

**EUREKA COUNTY BOARD OF COMMISSIONERS**

**May 6, 2019**

STATE OF NEVADA        )  
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COUNTY OF EUREKA     )

**CALL TO ORDER**

The Board of Eureka County Commissioners met pursuant to law on May 6, 2019. Present were Chairman J.J. Goicoechea; Vice Chair Michael Sharkozy; Commissioner Rich McKay; 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**

Chairman Goicoechea announced that several agenda items would be taken out of order. Two changes were requested on the agenda – the resignation date for the County Treasurer was changed to July 7<sup>th</sup>, the date reflected in her letter; and the 4<sup>th</sup> item under the IT section was increased by \$10,000.00. Commissioner Sharkozy motioned to approve the agenda with those changes; Commissioner McKay seconded the motion; motion carried 3-0.

**PUBLIC COMMENT**

Chairman Goicoechea opened the floor for public comments.

Diamond Valley resident, Billy Norton, stated that approximately five years earlier the Eureka Producers Cooperative was instrumental in establishing the Diamond Valley Agricultural Sustainable Trust. The Trust was initially funded with \$25,000.00 from General Moly and will receive additional funding when the Mount Hope Project goes into production. *(Note: Due to recent settlement agreements and conclusion of the public comment period on the Draft Supplemental EIS for the Mount Hope Project, General Moly anticipates a Record of Decision later this year.)*

Mr. Norton explained that the Trust is ready to move forward with appointment of Trustees. Pursuant to the by-laws Trustees must consist of: two members of the Co-op, two agricultural water rights holders in Diamond Valley, a representative of General Moly, and optionally a representative of Eureka County. Mr. Norton was before the Commissioners to request that they consider selecting a County representative to serve as Trustee.

Chairman Goicoechea agreed to place the request on the next agenda for consideration. He asked Mr. Norton to provide a copy of the by-laws to the County for review by the Board and the District Attorney prior to the next meeting.

**APPROVAL OF MINUTES**

April 19, 2019: Commissioner Sharkozy motioned to approve minutes of the April 19, 2019, meeting; Commissioner McKay seconded the motion; motion carried 3-0.

**VETERINARY CLINIC LEASE**

Lease Renewal Discussion: The County leases property on Main Street in Eureka to Darla Bauman, DVM, for the Eureka Veterinary Clinic, LLC. The current lease will expire on June 30, 2019. Public Works has been working with Ms. Baumann to negotiate a lease renewal. The drafted Lease Agreement proposes an initial three-year term beginning July 1<sup>st</sup> and one additional two-year term, with no lease option beyond the five years, which ends on June 30, 2024. The new Lease includes a rent schedule gradually increasing the monthly rate from \$100.00 to \$250.00.

Ms. Baumann expressed concern that there is no lease option beyond the five-year period.

Chairman Goicoechea responded that the County has done major repairs on the building in the past and may need to in the future, creating a liability associated with a building that the County no longer has a need to retain. The Chairman felt the preferred option would be for Ms. Baumann to consider purchasing the building.

Commissioner McKay felt the County should work with Ms. Baumann to include a purchase option in the Lease, adding that having a veterinary clinic in town is a great benefit to the residents.

Ms. Baumann said she would be interested in purchasing the building if the building was inspected and the price was reasonable, but she is concerned that the price may be too high and she will be forced to vacate the property in 2024.

All parties engaged in a discussion and the Board proposed that the Lease language be amended to include a purchase option. This will involve the County obtaining an appraisal, a building inspection, and holding one or more public hearings. If purchased, all rents paid under the new lease will be credited towards the purchase price.

Commissioner Sharkozy motioned to amend the proposed Lease Agreement for 180 S. Main St. in Eureka to include an option for lessee to purchase the property, and for the County to take the proper steps to obtain an appraisal, an inspection, and determine sales price, with any rents paid under the Lease credited towards the purchase. Commissioner McKay seconded the motion. Motion carried 3-0.

## **COUNTY COMPTROLLER**

Payment of Expenditures: Expenditures were presented for approval by Assistant Comptroller, Kim Todd. Commissioner Sharkozy motioned to approve expenditures in the amount of \$393,909.06 for accounts payable, \$289,883.07 for payroll and retiree related expenses, \$38,678.90 for a pass-through tax allocation to the School District, \$7,509.91 for a pass-through to the State Controller, \$499.63 for a pass-through to the Department of Taxation, \$185.00 for a pass-through to the Washoe County Sheriff's Office, \$50.00 for a pass-through to the Division of Minerals, and \$5,519.29 for Yucca Mountain expenses, for a grand total of \$736,234.86. Commissioner McKay seconded the motion. Motion carried 3-0.

Fund Balance Report: The Board reviewed the current Fund Balance Report.

## **COMMISSIONERS**

Award Presentation: On behalf of Nevada POOL/PACT, the Chairman presented an award to Comptroller, Maureen Garner, and Assistant Comptroller, Kim Todd, for successful completion of the Human Resources Assessment Phase One Program for Fiscal Year 2018-2019.

Letter of Resignation: A letter of resignation was received from Treasurer, Beverly Conley, explaining that, for personal reasons, she is unable to serve the remainder of her term. In her letter, Ms. Conley expressed appreciation for her co-officials, coworkers, and the citizens of Eureka County. Chairman Goicoechea acknowledged that Ms. Conley is a good friend, has been great for Eureka County, and he hates to see her go.

Commissioner Sharkozy motioned to accept the resignation of Beverly Conley as Eureka County Treasurer, effective July 7, 2019; Commissioner McKay seconded the motion; motion carried 3-0. Upon passage of the motion, everyone in the room honored Ms. Conley with a standing ovation.

Advertise Interim Position: Commissioner Sharkozy motioned to advertise to fill the interim position of elected Treasurer/Public Administrator, combined with the appointed position of Public Guardian, with a deadline of 5:00 p.m. on June 5, 2019, to receive letters of interest. Commissioner McKay seconded the motion. Motion carried 3-0.

This interim position will serve through January 4, 2021. Pursuant to NRS 245.170, this position will be up for election in 2020 to fill the remaining two years of a four-year term through January 2, 2023.

Wild Horse & Burro Proposal: At the last meeting, the Chairman announced release of a proposal, *“The Path Forward for Management of BLM’s Wild Horses & Burros.”* The proposal, created by a diverse group of stakeholders, has been submitted to the BLM and is currently before Congress with an appropriations element.

Since its release, there has been a lot of media buzz, with many groups publicly supporting the plan, and pushback from other groups. Chairman Goicoechea felt much of the pushback was due to miscommunication and misperception, particularly concerning the fertility controls. A summit will be held in Reno at the end of the month, and many of the concerns will be addressed.

As a side-note, the Chairman said population numbers of horses on the range were recently released. After typically seeing annual increases of 20% to 25%, this past year showed an increase of only 6-7%, indicating that gathers do slow the reproductive rate, since over 11,000 horses were gathered last year

Sagebrush Ecosystem Program: The temporary mitigation regulations were adopted by the Sagebrush Ecosystem Council at their April 29<sup>th</sup> meeting. These regulations will require compensatory mitigation, utilizing the Conservation Credit System in the State Plan, when sage grouse habitat is disturbed on federal or State lands. The proposed amendments exempting certain disturbances related to public safety, roads, infrastructure, fire, etc. were adopted as well.

Legislative Updates: Assessor, Michael Mears, and Chairman Goicoechea briefly discussed SJR14, the bill that would reset depreciation and the abatement upon sale of property. The sponsor of the bill, Senator Julia Ratti, approached NACO for support in adding a mechanism that would move some of the revenue away from counties and direct it towards education. Mr. Mears spoke with the Senator on May 3<sup>rd</sup>, and she now feels it won’t even get a hearing.

Chairman Goicoechea has concerns over a prevailing wage bill that would affect rurals by changing the thresholds that dictate when prevailing wage must be paid. He continues to work with staff and NACO on tracking water related legislation.

Sheriff Watts informed that the Nevada Sheriffs’ and Chiefs’ Association is working with some Assemblymen to get a five-year elected officials’ salary bill before the Legislature, since the current one is only through Fiscal Year 2018-2019. Feedback so far has been positive.

## **AMBULANCE & EMS**

Collection Services: EMS Director, Kenny Sanders, presented an agreement with Valley Collection Service, LLC, to engage an account manager to work on collection of ambulance bills that are delinquent in excess of six months. This company is used by other municipalities, including Eureka Justice Court. Valley Collection Service adds a surcharge to the delinquent bills as its fee, so there is no cost to the County.

Commissioner McKay motioned to approve an agreement with Valley Collection Service, LLC, for collection of delinquent ambulance accounts; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Provider Agreement: Health Services Integration, Inc. (EMS’s contracted billing service), forwarded an updated Provider Agreement with Anthem Blue Cross & Blue Shield. As preferred provider, Eureka County EMS agrees to accept payments according to the insurance company’s compensation schedule. District Attorney, Ted Beutel, reviewed the agreement and although Anthem retains the right to amend the agreement, this triggers the County’s right to opt out.

Commissioner Sharkozy motioned to approve the updated Provider Agreement between Eureka County EMS and Anthem Blue Cross & Blue Shield; Commissioner McKay seconded the motion; motion carried 3-0.

## **FTN FINANCIAL MAIN STREET ADVISORS**

Investment Manager: Gregory Balls, CFA, Portfolio Manager & Analyst, with FTN Financial was in attendance to review economic trends and provide an update on Eureka County’s portfolio.

Mr. Balls commented that he has enjoyed working with Ms. Conley very much, noting that her decision to dispense with several investment managers and to consolidate investments under one manager was a very beneficial move for Eureka County.

Economy & the Portfolio: FTN watches economic signals, such as consumer spending and US businesses, when planning the County's portfolio. Mr. Balls stated they are seeing potential slowdowns in the economy, but not at a recession level. The GDP (gross domestic product) is one of the primary indicators used to gauge the health of the economy, and it is in a general but mild downward trend right now. There are concerns that the economy is slowing globally as well.

Another economic signal is employment rate. The US has had 103 consecutive months of positive job growth, the longest on record since 1939. Weekly unemployment claims are at the lowest point in 50 years. Mr. Balls noted there are more job openings than unemployed, indicating that the deficit is due to a skills gap. Although employment rates are stronger, inflation is not rising, so FTN does not expect the Federal Reserve to raise interest rates and believes they will stay low for a longer period.

US Budget Deficit: Mr. Balls explained another reason the interest rates will likely remain low is the level of US national debt, which is over \$22 trillion. Current net interest is at \$358 billion, and although the Federal Reserve is not political, it is cognizant that a rise in interest rates would increase that amount exponentially.

Investment Strategy: Mr. Balls explained how these factors, among others, are taken into consideration when determining the "yield curve" on investments, which is strategically purchasing securities at interest rates that will provide the highest yield at different maturity dates. Since Eureka County doesn't have an immediate need for the investment capital, it allows FTN to invest further out on the curve to capture a higher yield, while continuing the strategy of staggering maturity dates. Mr. Balls noted that Eureka County will earn over \$1 million in interest earnings this fiscal year. Earnings from July 2018 to the end of March 2019 are over \$940,000.00 (compared to \$600,000.00 during that same timeframe last fiscal year).

## **SHERIFF**

Staff Introductions: Sheriff Jesse Watts introduced new Deputies Shelly Harter, Rodney Baker, Andrew Uder, and Tyler Thomas. The Commissioners welcomed them to Eureka County.

Out-of-State Travel: Sheriff Watts explained that computer voice stress analysis (CVSA) is used as an investigative tool and also for pre-employment screening. The Sheriff's Office has been dependent on White Pine County for CVSA, since nobody in Eureka is currently certified. Undersheriff James Clark has been scheduled for training in Utah and needs travel authorization.

Commissioner McKay motioned to authorize out-of-state travel for Undersheriff Clark to attend Computer Voice Stress Analysis training July 15<sup>th</sup>-19<sup>th</sup> in Salt Lake City; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Axon Enterprises Agreement: Sheriff Watts obtained competitive quotes for body cameras (required by law), in-car dash cameras, and tasers. He explained that the existing equipment is outdated with parts no longer available, and there isn't enough equipment for current staff. He recommended entering into an agreement with Axon Enterprise for 14 tasers, 14 body cameras, and 10 dash cameras. Under the agreement, the vendor will replace all equipment in 2 ½ years and again in five years, and securely stores automatically uploaded videos for a three-year period.

Commissioner McKay motioned to enter into a five-year Master Services & Purchasing Agreement with Axon Enterprise, Inc., for Axon Body Camera System, Taser ECD System, and Fleet In-Car Video System, for a total of \$190,958.68 over the term of the five-year contract, with the initial year's cost of \$22,358.68 shared between capital outlay in the Sheriff's budget and the Capital Projects Fund. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

**TREASURER**

Delinquent Tax Notices: Treasurer, Beverly Conley provided the Affidavit of Mailing of delinquent tax notices for real property parcels. A total of 234 first-year, 60 second-year, and 28 third-year delinquent tax notices were mailed.

Tax Delinquent Properties Auction: The Tax Delinquent Properties Auction was conducted on April 24<sup>th</sup>, with a total of 15 parcels offered for sale. Ms. Conley thanked Ron Damele for stepping in as auctioneer at the last minute, when the scheduled auctioneer was ill. All 15 properties sold with total receipts of \$22,059.24. After deduction of all taxes and fees, a total of \$11,991.96 will be held as excess proceeds 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 24, 2019; Commissioner McKay 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 with the County Recorder and to deliver said Quitclaim Deeds to purchasers of the properties sold at the April 24<sup>th</sup> auction; Commissioner McKay seconded the motion; motion carried 3-0.

SUMMARY: Return of Sale of Trust Property

WHEREAS, the Board of County Commissioners of Eureka County, Nevada, on the 22<sup>nd</sup> day of January, 2019, 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 the *Eureka Sentinel*, a newspaper published within the County of Eureka, State of Nevada, and posted as required by NRS 361.595 and the 2019 Order of the Board of Commissioners Directing the County Treasurer to Offer All Tax Delinquent Properties for Sale, said property was sold at public auction on the 24<sup>th</sup> day of April, 2018, beginning at 1:00 o’clock p.m. of said day in the Courtroom of the Eureka County Courthouse, Eureka County Nevada, in pursuance of said Order of Sale; and

WHEREAS, at said sale the property described in the Reconciliation of Tax Auction Held April 24, 2019, attached hereto was sold to the persons or entities listed for the total sum of Twenty-Two Thousand Fifty-Nine Dollars and Twenty-Four Cents (\$22,059.24), 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 6<sup>th</sup> day of May, 2019, 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 Treasurer

Excess Proceeds from Prior Year’s Auction: Ms. Conley reported that \$15,822.18 in excess proceeds was held in trust from the Tax Delinquent Properties Auction held the previous year on April 17, 2018. One valid claim was received by the one-year deadline for four parcels and the claimant was paid \$6,599.11, leaving a balance of \$9,223.07, which was transferred to the General Fund.

## **ROAD DEPARTMENT**

**Report on Activities:** Jayme Halpin, Road Equipment Operator III, reported on Road Department activities. Crews have been very busy contending with all the moisture received in April. The southern crew worked on 3 Bars Road, JD Ranch Road, Grass Valley Road, Antelope Road, Railroad, and numerous roads in Diamond Valley. The northern crew bladed the Town of Crescent Valley, Cortez Road, Dann Road, Spa Road, Geothermal Road, Palisades, and have started on Maggie Creek Road.

Washouts were repaired on Railroad, Mustang Road, and Cottonwood Bypass. A culvert was installed on Cottonwood to avoid future washouts and a plugged culvert on Mustang will be cleared once the water quits running.

## **PUBLIC WORKS**

**Public Works Update:** Public Works Director, Ron Damele, reported on Public Works projects and activities. All utility systems are in good working order. Respirator fit tests will be done in Eureka on May 14<sup>th</sup> and in Crescent Valley on May 15<sup>th</sup>. The Franchise Agreement with Hoss Disposal has been renewed for an additional three months; tipping fees at the Landfill will be waived during the extension. Public Works has been assisting Prophecy Development in establishing an estimate to upgrade portions of the Fish Creek Road (both paved and dirt).

**Environmental Protection Agency:** The EPA has returned to Eureka to resume cleanup activities. Mr. Damele and consultant, Abby Johnson, are working on a 'Responsible Party' matrix for the Eureka Smelter Site Institutional Control Plan. This will help the County, School District, Nevada Division of Environmental Protection, and EPA understand their assigned responsibilities.

**X-ray Fluorescence Analyzer:** Under the ICP, when property owners within the Townsite of Eureka wish to move dirt, Public Works will test the soil for potential lead and arsenic contamination. An X-ray Fluorescence Analyzer is needed to efficiently and properly do this. Public Works will receive training from the vendor in Carson City and will obtain a permit from the Department of Health before operating the analyzer.

Commissioner McKay motioned to approve purchasing a Niton XL5 Soils Analyzer from ThermoFisher Scientific, not to exceed \$39,485.00, utilizing capital outlay funds in the Public Works budget. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

**Sheriff's Office Radio System:** Mr. Damele continues working with the Galena Group on the County's communication network and an update to the communications plan. The first phase is to upgrade the Sheriff's radio system from analog to digital/analog. The digital component will allow encrypted communications. The dual system will allow the Sheriff and his staff to switch to analog when maximum range is needed. The second phase of the upgrade will occur next spring when in-car repeaters are installed in the Sheriff's vehicles.

Mr. Damele obtained a quote from Western States Enterprises with discounted radio prices utilizing the Northeast Association of State Transportation contract.

Commissioner Sharkozy motioned to approve a quote from Western States Enterprises to upgrade the Sheriff's Office portion of the County radio system to FCC P-25 compliance, for an amount not to exceed \$81,457.50, utilizing monies budgeted for radio repeater upgrades in the Capital Projects Fund. Commissioner McKay seconded the motion. Motion carried 3-0.

**Slag Pile Work/Fencing:** Mr. Damele obtained a time and materials quote from EQM (Environmental Quality Management, Inc.) for minor grading, slope stabilization, ditch armoring, and fence installation on the County-owned portion of the Richmond Consolidated Slag Pile adjacent to the Administrative Facility. The EPA originally planned to cap the slag piles, but has agreed that this is acceptable mitigation. Costs will be equally shared with the Nevada Division of Environmental Protection. The slag pile on the other end of town is on private property and the EPA has agreed to bear the cost to fence it.

Commissioner Sharkozy motioned to accept the proposal from EQM, Inc., for work on the County-owned portion of the Richmond Consolidated Slag Pile, for an estimate of \$344,203.69, with costs equally shared by Eureka County and Nevada Division of Environmental Protection, with the County's portion paid from contract services in the Public Works budget. Commissioner McKay seconded the motion. Motion carried 3-0.

Waste Collection Rate Sheet & County Subsidy: The County is negotiating a Franchise Agreement with Olcese Waste Services, with an anticipated start date of August 1<sup>st</sup>. Mr. Damele provided a proposed rate sheet that would encourage the public to use the service and would subsidize the waste company for start-up costs necessary to begin serving Eureka County.

For example, monthly rates for a 96-gallon residential cart will be \$15.00 in year one, \$20.00 in year two, \$25.00 in year three, \$30.00 in year four, and \$32.00 in year five. Commercial carts and other services are similarly priced with gradual rate increases. To help the company recoup start-up costs, Eureka County will pay monthly subsidies of \$15,000.00 the first three years, \$14,000.00 in year four, and \$13,000.00 in year five, after which the subsidy ends.

Chairman Goicoechea acknowledged that the subsidy is steep, but he has bigger concerns about what happens in areas that don't have reliable garbage service. Garbage begins showing up everywhere; this in turn increases ravens and other predators. The Chairman has testified about the proactive things Eureka County does for sage grouse, including ensuring that all residents have access to garbage service.

Commissioner McKay motioned to approve the five-year rate sheet for commercial and residential waste collection by Olcese Waste Services, including the County-paid subsidy as described for the initial five-year period. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

## **EUREKA RESTORATION ENTERPRISE & EUREKA BUSINESS NETWORK**

Donation for Portable Stage: Garney Damele with Eureka Restoration Enterprise, Cher Hayward with Eureka Business Network, and Joelle McKay with Cooperative Extension and 4-H Youth Development, were in attendance to request a donation of \$7,500.00 to purchase a portable stage. The ladies named several annual events that the stage would be used for and said there is interest from other groups as well. They agreed that, as long as groups are willing to transport and return the stage, they will be welcome to use it, including groups in Crescent Valley.

Ms. Damele described the 12'x20' stage, which comes in 4'x4' blocks with adjustable legs for use on uneven ground. Steps and a trolley are included and she has secured a garage on Main Street where it can be stored.

Commissioner McKay recused himself from taking action on this item as he is a member of the Eureka Business Network.

Commissioner Sharkozy motioned to donate \$7,500.00 from the Eureka Activities Fund to Eureka Restoration Enterprise and Eureka Business Network for purchase of a portable stage; Chairman Goicoechea seconded the motion; motion carried 2-0. It was requested that the check be paid to Eureka Restoration Enterprise.

## **IT / NETWORK**

Update Report: IT Manager, Misty Rowley, reported on IT projects and activities. The expressway communication project is complete. Gust Electric is finalizing the cable drops, and Rory Jackson will be in Eureka soon to help complete wireless equipment installation in County facilities. NNE Construction will be in Eureka later in the month to do the fiber connections at the NDOT yard. Application was made to integrate the CAD system at the Detention Facility with the State system. Planning has begun for next year's fiber projects.

Network Rack for Sheriff's Office: Ms. Rowley explained that the existing network rack at the Sheriff's Office is old and has no cable management. If approved, the new rack should arrive in time for NNE Construction to do the installation while they are in Eureka.

Commissioner McKay motioned to authorize purchase of a network rack from CDW-G for the Sheriff's Office, not to exceed \$3,600.00, to be paid from capital outlay in the Sheriff's budget; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Network Switch for Crescent Valley Road Shop: Quest provided a quote for a network switch, related equipment, and licenses for the Crescent Valley Road Shop. Commissioner Sharkozy motioned to approve the quote from Quest for purchase of network switch equipment, hardware, and licensing for the Crescent Valley Road Shop, in the amount of \$5,604.69, with the licensing fees paid from repairs/maintenance in the Buildings & Grounds budget and the network equipment paid from capital outlay in the Technology Support budget. Commissioner McKay seconded the motion. Motion carried 3-0.

Interactive Audio/Video Equipment: Ms. Rowley noted that the County can joiner onto another agency's contract with Quest for reduced services, so the \$10,000.00 added when the agenda was approved will not be needed.

Ms. Rowley is working with Quest on complete replacement of the interactive audio/video equipment in the Commission Chambers and the Crescent Valley Town Center Boardroom. The current equipment is obsolete and beyond end-of-life. The new system will have upgraded capabilities and allow for connections outside of the County's network. Quest expects to complete the installation by June 30<sup>th</sup>.

Commissioner McKay motioned to approve purchase of audio/video equipment necessary to upgrade the Commission Chambers and the Crescent Valley Town Center Boardroom utilizing monies augmented to the General Fund for capital outlay, in an amount not to exceed \$190,000.00. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Cooperative Agreement: Ms. Rowley presented a Cooperative Agreement between Eureka County and other entities for the shared fiber connection to be installed at the NDOT yard in Eureka. The Agreement establishes each parties' responsibilities concerning installation, ownership, maintenance, and operation of fiber optics and communication equipment.

Commissioner Sharkozy motioned to enter into a Cooperative Agreement with the State of Nevada Department of Transportation and Eureka County School District concerning the shared fiber connection at the NDOT yard in Eureka. Commissioner McKay seconded the motion. Motion carried 3-0.

## **FISCAL YEAR 2019-2020 BUDGET**

Landfill: Based on the subsidy approved earlier in the meeting for Olcese Waste Services, Chairman Goicoechea asked for a motion to increase contract services in the Landfill tentative budget. Commissioner McKay motioned to increase contract services in the Landfill budget from \$100,000.00 to \$200,000.00 for Fiscal Year 2019-2020. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

District Court: Clerk Recorder, Lisa Hoehne, requested an increase in the District Court budget, explaining that an assessment notice received from Child Protective Services was \$1,700.00 more than what was budgeted. In examining the District Court budget, the Chairman noted several categories that have had substantial remaining balances in recent years, so he asked Ms. Hoehne to work with Ms. Todd to move \$1,700.00 from one or more of those line items.

Building Operation & Maintenance Reserve Fund: Mr. Damele stated he is dealing with a significant building issue and won't have a cost estimate for several more weeks. He felt an additional \$200,000.00 would be sufficient for the upcoming year, since the issue must be resolved in phases. Ms. Todd explained that the Reserve Fund is intended for large, and often unforeseen, building issues and has an ending fund balance of over \$5 million.

## **NATURAL RESOURCES**

**Report on Activities:** Natural Resources Manager, Jake Tibbitts, reported on recent activities. The Firewise Community Days in Eureka on May 3<sup>rd</sup> and in Crescent Valley on May 4<sup>th</sup> were great events. Between the two events, there were close to 300 attendees.

**Upcoming Meetings:** The Natural Resource Advisory Commission will meet on May 8<sup>th</sup> and Barrick representatives will be there to talk about their joint venture and to get feedback from NRAC on various issues. NRAC will also discuss the proposed Silver State Trail in White Pine County. The Humboldt River Basin Water Authority is meeting on May 10<sup>th</sup> in Winnemucca. The Central Nevada Regional Water Authority is meeting on May 17<sup>th</sup> in Carson City.

**Silver State Trail EA:** Mr. Tibbitts explained that an Environmental Assessment was completed on the proposed Silver State Trail in White Pine County. The White Pine County Commission originally requested this, envisioning a north-south route connecting to the Silver State Trail in Lincoln County. But other groups got involved, including OHV (off-highway vehicle) enthusiasts, and the EA instead considered an extensive trail system. This has raised a lot of concerns related to ranching, wildlife, mining, private property, and RS2477 road issues. Many of these were not properly vetted in the EA. Mr. Tibbitts noted that no new trails or roads will be built in the area, which is already open to OHVs, and this will just add another layer of federal oversight.

Another primary issue is lack of coordination with Eureka County. Natural Resources sent a letter to the Ely District BLM in late January requesting coordination on development of the EA. The letter was ratified and adopted by the Commissioners on February 6<sup>th</sup> with notice provided to the BLM, but no response was ever received. Then in early April, the White Pine County Silver State Trail Preliminary EA was released to the public with a comment deadline of June 4<sup>th</sup>.

Mr. Tibbitts will follow-up with the Natural Resources Advisory Commission and County Advisory Board to Manage Wildlife, as both groups are opposed to this trail system. He will provide comments at the next meeting, incorporating their concerns, so they can be approved and submitted by the deadline.

Chairman Goicoechea added that the Nevada Cattlemen's Association has voiced strong opposition to this in its entirety, and he believes Elko County has many of the same concerns.

**Wild Horse Issues:** Mr. Tibbitts relayed that several years earlier the County appealed the BLM's gather decision for the Fish Creek HMA (Horse Management Area) trying to force a full gather and to prevent the BLM from returning treated horses to the HMA. The County involved the State BLM office and met with BLM officials on the national level as well. One major continuous issue has been the numerous water hauls to these horses.

Ranchers who hold grazing permits must comply with the BLM's regulations and policies and are only authorized to do temporary water hauls (no more than 30 days) under certain conditions following environmental analysis of the area. Yet for these horses, the Battle Mountain District BLM has been placing troughs and hiring contractors to haul water on a regular basis, even bringing in water from sources outside the HMA. The Battle Mountain BLM even drafted an EA in an attempt to make these water hauling locations permanent.

The County's involvement with BLM officials on the State and national level brought attention to the issue and the local districts are now having to comply with their own regulations. On May 1<sup>st</sup>, the County received a public interest letter from the Mount Lewis Field Office in the Battle Mountain District stating that if an emergency situation develops and action is required for humane treatment of horses, temporary water hauls will be authorized, but will last no more than 30 days.

Mr. Tibbitts prepared a response letter stating the County appreciates the BLM following its own regulations and policies, noting that this was not done in the past. It states that the County does not support hauling water to horses except when absolutely necessary to avoid emergency conditions, and it reasserts the County's request for an immediate gather of excess horses in the Fish Creek HMA.

Mr. Tibbitts and Chairman Goicoechea acknowledged that the BLM has been working with them on a solution for the Fish Creek HMA and there is a preliminary but promising commitment that the HMA will be gathered to low AML (appropriate management level) this upcoming fall.

Commissioner Sharkozy motioned to approve sending a letter to the BLM Mount Lewis Field Office in response to their public notification letter about authorizing temporary water hauls in emergency situations. Commissioner McKay seconded the motion. Motion carried 3-0.

Hiring Freeze Waiver: Mr. Tibbitts submitted a Hiring Freeze Waiver Justification, requesting authorization to hire a Department Assistant because the current employee has accepted a position in the Comptroller's office. He thanked the Comptroller's office for allowing flexibility in the schedule to provide some overlap for training once a replacement is hired.

Commissioner Sharkozy motioned to waive the hiring freeze and authorize the Natural Resources Manager to fill the position of Department Assistant; Commissioner McKay seconded the motion; motion carried 3-0.

### **CORRESPONDENCE**

Correspondence was received from: Jeremy Rice; Treasurer, Beverly Conley; Asst. Comptroller, Kim Todd; Natural Resources Manager, Jake Tibbitts; EMS Director, Kenny Sanders; Natural Resources Advisory Commission; Diamond Mountain FFA sponsored blood drive flyer; Crescent Valley Town Advisory Board; Crescent Valley VFD; N4 Grazing Board; Nevada Assoc. of Counties (2); Humboldt River Basin Water Authority; Allison MacKenzie; Nevada Dept. of Transportation; Nevada Dept. of Business & Industry; Nevada Div. of Environmental Protection; and EPA comments on the Mt. Hope Project Draft Supplemental EIS.

### **PUBLIC COMMENT**

Chairman Goicoechea called for public comments; there were none.

### **ADJOURNMENT**

Commissioner Sharkozy motioned to adjourn the meeting; Commissioner McKay seconded the motion; the meeting was adjourned at 12:40 p.m.

*Approved by vote of the Board this 20<sup>th</sup> day of May, 2019.*

/s/ J.J. Goicoechea, DVM

J.J. Goicoechea, Chairman

*I, Jackie Berg, Commissioner Clerk, attest that these are a true, correct, and duly approved minutes of the May 6, 2019, meeting of the Board of Eureka County Commissioners.*

/s/ Jackie Berg

Jackie Berg, Commissioner Clerk

*I, Lisa Hoehne, Clerk Recorder 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/ Lisa Hoehne

Lisa Hoehne, Clerk Recorder