

**EUREKA COUNTY BOARD OF COMMISSIONERS**

**March 27, 2018**

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 27, 2018. Present were Chairman J.J. Goicoechea; Vice Chairman Michael Sharkozy; Commissioner Fred Etchegaray; District Attorney, Ted Beutel; and Commissioner Clerk, Jackie Berg. The meeting was called to order at 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**

Commissioner Sharkozy motioned to approve the agenda as posted; Commissioner Etchegaray seconded the motion; motion carried 3-0.

**PUBLIC COMMENT**

Chairman Goicoechea called for public comments; there were none.

**APPROVAL OF MINUTES**

March 6, 2018: Commissioner Sharkozy motioned to approve minutes of the March 6, 2018, meeting; Commissioner Etchegaray seconded the motion; motion carried 3-0.

**COUNTY COMPTROLLER**

Payment of Expenditures: The Board reviewed expenditures presented for approval by Comptroller, Maureen Garner.

Jake Tibbitts clarified that an invoice was mistakenly submitted for payment from Natural Resources. The Sentinel Museum put together packets as handouts for the recent trip to Washington, DC. The items were donated and an invoice was created only to track inventory. The voucher for this item (#070876), in the amount of \$51.00, was removed from the expenditures.

Commissioner Etchegaray motioned to approve expenditures in the amount of \$362,534.60 for accounts payable, \$235,613.24 for payroll, \$782,008.02 for a pass-through tax allocation to the School District, and \$394.13 in Yucca Mountain expenditures, for a grand total of \$1,380,549.99. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Fund Balances Report: The Board reviewed the report showing current fund balances.

**COMMISSIONERS**

Sagebrush Ecosystem Program and Nevada Greater Sage-Grouse Conservation Plan: Chairman Goicoechea reported there has been a lot of activity over the past couple weeks related to the Land Use Plan Amendments and the BLM’s Instruction Memoranda. The Sagebrush Ecosystem Council will meet on April 5<sup>th</sup> to work on amendments to the Nevada Greater Sage-Grouse Conservation Plan.

**FISCAL YEAR 2018-2019 TENTATIVE BUDGET**

Final Revenue Projections: Assistant Comptroller, Kim Todd, reported on final revenue projections received from the Nevada Department of Taxation for FY18-19. Net proceeds of minerals projected to appear on Eureka County’s tax roll increased to \$475 million (from the tentative estimate of \$259 million). The taxable base for secured and unsecured property

decreased to \$931 million (from the tentative estimate of \$951 million). Consolidated tax revenue projections decreased to \$6.1 million (from the tentative estimate of \$6.3 million).

Marijuana Revenue Disbursements to Local Governments: Notification was received from the Department of Taxation that they will soon make the first \$5 million annual disbursement of marijuana revenues to local governments. \$1.5 million will be equally distributed to each of Nevada's 17 counties; the remaining \$3.5 million will be proportionately distributed to localities that have marijuana establishments. The Department has scheduled the next annual disbursement for November 2018.

Eureka County will receive just over \$88,000.00 for its share of the \$1.5 million. Since marijuana establishments are prohibited in Eureka County, no portion of the \$3.5 million will be received.

The Board discussed allocation of this new revenue. Chairman Goicoechea noted that several capital project items were postponed and therefore not budgeted, including purchase of a new ambulance. Commissioner Sharkozy felt it could offset a cost of living adjustment for employees. Commissioner Etchegaray agreed with the Chairman that it should be used for capital outlay, but preferred not to designate a specific use.

Commissioner Etchegaray motioned that the marijuana revenues, scheduled for receipt in the current fiscal year and the next fiscal year, be allocated to the Capital Projects Fund; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Television District Tentative Budget: At request of the Commissioners, the Television District returned to discuss their tentative budget. Bill Leppala, President of the Television District Board, and Dale Lotspeich, of Eagle Communications, were in attendance.

The gentlemen presented a revised budget proposal of just over \$208,000.00, half of the original proposal. This budget will allow completion of some major projects planned for the upcoming year. Mr. Leppala explained that there may an opportunity to save on capital purchases. Both Humboldt and Elko Counties are upgrading equipment and the Television District may be able to obtain refurbished equipment through them.

Commissioner Etchegaray motioned to accept the Television District's tentative budget as revised; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Match on HSA Plans: Commissioner Etchegaray motioned to continue the County match of up to \$500.00 on the high-deductible Health Savings Account plans for FY18-19; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Cost of Living Adjustment: At the last meeting, the Board approved merit increases for the upcoming fiscal year, but declined a cost of living adjustment. Chairman Goicoechea stated that upon further reflection, he felt it was time to give employees a COLA. He cited several reasons and recognized it had been five years since a COLA was approved.

Commissioner Etchegaray agreed, noting that final revenue projections were better than expected. Commissioner Sharkozy also agreed, having advocated for a COLA at the last meeting. Ultimately, Commissioner Sharkozy recommended 50 cents. The Board reasoned this was appropriate since it equated to 10 cents for each of the missed years.

Commissioner Sharkozy motioned to approve a \$0.50 cost of living adjustment for employees for FY18-19; Commissioner Etchegaray seconded the motion; motion carried 3-0.

## **PUBLIC WORKS**

Public Works Update: Public Works Director, Ron Damele, reported on Public Works projects and activities. The software conversion to Tyler Technologies is 50% complete and has required considerable staff time.

Utility Systems: All utility systems are in good working order. The Frontier Street well, in Devil's Gate GID, is back in service.

Facilities: Utility crews are working on concession stand upgrades at the Eureka Fairgrounds. The Opera House has been very active with 584 people visiting or attending meetings during the past quarter. The Sentinel Museum had 164 visitors in January and February. Museum Manager, Ree Taylor, is working on a new exhibit for display of military uniforms. The Swimming Pool had 214 swimmers in February. The private swimming lessons have been quite successful.

Municipal Solid Waste Contract: Negotiations are ongoing with the responder to the advertised Statement of Qualifications for a municipal solid waste contractor. In the meantime, Mr. Damele felt it would be prudent to consider a contract extension with Hoss Disposal, whose contract expires April 30<sup>th</sup>.

Commissioner Sharkozy motioned to extend the municipal solid waste contract with Hoss Disposal, Inc., for up to one year in two six-month periods; Commissioner Etchegaray seconded the motion; motion carried 3-0.

Free Dump Days: Commissioner Etchegaray motioned to declare May 5<sup>th</sup>, 12<sup>th</sup>, 19<sup>th</sup>, & 26<sup>th</sup> as Free Dump Days at the Eureka Landfill and Crescent Valley Laydown Yard from 8:00 a.m. to 12:00 noon and 1:00 p.m. to 4:00 p.m. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

The following items will be accepted: yard waste, furniture, white goods, tires, and car bodies. Excluded items include hazardous materials, household garbage, and dead animals. All items must be separated and disposed of according to each waste classification.

Mr. Damele reminded everyone that May Clean-Up was discontinued after May 2017, and Free Dump Days were offered in May and October. Therefore, curbside pick-up will no longer be done by the County.

Residential Water Service: Commissioner Sharkozy motioned to approve a 3/4-inch residential water service for APN 002-038-01 in Crescent Valley; Commissioner Etchegaray seconded the motion; motion carried 3-0.

Rural Marketing Grant: Mr. Damele explained that the Rural Marketing Grant will fund website maintenance for the economic development aspect of a website. No financial match is required. Staff hours, valued at \$4,800.00, will be accepted as an in-kind match.

Commissioner Sharkozy motioned to proceed with application for a FY18-19 Rural Marketing Grant through Nevada Commission on Tourism, in the amount of \$9,600.00 with no match required. Commissioner Etchegaray seconded the motion. Motion carried 3-0.

## **AMBULANCE & EMS**

Report on Activities: Interim Ambulance Coordinator, Ken Sanders, reported on activities since his last report on February 20, 2018. Eureka had seven calls for service and Crescent Valley had four calls for service, for a total of 11 ambulance runs.

Cathy Wolf, EMT 2, is assisting with an EMT course in Battle Mountain that is being attended by several residents from the Crescent Valley area. Hopefully this will increase the volunteer numbers up north. Mr. Sanders plans on distributing flyers to create some interest in the Eureka area as well.

By invitation, Mr. Sanders attended the March 14<sup>th</sup> meeting of the Medical Clinics Advisory Committee. The Committee asked Mr. Sanders to inquire about status of recruitment of a permanent EMS/Ambulance Coordinator.

Chairman Goicoechea responded that Ms. Todd put together a job description and he is in the process of reviewing it. The final product should be done in a couple of weeks.

Continuing Education Training: Mr. Sanders confirmed that the EMS1 Academy Comprehensive EMS Series for EMT continuing education training is State accredited and, therefore, has been accepted by Bobbie Sullivan, Region 3 Representative of the State EMS.

This training can be done in a group setting or independently online. Invitations were sent to all EMTs to begin online training. The first group training was done on March 26<sup>th</sup> and went well.

### **CLERK & TREASURER**

Treasurer's Report: The Treasurer's Report for February was presented by Clerk & Treasurer, Beverly Conley. She reported on monthly revenues and disbursements and the month ended with a General Fund balance of \$21,522,395.63, an increase of \$223,122.77 over the previous month.

### **COUNTY RECORDER**

Job Descriptions: Recorder, Lisa Hoehne, submitted new Deputy Clerk Recorder I & II job descriptions for approval. These will become effective January 2019 due to reorganization of two constitutional offices in the County. Ms. Hoehne requested one amendment to the Deputy II job description. Because classes are only offered annually, the deadline for obtaining Essential Management Skills training should be extended to 12 months.

Commissioner Sharkozy motioned to approve the Deputy Clerk Recorder I job description at a Range 115 on the salary scale and Deputy Clerk Recorder II job description, as amended, at a Range 122. Commissioner Etchegaray seconded the motion. Motion carried 3-0.

### **NEVADA DIVISION OF WATER RESOURCES**

Special Assessments for FY18-19: Each year the Nevada Division of Water Resources provides budgets for special assessments to be billed to water rights holders in Eureka County to cover expenses related to supervision of the basins.

The Diamond Valley Groundwater Basin assessment was just increased to \$1.00 per acre foot, which will generate \$133,979.39 for the State. Budgets for all other basins in Eureka County were approved at the last meeting.

Commissioner Etchegaray motioned to approve the Division of Water Resources budget for special assessments for FY18-19 to be collected by Eureka County on behalf of the Division for the Diamond Valley Groundwater Basin. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

### **NATURAL RESOURCES**

Report on Activities: Natural Resources Manager, Jake Tibbitts, reported on recent activities. It has been a very busy month, including a visit to Washington, DC.

Washington, DC: Mr. Tibbitts felt the trip to Washington, DC, was very productive. County representatives were able to meet with all of Nevada's delegation and/or staff, as well as agency people. Chairman Goicoechea and Mr. Tibbitts spent a good amount of time at the Department of the Interior speaking with the BLM Director and his staff.

The 2018 Omnibus Bill passed while they were there and contained some positive components, including funding for the Yucca Mountain Program and supplementary funding for wildfires.

Cottonwood Fire: The Emergency Stabilization & Rehabilitation Plan for the Cottonwood Fire was approved by the BLM. This fire burned much of the Buckhorn Allotment. Grazing closures related to the area can be expected in the next couple of months.

The Chairman asked about the problem of feral horses (not wild horses under federal protection) in the area and whether the BLM plans to implement some controls. Mr. Tibbitts stated that the ES&R contains fencing options, but the BLM wants to avoid fencing.

Upcoming Meetings: The next Groundwater Management Plan meeting is on March 29<sup>th</sup>. The Rodent District Board will meet on April 2<sup>nd</sup>. The Pinyon-Juniper Partnership Executive Committee will meet on April 2<sup>nd</sup>. Mr. Tibbitts plans on attending the Sagebrush Ecosystem

Council meeting on April 5<sup>th</sup>. The Legislative Committee on Public Lands is meeting April 6<sup>th</sup> and Mr. Tibbitts plans to attend online or by telephone.

Sage Grouse Issues: The County is a Cooperating Agency on the Supplemental EIS being prepared by the BLM on the sage grouse conservation Land Use Plan Amendments. The first Cooperating Agency meeting was on March 21<sup>st</sup> and lasted seven hours (Mr. Tibbitts and the Chairman participated by phone while in DC). This SEIS is on an extremely accelerated timeframe – there is currently some positive momentum, and the BLM is trying to get it completed under the current administration.

The Administrative Draft Supplemental EIS will be issued to Cooperating Agencies on April 10<sup>th</sup> with a five-day comment period (calendar days). It will go out to the public for comment in May. The goal is to issue the Record of Decision by October, which will almost certainly be followed by a period of litigation as various groups challenge the decision.

NACO's Involvement: NACO is seeking technical assistance from Resource Concepts Inc. to represent the eight counties that have Cooperating Agency status in this SEIS process. RCI submitted a not to exceed proposal of \$50,000.00, and NACO has asked that this cost be split by the eight counties. Jeremy Drew, Resource Project Manager with RCI, has been very involved in the sage grouse issue and has already provided assistance to Eureka County.

Commissioner Etchegaray motioned to cost-share with other counties under NACO to engage Resource Concepts, Inc., related to the Supplemental EIS being prepared by the BLM on the sage grouse conservation Land Use Plan Amendments, in an amount not to exceed \$10,000.00. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Cooperating Agency MOU: Although the Cooperating Agency process has begun, the Memorandum of Understanding is not yet in place. Upon return from Washington, DC, Mr. Tibbitts contacted Matt Magaletti, Nevada Sage Grouse Coordinator for the BLM. Mr. Magaletti forwarded the MOU, which he had prepared after he reviewed a prior MOU between Eureka County and the BLM. Mr. Tibbitts felt he did a good job incorporating some of the items, but still found several concerns in the document. Mr. Tibbitts reviewed all of the questionable language with the Board in detail, suggesting edits and receiving the Board's feedback.

Commissioner Etchegaray motioned that Mr. Tibbitts revise the MOU as discussed, authorized the Chairman to sign the MOU outside of the meeting, and directed that the recommended changes be shared with NACO so they could be incorporated into their MOU. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Ratify Comments to Elko BLM: Due to the short timeframe to submit comments to the BLM, there was insufficient time to place two issues on an agenda for the Commissioners to take action. As Natural Resources Manager, Mr. Tibbitts submitted comments directly to the Elko BLM. The letters addressed (a) grazing closures due to wildfire rehabilitation, and (b) Dormant Season of Use Programmatic EA.

Commissioner Etchegaray motioned to ratify the two comment letters prepared by the Department of Natural Resources and to send a letter to Jill Silvey, District Manager of the Elko BLM, informing that the comment letters were formally ratified by action of the Board. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

The letter also requested that the BLM ensure that comment period timeframes are sufficient for Eureka County to properly consider and prepare comments, in compliance with County policies and Nevada Open Meeting Law.

MOU on Programmatic EISs: An MOU establishing Cooperating Agency status was received from the BLM Idaho State Office, which is taking the lead on two Programmatic EISs, one for Fuel Breaks across the Great Basin Region, and the other for Fuel Treatments and Habitat Restoration. Mr. Tibbitts explained that, similar to every other MOU received from the BLM, a boilerplate version is sent and the County has to work through it and request the very same changes.

Commissioner Etchegaray motioned that Mr. Tibbitts use the MOU for sage grouse, reviewed earlier in the meeting, as a guide for editing the MOU for the Programmatic EISs, and submit it to the Idaho BLM requesting the changes. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

**CORRESPONDENCE**

Correspondence was received from: Assistant Comptroller, Kim Todd; Natural Resources, Jake Tibbitts (3); Natural Resources Advisory Commission (2); Medical Clinics Advisory Committee (2); Recreation Board; Eureka Television District (2); Juvenile Probation; Seventh Judicial District Court; Eureka Owl Club (4); Meet the Candidate flyer for Jesse Watts; Crescent Valley Town Advisory Board; William Bee Ririe Hospital; Hoss Disposal, Miguel Esquibel; Central Nevada Regional Water Authority (2); Tri-County Meeting; Nevada Assoc. of Counties (including Resource Concepts, Inc., proposal) (3); ACLU Nevada; Nevada Dept. of Taxation (2); Nevada Div. of Water Resources (4); Nevada Dept. of Transportation; Nevada Div. of Minerals; Nevada Div. of Environmental Protection; Donna Bath, Senator Heller Eastern Nevada Rep; US Dept. of the Interior-BLM (Elko & Nevada) (2); and US Navy, NAS Fallon.

**PUBLIC COMMENT**

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

**ADJOURNMENT**

Commissioner Sharkozy motioned to adjourn the meeting at 11:05 a.m.; Commissioner Etchegaray seconded the motion; motion carried 3-0.

*Approved by vote of the Board this 6<sup>th</sup> day of April, 2018.*

/s/ J.J. Goicoechea  
J.J. Goicoechea, Chairman

*I, Jackie Berg, Commissioner Clerk, attest that these are a true, correct, and duly approved minutes of the March 27<sup>th</sup>, 2018, meeting of the Board of Eureka County Commissioners.*

/s/ Jackie Berg  
Jackie Berg, Commissioner Clerk

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

/s/ Beverly Conley  
Beverly Conley, Clerk & Treasurer