

EUREKA COUNTY BOARD OF COMMISSIONERS

July 6, 2015

STATE OF NEVADA)
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COUNTY OF EUREKA)

CALL TO ORDER

The Board of Eureka County Commissioners met pursuant to law on July 6, 2015. Present were Chairman J.J. Goicoechea, Vice Chairman Michael Sharkozy; Commissioner Fred Etchegaray; District Attorney, Ted Beutel; and Commissioner Clerk, Jackie Berg. The meeting was called to order at 9:30 a.m. and began with the Pledge of Allegiance. The interactive video conferencing system was connected and utilized between Crescent Valley and Eureka for the entire meeting.

APPROVAL OF AGENDA

One correction was made to the agenda - the Chairman of the County Advisory Board to Manage Wildlife was corrected to be Lester Porter. The Consumer Direct Personal Care, LLC, and Genesis Home Health Services, Inc., contracts were removed from the agenda. With those changes, Commissioner Sharkozy motioned to approve the agenda; Commissioner Etchegaray seconded the motion; motion carried 3-0.

PUBLIC COMMENT

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

APPROVAL OF MINUTES

June 5, 2015: Commissioner Etchegaray motioned to approve minutes of the June 5, 2015, Commission meeting; Commissioner Sharkozy seconded the motion; motion carried 3-0.

FINANCE & RECORDER/AUDITOR

Payment of Expenditures: Expenditures were presented for approval by Acting Recorder & Auditor, Tina Hubbard. Due to late submission, a travel voucher required Board approval. Commissioner Etchegaray motioned to approve a voucher for travel reimbursement to Larry McMaster of the Economic Development Program Board for attendance at a Biochar Workshop hosted by the University of Nevada in Minden on February 18th; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Commissioner Etchegaray motioned to approve expenditures in the amount of \$580,513.76 for accounts payable, \$425,301.13 for payroll, \$3,233.64 for a pass-through tax allocation to the School District, \$113,455.74 for a pass-through tax allocation to the State; and \$39,039.49 for Yucca Mountain expenses, for a grand total of \$1,161,843.76; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Auditor's Report: The Board reviewed ending fund balances as presented on the Auditor's Report.

COMMISSIONERS

Update Reports: Commissioner Sharkozy attended the Crescent Valley Firewise Committee meeting on June 30th, and attended a Crescent Valley Volunteer Fire Department meeting and training also on June 30th.

Commissioner Etchegaray attended the Diamond Natural Resources Protection & Conservation Association meeting on June 23rd.

Chairman Goicoechea traveled to Salt Lake City on June 8th for a panel discussion on wild horses, sage grouse, etc., which was broadcast on Channel 4 out of Salt Lake City. It was followed by a meeting of western states' stakeholders to continue the sage grouse discussion. The Chairman traveled to Washington, DC, on June 9th-10th to support an amendment to the National Defense Authorization Act, which would allow states ten years before a sage grouse listing (under the Endangered Species Act) could occur and five years to implement a state plan. The amendment was introduced and had the necessary votes, but threat of a Presidential veto caused the amendment to be withdrawn. Chairman Goicoechea chaired the Sagebrush Ecosystem Council meeting on June 12th in Carson City; attended the Diamond Natural Resources Protection & Conservation Association meeting on June 16th; and participated via teleconference in the NACO Board meeting on June 26th.

Board's Determination Related to Senate Bill 482: SB482 was adopted in the 2015 Nevada Legislative Session outlining salary increases for elected officials. It includes an opt out clause and during budget sessions, the Commissioners decided not to budget for an increase in elected officials' salaries due to current budget constraints. Chairman Goicoechea reiterated the budget concerns, reminded everyone that regular employees will not receive a cost of living

adjustment for Fiscal Year 2015-2016, and hoped that subsequent fiscal years experience an upturn in revenues so that raises may be considered.

Commissioner Etchegaray motioned to ratify the Board's determination, made during the budget process, that sufficient resources are not available to pay increased annual salaries to elected official in Fiscal Year 2015-2016 pursuant to Subsection 5 of Senate Bill 482. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Proclamation Recognizing Importance of Aviation: Commissioner Sharkozy motioned to adopt a proclamation, per request of Alliance for Aviation Across America, in recognition of the importance of general aviation across America and the importance of aviation in Eureka County. Commissioner Etchegaray seconded the motion. Motion carried 3-0.

Sagebrush Ecosystem Program & Nevada Greater Sage Grouse Conservation Plan: A meeting is scheduled on July 9th at the Nevada Department of Agriculture in Sparks related to the Governor's Consistency Review of the Final EIS for the Nevada & Northeastern California Greater Sage-Grouse Proposed Land Use Plan Amendment. A review of the livestock grazing and agricultural portions is expected any time from a range specialist at the University of Nevada and will be provided to the Governor's office.

Legislative Updates: Chairman Goicoechea noted that passage of SB483, effective July 1st, will affect many small businesses, including farmers and ranchers. It will require more businesses to file an annual state business license and will increase those filing fees. He urged everyone call the Secretary of State's office or to research the website for more details on the effects of this legislation.

Plain Talk Newsletter: Abby Johnson, Editor of *Plain Talk*, discussed content of the next issue, which will be released in early fall. Tentatively agreed upon topics include: highlights of the Water Resources Master Plan currently being drafted, possible designation of the Diamond Valley Basin as a Critical Management Area, Eureka County Fair, legislative issues, sage grouse updates if timely, the Joint Land Use Study completed for the Fallon Naval Air Station, Justice Court consolidation, Mike Rebaleati's service to the County and recent retirement, recognition of Justice of the Peace Susan Fye, and the Crescent Valley Emergency Fund Annual Barbecue.

YUCCA MOUNTAIN

Update on Yucca Mountain Project: Nuclear Waste Advisor, Abby Johnson, gave an update on Yucca Mountain activities. Ms. Johnson represented Eureka County at a meeting of the Nuclear Waste Technical Review Board on June 24th. The US Department of Energy is looking at shutting down nuclear power sites where nuclear energy is no longer being produced, but where waste is stored on site. They are focusing on transportation needs and challenges in relation to moving this waste to interim storage sites. The DOE is considering consent based interim storage sites in Texas and New Mexico.

Secretary of Energy, Dr. Ernest Moniz, has made a policy decision to separate disposal of commercial spent fuel from defense waste. This will require legislative changes and financial implications are not yet known.

A hearing is scheduled for August 4th to hear testimony on the Nuclear Waste Administration Act of 2015 (S854), which contains recommendations of the Blue Ribbon Commission on America's Nuclear Future. This act proposes to establish a new organization to manage nuclear waste, provide a consensual process for siting nuclear waste facilities, and ensure adequate funding.

One of the AULGs (affected units of local government), Nye County, has taken an aggressive stance in asking the State to change its position on seeking compensation for agreeing to the Yucca Mountain site. A number of letters have gone to the Governor in support of this. Bob Halstead, Executive Director of the Nuclear Waste Project Office, has been designated to respond.

The archiving project has been completed, with assistance from Loreen Pitchford of NWOP Consulting, Inc. The data is duplicated on three external hard drives, which will be stored in different locations. Transportation Advisor, Rick Moore, continues to follow the transportation issues, which have recently become a primary focus.

ROAD DEPARTMENT

Report on Activities: Road Maintenance Equipment Operator III, Jayme Halpin, reported on Road Department projects and activities. Crews have been working on the major gravel roads in Diamond Valley: 6th Street, 7th Street, 9th Street, Gold Street, Frontier Street, 10th Street, and Keg Street. They have also bladed around Vanini Creek, Henderson Creek, Roberts Creek, Roberts Ranch Road, Gable Road, Antelope Road, and Monitor Road. In northern Eureka County, crews have been blading Rose Ranch Road, Tank Road, Farm Road, Barth Road, Geothermal Road, Mary's Mountain, and have begun working around the Cortez Mine and the Town of Crescent Valley.

The Road Department met with the BLM to go over means and methods of running equipment on a fire line. Fire breaks were prepared before the 4th of July holiday. Road Superintendent, Raymond Hodson, has been working with the northern crews to repair all sprinklers at the Crescent Valley Town Park. Magnesium chloride is being placed on dirt roads in Eureka and Crescent Valley for dust control.

PUBLIC WORKS

Update on Public Works Projects: Public Works Director, Ron Damele, provided an update on recent projects and activities. Water Management System: The water management system for the commercial fill stations at Devil's Gate GID and 11th Street is installed and working well. Wildfires: There have been several small wildfires, plus one fairly large one in the Boulder Valley area which burned about 5,000 acres. Dunphy, Crescent Valley, and Beowawe Volunteer Fire Departments all responded. Closure of Open Burning: A notice was issued prohibiting open burning effective June 29th. Exploratory Well Drilling Project: Consulting Hydrogeologist, Dale Bugenig, is working on securing a quote from a drilling company. Public Works is working with the State Engineer on permitting for the project and has run into some challenges, but hopes to have them worked out soon.

Final Report of Construction Inspection & Compliance for APN 001-221-08: The Final Report of Construction Inspection & Compliance with Soils Management Plan, as prepared by Stantec Consulting Services, Inc., for APN 001-221-08 (7.68 acres sold to Raines LLC) was received. It was stamped by Ben Veech, Professional Engineer, and signed by Nancy Lightfoot, Environmental Scientist. It is their opinion that the Soils Management Plan has been adhered to. District Attorney, Ted Beutel, noted that as a result of this report, escrow documents have been executed.

Commissioner Etchegaray motioned to accept the Final Report of Construction Inspection & Compliance with Soils Management Plan for APN 001-221-08; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Eureka Justice Court Office Expansion: Design documents for the Eureka Justice Court office expansion are complete and Public Works met with the contractor. The remodel will include removing the counter, replacing carpet, installing key pad locks, installing an impact resistance customer window, and painting. The project will begin in August.

CLERK & TREASURER

Investment Contract: Clerk & Treasurer, Beverly Conley, submitted a custodian contract with BNY Mellon for County investments. They will act as custodian for the new investment financial advisor, FTN Financial. Commissioner Etchegaray motioned to approve the custodian contract with BNY Mellon for County investments; Commissioner Sharkozy seconded the motion; motion carried 3-0.

COUNTY FACILITIES & ECONOMIC DEVELOPMENT

Replacement Casual Position: Cultural, Tourism, & Economic Development Director, Andrea Rossman, submitted a Hiring Freeze Waiver Justification form and requested authorization to hire a replacement casual position for the Eureka Opera House and Sentinel Museum. This shared position replaced two casual positions and has been utilized less than the maximum 19 hours per week.

Commissioner Sharkozy motioned to waive the hiring freeze and authorize hiring of a replacement casual position for the Eureka Opera House and Sentinel Museum; Commissioner Etchegaray seconded the motion; motion carried 3-0.

BUDGET DIRECTOR

Fees – Opera House: Budget Director, Michael Mears, was asked by the Board to receive lists of current fees from departments throughout the County. Cultural, Tourism, & Economic Development Director, Andrea Rossman, provided recommendations related to proposed fee increases for the Opera House. She noted that fees for the Opera House had not been increased for over two decades. Ms. Rossman estimated that revenues for Opera House rentals over the past fiscal year were approximately \$10,000.00.

Before making decisions related to facility fees for the Opera House, the Board asked for a spreadsheet detailing proceeds over the past several years. They also asked that other departments that rent facilities, such as the Senior Center and the Fairgrounds, provide a list of their current fees for comparison.

Fees – Ambulance Service: EMS Coordinator, Mike Sullivan, provided information on current ambulance rates (\$325.00 base rate with no mileage charge) and revenues received over the past ten years. He also provided a comparison of base rates and mileage charged by services in other rural communities across the State. It was noted that Eureka has the lowest rate, by more than half, in comparison to other ambulance services. Mr. Sullivan provided

information on Medicare and Medicaid allowed rates, as well as typical insurance coverage for ambulance fees.

Mr. Sullivan requested that revenues generated from the service be directed back into the department for a specific purpose and not simply deposited into the General Fund. The Board agreed and directed Budget Director, Michael Mears, to work on this from an accounting standpoint.

After a lengthy discussion, the Board noted that the ambulance will always be a subsidized service. The intent is not for the ambulance service to be self-supporting by raising rates, but that fees are more competitive in comparison to neighboring communities. At the current rates, the County is losing substantial revenues from Medicaid, Medicare, and insurance reimbursements. For those without insurance who cannot afford the service, the option of writing off ambulance bills will remain in place.

It was agreed that there will be no charge for standby, supplies, ambulance calls with no transport, or transport to the local clinic. Commissioner Etchegaray motioned to adjust the rates for the Eureka County Ambulance Service to implement a base rate of \$500.00 and a mileage rate of \$10.00 per loaded mile, effective August 1, 2015. Commissioner Sharkozy seconded the motion. Motion carried 3-0. Even at these new rates, Eureka County still has the lowest ambulance rates of the nine services in the comparison provided by Mr. Sullivan.

NEVADA DEPARTMENT OF TRANSPORTATION

Introductions: Lee Bonner, Local Government Liaison, and several other NDOT representatives were in attendance to present the annual work plan, including: Kevin Lee, District Engineer; Randy Hesterlee, Assistant District Engineer; Boyd Ratliff, Assistant District Engineer; Andrea Edwards, Transportation Planner Analyst; Jessica Riggleman, Public Service Intern; and Elaina Dunn, Public Service Intern.

State Transportation Improvement Plan: Mr. Bonner noted that as part of NDOT's planning process, there is a federal requirement that NDOT go before each of the County Commissions to present the State Transportation Improvement Plan (STIP). He emphasized safety as NDOT's number one concern, explaining the Zero Fatalities campaign. He provided crash data for the State and for Eureka County. Over the past five years, Eureka County has had 496 crashes. Of those, there were 100 injuries and 18 fatalities. In 2014, there was one fatality, but 2015 has already had two fatalities.

Funding: The current transportation bill, MAP-21, ran out of funding in May and was extended through the end of July. A long-term transportation bill is needed, and Congress is considering the DRIVE Act. This would be a six-year bill that would fund the Highway Trust Fund. As far as State funding, NDOT is doing fairly well. Another funding program is TAP (Transportation Alternative Program) and counties can make application for specific projects.

For Fiscal Year 2016, \$2.5 million is budgeted for State Route 278, with another \$6 million planned for the next four years in Eureka County.

Road Relinquishments: Mr. Bonner briefly touched on the road relinquishment program where county roads can be transferred to the State or State roads can be transferred to counties. NDOT worked with NACO and Nevada League of Cities to develop regulations outlining the process. These were further defined by legislation adopted in 2013.

Fiscal Year 2016 Work in Eureka County: The 2.5 million project planned for Eureka County will be done on State Route 278 and will consist of patching and mill and fill or overlay on approximately 4.5 miles of deteriorated sections of the highway from the Mount Hope area north approximately 40 miles. The work will begin in summer of 2016.

Acceptance of STIP & FY 2016 Work Program: Commissioner Etchegaray motioned to accept the proposed Fiscal Year 2016 Eureka County Work Program and the Statewide Transportation Improvement Program as presented by NDOT; Commissioner Sharkozy seconded the motion; motion carried 3-0.

SENIOR CENTERS

Update Report: Senior Center Director, Millie Oram, reported on activities at the Eureka Senior Center and Fannie Komp Senior Center. In June, Eureka served 942 meals and Crescent Valley served 586 meals. A total of \$14,843.58 was deposited for the month. Nevada Department of Health & Human Services conducted a food establishment inspection on the Eureka Senior Center and a perfect score was received.

Notification of Grant Award: Commissioner Etchegaray motioned to ratify the Notification of Grant Award from Nevada Aging & Disability Services Division for Transportation Grant #07-000-10-BC-16 in the amount of \$22,500.00 with a County match of \$2,206.00. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Senior Site Supervisor: The job description for Senior Site Supervisor was recently amended to incorporate additional responsibilities and supervisory duties. Supervisors must be assigned to a higher range on the wage scale than the employees they supervise. Ms. Oram consulted the District Attorney and Pooling Resources Inc. (Human Resources specialists

through Nevada POOL/PACT) to determine the proper assignment. This action will move this position to a different range and step, but has no effect on the actual wage earned. Commissioner Etchegaray motioned to move the Senior Site Supervisor from a Range 105 to a Range 110 on the Eureka County Wage & Salary Scale; Commissioner Sharkozy seconded the motion; motion carried 3-0.

EUREKA COUNTY JUSTICE COURT

Justices of the Peace Pro Tempore Resolution: A resolution was presented identifying Dorothy Rowley as Justice of the Peace Pro Tempore for the Eureka County Justice Court and setting the per diem salary and annual budget limit. Justice Court Manager, Cindy Garcia, stated that Justice of the Peace, John Schweble, recommended an annual budget of \$50,000.00 since in a worst case scenario, the Pro Tempore could end up serving full-time for the year. The Board understood the Judge’s concern, but considered how many court days a full year of service might represent and felt that \$30,000.00 would suffice.

Commissioner Sharkozy motioned to set the per diem salary cap for the Justice of the Peace Pro Tempore at \$30,000.00 annually; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Commissioner Sharkozy motioned to adopt the resolution, pursuant to NRS 4.032, identifying Dorothy Rowley as substitute Justice of the Peace (Pro Tempore) and setting the per diem salary at \$200.00 per day and \$100.00 per half day, not to exceed \$30,000.00 annually, effective July 1, 2015; Commissioner Etchegaray seconded the motion; motion carried 3-0.

Eureka, Nevada

July 6, 2015

RESOLUTION

REGARDING OF THE BOARD OF EUREKA COUNTY COMMISSIONERS IDENTIFYING THE SUBSTITUTE JUSTICE(S) OF THE PEACE (PRO TEMPORE) AND IDENTIFYING THE PER DIEM SALARY

WHEREAS, N.R.S. 4.032 states the Board of County Commissioners shall select a person or persons to serve as substitute justices of the peace; and

WHEREAS, N.R.S. 4.032(3) states the justice of the peace pro tempore is entitles to receive a per diem salary set by the Board; and

WHEREAS, N.R.S. 4.032(3) also states the “annual sum expended for salaries of justices of the peace pro tempore must not exceed the amount budgeted for that expense by the board of county commissioners”;

NOW THEREFORE BE IT RESOLVED the Board of Eureka County Commissioners identify Dorothy Rowley as Justice of the Peace Pro Tempore of the Eureka County Justice Court, and set the per diem salary at \$200 per day, and \$100 for one half of a day (4 hours or less). The annual sum expended for July 1 to June 30 for this per diem shall not exceed \$30,000.00, the amount budgeted for that expense by the Board. This Resolution is effective July 1, 2015, and may be modified by a subsequent Resolution at any time by the Board.

ADOPTED this 6th day of July, 2015.

/s/ JJ Goicoechea
Chair of the Board
Eureka County Commissioners

Attest: /s/ Jackie Berg
Commissioner Clerk

Train & Certify Casual Employees in NCJIS: Commissioner Etchegaray motioned to authorize Justice Court to train and certify existing casual employees in NCJIS (Nevada Criminal Justice Information System) for the purpose of utilizing them in reorganization efforts; Commissioner Sharkozy seconded the motion; motion carried 3-0. It was noted that these casual employees will not exceed 19 hours per week and will not be authorized to accept money.

RESOLUTION PURSUANT TO NRS 228.130

Request for Assistance Pursuant to NRS 228.130: District Attorney, Ted Beutel, submitted a letter notifying the Board of a conflict under Nevada Rule of Professional Conduct. NRPC 1.11(d) states a lawyer serving as a public officer is subject to NRPC 1.7, the rule prohibiting current client conflicts of interest. According to NRS 252.160, the District Attorney is required to provide legal opinion to County officers on matters relating to their offices. Recorder & Auditor, Sara Simmons, is a defendant in Justice Court in an upcoming case. As legal counsel to the Recorder & Auditor, and as the identified prosecutor for Plaintiff, State of Nevada, in this same case, the District Attorney is prohibited from exercising both of these duties. Based on

this, he requested that the Board adopt a resolution requesting assistance on this case from the Attorney General's office.

Commissioner Etchegaray motioned to adopt a resolution pursuant to NRS 228.130, requesting assistance from the Attorney General due to a conflict under Nevada Rules of Professional Conduct for the District Attorney in relation to a case in Eureka County Justice Court. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Eureka, Nevada

July 6, 2015

**RESOLUTION
OF THE EUREKA COUNTY COMMISSIONERS
REGARDING A REQUEST FOR ASSISTANCE PURSUANT TO N.R.S. 228.130**

WHEREAS, the Eureka County District Attorney is counsel for County officers, including the Recorder/Auditor; and

WHEREAS, the Eureka County District Attorney has presented this Board with a letter explaining the conflict and his request to proceed with asking for assistance pursuant to N.R.S. 228.130;

NOW THEREFORE the Board of Eureka County Commissioners hereby resolve and do join in the request by the District Attorney to obtain assistance from the Attorney General in prosecution of Case Number 15CR000197D, before the Eureka Justice's Court, entitled STATE OF NEVADA, Plaintiff, vs. SARA GALE SIMMONS, Defendant, with the expectation and understanding that the Board of County Commissioners, consistent with N.R.S. 228.130, shall pay from the general fund the actual and necessary travel and lodging expenses of the Attorney General or his Deputy from Carson City to Eureka and return therefrom.

ADOPTED this 6th day of July, 2015.

/s/ JJ Goicoechea

Chairman of the Board

Eureka County Commissioners

Attest: /s/ Beverly Conley

Clerk of the Board

cc: Eureka Justice Court
Eureka County District Attorney

NATURAL RESOURCES

Report on Activities: Natural Resources Manager, Jake Tibbitts, reported on recent activities. Mr. Tibbitts traveled to Austin on June 8th for the Central Nevada Elk Plan meeting; attended the Mount Hope 3M Plan annual report meeting on June 10th, which was a co-meeting between the Water Advisory Committee and the Technical Advisory Committee; attended the Natural Resources Advisory Commission meeting the evening of June 10th; attended the Groundwater Management Plan workshop on June 11th; attended the Diamond Natural Resources Protection & Conservation Association meeting on June 16th; attended the Barrick Ruby Hill Community Advisory Committee meeting on June 17th; traveled to Carson City on June 19th for a meeting with the Governor's staff regarding the Governor's Consistency Review of the Nevada & Northeastern California Greater Sage-Grouse Proposed Land Use Plan Amendment Final EIS; and met with US Forest Service representatives on June 26th regarding the Travel Management Plan.

Upcoming Meetings: The hearing for the proposed order by the State Engineer to designate Diamond Valley as a Critical Management Area is scheduled at 9:00 a.m. on July 23rd at the Opera House. Other upcoming meetings include another Groundwater Management Plan workshop on July 16th, and the Nevada Drought Forum meeting in Las Vegas on July 17th.

Pinyon-Juniper Wildlife Enhancement Project: The pinyon-juniper cutters are finished with their spring work for this year. In 2015, 1,559 acres have been cut so far for a total of 4,175 acres over the life of the project. This has been a very successful project, with the initial target of 3,000 acres substantially exceeded.

Greater Sage-Grouse Land Use Plan Amendment Final EIS: Commissioner Etchegaray motioned to ratify the protest filed on the Greater Sage-Grouse Land Use Plan Amendment Final EIS; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Mr. Tibbitts noted that in working on the protest language, he requested data multiple times for bird counts on the leks. The morning the comment was due, he received an email in response to his requests. Mr. Tibbitts read a portion of the email into the record:

"Sage-Grouse Lek surveys - Eureka: Increased survey effort resulted in both the Diamond PMU had Cortez PMU having record high counts of 159 males and 221 males respectfully. The 3 Bar PMU also had a high count of 348 males, the 3rd highest count since the record count in 2006 of 460. All of the high count of sage grouse are due to slightly increasing trends and greatly increased survey effort by NDOW and its partners in the BLM, USFS other agencies and volunteers. In Eureka County an interesting note from lek surveys include the 3 Bar #1

lek which has been monitored since 1971 had a high count of 41 males; the highest since 1987. This lek had over 100 birds in the 1970s and from 1995 to 1997 there were no birds on the lek. The 4th bi-annual helicopter survey on Roberts Mountain in the 3Bar PMU resulted in 3 active high elevation leks with 36 birds total with another lek likely having the sage grouse spooked before survey by a Golden eagle. The helicopter surveys have been invaluable in finding and monitoring high elevation leks on Roberts Mountain, the Cortez Mountains and the Diamond Mountains since surveys began in 2009. In 2015, 4 leks in the Diamond Mountains that were previously only monitored by helicopter were surveyed by vehicle in April with a total of 61 males. The extremely dry conditions and lack of any snow allowed for vehicle access and survey to be completed.”

Mr. Tibbitts commented that sage grouse numbers are higher than they’ve been for many years, and this data supports that.

BLM Fish Creek Herd Management Area: The BLM response was received on the County’s Statement of Reasons, which was filed for the Notice of Appeal on the BLM Fish Creek Herd Management Area wild horse gather and fertility control treatment. No response is recommended regarding the BLM’s comments.

BLM Decisions under Drought Management EAs: A letter was received from the BLM on a recent decision for temporary range improvements on the Roberts Mountain Allotment. The BLM gave seven days from the date of the letter to respond. Mr. Tibbitts responded with an email, first noting that the short timeframe did not allow Eureka County adequate notice to formally respond. He stated the County’s support of the temporary measures, but asked that the BLM move forward with these improvements without implementing the drought triggers, since they don’t apply as there are no signs of vegetative drought in the area.

The BLM is working with Diamond Cattle Company on the Roberts Mountain Allotment to do a Full Force & Effect decision to implement a change of season of use, as was done last year. The Range Con did notify Mr. Tibbitts that they will work with the County before any decision on the grazing application is issued.

COUNTY ADVISORY BOARD TO MANAGE WILDLIFE

Letter of Interest: A letter of interest for the County Advisory Board to Manage Wildlife was received from Michael Mears. There are currently two vacancies and one has existed for an extended period of time. Statute dictates that vacancies be filled in 60 days and the Commissioners have been unable to do so. The CAB struggles to meet quorum due to the lack of membership.

Counties with a population under 70,000 have the option of a three member CAB (there are currently five seats) and Chairman Goicoechea felt it might be time to take this step. The other Commissioners were open to this idea and it was agreed that this will be addressed on a future agenda. In the meantime, research will be done to find if alternate members are allowed so that Mr. Mears can be considered in this capacity.

QUARTERLY MEETING CANCELLED

July 15th Quarterly Meeting: Chairman Goicoechea will be out of state for medical reasons and unable to attend the upcoming quarterly meeting. Commissioner Sharkozy is also unable to attend. The meeting will be cancelled due to lack of quorum. The Board will consider scheduling a quarterly meeting at a later date, but in the event this is not possible, the quarterly reports will be heard at a regular meeting of the Board.

CORRESPONDENCE

Correspondence was received from: District Attorney, Ted Beutel (3); Clerk & Treasurer, Beverly Conley (3); Eureka County Public Works; Natural Resources, Jake Tibbitts (2); Eureka Ambulance Service; Eureka Opera House; Eureka Activities; Local Emergency Planning Committee (2); Michael Mears; Crescent Valley Town Advisory Board (2); Nevada Assoc. of Counties (8); White Pine County Commission; Mineral County; Genesis Home Health; Consumer Direct Personal Care; Cow County Title Co.; Stantec Consulting Services, Inc.; Nevada Sagebrush Ecosystem Program; Nevada Dept. of Transportation; Nevada Dept. of Conservation & Natural Resources; Nevada Aging & Disability Services Div. (3); Nevada Deferred Compensation Plan; Nevada Div. of Minerals; Nevada Commission on Ethics; Nevada Div. of Environmental Protection (3); Nevada Dept. of Taxation; Nevada Connections newsletter; Western Counties Alliance (3); BLM Nevada News; US Congressman Mark Amodei; US Dept. of the Interior-BLM (3); and USDA Forest Service.

PUBLIC COMMENT

Chairman Goicoechea opened the floor for public comments. Dale Bugenig stated there was an article in the current issue of the *Eureka Sentinel* regarding the Groundwater Management Plan workshops and he urged everyone to read it.

ADJOURNMENT

Commissioner Sharkozy motioned to adjourn the meeting; Commissioner Etchegaray seconded the motion; the meeting was adjourned at 12:19 p.m.

Approved by vote of the Board this 20th day of July, 2015.

/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 July 6, 2015, 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 Commissioner Clerk.

/s/ Beverly Conley
Beverly Conley, Clerk & Treasurer