

EUREKA COUNTY BOARD OF COMMISSIONERS
Special Meeting – June 27, 2016

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 27, 2016. Present were Chairman J.J. Goicoechea; Vice Chairman Michael Sharkozy; Commissioner Fred Etchegaray; District Attorney, Ted Beutel; and Commissioner Clerk, Jackie Berg. The meeting was called to order at 10:00 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

Agenda items under the Commissioners’ section concerning APN 001-102-13 were removed from the agenda pending receipt of the appraisal. Commissioner Sharkozy motioned to approve the agenda with those changes; Commissioner Etchegaray seconded the motion; motion carried 3-0.

PUBLIC COMMENT

Chairman Goicoechea called for public comments; there were none.

COMMISSIONERS

Protest of Water Applications: District Attorney Beutel explained that water applications made by Kobeh Valley Ranch, LLC, and protested by Eureka County, are subject of a lawsuit currently before the Nevada Supreme Court. The company has decided to again file application with the Nevada Division of Water Resources for these same waters.

Commissioner Etchegaray motioned to file protests with the Nevada Division of Water Resources on the following applications made by Kobeh Valley Ranch, LLC: 85576, 85583, 85588, 85603, 85604, 86149, 86150, and 86151; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Information on Mosquito Abatement: Questions and concerns have been raised by Crescent Valley citizens due to mosquito infestation in their area. Chairman Goicoechea serves as State Veterinarian for the Nevada Department of Agriculture and one of the duties of the office is surveillance of mosquito populations in the State of Nevada.

Chairman Goicoechea explained that the State tests mosquitos for evidence of certain diseases, such as West Nile virus, encephalitis, and the Zika virus. Abatement is conducted based on identification of disease and not based on overpopulation. Eureka County has contracted mosquito abatement professionals in the past based on these same criteria.

Citizens were encouraged to do their part in limiting exposure (by using repellants, wearing long sleeve shirts, etc.) and in prevention, since any standing water can serve as a breeding ground for mosquitos.

AMBULANCE & EMS

Proposed Changes to NAC 450B: EMS Coordinator, Mike Sullivan, informed that changes have been proposed to Nevada Administrative Code 450B (regulations that govern State licensed EMTs and ambulance services). Among the changes proposed are unprecedented increases to fees and fines charged by the Nevada Department of Health & Human Services. The proposed increases seem to be an attempt to fund the State EMS Program, which has been chronically underfunded and understaffed. The greatly increased fees

would cause a significant hardship to individual volunteers, practitioners, and ambulance services. Mr. Sullivan urged the Commissioners to oppose the fee increases and to ask that the Nevada Legislature increase funding for the State EMS Program.

Commissioner Sharkozy motioned to direct the EMS Coordinator to draft a letter to the State Board of Health (Nevada Department of Health & Human Services, Division of Public & Behavioral Health) opposing fee changes proposed in NAC 450B, asking the Board of Health to encourage sufficient funding by the Nevada State Legislature, and authorized the Chairman to sign the letter outside of the meeting. Commissioner Etchegaray seconded the motion. Motion carried 3-0.

COUNTY FACILITIES & ECONOMIC DEVELOPMENT

GBRDA and NNRDA: As Great Basin Regional Development Authority moves towards dissolution, the member counties (White Pine, Eureka, and Esmeralda) are considering their options. The Northeastern Nevada Regional Development Authority has invited Eureka County to join. The Economic Development Program Board met on June 16th and recommended that Eureka County withdraw from GBRDA and join NNRDA.

Chairman Goicoechea recently discussed options with Peter Wallish (Governor's Office of Economic Development) and Pam Borda (NNRDA). Mr. Wallish explained that funding would be available whether Eureka County remained independent or joined another group, but there are strictly defined parameters on how the monies can be used. Ms. Borda has agreed to attend the July 6th meeting to share the benefits of joining NNRDA.

Withdrawal from GBRDA: Commissioner Sharkozy motioned that Eureka County withdraw from the Great Basin Regional Development Authority; Commissioner Etchegaray seconded the motion; motion carried 3-0.

Invitation to Join NNRDA: Commissioner Sharkozy motioned to table action related to joining the Northeastern Nevada Regional Development Authority, pending a conversation with Pam Borda on July 6th; Commissioner Etchegaray seconded the motion; motion carried 3-0.

EUREKA ACTIVITIES

Relinquishment of Grant Funds: During the June 20th meeting, due to uncertainty regarding full funding from necessary matching funds for the message board/sign for the Town of Eureka, the Board directed Eureka Activities Coordinator, Cindy Beutel, to postpone or abandon this project. This requires official relinquishment of the grant.

Commissioner Etchegaray motioned to send a letter to Nevada Department of Tourism & Cultural Affairs relinquishing the Nevada Commission on Tourism Grant No. PRT-16-18 in the amount of \$10,000.00; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Events & Grant Info: Ms. Beutel provided an outline of upcoming events and the status of associated grants or grant applications (whether they have been submitted, awarded, etc.). Most grants won't require a monetary match, but many require an in-kind match, which can be volunteer time or hours contributed by staff or members of boards and committees. The Board agreed to place an item on the next agenda to provide direction regarding what is available in the form of in-kind hours.

With cancellation of the Motorcycle Rally and message board project, Ms. Beutel informed the Board that she will have time to facilitate the Harvest Festival and Christmas Tree Lighting using community assistance when available.

SHERIFF

Emergency Medical Dispatch Software: Sheriff Keith Logan requested authorization to purchase emergency medical dispatch software, which is a much needed upgrade to the card system currently being used. He explained how the new software will operate, providing

immediate on-screen instructions and protocol upon identification of the category of the emergency call. This will greatly improve the efficiency and quality of the dispatch element in emergency patient care.

Several quotes were provided to comprise the whole system: (a) Priority Dispatch quote for the ProQA Software license, server software, database, and annual maintenance for \$11,760.00; (b) Priority Dispatch quote for installation, configuration, certification course, training, and maintenance/support for \$15,540.00; (c) Priority Dispatch quote for AQUA Software license, certification course, training, and maintenance/support for \$5,275.00; and (d) RIMS Sun Ridge Systems, Inc, quote for RIMS link software, installation, and support for \$1,495.00.

Sheriff Logan noted that a portion of the costs, particularly amounts related to training, may be paid for by Nevada POOL/PACT.

Commissioner Etchegaray motioned to approve purchase of ProQA Emergency Medical Dispatch Software from Priority Dispatch, along with integration from RIMS Sun Ridge Systems, Inc., from the current year's budget not to exceed \$33,000.00; Commissioner Sharkozy seconded the motion; motion carried 3-0.

CRESCENT VALLEY TOWN ADVISORY BOARD

Casual Crescent Valley Town Board Department Assistant: During the last meeting, the Board accepted the resignation of Nona Kellerman as Casual Crescent Valley Town Board Department Assistant, effective August 15th. Before this position can be replaced, the job description must be updated to identify a supervisor. After a lengthy discussion to determine the most appropriate supervisor, the Board decided to consult with contract Human Resources.

Commissioner Sharkozy motioned that contract Human Resources be contacted regarding an appropriate supervisor for this position, at which time advertising and interviewing will commence with assistance from contract HR, and the updated job description will be presented for approval at a future meeting. Commissioner Etchegaray seconded the motion. Motion carried 3-0.

NEVADA HEALTH CENTERS, INC.

Joint Meeting with Medical Clinics Advisory Committee: A joint meeting convened between the Commissioners, Medical Clinics Advisory Committee, and representatives of Nevada Health Centers. Present for MCAC were Chair Garney Damele, Vice Chair Maureen Torres, members John Brown, Melissa Fitzwater, Jim Ithurralde, and Nona Kellerman. Representing NVHC were Chief Executive Officer, Walter Davis, and Chief Operations Officer, Karl Sundberg.

The purpose of the joint meeting was to finalize negotiations for the Fiscal Year 2016-2017 clinical services contract for operation of the Eureka Medical Clinic and Crescent Valley Medical Clinic.

Nevada Health Centers' latest offer was forwarded in writing on June 7th and proposed an annual amount of \$717,000.00, along with removal of the penalty phase from the contract. Mr. Davis explained that this amount reflected the maximum reduction their budget could support while still providing the requested services.

The MCAC reviewed this proposal at a special meeting of their Committee on June 8th and took action to recommend an annual contract amount of \$685,000.00 for operation of both clinics. The Committee strongly urged that the Performance Audit penalty phase remain in the contract. They provided their contract recommendations in a letter to the Commissioners dated June 8th.

A lengthy discussion ensued between all parties and an agreement was reached concerning contract terms for the upcoming fiscal year. In response to a question from the

MCAC, Mr. Sundberg assured everyone that the Austin Clinic would be covered by the provider from Crescent Valley and not by Eureka Clinic staff.

Commissioner Etchegaray motioned to sign a contract with Nevada Health Centers, Inc., for Fiscal Year 2016-2017, based on the following agreed upon terms, to be effective July 1, 2016, pending signing of the original contract. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

- The annual contract consideration will be \$717,000.00 with a guaranteed annual amount of \$697,000.00, limiting the Performance Audit penalties to no more than \$20,000.00 (at the point penalty amounts are exhausted the Board will consider initiating steps, as outlined in the contract, for early termination)
- The Eureka Clinic will have one physician (four days per week) and one mid-level provider (five days per week)
- The Crescent Valley Clinic will have one mid-level provider (three days per week), from a source other than Eureka Clinic staff
- The Performance Audit penalty phase of the contract will be adjusted as follows:
 - Each provider will be allowed 10 CME days per year without penalty
 - Providers can be absent up to three consecutive days without penalty, provided there is at least one provider at each clinic for the prescribed days
 - Other penalties will remain as outlined in the most recent contract, including allowance of two days per month of non-penalized sick leave for each provider

CORRESPONDENCE

Correspondence was received from: Eureka County High School; District Attorney, Ted Beutel (3); Natural Resources, Jake Tibbitts (2); Payroll Specialist, Kim Todd; Medical Clinics Advisory Committee (2); Eureka County Recreation Board; Eureka County Television District; Eureka Owl Club; Nevada Assoc. of Counties (3); White Pine County; McMullen McPhee & Co.; Nevada Div. of Water Resources; Nevada Dept. of Transportation; Nevada Dept. of Business & Industry (2); Nevada Div. of Minerals; Care Flight of Nevada & California; TLA & Associates; Western Counties Alliance; US Dept. of Interior-BLM (2); US Dept. of Interior, US Geological Survey; USDA Forest Service; and Arizona Dept. of Transportation.

RECESS FOR LUNCH

The Board recessed for lunch from 11:45 a.m. to 1:00 p.m.

NEVADA RURAL HOUSING AUTHORITY

Settlement Agreement: In March, Nevada Rural Housing Authority forwarded a letter to Eureka County (through their attorneys, McDonald-Carano-Wilson) in relation to debt obligations to Eureka County under the Multifamily Real Property Agreement (dated June 11, 2011) and the Phase II Multifamily Promissory Note (dated May 25, 2012). These agreements were made in connection with real and personal property located at the Eureka Canyon Subdivision.

NRHA has been making interest payments only and has been unable to secure alternate financing for the project as required in the original agreements. Their letter offered two options: an alternate payment structure or reconveyance of the assets to Eureka County.

After serious consideration, which included advice of the District Attorney and outside counsel, the Commissioners agreed that the preferable option under current economic conditions was to move forward with a Settlement Agreement for reconveyance of said property. NRHA signed the Settlement Agreement on June 22, 2016. A Bill of Sale was included addressing intangibles such as lease agreements and rents.

District Attorney Beutel explained that signing this document is not the final step for reconveyance of ownership, but rather begins a 45-day period allowing for inspection and

evaluation of the property, particularly the townhome units. A final decision will be made by the end of the inspection period (which concludes August 6th) and if the County agrees to accept transfer, a Grant, Bargain & Sale Deed will be executed.

Commissioner Sharkozy motioned to approve and sign the Settlement Agreement & Mutual Release between Nevada Rural Housing Authority and Eureka County for return of the complete right, title, and ownership of properties now held by Nevada Rural Housing Authority at the Eureka Canyon Subdivision; Commissioner Etchegaray seconded the motion; motion carried 3-0.

Inspection of Property: Public Works Director, Ron Damele, stated that a proposal was obtained from GML Architects, who has subcontracted with Armstrong Inspection Services, to assess the 50 townhome units. Mr. Damele explained that this is not a code compliance inspection, but is a functionality inspection of the structures. Upon approval of the Board, the company is scheduled to begin the inspection on June 28th and will provide a report approximately one week following their assessment.

Commissioner Sharkozy motioned to authorize the Public Works Director to initiate an inspection of the properties that are subject of the Settlement Agreement between Nevada Rural Housing Authority and Eureka County, and to accept the proposal from Armstrong Inspection Services, a subcontractor of GML Architects, in the amount of \$13,400.00. Commissioner Etchegaray seconded the motion. Motion carried 3-0.

Direction to Public Works: The Board directed Public Works to generate a proposal for management and maintenance of the townhomes and property located at the Eureka Canyon Subdivision utilizing existing staff, in the event that said properties are reconveyed to Eureka County. Mr. Damele agreed to present a plan at the July 6th meeting.

PUBLIC COMMENT

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

ADJOURNMENT

The meeting was adjourned at 1:11 p.m.

Approved by vote of the Board this 6th day of July, 2016.

/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 27, 2016, 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