

**EUREKA COUNTY BOARD OF COMMISSIONERS**  
**August 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 August 18, 2016. Present were Chairman J.J. Goicoechea, Vice-Chairman Michael Sharkozy, Commissioner Fred Etchegaray, District Attorney Ted Beutel and Deputy Clerk/Treasurer, Amanda Pearce. 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 Etchegaray motioned to approve the agenda as written. Commissioner Sharkozy seconded the motion; motion carried 3-0.

**PUBLIC COMMENT**

Chairman Goicoechea opened the floor for public comments. No comments were made.

**APPROVAL OF MINUTES**

August 5, 2016: Chairman Goicoechea provided clarification on his meeting with Cassidy & Associates as referenced in the draft minutes. Commissioner Sharkozy motioned to approve the minutes with this addition; Commissioner Etchegaray 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 \$245,242.34 for accounts payable, \$261,429.59 for the August 19<sup>th</sup> payroll, \$977,925.83 for a pass through tax allocation to the School District and \$93.71 for Yucca Mountain expenses, for a grand total of \$1,484,691.47. Commissioner Sharkozy seconded the motion; motion carried 3-0.

**COMMISSIONERS**

Update Reports: Commissioner Sharkozy attended a Search and Rescue meeting in Crescent Valley on August 8<sup>th</sup>; a Crescent Valley Volunteer Fire Department meeting on August 9<sup>th</sup>; a Crescent Valley Firewise Committee meeting on August 16<sup>th</sup>; and a Newmont Mining meeting on August 17<sup>th</sup>. Commissioners Etchegaray and Goicoechea did not have their calendars as their phones were being updated by IT Network Analyst, Misty Rowley.

Nevada Rural Housing Authority: District Attorney, Ted Beutel recommended the Commissioners take no action regarding the request that NRHA provide documents to acquire the Eureka Canyon Subdivision. Mr. Beutel noted that there are no indications of any problems, but his advice was to hold off on taking any action in order to prevent forestalling any issues that might arise in the future. Commissioners Goicoechea, Sharkozy and Etchegaray concurred and no action was taken.

Recorder's Office: Chairman Goicoechea reported on issues that were brought to the Board's attention regarding non-compliance with state statutes for normal hours of operation in the Recorder's office. The Board also discussed concerns about staff being forced to cancel leave. Chairman Goicoechea indicated that when personnel have leave scheduled, the elected official

is obligated to ensure the office is accessible to the public. The Board discussed demanding an explanation from the elected official outlining how to guarantee the Recorder's office will remain open to conduct business according to state statutes. Commissioner Goicoechea reported that the Recorder's office was closed and non-operational half the day on April 7<sup>th</sup>; all day on April 8<sup>th</sup>; half the day on June 7<sup>th</sup>; for a brief period on July 18<sup>th</sup>, and the entire day on both August 4<sup>th</sup> and August 12<sup>th</sup>, 2016. District Attorney Ted Beutel also expressed concern; citing the Eureka County Personnel Policy regarding obligations to employees and noting the Nevada Revised Statutes' clear language on the impact of non-compliance with regard to an elected official. Chairman Goicoechea requested that the Recorder's explanation provide direction on what will be done to rectify the situation, specifying that hiring of new personnel will not be approved. Commissioner Etchegaray made a motion to construct a letter citing the Nevada Revised Statutes regarding hours of operation and penalties for non-compliance in the Recorder's office and requesting an explanation from the elected official for the recent closures. The Commissioner's motion also called for an explanation from the Recorder about how she will address employee holiday and sick leave in the future so that the office remains open to serve the public. Commissioner Sharkozy amended the motion to allow Chairman Goicoechea to work with the District Attorney and the Commissioner Clerk to expedite the letter. Chairman Goicoechea seconded the amended motion; motion carried 3-0.

#### Sagebrush Ecosystem Program and Nevada Greater Sage-Grouse Conservation Plan:

Chairman Goicoechea reported that there was another resignation from the technical team and that he met with Jim Lawrence to discuss the current vacancies in the program, currently there is only one agricultural representative on the technical team. With several projects in development, he is concerned about progress. The Chairman indicated that proponents are working towards a resolution, however, the county might be reliant on outside forces to accomplish goals for Conservation Credit. The next meeting is scheduled for September 13, 2016.

### **AMBULANCE AND EMS**

Report on Activities: EMS Coordinator, Mike Sullivan reported on activities since his last report on July 18<sup>th</sup>. Eureka had 27 calls for service (97 year-to-date), Crescent Valley had 4 calls for service (35 year-to-date). Mr. Sullivan reported that next CE trainings will be on August 25<sup>th</sup> in Crescent Valley and August 29<sup>th</sup> in Eureka; training on new PCR software with a planned deployment date of September 1st. Mr. Sullivan conducted bus driver training on August 3<sup>rd</sup> and 4<sup>th</sup>. Mr. Sullivan reported on a fatal motor vehicle accident on Highway US50. Mr. Sullivan attended a meeting at the Sheriff's office implementing the new Emergency Medical Dispatch System. Eureka Ambulance was present at the fair August 11<sup>th</sup> through the 13<sup>th</sup> and responded to several injuries.

Chairman Goicoechea addressed a report of a non-vaccinated horse with West Nile virus in Churchill County and informed participants at the meeting that there would be press in regard to the incident. He indicated that there are no more cases than at this time last year, but urged everyone to exercise caution by wearing insecticides, long sleeves and pants.

### **PUBLIC WORKS**

Projects & Activities: Public Works Director, Ron Damele provided an update on Public Works projects and activities.

Crescent Valley Water: Everything is back up and operational after July 21<sup>st</sup> power outage.

EPA: Mr. Damele reported that all temporary stockpiles around town will be deposited at the repositories before the crews contracted with the EPA depart this fall.

Cemeteries: Engineer is working on a buffer for the Catholic Cemetery.

Fair: Mr. Damele reported that the fair went well and Crissy Hubbard and fair board members will present a report to the Commissioners in September.

Opera House: An AC Compressor is out another is on the way and will be installed upon arrival. The current outage is not affecting operations as it is a redundant system.

Fire Updates: There was a fire in Crescent Valley on August 14<sup>th</sup> that led to the total loss of a small RV. There was a lightning strike at Mt. Tenabo that hit the county repeater system. The system will be back up August 19<sup>th</sup> or 20<sup>th</sup>. The Sheriff Office repeater was not affected.

Residential Water Service Applications: Mr. Damele reported on two Petitions to Join Devil's Gate GID and indicated that the water system has the capacity to serve both the application from Vicente Ramirez (APN 007-380-35) 632 Sharrow Circle, and the application from Jason Cooley (APN 007-380-84) 638 Sharrow Circle. He recommended approval of the petitions by the Commissioners. Commissioner Etchegaray made a motion to approve the petitions with the stipulation that the funds required for joining the system were paid by both applicants. Commissioner Sharkozy seconded the motion; motion carried 3-0.

## **CLERK & TREASURER**

Treasurer's Report: The Treasurer's Report for July was submitted by Clerk & Treasurer, Beverly Conley. Ending General Fund balance was \$13,831,026.25.

## **ECONOMIC DEVELOPMENT PROGRAM BOARD**

Commissioner Etchegaray made a motion to accept the resignation of Sondra Sharkozy from the ECEDP Board, effective July 8<sup>th</sup>. Chairman Goicoechea seconded the motion; motion carried 3-0.

## **NATURAL RESOURCES**

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

Nevada Section Society for Range Management: Mr. Tibbitts and Chairman Goicoechea toured ongoing projects with the group on July 29<sup>th</sup>. The tour was well attended by several cooperating agencies.

Update on Mining Projects: Mr. Tibbitts reported that he is representing the county as a cooperative entity on the BLM permitting projects with McEwen and GRP Resources Gold Rock Project. A representative from McEwen Mining was present. Mr. Tibbitts reported that GRP completed a draft EIS. There was a discussion about some of the permitting requirements for GRP. Mr. Tibbitts reported that noise monitoring could be an issue as they move forward, as well as sage grouse.

Sage Grouse Issues: Mr. Tibbitts reported that the Eureka briefing is complete, currently awaiting oral argument and a decision on the part of the Judge.

Barrick Horse Canyon/Cortez Unified Exploration Project: Mr. Tibbitts extended his thanks to Kim Wolf and Barrick for their communication and support of the county's concerns and provided a letter drafted collaboratively with Barrick to submit to the BLM for the Commissioners to review. The letter addresses the Environmental Assessment (EA) for the proposed HCCUEP in support of BLM to move forward with a Decision Record granting approval as soon as possible. The letter also addresses concerns of non-communication with the BLM in regard to the Preliminary EA (PEA) for the Twin Declines. Commissioner Etchegaray motioned to submit the letter, Commissioner Sharkozy seconded the motion; motion carried 3-0.

Proposed Decision for Stone Cabin Allotment Water Hauls: Mr. Tibbitts reviewed approved NRAC letter to BLM addressing county concerns with water hauling. Chairman Goicoechea entertained a motion to send the letter. Commissioner Sharkozy made the motion; seconded by Commissioner Etchegaray; motion carried 3-0.

Wild Horse Issues: Mr. Tibbitts addressed NRAC concerns with water hauling by special interest groups working with the BLM. NRAC calling for three actions on part of the

Commissioners: permission to submit a letter to State and Federal Directors of BLM about wild horses; host a discussion with Barrick in regard to their participation in water hauling; request a copy of the agreement between the BLM and the special interest group that is implementing improvements to troughs and hauling water. Mr. Tibbitts had a rough draft of letter, but requested more time as it is not a time-sensitive issue and he feels that further concerns may arise. Chairman Goicoechea concurred and proposed placement of the item on the September 6, 2016 agenda. Commissioners Etchegaray and Sharkozy agreed.

Water Rights Applications: There were recent applications from Barrick, for water to be moved from old water rights at Buckhorn. Mr. Tibbitts received two phone calls from curious citizens and determined that the rights were certificated, long-term rights and recommended no action on the part of the Commissioners. Commissioners concurred.

Legislative Interim Committee on Public Land & Legislative Subcommittee to Study Water: Mr. Tibbitts and Chairman Goicoechea will attend the Legislative Subcommittee meeting on August 19<sup>th</sup>. Items that will be addressed include: a resolution regarding national monuments that NRAC suggests should be ratified by the state; land use plans that NRAC suggests should be determined by the counties, not by state or federal mandates; completion of SB456; what "conservation efforts" will mean to Eureka County; a request that the committee draft a bill in lieu of sending a letter to the state engineer in regards to PWR107s; pressing for local law enforcement over federal law enforcement with regard to monitoring off-highway vehicles. For the August 26<sup>th</sup> Legislative Subcommittee to Study Water meeting, NRAC submitted the Diamond Valley Groundwater Management Plan, and requests for revisions in Nevada Revises Statutes to address over-pumping of groundwater in the Diamond Valley Hydrographic Basin. Commissioner Etchegaray indicated he could attend the August 26<sup>th</sup> meeting if Chairman Goicoechea could not.

## **UNIVERSITY CENTER FOR ECONOMIC DEVELOPMENT**

Update on CEDS: Dr. Steinman provided an update on a Comprehensive Economic Development Strategy (CEDS) workshop on July 13<sup>th</sup>. Dr. Steinman worked with the ECEDP Board to complete the annual update for 2015 and 2016 and requested authorization to submit the results in order for the county to remain eligible for federal non-entitlement economic development funds. District Attorney Ted Beutel recommended changing "cellular" to "telecommunications and broadband" in one part of the letter. Commissioner Sharkozy made a motion to approve the letter with the aforementioned alteration. Commissioner Etchegaray seconded the motion; motion carried 3-0.

Renewable Energy Economic Feasibility Study for Eureka County: Dr. Steinman requested approval from the Board for \$5,000.00 for a solar feasibility project in Diamond Valley. He noted that these funds would be utilized as a match to fund the total project cost of \$35,000.00. The additional \$30,000.00 would come from a mixture of Economic Development Administration and US Department of Agriculture Rural Development funds. Chairman Goicoechea indicated that any matching funds would need to be approved and provided for by the Conservation District. Commissioner Sharkozy made a motion to that effect. Commissioner Etchegaray seconded the motion; motion carried 3-0.

## **JUVENILE PROBATION**

Hiring Freeze Waiver Justification: Steve Zimmerman, Juvenile Probation Officer completed the Hiring Freeze Waiver Justification form requesting authorization to replace the Senior Department Assistant position, which is being vacated due to a job transfer. Commissioner Sharkozy motioned to authorize replacement of the position. Commissioner Etchegaray seconded the motion; motion carried 3-0.

## **EUREKA ACTIVITIES**

Marketing Funds from Economic Development: Activities Coordinator, Cindy Beutel obtained the required recommendation from the Economic Development Program Board for utilizing \$2,787.50 of the ECEDP's \$3,750.00 in marketing funds as one portion of matching funds for an NCOT advertising grant. Commissioner Sharkozy made a motion to approve \$2787.50 from the Eureka County Economic Development Board's marketing budget to utilize contingent upon grant approval. Commissioner Etchegaray seconded the motion; motion carried 3-0.

## **TELEVISION DISTRICT**

Senior Department Assistant Vacancy: Dave Pastorino, President of the Television District requested approval from the Board to hire a new Senior Department Assistant. Chairman Goicoechea requested Mr. Pastorino obtain a cost proposal from Eagle Communications to utilize contract labor because of the current hiring freeze in the county. The Commissioners tabled the agenda item until September 6<sup>th</sup> when Mr. Pastorino will report on the proposal from Eagle Communications.

## **CORRESPONDENCE**

Correspondence was received from: Vicente & Robin Ramirez; Jason & Nichole Cooley; Sondra Sharkozy; Fred Steinman (2); Bridgette Bacon; District Attorney Ted Beutel (2); Assessor Michael Mears; Clerk & Treasurer Beverly Conley; Firewise; Eureka Activities Coordinator Cindy Beutel; Planning Commission; Television District; Owl Club; Crescent Valley Town Advisory Board; Karen Nelson; NACO (2); Tri-County Meeting; Nevada Health Centers; Allison, Mackenzie, Ltd.; Hardung-Ivey & Associates; Nevada Division of Water Resources; Nevada Division of Environmental Protection (2); Nevada Department of business & Industry; Nevada Deferred Compensation; The Advocate; Nevada State Clearinghouse; Bureau of Land Management (3); National Incident Management Team; US Department of Interior; National Park Service (6); American Lands Council (4); Corporate America.

## **PUBLIC COMMENT**

Chairman Goicoechea opened the floor to public comments.  
There was no public comment.

## **ADJOURNMENT**

The meeting was adjourned at 11:41 a.m.

Approved by vote of the Board this 6<sup>th</sup> of September, 2016.

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

*I, Amanda Pearce, Deputy Clerk/Treasurer, attest that these are a true, correct and duly approved minutes of the August 18, 2016 meeting of the Board of Eureka County Commissioners.*

/s/ Amanda Pearce  
Amanda Pearce, Deputy Clerk/Treasurer

*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 Substitute Commissioner Clerk.*

/s/ Beverly Conley  
Beverly Conley, Clerk & Treasurer