

EUREKA COUNTY BOARD OF COMMISSIONERS

July 20, 2021

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, 2021. Present were Chairman J.J. Goicoechea, Vice Chair Michael Sharkozy, Commissioner Rich McKay, District Attorney Ted Beutel, and Administrative Assistant 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

Two items were removed from the agenda. The EMS report was removed because the report was given at the last meeting. The agenda item for Harris Recording Solutions was removed from the Clerk Recorder section. Commissioner Sharkozy motioned to approve the agenda with those changes; Commissioner McKay seconded the motion; motion carried 3-0.

PUBLIC COMMENT

Chairman Goicoechea opened the floor for public comments.

Inquiry Regarding Easements: Crescent Valley resident, Edward Dilley Sr., introduced himself as president and founder of Project Biohome, stating he has been a Crescent Valley resident since 2004. Mr. Dilley said he has been seeking clarification regarding easements on real property. He asked that an item be placed on the next agenda concerning utility easements (whether they can be used for ingress and egress to private property), and prescriptive easements including how prescriptive easements can be verified.

Assessor Michael Mears said his office receives frequent calls from people inquiring about easements and access to private property. He felt it would be worthwhile to have a discussion about easements.

Assistance for Citizens: Eureka resident Cindy Beutel said that, in her work with Healthy Paws, she travels throughout the County and has seen a tremendous need for a social worker. People also need public access to a computer and printer in order to complete unemployment applications, food stamp applications, etc.

The Board agreed to place the requested items on the next agenda. There were no further public comments.

APPROVAL OF MINUTES

June 21, 2021: Commissioner Sharkozy motioned to approve minutes of the June 21, 2021, Commission meeting; Commissioner McKay seconded the motion; motion carried 3-0.

COMPTROLLER

Payment of Expenditures: Expenditures were presented for approval by Comptroller Kim Todd. Commissioner Sharkozy motioned to approve expenditures in the amount of \$519,839.89 for accounts payable, and \$311,304.82 for payroll and benefit related expenses (including employee paid deductions), for a grand total of \$831,144.71. Commissioner McKay seconded the motion. Motion carried 3-0.

Fund Balance Report: The Board reviewed a report showing the current balance of each of the funds under the Board's jurisdiction.

Tax Rate Resolution: Ms. Todd presented a resolution setting tax rates for the upcoming fiscal year, as approved during the budgeting process. No tax rate increases were considered. Commissioner Sharkozy motioned to adopt the resolution setting tax rates for Fiscal Year 2021-2022. Commissioner McKay seconded the motion. Motion carried 3-0. There were no increases to the tax rate.

Eureka, Nevada

July 20, 2021

**RESOLUTION
SETTING TAX RATES FOR FISCAL YEAR 2020-2021**

WHEREAS, the Eureka County Commissioners took action on May 20, 2021, to set the tax rates for Fiscal Year 2021-2022, for the tax districts under their legal jurisdiction, and by this resolution are affirming that action; and

WHEREAS, the ad valorem revenues are assessed by tax rates on real and personal property as certified by the Nevada State Tax Commission; and

WHEREAS, in accordance with NRS 361.460, and following certification by the Nevada Tax Commission on July 6, 2021, tax rates for the fiscal year beginning July 1, 2021, will be hereby levied as listed below:

	Taxing Unit Rate	Imposed Legislative Tax Rate	Combined General County Rates	Combined Special District	School	State	Total
Eureka County	.8675	.0783		.0085	.7500	.1700	1.8743
Crescent Valley Town	.2153		.9458	.0085	.7500	.1700	2.0896
Eureka Town	.2153		.9458	.0085	.7500	.1700	2.0896
Diamond Valley Rodent District	.0400		.9458	.0866	.7500	.1700	1.9924
Diamond Valley Weed District	.0781		.9458	.0485	.7500	.1700	1.9924
Eureka County TV District	.0085		.9458		.7500	.1700	1.8743

THEREFORE, IT IS UNANIMOUSLY RESOLVED that the Board of County Commissioners of Eureka County, Nevada, does hereby certify the rates listed above for Fiscal Year 2021-2022.

Approved this 20th day of July, 2021.

/s/ J.J. Goicoechea
 J.J. Goicoechea, Chairman
/s/ Michael Sharkozy
 Michael Sharkozy, Vice Chairman
/s/ Rich McKay
 Rich McKay, Member

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

COMMISSIONERS

Annual Memberships: The Board received the annual assessment notices from Central Nevada Regional Water Authority and Humboldt River Basin Water Authority. Commissioner McKay motioned to approve paying annual membership fees of \$7,500.00 to Central Nevada Regional Water Authority and \$10,000.00 to Humboldt River Basin Water Authority for Fiscal Year 2021-2022. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Casual Employee: District Attorney Ted Beutel requested authorization to allow a casual employee to work up to 29 hours per week because his only full-time employee will be away on medical leave. Commissioner Sharkozy motioned to allow a casual employee in the District

Attorney's office to work up to 29 hours per week pursuant to Personnel Policy 3.23.2. Commissioner McKay seconded the motion. Motion carried 3-0.

IT DEPARTMENT

Networking Equipment: IT Director Misty Rowley explained that she was able to negotiate a reduced price by purchasing an agreed-upon quantity of networking equipment. Commissioner Sharkozy motioned to authorize purchase of networking equipment for a not to exceed amount of \$54,620.32 utilizing funds budgeted for capital outlay in the Technology Support budget. Commissioner McKay seconded the motion. Motion carried 3-0.

Library Internet Agreement: Ms. Rowley provided a copy of the Dedicated Internet Agreement between Elko-Lander-Eureka County Library System and AT&T, the successful bidder on the fiber optic project to provide high speed internet to the Crescent Valley Library. The contract includes an E-Rate Rider identifying the E-Rate Program as a funding source, and approval and confirmation of this funding is pending. The project will utilize an existing right-of-way, but will still require NEPA analysis, which has not yet commenced out of the Elko District BLM.

Commissioner Sharkozy motioned to approve the Dedicated Internet Agreement between AT&T and Elko-Lander-Eureka County Library System contingent upon final approval and confirmation of E-Rate funding. Commissioner McKay seconded the motion. Motion carried 3-0.

AMBULANCE & EMS

Quarterly Report: Advanced EMT Shealene French reported on federally mandated write-offs of Medicaid and Medicare ambulance accounts for the past quarter. There were zero write-offs for the months of April, May, and June.

EUREKA HIGH SCHOOL RODEO CLUB

Donation Request: Members of the Eureka High School Rodeo Club were in attendance seeking a donation to support the club's activities and plans to bring a high school rodeo back to Eureka. Those in attendance included Scarlett Buchanan, club secretary; Jayden Buchanan, club reporter; Oliver Buchanan, club vice president; Hannah Bliss, member; Henry Buchanan, future member, and advisor Rosie Bliss.

The members explained that other counties have asked Eureka to resume hosting a high school rodeo. Eureka hosted a rodeo successfully for many years, and the club hopes to resume this by the 2022-2023 rodeo season. In order to do this, the club is seeking funding to cover costs related to stock contractors, prizes, concession stand supplies, and other necessary expenses. The club would also like to sponsor local clinics by bringing clinicians to the area to improve members' skills and help younger members find new areas of interest.

The group explained that they travel to 15 rodeos each season. The entire club qualified and competed this year in the Silver State International Rodeo in Jerome, Idaho. Additionally, Oliver Buchanan, Scarlett Buchanan, and Grant Keesler qualified and participated in the National Junior High Finals Rodeo in Des Moines, Iowa. The members described costs related to these activities as well as yearly club expenses.

The group is working to raise funds for these expenses and to achieve the goal of hosting a rodeo. Members sold items at the last Holiday Bazaar; are seeking donations from local businesses, residents, and other groups; and have scheduled a fundraising event at the upcoming Eureka County Fair.

Goat Branding Event: The Eureka High School Rodeo Club is hosting a goat branding on Saturday, August 7th, during the Eureka County Fair. The club would like to give rodeo buckles for each first-place team, ropes for each second-place team, and embroidered club caps for each third-place team in each of the three age divisions for the goat roping event.

The Board advised the club to seek funding from the Recreation Board to help with the future rodeo. The rodeo would bring visitors to town and populate motel rooms, and room tax is the Recreation Board's primary funding source. The Commissioners said they would be willing to supplement what the Recreation Board gives towards the rodeo, and invited the group to return in the next fiscal year. For the current fiscal year, the Board agreed to donate towards the goat branding event.

Commissioner McKay motioned to donate \$1,000.00 to the Eureka High School Rodeo Club, from the miscellaneous grants account in the Commissioners' budget, for purchase of first place rodeo buckles (nine buckles at an estimated \$100.00 each) and other miscellaneous expenses for the goat branding event on August 7th. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

PUBLIC HEARING – EUREKA COUNTY PERSONNEL POLICY

Notice: Notice was given that the Board of Eureka County Commissioner would hold a public hearing on July 20th to invite public and employee comments and consider adopting, by resolution, proposed updates and amendments to the Eureka County Personnel Policy.

The resolution and redline copy of the proposed changes were distributed electronically to employees on June 7th, and copies were available for public examination. The initial public hearing was conducted on June 21st. The policies were further amended based on feedback at the public hearing and were again distributed electronically to all employees on July 2nd.

Public Hearing: Chairman Goicoechea opened the public hearing and invited comments on the proposed changes to the Eureka County Personnel Policies.

Human Resources Director Heidi Whimple reviewed some additional, but minor, changes made to the Information Technology section of the policies after consulting with the IT Director.

There were no further comments concerning the proposed changes.

Adopt Updated Policies: Commissioner Sharkozy motioned to adopt, as presented, the resolution amending the Eureka County Personnel Policies. Commissioner McKay seconded the motion. Motion carried 3-0.

SENIOR CENTERS

Update Report: Senior Centers Program Director, Millie Oram, reported on activities at the Eureka Senior Center and Fannie Komp Senior Center. In June, Eureka served 754 meals and Crescent Valley served 765 meals. Ms. Oram was pleased to report that more seniors are returning for congregate meals. A total of \$6,574.20 was deposited for the month.

Chairman Goicoechea said he has heard concerns about the Delta variant of Covid-19, particularly in relation to the senior population. He encouraged everyone, who has not yet done so, to get a Covid-19 vaccine.

Desk Audits: The Board reviewed the Desk Audit Report from Nevada Aging & Disability Services Division for the following nutrition grants for the period of October 1, 2019, through September 30, 2020: #07-000-04-24-20, #07-000-07-1X-20, and #07-000-57-NX-20. Utilization of each grant was found to be in compliance with federal regulations and the Division's requirements and procedures.

Grant Amendments: Several grants were amended by the Division to reflect changes in how the grants had to be administered due to Covid restrictions. Commissioner Sharkozy motioned to approve amendments, made by the Nevada Aging & Disability Services Division, to the following grants: (a) Subaward Amendment #1 for Nutrition Services Grant #07-000-04-24-20; (b) Subaward Amendment #1 for Nutrition Services Grant #07-000-04-24-21; (c) Subaward Amendment #1 for Nutrition Services Grant #07-000-07-1H1-21; and (d) Subaward Amendment #1 for Transportation Services Grant #07-000-10-LX-21. Commissioner McKay seconded the motion. Motion carried 3-0.

Grant Applications: Ms. Oram requested approval of two nutrition grant applications, explaining that these are grants that the Senior Centers receive annually. Commissioner Sharkozy motioned to approve grant applications for Nutrition Services Grant #07-000-04-24-21 for home-delivered meals in the amount of \$22,659.00, and Nutrition Services Grant #07-000-07-1H1-21 for congregate meals in the amount of \$20,960.00. Commissioner McKay seconded the motion. Motion carried 3-0.

HEALTHY PAWS OF EUREKA

Spay & Neuter Incentive: Cindy Beutel was in attendance to request that the Board consider providing a financial incentive to encourage residents to have their animals spayed and neutered. She described what neighboring counties are doing, and relayed that Lander County credits its spay and neuter program for the reduction in animal populations. Ms. Beutel recommended that Eureka County provide \$50.00 vouchers for each surgery. In order to assist people who have an ever-increasing number of pets, she suggested there be no limit to the number of vouchers each person may use.

These programs are typically managed through the Sheriff's Office, so Commissioner McKay agreed to speak with Sheriff Watts to see if his department is willing to administer the program. Once this is determined, the Board can further discuss how the program will be administered and managed.

Chairman Goicoechea stated he would abstain from voting on this issue since, as a veterinarian, there is potential that he could treat an animal and be presented a voucher.

Commissioner McKay motioned to allocate \$5,000.00 for a spay and neuter program to provide \$50.00 co-pay vouchers per animal, effective immediately. Commissioner Sharkozy seconded the motion. Motion carried 2-0, with the Chairman abstaining.

TREASURER

Treasurer's Report: The Treasurer's Report for June was submitted by Treasurer Pernecia Johnson, showing an ending General Fund balance of \$42,414,269.29.

CLERK RECORDER

Hiring Freeze Waiver Justification: Clerk Recorder Lisa Hoehne submitting a Hiring Freeze Waiver Justification seeking authorization to fill the vacant position of Deputy Clerk Recorder. Commissioner Sharkozy motioned to waive the hiring freeze and authorize the Clerk Recorder to hire a Deputy Clerk Recorder I, II, or III. Commissioner McKay seconded the motion. Motion carried 3-0.

NEVADA STATE TREASURER

American Rescue Plan Act: State Treasurer Zach Conine joined the meeting by telephone, as part of his community engagement tour, to discuss the State's plans to utilize fiscal recovery funds from the American Rescue Plan Act ("ARP"). The Act was signed by President Biden on March 11, 2021, and provides \$2,000,000,000,000.00 (two trillion) in aid across the nation. It provides three categories of aid: non-discretionary, quasi-discretionary, and discretionary. The State of Nevada will receive over \$6 billion (\$6,713,206,607.88), the largest amount the State has ever received.

Mr. Conine described in detail what the funds can be used for. This money will enhance or expand many existing programs, and will provide the ability to start and fund new programs. Most of the State and local money must be allocated by December 31, 2024, and spent by December 31, 2026. Every Nevadan Recovery Framework was formed to initiate a strategic planning process focused on prioritizing the expenditure of ARP funds, with ongoing oversight and

monitoring to ensure effectiveness of the programs. The State wants to engage local communities to ensure the funds are being used where they are most needed.

SHERIFF

Quarterly Report: Sheriff Jesse Watts provided a quarterly report showing Administration, Communications, Detention, and Patrol statistics for April, May, and June. He reported there were 4,294 calls for the quarter. There were six new bookings in the jail and an average of 2.56 inmates per day.

COUNTY FACILITIES

Facilities Update: Public Works Director Jeb Rowley gave an update on activities at County managed facilities.

Painting: Painting and resurfacing work is being done on the Courthouse, Opera House, Sentinel Museum, and the interior of one of the doctor/provider houses is being painted.

Crescent Valley Town Park: The final concrete pour was done last week, followed by some painting and cleanup and the park project is now finished. It turned out to be a much bigger project than anyone anticipated.

Swimming Pool: The Swimming Pool has been busy with swimmers and with group swimming lessons.

PUBLIC WORKS

Public Works Update: Public Works Director Jeb Rowley reported on Public Works projects and activities.

COVID Vaccines: There are plans to dispatch another mobile vaccination unit through the area, possibly right before school starts. There are continual reports that work is being done to lower the age limits for who can receive the Pfizer and Moderna vaccines. The metrics report indicates that 22% to 25% of Eureka County residents are fully vaccinated.

Road Maintenance: On July 15th, Public Works met with Lumos & Associates to discuss road maintenance in the County.

Airport Grant: Mr. Rowley requested ratification of a grant that will be used to complete cultural surveys at the airport, necessary before the new windsocks can be installed and the storage building for the snow plow can be built.

Commissioner Sharkozy motioned to ratify the Federal Aviation Administration grant offer for the Airport Improvement Program Project No. 3-32-0007-015-2021 for the Eureka Airport in the amount of \$80,000.00, with a County match of \$12,500.00 for a total project cost of \$92,500.00. Commissioner McKay seconded the motion. Motion carried 3-0.

NATURAL RESOURCES

Report on Activities: Natural Resources Manager Jake Tibbitts reported on recent activities.

Weed Control: The Weed Control & Resources Technician is manually removing weeds and thistles from the Spring Street Ditch in Eureka.

SLUPAC Meeting: Mr. Tibbitts chaired the State Land Use Planning Advisory Council meeting on July 9th. The BLM was in attendance to give a presentation on the Statewide Resource Management Plan revision. A lot of counties are represented on SLUPAC and many voiced concerns on the lack of county engagement by the BLM on this project.

SLUPAC also endorsed Smart from the Start, which guides renewable energy developments to low-conflict areas to avoid or minimize adverse impacts on various land uses.

Diamond Valley Adjudication: Mr. Tibbitts was in Reno July 15th & 16th at the State BLM office participating in depositions in relation to the court case on the Diamond Valley Adjudication, in which the BLM is claiming Public Water Reserves.

Upcoming Meetings: Upcoming meetings include the County Advisory Board to Manage Wildlife on July 29th, the Ruby Hill Community Advisory Committee at the Opera House tentatively set for August 4th, and the Natural Resources Advisory Commission the evening of August 4th.

Great Basin Oil & Gas, LLC: A letter was received from the BLM beginning the scoping process for a proposed oil well. The BLM identified the site as being in Diamond Valley, but Mr. Tibbitts believes it is over Red Rock Summit into Huntington Valley (part of the Humboldt River basin, not the Diamond Valley basin). After scoping, the NEPA process will begin and an Environmental Assessment will be prepared.

Mr. Tibbitts drafted a response letter identifying the County's concerns. It asks the BLM to ensure consistency with County plans, policies, and controls. The letter asks the BLM and the oil company to avoid impacts and conflicts with existing rights – water rights, grazing rights, etc. This project will have a substantial impact on roads in the area. Materials and supplies will be trucked in, and the company anticipates trucking out 30 to 100 barrels of oil a day along with 30 barrels of water. The water will be contaminated with oil, so cannot be discharged at the site. This reflects another issue, because Eureka County does not support water leaving its basin of origin.

Commissioner McKay motioned to send the response letter to the BLM Tuscarora Field Office with scoping comments on the Proposed Diamond #1-27 Oil Well Project, and authorized the Chairman to sign the letter outside of the meeting. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Wild Horse Issues: The Wild Horse & Burro Advisory Board met on June 30th and July 1st. Mr. Tibbitts believes that proponents of fertility control are beginning to see that population numbers must be reduced before fertility treatment will be effective. The BLM just released Herd Management Area population numbers and, for the first time in nine years, horse numbers across the west have decreased. Mr. Tibbitts credits much of this turn in the right direction to *"The Path Forward for Management of BLM's Wild Horses & Burros,"* a plan that Chairman Goicoechea was highly involved in on behalf of Eureka County. Mr. Tibbitts emphasized that the plan proposes non-lethal management of the horses.

Mr. Tibbitts prepared two letters – one to the State Congressional Delegation supporting increased funding and keeping *"The Path Forward"* moving, and one to the BLM stating concerns that holding facilities for the horses can disrupt the local economy, particularly agricultural economies.

Commissioner Sharkozy motioned to send a letter concerning wild horse management to the Nevada Congressional Delegation, and another letter addressing concerns over local impacts resulting from horse holding facilities, and authorized the Chairman to sign both letters outside of the meeting. Commissioner McKay seconded the motion. Motion carried 3-0.

CORRESPONDENCE

Correspondence was received from: Connie Hicks (2); Jennie Edera; Leo & Mary Damele; Ginny Brown; Pam Lyninger; Eureka High School Rodeo Club; Natural Resources Advisory Commission; Television District; Crescent Valley Town Advisory Board (2); Central Nevada Regional Water Authority; Humboldt River Basin Water Authority; State Treasurer Zach Conine; Nevada Assoc. of Counties (2); Nevada Div. of Environmental Protection; Nevada Dept. of Transportation (2); US Dept. of the Interior-BLM (3); National Assoc. of Counties (multiple); Governing E-news (multiple); America First Policy Institute (multiple); and US Dept. of Homeland Security.

Chairman Goicoechea commented on the letters received concerning Genesis Home Health Services. There has been some miscommunication that the County is taking that service away. He wanted to clarify that the County has not ended the program and continues to budget for indigent

health care. There were simply some billing issues that had to be resolved to ensure that Genesis is billing the County correctly. Negotiations are still ongoing regarding renewal of the contract.

PUBLIC COMMENT

Chairman Goicoechea called for public comments; there were none.

ADJOURNMENT

Commissioner Sharkozy motioned to adjourn the meeting; Commissioner McKay seconded the motion; the meeting was adjourned at 11:48 a.m.

Approved by vote of the Board this 6th day of August, 2021.

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

I, Jackie Berg, Commissioner Administrative Assistant, attest that these are a true, correct, and duly approved minutes of the July 20, 2021, meeting of the Board of Eureka County Commissioners.

/s/ Jackie Berg
Jackie Berg, Commissioner Administrative Asst.

I, Lisa Hoehne, Clerk Recorder of Eureka County, acknowledge and accept the attached minutes as approved by the Board of Eureka County Commissioners and attested to by the Commissioner Administrative Assistant.

/s/ Lisa Hoehne
Lisa Hoehne, Clerk