

EUREKA COUNTY BOARD OF COMMISSIONERS

June 6, 2014

STATE OF NEVADA)
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COUNTY OF EUREKA)

CALL TO ORDER

The Board of Eureka County Commissioners met pursuant to law on June 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

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

PUBLIC COMMENT

Chairman Goicoechea opened the floor for public comments. County Assessor, Michael Mears, commented on the Robins Street Project. He publicly thanked the contractor, Legacy Construction & Development, for their coordination with the property owners and their efforts towards community relations. They have been quick, courteous, have kept a clean worksite, and worked especially hard to complete work near Mr. Mears home knowing that he had company arriving for graduation.

Dale Bugenig lives in the area of the construction and he echoed Mr. Mears' praise of the contractor and their employees.

Chairman Goicoechea concluded public comment by asking for a moment of silence, honoring the 70th anniversary of D-Day and in reverence to those who landed at Normandy on June 6, 1944. Commissioner Ithurralde added that VFW Post 8194 recently lost a member, Dale Conaway, who was a survivor of D-Day.

APPROVAL OF MINUTES

May 6, 2014, Commission Meeting: Commissioner Ithurralde motioned to approve the minutes of the May 6, 2014, Commission 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 \$844,561.41 for accounts payable, \$471,397.97 for payroll, and \$1,169,302.77 for a pass-through tax allocation to the School District, for a grand total of \$2,485,262.15; Commissioner Sharkozy seconded the motion; motion carried 3-0. Commissioner Sharkozy motioned to approve Yucca Mountain expenditures in the amount of \$4,703.95; Commissioner Ithurralde seconded the motion; motion carried 3-0.

Auditor's Report: The Board reviewed the Auditor's Report. Mr. Rebaleati noted that the net proceeds receipts and pass-through tax payment to the School District were reflected in the ending fund balances.

Recap of Changes to FY 2014-2015 Budget: In light of the final net proceeds projections received from the Department of Taxation, the Commission made several adjustments to the

budget during the May 19th meeting. Mr. Rebaleati provided a quick recap of these changes. Revenues for the upcoming fiscal will be an estimated \$13 million less than what was received the previous year, mostly due to net proceeds of minerals. The final balanced budget is \$11.8 million. Budgeted revenues, less net proceeds, are \$11,662,000.00 and budgeted expenditures are \$11,650,000.00. Expenditures were reduced throughout all departments. One major reduction was intergovernmental expense (grants out) which has been eliminated with the exception of the Conservation District. Chairman Goicoechea thanked Mr. Rebaleati for working hard to balance the budget with the marked decrease in revenues.

Current FY 2013-2014 Budget: Two more funds will be augmented prior to the end of the fiscal year: Agricultural Extension Fund and Eureka Town Water Sewer Fund. The resolution will be presented at the next meeting.

Discussion on SB 400: Mr. Rebaleati, Assessor Michael Mears, and Clerk & Treasurer Beverly Conley met with Lobbyist Steve Walker to discuss impending legislative changes in the taxation of mines and the possibility of introducing a BDR (bill draft request) to return net proceeds to a post-payment system from the current method of pre-payment. The Legislative Counsel Bureau continues to advise the Department of Taxation that distribution of net proceeds will be similar to the current dispersal, but will likely be termed an excise tax. Many view this as an unrealistic expectation.

The Board felt that proposal of a BDR was something that might be looked at by NACO and it would be more appropriate for NACO to pursue it with the County's support.

Update of Cemeteries in Eureka County: Mr. Rebaleati reported that Wally Cuchine has agreed to assist the Recorder/Auditor's office by providing information and compiling data to update the cemetery records and maps. Mr. Cuchine suggested that rather than being paid by the County, a laptop could be purchased for him to complete this project, at an estimated cost of \$1,700.00.

It was noted that the private cemeteries may be willing to contribute towards the cost since this project will benefit them as well. Commissioner Ithurralde motioned to table this item until Mr. Cuchine and Mr. Rebaleati can bring forth a more refined estimate for the cost of a laptop, needed software, and possibly mileage. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

NEVADA DEPARTMENT OF TRANSPORTATION

Introductions: Rudy Malfabon, Director of NDOT, and several other NDOT representatives were in attendance to present the annual work plan, including: Kim Wallin, State Controller and member of the NDOT Board of Directors; Andrew Soderborg of the Federal Highway Administration (FHWA); Kevin Lee, District Engineer (District 3); Boyd Ratliff, District Engineer (District 3); Mike Murphy, Assistant District Engineer (District 3); Randy Hesterlee, Assistant District Engineer (District 3); Jason Van Havel, Transportation Multimodal Planning; Rebecca Kapuler, Transportation Multimodal Planning; and Catherine Cuccaro, Transportation Multimodal Planning.

Funding: The current transportation bill, MAP-21, expires on September 30th and Congress is debating a new bill. Some legislators are fighting for an extension of the current bill. A funding shortfall has resulted from the decline in fuel tax revenues due to the trend towards fuel efficient vehicles. An emergency transfer from the General Fund will likely be needed to fund projects through the end of the federal fiscal year. There is a proposal to fund extension of MAP-21 by curtailing postal deliveries of bulk and junk mail on Saturdays, and it is estimated that this could fund an eight month extension. There are conversations about changing the fuel tax from a cents per gallon to a miles driven formula as a more long-term solution.

President Obama proposed a bill called Grow America Act with a significant increase for transportation funding (an additional 26% for highways), but hasn't identified how to pay for it.

Safety: NDOT continues with the Zero Fatalities Program implemented in Nevada in 2006. States are speaking up for more control of their own safety targets; what makes sense in Nevada might not work for another state.

Transportation Alternatives Program: Mr. Malfabon briefly mentioned TAP, the Transportation Alternatives Program, funded by a school initiative to provide scenic byways, recreational trails, sidewalks, etc. It has now gone to an annual ranking process, so projects can be submitted year-round but will only be considered in March of each year.

Road Relinquishments: NDOT worked with NACO and League of Cities to develop a process for road relinquishments that was fair to all parties. Legislation was adopted in the 2013 Legislative Session to improve this process, but it does include requirements for regulations and a formal and public process for the transfer of roads.

Statewide Transportation Improvement Program: Plans for the near future include development of an electronic Statewide Transportation Improvement Plan that can be updated and accessed through a website. A study of I-80 shows the need for additional passing lanes due to the heavy truck traffic, especially on some of the steep grades.

Eureka County Work Program: The Work Program is made up of three elements: annual work, short-range elements, and long-range elements. In March a \$7.8 million contract was awarded for the frontage road and bridge near Dunphy and that will be completed this year. Other items in the Work Program include extension of box culverts and electronic chain up signs. Long range projects include an airport road project and the Newmont Mine Road (State Route 766).

The Commissioners thanked NDOT for the repaving of State Route 306, but voiced concerns over the condition of State Route 278. Most of the deterioration is caused by the rumble strips incorporated several years ago. Some areas have large potholes that are becoming a significant safety hazard. The worst deterioration seems to be between the Sadler Brown Road and the Alpha area.

Kevin Lee noted that the budget for this year includes \$200,000.00 for remedial work and another \$2 million for overlay; approximately 30 miles of SR 278 has been identified for this work. This portion of the work program was not approved until May, so it wasn't included in the packet sent out earlier based on initial determinations.

Acceptance of STIP & Work Program: Commissioner Ithurralde motioned to accept the proposed Fiscal Year 2015 Eureka County Work Program and Statewide Transportation Improvement Program as presented by NDOT; Commissioner Sharkozy seconded the motion; motion carried 3-0.

SENIOR CENTERS

Update Report: Senior Center Site Directors, Millie Oram and Adell Panning, reported on their respective centers. In May, Eureka served 1004 meals and Crescent Valley served 702 meals. A total of \$7,167.50 was deposited for the month. The Eureka Senior Center held a dinner for Mother's Day and one is planned on June 12th for Father's Day. Bingo is scheduled in Eureka in conjunction with the Lions Club raffle on June 19th. Some of the funds raised help pay for travel to the annual Ms. Senior Nevada Pageant in Las Vegas. Ms. Panning and her staff completed the four-hour Food Safety Course. Results were sent to the Nevada Aging & Disability Services Division and all participants passed. Rehearsals continue for the Crescent Valley Follies scheduled for June 28th.

Grant Applications: Commissioner Ithurralde motioned to ratify grant applications to the Nevada Aging & Disability Services Division for the following: Nutrition Grant #07-000-04-24-14 for home-delivered meals in the amount of \$22,659.00 with a County match of \$3,255.00, and Nutrition Grant #07-000-07-13-14 for congregate meals in the amount of \$17,043.00 with a County match of \$1,733.00. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

COMMISSIONERS

Update Reports: Commissioner Ithurralde attended the Nevada Association of Counties meeting in Carson City on May 30th where counties were informed that Nevada Bighorns Unlimited and Crawford Cattle, LLC, joined NACO as co-plaintiffs in the lawsuit against the BLM on the Wild Horse & Burro Act. Commissioner Ithurralde also attended the Nevada Land Management Task Force meeting in Carson City on May 30th; and participated in several community events over the past couple of weeks, including impromptu announcing for one of the games at the Nevada State Softball Tournament.

Commissioner Sharkozy reported that he has been on vacation the past two weeks in Indiana and Florida and therefore had not attended any meetings.

Chairman Goicoechea attended a pre-season meeting with the Fire Chiefs, Undersheriff Logan, BLM, and Nevada Division of Forestry at the Opera House on May 21st; participated in a meeting with several BLM officials on May 21st (State Director Amy Lueders, Associate State Director Raoul Morales, and Mt. Lewis Field Office District Manager Doug Furtado and Field Manager Christopher Cook); attended the Natural Resources Advisory Commission meeting the evening of May 21st; participated in a conference call on May 23rd with the Public Lands Council regarding the BLM's prize initiative related to a concept to address overpopulation of wild horses; met with Holsinger Law on May 29th along with other County staff; attended the Nevada Land Management Task Force meeting on May 30th in Carson City; participated in a grass tour and photo/video shoot with Nevada Department of Agriculture in Eureka and Diamond Valley for '*Buy Nevada: promoting food and agriculture products made and grown in Nevada*'; interviewed with Bloomberg News on June 2nd regarding net proceeds and impacts to the counties; participated in a coordination meeting with the Battle Mountain BLM and Elko BLM on June 3rd in Carlin; attended a Department of Agriculture meeting broadcast in Elko on June 4th; has had several conversations with Gracian Uhalde, Chair of the N4 Grazing Board; and attended the Diamond Natural Resources Protection & Conservation Association meeting on the evening of June 3rd with a presentation from Steve Walker.

Later in the meeting, the Chairman was pleased to report that the N4 Grazing Board voted in their meeting of the same day to intervene in the NACO wild horse lawsuit against the BLM.

Hiring Freeze Resolution: The Recorder/Auditor and District Attorney are still working on the resolution outlining the hiring freeze and reduction in workforce. Commissioner Ithurralde motioned to table the hiring freeze resolution to the next meeting; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Medical Clinic Service Request Form: Garney Damele, Chair of the Medical Clinics Advisory Committee, provided a Medical Clinic Service Request Form which was created to streamline clinic services ordered by Eureka County for employees and volunteers, and to ensure that the proper department is billed. Commissioner Ithurralde motioned to direct department heads and supervisors to begin using the Medical Clinic Service Request Form, effective July 1st, when ordering services for employees or volunteers from the clinics managed by Nevada Health Centers. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Appointments to Medical Clinics Advisory Committee: Effective July 1st the Medical Clinics Advisory Committee will be reduced from a nine-member to a seven-member board. The Commissioners reviewed letters of interest for the restructured committee. Commissioner Sharkozy motioned to appoint Nona Kellerman as a Crescent Valley resident; Commissioner Ithurralde seconded the motion; motion carried 3-0. Commissioner Ithurralde motioned to appoint Melissa Fitzwater as a clinic user; Commissioner Sharkozy seconded the motion; motion carried 3-0. Commissioner Ithurralde motioned to appoint John Brown and Bob Stephenson as community members; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Remaining vacancies include two County employee seats and one community member seat. Commissioner Ithurralde motioned to table the remaining appointments to the next meeting; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Mutual Aid MOU with White Pine County Fire Protection District: District Attorney, Ted Beutel, prepared language for a Mutual Aid Memorandum of Understanding between Eureka County and White Pine County. White Pine suggested a few additions, but the Commissioners felt it should remain a basic agreement and didn't feel the changes were positive. The only correction needed was to indicate that White Pine County is a Chapter 474 Fire District under NRS. Commissioner Ithurralde motioned to accept the Mutual Aid MOU with White Pine County Fire Protection District, with no changes other than amending White Pine as a Chapter 474 Fire District, and to authorize the Chairman to sign it outside of the meeting upon approval by White Pine County. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

ROAD DEPARTMENT

Report on Activities: Road Department Superintendent, Raymond Hodson, reported on Road Department projects and activities. Crews continue blading roads throughout the County and will work on the Roberts Mountain area and Cottonwood Road next. Areas completed include Monitor Valley Road, Whistler Street, Bob Brown, Spring Valley Road, East Antelope Road, Union Pass, Sheep Creek Road, Fish Creek Summit, Grass Valley Road, McCluskey Creek Road, Mary's Mountain, Barth, Airplane Road, and roads around the cemeteries in preparation for Memorial Day. Mr. Hodson, Jamie Halpin, and Kelly Strain attended a dust control class in Elko. All road crew employees and mechanics attended the BLM wildland fire class on May 21st. A lot of participation in May Cleanup by residents of Eureka and Crescent Valley have kept crews very busy. One of the items disposed of in Crescent Valley was a complete single-wide trailer.

SALE OF APN 001-221-08

Amended Resolution for Sale of Property: During the May 19th meeting, the Board proposed an amended resolution regarding the sale of APN 001-221-08, a 7.68 acre lot in the Eureka Canyon Subdivision, to Raines LLC, in order to amend the sales price. Commissioner Ithurralde motioned to adopt the amended resolution for sale of APN 001-221-08 setting the value at \$8,000.00 per acre; Commissioner Sharkozy seconded the motion; motion carried 3-0. (*Resolution is attached and made a part of these minutes*).

PUBLIC HEARING FOR SALE OF APN 001-221-08

Public Hearing Regarding Sale & Price: Notice was given that the Commissioners would hold a public hearing to receive and consider public comments regarding the fair market value of 7.68 acres described as Parcel A on Document #0220732 filed July 2, 2012, as an official record of the Eureka County Recorder, and depicted on sheets 3 & 6 of 9, APN 001-221-08. Two appraisals were obtained and the Board resolved to sell this property to Raines LLC with managing members Lee A. Raine, Scott F. Raine, and Sylvia A. Raine.

The public hearing was opened. Two emails were received at an earlier meeting that supported this sale. Scott Raine commented that of the three values placed on the property (two appraised values of \$40,000.00 and \$154,000.00, and the County Assessor's valuation of \$56,871.00), he felt the Assessor's value was the most defensible. No other public comments were forthcoming.

Commissioner Ithurralde motioned to affirmatively set the sales price for APN 001-221-08 at \$61,440.00; Commissioner Sharkozy seconded the motion; motion carried 3-0. Commissioner Ithurralde motioned to execute a purchase agreement to move forward with the

sale to Raines LLC and to direct staff to open escrow for the sale of APN 001-221-08; Commissioner Sharkozy seconded the motion; motion carried 3-0.

CLERK & TREASURER

Investment Management Agreement: Clerk & Treasurer, Beverly Conley, noted there have been some reporting issues with Contango Capital Advisors, Inc. Funds have always balanced and all monies are accounted for, but after meeting with Nevada State Bank, she agrees with their recommendation to move the funds from Fidelity to Zions Trust. Commissioner Ithurralde motioned to authorize the Treasurer and Recorder/Auditor to sign a new Investment Management Agreement with Contango to facilitate moving custody of Eureka County securities from Fidelity to Zions Trust and to include an opt-out letter to circumvent sharing of private information. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

US EPA & NDEP

Soil Testing of County Owned Properties: Tom Dunkelman, US Environmental Protection Agency, was in attendance, and Greg Lovato and Jeff Collins of Nevada Division of Environmental Protection joined the conversation by phone. The EPA is interested in testing certain County owned properties for lead and arsenic levels as discussed in previous meetings. Per direction at the May 19th meeting, County Assessor Michael Mears created a map depicting the properties. Mr. Dunkelman explained that the property list was updated to remove one property covered with a chip seal, to remove four properties under the jurisdiction of the District Judge, and to add an area behind the Administration/Annex Building because of its proximity to the former Richmond Smelter.

PP Name	PL Name	APN	Address
TANK SITE	EUREKA COUNTY	001-022-18	FIRE BREAK <i>ONLY</i>
SWIMMING POOL	EUREKA CO (POOL)	001-052-01	200 SHERIDAN ST
EUREKA PARK	EUREKA CO (PARK)	001-103-04	41 N BUEL ST
EUREKA LIBRARY	EUREKA CO (LIBRARY)	001-121-05	80 S MONROE ST
EUREKA VET CLINIC	EUREKA CO (EU VET)	001-124-06	180 S MAIN ST
BALL PARKS	EUREKA CO (BIG BALL PARK)	001-171-20	10 TANNEHILL RD
PARKING/RESTROOMS-BALLPARK	EUREKA CO (LL PARKING)	001-171-21	30 TANNEHILL RD
PHYSICIAN ASST RESIDENCE	EUREKA CO (DR'S HOUSE)	001-187-03	351 WELL ST
EUREKA CO ROAD EASEMENT	EUREKA COUNTY	001-193-02	NEAR WELL ST
EUREKA CO ADMIN BLDG	EUREKA CO (ANNEX)	001-202-10	701 S MAIN ST
LITTLE LEAGUE BALL PARK	EUREKA CO (LITTLE LEAGUE)	008-400-01	31 TANNEHILL RD
	EUREKA COUNTY	001-022-14	

Additionally, the access agreement was revised to remove the word ‘continuous’ in relation to access to the properties. Dates of access were tightened and will be from June 6th to July 12th. Commissioner Ithurralde motioned to approve signing the Consent for Temporary Access to Property for the above described properties as shown on the corresponding map; Commissioner Sharkozy seconded the motion; motion carried 3-0.

APN 001-022-14 was removed because it was erroneously believed to be under the Judge’s jurisdiction, but it was clarified that it was also County property. Commissioner Ithurralde motioned to include this parcel in the list and add it to the temporary access agreement to be signed by the Chairman; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Eureka Townsite Properties Under Jurisdiction of District Judge: Mr. Dunkelman informed that a request will be made to the District Judge regarding testing of townsite properties under the Judge’s jurisdiction. Mr. Beutel stated that he and Mr. Damele spoke with the District Judge

who indicated he will require a letter from the EPA explaining the reasons for the request and specifically identifying the properties before consideration can be given.

PUBLIC WORKS

Public Works Projects & Activities: Public Works Director, Ron Damele, reported on various projects. **MOUNTAINTOP REPEATERS:** Annual maintenance and updates were conducted for the mountaintop repeaters. There are three per site, which are Prospect Peak, Mount Tenabo, and Mary's Mountain. Adjustments were made to improve coverage overall, but particularly in the Pine Valley area. **WILDLAND FIRE TRAINING:** Dunphy Volunteer Fire Department and Pine Valley Volunteer Fire Department completed Wildland Fire Red Card Training through Nevada Division of Forestry. **CRESCENT VALLEY TOWN PARK:** A proposal is being obtained to replace the sprinkler system at the Crescent Valley Town Park, but it is not anticipated that it will fit within this year's budget or the upcoming budget, so alternate solutions will be considered. The plan is to continue manual watering with sprinklers through this season.

Robins Street Improvements & Utility Upgrades Project: Accommodations are being made to provide access for graduation (evening of June 6th) since the Robins Street Project blocks the normal route to the high school. Electronic sign boards are posted on each end of town to notify traffic to utilize Ruby Hill Avenue. Phase 1 of the project is nearly complete (sewer, storm drain, curb, gutter, sidewalks) and Phase 2 is underway (pulverization and grading).

Communications Systems Review: Mr. Damele presented the communication systems report prepared by Galena Group, Inc. This is a final document that memorializes the communication upgrades and narrowband conversion completed over recent years. It also includes recommendations for future upgrades and equipment replacement. Commissioner Ithurralde motioned to accept the Review of Current Radio Communications Systems & Improvements as prepared by Galena Group, Inc. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Public Works Vacancies: Mr. Damele explained that Public Works is losing the Senior Administrative Assistant in Crescent Valley and two Eureka Road Shop employees through retirement. In light of the attrition policy and hiring freeze, Public Works proposes that these employees not be replaced at this time. Mr. Damele feels this will not result in a reduction in services, but there may be a delay in services. Hours of operation at the Crescent Valley Public Works office will be reduced. The Eureka Public Works office will absorb most of the essential job functions. The hours of operation in Crescent Valley will be from 10:00 a.m. to 2:00 p.m. each Tuesday and Thursday, effective November 1st. The building will also be open as needed for events or meetings. A drop box will be provided for water payments. Online bill payment is also available on the County website. Public Works staff will be available by phone and those numbers will be posted at the Crescent Valley Town Hall. Effective immediately, Road Superintendent, Ray Hodson, will assume the supervisory duties over Crescent Valley Town employees for operation and maintenance of the water system, County buildings, and the park.

Chairman Goicoechea noted that Public Works is the first department faced with the opportunity to reduce staff. He appreciates the forthright manner in which this is being handled and hopes other departments will follow suit as these instances arise. The Board wants the community to be aware and understand the need for these reductions which will have an effect on services.

Lisa Wolf commented from Crescent Valley that with the reduction in hours for the town offices, the Commissioners may want to consider making appointments to the Crescent Valley Town Advisory Board, rather than sunsetting the board in January, in order to maintain a public forum for the residents of the Crescent Valley area.

Courthouse HVAC Project: A design proposal was obtained from Building Control Services, Inc., for the Courthouse HVAC Project. Mr. Damele explained that this is a very complex system so the design phase will take some time. Once complete, it will be submitted to a third-party HVAC contractor for peer review. A five-year warranty on the installed system will be required. The design costs will be paid from the Assessor's Technology Fund which will fund \$300,000.00 towards the overall project. Commissioner Ithurrealde motioned to accept the proposal from Building Control Services, Inc., for design services related to the Courthouse HVAC Remodel Project, not to exceed \$23,805.00; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Airport Lighting Retrofit Project: A Federal Aviation Administration grant application was prepared for the Eureka Airport Lighting Retrofit Project. The project will upgrade all lights on the 7,850 ft. runway to LED and will elevate them to 30 inches to avoid obstruction by snow. The grant, which will cover 95% of the project costs (estimated at \$251,655.00, with a County match of \$13,245.00), will not be funded until the bid for the project is awarded. The first phase of the project is design and a proposal was obtained from Lumos & Associates. In order to pre-fund the design, the Public Works budget will require an augmentation.

Commissioner Ithurrealde motioned to approve augmenting the Public Works Fiscal Year 2014-2015 budget to include \$45,400.00 for design and construction assistance for the Airport Lighting Retrofit Project; Commissioner Sharkozy seconded the motion; motion carried 3-0. Commissioner Ithurrealde motioned to accept Lumos & Associates' proposal for design services and construction assistance in the amount of \$45,400.00; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Application for Water Service: Commissioner Ithurrealde motioned to approve an application from the Eureka County School District for new commercial water service located at 200 Adams Street in Eureka (for amphitheater sprinklers); Commissioner Sharkozy seconded the motion; motion carried 3-0.

COUNTY FACILITIES

Temporary Road Closures: Economic Development Department Assistant, Cindy Beutel, presented a request for temporary road closures to accommodate the Eureka Arts in the Park event in July. Commissioner Ithurrealde motioned to approve temporary closure of portions of Clark Street to Gold Street and East Bateman Street to Spring Street in the Town of Eureka on July 26th during the Arts in the Park event. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

RECESS FOR LUNCH

The Board recessed for lunch from 12:07 to 1:00 p.m.

NEVADA PUBLIC AGENCY INSURANCE POOL

Renewal Proposal for Fiscal Year 2014-2015: Wayne Carlson, Executive Director, presented the renewal proposal from Nevada Public Agency Insurance Pool, providing three quotes with varying deductibles. Mr. Carlson reviewed the County's past insurance coverage and deductibles, and summarized events that affect premium rates. He briefly outlined risk management services, programs, and resources offered by the Pool.

Commissioner Ithurrealde motioned to accept the proposal from Nevada Public Agency Insurance Pool, with a \$10,000.00 per incident deductible, for an annual premium of \$262,517.48 for Fiscal Year 2014-2015; Commissioner Sharkozy seconded the motion; motion carried 3-0.

NATURAL RESOURCES

Report on Activities: Natural Resources Manager, Jake Tibbitts, reported on recent activities. Jim Smithson, Environmental Manager for McEwen Mining met with Consulting Hydrogeologist, Dale Bugenig, on May 20th and Mr. Tibbitts participated in a portion of the discussion. Mr. Tibbitts, Chairman Goicoechea, and Ron Damele met with BLM officials on May 21st (State Director Amy Lueders, Associate State Director Raoul Morales, and Battle Mountain District Manager Doug Furtado and Field Manager Christopher Cook) on various grazing issues including the Argenta Allotment. Other meetings attended include the Natural Resources Advisory Commission meeting on the evening of May 21st; the State Land Use Planning Advisory Council meeting in Carson City on May 23rd; the meeting with Holsinger Law on May 29th; the Nevada Land Management Task Force meeting in Carson City on May 30th; a coordination meeting with the Battle Mountain BLM (District Manager Doug Furtado and Field Manager Chris Cook) and Elko BLM (District Manager Jill Silvey and Field Manager Rich Adams) on June 3rd in Carlin; and the Diamond Natural Resources Protection & Conservation Association meeting the evening of June 3rd, which included a presentation by Steve Walker, who is facilitating scoping sessions for the Diamond Valley proposed groundwater management plan.

Pinyon Juniper Wildlife Enhancement Project: Preparations are underway for the pinyon-juniper thinning. Two contractors will start cutting in the next week or two. One will cut 520 acres and the other will cut 445 acres.

McEwen Mining: Mr. Tibbitts wanted to acknowledge Jim Smithson, Environmental Manager for McEwen Mining, for working with Mr. Bugenig and Eureka County on an exchange of information and ongoing efforts to address some of the issues in recent water reports completed for the mine.

Upcoming Meetings: Upcoming meetings include the Nevada Legislative Committee on Public Lands on June 12th (Eureka County will present and provide an informational packet on main issues affecting Eureka County); a Central Nevada Regional Water Authority meeting on June 13th in Ely; and a presentation by Steve Walker, Walker & Associates, at the Opera House on the evening of June 13th.

BLM Grazing Decisions: Mr. Tibbitts reported that the Natural Resource Advisory Commission voted to send a letter to the BLM regarding grazing decisions. He initiated the letter but has since placed it on hold pending direction from the Commissioners. He held off for two reasons: (1) the BLM again asked the County not to write letters; and (2) many of the issues were vetted in the recent meetings with BLM staff. One of the major issues covered in detail at the May 21st meeting with the BLM State officials was the misuse of the US Drought Monitor in making grazing decisions and in assessing rangeland conditions, as this is not the intended use of this broad-based tool.

District Attorney Beutel suggested having conversations with the BLM, but following up with letters as a means to memorialize the discussion. The Commissioners agreed that this was the best approach.

Mr. Tibbitts relayed an issue about hauling water on rangeland that came up at the NRAC meeting. The BLM is claiming that due to their agreement with Western Watersheds, water hauls cannot be initiated in areas where native plant species are found. Mr. Tibbitts will investigate to find if and where this is documented.

Commissioner Ithurralde motioned to send a letter to the BLM regarding grazing decisions affecting Eureka County including misuse of the US Drought Monitor and arbitrary denial of water hauling, and authorized the Chairman to sign it outside of the meeting. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Wild Horse Management: A letter was sent to the BLM on May 6th outlining concerns over the mismanagement of wild horses affecting Eureka County, with a response requested by May

23rd. Nothing has yet been received, although Ms. Lueders stated on May 21st that she is working on a response. She did state that Nevada has been approved for 300 horses to be gathered this year. But Nevada has many thousands of horses over AML (Appropriate Management Levels). Priority will be given to court orders, emergency situations (wildfire, drought, condition of the horses), and private land conflicts.

Mr. Tibbitts described some of the private lands in Eureka County where there are major issues with wild horses. He talked about the requirement for the landowner to notify the BLM when horses are on their property. Mr. Tibbitts asked for authorization to reach out to the landowners and inform them of this requirement and provide direction on what steps can be taken. He also asked for endorsement to continue supporting the NACO wild horse lawsuit.

Commissioner Ithurralde motioned to authorize the Natural Resources Manager to facilitate notifications by private landowners to the BLM regarding wild horses and to continue actively supporting the NACO wild horse lawsuit; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Diamond Valley resident, George Parman, offered several comments related to water hauling and the Rangeland Reform Act, and also offered copies of a court order issued years earlier on a horse gather that he participated in.

Chairman Goicoechea added that the BLM State Director commented that the most recent estimate to house a wild horse for its lifetime in a holding facility is now at \$45,000.00 per horse. There are over 50,000 horses currently in long-term holding facilities.

Waters of the US: The US Environmental Protection Agency and the US Army Corps of Engineers recently issued a proposed rule on the definition of Waters of the US Under the Clean Water Act. Mr. Tibbitts prepared a response letter with basically three options: (1) dispense with the rule and don't move forward; (2) wait for peer review on the rule, incorporate those changes, and initiate a new comment period; or (3) extend the current comment period, which expires on July 21st, by 90 days. The Board requested that the letter be copied to members of the Nevada Congressional Delegation.

Commissioner Ithurralde motioned to send the response letter to the US Environmental Protection Agency and the US Army Corps of Engineers regarding their proposed rule on the definition of Waters of the US Under the Clean Water Act and authorized the Chairman to sign it outside of the meeting; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Response to Draft Proposed Plan of the Greater Sage-Grouse EIS: The Draft Proposed Plan of the Greater Sage-Grouse EIS was received on June 2nd with a comment deadline of June 13th. Commissioner Ithurralde motioned to authorize the Natural Resources Manager to work with the Chairman to prepare comments on the Draft Proposed Plan of the Greater Sage-Grouse EIS to be signed and submitted and brought back to the Board for ratification at the next meeting. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Petition to Delist Common Raven: Several counties are adopting resolutions or ordinances supporting delisting of the common raven from the Migratory Bird Treaty Act. The population of these birds has grown by up to 600% over the past 10 years. They are a nuisance and a predator to sage grouse, primarily the nests and eggs. Mr. Tibbitts drafted a letter regarding delisting the raven for the Board's approval. Commissioner Ithurralde motioned to send a letter to Secretary of the Interior, Sally Jewell, requesting delisting of the common raven from the Migratory Bird Treaty Act; Commissioner Sharkozy seconded the motion; motion carried 3-0.

NATURAL RESOURCES ADVISORY COMMISSION

Appointment to NRAC: A letter of interest was received from Paul Etzler to serve on the Natural Resources Advisory Commission. Commissioner Ithurralde motioned to accept NRAC's

recommendation to appoint Paul Etzler to their Commission representing recreation; Commissioner Sharkozy seconded the motion; motion carried 3-0.

CORRESPONDENCE

Correspondence was received from: Connie Hicks; Melissa Fitzwater; Nona Kellerman; Cindy Garcia; Bob Stephenson; John Brown; Randy Stucki; District Attorney, Ted Beutel; Undersheriff Keith Logan; Public Works, Ron Damele; Executive Assistant, Jackie Berg; Eureka County Economic Development Program; Eureka County Planning Commission; Eureka County Television District; Eureka County Noxious Weeds newsletter; Eureka Farmer’s Market; DNRPCA News & Notes; MolyBits Messenger; Crescent Valley Town Advisory Board (3); Elko County Board of Commissioners; White Pine County Commission (3); White Pine County Building Committee; Nevada Assoc. of Counties (2); Central Nevada Regional Water Authority; Lumos & Associates (2); Building Control Services, Inc.; Kafoury Armstrong & Co.; Contango Capital Advisors; Nevada Cattlemen’s Assoc.; Nevada Div. of Water Resources (2); Nevada Pool/PACT; Nevada Dept. of Transportation (2); Nevada Aging & Disability Services Div. (2); Nevada Agency for Nuclear Projects; Colorado River Commission; US Environmental Protection Agency; BLM Elko Echo newsletter; USDA Forest Service & USDI BLM; US Senator Harry Reid; and USDI Fish & Wildlife Service.

PUBLIC COMMENT

Chairman Goicoechea called for public comments; there were none.

ADJOURNMENT

The meeting was adjourned at 2:27 p.m.

Approved by vote of the Board this 7th day of July, 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 June 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