

EUREKA COUNTY BOARD OF COMMISSIONERS

June 6, 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 June 6, 2018. Present were Chairman J.J. Goicoechea; Vice Chairman Michael Sharkozy (via interactive video); Commissioner Fred Etchegaray; and Commissioner Clerk, Jackie Berg. District Attorney, Ted Beutel, was unavailable to attend. 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; there were none.

APPROVAL OF MINUTES

May 21, 2018: Commissioner Sharkozy motioned to approve minutes of the May 21, 2018, meeting; Commissioner Etchegaray 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 \$248,168.65 for accounts payable, \$235,846.63 for the May 25th payroll, \$349,912.79 for the June 8th payroll, \$2,748,212.62 for a pass-through tax allocation to the School District, \$25,456.97 for a pass-through to the State Controller, \$1,090.00 for a pass-through to the Division of Minerals, \$61.25 for a pass-through to the Department of Taxation, and \$4,635.47 in Yucca Mountain expenditures, for a grand total of \$3,613,384.38. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

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

Request for Purchase of Retirement Credit: The Board received a request from employee, Patricia Peek, to match purchase of retirement credit in exchange for her forever relinquishing the retiree health insurance subsidy, as outlined in Section 7.6 of the Eureka County Personnel Policy. Ms. Peek explained that the letter she submitted asked that the County match 1.5 years to equal a three-year service credit, but with 23 years of continuous service, she was currently eligible for a one-year match. She needed two more years (25 total) to be eligible for a 1.5 year match.

Chairman Goicoechea asked Ms. Peek when she planned to retire. Ms. Peek replied that she was working to gain 30 years of service credit. This could be obtained by working two more years in combination with personal service credit buyouts and the one-time County match.

The Chairman explained that, pursuant to policy, the Health Insurance Premium Fund buyout is available to employees who retire into PERS (Public Employees Retirement System) directly from service with Eureka County. Since the County has recently set a precedence in honoring these requests, the Chairman offered that Ms. Peek could purchase her service credit buyout now in order to save money since the cost increases each year (the current estimate for Ms. Peek for 1.5 years of service credit is just over \$40,000.00). He continued that the County would commit to purchasing the match upon official notice of retirement from Ms. Peek, which will be 1.5 years of service credit if she attains 25 years of continuous service.

Commissioner Sharkozy motioned to approve the request from employee, Patricia Peek, to purchase a match of 1.5 years of service credit upon official notice of retirement, contingent upon 25 years of continuous service with Eureka County, and to allow Ms. Peek to purchase her service credit early. Commissioner Etchegaray seconded the motion. Motion carried 3-0.

Fund Transfer: Assistant Comptroller, Kim Todd, requested authorization to transfer \$56,000.00 from the Contingency Fund to the Diagnostic & Treatment Center Fund for the current fiscal year. Ms. Todd explained that this fund pays William Bee Ririe Hospital for clinical services and Rehab Services of Nevada for physical therapy services. The budgeted amount will fall short this year because the clinic contract amount was determined after the budget was submitted.

Commissioner Etchegaray motioned to transfer \$56,000.00 from the Contingency Fund to the Diagnostic & Treatment Center Fund for Fiscal Year 2017-2018; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Tax Rate Resolution: Commissioner Etchegaray motioned to adopt the Resolution Setting Tax Rates for Fiscal Year 2018-2019, to memorialize tax rates for all districts under the jurisdiction of the Board of County Commissioners, as set during a public hearing on May 21st. Commissioner Sharkozy seconded the motion. Motion carried 3-0. There were no changes to the tax rates.

Eureka, Nevada

June 6, 2018

**RESOLUTION
SETTING TAX RATES FOR FISCAL YEAR 2018-2019**

WHEREAS, the Eureka County Commissioners took action on May 21, 2018, to set the tax rates for Fiscal Year 2018-2019, for the tax districts under their legal jurisdiction, and by this resolution are affirming that action; and

WHEREAS, the ad valorem revenues are assessed by tax rates on real and personal property as certified by the Nevada State Tax Commission; and

WHEREAS, in accordance with NRS 361.460, and following certification by the Nevada Tax Commission on June 25, 2018, tax rates for the fiscal year beginning July 1, 2018, will be hereby levied as listed below:

	Taxing Unit Rate	Imposed Legislative Tax Rate	Combined General County Rates	Combined Special District	School	State	Total
Eureka County	.8675	.0783		.0085	.7500	.1700	1.8743
Crescent Valley Town	.2153		.9458	.0085	.7500	.1700	2.0896
Eureka Town	.2153		.9458	.0085	.7500	.1700	2.0896
Diamond Valley Rodent District	.0400		.9458	.0866	.7500	.1700	1.9924
Diamond Valley Weed District	.0781		.9458	.0485	.7500	.1700	1.9924
Eureka County TV District	.0085		.9458		.7500	.1700	1.8743

THEREFORE, IT IS UNANIMOUSLY RESOLVED that upon certification by the Nevada Tax Commission, the Board of County Commissioners of Eureka County, Nevada, does hereby certify the rates listed above for the Fiscal Year 2018-2019.

Approved this 6th day of June, 2018.

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

/s/ Michael Sharkozy
Michael Sharkozy, Vice Chairman

/s/ Fred Etchegaray
Fred Etchegaray, Member

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

COMMISSIONERS

Propose Recodification of Eureka County Code: Eureka County Code was last codified in July 2014. The District Attorney and his staff have worked to incorporate all changes adopted by ordinance since that time and provided the updated draft to the Board.

Commissioner Etchegaray motioned to propose recodification of Eureka County Code in order to incorporate all changes since the last codification in 2014, and to set a public hearing at 10:00 a.m. on July 6, 2018. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Opposition to Question 3: Question 3, the Energy Choice Initiative, will appear on the General Election ballot in November. Representatives of Mt. Wheeler Power attended the May 21st meeting to explain that if this proposed change to the Nevada Constitution passes, it will deregulate energy in Nevada with drastic consequences to electrical customers, most significantly those in rural Nevada. The Commissioners agreed to write a letter opposing this Initiative.

Commissioner Etchegaray motioned to ratify a letter in opposition to Statewide Ballot Question No. 3, the Energy Choice Initiative; Commissioner Sharkozy seconded the motion; motion carried 3-0.

William Bee Ririe Contract: The Board reviewed the clinical services contract for the upcoming fiscal year. Most terms and conditions were the same as the previous year. The contract not to exceed amount increased from \$590,000.00 to \$633,000.00. This increase will offset implementation of a discount on the patient-pay portion of a bill (excluding copays) for services provided directly by William Bee Ririe, beginning July 1, 2018.

Commissioner Sharkozy asked about telemedicine and x-ray services in Crescent Valley. It was confirmed that telemedicine will continue, but the x-ray machine was decommissioned at the request of William Bee Ririe.

Commissioner Etchegaray motioned to approve the clinical services contract with William Bee Ririe Hospital for Fiscal Year 2018-2019 for a not to exceed amount of \$633,000.00. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

SENIOR CENTERS

Update Report: Senior Centers Program Director, Millie Oram, reported on activities at the Eureka Senior Center and Fannie Komp Senior Center. In May, Eureka served 734 meals and Crescent Valley served 552 meals. A total of \$10,222.07 was deposited for the month. The Eureka Senior Center continues preparing meals at the Opera House while the kitchen floor is being repaired.

ROAD DEPARTMENT

Report on Activities: Assistant Public Works Director, Raymond Hodson, reported on recent activities. In southern Eureka County crews have bladed 7th Street, Gold Street, Antelope Road to the Segura Ranch, the road into Kitchen Meadows Ranch, Buckhorn Road, Grass Valley Road (from County line to County line), McCluskey Summit, and Tonkin Summit from the mine to McCluskey Road. The Roberts Creek Road was rebladed and dust suppression (purchased by McEwen Mining) was applied in the vicinity of the ranch. Two NDF honor camp crews have been working in the area and cleaned the Ruby Hill ditch.

Crews in northern Eureka County have bladed Maggie Creek Road, Barth Road (following some heavy rains), and are finishing up Geothermal Road, Dry Hills area, and Frenchie Flat Road.

PUBLIC WORKS

Public Works Update: Public Works Director, Ron Damele, reported on Public Works projects and activities.

Utilities: All utility systems are in good working order. The new automated control valve for the water tank at the junction of US Highway 50 and State Route 278 is fully functioning.

Facilities: Floor repairs at the Eureka Senior Center are ongoing. The cook shack at the Eureka Fairgrounds is nearly complete. Patrons have been very steady at the Swimming Pool. The Opera House and Sentinel Museum have been very busy.

Radio Reprogram: The County-wide radio reprogramming will be complete within the week.

Fire Meetings: The pre-season fire meeting with the BLM will be held later in the day at the Administrative Facility. Nevada Division of Forestry will hold their northern region meeting with Elko, Eureka, Lander, and Humboldt Counties on June 7th.

Ambulance: Ambulance #939 has been deemed unrepairable. Approximate costs for the various options are \$25,000.00 to install a rebuilt engine, \$100,000.00 to remount the box on another cab and chassis, or \$200,000.00 for purchase of a new ambulance. Interim Ambulance Coordinator, Kenny Sanders, feels the service can operate for a year with the existing ambulances. Mr. Damele recommends allocating funds in the next budget cycle, which will also allow the new EMS Director to indicate which course of action he/she prefers.

Caterpillar Motor Grader & Caterpillar Backhoe/Loader: Equipment purchases were budgeted for the upcoming fiscal year, but due to the long lead time in procuring the items, Mr. Damele requested authorization to proceed. Actual purchase and delivery will not take place until after the first of the fiscal year. Purchase will be made under the National Joint Powers Alliance Contract at a considerable discount.

Commissioner Etchegaray motioned to authorize purchase of a new Caterpillar 140M3AWDL Motor Grader after July 1, 2018, for a not to exceed amount of \$364,611.51, funded from the Road Department capital outlay account. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Commissioner Etchegaray motioned to authorize purchase of a new Caterpillar 420F2HRC Backhoe/Loader after July 1, 2018, for a not to exceed amount of \$127,154.03, funded from the Road Department capital outlay account. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Sky Fiber Request: Dave Peissner, of Sky Fiber Internet, requested approval to install and maintain an overhead fiber optic cable between the Eureka County Courthouse and Eureka Opera House at no cost to the County. Ownership of the fiber would be transferred to the County with the understanding that Sky Fiber could utilize two fiber strands to provide service to the McEwen Mining office on Main Street.

Mr. Peissner explained that he considered this option after AT&T provided a quote of ~\$170,000.00 to string fiber optic cable from the AT&T building in southern Eureka to the McEwen Mining office downtown. He felt the option he was proposing would better serve his customer, while at the same time providing a benefit to Eureka County.

The Chairman relayed that the County understands the dilemma, has a good working relationship with Sky Fiber, and desires to help McEwen Mining, but there were some reservations. Mr. Damele and the Board voiced concerns about having equipment attached to historic buildings and having the County tied to a third party, which raises several issues.

Mr. Peissner assured the Board that the installation would be "over-engineered" to avoid stressing the County buildings. Metal plates would be installed to disburse weight from the attached hardware. Mr. Peissner reiterated that the County would own the infrastructure. He added that Sky Fiber hopes to eventually provide residential internet service in the community, but would not source that from the County buildings.

Although it wasn't considered in the current or upcoming budget, the Board and Mr. Damele felt it would be preferential for the County to install, own, and maintain any infrastructure. The County would then have the ability to consider selling or leasing fiber strands.

The Board decided to take no action, but directed Mr. Damele to continue working with Mr. Peissner and continue looking into what options the County may have.

NORTHERN NEVADA EMS CONSORTIUM

Presentation on NNEMSC: Joel Hochhalter, CEO of MedX AirOne, was in attendance to update the Board on the Northern Nevada EMS Consortium and its partnership with MedX AirOne. He last appeared before the Board in early 2017 when the Commissioners approved purchasing a County-wide membership with MedX AirOne based on a per household rate. The consortium, NNEMSC, has since obtained 501(c)(3) status and can now accept donations from a variety of sources.

NNEMSC is governed by a Board of Director's, made up of volunteers, and Mr. Hochhalter indicated they would welcome a Director from Eureka County. NNEMSC's primary mission is to support northern Nevadans who use emergency air medical services. Their secondary mission is to support rural fire, EMS, and health care systems. Member counties include White Pine, Eureka, Elko, Lander, Humboldt, and Pershing Counties. MedX AirOne has six aircraft. An airplane and helicopter are based in Elko, a helicopter is based in Winnemucca, and an airplane will be based in Ely beginning July 7th. The remaining airplane and helicopter are dedicated to northern Nevada.

NNEMSC has engaged a law firm, specializing in the EMS field, to ensure compliance and to create a quarterly audit program with an annual overview. Although NNEMSC does not require a per household membership fee, the latest audit indicates they should raise approximately \$5.00 per household. Mr. Hochhalter estimated that Eureka County has close to 300 households. He added that membership is no longer limited to permanent residents in order to accommodate temporary or contract workers employed by the mines.

MedX AirOne is working to become a preferred provider with all major insurance carriers. They accept commercial insurance, Medicaid, and Medicare as payment in full for residents of member counties. Non-insured patients are also covered under the membership plan and will never receive a bill from MedX AirOne. Mr. Hochhalter stated that MedX AirOne has transported over 2,700 patients in northern Nevada and not one has received a bill from them. Mr. Hochhalter was unsure of the number of transports originating from Eureka County.

Sponsorship Donation: If sponsorship was based on 300 households at \$5.00, the recommended amount would be \$1,500.00. Chairman Goicoechea felt a donation of \$2,000.00 was worthwhile, which would basically equate to \$1.00 per resident. When asked what time period this would cover, Mr. Hochhalter replied that memberships don't expire for membership counties, but NNEMSC will probably request an annual donation.

Commissioner Etchegaray motioned to make a sponsorship donation of \$2,000.00 to Northern Nevada EMS Consortium as the Fiscal Year 2018-2019 donation to cover continuing memberships for residents of Eureka County, to be paid in the current fiscal year from the miscellaneous grants account in the Commissioners' budget. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

FOLLOW-UP ON PUBLIC HEARING TO CONSIDER NUISANCE

Background: In late 2016, a citizen filed a complaint alleging that accumulation of materials at a residential property in the Town of Eureka constituted a public nuisance. The County investigated the matter and conducted a public hearing on December 20, 2016, concerning 361 Ruby Hill Avenue and 61 Vandal Way. The public hearing resulted in an explanation from the property owners, Kirk & Sharlene Smith, that they had started a recycling business, but were committed to cleaning up the properties.

Since that time, Mr. Smith has provided two updates regarding his cleanup efforts. At the request of the Board, he attended this meeting to provide a third update.

Status of Cleanup: Mr. Smith reported that he continues work on the properties, sorting the materials according to recycling class. So far this year, he has hauled two trailer loads totaling nearly 8,000 pounds (one in March and one in April). A third load will be ready to go by June 8th or the following week at the latest, with a fourth load soon after that. He explained that due to irregular weather, he has been concentrating on the Vandal Way property, where he resides.

The Chairman inquired and Mr. Smith confirmed that he is utilizing Pacific Steel & Recycling to dispose of some of the materials. The Chairman informed that Pacific Steel was currently at the Eureka Landfill and Mr. Smith agreed to make contact with them.

In conclusion, Mr. Smith offered to provide another update at the July 6th meeting.

CORRESPONDENCE

Correspondence was received from: Patricia Peek; District Attorney, Ted Beutel (4); Clerk & Treasurer, Beverly Conley (2); Assessor/IT Supervisor, Michael Mears; Public Works, Ron Damele (3); Natural Resources, Jake Tibbitts (2); Diamond Valley Groundwater Management Plan; Eureka Opera House (2); Medical Clinics Advisory Committee; Eureka Business Network; William Bee Ririe Hospital, Matt Walker; Tri-County Meeting; Northern Nevada EMS Consortium; Nevada Assoc. of Counties (2); Sky Fiber Internet; Nevada Supreme Court (3); Allison MacKenzie Ltd.; Nevada Div. of Environmental Protection (4); Nevada Dept. of Taxation; Nevada Dept. of Business & Industry; Pony Express Territory; National Assoc. of Counties; US Dept. of the Interior-BLM; US Navy (3); and Ohio State University.

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 10:41 a.m.

Approved by vote of the Board this 20th day of June, 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 June 6th, 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