

EUREKA COUNTY BOARD OF COMMISSIONERS

May 6, 2014

STATE OF NEVADA)
):ss
COUNTY OF EUREKA)

CALL TO ORDER

The Board of Eureka County Commissioners met pursuant to law on May 6, 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

Item #1 under the Fiscal Year 2013-2014 section of the agenda, regarding capital outlay purchases, was removed. Several items under the Commissioners’ section related to soil sampling will be discussed in conjunction with the US Environmental Protection Agency and Nevada Division of Environmental Protection agenda items. Commissioner Ithurralde motioned to approve the agenda as modified; Commissioner Sharkozy seconded the motion; motion carried 3-0.

PUBLIC COMMENT

Chairman Goicoechea opened the floor for public comments. Budget Officer, Mike Rebaleati, stated that in light of the most recent information from Nevada Department of Taxation on what the County will actually receive in net proceeds payments, along with the estimated \$15 million statewide overpayment which may result in Eureka County owing a considerable refund, he will make several budget recommendations during the May 19th meeting. These will include recommendation of an immediate hiring freeze and recommendation that the cost of living allowance be suspended for Fiscal Year 2014-2015.

Clerk & Treasurer, Beverly Conley, introduced Jon Wahrenbrock from Elko. Mr. Wahrenbrock has agreed to provide investment consulting services to Eureka County if the Commissioners approve the contract to be presented later in the day’s meeting.

APPROVAL OF MINUTES

April 7, 2014, Commission Meeting: Chairman Goicoechea offered two minor corrections to the minutes. With those changes, Commissioner Ithurralde motioned to approve the minutes of the April 7, 2014, Commission meeting; Commissioner Sharkozy seconded the motion; motion carried 3-0.

April 15, 2014, Quarterly Meeting: Commissioner Ithurralde motioned to approve the minutes of the April 15, 2014, quarterly meeting; Commissioner Sharkozy seconded the motion; motion carried 3-0.

FINANCE

Payment of Expenditures: Expenditures were presented for approval by Recorder & Auditor, Mike Rebaleati. Commissioner Ithurralde motioned to approve expenditures in the amount of \$438,985.57 for accounts payable and \$416,325.39 for payroll, for a grand total of \$855,310.96; Commissioner Sharkozy seconded the motion; motion carried 3-0. Commissioner Sharkozy motioned to approve Yucca Mountain expenditures in the amount of \$2,579.95; Commissioner Ithurralde seconded the motion; motion carried 3-0.

Auditor's Report: Mr. Rebaleati requested that the Auditor's Report be reviewed in conjunction with budget discussions later in the day.

Human Resources Service Agreement: Mr. Rebaleati presented an updated agreement which reflected additional detail requested by the Board at an earlier meeting. Commissioner Ithurrealde motioned to approve a Human Resources Service Agreement with Pooling Resources, Inc., not to exceed \$34,000.00 for a one-year pilot program for Fiscal Year 2014-2015. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

COMMISSIONERS

Update Reports: The Commissioners held a special meeting on April 24th to award the construction contract for the Robins Street Project. Commissioner Ithurrealde participated in a NACO teleconference on April 25th; attended the School District Board of Trustees meeting on April 29th; attended the Medical Clinics Advisory Committee meeting on May 1st; and participated in the Eureka Firewise Community Day on May 2nd.

Commissioner Sharkozy attended a Crescent Valley Volunteer Fire Department meeting on April 22nd; attended the Crescent Valley Town Advisory Board meeting on April 24th; attended a luncheon hosted by Newmont Mining on April 30th; participated in the Crescent Valley Firewise Community Day on May 3rd; and participated in a Search & Rescue callout on May 3rd.

Chairman Goicoechea traveled to Carson City on April 25th for the Nevada Land Management Task Force meeting; met with Bob Brock of Barrick Gold on May 1st regarding various water issues; and participated in the Eureka Firewise Community Day on May 2nd.

Nevada Sesquicentennial Medallions: In celebrating Nevada's 150th year of statehood, the State is issuing four special medallions. As the anniversary date gets closer framed sets will be issued and Opera House staff requested that the County purchase two sets to be displayed in County facilities. Commissioner Sharkozy motioned to authorize purchasing two sets of Nevada Sesquicentennial medallions, not to exceed \$1,000.00, to be displayed in the Sentinel Museum and the County Courthouse; Commissioner Ithurrealde seconded the motion; motion carried 3-0.

Public Guardian / Public Administrator: Clerk & Treasurer, Beverly Conley, has agreed to assume the Public Guardian & Public Administrator responsibilities, which are currently under the purview of the Recorder & Auditor's office. Commissioner Ithurrealde motioned to propose an amendment to Eureka County Code, Title 11, Chapter 60, Public Guardian & Public Administrator Office, to change designation from the Recorder/Auditor to the Clerk/Treasurer and to set a public hearing at 1:00 p.m. on June 20th. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Contribution to Sage-Grouse Lawsuit: Chairman Goicoechea explained that Kent Holsinger, of Holsinger Law in Colorado, is preparing paperwork for a lawsuit to be filed regarding Greater Sage-Grouse, the Data Quality Act, and the Bureau of Land Management for their use of apparently flawed reports on Greater Sage-Grouse issued by the National Technical Team and the Conservation Objectives Team. Western Energy Alliance is a proponent but it is not yet clear what entity will act as lead plaintiff in the suit.

The Board discussed options and agreed that Eureka County could not make a decision on joining as a plaintiff until the actual pleading is reviewed, but the Board was in favor of contributing data, information, and some level of funding due to the huge effect this issue will have on Eureka County. Commissioner Sharkozy motioned to contribute \$5,000.00 to Holsinger Law, LLC, towards a draft complaint to be filed regarding Greater Sage-Grouse, the Data Quality Act, and the BLM, and that Eureka County will review the complaint before deciding on further involvement. Commissioner Ithurrealde seconded the motion. Motion carried 3-0.

Revised Resolution for Lease of Veterinary Clinic: At the April 21st meeting, the Board adopted a resolution outlining the lease of property to Eureka Veterinary Clinic, LLC (Darla Baumann). An amended resolution was now presented correcting the date and time of the

public hearing for this lease since the May 20th meeting has been changed to May 19th. Commissioner Ithurralde motioned to adopt the amended resolution for lease of the premises at 180 South Main Street in Eureka to Eureka Veterinary Clinic, LLC, to note that the public hearing date and time is changed from May 20, 2014, at 1:00 p.m. to May 19, 2014, at 1:15 p.m. Commissioner Sharkozy seconded the motion. Motion carried 3-0. (*Resolution is attached and made a part of these minutes*).

Update of Cemetery Maps: Deputy Recorder, Lisa Hoehne, explained that Eureka County is a source of public information for the various cemeteries in the County, but the maps and data have not been updated since the 1990s. The cemeteries within Eureka County include: Catholic Cemetery, Cedar Hills Cemetery, Eureka Town Cemetery, Maiden's Grave, Masonic Cemetery, Palisade Cemetery, and Pine Valley Cemetery. The Commissioners determined that surveys were not needed but agreed that the information should be brought up to date. Mr. Rebaleati felt this could be done in-house at minimal cost, but agreed to provide an estimate at the next meeting. Commissioner Sharkozy motioned to table action regarding update of the cemeteries to the May 19th meeting pending more information; Commissioner Ithurralde seconded the motion; motion carried 3-0.

SENIOR CENTERS

Update Report: Senior Center Site Director, Millie Oram, reported on the Senior Centers. Adell Panning, who was on vacation, submitted a written report. In March, the Eureka Senior Center served 1,056 meals and the Fannie Komp Senior Center served 727 meals. Total income for the month was \$10,424.75. Eight participants have begun rehearsing for the Crescent Valley Follies "Men in Drag" Beauty Pageant scheduled for June 28th. To cover in Ms. Panning's absence, Ms. Oram traveled to Crescent Valley on May 5th.

Crescent Valley Activities Program: The Easter Egg Hunt was a success with four happy kids receiving new bicycles. The Crescent Valley Activities Program will sponsor a raffle and barbecue dinner for May Cleanup Day on May 17th.

ROAD DEPARTMENT

Report on Activities: Road Department Superintendent, Raymond Hodson, reported on Road Department projects and activities. Crews continue blading roads throughout the County, including County Road 101, Spring Valley Road, Mustang Road, Newark Summit, Diamond Canyon, Windfall Canyon, the road to Prospect Peak, Union Pass, Roberts Creek Road, the cutoff road between Roberts Creek and Atlas, Henderson Pass, Bailey Pass, East Antelope Road, 3 Bars Road, Ferguson Road, Santa Fe Road, the road to Mineral Hill Cemetery, Grass Valley Road, Palisade Road including the road to Palisade Cemetery, Airplane Road, Barth Road, Frenchie Flat, Stanford Canyon, and Thomas Canyon. Work included cleaning and repairing several cattle guards, repairing the culvert at Pine Valley Cemetery, street sweeping, graveling the slope behind one of the medical provider's houses in Eureka, and assisting with May Cleanup. Weed spraying is being done as weather permits. Staff completed the annual Red Card wildland fire training. Long-time employee John Minoletti is retiring soon and will be greatly missed.

PUBLIC WORKS

Water Service Applications: Public Works Director, Ron Damele, received water service applications from Conley Land & Livestock for the Devil's Gate General Improvement District. He explained that there will be no charge for the hook-ups pursuant to a June 2009 agreement for an easement for the water system. Commissioner Ithurralde motioned to approve applications from Conley Land & Livestock for new water services at APN 007-470-03 and APN-470-04; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Update on 2002 International 4x4 4800 Fire Engine: Mr. Damele reported that the recently purchased BLM surplus wildland fire engine will be outfitted at a cost of approximately \$12,000.00 for equipment, fittings, hoses, and tools purchased through L.N. Curtis & Sons. Communication equipment has already been installed. This unit should be placed into service within the next 30 days.

Fire Engine Upgrades: Four fire engines are due for upgrade or replacement, so a retrofit program to upgrade pumps and engines will begin at a cost of approximately \$14,000.00 per engine. This should add about 20 years of service to each unit. The first upgrade is planned for Engine 2641.

Parcel Map for Eureka County School District: A parcel map application was submitted by Eureka County School District to support the new gymnasium. Mr. Damele explained that the parcel map will accomplish several things which will benefit both the School District and Eureka County. A portion of ground will be allotted to the School District to provide space for their storm water detention basin for the gymnasium, the School District will quitclaim a parcel to the County to allow access behind the High School, and there will be a minor property line adjustment between the pool property and residential properties. Due to the benefits to the County, Mr. Damele recommended that the application fee be waived.

Commissioner Ithurralde motioned to waive the parcel map application fee of \$440.00 (\$400.00 plus \$10.00 per lot) for the Eureka County School District; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Historical Markers: A request was received from Bill Bishell of Trails West, Inc., to install three historical markers on Eureka County road rights-of-way. The markers will signify the route of the Central Overland Trail. Road Superintendent, Raymond Hodson, met with Mr. Bishell and toured the areas for the markers and their placement will cause no conflicts or inconvenience. Trails West will build the markers and County crews will assist with installation.

Commissioner Ithurralde motioned to approve the request from Trails West, Inc., to install three historical markers on Eureka County road rights-of-way to be located at Diamond Springs Historical Station, Sulfur Springs Station, and Roberts Creek Ranch, with installation assistance provided by County crews. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Crescent Valley Town Park: Mr. Damele reported that the sprinkler lines at the Crescent Valley Town Park are in immediate need of replacement due to extensive breakage and leakage in the current PVC lines. A landscape contractor will be solicited. A new system will reduce water usage at the park, which has been very high. If substantial improvement isn't seen, the next step will be to consider reduction of the grass footprint.

COUNTY ENGINEER

Robins Street Improvements & Utility Upgrades Project: Michael Bennett, Lumos & Associates, reported that following award of the contract for the Robins Street Project on April 24th, all submittals, contracts, bonds, and insurance for the project have been received. The Notice to Proceed was issued on May 5th and construction began that same day. Phase 1 will entail water and sewer installations on Robins Street and Adams Street, installation of the fire loop on Railroad Street which will provide fire service to the new gymnasium, and installation of fiber to connect County facilities.

NDEP & US EPA

Lead & Arsenic Cleanup in Eureka: Representatives of Nevada Division of Environmental Protection and US Environmental Protection Agency, Greg Lovato (NDEP), Jeff Collins (NDEP), Tom Dunkelman (EPA), and Sarah Cafasso (EPA), were in attendance to provide an update on field activities, proposed elements of a community involvement plan, and recommendations for collection of soil data on County owned properties in relation to the lead and arsenic cleanup in Eureka.

Field work is resuming and will continue through July involving cleanup of approximately 20 residences which have tested above the federal limits for lead and arsenic; the number of properties to be mitigated is based on available funding of \$1.5 million. Similar to last year, this will involve excavation of the top one foot of contaminated soil, backfilling with clean soil, and reestablishment of any landscaping. The EPA continues to offer soil sampling to residents who request it. A new temporary storage site will be utilized this year and is located on the north end of Eureka between Nob Hill and Ridgetop Road.

Engineering Evaluation/Cost Analysis: As stated earlier, an EE/CA (Engineering Evaluation/Cost Analysis) will be conducted this year. The EE/CA will include designating a permanent storage site and the EPA is currently considering the slag pile at the north end of town, but a comprehensive evaluation will be conducted before a determination is made. Once the draft EE/CA is released (expected sometime this fall), there will be a public comment period, probably 30 days. District Attorney, Ted Beutel, requested a longer timeframe due to other issues the Board is currently dealing with. Ms. Cafasso agreed that they can accommodate the County with a timeframe that works for all parties.

Community Involvement Plan: The EE/CA will require a community involvement plan with certain elements including community outreach, obtaining input on the draft plan, conducting community interviews, sending out fact sheets, conducting public forums, responding to significant public comments, etc. The goal is to keep the community informed, work with the community on long term land use, develop a plan for limiting exposure to residents, address aesthetic concerns, and coordinate with the County on planned work. The community involvement plan will be a short document, approximately five pages, describing how the community outreach will occur and the document can be updated throughout the process. The agencies hope to submit a draft to the Commissioners at one of the July meetings. It will also be available on the EPA website.

Blood Lead Level Testing: Nevada Health Centers continues to conduct the free blood lead level testing on behalf of NDEP and EPA. They provide a quarterly report and no testing was conducted during January, February, and March. Seven people were tested during the previous quarter, five of which were children. Of those, one child had an elevated level which resolved once the family's yard was cleaned up.

Public Comment: At this time the Chairman invited public comment. Dale Bugenig asked what percentage of the current stockpile of excavated material is in the 100-year flood plain (identified by FEMA) and whether the flood plain was considered when evaluating the temporary storage sites. His concern is that the stockpile is upstream of the alluvial aquifer that is a source of water supply to the Town of Eureka and Eureka has historically had significant floods.

Mr. Dunkelman noted that drainage issues were considered and he promised to obtain an answer regarding the flood plain. Mr. Lovato added that tests were conducted that showed the contaminants don't leach out into water sources. Direct contact with soil and dust particles are the main means of human contamination. This fact will be noted in the final EE/CA.

Properties Sampled by Eureka County: The EPA requested data from soil sampling conducted by Eureka County and the Board agreed. Commissioner Ithurralde motioned to approve the EPA's request to obtain copies of soil sampling data compiled on behalf of Eureka County related to lead and arsenic levels on County owned properties; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Soil Testing of County Owned Properties: EPA created a spreadsheet of County owned properties they are interested in collecting soil data on. County Assessor, Michael Mears, created a map identifying those properties. Mr. Dunkelman explained that criteria for assessing and selecting the properties is outlined in the EPA's Superfund Lead-Contaminated Residential Sites Handbook and focuses on properties where exposure to children is most likely to occur. District Attorney Beutel asked for clarification whether the EPA would expect the County to fund cleanup of County owned properties that the EPA deems are in need of mitigation. Mr.

Dunkelman reiterated that the EPA is not interested in pursuing the County for any costs related to field work and cleanup.

Mr. Dunkelman agreed to compare the property list compiled by EPA against the properties already tested by Eureka County and return to the next meeting with an updated list. Commissioner Ithurralde motioned to table the EPA's request for access to select County properties to conduct soil sampling, and to continue the discussion at the May 19th meeting; Commissioner Sharkozy seconded the motion; motion carried 3-0.

HEALTH INSURANCE ADVISORY COMMITTEE

Quote for Community Health Screening: Health Insurance Committee Chair, Kim Todd, reported that a quote was obtained from Nevada Health Centers to conduct a community health screening (tentatively scheduled for June 26th). NVHC's quote included a finger-stick blood test, body mass index, lung function, height/weight, thyroid assessment, smoking cessation, blood pressure, and vision testing. NVHC indicated they could not provide the full venous blood draw. NVHC's quote was \$71.00 per participant, which is \$2.00 more than St. Mary's cost for comprehensive health screening which included the venous blood draw. (St. Mary's can no longer provide off-site health fairs due to restrictions in the Affordable Care Act).

The Commissioners were disappointed that NVHC would not offer the venous blood draw which provides a much broader range of testing. They felt the cost was substantial for the limited services provided. Commissioner Ithurralde motioned to deny the quote from Nevada Health Centers to conduct a community health screening; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Humana Dental Termination Letter: Commissioner Ithurralde motioned to sign the termination letter to Humana Dental effective June 30, 2014; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Guardian Application for Group Dental: Commissioner Ithurralde motioned to sign the application to Guardian for group dental insurance effective July 1, 2014; Commissioner Sharkozy seconded the motion; motion carried 3-0.

St. Mary's Health Plan Large Group Renewal Election Form: Commissioner Ithurralde motioned to sign the Large Group Renewal Election Form with St. Mary's Health Plan effective July 1, 2014, for the plans selected during the April 21st meeting; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Open Enrollment: Ms. Todd announced that open enrollment meetings will be held at the Opera House on May 12th and May 13th. Due to the changes in plans, everyone will be required to complete an enrollment form for Fiscal Year 2014-2015.

MEDICAL CLINICS ADVISORY COMMITTEE

Update on Medical Clinics: Garney Damele, Chair of the MCAC, reported that Dr. Michael Wells, DO, began seeing patients at the Eureka Medical Clinic in mid-March. NVHC is sending a provider to the Austin Clinic one day per week, but is still maintaining the minimum number of providers at the Eureka County clinics. Ms. Damele reported that the Eureka Clinic typically sees 698 patients per quarter (467 by providers and 231 by Medical Assistants) and they were on track with that average during the past quarter. The Crescent Valley Clinic typically sees 228 per quarter (133 by providers and 95 by Medical Assistants) and they were slightly above that average during the past quarter. Ms. Damele expects the number of patients at the Eureka Clinic will increase now that a permanent physician is in place.

NVHC Performance Audit: On May 1st the MCAC conducted the quarterly performance audit of NVHC for January, February, and March. They recommended that a \$300.00 penalty be assessed for a default in provider availability. Two complaints were received regarding situations where the on-call provider did not provide service at the clinic. One complaint was

verbal and one was submitted by letter. The Committee elected to only assess a penalty for the incident on which they received written confirmation.

Following the May 1st meeting, Ms. Damele contacted Monica Taylor, COO for NVHC to discuss the performance audit. Ms. Taylor felt NVHC needed more time to respond to the issue. Commissioner Ithurralde motioned to table action related to the performance audit of Nevada Health Centers until the May 19th meeting to allow time for a response from NVHC; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Quarterly Report on Medical Providers: The Committee reviewed quarterly reports from Rehab Services of Nevada and Clay Poplin, LCSW, and found everything to be in compliance with the contracts. Ms. Damele noted that Mr. Poplin will be moving out of state at the end of his current contract period which ends on June 30th.

RFQ for Family Counselor: The Committee advertised a Request for Qualifications for a family counselor. In addition to publication in three newspapers, RFQs were mailed to 16 counselors. No responses were received other than a thank you letter from one of the professionals. The Commissioners concurred that this service will sunset effective June 30, 2014.

NVHC Housing Lease: Lease of the two medical provider houses to NVHC has been working quite well. The Committee recommended extending the lease for another year. Commissioner Ithurralde motioned to renew the housing lease with Nevada Health Centers for the period of July 1, 2014, through June 30, 2015; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Exam Table/Chair: Ms. Damele relayed that Dr. Wells stated a need for an exam chair to accommodate elderly and injured patients who are unable to get onto the exam tables without assistance. Dr. Wells obtained a quote from Hill Laboratories. Commissioner Ithurralde motioned to approve purchase of a new exam table/chair for the Eureka Clinic in the amount of \$3,700.00 to be purchased in the current fiscal year; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Procedure for Equipment, Furniture, & Fixture Purchases for Clinics: The County currently owns the furniture and most of the equipment at the two medical clinics. The Committee recommends that the County continue the practice of owning these items, but feels a purchasing policy should be established. NVHC has requested direction on how purchases should be made. Each County department is required to complete an inventory/asset list each year and these are maintained in the Recorder's office. The Committee believes it would be beneficial for NVHC to participate in this process, especially now that base inventories have been established by the walk-throughs conducted at each clinic.

The Committee endorses a purchasing policy that would require NVHC to submit capital outlay requests early in the budget process, and possibly at other times for unforeseen items, with the subsequent purchase made only upon approval by the Commissioners. Commissioner Ithurralde motioned that the County continue with the policy of purchasing and maintaining ownership of equipment, furniture, and fixtures for the medical clinics, with adherence to the purchasing policy outlined by the MCAC. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Digital X-Ray Machine: Following multiple phone calls and a lot of footwork by Ms. Damele, a technician from Merry X-Ray will be at the Eureka Clinic on May 13th to address the issue with the digital x-ray machine, which has been unable to transmit images electronically for several months. The Commissioners requested that Ron Damele meet with the parties as well to ensure that this issue is finally resolved.

NVHC FY 2014-2015 Contract: Ms. Damele presented the final recommendations from the Committee related to the Fiscal Year 2014-2015 contract with Nevada Health Centers. Representatives of the Committee and Commissioner Ithurralde will meet with NVHC on May 7th to review the contract changes. The Committee recommended continuing with the current

contract amount of \$778,500.00. Ms. Damele noted that the contract amount has been status quo with the last major annual increase of \$250,000.00 occurring when provider coverage in Crescent Valley was increased to three days per week.

Commissioner Ithurralde motioned to accept the contract changes recommended by the MCAC and to approve the allocation of \$778,500.00 for the Fiscal Year 2014-2015 contract with Nevada Health Centers. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

CLERK & TREASURER

Investment Consultant: Clerk & Treasurer, Beverly Conley presented the contract with John Wahrenbrock for investment consulting services for a one-year period. Commissioner Ithurralde motioned to approve the investment consultant contract with John Wahrenbrock for the period of May 6, 2014, through May 6, 2015, not to exceed \$5,000.00. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

District Courtroom Upgrades: Ms. Conley explained that the District Courtroom is in need of replacement drapes and chair and bench cushions at a cost of approximately \$10,000.00. Ron Damele stated that these items can be covered under the Public Works budget for building maintenance and Board approval is not required.

RECESS FOR LUNCH

The Board recessed for lunch from 12:10 to 1:00 p.m.

NATURAL RESOURCES

Natural Resources Manager, Jake Tibbitts, reported on recent activities. He attended and moderated the N6 Grazing Board meeting in Austin on April 23rd, which had over 100 people in attendance; traveled to Carson City on April 25th for the Nevada Land Management Task Force meeting; participated in the cooperating agency conference call with the BLM on the Midway Gold Rock Project; toured the Dean Ranch and Frenchie Flat areas around Crescent Valley to inspect the medusahead rye infestation (Mr. Tibbitts was shocked to see the overpopulation of feral horses in that area, with a conservative estimate of 2,000+ horses); attended the County Advisory Board to Manage Wildlife meeting on May 1st; and attended the Firewise Community Days in Eureka on May 2nd and in Crescent Valley on May 3rd.

Upcoming Meetings: Upcoming meetings include the Living With Fire event at the Opera House that evening; a webinar on May 7th hosted by the National Association of Conservation Districts regarding Waters of the US and the rulemaking process of the EPA and Corps of Engineers; the Eureka Conservation District meeting on May 7th; the Diamond Natural Resources Protection & Conservation Association the evening of May 7th, which will include a presentation by Catherine Hansford of Hansford Economic Consulting; the Humboldt River Basin Water Authority meeting on May 9th in Winnemucca, along with a meeting prior to HRBWA with representatives from several County Commissions and the Nevada Mining Association; a Natural Resources Advisory Commission meeting on May 14th; a State Conservation Commission meeting on May 16th; and a rally in Battle Mountain on May 17th to protest the BLM's drought policy.

Medusahead Inventory & Treatment Plan: Mr. Tibbitts presented a draft agreement with Jim Evans of Basin & Range Resources, LLC, to complete a medusahead inventory and treatment plan for Crescent Valley, not to exceed \$15,000.00. The Diamond Valley Weed Control District Board of Directors approved this to be funded from the District budget and 50% of the cost (\$7,500.00) will be reimbursed through a grant from the Humboldt Watershed Cooperative Weed Management Area. The outbreak of medusahead in Eureka County is increasing and Mr. Tibbitts explained that the first step is to complete an extensive inventory of the affected basin and then develop a treatment plan based on that inventory. This will be done

in conjunction with the Conservation District, Cooperative Extension and the BLM on the Lander County side of the basin.

Commissioner Ithurralde motioned to approve entering into an agreement with Basin & Range Resources, LLC, to complete a medusahead inventory and treatment plan for the Crescent Valley area, not to exceed \$15,000.00. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

BLM Grazing Decisions Affecting Eureka County: Mr. Tibbitts updated the Board on the BLM's heavy-handed management and utilization of incomplete drought information to impose grazing restrictions. The County recently resubmitted concerns to the BLM over these arbitrary and unjustified grazing decisions. A recent email from the District Manager of the Battle Mountain District BLM basically stated they are not going to allow grazing of any riparian areas during the summer months. The BLM continue to use the US Drought Monitor as a basis for these decisions although the Monitor itself publishes a disclaimer noting that their data is broad-based and local conditions may vary.

Mr. Tibbitts compiled data that shows precipitation through the end of April is 94% of average in Diamond Valley. The Snotel site in the southern end of Diamond Mountains shows 85% of average through April 30th. With the late storms last season, grass production this year is above average. These are all facts that are not taken into consideration by the US Drought Monitor.

Letter to BLM Outlining Wild Horse Management Concerns: Mr. Tibbitts drafted a letter to the BLM (US Department of the Interior Secretary, Sally Jewell; BLM Acting Director, Neil Kornze; and Nevada BLM State Director, Amy Lueders) outlining concerns over the mismanagement of wild horses affecting Eureka County. The letter reiterates the impacts on resources, private lands, and fully appropriated water sources. It cites mismanagement of the Diamond Complex as an example and asks the BLM to take immediate action.

Commissioner Ithurralde motioned to send the letter to the BLM outlining concerns and issues with wild horse management affecting Eureka County and demanding immediate action by the BLM; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Response to BLM & Forest Service on Greater Sage-Grouse EIS: A letter was received from the BLM and US Forest Service stating that the proposed plan on the Greater Sage-Grouse EIS has been postponed until mid-May. In an earlier letter they requested the various counties to "provide specific information regarding the consistency of the Proposed Plan Amendment with your respective... County Plans," with a two-week deadline once the proposed plan is received. Mr. Tibbitts wanted the record to reflect that although the Memorandum of Understanding with the BLM says they will work with the County to allow 15 working day comment periods, they have never done so; and they are again allowing only two weeks for review of and comment on an approximately 1,000 page document.

Withdrawal of Protest on Application 82105: Eureka County protested Application 82105 submitted to the State Engineer by McEwen Mining for the water supply for their Gold Bar Project. Mr. Tibbitts thanked McEwen Mining and Jim Smithson, Environmental Manager, for meeting with him and Dale Bugenig regarding the project and water issues and working to remove the impacts and reach a solution with area water rights holders. Based on this, he recommended that the County withdraw their protest.

Commissioner Ithurralde motion to withdraw the protest on McEwen Mining Application 82105 submitted to the State Engineer and to provide direction to staff to complete the legal processes necessary to withdraw the protest; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Letter to McEwen Mining: Mr. Tibbitts and Dale Bugenig will continue to work with McEwen Mining and will submit a comment letter for consideration and incorporation regarding two documents, Technical Memorandum Updated Water Supply Evaluation & Impact Analysis and the Gold Bar Plan of Operations. Mr. Tibbitts commented that it is unfortunate that the BLM

does not want to have the County involved in projects until late in the process, which results in the County providing comments once much of the documentation is written. He again commended McEwen Mining's willingness to work with the County and share these documents.

Commissioner Ithurralde motioned to direct staff to draft a letter to McEwen Mining providing comments for consideration and incorporation regarding the Technical Memorandum Updated Water Supply Evaluation & Impact Analysis and the Gold Bar Plan of Operations. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

UNIVERSITY OF NEVADA COOPERATIVE EXTENSION

Update on Crescent Valley Community Development Implementation Plan: Extension Educator, Fred Steinmann, provided a brief update on his involvement with the Working Committee for the Crescent Valley Community Development Implementation Plan. A survey for economic development and community assessment was developed and is being distributed. Following data collection an analysis will be completed and a publication will be drafted. Public forums, workshops, and presentations will be provided as the Implementation Plan progresses.

Proclamation Declaring May 8th UNCE Day: Dr. Steinmann presented a proclamation recognizing May 8th as the centennial of the signing of the Smith-Leer Act, which established the extension work of land grant universities in the US. Commissioner Ithurralde motioned to adopt a proclamation declaring May 8, 2014, as University of Nevada Cooperative Extension Day in Eureka County; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Alternative Irrigation Study & Field Demonstration Project: Dr. Steinmann has been working closely with Jay Davison, Alternative Crops & Forage Specialist with UNCE to draft the proposed Irrigation Study and Demonstration Project for Diamond Valley. Dr. Steinmann and Mr. Davison described the project. The plan is to test three pivots, two alfalfa and one timothy grass. This three-year study has four primary components: identification of testing control pivots and installation of low elevation sprinkler heads; training and implementation of more efficient center pivot operation for the test pivots; monitoring of soil moisture at various depths beneath test control pivots and non-test control pivots to determine seasonal water savings; and training for growers and irrigators through field days, workshops, and materials.

Breakdown of the project cost is \$44,130.00 for year one; \$3,497.00 for year two; and \$3,497.00 for year three. Year one is the highest due to equipment and materials purchase and installation. Commissioner Ithurralde motioned to approve the Alternative Irrigation Study & Field Demonstration Project for Diamond Valley, not to exceed \$51,124.00 over a three-year period, to be paid from the UNCE cash reserve/rollover fund; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Biochar Field Study & Demonstration Project: Dr. Steinmann introduced Curt Robbins, Assistant Research Engineer with Desert Research Institute, who he has been working closely with for several months. UNCE has also been working with Eureka County Natural Resources, Nevada Department of Agriculture, US Department of Agriculture Research, Nevada Department of Wildlife, and the Eastern Nevada Landscape Coalition to continue administration of a three-year Biochar Field Trial & Demonstration Project currently in progress at Barrick Ruby Hill Mine and a proposed project in Diamond Valley. A \$75,000.00 Conservation Innovation Grant is funding the bulk of research currently underway, as well as the test boxes at Ruby Hill and preliminary work in Diamond Valley related to biochar production.

UNCE is funding \$35,000.00 towards these efforts, which supports two interns from the University of Nevada to undertake an in-depth study of biochar throughout North America and other countries and to complete two publications. One publication will address the economic feasibility of development of a biochar industry in Eureka County. Production of biochar itself is not proving economically feasible due to the market price; however, production of other byproducts such as bio-oil and bio-gas do have potential. Estimates of the pinyon-juniper encroachment in Eureka County show a 100-year reserve for bio-oil and bio-gas production.

Task 1 for this project will consist of an assessment of Ameron Energy's pyrolysis process, specifically focusing on potential for refinement and use of bio-oil and bio-gas. Task 2 will consist of soil and plant growth studies utilizing biochar. Each task will cost \$45,000.00.

Commissioner Ithuralde motioned to approve the Biochar Field Study & Demonstration Project at Ruby Hill Mine and in Diamond Valley in conjunction with Desert Research Institute, not to exceed \$90,000.00, to be paid from the UNCE cash reserve/rollover fund; Commissioner Sharkozy seconded the motion; motion carried 3-0.

FISCAL YEAR 2013-2014 BUDGET

This item was tabled to the next meeting due to the Budget Officer being called away for an ambulance run.

CORRESPONDENCE

Correspondence was received from: Connie Hicks; District Attorney, Ted Beutel (2); Administrative Legal Secretary, Toni Wright; Clerk & Treasurer, Beverly Conley; Executive Assistant, Jackie Berg; Eureka County Planning Commission; Medical Clinics Advisory Committee; Firewise Community; Living With Fire; University of Nevada Cooperative Extension, Fred Steinmann (2); MolyBits Messenger; Crescent Valley Town Advisory Board (3); Lumos & Associates (2); Summit Engineering; Nevada Assoc. of Counties (2); Elko County Board of Commissioners; Tri County Meeting; State Historic Preservation Office; Nevada Div. of Welfare & Supportive Services; Nevada Dept. of Transportation; Trails West, Inc.; National Assoc. of Counties; In God We Trust America, Inc.; American Lands Council; US Dept. of the Interior-BLM; and USDA Forest Service & USDI BLM.

PUBLIC COMMENT

Chairman Goicoechea called for public comments; there were none.

ADJOURNMENT

The meeting was adjourned at 2:35 p.m.

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