

EUREKA COUNTY BOARD OF COMMISSIONERS
June 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 June 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

Several items were removed from the Sheriff's section of the agenda. With those changes, Commissioner McKay motioned to approve the agenda; Commissioner Sharkozy seconded the motion; motion carried 3-0.

PUBLIC COMMENT

Chairman Goicoechea opened the floor for public comments. Cathy Sampson thanked the Crescent Valley Town Advisory Board and the Board of County Commissioners for providing scholarship monies to the Battle Mountain High School for a graduating Eureka County senior. Her daughter Bridgett Wolf, who was also present, was the recipient of the scholarship and they both offered everyone involved their sincere thanks.

Chairman Goicoechea acknowledged the 75th anniversary of D-Day, stating he wanted to honor and thank all veterans, particularly those who landed on Normandy, June 6, 1944.

APPROVAL OF MINUTES

May 20, 2019: Commissioner Sharkozy motioned to approve minutes of the May 20, 2019, meeting; Commissioner McKay seconded the motion; motion carried 3-0.

NEVADA DEPARTMENT OF TRANSPORTATION

Introductions: Kristina Swallow, introduced herself stating that she is honored to be the new Director of NDOT since retirement of Rudy Malfabon in January. She acknowledged several staff members traveling with her including Lee Bonner, Government Liaison, and Boyd Ratliff, District 3 Engineer.

2019 County Tour: Each year NDOT visits 14 rural counties to discuss the State Transportation Improvement Plan (STIP), the upcoming Work Program, and long-range goals.

NDOT Transportation Champion: Ms. Swallow commended Mr. Bonner for a new initiative in which NDOT recognizes transportation champions in the rural counties – individuals who have helped advance the transportation program over the years. She announced this year they were excited to recognize Public Works Director, Ron Damele, as NDOT Transportation Champion and to present him with a commemorative coin.

Funding: Ms. Swallow explained that, on average, each driver in Eureka County contributes slightly more than \$400.00 annually in fuel taxes – approximately \$170.00 in federal tax, \$170.00 in State tax, and just under \$90.00 in County tax, resulting in an annual contribution of \$627,000.00 from Eureka County drivers. In contrast, NDOT has expended an average of \$9.8 million each year in Eureka County over the past five years.

Projects Completed: NDOT projects completed over the past year in Eureka County include a 12-mile flush seal on US50 and a 15-mile overlay on SR278. NDOT is currently advertising for bids to replace Bridge 478 near the Eureka Airport.

2020 Work Program Highlights: Ms. Swallow reported that funds are obligated in Fiscal Year 2020 for four main projects, noting that final project delivery may not occur in FY 2020. Projects include a truck climbing lane on Emigrant Pass (\$11.6 million); a right-of-way on Emigrant Pass associated with the truck climbing lane (\$15,000.00); a chip seal on SR766 northeast of Rixies (\$47,000.00); and a six-mile chip seal on SR278 south of Palisades (\$38,000.00).

Top Concerns Recognized by NDOT: From previous visits and discussions, NDOT recognizes the County's top concerns as:

- * Intersection redesign at US Highway 50 and State Route 278
- * Snow removal on SR278 and SR306
- * Shoulder width on SR278 and SR306
- * No chain up area on US50 south of Eureka
- * Failure to yield when exiting Interstate 80 onto SR306
- * Reno Ave. ramp onto US50 not conducive to commercial vehicles

Ms. Swallow stated NDOT has been working to increase snow removal on SR278 and SR306. Mr. Ratliff explained that roads are prioritized according to traffic count, making I-80 and US50 top priorities. He noted that NDOT has been managing its resources to get plows to SR278 and SR306 in a shorter amount of time. Considering the amount of snow received during the past season, he felt NDOT had shown improved responsiveness.

Regarding the Reno Avenue ramp onto US50, Chairman Goicoechea clarified that the County has shared financial and right-of-way responsibilities related to rehabilitation of this intersection.

County's Top Concerns: Along with written priorities from Ron Damele (in his absence) and input from Assistant Public Works Director, Raymond Hodson, the Board deliberated the County's top concerns, restating the ones identified by NDOT, and adding the following:

- * Need for no passing zones & striping at busy intersections along SR278
- * Need for no passing zones & striping on US50 at Frontier St. and Collingwood Lane
- * Falling rocks on SR278 near Palisades
- * Water across roadway on SR278 (approx. mile marker 75.2)

Commissioner Sharkozy motioned to incorporate these additional transportation concerns into the County's previous list of concerns identified during the day's meeting; Commissioner McKay seconded the motion; motion carried 3-0.

County's Top Two Concerns: In recent years, the County's primary concern has been redesign of the intersection at US50 and SR278. Mr. Bonner suggested that the County select its next two priorities, noting that the intersection will need to be done in conjunction with a 3R project (resurfacing, restoration, and/or rehabilitation) because of the type of crews that will be in the area. He noted that NDOT will keep it as a top priority, while allowing the County to select two other top priorities.

After a brief discussion, Commissioner McKay motioned to identify the County's top transportation priorities as: (1) need for no passing zones and striping on State Route 278 and US Highway 50, and (2) need for a chain-up area on US Highway 50 south of Eureka. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Accept Work Program: Commissioner Sharkozy motioned to accept the Fiscal Year 2020 Annual Work Program as presented by the Nevada Department of Transportation; Commissioner McKay seconded the motion; motion carried 3-0.

COUNTY COMPTROLLER

Payment of Expenditures: Expenditures were presented for approval by Comptroller, Maureen Garner. Commissioner Sharkozy motioned to approve expenditures in the amount of \$280,157.75 for accounts payable; \$573,181.87 for payroll, retiree, and insurance related expenses; \$2,977,860.62 for a pass-through tax allocation to the School District; \$3,853.08 for a

pass-through to the State Controller; \$419.01 for a pass-through to the Department of Taxation; \$96.00 for a pass-through to the Washoe County Sheriff; and \$3,250.00 in Yucca Mountain expenses, for a grand total of \$3,838,818.33. Commissioner McKay seconded the motion. Motion carried 3-0.

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

Tax Rate Resolution: Commissioner Sharkozy motioned to adopt the Resolution Setting Tax Rates for Fiscal Year 2019-2020, memorializing tax rates for all districts under the jurisdiction of the Board of County Commissioners, as set during a public hearing on May 20th, Commissioner McKay seconded the motion. Motion carried 3-0. There were no increases to the tax rate.

Eureka, Nevada

June 6, 2019

**RESOLUTION
SETTING TAX RATES FOR FISCAL YEAR 2019-2020**

WHEREAS, the Eureka County Commissioners took action on May 20, 2019, to set the tax rates for Fiscal Year 2019-2020, 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, 2019, tax rates for the fiscal year beginning July 1, 2019, 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 2019-2020.

Approved this 6th day of June, 2019.

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

/s/ Michael Sharkozy
Michael Sharkozy, Vice Chairman

/s/ Rich McKay
Rich McKay, Member

Attest: /s/ Lisa Hoehne
Lisa Hoehne, Eureka County Clerk

YUCCA MOUNTAIN

Update Report: Abby Johnson, Nuclear Waste Advisor, provided an update on current developments with the Yucca Mountain Project. In late May, the House Appropriations Committee voted down an amendment to provide funding to continue the licensing process for a nuclear waste repository at Yucca Mountain. Yucca Mountain funding amendments are expected to be attached to an omnibus bill that will soon go before the whole House.

On the Senate side, the 2019 version of the Nuclear Waste Administration Act has been introduced and would implement some basic recommendations of the Blue Ribbon Commission on America's Nuclear Future, one of which is to take management of the nuclear program from the Department of Energy and move it to a Tennessee Valley Authority model. This would allow the program to be managed more like a business and remove its dependency on Congress's budget appropriations each year.

Senator Cortez Masto retoured Yucca Mountain the previous week with a CBS news crew (she first toured it as Nevada Attorney General). The Senator's observation was, "There's nothing happening here."

Ms. Johnson explained that the term 'high level waste' currently refers to defense waste created from making nuclear weapons, whereas commercial waste is called 'commercial spent fuel'. The Department of Energy has proposed changing the definition of high level waste to apply the term based on radioactive content versus production method. This 'middle-of-the-game' change is very controversial as it would affect how waste is managed, handled, stored, and disposed of. Ms. Johnson will continue monitoring these activities to keep the County informed.

EUREKA JUSTICE COURT

Deputy Clerk Temporary Status: In December, the Board granted approval for Justice Court Deputy Clerk, Lindsey Stith, to work part-time with benefits on a temporary basis, to be reevaluated in six months. Chairman Goicoechea explained that the accommodation was granted under the recently enacted Nevada Pregnant Workers' Fairness Act, which requires reasonable accommodations for pregnancy, childbirth, or related conditions. Ms. Stith was returning from maternity leave and had been unable to obtain adequate childcare for her newborn daughter. The Chairman explained that Justice Court did not seek additional staff or casual hours to compensate for the part-time schedule, which made this option more acceptable for the Board.

Justice of the Peace, Dorothy Rowley; Justice Court Manager, Amy Jensen; and Justice Court Deputy Clerk, Lindsey Stith, were present to request an additional six months and to answer any questions the Board might have.

Judge Rowley relayed that she witnessed the struggles Ms. Stith has faced seeking full-time childcare, but there are limited options in Eureka. She said the part-time schedule was arranged around the court's needs and she does not feel a six-month extension will cause the court any hardship. She added that Ms. Stith understands that no further extensions will be requested.

Commissioner Sharkozy motioned to allow Justice Court Deputy Clerk, Lindsey Stith, to continue to work a 24-hour per week part-time schedule with benefits on a temporary basis through December 5, 2019. Commissioner McKay seconded the motion. Motion carried 3-0.

COMMISSIONERS

Treasurer Position: Effective July 7th, Beverly Conley is resigning as Treasurer, Public Administrator, & Public Guardian. The Board posted a position announcement for 30 days and published notice in the *Eureka Sentinel* for two weeks seeking a qualified candidate to fill this position on an interim basis. NRS 245.170 requires that this vacant elected position be placed on the ballot for the next biennial election, which will be in 2020, to serve the remaining two years of a four-year term.

One application, in the form of a letter of interest and résumé, was received from Pernecia Johnson. The Board conducted a brief interview with Ms. Johnson who has worked for the County since 2008 as Deputy Public Guardian, eventually promoted to her current position as Deputy Treasurer, Public Administrator, Public Guardian. The Board determined that Ms. Johnson had the necessary experience and qualifications for the position.

Commissioner Sharkozy motioned to appoint Pernecia Johnson to the elected position of Treasurer/Public Administrator, which is combined with the appointed position of Public Guardian,

to serve beginning July 8, 2019, through January 4, 2021. Commissioner McKay seconded the motion. Motion carried 3-0.

Authorized Signatories: Commissioner Sharkozy motioned to send letters notifying financial institutions that the newly appointed Comptroller, Kim Todd (effective July 1st), and the newly appointed Treasurer, Pernecia Johnson (effective July 8th) are the authorized signatories on Eureka County accounts, and authorized the Chairman to sign the letters outside of the meeting. Commissioner McKay seconded the motion. Motion carried 3-0.

Draft Resolution: The Board reviewed a draft resolution outlining a proposed change to the Personnel Policy to add a Retiree Health Reimbursement Plan. This would give eligible retirees the voluntary option to transition from the County's group health plan and enroll in Medicare and Medicare supplement plans without losing the County-paid insurance subsidy. Instead, the subsidy would be deposited into a Health Reimbursement Account to be applied towards Medicare and Medicare supplement premiums.

Commissioner McKay motioned to accept the draft resolution without modifications and to set a public hearing for 10:00 a.m. on July 5th to consider adopting the resolution to include the Health Care Reimbursement Plan for retirees in the Eureka County Personnel Policy. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Confidential Settlement Agreement: Chairman Goicoechea, District Attorney Ted Beutel, Jake Tibbitts, and outside legal counsel Karen Peterson, Esq., participated in a settlement conference in Carson City on May 28th related to Case No. 77512 before the Nevada Supreme Court. Chairman Goicoechea was granted settlement authority and the parties were able to reach a Confidential Settlement Agreement.

Commissioner McKay motioned to approve the Confidential Settlement Agreement in Nevada Supreme Court Case No. 77512 involving the State Engineer, Daniel S. Venturacci, and Eureka County. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Scholarship: On May 20th, the Crescent Valley Town Advisory Board approached the Commissioners about providing scholarship monies for Eureka County students graduating from Battle Mountain High School. Staff contacted BMHS and found the scholarship ceremony was scheduled for June 3rd, three days before the next Commission meeting. BMHS relayed there was a qualifying senior and suggested an amount, which was relayed to the Chairman. The Chairman agreed it was the right thing to do and asked that it be placed on the next agenda for ratification.

Commissioner Sharkozy stated his support and motioned to ratify a donation of \$500.00 to Battle Mountain High School to be given as a scholarship to a qualifying student residing in Eureka County; Commissioner McKay seconded the motion; motion carried 3-0.

Sober Seniors: A letter was received from the Dawn McClary, President of the 2019 Sober Seniors in Battle Mountain. Ms. McClary requested a donation for the Sober Seniors Graduation Party, explaining that approximately \$200.00 is spent on each graduating senior for gifts and food, and there are two students from Eureka Country graduating in 2019.

Commissioner Sharkozy motioned to donate \$400.00 to the Sober Seniors in Battle Mountain to be paid from miscellaneous grants in the Commissioners' budget. Commissioner McKay seconded the motion. Motion carried 3-0.

Cancel June 20th Meeting: Due to several scheduling conflicts, Commissioner McKay motioned to cancel the June 20th regular meeting of the Board and to schedule an additional meeting beginning at 9:30 a.m. on June 21st. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Sagebrush Ecosystem Program: Chairman Goicoechea reported that the next meeting of the Sagebrush Ecosystem Council will be in Reno on June 27th. The meeting is expected to last all day, as it will include updates from local area Working Groups and Conservation Districts.

2019 Legislative Session: Assessor, Michael Mears, reported that none of the property tax bills gained any traction in this Session. The mileage tax bill did not pass, but the related bill, AB483, directing the DMV to do a two-year mileage study to estimate revenue benefits, did pass.

Jake Tibbitts briefly reviewed adopted legislation of interest to Eureka County: AB95 directs the State Engineer to curtail by priority, but includes a protection for domestic wells; AB163 requires municipalities to adopt or update water conservation plans; AB233 allows counties to pay special water assessments from the General Fund if it is cheaper than collecting the assessment; SB150 requires counties to maintain water resource plans; SB140 will require that a 10% reserve be held in water basins not fully appropriated to avoid over-appropriation; and SB250 prevents counties from bundling and selling water dedicated during the parcel map process. AB30, the large water bill the County was tracking, did not pass, but there will be an interim working group to propose related legislation for introduction in the next Session.

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 732 meals and Crescent Valley served 568 meals. A total of \$5,704.55 was deposited for the month. The seniors had their first dinners of the season on May 9th in Eureka and May 14th in Crescent Valley.

Hiring Freeze Waivers: Ms. Oram presented Hiring Freeze Waiver Justifications for three positions, explaining that there is only one vacancy, but if existing staff advances to higher positions, she will need to advertise in turn as this creates additional vacancies.

Commissioner Sharkozy motioned to waive the hiring freeze and authorize the Senior Centers Program Director to hire the following positions for the Fannie Komp Senior Center: Senior Site Supervisor, Kitchen Aide, and Casual Worker III. Commissioner McKay seconded the motion. Motion carried 3-0.

COUNTY ASSESSOR

State Board of Equalization: Assessor, Michael Mears, informed the Board that the County Board of Equalization Case concerning valuation of the TS Power Plant (Newmont Nevada Energy Investment LLC), which was appealed to the State Board of Equalization, will have a hearing date in Carson City the week of September 9th-12th. All materials from the County Board have been submitted to the State and Mr. Mears and contracted appraiser, Mark Stafford, are prepared to testify.

County-Wide Pictometry: Since 2012, the Assessor has worked with Pictometry®, now EagleView, to fly portions of the County to capture aerial imagery, which is utilized for appraisal work in the Assessor's office and is incorporated into the County's GIS (geographic information system). The information is available and used by other County departments, particularly Public Works, but has applications valuable to the Sheriff's Office, Search & Rescue, and others.

Ron Damele and Mr. Mears have talked about the advantages of having County-wide imagery covering all 4,200 square miles. Two years ago, the cost to accomplish this at a six-inch pixel resolution was \$600,000.00. EagleView will be in Nevada this summer with a new plane equipped with an oscillating camera capable of capturing three-inch pixel resolution from high altitudes and has offered to do the County-wide imagery for \$198,000.00.

Mr. Mears will utilize the Assessor's Technology Fund over two fiscal years to pay for this project and wanted to inform the Board and provide transparency for the benefit of the public. The actual flights will take place around late July and early August of 2019.

PLANNING COMMISSION

Parcel Map – Steelman Farm, LLC: On May 8th, the Planning Commission approved a parcel map for Steelman Farm, LLC, dividing a portion of APN 007-340-06 to create a residential parcel. APN 007-340-06 is included in Devil's Gate GID. Tami Steelman, Manager of Steelman Farm, will record a Water Rights Dedication Deed and Public Works will file a Report of Conveyance with the State Engineer to tie the water rights to the new parcel.

Commissioner Sharkozy motioned to approve a parcel map for Steelman Farm, LLC, for division of property from APN 007-340-06 located in Diamond Valley in Section 29, Township 20 North, Range 35 East, MDB&M. Commissioner McKay seconded the motion. Motion carried 3-0.

Appointments: Commissioner Sharkozy motioned to make the following appointments to the Planning Commission: (a) Jim Evans representing Commission District #1 for the remainder of a four-year term through December 31, 2022, and (b) Sasha Meyers as an alternate member representing the County At Large for the remainder of a four-year term through December 31, 2021. Commissioner McKay seconded the motion. Motion carried 3-0. (Jim Evans has served as an alternate on the Planning Commission since May 2016.)

ROAD DEPARTMENT

Report on Activities: Assistant Public Works Director, Raymond Hodson, reported that the continuous precipitation in May made it difficult to make progress on roads. Roads that were bladed and in good condition the previous two months will need to be completely redone. In addition to dealing with running water and washouts to keep roads passable, crews spent a lot of time reorganizing warehouses and cleaning plugged culverts and cattle guards. As roads begin to dry out, they will be addressed as quickly as possible.

West Mark Water Trailer: A quote was obtained from West Mark for a 2019 West Mark 7,000 gallon non-potable water trailer, by joinder onto a 2017 contract between West Mark and Eureka County. Estimated delivery is 240 days after receipt of order. The County already has a new pump and engine and has budgeted in the next fiscal year for a tractor to pull the trailer.

Commissioner Sharkozy motioned to approve Quote #12202-0001 from West Mark for a 2019 7,000 gallon stainless steel tandem axle semi-trailer, in the amount of \$91,358.00, to be paid from capital outlay in the Road Department budget (account 020-106-55010-000). Commissioner McKay seconded the motion. Motion carried 3-0.

PUBLIC WORKS

Public Works Update: Senior Administrative Assistant, Joyce Jeppesen, reported on Public Works projects and activities.

Utilities & Facilities: All utility systems are in good working order. Fred's Tree Service has finished trimming trees in Eureka at the downtown park, the Sheriff's Office, the library, and the ball fields. EQM has begun preparation work on the southern slag pile in Eureka.

Ms. Jeppesen reported on activities at the Sentinel Museum, Opera House, and Swimming Pool. The Museum had 239 visitors in April and 360 in May and Ree Taylor has been busy with large donations of artifacts and photographs and has updated exhibits in County buildings.

A total of 675 people attended events at the Opera House in April and 1,060 people attended events in May. The baby grand piano was delivered just in time for the piano recital. Patty Peek has scheduled Missoula Children's Theater to work with local children in June with the final performance scheduled for June 22nd.

The Swimming Pool had 307 swimmers in April and 411 in May. Clint Tognotti is coaching the Eureka Swim Club, and hosted a swim meet on May 18th with about 100 people in attendance. The team plans to attend three meets throughout the summer. Public swimming lessons are scheduled throughout June and July.

Olcese Waste Services: Public Works Director, Ron Damele, toured the County with representatives of Olcese Waste Services on June 1st and continues working with the company to finalize the contract and franchise agreement.

Water Service Application: Commissioner Sharkozy motioned to approve an application for a ¾-inch residential water service in Crescent Valley for APN 002-023-08; Commissioner McKay seconded the motion; motion carried 3-0.

Surplus Property: The Board was provided a list of items that no longer have value to Eureka County and Public Works would like to sell them at auction.

Commissioner Sharkozy motioned to declare the following item surplus property and to authorize disposal pursuant to Eureka County Code, Title 3, Chapter 20, Section .130: Singer Water Valve, serial #101-145-1; Limatorque Water Valve, serial #61-825-0611-2; Ingersoll Rand Air Compressor, serial #36G324X2321C1; Intrepid Boiler, serial #1015116; 10 HP Electric Motor, serial #F-9242-00-173; 2003 John Deere Lawn Mower, serial #M048CAA092003; 2009 ExMark Lawn Mower, serial #659161; 2005 Dixie Chopper Lawn Mower, serial #5055553. Commissioner McKay seconded the motion. Motion carried 3-0.

Lumos & Associates Proposal: Lumos & Associates prepared a proposal for engineering and related services for building demolition and abatement at 50 South Main Street in Eureka. Ms. Jeppesen explained that demolition of the property, commonly known as the Klindt Building, is complicated because of its proximity to the Courthouse and shared wall with the Eureka Senior Center. Lumos is working with other consulting firms to prepare the bid documents because of the complexities involved in this demolition.

Commissioner McKay noted for the record that a group of local citizens, led by Jim Ithurralde, have voiced strong support in salvaging and retaining the façade of the building.

Commissioner Sharkozy motioned to approve a time and materials proposal from Lumos & Associates, in the amount of \$92,200.00, for engineering and related services for building demolition and abatement at 50 South Main Street, Eureka, APN 001-106-03. Commissioner McKay seconded the motion. Motion carried 3-0.

Cunningham Land Exchange: At the request of the property owner, and in an effort to clean up boundaries and rights-of-way, the County has been working for several months on a property exchange with Dennis Cunningham. Lumos & Associates completed a survey and prepared the necessary legal descriptions and deeds for an equal square footage land exchange.

Commissioner McKay motioned to approve executing documents memorializing an equal land exchange between The Cunningham Sibling Trust and Eureka County for property located in Blocks 32 and 62 in the Town of Eureka, more generally located in portions of Sections 13, 14, 23, & 24, Township 19 North, Range 53 East, MDB&M. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

SHERIFF

Forensic Services Agreement: Commissioner McKay motioned to approve renewing the contract with Washoe County Sheriff's Office, Forensic Science Division, for forensic services in Fiscal Year 2019-2020, for a fee of \$4,302.00, and authorized the contract to be signed outside of the meeting. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

NATURAL RESOURCES

Report on Activities: Natural Resources Manager, Jake Tibbitts, reported on recent activities and meetings. The Eureka Conservation District received funding to conduct a Resource Needs Assessment and held a well-attended workshop on June 3rd.

Upcoming Meetings: The County Advisory Board to Manage Wildlife will meet on June 13th. The N-4 Grazing Board is holding a meeting in Eureka on June 14th at the old Nevada State Bank building and has extended a special invitation to the Commissioners. The Natural Resources Advisory Commission will meet on June 19th.

Weed Spraying: Mr. Tibbitts relayed that the weed spraying contractor is having difficulty commencing spring work because his lead field person accepted another job out of state. The contractor hired a replacement, but work is now backlogged. Mr. Tibbitts has reached out to other contractors, but everyone is committed for the season. He will continue his efforts, but some of the spring target weeds may not be treated. Weed treatment should be back on track for summer and fall.

The Commissioners received a letter from a property owner in Eureka requesting herbicide and assistance with weeds. Mr. Tibbitts gave an overview of the County's weed control activities

done by Public Works and through the Weed Control District (which began in Diamond Valley, but now includes other properties whose owners have petitioned to join and who pay a special tax assessment). The Eureka Townsite is not part of the Weed Control District. In the past, the County had a casual weed technician on staff, and one year there was a funding opportunity to address weeds in the Eureka Townsite. Interested property owners were provided herbicide and backpack sprayers. Mr. Tibbitts is attempting to find funding for weed treatment in town, but at this point all the County can provide is technical advice.

Wild Horse Summit: Mr. Tibbitts and Chairman Goicoechea attended the three-day Free-Roaming Equids & Sustainability Summit in Reno beginning May 29th. Over 90 entities were in attendance representing a wide variety of stakeholders. The Summit was a concerted effort to bring everyone together for productive discussions with a broad perspective to identify a common vision for addressing the wild horse issue moving forward.

On the second day of the Summit, the Chairman introduced the proposal (that he was instrumental in drafting) currently before Congress for funding consideration: *"The Path Forward for Management of BLM's Wild Horses & Burros."* There was immediate pushback, but by the third day most parties recognized that it was the only meaningful and viable option, if implemented, that would realistically address overpopulation and related rangeland issues.

Proponents of the proposal requested \$50 million to fund the plan, but the House Committee on Appropriations only approved \$6 million. Stakeholders are now negotiating with the Senate side to secure adequate funding, but it is a challenge.

Mr. Tibbitts noted that a follow-up to the Free-Roaming Equids Summit is planned in the fall involving the same entities and there is talk about holding it in Washington, DC, in coordination with the meeting of the BLM's National Wild Horse & Burros Advisory Board. Taking the next meeting to Washington, DC, and directly involving Congressional representatives could have a very positive impact.

Fish Creek HMA: Mr. Tibbitts informed that the BLM is utilizing a Categorical Exclusion to conduct water hauls to the Fish Creek Herd Management Area. A Categorical Exclusion is a method to comply with NEPA (National Environmental Policy Act) without completing an Environmental Assessment or Environmental Impact Statement, but it has certain constraints and will limit the water haul to 30 days.

BLM Spay Feasibility & On-Range Outcomes EA: Mr. Tibbitts drafted a letter to the BLM District Office in Burns, Oregon, commenting on its Spay Feasibility & On-Range Outcomes Environmental Assessment. The letter supports the study and the BLM's coordination with other agencies. It addresses negative impacts caused by over-population including range degradation and public safety issues, and it encourages use of other tools to effectively reduce population numbers.

Commissioner Sharkozy motioned to send a letter to the BLM District Office in Burns, Oregon, commenting on the Spay Feasibility and On-Range Outcomes Environmental Assessment. Commissioner McKay seconded the motion. Motion carried 3-0.

Prospect Mountain Project EA: Mr. Tibbitts prepared a letter commenting on the Prospect Mountain Project Environmental Assessment. The letter documents multiple requests for the BLM and the proponent, Gullsil, LLC, to coordinate with the County. Although most issues are improved in the revised EA, Mr. Tibbitts feels the outstanding issues can easily be addressed if the parties meet. The primary issues are: (a) AUM loss, and (b) maintenance and dust suppression on the County road that serves as the main access road to the project.

Commissioner McKay motioned to approve sending the letter to the BLM, Mount Lewis Field Office, commenting on the Prospect Mountain Project Environmental Assessment. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Diamond Valley Groundwater Monitoring: Consulting Hydrogeologist, Dale Bugenig, gave a detailed update and slide presentation showing results of the groundwater monitoring in Diamond Valley, which began eight years ago. He tracks a total of 12 wells, comprised of two

monitoring networks, one operated by Eureka County and one maintained by Diamond Natural Resources Protection & Conservation Association. DNRPCA shares in the cost of the semi-annual data acquisition and processing. Eleven of the wells have active data loggers, but one is monitored manually due to a logger failure.

Mr. Bugenig displayed individual hydrographs for each well on the monitoring system, which spans from southern to northern Diamond Valley. Beginning in 2011, data shows a consistent trend of about four years of steady decline in water levels, followed by two years of precipitation that caused the rate of decline to slow significantly. Water levels declined again in 2017 and 2018 during a time that the area received very little moisture, but not as severe as in the first four years, which Mr. Bugenig attributes to water conservation efforts by the producers.

Data continues to show drawdown in the Bailey well, the furthest monitoring well to the northwest, resulting from a large irrigation well that the Sadler Ranch began pumping sometime before November 2018.

During a previous report, Mr. Bugenig suspected the aquifer was experiencing recharge in the northeast coming through the Diamond Mountains. The latest data shows that one of the northeastern wells is showing the most significant response to recharge since monitoring began. This supports the theory of recharge from the range front, which may originate as interbasin flow from Newark Valley. Several other wells suggest recharge that appears to be attributable to more than pumping schedules. The southern wells aren't showing much evidence of recharge, but there is quite a bit of clay in the southern aquifer that might inhibit downward migration of recharge from Slough Creek.

Mr. Bugenig noted that when irrigators first started developing wells in Diamond Valley, the wells were shallow, 150 to 200 feet, developing groundwater from gravel layers. Clay zones exist beyond 200 feet, and although not continuous, they are intermingled throughout the valley and restrict vertical movement of groundwater. In recent years, many producers have had to deepen wells beyond this clay layer to keep up production. Since some wells are no longer drawing from the shallower gravel, data shows that shallower wells are experiencing higher water levels than in the past four years.

Overall, Mr. Bugenig is not seeing an increase in the rate of water level decline, there appears to be better recharge in the basin as a whole this year, and he believes most producers have incorporated water conservation measures.

Replacement Logger: Mr. Bugenig stated that he has been able to keep almost all of the data loggers running by installing external battery packs, but one on the Conley well is showing signs of failure. The loggers cost a little more than \$1,000.00 each. He would like to replace it this fiscal year to avoid lost data and has sufficient funds in his current budget.

Commissioner McKay motioned to authorize Mr. Bugenig to purchase a replacement logger for the Diamond Valley monitoring program, to be purchased in the current fiscal year. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

CORRESPONDENCE

Correspondence was received from: Connie Hicks; Communications Sergeant, Sandra Eastwood; Sheriff's Office, Cheryl Morrison; Public Works, Ron Damele; Natural Resources, Jake Tibbitts (2); Crescent Valley Town Adv. Board; McEwen Mining; Sober Seniors, Dawn McClary; Nevada Assoc. of Counties; Allison MacKenzie Ltd.; Lumos & Assoc.; Nevada Dept. of Taxation (2); Nevada Div. of Environmental Protection; Nevada Dept. of Transportation (2); Nevada Independent article: "*As Rivals Barrick & Newmont Merge*"; Nevada Health Foundation newsletter; Nevada Commission on Ethics; University of Las Vegas childcare workshop; and News from the Loneliest Road, Highway 50.

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 12:02 p.m.

Approved by vote of the Board this 5th day of July, 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 June 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