

**EUREKA COUNTY BOARD OF COMMISSIONERS**

**July 20, 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 20, 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**

Commissioner Sharkozy motioned to approve the agenda for the day’s meeting; Commissioner Etchegaray seconded the motion; motion carried 3-0.

**PUBLIC COMMENT**

Chairman Goicoechea opened the floor for public comments. Jason Neugebauer, Master Sergeant with the US Air Force, introduced himself. Mr. Neugebauer is currently stationed at Offutt Air Force Base in Nebraska and is home visiting friends and family in Eureka. While here, he made application for the County’s vacant IT/Network Analyst position and wanted to introduce himself to those who may not yet know him. He provided a brief summary of his work experience in the Air Force, especially in areas related to information technology.

**APPROVAL OF MINUTES**

June 19, 2015: Commissioner Sharkozy motioned to approve minutes of the June 19, 2015, Commission meeting; Commissioner Etchegaray seconded the motion; motion carried 2-0. Chairman Goicoechea abstained as he was absent from that meeting.

July 6, 2015: Commissioner Etchegaray motioned to approve minutes of the July 6, 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, the Commissioners reviewed an invoice from Guiding Star Counseling for counseling services provided in August 2014. Commissioner Sharkozy motioned to authorize payment to Guiding Star Counseling in the amount of \$375.00; Commissioner Etchegaray seconded the motion; motion carried 3-0.

Commissioner Etchegaray motioned to approve expenditures in the amount of \$459,598.10 for accounts payable, \$285,473.68 for payroll, \$14,340.33 for a special payroll, for a grand total of \$759,412.11; Commissioner Sharkozy seconded the motion; motion carried 3-0. *Note: The expenditure total included the amount paid to Guiding Star Counseling and an amount paid to Humboldt County for Humboldt River Basin Water Authority (approved later in the meeting).*

Auditor’s Report: The Auditor’s Report was provided to the Board later in the day.

**IT/NETWORK SERVICES**

Temporary IT Services Contract: During an earlier meeting, the Board asked Mike Rebaleati if he would be willing to provide temporary information technology services to assist during the transition to a permanent solution for the County’s IT and network needs. The County

currently contracts with Advanced Data Systems in Carson City for remote IT/network services and occasional on-site services.

Mr. Rebaleati is very knowledgeable of the system and offered to provide monitoring, planning, training, and troubleshooting (on-site when available) to assist the County with IT and network needs as they transition to an additional company and/or an individual for a permanent solution. Additionally, Mr. Rebaleati will assist in migrating software, related to the annual audit, to a server so it can be accessed by multiple people. If needed, he is willing to provide other support during the overall audit process. He proposed a six-month contract at \$3,000.00 per month to cover all of these services.

Commissioner Etchegaray motioned to enter into a six-month contract with Mike Rebaleati in the amount of \$3,000.00 per month for temporary IT services and technical assistance related to the annual audit, effective August 1, 2015; Commissioner Sharkozy seconded the motion; motion carried 3-0.

IT/Network Update: IT Network Analyst Supervisor, Michael Mears, informed the Board that the IT/Network Analyst position is being advertised through the end of July and interviews will take place in early August. Mr. Mears is speaking with Business Continuity Technologies, a Las Vegas based company, regarding a possible contract. This company is very suited to the County's needs and would provide remote and on-site support.

## **NEVADA DIVISION OF FORESTRY**

Wildland Fire Protection Program: NDF representatives, Bob Roper, State Forester Firewarden, and Tom Turk, Northern Region Battalion Chief, were in attendance to provide an update on the Wildland Fire Protection Program (WFPP) and on Rangeland Fire Protection Associations (RFPAs). The County recently approved a two-year renewal contract with NDF, effective July 1, 2015, for the Wildland Fire Protection Program.

Mr. Roper explained that under the WFPP, Eureka County retains jurisdiction over fires within the County and NDF responds only at the County's request. Much of NDF's work is in an advisory capacity. They assist with cost controls, brokering deals between federal agencies and the local operators, and investigations. Costs are shouldered by the State and if the County does have out-of-pocket expenses, they are reimbursed by NDF and NDF in turn works for reimbursement from the federal government. It is the County's responsibility to file for Fire Management Assistance Grants, but NDF assists with the process to ensure applications are submitted in a timely manner.

Rangeland Fire Protection Associations: Legislation passed during the 2015 Nevada Legislative Session implementing Rangeland Fire Protection Associations. RFPAs address the needs of private property owners with rights on federal lands who were previously not allowed to suppress wildland fires on those lands. Parties can now join together (ranchers or a rancher with neighbors or private businesses) to implement an RFA. They obtain approval from the Board of Directors of the local Chapter 474 Fire District (in Eureka County this is the Board of County Commissioners), define boundaries, facilitate training (with assistance from NDF, BLM and/or Forest Service), and become empowered to detect and fight wildland fires. RFPAs differ from Volunteer Fire Departments in that members don't need to be trained on the all-risk aspects of emergency response. The RFA is administered by the local Fire District, unless the District requests that NDF step in and take on the administrative duties.

Emergency regulations have been adopted and NDF is in the process of drafting permanent regulations for RFPAs with assistance from the Legislative Counsel Bureau. The US Forest Service and BLM are cooperating with this legislation and will provide personal protective gear to outfit members of the RFPAs, so there is little or no cost to the local jurisdiction.

It was noted that Eureka County has broad coverage in place with its many active Volunteer Fire Departments. This is supplemented with placement of fire engines on various ranches throughout the County.

## **DIAMOND NATURAL RESOURCES PROTECTION & CONSERVATION ASSOCIATION**

Request to Petition Seventh Judicial District Court: Diamond Natural Resources Protection & Conservation Association representatives - Mark Moyle, President, and members Jim Baumann and Ken Conley - informed the Board that the DNRPCA had voted to request that the Board of County Commissioners petition the Seventh Judicial District Court to require the State Engineer to order a full and complete adjudication of all surface and underground water in Diamond Valley, Basin 153. Mr. Moyle stated it is imperative that a complete adjudication, including all surface and underground water, be completed. Adjudication, in conjunction with a groundwater management plan, would provide a measure of stability to the water resources and the agricultural producers in the valley, which in turn benefits the entire County.

The Board agreed with the need for adjudication and briefly discussed it with the DNRPCA members. Chairman Goicoechea asked if the DNRPCA, as well as individual producers, anticipated joining on to the request to the Court. Mr. Moyle felt it was very likely.

Commissioner Etchegaray motioned to petition the Seventh Judicial District Court to require the Nevada State Engineer to order full and complete adjudication of all surface and underground water in Basin 153, Diamond Valley. Commissioner Sharkozy seconded the motion. Motion carried 3-0. Chairman Goicoechea encouraged others to stand with the County and join in this effort.

## **COMMISSIONERS**

Update Reports: Chairman Goicoechea attended the Diamond Natural Resources Protection & Conservation Association meeting on July 7<sup>th</sup>; met with University of Nevada Cooperative Extension in Eureka on July 8<sup>th</sup> (which included an update on status of recruitment of an Extension Educator for Eureka County and discussion on transitioning Eureka County UNCE employees to State employees with salaries funded by the County); chaired the Sagebrush Ecosystem Council meeting on July 9<sup>th</sup>; and attended the Liquor Board meeting the morning of July 20<sup>th</sup>.

Commissioner Sharkozy attended the Liquor Board meeting the morning of July 20<sup>th</sup> and was on vacation prior to that.

Commissioner Etchegaray met with University of Cooperative Extension on July 8<sup>th</sup> in Eureka (which included discussion of an Extension Educator and a request for more on-the-ground projects); and attended the Liquor Board meeting early on July 20<sup>th</sup>.

Reschedule Quarterly Meeting: The quarterly meeting scheduled for July 15<sup>th</sup> in Crescent Valley was cancelled due to lack of quorum. The Board discussed alternate meeting dates and, due to scheduling issues, decided to hear the quarterly items at the nearest regular meeting where Crescent Valley Town Advisory Board Chair, Dawn Gann, was available. Commissioner Etchegaray motioned to ratify cancelling of the July 15<sup>th</sup> quarterly meeting and to reschedule the quarterly meeting items during the August 20<sup>th</sup> meeting; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Per Diem & Credit Cards for County Travel: It was brought to the Board's attention that there was inconsistency in how employees paid for meals when traveling for County business. Some followed the per diem allowances outlined in policy, while others paid for meals with credit cards and often exceeded the per diem limits. The Board agreed that when traveling out-of-state, particularly to high cost areas such as Washington, DC, the per diem limits will be waived.

After further discussion, Commissioner Etchegaray motioned that per diem rates outlined in the Eureka County Personnel Policy Manual will apply for all in-state travel, while credit cards will be allowed for out-of-state travel. Commissioner Sharkozy seconded the motion. Motion carried 3-0. A letter regarding this will be distributed to employees.

Humboldt River Basin Water Authority Assessment for FY 2014-2015: The Board discussed a special accounts payable to Humboldt County for Humboldt River Basin Water Authority. It reflected the membership fee for Fiscal Year 2014-2015, which was not previously

invoiced to Eureka County. Commissioner Sharkozy motioned to approve paying the Fiscal Year 2014-215 membership assessment of \$10,000.00 for Humboldt River Basin Water Authority to be paid out of Fiscal Year 2014-2015 funds; Commissioner Etchegaray seconded the motion; motion carried 3-0.

Sagebrush Ecosystem Program & Nevada Greater Sage Grouse Conservation Plan: Chairman Goicoechea has been in contact with Washington, DC, in continuing efforts to pass legislation that would set a mandatory ten years before the US Fish & Wildlife Service could list sage grouse as an endangered or threatened species under the Endangered Species Act and would allow states five years to demonstrate effectiveness of their respective state plan. Progress has been made on the proposed legislation and Chairman Goicoechea is awaiting news at any time.

## **PUBLIC WORKS**

Public Works Positions: Public Works Administrative Assistant, Kim Todd, informed the Board that the current Road Shop Senior Mechanic, Todd Hubbard, is retiring effective August 27<sup>th</sup>. During budget sessions, Public Works Director, Ron Damele, recommended that this position be filled by promoting within the department and filling the subsequent vacancy by promotion as well, ultimately leaving one mechanic position vacant for a net reduction of one employee in the Road Shop. The required Hiring Freeze Waiver Justification forms were submitted to the Board.

Road Shop Senior Mechanic: Commissioner Etchegaray motioned to authorize replacement of the Road Shop Senior Mechanic position from within the department as determined during budget preparations; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Road Shop Mechanic I: Ms. Todd explained that this position will become vacant effective July 30<sup>th</sup> due to resignation. Filling this position will still leave one net vacancy in the Road Shop. Commissioner Etchegaray motioned to authorize replacement of the Road Shop Mechanic I position; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Beowawe Road Maintenance Equipment Operator/Mechanic: Ms. Todd explained this position became vacant due to retirement of the existing employee. Commissioner Etchegaray motioned to authorize replacement of the Beowawe Road Maintenance Equipment Operator/Mechanic; Commissioner Sharkozy seconded the motion; motion carried 3-0.

## **SENIOR CENTERS**

Update Report: Nevada Aging & Disability Services Division recently conducted desk audits on the following grants: Transportation Grant #07-000-10-BC-14, and Nutrition Grants #07-000-04-24-14, #07-000-07-13-14, and #07-000-57-NX-14. The Board reviewed the audit reports and Senior Centers Program Director, Millie Oram, noted that all expenditures were found to be in compliance with the grants.

Fiscal Year 2015-2016 Contract with Genesis Home Health Services, Inc.: Genesis Home Health Services provides home nursing care. The County subsidizes this care for qualifying patients. The dollar limit in the previous year's contract (Fiscal Year 2014-2015) was \$20,000.00, but just over \$5,000.00 was expended for the year. Due to this, the Board discussed reducing the annual contract amount. Commissioner Etchegaray motioned to renew the contract with Genesis Home Health Services, Inc., for Fiscal Year 2015-2016, not to exceed \$15,000.00; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Fiscal Year 2015-2016 Contract with Consumer Direct Personal Care, LLC: Consumer Direct Personal Care (dba Better@Home) provides in-home assistance for elderly and disabled persons. The County subsidizes this care for qualifying individuals. The dollar limit in the previous year's contract (Fiscal Year 2014-2015) was \$24,000.00 and approximately \$15,000.00 was expended for the year. Due to this, the Board discussed reducing the annual

contract amount. Commissioner Sharkozy motioned to renew the contract with Consumer Director Personal Care, LLC, (dba Better@Home) for Fiscal Year 2015-2016, not to exceed \$20,000.00; Commissioner Etchegaray seconded the motion; motion carried 3-0.

## **AMBULANCE & EMS**

Activity Report: EMT-2, Michael Boharsik, reported on activities since the last report on June 19<sup>th</sup>. Eureka had six calls for service (69 year-to-date) and Crescent Valley had six calls for service (30 year-to-date). Continuing education classes were held in Eureka on June 29<sup>th</sup> and July 6<sup>th</sup> and in Crescent Valley on July 25<sup>th</sup> and July 9<sup>th</sup>. Upcoming training is scheduled in Eureka on July 27<sup>th</sup> and in Crescent Valley on July 30<sup>th</sup>. CPR/First-Aid refresher training was conducted for the Pine Valley Volunteer Fire Department. Mr. Boharsik exhibited the MPTV (multi-patient transport vehicle) at the Nevada State Firefighter's Association Conference in Virginia City on June 26<sup>th</sup>-27<sup>th</sup>. Ambulances were rotated throughout the County to allow for more utilization of the lower mileage units.

First Line Technology, vendor that the MPTV kit was purchased from, wants to display the bus in Las Vegas at EMS World during September. They have offered to cover all costs related to fuel and wages.

Proposed Resolution Outlining Ambulance Rate Changes: Chairman Goicoechea stated there are some questions that need to be answered before taking the final step of adopting a resolution to implement changes in the ambulance billing rates. Eureka County EMS is working to have Health Services Integration, Inc., attend a future meeting to give a presentation and answer questions. Health Services Integration is the ambulance billing company recently contracted by the County. Commissioner Sharkozy motioned to table the resolution outlining ambulance rate changes; 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 June was \$13,339,209.33. Overall ending balance, including encumbered funds was \$55,666,250.31.

## **COUNTY FACILITIES & ECONOMIC DEVELOPMENT**

Update Report: Cultural, Tourism, & Economic Development Director, Andrea Rossman, reported on activities for the Opera House, Sentinel Museum, and Economic Development. Ms. Rossman provided the June calendar of events for the Opera House. Meetings have decreased, but foot traffic is up due to tourism. Museum Director, Ree Taylor, submitted a written report for the museum detailing museum activities, including recent donations and work with historical photographs.

Letter of Resignation from ECEDP: A letter was received from Karen Rowley resigning from the Economic Development Program Board. Commissioner Etchegaray motioned to accept the resignation of Karen Rowley from the Economic Development Program Board, effective July 7, 2015; Commissioner Sharkozy seconded the motion; motion carried 3-0.

## **BUDGET DIRECTOR**

Fees – Opera House: Budget Director, Michael Mears, and Cultural, Tourism, & Economic Development Director, Andrea Rossman, provided recommendations related to proposed fee increases for the Opera House. Initial information was provided during the July 7<sup>th</sup> meeting, but at the request of the Board, Ms. Rossman provided more detailed information regarding facility usage and proceeds for the past several years. Approximately \$9,000.00 per year was received in recent years, with around \$12,000.00 received in 2014 due to higher usage by area mines. Ms. Rossman recommended the following fee changes for the Eureka Opera House:

<b>EUREKA OPERA HOUSE</b>	Current Rate	New Rate
<b>General Public &amp; Government</b>		
GRAND HALL	\$110.00/day	\$110.00/half day; \$220.00/full day
MEETING ROOM	\$50.00/day	\$50.00/half day; \$100.00/full day
KITCHEN	\$100.00/day	\$200.00/day
BAR	\$50.00/event	\$50.00/event
<b>Nonprofit</b>		
GRAND HALL	\$10.00/day	\$50.00/day
MEETING ROOM	\$10.00/day	\$50.00/day
KITCHEN		\$100.00/day
BAR		\$50.00/day
Eureka County School District & Eureka County		FREE

Commissioner Sharkozy motioned to approve the updated rates as recommended for the Eureka Opera House, effective August 1, 2015; Commissioner Etchegaray seconded the motion; motion carried 3-0.

**Fees – Senior Center:** Senior Centers Program Director, Millie Oram, provided the current facility fees charged by the Eureka Senior Center, as well as information on facility usage over the past couple of years. In Fiscal Year 2013-2014, the building was rented 21 times for total proceeds of \$525.00. In Fiscal Year 2014-2015, the building was rented 11 times for total proceeds of \$275.00. No specific recommendations on fee increases were made.

<b>EUREKA SENIOR CENTER</b>	Current Rate	New Rate
DINING ROOM	\$25.00	\$50.00
DINING ROOM & KITCHEN	\$100.00	\$200.00

After some discussion, the Board felt doubling the rates would be reasonable and would allow the rates to be somewhat competitive with the Opera House. Commissioner Etchegaray motioned to increase facility fees at the Eureka Senior Center to \$50.00 for the dining room and \$200.00 for the dining room and kitchen, effective August 1, 2015; Commissioner Sharkozy seconded the motion; motion carried 3-0.

**Fees – Eureka Fairgrounds & Ballfields:** Administrative Assistant, Kim Todd, provided information on current fees and usage for the ballfields and Eureka Fairgrounds. Fees of \$390.00 were collected for facility rentals in Fiscal Year 2103-2014 and fees of \$370.00 were collected for Fiscal Year 2014-2015. Ms. Todd also provided fee comparisons with neighboring counties. Following are the current fees and recommended adjustments, along with a recommendation that waivers of fees for certain groups be discontinued:

<b>BALLFIELDS</b>	Current Rate	New Rate
RENTAL	\$35.00/day	\$75.00/day
YOUTH	No Charge	\$100/season
ADULT	No Charge	\$100/season
TOURNAMENT	No Charge	\$100.00/day
NONPROFIT	\$10.00/day	Remove this category
DEPOSIT (all rentals)		\$100.00
<b>EUREKA FAIRGROUNDS</b>		
RENTAL	\$35.00/day/facility	\$200.00/day/entire FG
NONPROFIT	\$10.00/day	Remove this category
COMMERCIAL	\$110.00/day	Remove this category
COOK SHACK	\$35.00/day	Included in daily fee
STALL RENTALS	No Charge	\$10.00/day
ROPING MEMBERS	No Charge	\$10.00 member/season
DEPOSIT (all rentals)		\$100.00

It was noted that no fees will be charged for the County Fair since it is a County function. Because it is mid-season and many activities have already been scheduled, Public Works

recommended that the fee changes for these facilities not be implemented until January 1<sup>st</sup>. Commissioner Sharkozy motioned to approve the recommended fee changes for the ballfields and the Eureka Fairgrounds, effective January 1, 2016; Commissioner Etchegaray seconded the motion; motion carried 3-0.

Fees – Eureka Landfill: Ms. Todd provided current and recommended fees for the Eureka Landfill, as well as comparisons with neighboring areas. The spreadsheet included revenues versus operating costs, showing a net loss for each of the past several years. In Fiscal Year 2014-2015, the landfill lost \$106,000.00. Total loss for the year, related to disposal costs, was \$156,000.00 if the franchise fee with Hoss Disposal for the Town of Crescent Valley is incorporated.

<b>EUREKA LANDFILL</b>	<b>Current Rate</b>
PERMIT HOUSEHOLD	\$25.00 qtr / \$100.00 year
PERMIT COMMERCIAL	\$65.00 qtr / \$260.00 year
PACKER HAULER	\$3.00 compact / \$6.00 loose
RESIDENTIAL GARBAGE	\$4.00 up to three 35 gal cans
“ “	\$4.00 up to two 55 gal barrels
“ “	\$6.00 up to six 35 gal cans
“ “	\$6.00 up to four 55 gal barrels
C&D	\$6.00 cubic yard
TIRES 24”	\$3.00 each
TIRES over 24”	\$10.00 each
SEMI / EQUIPMENT TIRES	\$15.00 each

Public Works recommended a 33% per year step increase over the next three years, to begin January 1<sup>st</sup>. The Board had concerns that raising the fees substantially might encourage dumping on federal lands, which in turn could pose a fire risk. They preferred a one-time increase. Commissioner Etchegaray motioned to increase the fees as outlined in the following table, effective January 1, 2016; Commissioner Sharkozy seconded the motion; motion carried 3-0.

<b>EUREKA LANDFILL</b>	<b>Fees Effective January 1, 2016</b>
PERMIT HOUSEHOLD	\$44.00 qtr / \$176.00 year
PERMIT COMMERCIAL	\$114.00 qtr / \$456.00 year
PACKER HAULER	\$6.00 compact / \$12.00 loose
RESIDENTIAL GARBAGE	\$6.00 cubic yard (\$5 minimum)
C&D	\$8.00 cubic yard
TIRES 24”	\$3.00 each
TIRES over 24”	\$10.00 each
SEMI / EQUIPMENT TIRES	\$25.00 each

**EUREKA COUNTY SHERIFF**

Equitable Sharing Agreement: Sheriff Keith Logan presented the annual Equitable Sharing Agreement and Certification for approval. Each year the County signs an agreement with the US Department of Justice and US Department of the Treasury for allocation of forfeited cash, property, and proceeds. The Annual Certification Report showed a zero distribution to Eureka County for the previous fiscal year. Commissioner Sharkozy motioned to approve the annual Equitable Sharing Agreement between Eureka County and the US Department of Justice and US Department of the Treasury; Commissioner Etchegaray seconded the motion; motion carried 3-0.

National Night Out 2015: Sheriff Logan read a proclamation recognizing August 4<sup>th</sup> as National Night Out 2015 and invited the Commissioners and the community to stop by the Eureka Fire Station beginning at 5:00 p.m. on August 4<sup>th</sup> to participate in the activities. This year’s focus is on ATV, UTV, and off-highway vehicle safety. Commissioner Etchegaray

motioned to adopt a proclamation declaring August 4<sup>th</sup> as National Night Out 2015 in Eureka County; Commissioner Sharkozy seconded the motion; motion carried 3-0.

***NATIONAL NIGHT OUT 2015 PROCLAMATION***

*WHEREAS, the National Association of Town Watch (NATW), is sponsoring a unique, nationwide crime, drug and violence prevention program on August 4<sup>th</sup> 2015 entitled “National Night Out”; and*

*WHEREAS, the “32<sup>nd</sup> Annual National Night Out” provides a unique opportunity for Eureka County to join forces with thousands of other communities across the country in promoting cooperative, police-community crime prevention efforts; and*

*WHEREAS, Eureka County Sheriff’s Office plays a vital role in crime, drug and violence prevention efforts in Eureka County and is supporting “National Night Out 2015” locally; and*

*WHEREAS, it is essential that all citizens of Eureka County be aware of the importance of crime prevention programs and impact that their participation can have on reducing crime, drugs and violence in Eureka County; and*

*WHEREAS, police-community partnerships, neighborhood safety, awareness and cooperation are important themes of the “National Night Out” program;*

*NOW, THEREFORE WE, BOARD OF EUREKA COUNTY COMMISSIONERS, do hereby call upon all citizens of Eureka County to join the Eureka County Sheriff’s Office, the National Association of Town Watch in supporting “32<sup>ND</sup> Annual National Night Out” on August 4<sup>th</sup>, 2015.*

*FURTHER LET IT BE RESOLVED THAT, WE, EUREKA COUNTY COMMISSIONERS, do hereby proclaim Tuesday, August 4<sup>th</sup>, 2015 as “NATIONAL NIGHT OUT” in Eureka County.*

*/s/ J.J. Goicoechea*

Eureka County Commission Chairman

*/s/ Beverly Conley*

Eureka County Clerk

**EUREKA COUNTY 4H PROGRAM**

**4H Market Animals & 2015 County Fair:** 4H Coordinator, Hallee DeChambeau, and 4H students, Heather Lacovara, Shane Lacovara, Michael Lacovara, Austin Zimmerman, Molly Zimmerman, Marcia Brown, Witz Bailey, Joe Bailey, and Zachary Garcia invited the Commissioners to attend the Livestock Show on August 7<sup>th</sup> at 8:00 a.m. and the Livestock Sale on August 8<sup>th</sup> at 1:00 p.m. during the upcoming Eureka County Fair. Each student reported on the feeding, care, and conditioning of their animals and answered several questions from the Board. Animals for sale will include pigs and lambs.

**EUREKA COUNTY JUSTICE COURT**

**Telephone Recording System:** Justice Court Manager, Cindy Garcia, explained that threatening and rude phone calls have been an ongoing problem for Justice Court employees. The Court feels it is time to install a telephone recording device. This purchase will be paid with Administrative Assessment fees. The Sheriff’s Office currently has a system in place and Justice Court obtained a quote from the same company, Goserco, Inc. The annual maintenance agreement can be coordinated with the existing agreement with the Sheriff’s Office.

Sheriff Logan suggested that the County’s consultants be contacted to confirm compatibility between the recording system and Eureka County’s current network and

technology, if this service can be provided under the current contract with Galena Group, Inc. The Board agreed and asked Public Works to coordinate this.

Commissioner Sharkozy motioned to authorize purchase of a telephone recording device for the Eureka Justice Court to be installed on all three Clerk phones, not to exceed \$17,000.00 and to be paid from Administrative Assessment fees, with yearly maintenance coordinated with the existing contract with the Eureka County Sheriff's Office. Commissioner Etchegaray seconded the motion. Motion carried 3-0.

## **NATURAL RESOURCES**

Report on Activities: Natural Resources Manager, Jake Tibbitts, reported on recent activities. Mr. Tibbitts attended the Diamond Natural Resources Protection & Conservation Association meeting on July 7<sup>th</sup>; attended the Groundwater Management Plan Workshop on July 16<sup>th</sup>; and listened to the Nevada Drought Forum meeting which was in Las Vegas on July 17<sup>th</sup>.

Upcoming Meetings: Upcoming meetings include the Diamond Natural Resources Protection & Conservation Association meeting on July 21<sup>st</sup>; the Boulder Valley & Maggie Creek Monitoring Plan meeting in Carson City on July 22<sup>nd</sup>; the State Engineer's administrative hearing regarding the proposed order designating the Diamond Valley Hydrographic Basin as a Critical Management Area on July 23<sup>rd</sup> at the Eureka Opera House; the Mount Hope 3M Plan Technical Advisory Committee meeting on July 28<sup>th</sup>; and a State Land Use Planning Advisory Council meeting in Stateline on July 31<sup>st</sup>.

Governor's Consistency Review: With assistance from the Chairman, Mr. Tibbitts prepared a more concise letter to the Governor summarizing previous comments on the Greater Sage-Grouse Land Use Plan Amendment Final EIS as they relate to the Governor's Consistency Review currently underway. The letter was sent in order to meet the July 15<sup>th</sup> deadline for submissions through the Nevada State Clearinghouse.

BLM Fish Creek Herd Management Area: Mr. Tibbitts noted there was nothing new to report on this issue at this time. During the July 6<sup>th</sup> meeting, he reported that the BLM's response to the County's Statement of Reasons (filed for the Notice of Appeal on the BLM Fish Creek Herd Management Area wild horse gather and fertility control treatment) was available for review, but no action was recommended.

BLM Decisions under Drought Management EAs: Mr. Tibbitts stated there have been a lot of recent decisions by the BLM, most of them temporary range improvements under the Drought Management EAs. On a positive note, water hauls that have been requested for a long time are being granted; unfortunately they are only temporary in nature.

A letter was received from BLM State Director, John Ruhs, regarding a "drought tour" conducted by the BLM in mid-April. The purpose of the tour was to create a consistent, statewide approach to managing rangelands during drought and a report was promised to all stakeholders. A summary was included with Mr. Ruhs' letter, but it didn't amount to much more than a brief table. There were some recommendations, but it will be interesting to see how these recommendations are implemented in the various BLM districts.

Small Business Advocacy Review Panel: A memo was forwarded to Eureka County informing that the US Environmental Protection Agency is inviting self-nominations for a Small Business Advocacy Review (SBAR) Panel for the agency's upcoming rulemaking under Section 108(b) of the Comprehensive Environmental Response, Compensation, & Liability Act (CERCLA). A couple of area mines have specifically requested that Eureka County submit a self-nomination to participate on this panel to advocate for small entities that may be impacted by these regulations.

Commissioner Sharkozy motioned that Eureka County self-nominate to be considered a Small Entity Representative (SER) for the Comprehensive Environmental Response, Compensation, & Liability Act, Section 108(b) Small Business Advocacy Review Panel. Commissioner Etchegaray seconded the motion. Motion carried 3-0.

State Engineer Hearing to Consider Designation of Diamond Valley as a CMA: The Nevada State Engineer has scheduled a public hearing on July 23<sup>rd</sup> at the Eureka Opera House regarding his proposed order to designate Diamond Valley as a Critical Management Area. A basin can be designated as a Critical Management Area following petition by a majority of water rights holders or directly by the State Engineer if he can show consistent over-pumping beyond the perennial yield. The Diamond Valley designation has been proposed by the State Engineer.

The Board, Mr. Tibbitts, and Mr. Beutel had a lengthy discussion regarding what comments or questions should be put forth on behalf of Eureka County during the hearing. They felt it should be emphasized that the County has been working towards solutions – there have been efforts in acquiring quality data by funding several studies; funding has been provided to the Eureka Conservation District for studies and work towards a groundwater management plan; the County is drafting a Water Resources Master Plan; and the County has backed various water legislation including that supporting CMA designations.

In general, the County hopes to support designation of a Critical Management Area, but there are a lot of unknowns that raise concerns. There are issues regarding inconsistencies in the data supporting the proposed order. How the CMA will be administered needs to be clarified and defined. There are questions as to how a groundwater management plan, designation of a CMA, and an adjudication will work together if they occur simultaneously.

Mark Moyle, President of the Diamond Natural Resources Protection & Conservation Association, echoed the County's comments. DNRPCA members feel a groundwater management plan is essential, they support adjudication, and they hope to support the CMA designation, but also have concerns.

Chairman Goicoechea, Mr. Tibbitts, and Mr. Beutel will work together to prepare the County's points, questions, and concerns for presentation at the July 23<sup>rd</sup> hearing.

Support of State Sage Grouse Management Plans: There are multiple proposals in Washington, DC, including the amendment put forth by Congressman Mark Amodei, to allow states to develop and implement plans for managing sage grouse. Funding to the US Forest Service, BLM, and US Fish & Wildlife Service would be withheld for a period of time so the federal agencies could not move forward with regulations or listing of sage grouse as an endangered or threatened species under the Endangered Species Act.

The County is in support of these efforts and progress is being made, although nothing definitive has been decided at this time. The Board gave consensus that they are in favor of postponement of federal actions related to sage grouse in favor of state administered plans. The Board also agreed that, should immediate action or input be required of Eureka County, Chairman Goicoechea and Mr. Tibbitts are authorized to act in this regard on the County's behalf.

## **COUNTY ADVISORY BOARD TO MANAGE WILDLIFE**

Reduction in Members: As discussed in an earlier meeting, counties with a population under 700,000 have the option of a three member County Advisory Board to Manage Wildlife, rather than a five member CAB. Chairman Goicoechea has been in contact with CAB Chairman, Lester Porter, who confirmed that it is often difficult to meet quorum for these meetings and he supported a reduction in members.

A letter of interest in serving on the CAB was received from Michael Mears and the Board felt he could serve as an alternate member, which would help ensure quorums for the meetings and would provide continuity for the CAB.

Commissioner Etchegaray motioned to reduce the Eureka County Advisory Board to Manage Wildlife from five to three members, pursuant to NRS 501.260(2)(a), and to appoint Michael Mears as an alternate member. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

## **CORRESPONDENCE**

Correspondence was received from: District Attorney, Ted Beutel; Clerk & Treasurer, Beverly Conley; Commissioner Clerk, Jackie Berg; Natural Resources Manager, Jake Tibbitts; Eureka County Planning Commission; Eureka County Television District; Eureka County 4H Program; Diamond Natural Resources Planning & Conservation Assoc.; Moly Bits Messenger; Crescent Valley Town Advisory Board (3); Nevada Assoc. of Counties (3); White Pine County (2); Allison, MacKenzie, Ltd.; Nevada Sagebrush Ecosystem Program; Nevada Div. of Forestry (2); Nevada 150 Foundation; Nevada Public Agency Insurance Pool; Nevada Dept. of Agriculture; Nevada Dept. of Health & Human Services; Nevada Div. of Water Resources; Nevada Div. of Child & Family Services; University of Nevada College of Agriculture; The Business Advocate newsletter; US Dept. of the Interior-BLM; Western Counties Alliance; and Goserco, Inc.

Chairman Goicoechea referenced the letter from Nevada Sagebrush Ecosystem Program (Chairman Goicoechea serves as Chair to the Sagebrush Ecosystem Council) to Governor Brian Sandoval related to the Governor's Consistency Review of the Nevada & Northeastern California Greater Sage-Grouse Proposed Land Use Plan Amendment & Final Environmental Impact Statement. Important language related to travel management and management of roads was included in the letter:

*"The LUPA/FEIS is unclear in the comprehensive travel and transportation management section and required clarification in how it will be implemented. Management of roads is under the jurisdiction of the State and local governments per Nevada Revised Statute (NRS) 405.191 (public roads include what are commonly referred to as R.S. 2477 rights-of-way) and NRS 405.201 (accessory roads are roads to which public use and enjoyment may be established). The proposed actions will restrict or eliminate access to roads which are founded upon existing and valid rights."*

## **PUBLIC COMMENT**

Chairman Goicoechea opened the floor for public comments. The Board felt an additional meeting dedicated to budget discussions would be helpful and scheduled one for August 12<sup>th</sup> at 9:30 a.m.

## **ADJOURNMENT**

Commissioner Sharkozy motioned to adjourn the meeting; Commissioner Etchegaray seconded the motion; the meeting was adjourned at 12:52 p.m.

*Approved by vote of the Board this 6<sup>th</sup> day of August, 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 20, 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