

**EUREKA COUNTY BOARD OF COMMISSIONERS**

**April 20, 2016**

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 20, 2016. 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 opened the floor for public comments; there were none.

**APPROVAL OF MINUTES**

April 6, 2016: Commissioner Sharkozy motioned to approve minutes of the April 6, 2016, Commission meeting; Commissioner Etchegaray seconded the motion; motion carried 3-0.

**COUNTY COMPTROLLER**

Payment of Expenditures: Expenditures were presented for approval by County Comptroller, Tina Hubbard. Commissioner Etchegaray motioned to approve expenditures in the amount of \$688,551.97 for accounts payable, \$252,800.32 for payroll, \$59,206.52 for a pass-through tax allocation to the School District, and \$104.36 for Yucca Mountain expenses, for a grand total of \$1,000,663.17. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

In reviewing expenditures, the Board discussed the large amount of travel reimbursement and per diem (nearly \$5,000.00) being paid to members of the Television District for an upcoming out-of-state conference in May. They noted that they will review the County’s travel and reimbursement policy and may provide some clarification or even amend the policy in the near future, as there may be room for improvement on how this process is handled.

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

Allocation of County Tax Rate: During previous budget discussions, the Comptroller’s office provided a spreadsheet showing projected distribution of the County tax rate among various funds. For this meeting, Payroll Specialist, Kim Todd, provided an updated spreadsheet incorporating applicable tax abatements. The amount of tax revenue actually captured by the County in the upcoming fiscal year will be reduced by over \$450,000.00 due to abatements.

**WESTERN COUNTIES ALLIANCE**

Update on Public Land Issues: Kenneth Brown, Executive Director of Western Counties Alliance, attended the meeting to provide a detailed update on current public land and natural resources issues.

PILT Funding: PILT (Payment in Lieu of Taxes) is a program that provides federal payments to local governments to help offset lost property tax revenues due to tax-exempt BLM land within their jurisdiction. This program struggles every year to be funded by Congress.

Eureka County received \$366,767.00 in 2015 and should receive a slightly higher payment in 2016.

Geothermal: Although there is very little geothermal leasing on federal lands in Eureka County, there has been a slight increase over the past three years. Western Counties Alliance supports a revised payment formula where local counties would share in the revenues, but this proposal hasn't received any backing in Washington, DC.

Secure Rural Schools & Community Self-Determination Act: SRS is similar to PILT, but provides payments for US Forest Service lands. This program is not very secure and struggles each year to be reauthorized by Congress. Eureka County's payment for 2016 is \$137,991.00 and 50% goes to the School District.

Public Lands Transfer: Transfer of public lands from the federal government to the states remains a good concept, but is becoming more of a challenge. Nevada passed a resolution during the 2015 Legislative Session in support of public lands transfer. US Congressman Mark Amodei (Nevada) is a strong supporter and has recently introduced yet another bill addressing this topic.

Sage Grouse: Sage grouse issues continue to be a huge concern. The Data Quality Act challenge lawsuit filed by a coalition of western counties (including Eureka County), ranching, mining, and energy associations (led by Western Energy Alliance) played in a huge part in saving the bird from being listed under the Endangered Species Act. Although there was no listing, the US Fish & Wildlife Service's plans for managing the bird are even more restrictive in many ways.

Wild Horse & Burro Program: Nevada is the state most affected by the BLM's mismanagement of the Wild Horse & Burro Program. Mr. Brown continues to testify (either in person or in writing) at the Wild Horse & Burro Advisory Board meetings.

Hard Rock Mining: Two bills have been introduced in Congress proposing amendments to the General Mining Act of 1872. This opposition is mainly related to fees and the reclamation process. What is troubling is that these bills have been introduced by western Representatives.

Clean Water Act: There is still movement on making changes to the Clean Water Act, proposing transfer of all jurisdiction from the states to the federal government, a concept supported by President Obama.

RS 2477 Roads: Mr. Brown briefly touched on RS 2477 rights-of-way. The State of Utah has made progress on this issue. Both Utah and WCA are willing to assist Eureka County as they move forward with inventories and establishing rights in relation to RS 2477 roads.

Annual Membership Dues: Mr. Brown recognized the budget struggles Eureka County is facing and stated he would leave any support that could be provided at the discretion of the County. The Commissioners agreed to accept the recommendation made by the Natural Resources Advisory Commission and motioned accordingly. Commissioner Sharkozy motioned to pay \$1,500.00 in annual membership dues to Western Counties Alliance for Fiscal Year 2016-2017, to be paid from the current year's NRAC budget; Commissioner Etchegaray seconded the motion; motion carried 3-0.

## **COMMISSIONERS**

Update Reports: All Commissioners attended the budget meeting on April 13<sup>th</sup>. Commissioner Sharkozy attended a Crescent Valley Search & Rescue meeting on April 11<sup>th</sup>; attended the Great Basin Regional Development Authority meeting in Ely on April 12<sup>th</sup>; attended the Economic Development Program Board meeting (via interactive video) on the afternoon of April 13<sup>th</sup>; and attended the Senior Center Advisory Board meeting (via interactive video) on April 19<sup>th</sup>.

Chairman Goicoechea chaired the Sagebrush Ecosystem Council meeting on April 7<sup>th</sup>; traveled to Winnemucca on April 15<sup>th</sup> for a meeting of the Legislative Committee on Public

Lands; met with Ely District BLM, Ely Volunteer Fire Department, and White Pine County Fire Department on April 18<sup>th</sup> along with other County representatives; had a phone call with Paul Lessick of University of Nevada Cooperative Extension on April 19<sup>th</sup> (Extension Educator interviews will be scheduled May 17<sup>th</sup> & 18<sup>th</sup> at the Opera House); and participated in a NACO conference call on the afternoon of April 19<sup>th</sup> (for the NACO subcommittee dealing with issues related to the merger of University of Nevada Cooperative Extension and College of Agriculture, Biotechnology & Natural Resources).

Notice to Taxpayers: The Board discussed preparing a flyer for distribution to taxpayers informing of the proposed \$0.10 increase to the County tax rate. The notice will describe reasons in support of an increase and explain where the additional funds will be allocated. The Comptroller's office created a spreadsheet showing distribution of the proposed tax rate, less amounts that won't be captured due to property tax abatements.

Chairman Goicoechea reiterated that additional revenues will be concentrated towards funds supporting infrastructure, especially roads, and towards natural resources issues that support mining and agriculture, which are the industries that sustain Eureka County. The notice will be mailed around the 1<sup>st</sup> of May in anticipation of the May 16<sup>th</sup> budget and tax rate hearing.

Commissioner Sharkozy motioned to approve mailing a flyer to constituents describing support of a minimal increase to the County tax rate and including the tax allocation spreadsheet; Commissioner Etchegaray seconded the motion; motion carried 3-0.

Maximum Work Hours for Non-Benefited Employees: The Board recently sent a memo to all department heads and non-benefited employees explaining requirements related to maximum work hours for non-benefited employees, which are: (a) a limit of 1,039 hours in a calendar year, which equates to an average of 19 hours per week, and (b) a limit of no more than 29 hours per week in order to comply with federal legislation implemented with the Affordable Care Act.

It was recently brought to the Board's attention that there is a lot of confusion among casual employees regarding allowable work hours. If hours are not closely monitored and an employee exceeds the limits regulated by PERS (Public Employees Retirement System) or ACA (Affordable Care Act), it could expose the County to unnecessary costs in the form of fines or a requirement to provide benefits to an employee classified as non-benefited.

There was a lengthy discussion that considered several possible options including adding clarification to the Personnel Policy, requiring a waiver when casual employees work over a set number of hours, sending a letter with further direction to supervisors and affected employees, and deciding the best way to monitor use of allowable work hours.

Commissioner Sharkozy motioned that Chairman Goicoechea work with the Comptroller's office (responsible for payroll and employee records) to draft a letter to supervisors providing direction related to maximum work hour requirements for non-benefited employees; Commissioner Etchegaray seconded the motion; motion carried 3-0.

Sagebrush Ecosystem Program & Nevada Greater Sage-Grouse Conservation Plan: The Sagebrush Ecosystem Council met on April 7<sup>th</sup>. The Council will be reviewing in greater detail a portion of the federal Land Use Plan Amendment – TABLE 2.2: HABITAT OBJECTIVES FOR GREATER SAGE-GROUSE, with the intent of exploring how the Council could address this issue. The BLM and US Forest Service Land Use Plan Amendments are subject of the lawsuit filed in US District Court in Nevada, where Eureka County has joined with other Nevada counties and industry to challenge these documents and decisions made by the US Fish & Wildlife Service.

Chairman Goicoechea warned of the tremendous economic impacts that TABLE 2.2 will have on agriculture, mining, and other industries, which in turn will greatly affect the rural counties and small communities.

## **AMBULANCE & EMS**

**Activity Report:** EMS Coordinator, Mike Sullivan, reported on activities since his last report on March 21<sup>st</sup>. Eureka had 12 calls for service (42 year-to-date) and Crescent Valley had two calls for service (19 year-to-date).

Continuing education training is scheduled in Eureka on April 25<sup>th</sup> and in Crescent Valley on April 28<sup>th</sup>. Staff continues training on TripTix CDX, the State's new electronic patient care recordkeeping program, but Mr. Sullivan will delay implementation to allow the State and the company to work on some issues with the system. Mr. Sullivan thanked Sheriff Keith Logan, because the Sheriff's Office has agreed to transfer a 4-wheel drive vehicle to EMS to replace the Jeep in Crescent Valley.

Mr. Sullivan attended the Nevada Project Heartbeat quarterly meeting on April 4<sup>th</sup> in Reno, attended the Nevada Crisis Standards of Care Project Team & Advisory Committee meeting on April 13<sup>th</sup>, and participated in the Eureka County High School Career Fair on April 14<sup>th</sup>.

**Billing Policy:** Mr. Sullivan completed a comprehensive billing policy for the ambulance services and submitted it for approval. The policy is written so that fee structures can be amended in the future without further changes to policy. Commissioner Sharkozy motioned to approve the Eureka Emergency Medical Services Revenue Recovery Program & Billing Policy, authorized the EMS Coordinator to periodically update poverty guidelines and the financial hardship form, and authorized the Chairman to sign the policy outside of the meeting. Commissioner Etchegaray seconded the motion. Motion carried 3-0.

## **PUBLIC WORKS**

**Projects & Activities:** Public Works Director, Ron Damele, gave an update on Public Works projects and activities.

**Fire Related Updates:** A fire meeting was held on April 18<sup>th</sup> with the Ely District BLM, Ely Volunteer Fire Department, and White Pine County Fire Department. Eureka was represented by Mr. Damele as well as Chairman Goicoechea; Road Superintendent, Raymond Hodson; Eureka Fire Chief, Dan Brown; and Eureka Assistant Fire Chief, Mike Taylor.

Wildland Firefighting Red Card Training will be held on April 30<sup>th</sup> at the Crescent Valley Fire Station. Training will be scheduled sometime in May for the Pine Valley and Dunphy volunteers.

Effective April 4<sup>th</sup>, Joe Freeland was named State Forester Fire Warden, following retirement of Bob Roper. Mr. Freeland has worked in the past with some of Nevada's rural counties, so he is a positive addition to the State.

**Opera House & Sentinel Museum:** Mr. Damele met with staff of the Opera House and Sentinel Museum to discuss transition of supervision to Public Works effective July 1<sup>st</sup>. The meeting was attended by Cultural, Tourism, & Economic Development Director, Andrea Rossman; Facilities Director Assistant Manager, Patty Peek; and Museum Director, Ree Taylor.

**US Environmental Protection Agency:** The EPA has returned to Eureka and will be in town through summer. They are working with property owners to continue cleanup of residential properties with contaminated soils. During late spring or early summer, they will begin construction of the repository to be located along the south side of Ruby Hill Avenue in Eureka.

**Wastewater Treatment Facility:** Nevada Division of Environmental Protection recently issued a permit to discharge to groundwater for the Eureka Wastewater Treatment Facility. Several conditions accompany the permit, including requirement for a new Operations & Maintenance Manual. Dean Day of Day Engineering has been contracted to complete the document. The permit also mandates that the County purchase a boat to complete annual measuring of sludge in the wastewater ponds.

Water Systems: Mr. Damele reported that all water systems (Eureka Town, Crescent Valley Town, and Devil's Gate GID) are in good condition and operating with no issues.

**RESOLUTION HONORING RANDY STUCKI**

Adoption of Resolution: Mr. Damele explained that Randy Stucki could not attend the meeting due to another appointment, but as Randy's friend and department head, he was pleased to recognize his years of service and to have Eureka County honor him with this resolution. The Commissioners added their verbal thanks for a job well done.

Commissioner Etchegaray motioned to adopt the resolution honoring longtime Eureka County employee, Randy Stucki; Commissioner Sharkozy seconded the motion; motion carried 3-0. The resolution was read into the record.

<i>Eureka, Nevada</i>	<i>April 20, 2016</i>
<b>RESOLUTION</b> <b>HONORING RANDY STUCKI FOR MANY YEARS OF SERVICE TO EUREKA COUNTY</b>	
<p><i>WHEREAS, the Board of Eureka County Commissioners wishes to honor longtime Eureka County employee, Randy Stucki, for his faithful service and contributions; and</i></p> <p><i>WHEREAS, Eureka County acknowledges the following biographical information: Randy was born in Ely, Nevada, on August 22, 1948, to Mr. &amp; Mrs. Joseph Stucki. He attended high school in Lund, Nevada. In 1969, he married Kristine in St. George, Utah, and they raised one son, Fred Stucki. Randy is proud grandfather to seven grandchildren and seven great-grandchildren. He has made Eureka his home for the past 38 years.</i></p> <p><i>Randy honorably serviced his country in the US Marine Corps from 1965 through 1970, including active duty in the Vietnam War. He enjoys working with light and experimental aircraft. Contributions to eureka County include serving as a member of the Health Insurance Advisory Committee for over seven years (from January 2009 through March 2016) as a representative of the Road Shop, and he was always available to assist on wild fires whenever needed. Before his employment with Eureka County, Randy worked for Windfall Mine for nearly ten years, from 1982 through 1991.</i></p> <p><i>On January 2, 1991, Randy joined Eureka County's workforce and has served faithfully for over 25 years. He began as Truck Driver I and was promoted on January 16, 2013, to Road Maintenance Equipment Operator II. He has been a dedicated and reliable employee, who seldom missed work. He is a commendable dozer operator and is very easy on equipment, which has saved Eureka County both time and money.</i></p> <p><i>County officials, co-workers, and friends celebrate with Randy, who has been a significant member of the Eureka County's workforce, as he retires and starts this next chapter of his life.</i></p> <p><i>NOW THEREFORE, BE IT HEREBY RESOLVED, that the Board of Eureka County Commissioners recognizes Randy Stucki for his lifetime accomplishments and commends him for his loyal and dedicated service.</i></p> <p><i>BE IT FURTHER RESOLVED, that this resolution be published in the minutes of the Board of Eureka County Commissioners to remain a part of the permanent and historical records of Eureka County.</i></p> <p><i>ADOPTED this 20<sup>th</sup> day of April, 2016.</i></p>	
<p><i>BOARD OF EUREKA COUNTY COMMISSIONERS</i> <i>COUNTY OF EUREKA, STATE OF NEVADA</i></p> <p><u><i>/s/ J.J. Goicoechea</i></u> <i>J.J. Goicoechea, Chairman</i></p> <p><u><i>/s/ Michael Sharkozy</i></u> <i>Michael Sharkozy, Vice Chair</i></p> <p><u><i>/s/ Fred Etchegaray</i></u> <i>Fred Etchegaray, Member</i></p>	
<p>ATTEST: <u><i>/s/ Beverly Conley</i></u> <i>Beverly Conley, County Clerk</i></p>	

**PUBLIC GUARDIAN**

Out-of-State Travel: Commissioner Etchegaray motioned to authorize out-of-state travel on May 18<sup>th</sup>-20<sup>th</sup> for Public Guardian, Pernecia Johnson, to attend the Alzheimer’s Association Annual Conference in Sacramento; Commissioner Sharkozy seconded the motion; motion carried 3-0. This will provide continuing education units required for Ms. Johnson to maintain certification with the National Guardianship Association.

**CLERK & TREASURER**

Treasurer’s Report: The Treasurer’s Report for March was submitted by Clerk & Treasurer, Beverly Conley. Ending General Fund balance was \$14,117,979.92. Overall ending balance, including encumbered funds, was \$59,333,540.30.

Delinquent Tax Notices: Ms. Conley presented the Affidavit of Mailing of delinquent tax notices for real property parcels. On March 18<sup>th</sup>, 217 first-year, 55 second-year, and 26 third-year delinquent tax notices were mailed.

Tax Delinquent Properties Auction: Clerk & Treasurer, Beverly Conley, reported on the “sealed bid” Tax Delinquent Properties Auction ending on April 14<sup>th</sup>. Of the 10 properties offered at auction, six parcels sold for a total of \$15,662.54. After deduction of all taxes and fees, \$10,623.00 in excess proceeds will be held for one year. Funds not claimed during that time will revert to the General Fund.

Commissioner Sharkozy motioned to accept the Treasurer’s Verified Return of Sale and Reconciliation of Trust Property for the Tax Delinquent Properties Auction held April 14, 2016; Commissioner Etchegaray seconded the motion; motion carried 3-0.

Quitclaim Deeds Resolution: Commissioner Sharkozy motioned to adopt a resolution directing the County Treasurer to execute and file Quitclaim Deeds for record with the County Recorder and to deliver said Quitclaim Deeds for properties sold at the April 14<sup>th</sup> auction; Commissioner Etchegaray seconded the motion; motion carried 3-0.

SUMMARY: Return of Sale of Trust Property

**RESOLUTION**

WHEREAS, the Board of County Commissioners of Eureka County, Nevada, on the 5<sup>th</sup> day of January, 2015, duly ordered the sale at public auction of the hereinafter described real property held by Beverly Conley, as County Treasurer and Ex-Officio Tax Receiver of Eureka County, Nevada, in trust; and

WHEREAS, after due and legal notice of the place and manner of said sale was duly given in the manner required by NRS 361.595, by publication in a newspaper published within the County of Eureka, State of Nevada, and posted as required by NRS 361.595 and the Order of the Board of Commissioners Direction the County Treasurer to Offer All Tax Delinquent Properties for Sale, said property was sold at public “sealed bid” auction on the 14<sup>th</sup> day of April, 2016, beginning at 8:00 o’clock a.m. of said day; and

WHEREAS, at said sale the property described in the Reconciliation of Tax Auction Held April 14, 2016, attached hereto was sold to the persons or entities listed for the total sum of fifteen thousand six hundred sixty-two and fifty-four cents (\$15,662.54), which were the highest and best bids for the same and the whole amount bid and paid for said property;

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Eureka County, Nevada, as follows:

- 1. That the Eureka County Treasurer and Ex-Officio Tax Receiver of Eureka County, Nevada, in trust, execute and file Quit Claim Deeds for record with the County Recorder of Eureka County, Nevada, and deliver said Quit Claim Deeds for properties sold to said purchasers on the attached list.

ADOPTED the 20<sup>th</sup> day of April, 2016, by the Board of County Commissioners, Eureka County, Nevada.

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

ATTEST: /s/ Beverly Conley  
Beverly Conley, Eureka County Clerk

Unsold Parcels: Ms. Conley explained that the four unsold parcels were all part of Nevelco #2 in northern Eureka County and were basically unsalable. Rather than continuing to accrue publication and noticing fees, she recommended that the County acquire the parcels as allowed by statute.

Pursuant to NRS 361.603, Commissioner Sharkozy motioned that Eureka County acquire the following parcels which did not sell at the auction held April 14, 2016: APN 003-202-06; APN 003-202-09; APN 003-224-02; and APN 003-253-07. Commissioner Etchegaray seconded the motion. Motion carried 3-0.

Excess Proceeds from April 23, 2015, Auction: Ms. Conley reported on excess proceeds from the Tax Delinquent Properties Auction conducted on April 23, 2015. A total of \$50,192.52 remained after all taxes and fees were deducted. Of that, \$7,618.13 was claimed by the former property owners, leaving \$42,574.39. If no other requests for excess proceeds are received by the one-year deadline, this remaining amount will be transferred to the General Fund.

## **COUNTY FACILITIES & ECONOMIC DEVELOPMENT**

Update Report: Cultural, Tourism, & Economic Development Director, Andrea Rossman, reported on activities for the Opera House, Sentinel Museum, and Economic Development. Ms. Rossman attended the 2016 Rural Roundup Conference in Laughlin April 12<sup>th</sup>-15<sup>th</sup>.

Visitor numbers at the Opera House have been up for the past month due to several scheduled events including the High School Prom, Juvenile Probation Dance Recital, and a magic show hosted by the Lion's Club. Several upcoming events should keep the facility busy.

Museum Director, Ree Taylor, submitted a written report detailing recent activities at the Sentinel Museum. Inclement weather has actually increased visitor numbers due to people staying in town to wait out the storms. The Facebook page for the museum has been created and looks great. Recent donations include two photo albums of a family who lived in Eureka in the late 1800s.

Appointment to ECEDP: Commissioner Sharkozy motioned to appoint Nancy Collins of Crescent Valley to the alternate seat on the Economic Development Program Board representing northern Eureka County for the remainder of a one-year term through December 2016. Commissioner Etchegaray seconded the motion. Motion carried 3-0. The appointment was based on a recommendation from the ECEDP.

## **MEDICAL CLINICS ADVISORY COMMITTEE**

NVHC Quarterly Performance Audit: The Medical Clinics Advisory Committee met on March 17<sup>th</sup> to conduct the quarterly performance audit of Nevada Health Centers, Inc., for the period covering October, November, and December. Garney Damele, Chair of the MCAC, worked with NVHC to reconcile the penalty amount recommended by the Committee and both parties ultimately agreed to a penalty of \$9,600.00, broken down as follows: \$6,600.00 for lack of a physician for 11 days at the Eureka Clinic (11 x \$600.00/day); \$1,500.00 for lack of a second provider for five days at the Eureka Clinic (5 x \$300.00/day); and \$1,500.00 for failure to report an equipment issue.

Commissioner Etchegaray motioned to accept the Committee's recommendation to assess a nonperformance penalty of \$9,600.00 to Nevada Health Centers for the second quarter of Fiscal Year 2015-2016; Commissioner Sharkozy seconded the motion; motion carried 3-0.

## **NATURAL RESOURCES**

Report on Activities: Natural Resources Manager, Jake Tibbitts, gave an update on recent activities and natural resources issues affecting Eureka County.

Naval Air Station Fallon: The Naval Air Station is moving forward with an implementation plan for the Joint Land Use Study completed in 2015. Consultant, Abby Johnson, attended a meeting at NAS Fallon on April 13<sup>th</sup> on behalf of Eureka County. The Office of Economic Adjustment, which is under the US Department of Defense, is funding a consultant who will be reaching out to individual counties to determine involvement of the respective counties under the implementation strategy.

McEwen Mining Gold Bar Mine Project: On April 13<sup>th</sup>, Mr. Tibbitts participated in the BLM's conference call as part of the EIS process for the McEwen Mining Gold Bar Project. Ron Espell has been engaged by McEwen Mining as their Environmental Manager, replacing Jim Smithson who had to resign recently for personal reasons.

HCCUEP: A conference call for Barrick Gold's Horse Canyon Cortez Unified Exploration Project's Environmental Assessment was held on April 13<sup>th</sup>. Since an EA was recently conducted on this project, the new EA will simply be a revision and they should move forward quickly on this exploration project.

Humboldt River Management: The Nevada Division of Water Resources hosted three workshops at various locations to provide information on administration of the Humboldt River. Mr. Tibbitts attended the April 14<sup>th</sup> workshop in Winnemucca. (The actual presentation is available on the State Engineer's website). Data on water availability was provided. Due to the volume of rains and snows this past year, precipitation and snow-pack numbers have increased significantly, but actual stream flow has only risen to 100% of average. Allocation of water for the Humboldt River Basin during the upcoming year was discussed. All water rights holders will receive an allocation, although junior holders will receive less.

The State Engineer's Order on the Humboldt River Basin Hydrographic Region, issued last year, required installation of totalizing meters to monitor water usage. The original deadline for installation of meters was extended to April 1, 2016. It was reported at the workshop that several wells have been tagged with a 'cease and desist' order for noncompliance with meter installation or filing of the paperwork. As inspections of wells continue, more 'cease and desist' orders can be expected.

The State Engineer's office continues working with US Geological Survey and Desert Research Institute on the Humboldt River Capture Models to determine effects of pumping throughout the basin.

Other Meetings/Events: Mr. Tibbitts attended the Legislative Committee on Public Lands meeting in Winnemucca on April 15<sup>th</sup>. He traveled to Reno on April 19<sup>th</sup> to attend a Public Lands Breakfast meeting hosted by Lieutenant Governor, Mark Hutchison, which turned out to be a worthwhile event with a lot of key people in attendance.

Upcoming Meetings: Upcoming meetings include the Legislative Commission Subcommittee to Study Water (Chaired by Senator Pete Goicoechea) in Las Vegas on April 22<sup>nd</sup>; a Diamond Valley Groundwater Management Plan workshop at the Opera House on April 25<sup>th</sup>; and a stakeholder session on sage grouse hosted by the BLM in Reno on April 27<sup>th</sup> entitled The Next Step: Implementing for the Future.

Mr. Tibbitts noted that the Legislative Commission Subcommittee to Study Water is grappling with some serious issues surrounding proposed language to change Nevada water law. Everyone agreed that Eureka County should either weigh in by sending a letter or by providing testimony at a future meeting of the Subcommittee.

US Fish & Wildlife Service Mitigation Policy: Mr. Tibbitts explained that the US Fish & Wildlife Service has had a Mitigation Policy since 1981. Minor revisions have been made through the years, but they are now proposing a total revamp of the policy. Proposed language requires 'net conservation gain' on anything the USF&WS is involved in. Numerous federal laws are referenced noting that USF&WS will have a role in mitigation planning for actions affecting provisions under these acts (such as Federal Land Policy & Management Act, National



**CORRESPONDENCE**

Correspondence was received from: Seventh Judicial District Court; District Attorney, Ted Beutel (2); EMS Coordinator, Michael Sullivan; Medical Clinics Advisory Committee (2); Eureka County Television District; Nevada Assoc. of Counties (3); Central Nevada Regional Water Authority; Nevada POOL/PACT (Contract HR, Jeanne Greene); SRK Consulting; Nevada Dept. of Wildlife; Nevada Dept. of Health, Division of Child & Family Services; Nevada Div. of Environmental Protection; Nevada Div. of Minerals; Nevada Deferred Compensation Program (2); Nevada State Clearinghouse (5); Law Seminars International; Western Counties Alliance (6); National Assoc. of Counties; US Senator, Dean Heller; US Dept. of the Interior-BLM; US Dept. of Agriculture; and US Dept. of Agriculture-Forest Service (2).

**PUBLIC COMMENT**

Chairman Goicoechea opened the floor for public comments. The Chairman recognized his wife’s grandfather, Floyd Slagowski, who will celebrate his 100<sup>th</sup> birthday on Saturday at a party in Elko at the Folk Life Center with everyone welcome. Floyd is a longtime Eureka County resident and rancher in Pine Valley. He was born on April 23, 1916, and has seen a lot in his hundred years!

**ADJOURNMENT**

The meeting was adjourned at 11:48 a.m.

*Approved by vote of the Board this 6<sup>th</sup> day of May, 2016.*

/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 April 20, 2016, 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