Commissioner Ithurrealde motioned to sign the Water Quality Subgrant Agreement with NDEP for a livestock water facility near Frazier Creek in Eureka County; Commissioner Page seconded the motion; motion carried 3-0.

Implementation of Recycling Program in Eureka County: Natural Resources Department Assistant, Kathy Porter, provided a detailed overview for a recycling program in Eureka at virtually no cost to the County. One of the benefits of this program would be reduction of waste and extension of the life of the Eureka Landfill. This program will be voluntary and the Eureka School District and Barrick Ruby Hill Mine have already committed to participating in the program. The Ruby Hill Mine has generously donated funding to purchase the recycling bins. Bins will be provided at the landfill for the public to participate in the program. As the program develops, it may also be possible to provide receptacles for in-home use. Signs will be posted at the landfill and the Natural Resources office will provide publicity so the citizens are aware that the program is available. Commissioner Ithurrealde motioned to approve implementation of a recycling program for Eureka on a trial basis, with currently no cost to Eureka County; Commissioner Page seconded the motion; motion carried 3-0.

**RECESS FOR LUNCH**

The Board recessed for lunch at 12:00 noon until 1:00 p.m.

## **EUREKA MEDICAL CLINIC**

Update on Eureka Medical Clinic: Physician Assistant, Duane Gibson, provided a brief update on the Eureka Clinic. The clinic is utilizing the new digital x-ray equipment and has been able to transmit x-rays electronically to the radiologist. There has been concern over proposed legislation currently before Congress that would decrease federal funding to health centers. This could potentially reduce funding to Nevada Health Centers by 50%. The clinics in Eureka County are fairly insulated against this due to the level of funding provided by Eureka County, and CEO, Tom Chase, wanted to reassure the public who may have concerns over the level of service at the local clinics.

## **BOARD APPOINTMENTS**

Local Emergency Planning Committee: Per recommendation from LEPC, Commissioner Ithurralde motioned to appoint Sarge Warrick, General Moly Safety Manager, to the Local Emergency Planning Committee; Commissioner Page seconded the motion; motion carried 3-0.

Eureka County Fair Board: A letter of interest in serving on the Fair Board was received from Brigette Nunley. After a brief discussion, the Board decided to request a recommendation from the Fair Board as has been done in the past. Commissioner Page motioned to table this item pending a recommendation from the Fair Board; Commissioner Ithurralde seconded the motion; motion carried 3-0.

## **RESOLUTION COMMEMORATING RUSSELL ROWLEY**

Commissioner Page motioned to adopt a resolution honoring longtime employee, Russell Rowley; Commissioner Ithurralde seconded the motion; motion carried 3-0.

*Eureka, Nevada*

*March 7, 2011*

**RESOLUTION**  
**COMMEMORATING EUREKA RESIDENT &**  
**LONGTIME EMPLOYEE, RUSSELL W. ROWLEY**  
**MAY 13, 1947 – DECEMBER 11, 2010**

*WHEREAS, the Board of Eureka County Commissioners wishes to honor longtime Eureka resident and longtime employee, Russell W. Rowley, for his faithful service and contributions; and*

*WHEREAS, Eureka County acknowledges the following biographical information: Russell W. Rowley was born May 13, 1947, in Milford, Utah, to Leona Carrie Davies and Ray Rand Rowley. Russell graduated from Milford High School in 1965, and went on to attend college where he earned a scholarship for his artistic talent. Russell served in the United States Army from 1968 to 1970, completing a tour of duty in Vietnam and being recognized for his military service with the National Defense Service Medal, the Army Commendation Medal, as well as several other medals and citations.*

*Russell married Rebecca Buchanan in 1973 and they had three children: daughters Summer and Misty, who now reside in Sacramento, California; and son Jeb, who resides in Eureka with his wife, Dorothy, and son Russell. Family was always important to Russell and he leaves many fond memories of time spent together, whether working or enjoying a favorite pastime such as horseback riding.*

*Russell was known for his strong work ethic and practiced it by focusing time on the family trucking business, ranching, operating equipment, and building a successful concrete business with son, Jeb.*

*NOW THEREFORE, IT IS HEREBY RESOLVED, that the Board of Eureka County Commissioners commemorates Russell W. Rowley for his lifetime accomplishments and sixteen years of faithful service to Eureka County as road equipment operator from April 26, 1994, until his death on December 11, 2010.*

*BE IT FURTHER RESOLVED, that a copy of this resolution be provided to the family of Russell Rowley and be published in the minutes of the Board of Eureka County Commissioners to remain a part of the permanent records of Eureka County.*

*ADOPTED this 7<sup>th</sup> day of March, 2011.*

*/s/ Leonard Fiorenzi*  
\_\_\_\_\_  
*Leonard Fiorenzi, Chairman*

*/s/ Mike Page*  
\_\_\_\_\_  
*Mike Page, Vice Chairman*

*/s/ J.P. Ithurralde*  
\_\_\_\_\_  
*J.P. Ithurralde, Member*

ATTEST: */s/ Jackie Berg*  
\_\_\_\_\_  
*Jackie Berg, Eureka County Clerk*

### **COOPERATIVE EXTENSION**

Report on Collaborative Research on Pinion Juniper Encroachment: Extension Educator, Gary McCuin, updated the Board on his recent work in cooperation with the University of Nevada regarding pinion juniper encroachment. He introduced Dr. Tamzen Stringham from the University and extended an invitation to the Board and the public to attend Dr. Stringham's presentation at the Opera House that evening regarding this subject.

Ms. Stringham gave an overview of the current study being done in Lander County on the Smith Creek Ranch. The US Fish & Wildlife Service provided funding to treat 160 acres of pinion juniper on the private property, so the University moved a research team in about two months prior to the cut which was completed on August 15, 2010. This is the first and only fully instrumented watershed in the State of Nevada. They are tracking how these trees impact water, vegetation, wildlife, habitat, etc., and expect to see significant changes as the study progresses. The BLM has now come on board and is completing a NEPA study on adjacent public lands, so the research will soon incorporate treatment of approximately 6,000 acres above the watershed. An on-site demonstration is planned in August, and Ms. Stringham invited the Commissioners to attend.

### **CLERK & TREASURER**

Treasurer's Reports: Treasurer's Reports for November 2010, December 2010, and January 2011 were presented by Clerk & Treasurer, Jackie Berg. Ending balance for the 2010 calendar year was \$56,780,365.92. Ending balance for January 2011 was \$54,297,328.10. The Commissioners commented on the bank charges and Ms. Berg stated she has approached Nevada State Bank more than once requesting a reduction in fees, but has had no success. Chairman Fiorenzi commented on the monies invested with the NVEST program and his concerns that this money was linked to a State program. Ms. Berg explained that although the State Treasurer goes out to bid for these firms, the counties select an investment manager from the successful bidders and deal with that firm completely independent from the State.

Letter to Nevada State Bank: Ms. Berg explained that fees were assessed against the interest bearing accounts because they were not recognized as tax exempt by the Internal Revenue Service. To obtain a refund and avoid charges in the future, the names on the bank accounts need to be changed to exactly match the name on the County's tax identification number. Nevada State Bank has requested that this authorization be signed by both the Treasurer and the Board of Commissioners. Commissioner Ithurralde motioned to co-sign a letter with the County Treasurer to Nevada State Bank requesting a name change on affected

Eureka County bank accounts in order to coincide with the County's tax identification number; Commissioner Page seconded the motion; motion carried 3-0.

**APPROVAL OF MINUTES**

January 26, 2011, Special Housing Meeting: Commissioner Ithurrealde motioned to approve the minutes of the special housing meeting held on January 26<sup>th</sup> at the Eureka Opera House; Commissioner Page seconded the motion; motion carried 3-0.

February 8, 2011, Budget Meeting: Commissioner Page motioned to approve the minutes for the budget meeting on February 8<sup>th</sup>; Commissioner Ithurrealde seconded the motion; motion carried 3-0.

**PUBLIC COMMENT**

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

**ADJOURNMENT**

Commissioner Page motioned to adjourn the meeting at 1:55 p.m.; Commissioner Ithurrealde seconded the motion; motion carried 3-0.

Approved this 6<sup>th</sup> day of April, 2011.

/s/ Leonard Fiorenzi

Leonard Fiorenzi, Chairman

Attest: /s/ Jackie Berg

Jackie Berg, Clerk