

# EUREKA COUNTY BOARD OF COMMISSIONERS

July 18, 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 July 18, 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 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**

The Eureka Activities agenda item was removed, as the question regarding grants was worked out between departments. With that change, Commissioner Etchegaray motioned to approve the agenda; Commissioner Sharkozy seconded the motion; motion carried 3-0.

## **PUBLIC COMMENT**

Chairman Goicoechea called for public comments. Chairman Goicoechea commented on the serious disrespect for law enforcement that is occurring in our nation and the resulting loss of lives. He wanted local law enforcement to know that the Board of County Commissioners stands behind them and the job they do and will do everything in their power to provide support and protection.

## **APPROVAL OF MINUTES**

July 6, 2016: Chairman Goicoechea offered one minor correction to the minutes regarding location of a meeting he attended. Commissioner Etchegaray motioned to approve the July 6, 2016, Commission minutes as amended; Commissioner Sharkozy seconded the motion; motion carried 3-0.

## **COUNTY COMPTROLLER**

Payment of Expenditures: Expenditures were presented for approval by County Comptroller, Tina Hubbard. Commissioner Etchegaray motioned to approve expenditures in the amount of \$287,625.01 for accounts payable; Commissioner Sharkozy seconded the motion; motion carried 3-0. The second bimonthly payroll will be paid on July 20<sup>th</sup>, so the approved amount did not reflect payroll.

Fund Balances Report: The Board reviewed a print-out of current fund balances.

## **COMMISSIONERS**

Update Reports: Chairman Goicoechea began by stating he has been asked a couple of questions about the Assistant Comptroller position. He clarified that this position will eventually replace the Comptroller position, which will be vacated due to an upcoming retirement. He felt the Comptroller is one of the most important appointed positions within the County and it is important to find a qualified person for this job. The County worked with contract Human Resources on the job description and appropriate pay grade, as this is not simply a clerical or secretarial position. Interviews will be conducted on the 29<sup>th</sup> of August by an Interview Committee, on which the Chairman will participate.

All Commissioners attended the special Commission meeting on July 12<sup>th</sup>.

Commissioner Etchegaray attended the Nevada Public Utilities Commission Consumer Session held at the Eureka Opera House on July 7<sup>th</sup>. This was a public hearing regarding AT&T's filing for relief from its designation as "Provider of Last Resort" in several rural areas throughout the State, including all of Eureka County.

Commissioner Sharkozy participated in a Search & Rescue meeting in Crescent Valley on July 11<sup>th</sup> and attended the Crescent Valley Volunteer Fire Department meeting on July 12<sup>th</sup>.

Chairman Goicoechea has had multiple informal meetings with County staff; participated in several teleconferences with attorneys for the sage grouse litigation; and participated in a National Association of State Departments of Agriculture teleconference the previous week.

Nevada Rural Housing Authority: Preparations are underway for outside counsel to work with Nevada Rural Housing Authority to obtain copies of paperwork in relation to the property (townhomes) at the Eureka Canyon Subdivision. After being notified that NRHA is unable to obtain financing and will soon be unable to make interest payments to the County, the County is working to assume complete right, title, and ownership of said properties. It is imperative that Eureka County review the proper documents before moving forward with this acquisition. An update on progress will be provided at the August 5<sup>th</sup> meeting.

Nevada Health Centers Contract: On June 27<sup>th</sup>, the Board negotiated with representatives of Nevada Health Centers and agreed upon the following terms for the new contract (a reduction of \$61,500.00 over the previous contract):

- 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

The final contract was prepared and presented for approval. Commissioner Etchegaray motioned to approve the Fiscal Year 2016-2017 clinical services contract with Nevada Health Centers, Inc., in the amount of \$717,000.00; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Northeastern Nevada Regional Development Authority: Eureka County was invited to join Northeastern Nevada Regional Development Authority upon withdrawing membership from Great Basin Regional Development Authority (due to GBRDA's desire to dissolve). Pam Borda, Executive Director of NNRDA, attended the July 6<sup>th</sup> meeting to explain the benefits of NNRDA and to answer questions. The Board took action at that meeting to accept the invitation to join and the associated documents were prepared and now available for signature.

Commissioner Sharkozy motioned to approve the Inter-Local Agreement with Northeastern Nevada Regional Development Authority and to sign the resolution providing for addition of Eureka County as a member; Commissioner Etchegaray seconded the motion; motion carried 3-0.

WHEREAS, the Northeastern Nevada Regional Development Authority exists for the purpose of promoting industrial development and positive social-economic growth in Elko, Lander and Eureka Counties and the Cities of Carlin, Elko, Wells and West Wendover.

WHEREAS, it is the desire of this County to establish a cooperative working relationship for mutual economic and community development with Eureka County, the Cities of Carlin, Elko, Wells and West Wendover as well as the State of Nevada and the Federal government, and

WHEREAS, given the general condition of the economy of the rural areas of Nevada, there is an urgent need for economic development and the general improvement of rural communities, and

NOW, THEREFORE, BE IT RESOLVED that the County does hereby set forth the Commissioners' intention to adopt the Inter-Local Cooperative Agreement providing for the addition of Eureka County as a member of the Northeastern Nevada Regional Development Authority upon approval by the Attorney General's Office of the State of Nevada.

AND, BE IT FURTHER RESOLVED, that this resolution shall be considered a counterpart of the Inter-Local Cooperative Agreement and shall be deemed to be an original part thereof.

PASSED and ADOPTED this 18<sup>th</sup> day of July, 2016, by the following vote:

AYES 3 ; NAYS 0 ; ABSENT or ABSTENTION 0 ;

/s/ J.J. Goicoechea

J.J. Goicoechea, Chairman

Eureka County Board of Commissioners

ATTEST: /s/ Beverly Conley

Beverly Conley, County Clerk

Approved as to form and legality this 18<sup>th</sup> day of July, 2016.

BY: /s/ Theodore Beutel

Theodore Beutel, District Attorney

Sagebrush Ecosystem Program & Nevada Greater Sage-Grouse Conservation Plan: In relation to the Conservation Credit System trials, the Sagebrush Ecosystem Council is working to get new projects before the Sagebrush Ecosystem Program for approval in this fiscal year, in order to take advantage of the full funding allotted. Chairman Goicoechea will be one of the presenters of potential projects at a meeting in Gardnerville on July 20<sup>th</sup>.

Plain Talk Newsletter: Abby Johnson, *Plain Talk* Editor, discussed the fall issue of the newsletter with a planned publication date of late September or early October. The following potential topics were considered: upcoming election and ballot questions, potential acquisition of Nevada Rural Housing Authority properties; membership in Northeastern Nevada Regional Development Authority; Crescent Valley events; Cooperative Extension update (including hiring of Extension Educator, Gary McCuin); and water issues including recent court decisions, finalization of the draft Water Resources Master Plan, and continuing work on the Diamond Valley Groundwater Management Plan.

## YUCCA MOUNTAIN

Update on Yucca Mountain Project: Nuclear Waste Advisor, Abby Johnson, provided a brief update on Yucca Mountain Project activities. The US Department of Energy is conducting hearings on 'consent-based siting' for interim storage of spent nuclear fuel; the hearings will conclude this month. The Nevada Board of Examiners approved an additional \$2.5 million in

funding for Nevada's case before the Nuclear Regulatory Commission in the licensing process, should the process continue. Congressman John Shimkus (Illinois), a strong proponent of the Yucca Mountain repository, held a hearing before the House of Representatives earlier this month. Governor Sandoval sent a letter to the Congressman restating his adamant opposition to the Yucca Mountain site. Transportation Advisor, Rick Moore, attended the DOE's National Transportation Stakeholders Forum and summarized the information in a report.

This Yucca Mountain issue is certainly not dead, but many aspects are in limbo while everyone awaits outcome of the pending election and probable political changes.

## **AMBULANCE & EMS**

Activity Report: EMS Coordinator, Mike Sullivan, reported on activities since his last report on June 20<sup>th</sup>. Eureka had four calls for service (63 year-to-date) and Crescent Valley had three calls for service (31 year-to-date).

Continuing education training is scheduled in Eureka on July 25<sup>th</sup> and in Crescent Valley on July 28<sup>th</sup>. The new electronic patient care recordkeeping program and software from ImageTrend was configured on June 27<sup>th</sup> and full deployment is planned for August 1<sup>st</sup>. Approval was received for the protocol revisions allowing EMTs and Advanced EMTs to administer Narcan by intramuscular injection and intranasal routes.

Mr. Sullivan participated in the Nevada Project Heartbeat Board of Director's quarterly meeting in Reno on July 11<sup>th</sup>. On July 14<sup>th</sup>, he attended the public workshop, conducted by the State Board of Health, for proposed changes to NAC 450B (regulations that govern licensed EMTs and ambulance services), which would include unprecedented increases to fees and fines charged by the Nevada Department of Health & Human Services. He confirmed that the County's comment letter was received in advance of the hearing. On July 15<sup>th</sup>, Mr. Sullivan attended the Nevada Crisis Standards of Care (EMS workgroup) meeting in Las Vegas.

## **SENIOR CENTERS**

Fiscal Monitoring Reports: Senior Centers Program Director, Millie Oram, provided copies of the Fiscal Monitoring Reports from Nevada Aging & Disability Services Division for the following grants: (a) Transportation Services Grant #07-000-10-BC-15 for the period of July 1, 2014, through June 30, 2015; and (b) Nutrition Services Grants #07-000-04-24-15, #07-000-07-13-15, and #07-000-57-NX-15 for the period of October 1, 2014, through September 30, 2015. As always, audit results for Eureka County were favorable.

Hiring Freeze Waiver Justification: Ms. Oram completed a Hiring Freeze Waiver Justification form for the position of casual Kitchen Aide in Crescent Valley, explaining that the current employee has given notice of resignation, effective July 27<sup>th</sup>. Commissioner Sharkozy motioned to authorize hiring of a casual Kitchen Aide for the Fannie Komp Senior Center effective immediately; Commissioner Etchegaray seconded the motion; motion carried 3-0.

## **PUBLIC WORKS**

Projects & Activities: Assistant Public Works Director, Raymond Hodson, provided an update on Public Works projects and activities.

Fire District Update: On July 5<sup>th</sup>, ten Crescent Valley and Beowawe volunteer firefighters passed their SCBA (self-contained breathing apparatus) fit testing. On July 7<sup>th</sup>, Eureka maintenance staff traveled to Dunphy and assisted volunteers with a drafting class (pumping from a water source). Open burning was banned effective July 15<sup>th</sup>; notices were issued in advance of the ban.

Technician I Position: Advertising for the vacant Technician I position began on July 11<sup>th</sup>.

US Environmental Protection Agency: The EPA broke ground at the repository site, located on the south side of Ruby Hill Avenue in Eureka. Phase I construction is expected to take 30 days.

Facilities: Crews prepared the baseball fields in Eureka for the Annual VFW Mid-Summer Classic Men's Softball Tournament scheduled for July 23<sup>rd</sup> & 24<sup>th</sup>. Crews are preparing the Eureka Fairgrounds for the upcoming County Fair on August 11<sup>th</sup>-14<sup>th</sup>.

Lease Agreement for University of Nevada Cooperative Extension: A Lease Agreement was prepared between Eureka County and the Board of Regents of the Nevada System of Higher Education in order to lease space in the Annex/Administrative Facility to University of Nevada Cooperative Extension. Word was received just prior to the meeting that the Board of Regents had approved the lease. Mr. Hodson noted that there was one typographical error in relation to the square footage (it was referenced correctly in other areas of the document).

Commissioner Sharkozy motioned to approve a four-year Lease Agreement between Eureka County and the Board of Regents of the Nevada System of Higher Education, with all references to area corrected to state 447 square feet, and authorized staff to sign the Lease Agreement outside of the meeting. Commissioner Etchegaray seconded the motion. Motion carried 3-0.

## **CLERK & TREASURER**

Treasurer's Report: The Treasurer's Report for June was submitted by Clerk & Treasurer, Beverly Conley. Ending General Fund balance for the month was \$14,486,978.61. Overall ending balance, including encumbered funds, was \$59,408,376.78.

Seventh Judicial District Court Cooperative Agreement: The Seventh Judicial District Court Cooperative Agreement outlines a formula where each county in the district pays a portion of the shared court costs based upon population. The district is comprised of Eureka, White Pine, and Lincoln Counties. Eureka County pays 11% of total costs for the district. Commissioner Etchegaray motioned to approve and sign the Seventh Judicial District Court Cooperative Agreement for Fiscal Year 2016-2017; Commissioner Sharkozy seconded the motion; motion carried 3-0.

## **JUVENILE PROBATION**

Out-of-State Travel: Commissioner Etchegaray motioned to approve out-of-state travel on July 28<sup>th</sup>-29<sup>th</sup> for Alison Haupt to attend the Northwest Alcohol & Substance Abuse Conference in Boise, Idaho; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Senior Department Assistant, Joyce Jeppesen, explained that she and Juvenile Probation Officer, Steve Zimmerman, were already registered for this conference and PACE Coalition offered a free registration for Ms. Haupt, who is the Girls Circle Facilitator.

## **NATURAL RESOURCES**

Report on Activities: Natural Resources Manager, Jake Tibbitts, gave an update on recent activities and natural resources issues affecting Eureka County.

CARET Meeting: Mr. Tibbitts attended the CARET (Council for Agricultural Research, Extension, & Teaching) meeting in Bozeman, Montana, July 11<sup>th</sup>-14<sup>th</sup>, as a Nevada CARET delegate. He gave a brief overview of topics covered, which included Sage Grouse Land Use Plan Amendments, proposed legislation, and other public lands and western issues.

Other Meetings: Mr. Tibbitts reported that Dale Bugenig, Consulting Hydrologist, was currently in Carson City attending the Boulder Valley & Maggie Creek Monitoring Plan meeting. Upcoming meetings include the Eureka Conservation District meeting on July 19<sup>th</sup>, a Diamond Valley Groundwater Management Plan meeting at the Opera House on July 25<sup>th</sup>; a Crescent Valley Firewise Committee meeting on July 26<sup>th</sup>; the Legislative Interim Committee on Public

Lands meeting in Elko on July 28<sup>th</sup>; and a rangeland tour in Eureka on July 29<sup>th</sup> hosted by the Nevada Section of Society for Range Management.

Fire Creek Mine Mitigation Project: The BLM is preparing an Environmental Assessment for the Fire Creek Mine Mitigation Project (Klondex Gold & Silver Mining Company) in Lander County. They are working with the Sagebrush Ecosystem Program Technical Team to develop mitigation credits (for sage grouse habitat) for an area of disturbance totaling 150 acres.

HCCUEP Twin Declines for Underground Exploration EA: The draft Environmental Assessment for the Horse Canyon Cortez Unified Exploration Project Twin Declines for Underground Exploration should be issued by the BLM for public comment in the next day or so.

Government Accountability Office Report: The Government Accountability Office recently issued a report to the Committee on Natural Resources, House of Representatives, related to the frequency and extent of unauthorized grazing on public lands. The GAO felt practices of the BLM and US Forest Service to resolve issues informally were not adequate and that written notice should be given. The report recognized that nearly all trespass incidents are unintentional and often inadvertently caused by a third party and not the permittee.

Sage Grouse Issues: Responses from the federal agencies and the interveners in the sage grouse litigation, pending in US District Court in Nevada, were filed the previous week in response to the latest filings by the plaintiffs (several rural Nevada counties, including Eureka County, and industry groups, led by Western Exploration, LLC). The plaintiffs/appellants have until late July to file their responses.

Legislative Interim Committee on Public Lands: The Legislative Interim Committee on Public Lands will meet in Elko on July 28<sup>th</sup>. Eureka County has been invited to participate and Mr. Tibbitts noted that current issues will be emphasized and Eureka County will ask for the Committee's involvement or action on specific matters.

The Committee will be asked to: (1) address improper involvement by special interest groups; (2) require review related to BLM water filings, especially vested filings based on the Treaty of Guadalupe Hidalgo; (3) promote proper and effective coordination with federal agencies; (4) provide for funding support to validate rights-of-way, primarily RS 2477 roads; (5) institute legislative and regulatory support to maximize multiple-use of public lands; (6) push to ensure that Greater Sage-Grouse and its habitats are conserved and managed according to the State Plan; (7) ensure that receipts from commercial activities on public lands are shared on the State and local levels; (8) respond to federal land agency decisions continually exposed to National Environmental Policy Act and Endangered Species Act challenges; (9) support streamlining of permitting on federal lands; (10) oppose efforts that would allow permanent retirement of grazing on federal lands; (11) support cooperation between BLM, USFS, and grazing permittees on management decisions, flexibility, and quality/quantity of supporting data; (12) support legal challenges to compel BLM to manage wild horses and burros; and (13) support efforts by groups and individuals to implement landscape projects utilizing pinyon-juniper woodland biomass for multiple benefits.

The Board discussed the topics and provided consensus to move forward with the July 28<sup>th</sup> presentation to the Legislative Interim Committee on Public Lands.

## **CORRESPONDENCE**

Correspondence was received from: Sondra Sharkozy; Seventh Judicial District Court; Northeastern Nevada Regional Development Authority, Pam Borda; Nevada Assoc. of Counties; Nevada Aging & Disability Services Div. (2); Nevada Div. of Environmental Protection; US Dept. of the Interior, BLM; American Lands Council (2); US Nuclear Waste Technical Review Board; and CJIS Group.

**PUBLIC COMMENT**

Commissioner Goicoechea opened the floor for public comments. Lisa Wolf requested a copy of the presentation for the Legislative Interim Committee on Public Lands once it is finalized.

**ADJOURNMENT**

Commissioner Sharkozy motioned to adjourn; Commissioner Etchegaray seconded the motion; motion carried 3-0. The meeting was adjourned at 11:06 a.m.

*Approved by vote of the Board this 5<sup>th</sup> day of August, 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 July 18, 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