

# EUREKA COUNTY BOARD OF COMMISSIONERS

March 20, 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 March 20, 2014. Present were Chairman J.J. Goicoechea; Commissioner Michael Sharkozy; District Attorney Ted Beutel; and Executive Assistant, Jackie Berg. Vice Chairman Jim Ithurrealde was absent. 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 moved the agenda item related to Nevada Rural Housing Authority from the morning session to the afternoon. Commissioner Sharkozy motioned to approve the agenda with that change; Chairman Goicoechea seconded the motion; motion carried 2-0.

## **PUBLIC COMMENT**

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

## **NEVADA HEALTH CENTERS, INC.**

Open House: On behalf of Nevada Health Centers, the Commissioners announced an invitation for the public to attend a Community Open House at the Eureka Medical Clinic on April 7<sup>th</sup> from 4:00 to 6:00 p.m. The Open House is to welcome Dr. Michael Wells, DO, and to allow residents to meet with medical providers and tour the facility. Flyers will be posted throughout the community.

## **APPROVAL OF MINUTES**

February 20, 2014, Commission Meeting: Commissioner Sharkozy motioned to approve the minutes of the February 20, 2014, meeting; Chairman Goicoechea seconded the motion; motion carried 2-0.

## **FINANCE**

Payment of Expenditures: Expenditures were presented for approval by Recorder & Auditor, Mike Rebaleati. Chairman Goicoechea motioned to approve expenditures in the amount of \$449,084.57 for accounts payable, \$286,571.38 for payroll, and \$274,139.37 for a pass-through tax allocation to the School District, for a grand total of \$1,009,795.32; Commissioner Sharkozy seconded the motion; motion carried 2-0. Commissioner Sharkozy motioned to approve Yucca Mountain expenditures in the amount of \$409.35; Chairman Goicoechea seconded the motion; motion carried 2-0.

Auditor's Report: This report was reviewed during the budget meeting on March 19<sup>th</sup>.

Proposed Employee Buy-Out Incentive: This was also a topic during the March 19<sup>th</sup> budget meeting and additional information is being requested before any action is taken.

## **COMMISSIONERS**

Update Reports: Commissioner Sharkozy attended the budget meeting on March 19<sup>th</sup> and the Liquor Board meeting on March 20<sup>th</sup> prior to start of the Commission meeting.

Chairman Goicoechea attended the Natural Resources Advisory Commission meeting on March 10<sup>th</sup>; traveled to Salt Lake City with other County staff on March 11<sup>th</sup> to meet with Utah's Public Lands Policy Coordination Office; traveled to Carson City on March 13<sup>th</sup> for the Sagebrush Ecosystem Council meeting; met with State Forester, Pete Anderson, and other Nevada Division of Forestry representatives on March 13<sup>th</sup>; met with members of the Wilderness Society regarding the Reid/Heller proposed legislation on March 14<sup>th</sup>; met with Governor Brian Sandoval on March 14<sup>th</sup>; met with representatives of McEwen Mining on March 14<sup>th</sup> along with Jake Tibbitts, Dale Bugenig, and Ted Beutel (via telephone); met with the Ely District BLM on March 18<sup>th</sup>; attended the budget meeting on March 19<sup>th</sup>; and attended the Liquor Board meeting the morning of March 20<sup>th</sup>.

Leasing Office Space to State Agencies: Local staff of the Nevada Highway Patrol and Nevada Department of Wildlife must vacate their current facility by July 1<sup>st</sup>, so had approached the County about the possibility of leasing office space within County buildings. District Attorney, Ted Beutel, has been in contact with the Nevada Department of Administration, Public Works Division, which handles leases for State agencies and has reviewed the State's standard lease agreement. The lease term is negotiable, but the agreement contains a renewal clause equal to the original term. Local representatives of both NHP and NDOW were present and everyone felt a three-year lease with a three-year renewal option was suitable. NHP will be located at the Annex/Administration Building and NDOW will be located in the County Courthouse. Chairman Goicoechea requested that the agreements include a clause allowing the County to regain the offices should something unforeseen occur that would cause the need to expand.

Commissioner Sharkozy motioned to authorize the District Attorney to negotiate three-year leases as described with the Nevada Department of Administration for local staff of Nevada Highway Patrol and Nevada Department of Wildlife. Chairman Goicoechea seconded the motion. Motion carried 2-0.

AB 239 of the 2013 State Legislature: Assembly Bill 239, which passed during the 2013 Session of the State Legislature, imposes requirements upon local governments related to permitting of aboveground utility projects and renewable energy generation projects. The State is still grappling with implementation and Nevada Association of Counties plans to discuss it at their Board of Directors meeting on March 28<sup>th</sup>. Commissioner Sharkozy motioned to deny proposing an ordinance related to AB 239 until further information or direction is forthcoming. Chairman Goicoechea seconded the motion. Motion carried 2-0.

Consideration of Sale of APN 001-221-08: At the March 6<sup>th</sup> meeting, Scott Raine appeared before the Board with a request to purchase APN 001-221-08, approximately 7½ acres located in the Eureka Canyon Subdivision, for the purposes of building a larger facility and relocating Raine's Market. At that meeting District Attorney Beutel advised the Board that land can be sold in a public auction, declared for economic development purposes for a captured sale, or a combination of the two.

Mr. Beutel prepared a draft resolution incorporating both methods and requested input from the Commissioners. He recommended that a development agreement be incorporated as well, so that prospective buyers are aware of all conditions tied to purchase of the property. Mr. Beutel reminded the Board that this is a multi-step process and will require a second resolution outlining the timeline and sale process.

Public Works Director, Ron Damele, reported that two appraisers have been contacted to conduct the necessary appraisals on APN 001-221-08 and appraisal reports are contemplated in approximately 60 days. He informed that underground utilities have not been stubbed to the larger lots, but are in close proximity.

Chairman Goicoechea agreed to meet with the District Attorney regarding revisions to the resolution and preliminary work on a development agreement. Commissioner Sharkozy motioned to table the resolution regarding sale of large lots at the Eureka Canyon Subdivision to

allow for further revision and creation of a rough draft development agreement. Chairman Goicoechea seconded the motion. Motion carried 2-0.

Meeting Regarding Utah's RS 2477 Litigation: (Note: This item was discussed later in the day). On March 11<sup>th</sup>, Chairman Goicoechea, District Attorney Beutel, Natural Resources Manager Jake Tibbitts, and Public Works Director Ron Damele, traveled to Salt Lake City to meet with representatives of Utah and Utah's Public Lands Policy Coordination Office regarding their work to preserve access and control on roads located on federally administered lands.

Utah is far ahead of other western states in addressing the issue of prescriptive rights-of-way, or RS 2477 rights-of-way, on federally managed lands. These roads existed long before the Federal Land Policy Management Act of 1976. They were essentially county roads, but now are not recognized by the federal government as such until a burdensome administrative and legal process is completed. The entire issue is becoming more important and urgent as access to these roads is increasingly threatened.

The State of Utah and different counties in Utah have approached this issue in various ways and are involved in ongoing litigation. This meeting allowed Eureka County to discuss the issue and consider what options and strategies have worked or not worked - basically to learn from Utah's mistakes and successes. Everyone agreed the meeting was quite beneficial. Chairman Goicoechea will continue working with Natural Resources and Public Works over the next couple of months on strategy and options and will keep the entire Board updated as plans progress.

Request for Lighting Welcome Signs: The Recreation Board asked Eureka County to consider installing lights on the *Welcome to Eureka* signs at each end of town. Chairman Goicoechea motioned to direct Public Works to obtain estimates for lighting, both for extending electrical power to the signs and for installation of solar lighting. Commissioner Sharkozy seconded the motion. Motion carried 2-0.

## **PUBLIC WORKS**

Robins Street Improvements & Utility Upgrades Project: Public Works Director, Ron Damele, reported that they expect to have a Guaranteed Maximum Price to propose at a special meeting on April 24<sup>th</sup> for the Robins Street Improvements & Utility Upgrades Project. The price will be pre-negotiated between the Construction Manager at Risk (Legacy Construction & Development, Inc.), Public Works, and the County Engineer, and presented for Commission approval at the special meeting.

May Clean-Up: Mr. Damele described the May Clean-Up program and requested designation of clean-up days. Commissioners Sharkozy motioned to declare May 1<sup>st</sup>, 8<sup>th</sup>, 15<sup>th</sup>, 22<sup>nd</sup>, and 29<sup>th</sup> as May Clean-Up days in the townsites of Eureka, Crescent Valley, and Beowawe for the following items: yard waste, furniture, white goods, tires, and car bodies (excluding hazardous materials, household garbage, and dead animals). Chairman Goicoechea seconded the motion. Motion carried 2-0. Items for removal must be located at the property line adjacent to the street and must be separated according to each waste classification.

Free Dump Days: Mr. Damele requested designation of free dump days in Eureka County. Commissioner Sharkozy motioned to declare May 3<sup>rd</sup>, 10<sup>th</sup>, 17<sup>th</sup>, 24<sup>th</sup>, and 31<sup>st</sup> as free dump days at the Eureka Landfill and Crescent Valley Laydown Yard for the following items: yard waste, furniture, white goods, tires, and car bodies (excluding hazardous materials, household garbage, and dead animals). Chairman Goicoechea seconded the motion. Motion carried 2-0. Hours for the free dump days will be 8:00 a.m. to 12:00 noon and 1:00 p.m. to 4:00 p.m. for the Eureka Landfill and 8:00 a.m. to 12:00 noon for the Crescent Valley Laydown Yard. All items must be separated and disposed of according to each waste classification.

Courthouse HVAC Project: A request for qualifications was advertised for control and management services for the Courthouse HVAC Project. One response was received from

Building Control Services, Inc. Mr. Damele stated the County is familiar with this company and he recommended moving forward with a design contract. Upon acceptance of the design, the County will then enter into a construction contract for installation. Construction will likely take place in the next fiscal year. The overall project is estimated to cost \$300,000.00 and will be funded primarily from the Assessor's Tech Fund.

Commissioner Sharkozy motioned to accept the Statement of Qualifications from Building Control Services, Inc., for control and management services for the HVAC system at the Eureka County Courthouse; Chairman Goicoechea seconded the motion; motion carried 2-0. Commissioner Sharkozy motioned to authorize Public Works to negotiate design service fees with Building Control Services, Inc., for the Courthouse HVAC Project; Chairman Goicoechea seconded the motion; motion carried 2-0.

RFQ for Fiber Optic Upgrades: Mr. Rebaleati and Mr. Damele requested authorization to advertise a request for qualifications to upgrade the County's fiber optic infrastructure. The current system is nearly 20 years old, which is the estimated life for these systems. Mr. Damele and Mr. Rebaleati explained how the different buildings and facilities will be connected. This upgrade will address the County buildings along Main Street in Eureka, while those not located on Main Street will be connected through other means (some during the Robins Street Project). Commissioner Sharkozy motioned to authorize staff to proceed with advertising a request for qualifications for design build for fiber optic infrastructure upgrades between primary County buildings along Eureka's Main Street corridor. Chairman Goicoechea seconded the motion. Motion carried 2-0.

Contract Renewal with Hoss Disposal: Mr. Damele and owner of Hoss Disposal, James Beresovoy, reviewed the current contract/franchise agreement and proposed changes for a two-year contract extension with an additional two-year renewal option. The franchise area is roughly from Interstate 80 south to Garden Pass. Negotiated changes for the new contract include: an increase to \$1,000.00/month for refuse collection at County buildings in Eureka and Diamond Valley, which are outside the franchise area (there are no increases within the franchise area); a non-performance penalty reducing the franchise fee (pro-rated daily for the first three days and loss of the entire weekly fee if it exceeds three days); storage of a spare truck at the Crescent Valley/Beowawe Road Shop in exchange for free service to County buildings in Crescent Valley; and a 90-day termination clause.

Everyone agreed that non-performance will apply in cases when the entire route is not covered (excluding cases where the route is covered, but a customer is inadvertently missed for one reason or another). Mr. Damele stressed the importance of consistent service to customers in the franchise area, since they don't have the option of selecting another service provider.

Commissioner Sharkozy motioned to approve the two-year contract renewal with Hoss Disposal as outlined and authorized extension of the existing contract (which expires March 31, 2014) to April 30<sup>th</sup>; Chairman Goicoechea seconded the motion; motion carried 2-0. Chairman Sharkozy made a second motion authorizing the Chairman to sign the new contract outside of the meeting once all of the discussed changes are incorporated; Chairman Goicoechea seconded the motion; motion carried 2-0.

## **AMBULANCE & EMS**

Update Report: EMS Coordinator, Mike Sullivan, reported on emergency services since his last update in February. Eureka had 10 calls for service (22 year-to-date) and Crescent Valley had five calls for service (17 year-to-date). Mr. Sullivan reported on volunteer levels for both services, including addition of a volunteer driver in Crescent Valley.

Continuing education training was held in Eureka on February 24<sup>th</sup> and March 3<sup>rd</sup> and in Crescent Valley on February 27<sup>th</sup> and March 6<sup>th</sup>. The next classes are scheduled in Eureka on March 25<sup>th</sup> and in Crescent Valley on March 27<sup>th</sup>.

On March 1<sup>st</sup> Eureka Ambulance responded to a reported aircraft down in Kobeh Valley. Mr. Sullivan thanked the Eureka Volunteer Fire Department for their assistance and commended the EMS volunteers and the Sheriff's Office for the way the incident was handled. On March 16<sup>th</sup>, Crescent Valley Ambulance responded to three serious back-to-back calls and managed them in a professional and prompt manner. On March 6<sup>th</sup>, Mr. Sullivan consulted with the Eureka County School District on epinephrine and anaphylaxis policy and procedure; he will assist with staff training in the future. Pine Valley Volunteer Fire Department requested CPR training; classes are scheduled for March 31<sup>st</sup> and April 1<sup>st</sup>.

Mr. Sullivan thanked the Sheriff's Office for transfer of a Jeep Cherokee to EMS. It will be assigned to Crescent Valley Ambulance as an off-road rescue vehicle.

Ambulance Bill Write-Off: Commissioner Sharkozy motioned to write-off uncollectible ambulance account #2005586 in the amount of \$65.00; Chairman Goicoechea seconded the motion; motion carried 2-0.

## **CLERK & TREASURER**

Treasurer's Report: The Treasurer's Report for January was presented by Clerk & Treasurer, Beverly Conley. Ending balance for the month was \$52,315,786.29.

Investment Consultant: Ms. Conley requested authorization to engage a third-party investment consultant to review overall investments for the County and provide advice to her and the Investment Committee. The arrangement will be fee based. Ms. Conley expects that the first year will not exceed \$5,000.00 and this will decrease in subsequent years. Commissioner Sharkozy motioned to authorize the County Treasurer to engage a third-party investment consultant to assist in managing the overall investment process for County funds. Chairman Goicoechea seconded the motion. Motion carried 2-0.

## **EUREKA COUNTY FAIR BOARD**

Appointment to Fair Board: Per recommendation of the Fair Board, Chairman Goicoechea motioned to appoint Hallee Wilker to an unexpired four-year term on the Fair Board through December 2017. Commissioner Sharkozy seconded the motion. Motion carried 2-0.

## **COUNTY FACILITIES & ECONOMIC DEVELOPMENT**

Update Report: Cultural, Tourism, & Economic Development Director, Andrea Rossman, reported on activities at the Opera House, Sentinel Museum, and Economic Development. Utah Shakespeare Festival performed at the Opera House on March 14<sup>th</sup>. The next scheduled event is Richard Elloyan, cowboy poet/singer/songwriter, on April 25<sup>th</sup>. Nevada Arts Council will hold an Arts Town Meeting at the Opera House on March 25<sup>th</sup>. On March 18<sup>th</sup>, Ms. Rossman and Economic Development Department Assistant, Cindy Beutel, attended the Barrick Ruby Hill Community Advisory Committee meeting. The next meeting of the Economic Development Program Board is March 21<sup>st</sup> and will include a presentation by Mike Baughman, Intertech Services Corporation, regarding progress on the Eureka County Comprehensive Economic Development Strategy.

## **EUREKA COUNTY JUVENILE PROBATION**

Grad Nite Celebration: Juvenile Probation Officer, Steve Zimmerman, submitted a request for a donation to the 2014 Eureka High School Grad Nite event scheduled for June 6<sup>th</sup> and thanked the County for support in previous years. This annual event, which provides a substance-free celebration for students that includes entertainment, prizes, and refreshments in a safe environment, has proven to be a successful alternative to alcohol/drug related parties. Chairman Goicoechea motioned to donate \$500.00 to the 2014 Grad Nite celebration; Commissioner Sharkozy seconded the motion; motion carried 2-0.

## **EUREKA COUNTY SHERIFF**

Dispatcher Position: Pursuant to the attrition policy, Sheriff Ken Jones appeared before the Board to request authority to fill a vacant Dispatcher position. Chairman Goicoechea noted that Dispatch has recently acquired duties previously handled by Nevada Division of Forestry, so it would not be prudent to leave the department understaffed. Commissioner Sharkozy motioned to authorize the Sheriff's Office to fill the vacant Dispatcher position; Chairman Goicoechea seconded the motion; motion carried 2-0.

## **MEDICAL CLINIC ADVISORY COMMITTEE**

Resignation from Committee: Commissioner Sharkozy motioned to accept the resignation of Toni Wright from the Medical Clinic Advisory Committee; Chairman Goicoechea seconded the motion; motion carried 2-0.

## **CRESCENT VALLEY TOWN ADVISORY BOARD**

Water Service Application: At their March 12<sup>th</sup> meeting, the Crescent Valley Town Advisory Board approved a water service application in the Town of Crescent Valley, but final approval is required by the Board of County Commissioners. Commissioner Sharkozy motioned to approve the application from John Kellerman for residential water service at 2211 Lander Avenue in Crescent Valley; Chairman Goicoechea seconded the motion; motion carried 2-0.

## **ELKO-LANDER-EUREKA COUNTY LIBRARY SYSTEM**

Fiscal Year 2014-2015 Contract: The Elko-Lander-Eureka County Library System forwarded an amended library contract for Fiscal Year 2014-2015. The requested changes were incorporated into the contract with an overall annual savings of \$8,900.00. Main changes were closure of the Beowawe branch, a slight increase in hours at the Crescent Valley branch, and a few other minor adjustments. The decision to close the Beowawe branch was based on an annual \$9,800.00 contract fee and nearly \$10,000.00 in utilities to keep it open only one-half day per week. A copy of the contract was forwarded electronically, but the original was not available at meeting time. Commissioner Sharkozy motioned to approve the amended contract with Elko-Lander-Eureka County Library System for Fiscal Year 2014-2015 and authorized the Chairman to sign the contract outside of the meeting. Chairman Goicoechea seconded the motion. Motion carried 2-0.

## **NATURAL RESOURCES**

Report on Activities: Natural Resources Manager, Jake Tibbitts, reported on recent activities. He attended the Central Nevada Regional Water Authority meeting in Eureka on March 7<sup>th</sup>; attended a meeting hosted by the Natural Resources Conservation Service and the Farm Service Agency on March 10<sup>th</sup> in Fallon on the recently passed 2014 Farm Bill; traveled to Salt Lake City on March 12<sup>th</sup> to meet with Utah officials related to RS 2477 rights-of-way; attended the Sagebrush Ecosystem Council meeting in Carson City on March 13<sup>th</sup>; met with representatives of McEwen Mining in Reno on March 14<sup>th</sup> to discuss protests on their water applications; attended the Barrick Ruby Hill Community Advisory Committee meeting on March 18<sup>th</sup>; and attended the Crescent Valley Firewise Committee meeting on March 19<sup>th</sup>.

Mr. Tibbitts noted a couple of items from the meetings. Features of interest in the 2014 Farm Bill include disaster/drought assistance and payments for deferred grazing. During the meeting at Ruby Hill Mine, management wanted the public to be aware that they will soon begin blasting the scarp where the highwall failure occurred. Sensors have been placed throughout Eureka. Since the blasting will occur closer to the surface, vibrations will be felt in town.

Upcoming Meetings: Upcoming meetings include a meeting of the Nevada Legislative Committee on Public Lands in Winnemucca on March 24<sup>th</sup>; a public hearing in Crescent Valley

on March 25<sup>th</sup> hosted by Nevada Division of Environmental Protection regarding the draft permit issued to Previous Metals Recovery LLC, for the proposed mercury storage facility in northern Eureka County; a meeting of the Diamond Natural Resources Protection & Conservation Association on March 26<sup>th</sup>; a Forest Service Resource Advisory Committee meeting on March 27<sup>th</sup> in Eureka; a NACO Public Lands & Natural Resources Committee meeting on March 27<sup>th</sup>; a Nevada Land Management Task Force meeting on March 28<sup>th</sup>; a drought workshop hosted by University of Nevada Cooperative Extension in Eureka on April 1<sup>st</sup>; a meeting of the Executive Committee of the Nevada Pinyon-Juniper Partnership on April 1<sup>st</sup>; and a Diamond Valley Weed District meeting on April 2<sup>nd</sup>.

During the upcoming week, Mr. Tibbitts will be working with Chris Peltz of Colorado, who is administering the Ruby Hill Biochar Reclamation Project. On March 26<sup>th</sup> they will host a site visit for anyone interested in the project. Scott Bell with US Forest Service out of Ogden, Utah, and Dustin Moller with University of Nevada will both be in attendance.

Predator Removal Project: Nevada Department of Wildlife just approved a plan for some targeted predator removal to address the overpopulation of coyotes. The plan will also address ravens, a major predator of sage grouse. Work will begin in about a year.

The Natural Resources Advisory Commission and the County Advisory Board to Manage Wildlife have proposed a joint Predator Removal Project. Trevor Walch, a wildlife biologist in Elko and proprietor of Predator Control Corporation, does targeted predator control work for both NDOW and the livestock industry. His methods are very scientific and comprehensive, involving a lot of information and documentation. Both NRAC and CAB have funds in the current year's budget and propose a cost-share (\$10,000.00 each) to contract Mr. Walch for a project targeting coyotes.

Commissioner Sharkozy motioned to approve the contract with Trevor Walch of Predator Control Corporation for this project in the current fiscal year at a cost of \$20,000.00 to be jointly funded by the Natural Resources Advisory Commission and the County Advisory Board to Manage Wildlife. Chairman Goicoechea seconded the motion. Motion carried 2-0.

Grazing Reductions under BLM Exchange of Use Agreements: Mr. Tibbitts explained that the BLM has Exchange of Use Grazing Agreements when unfenced private lands are intermingled with public lands on grazing allotments. Nevada is a "fence-out" state by statute, so owners of property adjacent to public lands where grazing occurs must fence their property if they do not want open range cattle on their land. The Exchange of Use Grazing Agreements take these private unfenced lands into account as part of the grazing permit and in calculating AUMs (animal unit month).

Recently the BLM has been using this issue as a tool to reduce grazing, especially in areas around the railroad where checkerboard lands exist (every other section of land adjacent to the train track was granted to the railroad to be sold as a means to raise capital).

This issue was discussed with the BLM when County staff traveled to Washington, DC, last October to meet with officials and agencies on various issues. Mr. Tibbitts drafted a letter, with backup documentation, to the Washington, DC, BLM officials: John Ruhs, Senior Special Assistant; Mike DeArmond, Deputy Division Chief; and Bob Bolton, Senior Rangeland Management Specialist. These gentlemen seemed receptive to the County's concerns, but need to be reminded of the issue. Commissioner Sharkozy motioned to send this letter and backup materials to the BLM outlining the County's concerns regarding BLM efforts to reduce grazing under certain circumstances in areas with Exchange of Use Grazing Agreements. Chairman Goicoechea seconded the motion. Motion carried 2-0.

Letter to BLM on Management Decisions Related to Drought: At the last meeting of the Natural Resources Advisory Commission, the members voted to recommend that the Commissioners send a letter to the BLM outlining concerns over the unjustified, restrictive, and often subjective grazing decisions being made based on drought conditions. Commissioner

Sharkozy motioned to send a letter to the Elko District BLM and Battle Mountain District BLM opposing the overly restrictive grazing decisions being imposed based on drought and asking them to consider other management options. Chairman Goicoechea seconded the motion. Motion carried 2-0.

Rangeland Photo Project: Quite a few years ago Eureka County, in partnership with the N6 Grazing Board, started a rangeland photo project to eventually be published in book form. This was, in part, in response to a photo book generated by Western Watersheds Project titled, “*Welfare Ranching: The Subsidized Destruction of the American West.*” The County’s idea was to find historical rangeland photos and revisit those same sites to take updated comparison photos to substantiate that in most cases condition of the rangeland has actually improved over the years. The N6 Grazing Board still has \$10,000.00 earmarked for the project and the Natural Resources Advisory Commission proposes funding \$10,000.00 to complete Part 1 of this project, at a cost of \$19,808.00. Part 2 will entail the actual printing of the book.

Commissioner Sharkozy motioned to approve sponsorship of a Comparative Rangeland Photo Project with \$10,000.00 funded from the Natural Resource Advisory Commission budget. Chairman Goicoechea seconded the motion. Motion carried 2-0.

### **RECESS FOR LUNCH**

The Board recessed from 12:00 to 1:30 p.m.

### **PUBLIC HEARING – EUREKA COUNTY CODE, TITLE 6, HEALTH & WELFARE**

2014 Prostitution & Marijuana Ordinance: Notice was given that the Board of Eureka County Commissioners would hold a hearing on March 20, 2014, to invite public comment and take action on a proposed ordinance amending the 2006 Eureka County Code, Title 6, Health & Welfare, by revising Chapter 60, Prostitution, to also provide for the prohibition of marijuana establishments within Eureka County.

Due to recent changes in State law that now provide for licensing of medical marijuana dispensaries in counties, subject to local business regulations, on February 6<sup>th</sup> Commissioner Ithurralde proposed an amendment to County Code prohibiting these establishments in Eureka County.

Chairman Goicoechea opened the public hearing and invited public comments on this proposed ordinance. There were no comments from the public or staff present in either Eureka or Crescent Valley. Commissioner Sharkozy motioned to adopt the 2014 Prostitution & Marijuana Ordinance amending Title 6 of the Eureka County Code. Chairman Goicoechea seconded the motion. Motion carried 2-0. This ordinance will be effective April 4<sup>th</sup>, following the required publication period.

### **NEVADA RURAL HOUSING AUTHORITY**

Repayment of Debt to Eureka County: Nevada Rural Housing Authority Director of Real Estate, Eddie Hult, and CFO, C.J. Manthe, were in attendance. Chairman Goicoechea explained that in consultation with counsel, Marvel & Marvel, Ltd., the County intends to submit a counter-offer to the option proposed by NRHA for repayment of debt to Eureka County for development of the Eureka Canyon Subdivision, and a request for additional information. NRHA can expect to receive this letter from Marvel & Marvel, Ltd., in the very near future and Chairman Goicoechea requested that they give their response in writing. The Chairman stated his appreciation for NRHA working with Eureka County in resolving this issue. He also assured NRHA that the parties will continue status quo under the existing agreement. Commissioner Sharkozy motioned to continue working with Marvel & Marvel, Ltd., in requesting additional information and submitting a counter-offer to Nevada Rural Housing Authority for debt repayment to Eureka County. Chairman Goicoechea seconded the motion. Motion carried 2-0.

## **COMMISSION MEETING DATES**

May 6<sup>th</sup> – No Change Needed: The oral argument in the Nevada Supreme Court Case, Eureka County v. State Engineer C/W 63258, No. 61324, was originally scheduled for May 6<sup>th</sup> in Carson City, but has been cancelled and will be rescheduled. Commissioner Sharkozy motioned to deny rescheduling of the May 6<sup>th</sup> Commission meeting; Chairman Goicoechea seconded the motion; motion carried 2-0.

Meeting to Canvass Primary Election Results: The 2014 Primary Election is on June 10<sup>th</sup> and the Board of County Commissioners is required to canvass election returns on or before the sixth working day following the election. Chairman Goicoechea motioned to change the quarterly meeting scheduled for July 15<sup>th</sup> in Crescent Valley to June 16<sup>th</sup> in order to accommodate the statutory requirement for canvassing returns of the 2014 Primary Election. Commissioner Sharkozy seconded the motion. Motion carried 2-0.

## **CORRESPONDENCE**

Correspondence was received from: Toni Wright; Public Works, Ron Damele; Executive Assistant, Jackie Berg (4); Eureka County Planning Commission; Economic Development Program Board; Health Insurance Committee; Eureka County Fair Board; Eureka County 4-H Program (2); Juvenile Probation Officer, Steve Zimmerman; Seventh Judicial District Court, Judge Steve Dobrescu; Crescent Valley Town Advisory Board (2); Nevada Assoc. of Counties; Intertech Services Corporation; White Pine County Commission; Day Engineering; Building Control Services; Hoss Disposal, Inc.; Indigenous Rangeland Management Research & Consulting, LLC; Allison, MacKenzie, Pavlakis, Wright & Fagan; Nevada Health Centers, Inc.; Nevada Sesquicentennial Statewide Commission; Nevada Div. of Water Resources; Nevada Big Game Restoration Group; Nevada Rural Housing Authority; Nevada Dept. of Business & Industry; Nevada Arts Council; Nevada Dept. of Health & Human Services; Nevada Dept. of Transportation; Assemblyman Ira Hansen; US Dept. of the Interior-BLM (3); and In God We Trust-America, Inc.

## **PUBLIC COMMENT**

Chairman Goicoechea called for public comments; there were none.

## **ADJOURNMENT**

The meeting was adjourned at 1:57 p.m.

*Approved by vote of the Board this 21<sup>st</sup> day of April, 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 March 20, 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