

EUREKA COUNTY BOARD OF COMMISSIONERS

May 7, 2018

STATE OF NEVADA)
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COUNTY OF EUREKA)

CALL TO ORDER

The Board of Eureka County Commissioners met pursuant to law on May 7, 2018. Present were Chairman J.J. Goicoechea; Vice Chairman Michael Sharkozy; Commissioner Fred Etchegaray; District Attorney, Ted Beutel; and Commissioner Clerk, Jackie Berg. The meeting was called to order at 9:30 a.m. and began with the Pledge of Allegiance. The interactive video conferencing system was connected and utilized between Crescent Valley and Eureka for the entire meeting.

APPROVAL OF AGENDA

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

PUBLIC COMMENT

Chairman Goicoechea called for public comments.

Ray Bailey of Pine Valley addressed the Board regarding a protest Eureka County filed against one of Barrick's water rights applications. Mr. Bailey and others recently met with representatives of Barrick and were told that Eureka County was planning to withdraw the protest. Mr. Bailey strongly urged the County to continue the protest, adding that he felt northern Eureka County, particularly Pine Valley, should have been included in the protest points.

Mr. Bailey stated that Barrick's existing mining activity in the area has already affected the waters in Pine Valley. When they met, Barrick shared statistics showing they are already dewatering close to 30,000 gallons a minute. Mr. Bailey stated any new projects will just increase the effects in years to come. At Mr. Bailey's request, the State has agreed to visit Pine Valley and investigate springs and creeks that are not flowing this year.

Mr. Bailey concluded by stating waters in Pine Valley need to be studied to determine what is causing the drawdown. He asked that Eureka County include and meet with the Pine Valley residents before making any decisions regarding withdrawing the protest.

APPROVAL OF MINUTES

April 20, 2018: Commissioner Etchegaray motioned to approve minutes of the April 20, 2018, meeting; Commissioner Sharkozy seconded the motion; motion carried 3-0.

COUNTY COMPTROLLER

Payment of Expenditures: Expenditures were presented for approval by Comptroller, Maureen Garner. Commissioner Etchegaray motioned to approve expenditures in the amount of \$212,909.15 for accounts payable, \$241,914.35 for payroll, \$5,111.91 for a pass-through tax allocation to the School District, \$12,163.57 for a pass-through to the State Controller, \$640.00 for a pass-through to the Division of Minerals, \$81.75 for a pass-through to the Department of Taxation, and \$8,891.13 in Yucca Mountain expenditures, for a grand total of \$481,711.86. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

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

COMMISSIONERS

EMS Director Job Description: There was a brief discussion on the EMS Director job description, which had been accepted by Nevada POOL/PACT Human Resources. Several EMTs

were present and relayed they were satisfied with the requirements discussed. Pediatric life support was listed as a required skill and Chairman Goicoechea clarified that this training is provided to all Advanced EMTs. No changes to the job description were requested.

Commissioner Sharkozy motioned to approve the Emergency Medical Services Director job description; Commissioner Etchegaray seconded the motion; motion carried 3-0.

EMS Director Compensation: Chairman Goicoechea stated that a base salary should be set for the position of EMS Director, with the ability to negotiate an appropriate salary commensurate with experience and qualifications. In addition to salary, this position will receive the same benefits package as other at-will employees.

Commissioner Etchegaray motioned to set the minimum salary for the EMS Director at \$45,000.00 with the stipulation that the Board can increase the amount depending on experience and qualifications. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Hiring Freeze Waiver: Commissioner Etchegaray motioned to waive the hiring freeze and to begin advertising for the position of EMS Director; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Interview Panel: The Board considered who should conduct interviews with applicants for the position of EMS Director in order to make a recommendation to the Commissioners regarding top candidate(s).

Commissioner Etchegaray motioned to appoint an Interview Panel made up of five members, as follows: Chairman Goicoechea representing the Commissioners; Public Works Director, Ron Damele; a person from the Comptroller's office (determined by their staff), a member of the Medical Clinics Advisory Committee (determined by the Committee); and an EMS professional (recommended by the State EMS Office). Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Eureka Canyon Townhome Apartments: Chairman Goicoechea explained that McEwen Mining had approached the County with a possible interest in purchasing the Eureka Canyon Townhomes. An item was placed on the agenda for the County to consider entering into an earnest money agreement, which would allow McEwen Mining the opportunity to evaluate the property. Chairman Goicoechea invited comments and questions related to this item.

David Clark presented a number of questions and comments and expressed concern that sale of the townhomes could affect the value of other homes in the area.

Chairman Goicoechea responded to each question. He assured Mr. Clark that any agreements or sales will require formal action in a public meeting where the public has the ability to voice their concerns. The Chairman added that from the time the County acquired the property (over a year and a half earlier), no other party has indicated any interest in purchasing the townhomes. This was confirmed by his fellow Commissioners.

Commissioner Etchegaray motioned to enter into an earnest money agreement to allow McEwen Mining Nevada time to evaluate the potential benefits of purchasing the townhome apartments at the Eureka Canyon Subdivision. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

ROAD DEPARTMENT

Report on Activities: Assistant Public Works Director, Raymond Hodson, reported on recent activities. All roads in the vicinity of US Highway 50 have been bladed. Numerous roads in Diamond Valley were bladed and the 6th street hauling and blading project was completed. The JD Ranch Road, Grass Valley Road, Horse Canyon Road, and Buckhorn Road were bladed. Barrick is assisting by providing two water trucks on the JD Ranch Road. A blade has been moved to the Antelope Road.

In northern Eureka County, Palisade Road, Barth Road, Rose Ranch Road, and Dry Hills Road were bladed. Blades are currently working around Frenchie Flat and Maggie Creek.

The spray truck has been out treating weeds and has completed all paved roads in Crescent Valley, roads in Diamond Valley, Fish Creek Road, the sewer ponds, and other facilities and buildings.

The first Free Dump Day on May 5th had a good response. An extra dumpster had to be hauled to the Crescent Valley Laydown Yard to contain everything.

PUBLIC WORKS

Public Works Update: Senior Administrative Assistant, Joyce Jeppesen, reported on Public Works projects and activities. All utility systems are in good working order. The *Plain Talk* newsletter was mailed in April. Flyers were sent out for the Free Dump Days, which will be every Saturday in May at the Eureka Landfill and the Crescent Valley Laydown Yard. Ms. Jeppesen reminded everyone that the County is no longer doing curbside pickup.

Fire Departments: Preventive maintenance will be done on all fire trucks in preparation for the season. Members of the Pine Valley VFD will receive Red Card refresher training for wildland firefighting at the Hay Ranch on May 17th.

Parks: Water has been turned on at all parks for the season, in Eureka and Crescent Valley.

Facilities: Work on the concession stand at the Eureka Fairgrounds is nearly complete. The Swimming Pool had 436 swimmers in March and April. Six individuals are taking private swimming lessons. Three new lifeguards and two attendants were hired, and the attendants will train to become lifeguards.

The Sentinel Museum has received over 50 artifacts already this year. Museum Manager, Ree Taylor, is working on a military exhibit, refreshing two other exhibits, and completing several research projects. The Museum had 298 visitors in March and April.

The Opera House had 1,015 visitors in March and 364 in April. Attendance at meetings and events accounted for most of the visitors, since tourist walk-ins were down while staff had to be away.

Casual Equipment Operator I: Public Works submitted a Hiring Freeze Waiver form justifying the need to fill a casual position. This 29 hour per week position was budgeted for Fiscal Year 2018-2019. Commissioner Etchegaray motioned to waive the hiring freeze and authorize hiring a Casual Equipment Operator I for the Road Department, to begin on or after July 1, 2018; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Resolution Accepting Sewer Easements: Ms. Jeppesen noted that the resolution presented is applicable to nine privately owned lots in the Town of Eureka, specific to Parcel Map Nos. 0206144, 0206145, 0207036, and Grant of Easement recorded as document number 2018-234909. Any additional connections to this mainline must be approved by Eureka County.

Commissioner Sharkozy motioned to adopt the Resolution Accepting for Dedication Certain Private Sewer Easements, Mainline, and Appurtenances as Eureka Town Sewer Line within Portions of Ridgetop Road and Archimedes Street. Commissioner Etchegaray seconded the motion. Motion carried 3-0.

Eureka, Nevada

May 7, 2018

RESOLUTION

ACCEPTING FOR DEDICATION CERTAIN PRIVATE SEWER EASEMENTS, MAINLINE, AND APPURTENANCES AS EUREKA TOWN SEWER LINE WITHIN PORTIONS OF RIDGETOP ROAD AND ARCHIMEDES STREET

WHEREAS, Eureka County has been offered the following private sewer easements, mainline, and appurtenances to dedicate as County easements, mainline, and appurtenances:

Sewer easement, six inch sewer mainline, manholes, and appurtenances as offered for dedication on Parcel Map No. 0206144, Section 14, T19N R53E, more specifically Parcel Nos. 1, 2, and 3 of said Parcel Map,

and that 10 foot portion of sewer easement, six inch sewer main line, and appurtenances along the south side of Archimedes Street as shown on said same map.

Sewer easement, six inch sewer mainline, manholes, and appurtenances as offered for dedication on Parcel Map No. 0206145, Section 14, T19N R53E, more specifically Parcel Nos. 1, 2, and 3 of said map.

Sewer easement, six inch sewer mainline, manholes, and appurtenances as offered for dedication on Parcel Map No. 0207036, Section 14, T19N R53E, more specifically Parcel Nos. 4, 5, and 6 of said map.

Sewer easement, six inch sewer mainline, manholes, and appurtenances as offered for dedication by Grant of Easement recorded on April 18, 2018 as document number 2018-234909.

WHEREAS, these sewer easements, six inch sewer mainline, manholes, and appurtenances are located within the Townsite of Eureka and are connected to the Eureka Town Sewer system;

WHEREAS, these connections are applicable to the 9 lots identified on the above listed Parcel Maps and any additional connections to this mainline must be approved in writing by Eureka County prior to installation;

WHEREAS, the County has recently inspected the above-referenced sewer easements, six inch sewer mainline, manholes, and appurtenances and found them to be acceptable and in accordance with County standards;

NOW THEREFORE BE IT RESOLVED that Eureka County hereby accepts a perpetual right and easement to construct, operate, add to, modify, maintain, and remove an underground sanitary sewer line and all appurtenant facilities upon, over, under, and through the property legally described and generally depicted on the above referenced documents.

Adopted this 7th day of May, 2018.

Ayes: Goicoechea, Sharkozy, Etchegaray

Nays: None

Absent: None

/s/ J.J. Goicoechea, DVM

Chairman of the Board

Eureka County Commissioners

Attest: /s/ Jackie Berg
Commissioner Clerk

Residential Water Services: Commissioner Sharkozy motioned to approve the application for a 3/4-inch residential water service at 581 Ridgetop Road, APN 001-01-228, in the Town of Eureka; Commissioner Etchegaray seconded the motion; motion carried 3-0.

Commissioner Sharkozy motioned to approve the application for a 3/4-inch water service at 645 Sharrow Circle, APN 007-380-62, in District #1 of the Devil's Gate GID; Commissioner Etchegaray seconded the motion; motion carried 3-0.

COUNTY ASSESSOR

Appraiser I: Assessor, Michael Mears, submitted a Hiring Freeze Waiver justifying the need to fill a position in his office that was vacated three years earlier and not filled due to attrition. The software conversion has intensified the need for this position and Mr. Mears felt this qualified it to be budgeted from the Assessor's Technology Fund for an initial two years. After that time, he will be in a better position to evaluate the staffing needs of his office.

Commissioner Sharkozy motioned to waive the hiring freeze and authorize hiring an Appraiser I to begin on or after July 1, 2018, and to initially be funded from the Assessor's Technology Fund. Commissioner Etchegaray seconded the motion. Motion carried 3-0.

COUNTY RECORDER

Deputy Casual Worker: Recorder, Lisa Hoehne, provided a Hiring Freeze Waiver form requesting authorization to fill the recently vacated casual position in her office. This position was budgeted for both the current and upcoming fiscal years.

Commissioner Sharkozy motioned to waive the hiring freeze and authorize hiring a Deputy Casual Worker for the Recorder's office, as provided for in the current year's budget and the Fiscal Year 2018-2019 budget. Commissioner Etchegaray seconded the motion. Motion carried 3-0.

NATURAL RESOURCES

Report on Activities: Natural Resources Manager, Jake Tibbitts, reported on recent activities. The Groundwater Management Plan meeting was on April 24th and the group feels they are ready to move forward with gathering signatures on the petition. A public meeting will be held 6:00 p.m. on June 5th at the Opera House to give a formal presentation on the plan.

Mr. Tibbitts traveled to Elko on April 25th to attend the Bureau of Mining Regulation & Reclamation hearing on proposed regulation changes. The County Advisory Board to Manage Wildlife met on April 26th. The Central Nevada Regional Water Authority met in Eureka on April 27th. The Diamond Valley Rodent Control District Board met on April 30th and decided to request updated rodent control plans from Diamond Valley landowners and agreed to offer rebates to those who have been implementing control measures.

Eureka Restoration Enterprise hosted an open house on May 2nd at the Opera House for a discussion on trails, simply to determine what is available locally. In late May, Great Basin Institute will have two interns in the area to begin creating an inventory of the trails. The Natural Resources Conservation Service's Elko/Eureka County Local Work Group met in Eureka on May 3rd. Firewise Community Days were held in Eureka on May 4th and in Crescent Valley on May 5th.

Upcoming Meetings: Upcoming meetings include a Nevada Collaborative Conservation Network meeting in Elko on May 8th-9th; the Natural Resources Advisory Commission meeting on May 9th; and the Eureka Conservation District on May 15th.

Weed Spraying: Contract weed spraying will begin around the County on May 10th.

Sage Grouse: The public Draft EIS (for the Nevada & Northeastern California Greater Sage-Grouse Preliminary Draft Resource Management Plan Amendment) was released with a 90-day public comment period. Comments are due by August 2nd.

FRTC Modernization: The Preliminary Draft EIS for the Fallon Range Training Complex Modernization will be issued to Cooperating Agencies in mid-May, with a 30-day comment period.

Comments to NDEP Tabled: Mr. Tibbitts asked that an item be tabled until the next meeting because the wrong project had been listed on the agenda. Commissioner Etchegaray motioned to table the agenda item concerning a proposed Water Pollution Control Permit; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Barrick Cortez Deep South Project: The Administrative Draft EIS for the Deep South Project has been provided to Cooperating Agencies with a comment deadline of May 16th. Mr. Tibbitts and Dale Bugenig, Consulting Hydrogeologist, are in the process of reviewing the document. Comments will be submitted by the deadline and provided to the Board for ratification at the next meeting.

Commissioner Sharkozy motioned to approve sending comments to the BLM on the Barrick Cortez Deep South Expansion Project Administrative Draft EIS; Commissioner Etchegaray seconded the motion; motion carried 3-0.

Mining Regulations: The Nevada Division of Environmental Protection, Bureau of Mining Regulation & Reclamation, recently held several hearings regarding proposed changes to mining

regulations (NAC 445A and NAC 519A). Mr. Tibbitts attended the hearing in Elko on April 25th. His primary concern was a proposal to eliminate the ‘small miner’ exemption. It was revealed during the hearing that the Legislative Counsel Bureau removed that language because ‘small mining operation’ is defined by law (NRS 519A.120). The Bureau of Mining Regulation & Reclamation intends to pursue a change to the statute.

Mr. Tibbitts noted that comments are due by May 11th on the proposed regulation changes and will be addressed by the Natural Resources Advisory Commission at their May 9th meeting. The Chairman requested that NRAC review any proposed legislation as it comes forward and advise if formal action is needed.

NRAC Vacancy: Since there are two interested parties, Mr. Tibbitts suggested getting a recommendation from NRAC regarding appointment to the vacant seat representing wildlife interests. The Board agreed to await a recommendation before taking action.

FISCAL YEAR 2018-2019 BUDGET

Adjustments to Tentative Budget: The Board provided direction to Assistant Comptroller, Kim Todd, regarding final changes to the budget. Another \$250,000.00 is needed to drill an exploratory well in Kobeh Valley. The Board decided to budget this in the Capital Projects Fund utilizing a portion of the unbudgeted balance in the Water Mitigation Fund.

The Board agreed to increase travel and training from \$6,000.00 to \$12,000.00 in the Ambulance budget. The ambulance services are in need of volunteers and several community members have shown an interest in being trained as EMTs. Interested parties can submit a request to the Ambulance Coordinator who can present it to the Board for approval.

The budget for the Assessor’s Technology Fund needed to be increased to support the Appraiser I position. Mr. Mears recommended budgeting an additional \$50,000.00 from the fund balance. He can supplement this with monies already budgeted in the fund to make sure the salary and benefits are fully covered.

Commissioner Etchegaray motioned to make the following adjustments to the Fiscal Year 2018-2019 budget as discussed: increase the Capital Projects Fund by \$250,000.00 with a transfer from the Water Mitigation Fund, increase travel and training in the Ambulance budget by an additional \$6,000.00, and increase the Assessor’s Technology Fund by \$50,000.00. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

PUBLIC HEARING TO ADOPT BUDGET AUGMENTATION RESOLUTION

Notice of Public Hearing: Notice was given that a public hearing would be held at 11:00 a.m. on May 7, 2018, to hear public comments and take action on a resolution to augment the Fiscal Year 2017-2018 budget of the Eureka County Television District, in the amount of \$44,000.00, in order to appropriate funds received from excess revenues of the Television District.

Joint Meeting: This public hearing was a joint meeting with the Television District. In attendance were President Bill Leppala, members Jim Breitrack, Eldon Brown, and consultant, Dale Lotspeich.

Open Public Hearing: Chairman Goicoechea opened the public hearing and invited comments on the proposed budget augmentation. No comments were forthcoming.

Adopt Resolution: Commissioner Sharkozy motioned to adopt a resolution to augment the Fiscal Year 2017-2018 budget of the Eureka County Television District, in the amount of \$44,000.00, utilizing excess proceeds from the ending fund balance. Commissioner Etchegaray seconded the motion. Motion carried 3-0.

By unanimous action, the resolution was jointly adopted by the Television District Board.

BUDGET AUGMENTATION RESOLUTION
RESOLUTION FOR AUGMENTATION TO THE 2017-2018 BUDGET OF
EUREKA TELEVISION DISTRICT

WHEREAS, the revenues of the EUREKA TELEVISION DISTRICT FUND were budgeted to be \$607,875;

WHEREAS, said EUREKA TELEVISION DISTRICT FUND sources are as follows:

<u>Source of Revenue</u>	<u>Original Budget</u>	<u>Available YTD</u>	<u>Excess Revenues</u>	<u>Augment Amount</u>
Beginning Fund Balance	\$607,875	\$759,812		
Totals	\$607,875	\$759,812	\$151,937	\$44,000

WHEREAS, there is a need to apply these unanticipated proceeds in the EUREKA TELEVISION DISTRICT FUND to fund an improvement project located on Prospect Peak; and

Now, therefore, it is hereby RESOLVED, that Eureka County shall augment the FY 2018 expenditure budget for the Eureka Television District Fund; and

THEREBY increasing appropriations from \$607,875 to \$651,875; and

IT IS FURTHER RESOLVED, that the Comptroller's Office shall forward the necessary documents to the Department of Taxation, State of Nevada.

PASSED, ADOPTED, AND APPROVED the 7th day of May, 2018.

AYES: Goicoechea
Sharkozy
Etchegaray

NAYS: None
 By: /s/ J.J. Goicoechea, DVM
 Julian J. Goicoechea
 Chairman of the Board

AYES: Leppala
Breitrick
Brown

NAYS: None
 By: /s/ William B. Leppala
 William Leppala
 Chairman of the Eureka Television Board

ATTEST: /s/ Beverly Conley
 Beverly Conley, Clerk

CORRESPONDENCE

Correspondence was received from: Chad Bliss; Gail Ross; Barrick Cortez; Seventh Judicial District Court; Assessor, Michael Mears; Natural Resources Advisory Commission; Health Insurance Advisory Committee; Diamond Valley Rodent Control District Board; Free Dump Day flyer; Firewise Community Days flyer; Hick'ry Switch Band flyer; Eureka Downtown Cleanup flyer; Nevada Assoc. of Counties; William Bee Ririe Hospital, Matt Walker; Humboldt River Basin Water Authority; Nevada Dept. of Health & Human Services (2); Nevada Div. of Environmental Protection; Governor's Office of

Economic Development; Nevada Dept. of Business & Industry; Nevada Health Foundation; US Dept. of the Interior, BLM (2); and American Resources Council & Yavapai Regional Capital.

PUBLIC COMMENT

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

ADJOURNMENT

Commissioner Sharkozy motioned to adjourn the meeting; Commissioner Etchegaray seconded the motion; the meeting was adjourned at 11:43 a.m.

Approved by vote of the Board this 21st day of May, 2018.

/s/ J.J. Goicoechea

J.J. Goicoechea, Chairman

I, Jackie Berg, Commissioner Clerk, attest that these are a true, correct, and duly approved minutes of the May 7th, 2018, meeting of the Board of Eureka County Commissioners.

/s/ Jackie Berg

Jackie Berg, Commissioner Clerk

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

/s/ Beverly Conley

Beverly Conley, Clerk & Treasurer