

EUREKA COUNTY BOARD OF COMMISSIONERS

April 7, 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 April 7, 2014. Present were Chairman J.J. Goicoechea; Vice Chairman Jim Ithurralde; Commissioner Michael Sharkozy; District Attorney Ted Beutel; and Executive Assistant, Jackie Berg. The meeting was called to order at 9:30 a.m. and began with the Pledge of Allegiance. The interactive video conferencing system was connected and utilized between Crescent Valley and Eureka for the entire meeting.

APPROVAL OF AGENDA

Chairman Goicoechea removed the mosquito abatement contract from the agenda (under Public Works) and stated that Nevada Health Centers will be taken later than their scheduled time due to traveling delays. Commissioner Ithurralde motioned to approve the agenda with those changes; Commissioner Sharkozy seconded the motion; motion carried 3-0.

It was noted that Commissioner Ithurralde will leave at 10:45 a.m. for approximately an hour to attend a prior commitment.

PUBLIC COMMENT

Chairman Goicoechea opened the floor for public comments. George Parman commented on the BLM gather of Cliven Bundy’s cattle in Clark County. He agreed with Iron County, Utah, officials who stated that if the BLM can spend \$2 million confiscating a man’s cattle, they could certainly control the horses. Mr. Parman stated the gather was motivated by an endangered species and what Clark County is facing today, central Nevada may be facing in the future due to the sage grouse.

Mr. Parman offered a second comment related to the contemplated sale of a County owned parcel in the Eureka Canyon Subdivision. He didn’t feel the property should go to auction, but supported sale to the Raine family for the purpose of building a grocery store.

APPROVAL OF MINUTES

March 6, 2014, Commission Meeting: Commissioner Sharkozy motioned to approve the minutes of the March 6, 2014, meeting; Commissioner Ithurralde seconded the motion; motion carried 3-0.

FINANCE

Payment of Expenditures: Expenditures were presented by Deputy Recorder, Tina Hubbard. Commissioner Ithurralde motioned to approve expenditures in the amount of \$390,705.36 for accounts payable, \$446,292.99 for payroll, \$833,613.55 for a pass through tax allocation to the School District, and \$564,344.87 for a pass through tax allocation to the State of Nevada; for a grand total of \$2,234,956.77; Commissioner Sharkozy seconded the motion; motion carried 3-0. Commissioner Ithurralde motioned to approve Yucca Mountain expenditures in the amount of \$9,260.24; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Another voucher was presented for services rendered by Genesis Home Health that were over the 60-day billing requirement in their contract. Executive Assistant, Jackie Berg, spoke with their billing department and they were certain timely invoices were submitted to Eureka County. The invoices require approval from several departments, and ultimately were never paid. Commissioner Ithurralde motioned to approve the payment of \$1,260.00 to Genesis Home

Health since it appears they submitted the original invoices in a timely fashion. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Auditor's Report: The Board reviewed the Auditor's Report. There were no questions.

Proposed Employee Buy-Out Incentive: The past couple meetings have included discussions on a proposed employee buy-out incentive. The proposed incentive would be a \$1,000.00 buy-out per year of service with Eureka County and would be offered for no more than 60 days. On March 19th additional information was requested related to retirement and tax consequences. The Board reviewed an email received from PERS (Public Employees Retirement System) indicating that the buy-out would be defined as a bonus and wouldn't be considered a PERS event, meaning it would not be included in retirement benefit calculations; however, it would still be taxable for both the County and the employee.

Chairman Goicoechea stated he has been getting some feedback and there are very mixed feelings about this proposal. The main comment was that it isn't fair to recent retirees or those who may retire in the near future since it would be offered as a one-time deal for a limited period.

Commissioner Ithurralde stated he would prefer a formal letter from PERS regarding the consequences and would also like tax information from the IRS. Commissioner Ithurralde motioned to direct staff to obtain this information and to continue looking at the feasibility of an employee buy-out incentive. Commissioner Sharkozy seconded the motion. Motion carried 3-0. Chairman Goicoechea stated he voted in favor of obtaining additional information, but wasn't happy with certain ramifications of this proposal.

COMMISSIONERS

Update Reports: Chairman Goicoechea offered his personal condolences, as well as the Board's, to Commissioner Ithurralde on the recent passing of his wife, adding that Monique will be fondly remembered by all.

All Commissioners attended the Liquor Board meeting earlier in the day. Commissioner Sharkozy attended the Economic Development Program Board meeting via interactive video on March 21st; attended the Nevada Division of Environmental Protection public hearing in Crescent Valley on March 25 for the planned mercury storage facility in northern Eureka County; attended a Crescent Valley Volunteer Fire Department meeting on March 25th; attended an awards luncheon at Barrick Cortez Mine on March 26th where Dawn Gann was recognized with a Corporate Social Responsibility Award; and attended the Crescent Valley Town Advisory Board meeting on March 26th.

Chairman Goicoechea met with District Attorney Beutel and Public Works Director Damele on March 24th; met with Clerk & Treasurer, Beverly Conley, and the District Attorney also on March 24th; had a teleconference with Marvel & Marvel, Ltd., on March 24th; attended the Diamond Natural Resources Protection & Conservation Association meeting on March 26th; participated via teleconference in NACO's Public Lands & Natural Resources Committee meeting on March 27th; traveled to Carson City with Natural Resources Manager Tibbitts on March 28th for the Nevada Association of Counties meeting; attended the Nevada Land Management Task Force meeting the afternoon of March 28th; met with Congressman Mark Amodei and Leo Drozdoff, Director of Nevada Department of Conservation & Natural Resources, on the evening of March 28th; met with representatives of Nevada Department of Wildlife and the livestock industry on March 31st to discuss NDOW's comments on Alternative E (the State Plan) in the Greater Sage-Grouse Draft EIS; attended Red Card refresher class wildland fire training on April 1st; and had a phone call with Jeff Fontaine of NACO the morning of April 7th regarding the Reid/Heller proposed legislation.

NACO will host a video conference on April 11th regarding the proposed wilderness map inserted into the Reid/Heller legislation; the Chairman encouraged attendance by anyone who is

able to participate, especially his fellow Commissioners. The Public Lands Council and National Cattlemen's Beef Association are currently meeting with Nevada's delegation in Washington, DC, regarding this issue. There will be updates on these overlapping legislative and sage grouse issues at the Sagebrush Ecosystem Council meeting in Carson City on April 8th.

Assembly Bill 239: The Commissioners considered proposing an ordinance to comply with AB 239, which passed in the 2013 Legislature, regarding permits for aboveground utility and renewable energy generation projects. They decided to wait and see what direction the State takes with this legislation. Commissioner Ithurralde motioned to deny proposing an ordinance to comply with AB 239; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Eureka County Draft SWOT Analysis: Mike Baughman, Intertech Services Corporation, was engaged to complete a Comprehensive Economic Development Strategy for Eureka County. As part of this CEDS process, a SWOT Analysis (strengths, weaknesses, opportunities, and threats) was completed and the first draft was recently released for comment. The Board had concerns related to inconsistencies in the analysis. Commissioner Sharkozy motioned to authorize the Chairman to work with County staff to prepare a comment letter on the Draft SWOT Analysis for submission to Mike Baughman, Intertech Services Corporation. Commissioner Ithurralde seconded the motion. Motion carried 3-0.

Resolution for Sale of APN 001-221-08: The Commissioners had a lengthy discussion regarding the draft resolution for sale of a 7.68 acre lot in the Eureka Canyon Subdivision, which was tabled at the last meeting to allow for further revision. Scott and Sylvia Raine were in attendance on behalf of Raine's Market, Inc., the interested purchaser.

The County can sell property through an auction/bid process; determine the sale is for economic development and offer it below fair market value; or proceed with a captured sale to an individual or a specified group. A development agreement can be required in each instance. Two appraisals are being obtained on the property, as required by State statute regardless of which method of sale is chosen.

The Commissioners discussed whether the resolution should apply to the parcel currently being considered, or all large parcels that might be sold at the subdivision. Initially they preferred a blanket resolution, but there were certain details that might not apply to other parcels, so they determined this resolution would apply specifically to APN 001-221-08.

Attached to the resolution was a Soil Management Plan prepared on APN 001-221-08 for Eureka County Public Works by JBR Environmental Consultants, Inc. The Board explained that title to the property will be held until completion of the Soil Management Plan, which basically requires mass-grading of the entire parcel to comply with standards of Nevada Division of Environmental Protection and US Environmental Protection Agency for lead and arsenic mitigation.

Mr. Raine voiced several concerns: title will be required in order to obtain financing; mass-grading will add a substantial cost to the property; and property appraisals should consider this added cost. The Board responded that completion of the Soil Management Plan before release of title is non-negotiable since it is a liability issue for the County. It will be more cost-efficient for a private party to do the mass-grading than for the County to complete it and add it the property cost. The appraisers will be notified of the results of soil testing and the requirement for mass-grading, but it is unknown what effect this will have on property valuation.

After much discussion, a motion was made incorporating the Board's direction. Commissioner Ithurralde motioned to offer APN 001-221-08 for sale for economic development purposes, as a captured sale to Raine's Market Inc., that it be a cash sale at appraised value, that no development agreement will be required, and that title will not be transferred until completion of the Soil Management Plan. Commissioner Sharkozy seconded the motion. Motion carried 3-0. The resolution will be revised accordingly and presented for adoption at the next regular meeting.

Continued Discussion on Sale of APN 001-221-08: (Note: This agenda item was reopened during the afternoon session based on a request from the District Attorney for more defined direction in amending the resolution for sale of APN 001-221-08).

The Commissioners had decided that cash from the sale would be held in escrow and that monies and title would not transfer between seller and buyer until completion of the Soil Management Plan. The District Attorney asked if there was a timeframe for an escrow period; more specifically, he wanted to know the deadline for both parties to come together should obligations not be met in order to proceed with dissolution of the sale.

The Commissioners decided that an escrow period that contemplates two construction seasons was reasonable, and a consensus was reached to set a date of September 30, 2015. If escrow has not been closed by that date and the Soil Management Plan has not been satisfied, the parties will meet to discuss dissolution of the transaction. It was clarified that escrow could close at any time prior to this date upon accomplishment of the mass-grading.

(Note: Commissioner Ithurralde was excused at approximately 10:50 a.m. for a prior engagement and returned at 11:50 a.m.).

Lease of Office Space to State Agencies: Local staff of the Nevada Highway Patrol and Nevada Department of Wildlife must vacate their current offices by July 1st and the County has agreed to lease office space to the agencies. The lease agreements were returned from the Nevada Department of Administration with some minor revisions and for clarification on square footage. NHP staff will be located in an office at the Annex/Administration Building and NDOW staff will be located in an office at the County Courthouse. Commissioner Sharkozy motioned to approve three-year lease agreements with the Nevada Department of Administration for local staff of the Nevada Highway Patrol and Nevada Department of Wildlife, to allow Mr. Beutel to make the minor revisions discussed, and to authorize the District Attorney and Public Works Director to sign the agreements outside of the meeting. Chairman Goicoechea seconded the motion. Motion carried 2-0.

"In God We Trust" Resolution: Chairman Goicoechea motioned to table this resolution until return of Commissioner Ithurralde; Commissioner Sharkozy seconded the motion; motion carried 2-0.

Potential Transfer of Federal Lands: Commissioner Sharkozy motioned to table this item until Commissioner Ithurralde's return; Chairman Goicoechea seconded the motion; motion carried 2-0.

COMMISSIONER MEETING DATES

Special Meeting on April 24, 2014: Commissioner Sharkozy motioned to schedule a special meeting on April 24th to consider the Guaranteed Maximum Price in the Construction Manager at Risk process related to the Robins Street Improvements & Utility Upgrades Project. Chairman Goicoechea seconded the motion. Motion carried 2-0.

Move Regular Meeting to May 19, 2014: Commissioner Sharkozy motioned to change the regularly scheduled May 20th meeting to May 19th in order to comply with the statutory date to set tax rates and approve the final budget, and scheduled the public hearing to consider the Fiscal Year 2014-2015 tax rates for 1:00 p.m. Chairman Goicoechea seconded the motion. Motion carried 2-0.

SENIOR CENTERS

Update Report: Senior Center Site Directors, Millie Oram and Adell Panning, reported on their respective centers. In March, Eureka served 1,050 meals and Crescent Valley served 782 meals. Total income for the month was \$2,101.24.

Transportation Grant Application: Commissioner Sharkozy motioned to ratify an application to Nevada Aging & Disability Services Division for Transportation Services Grant

#07-000-10-BC-14 in the amount of \$22,500.00. Chairman Goicoechea seconded the motion. Motion carried 2-0.

Senior Center Advisory Board: A letter of resignation was received from Chester Hull. Chairman Goicoechea motioned to accept the resignation of Chet Hull from the Senior Center Advisory Board. Commissioner Sharkozy seconded the motion. Motion carried 2-0. The next meeting of the Senior Center Advisory Board is June 11th.

CRESCENT VALLEY ACTIVITIES PROGRAM

Resignation Letters: Chairman Goicoechea noted that Adell Panning and Geniffer Perry had submitted letters resigning from the Crescent Valley Activities Program, but phone calls and notifications were received prior to this meeting indicating that the ladies wished to withdraw their letters. Commissioner Sharkozy motioned to deny accepting the letters of resignation from the Crescent Valley Activities Program; Chairman Goicoechea seconded the motion; motion carried 2-0. Chairman Goicoechea thanked the ladies for their reconsideration so that the program can continue without interruption, especially with the upcoming spring events.

ROAD DEPARTMENT

Report on Activities: Road Department Superintendent, Raymond Hodson, reported on Road Department projects and activities. The Department took advantage of the recent moisture to deploy every available blade to work on numerous roads throughout the County. A couple of days were spent mowing and burning weeds along the JD Ranch Road. Herbicide was applied around the sewer ponds, laydown yard, etc.; and preparations are underway for spring weed treatment. A small pad was built in front of the concession stands at the Crescent Valley Fairgrounds for placement of the bleachers.

COUNTY ENGINEER

Robins Street Improvements & Utility Upgrades Project: Tom Young, Lumos & Associates, reported that project plans for the Robins Street Project are complete and have been submitted to the Bureau of Safe Drinking Water. Legacy Construction & Development, CMAR for the project, has pre-qualified their subcontractors and is accepting internal bids with a deadline of April 17th. They will be prepared to negotiate the GMP (guaranteed maximum price) for the project with Public Works and the County Engineer in preparation for the special meeting on April 24th.

An Open House is scheduled at the Opera House on April 17th from 5:00 to 6:00 p.m. to explain the project to the public and answer any questions.

Eureka Airport: Mr. Young stated they are making application for the federal grant to complete the electrical lighting work at the Eureka Airport. This is a \$250,000.00 project and if approved, the grant will cover 95% of the costs.

EUREKA HIGH SCHOOL RODEO CLUB

Annual Memorial Day Weekend Rodeo: Members of the High School Rodeo Club, Shara Green, Taylor Anderson, TeAnna Green, and Colton Anderson were in attendance to thank the County for past donations and to request assistance for the upcoming High School Rodeo. This year, in addition to use of the facility and paper for the programs, they would like authorization to access commercial water for watering the arenas prior to and during the events. In previous years the watering was done by County staff.

Commissioner Sharkozy motioned to approve the request from the High School Rodeo Club for use of the Eureka Fairgrounds for the annual High School Rodeo on Memorial Day Weekend, authorization to obtain commercial water from the County site in Diamond Valley, waiver of facility and commercial water fees, and donation of paper for preparation of program booklets and forms. Chairman Goicoechea seconded the motion. Motion carried 2-0.

Chairman Goicoechea thanked the club members for continuing the tradition of scheduling the annual rodeo on Memorial Day Weekend.

NEVADA DEPARTMENT OF AGRICULTURE

Noxious Weeds Program: Robert Little, Noxious Weeds Coordinator, gave a presentation on Nevada Department of Agriculture's (NDA) Noxious Weed Program, weed control efforts locally and throughout the State, and future weed control and regulatory actions. In addition to an overview of the program, Mr. Little reviewed what weeds are of greatest concern to Eureka County and the challenges faced – such as large areas of open land, checkerboard land, etc. He commended the weed program that is in place through the Diamond Valley Weed District (funded with a tax allocation and grants from the County, as well as grants from the BLM and Humboldt Watershed Cooperative Weed Management Area). Citing the difficulties in filling the part-time Weed Technician position, Mr. Little encouraged the County to pursue a full-time position.

Mr. Little reviewed State statutes, specifically NRS 555.150, which requires every landowner to control noxious weeds on their property. Counties are required to perform weed abatement and should be involved in enforcement of weed abatement on private property. Counties are encouraged to participate in NDA's Noxious Weeds Cost Share Abatement Program. Under this program, NDA would be involved in working with landowners to abate weeds. When NDA receives documentation of an infestation, they will send the proper notifications to the landowner. If abatement doesn't occur, the County can take steps to complete the abatement, including filing a lien against the property to recover all costs. Under the Memorandum of Understanding that goes along with this program, NDA would provide up to 80% of the abatement costs up-front until costs and interest are collected from the property owner. Mr. Little concluded by encouraging the County to consider the cooperative programs available through NDA and provided some materials on noxious weeds.

BUREAU OF LAND MANAGEMENT

Cooperative Fire Protection Agreement: BLM Fire Management Officer, Mike Feticc, and Assistant Fire Management Officer, Derrick Rader, presented a Cooperative Fire Protection Agreement and Annual Operating Plan between the BLM Battle Mountain and Elko Districts, and Eureka County. These agreements establish protocols to ensure organized fire response and mutual aid when responding in each other's jurisdictions. Cost share and contact information are also detailed in the documents.

Mr. Feticc briefly explained the billing procedure. The agreement allows reimbursement to the counties for equipment and personnel at 90% of what a contract rate would be. If reimbursement is owed the BLM, a bill will be submitted to the County, who will in turn submit it to Nevada Division of Forestry per the agreement under the Wildland Fire Protection Program. Scott Rossmanson, State Fire Mgmt Officer for NDF, confirmed the billing procedure. He added that NDF and the BLM are working together on a combined agreement for future years.

Commissioner Sharkozy motioned to enter into a Cooperative Fire Protection Agreement and a 2014 Annual Operating Plan with the BLM Districts as presented. Chairman Goicoechea seconded the motion. Motion carried 3-0.

RECESS FOR LUNCH

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

COMMISSIONERS (continued)

The Commissioners addressed the items that were tabled from the morning session.

"In God We Trust" Resolution: Commissioner Ithurralde stated an invitation was extended to elected officials across the nation to promote patriotism by encouraging them to vote to

display the congressionally approved national motto, "In God We Trust." Commissioner Ithurralde motioned to adopt a resolution supporting display of the national motto, "In God We Trust," in the Commissioners' Chambers of the Eureka County Courthouse. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Commissioner Ithurralde added that he will purchase the plaque and donate it to the County for display in the Commissioners' Chambers.

Eureka, Nevada

April 7, 2014

RESOLUTION
OF THE BOARD OF EUREKA COUNTY COMMISSIONERS
SUPPORTING DISPLAY OF THE NATIONAL MOTTO, "IN GOD WE TRUST"

WHEREAS, "In God We Trust" became the national motto of the United States on July 30, 1956, shortly after our nation led the world through the trauma of World War II; and

WHEREAS, the words have been used on U.S. currency since 1864; and

WHEREAS, the same inspiring slogan is engraved above the entrance of the Senate Chamber as well as above the Speaker's dais in the House of Representatives; and

WHEREAS, in both war and peace, these words have been a profound source of strength and guidance to many generations of Americans; and

WHEREAS, Eureka County desires to display this patriotic motto in the Commissioner Chambers as a way to solemnize public occasions and to express confidence in our society;

NOW THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Eureka County, Nevada, does hereby determine that the historic and patriotic words of our national motto, "In God We Trust," shall be permanently and prominently displayed in the Commissioner Chambers of the Eureka County Courthouse.

ADOPTED this 7th day of April, 2014.

*BOARD OF EUREKA COUNTY COMMISSIONERS
COUNTY OF EUREKA, STATE OF NEVADA*

*/s/ J.J. Goicoechea _____
J.J. Goicoechea, Chairman*

*/s/ Jim Ithurralde _____
J.P. "Jim" Ithurralde, Vice Chairman*

*/s/ Michael Sharkozy _____
Michael Sharkozy, Member*

*ATTEST /s/ Beverly Conley _____
Beverly Conley, Eureka County Clerk*

Potential Transfer of Federal Lands: The Nevada Land Management Task Force met on March 28th and considered data regarding the economic costs and benefits related to transfer of public lands from the federal government to the State of Nevada. The Task Force was asked to identify lands for disposal and took action supporting a phased approach. NACO supplied a summary of the meeting listing the detailed action taken by the Task Force. They hope to attain support from each County Commission related to the actions taken. The plan is to present this approach to the Legislative Committee on Public Lands to bring a committee bill to the Nevada Legislature in support of a bill in Washington, DC.

Commissioner Ithurralde motioned to ratify action taken by the Nevada Land Management Task Force regarding potential transfer of federally administered lands from the federal government to the State of Nevada including recommended options for management of such lands. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

NEVADA HEALTH CENTERS, INC.

Update on Medical Clinics: Walter Davis, CEO of NVHC, and several staff members were present to give a brief update. Dr. Michael Wells, DO, permanent physician for the Eureka Medical Clinic began seeing patients on March 17th. NVHC continues working with the Medical Clinics Advisory Committee to continually improve service and communications. Plans are underway to conduct health fairs at the clinics; more information will be forthcoming. Betsy Barker, who has been serving as a Eureka County representative on the NVHC Board, has resigned as she is moving from the area, so NVHC is looking for a new member from the community.

Mr. Davis suggested a pre-contract meeting with the Medical Clinics Advisory Committee. The Commissioners felt it was a good idea and suggested having a representative of the Commission present as well.

Open House: The NVHC staff invited the Commissioners and the public to attend the Open House at the Eureka Medical Clinic later in the day (April 7th) from 4:00 to 6:00 p.m.

MEDICAL CLINIC ADVISORY COMMITTEE

Preliminary Contract Recommendations: Garney Damele, Chair of the MCAC, provided a memo outlining the Committee's preliminary discussions on the Nevada Health Centers contract for Fiscal Year 2014-2015. The next meeting of the MCAC is May 1st and they will finalize their recommendations to the Commissioners.

Equipment Inventories: A walk-through inventory of equipment is planned at the Eureka Medical Clinic on April 8th and will involve representatives from the Committee, Public Works, and the Recorder's Office. An inventory will also be done at the Crescent Valley Clinic, but a date has not yet been scheduled. After consulting with Public Works, the Committee plans to recommend that Eureka County complete maintenance and upgrades on County-owned equipment to ensure it remains operational. The inventories are the first step in determining ownership and responsibility. A list of County-owned equipment will be added as an attachment to the Fiscal Year 2014-2015 contract with NVHC.

Pre-Contract Meeting with NVHC: Earlier in the meeting, Walter Davis, CEO of Nevada Health Centers, requested a pre-contract meeting with the Committee. Ms. Damele agreed. The Commissioners felt they should also have a representative at the meeting. Commissioner Sharkozy motioned for Commissioner Ithurralde to participate in a pre-contract meeting between NVHC and the MCAC sometime in May; Chairman Goicoechea seconded the motion; motion carried 3-0.

Reorganization of the Committee: The Committee is being reorganized, effective July 1st, in order to involve more community members. Due to this, the Committee recommended advertising for letters of interest. Commissioner Ithurralde motioned to begin advertising for interested parties to serve on the Medical Clinics Advisory Committee effective July 1st. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

LEASE OF PROPERTY FOR VETERINARY CLINIC

Lease of 180 South Main Street, Eureka: Chairman Goicoechea recused himself from this portion of the meeting, since he was the previous leaseholder for this property. With Vice Chair Ithurralde presiding, the Commissioners discussed future plans with current leaseholder, Darla Baumann, Eureka Veterinary Clinic, LLC. After discussing several options, the Board decided to continue the lease under the existing terms, but for an extended lease period. Under

the current terms, lessee pays \$100.00/month, pays all taxes on the property, pays all utilities, and is responsible for general maintenance due to reasonable wear and tear. A resolution supporting this lease will be presented at a future meeting and a public hearing will be scheduled to allow public comment concerning the lease.

Commissioner Sharkozy motioned to renew the lease for property located at 180 South Main Street in Eureka, with Eureka Veterinary Clinic, LLC, for a three-year period with option of a two-year renewal, effective July 1, 2014, with the same conditions of the previous lease. Commissioner Ithurrealde seconded the motion. Motion carried 2-0.

CLERK & TREASURER

Delinquent Tax Notices: Clerk & Treasurer, Beverly Conley, presented the Affidavit of Mailing of delinquent tax notices for real property parcels. On March 18th, 212 first-year, 61 second-year, and 66 third-year delinquent tax notices were mailed. She described number of notices delivered, returned, or outstanding. Commissioner Ithurrealde motioned to accept the Affidavit of Mailing of delinquent tax notices for 2014. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Excess Proceeds from Tax Sale: Ms. Conley reported the County is required to hold excess proceeds for one year from date of recording the property deeds, which will be April 19th for the tax delinquent property sale conducted on April 6, 2013. At this time, requests for excess proceeds have been received for three parcels, totaling nearly \$20,000.00, which will leave approximately \$50,000.00 to be transferred to the General Fund.

PUBLIC WORKS

Purchase of Surplus Fire Engine: Public Works Director, Ron Damele, explained the County has the opportunity to purchase a government surplus 2002 International 4x4 4800 Fire Engine from the BLM at a cost of \$23,000.00 (original purchase price was \$180,000.00). This unit has been located in Carlin and is in very good condition. This Type 6 engine will be located in Eureka and will allow a Type 4 engine to serve as a backup to another department.

Commissioner Ithurrealde motioned to authorize the purchase of a government surplus 2002 International 4x4 4800 Fire Engine from the BLM for \$23,000.00; Commissioner Sharkozy seconded the motion; motion carried.

Appraiser Resolution: Mr. Damele explained that the resolution identifying the list of appraisers must be updated periodically as people become interested or no longer wish to act as general appraisers for the County. Commissioner Sharkozy motioned to adopt the resolution updating the list of all persons qualified to act as general appraisers in Eureka County. Commissioner Ithurrealde seconded the motion. Motion carried 3-0.

Eureka, Nevada	RESOLUTION	April 7, 2014
UPDATING THE LIST OF ALL PERSONS QUALIFIED TO ACT AS GENERAL APPRAISERS IN EUREKA COUNTY		
WHEREAS, the Board of Eureka County Commissioners are guided by Eureka County Code 2.60, Sale of County Owned Property; and		
WHEREAS, pursuant to the Ordinance, the Commissioner may change the list of persons qualified to act as general appraisers in Eureka County by resolution, according to ECC 2.60.030; and		
NOW THEREFORE BE IT RESOLVED the Board of County Commissioners hereby adopt the following list of appraisers, to be filed together with the original Ordinance held in the Clerk’s Office.		
Ruby Mountain Realty & Appraisal - PO Box 845, Eureka, NV 89316 - Certificate #A.0000585-CG Riggins Enterprise, LLC – PO Box 5084, Fallon, NV 89407 – Certificate #A.0000068-CG US Property Valuation, LLC – 2961 Industrial Road #153, Las Vegas, NV 89109 – Certificate #A.0005377-CG		

Adopted this 7th day of April, 2014.

/s/ J.J. Goicoechea
Chair of the Board
Eureka County Commission

Attest: /s/ Jackie Berg
Executive Assistant

Street Realignment & Land Trade: Mr. Damele explained that while working on the design of the Robins Street Project, it was discovered that County infrastructure encroaches on APN 001-067-01, property owned by Keith & Lisa Hoehne (Hoehne Family Trust). The County typically handles these situations with a land trade of equal area for the encroachment. The cost to realign the streets to accomplish this will be covered under the engineering portion of the contract for the Robins Street Project. Commissioner Ithurralde motioned to authorize realignment and corresponding land trade for portions of North Edwards Street and Mathew Street, public rights-of-way, and APN 001-067-01 in the Townsite of Eureka, along with accompanying documentation to be signed outside of the meeting, consisting of a resolution, abandonment order, and quit claim deeds.

Eureka, Nevada

April 7, 2014

RESOLUTION

OF THE EUREKA COUNTY COMMISSIONERS TO REALIGN A PORTION OF THE RIGHT-OF-WAY ON NORTH EDWARD STREET AND MATHEW STREET IN EUREKA

WHEREAS, NRS 244.276 grants the Board of County Commissioners authority to realign a street when deemed necessary or proper and in the best interest of the County; and

WHEREAS, the Board has reviewed the encroachment of County owned infrastructure located on the private property APN 001-067-01, Block 59 in Eureka, Nevada; and it has determined it is in the best interest of the County to correct this encroachment; and

WHEREAS, a trade of real property in equal proportions to eliminate the encroachment is in the best interests of the County; and

WHEREAS, Eureka County will deed 71 square feet +/- of Mathew Street to the owners of APN 001-067-01 and the owners of APN 001-067-01 will deed to Eureka County 71 square feet +/- of the North East portion of Block 59; and

WHEREAS, the parties agree that the survey and document preparation will be completed by Eureka County at the expense of the County, and all documents will be recorded in the office of the Eureka County Recorder upon execution; and

NOW THEREFORE BE IT RESOLVED that the Board of Eureka County Commissioners agree to realign a portion of the rights-of-way on Mathew Street and North Edwards Street in Eureka, Nevada.

DATED this 7th day of April, 2014.

EUREKA COUNTY
/s/ J.J. Goicoechea
J.J. Goicoechea, Chairman
Board of Eureka County Commissioners
PO Box 694, Eureka, NV 89316
(775) 237-7211

Attest: /s/ Jackie Berg
Executive Assistant

NATURAL RESOURCES

Report on Activities: Natural Resources Manager, Jake Tibbitts, reported on recent activities. He attended the Legislative Committee on Public Lands meeting in Winnemucca on March 24th; attended the Nevada Division of Environmental Protection public hearing in Crescent Valley on March 25th for the mercury storage facility; went to Ruby Hill Mine on March 25th to meet with Chris Peltz of Colorado who is administering the Ruby Hill Reclamation Biochar Project; attended the Diamond Natural Resources Protection & Conservation Association meeting on March 26th; attended the Eureka Conservation District meeting on March 27th; attended the Forest Service Resource Advisory Committee meeting on March 27th; traveled to Carson City with the Chairman to attend the Nevada Land Management Task Force meeting on March 28th; attended the University of Nevada Cooperative Extension drought workshop on April 1st; and participated in the archaeological and historical field review on April 4th conducted by the Natural Resources Conservation Service in preparation for the biochar plots in Diamond Valley.

At the Legislative Committee on Public Lands meeting, many grazing permittees spoke during the discussion on drought management. The heavy-handedness of the BLM Battle Mountain District and their inconsistencies with other districts was pointed out over and over again. At the end of the meeting, the Committee motioned to write a letter to the Director of the BLM, Neil Kornze, in Washington, DC, asking for increased oversight and a review process over decisions coming out of the Battle Mountain District.

At the UNCE drought workshop a gentleman was in attendance who sells private policies to insure public land allotments. They use satellite imagery to compile 20-year averages and the policy pays a benefit if your allotment drops below that average.

At the meeting of the Diamond Natural Resources Protection & Conservation Association, members determined the best approach to a groundwater management plan is to partner with the Eureka Conservation District and for the Conservation District to be the entity that contracts with the professionals to facilitate the scoping for a plan. The Conservation District has committed up to \$20,000.00 towards this process.

Upcoming Meetings: Upcoming meetings include the Eureka Firewise Committee meeting the evening of April 7th; a meeting with the Public Works Director, the Road Superintendent, and Barrick representatives at Horse Canyon on April 8th; a Diamond Natural Resources Protection & Conservation meeting on April 8th; the Natural Resources Advisory Commission meeting on April 9th; the Nevada Pinyon-Juniper Partnership Executive Committee meeting on April 15th; an awards luncheon at Ruby Hill Mine on April 16th; and the Crescent Valley Firewise Committee meeting on April 16th.

Update on Clean Water Act: The US Environmental Protection Agency and US Army Corps of Engineers jointly released their proposed rule regarding redefinition of waters of the US under the Clean Water Act. In part, the rule states that as long as water (streams, wetlands, waterways, etc) meets Justice Kennedy's standard, then two of the four on each side of that vote will have been met. *(This is in reference to the US Supreme Court decision in 2006 on the Clean Water Act with a 4-4-1 vote. Four Justices favored broader interpretation of 'waters of the US', four favored stricter interpretation, and Justice Kennedy voted singularly allowing determination to be made when there is a chemical, physical, or biological connection).* There is a 90-day comment period on this released guidance from the US Environmental Protection Agency and US Army Corps of Engineers, so a recommendation will be forthcoming at a future meeting.

Letter to BLM on Greater Sage-Grouse DEIS: Mr. Tibbitts recommended sending a follow-up letter to the BLM regarding the County's comments on the Greater Sage-Grouse Draft EIS to ensure the BLM meets obligations of law, regulation, and the Memorandum of Understanding with Eureka County. Mr. Tibbitts explained that the County worked very hard to

provide substantive comment and language on the DEIS and there has been absolutely no follow-up by the BLM. The letter points this out as well as the requirements in the MOU for the BLM cooperate, inform, and to consider the County's input and proposals to "the maximum extent." The letter states concern that the BLM has not yet incorporated any of the County's comments or made any attempt to contact the County or respond.

Commissioner Ithurralde motioned to send the follow-up letter to the BLM regarding concerns on the Greater Sage-Grouse DEIS to ensure the BLM meets obligations of law, regulation, and the MOU with Eureka County. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Proposed Nevada Sagebrush Landscape Conservation & Economic Development Act: Mr. Tibbitts stated he didn't expect action at this meeting, but wanted this on the agenda to begin working on a response to the discussion draft released on this proposed legislation. The Nevada Sagebrush Landscape Conservation & Economic Development Act, co-sponsored by Senator Dean Heller and Senator Harry Reid, is intended to conserve sage grouse habitat, thereby averting an endangered species listing, and to provide economic development opportunities. There are a lot of concerns over the legislation and many don't believe it will avoid a listing at all. The Natural Resource Advisory Commission will discuss this at their next meeting on April 9th.

Commissioner Ithurralde motioned to table this item to allow review and possible recommendation or input from the Natural Resources Advisory Commission; Commissioner Sharkozy seconded the motion; motion carried 3-0.

NEVADA NORTHERN RAILWAY MUSEUM

Letter in Support of Grant Application: Mark Bassett, Executive Director of the Nevada Northern Railway Museum requested a letter from Eureka County to be submitted with a grant application for a TIGER Grant (Transportation Investment Generating Economic Recovery) to support efforts to open the railroad from Ely to the transcontinental connection at Shafter, Nevada, 139 miles northeast of Ely. The Railway Museum is working with the City of Ely and Nevada Department of Transportation to jointly apply for this grant.

Commissioner Ithurralde motioned to send a letter of support for the joint application of Nevada Northern Railway Museum, City of Ely, and Nevada Department of Transportation, for a federal TIGER Grant to support efforts to open the railroad from Ely to the transcontinental connection at Shafter, Nevada. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

FISCAL YEAR 2013-2014 BUDGET

Capital Outlay Purchases in Current Budget: Budget Officer, Mike Rebaleati, was unable to attend the meeting, but provided a memo outlining his budget recommendations, including suggested capital outlay purchases to be made in the current budget year.

Commissioner Ithurralde motioned to approve the capital outlay purchases recommended by the Budget Officer for the current fiscal year as follows: nitrous oxide units (one per ambulance), two 12-lead ECG cardiac monitor/defibrillators, six AEDs (automated external defibrillators) for patrol cars, and a fireproof filing cabinet. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Budget Transfers & Augmentations: Fiscal Year 2013-2014 budget transfers will be outlined at the next meeting and will include augments out of the General Fund to the following primary funds: Regional Transportation Fund, Ag District #15 (Fair Board), Television District Fund, and Eureka Water & Sewer Fund. Commissioner Ithurralde motioned to table budget transfers until Mr. Rebaleati provides dollar amounts at the next meeting; Commissioner Sharkozy seconded the motion; motion carried 3-0.

FISCAL YEAR 2014-2015 BUDGET

Budget Recommendations: Mr. Rebaleati's memo outlined the following items for the Fiscal Year 2014-215 budget: there are no scheduled capital outlay projects except for the Robins Street Project; the proposed replacement ambulance for EMS and the walk-in freezer for the Eureka Senior Center will be delayed to Fiscal Year 2015-2016; the budget includes a cost of living adjustment of 2% for hourly employees and 3% for appointed department heads, to be calculated on the average wage and distributed across the salary scale. Commissioner Ithurralde motioned to accept the recommendations outlined by Budget Officer, Mike Rebaleati, for the Fiscal Year 2014-2015 Tentative Budget; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Historical Locomotive: Mr. Rebaleati has been in contact with Peter Barton, Administrator of the Division of Museums & History, concerning relocating the historical locomotive to Eureka. Mr. Barton provided an update by email. He supports the idea of moving the locomotive to Eureka, but before feasibility studies can be done in order to consider restoration and/or relocation, asbestos mitigation must be done. The Division has set aside \$15,000.00 for this, but the estimate is \$28,000.00. He proposed that Eureka County share in the cost of this mitigation. This item will be placed on a future agenda.

Departmental Top Sheets: Commissioner Ithurralde motioned to adopt the Fiscal Year 2014-2015 Tentative Budget and to sign the departmental top sheets for filing with the Nevada Department of Taxation; Commissioner Sharkozy seconded the motion; motion carried 3-0.

EUREKA COUNTY SHERIFF

Annual Walk Through of Justice Facility & Detention Center: Upon adjournment of the meeting, the Commissioners conducted the annual walk through and inspection of the Justice Facility and Detention Center in Eureka. No issues were noted.

CORRESPONDENCE

Correspondence was received from: Chester Hull; Adell Panning; Geniffer Perry; Recorder & Auditor, Mike Rebaleati; Executive Asst., Jackie Berg (2); Economic Development Program Board; Eureka County Planning Commission; Medical Clinics Advisory Committee; Local Emergency Planning Committee; Eureka County Television District; Eureka Business Network (3); MolyBits Messenger; Crescent Valley Town Advisory Board (2); White Pine County Commission (3); McMullen, McPhee & Co.; Nevada Health Centers, Inc.; Nevada Northern Railway Museum; Nevada Dept. of Agriculture; Nevada Dept. of Health & Human Services; Nevada Div. of Environmental Protection (2); Nevada Dept. of Business & Industry; Nevada Div. of Museums & History; Discovery Children's Museum newsletter; Western Counties Alliance; and US Dept. of Interior-BLM (2).

PUBLIC COMMENT

Chairman Goicoechea called for public comments. There were no comments from the public. The Chairman informed everyone that Governor Sandoval and his staff are holding a meeting in Clark County on April 8th to discuss road closures implemented by the BLM as part of the Bundy gather. He asked Mr. Tibbitts to forward pertinent portions of the Master Plan outlining Eureka County's position on federal law enforcement, etc., along with a cover letter noting regretfully that a representative from Eureka County is unable to attend.

The Chairman commented on the increase in special water assessments for the upcoming fiscal year from the Division of Water Resources. Some assessments have increased substantially, while other basins have smaller increases and others aren't assessed at all. The Chairman and Clerk & Treasurer, Beverly Conley, are following up with the State Engineer. An opinion has been requested from the Legislative Counsel Bureau. Chairman Goicoechea hopes

to have a staff member from the State Engineer's office available at the next meeting either in person or by phone to answer some questions.

ADJOURNMENT

Commissioner Ithurralde motioned to adjourn the meeting and to move on to the quarterly inspection of the Detention Facility; Commissioner Sharkozy seconded the motion. The meeting was adjourned at 2:56 p.m.

Approved by vote of the Board this 6th day of May, 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 April 7, 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