

EUREKA COUNTY BOARD OF COMMISSIONERS
August 19, 2014

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 19, 2014. Present were Chairman J.J. Goicoechea; Vice Chairman Jim Ithurralde; Commissioner Michael Sharkozy; District Attorney Ted Beutel; and Executive 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

Commissioner Ithurralde motioned to approve the August 19th agenda as posted; Commissioner Sharkozy seconded the motion; motion carried 3-0.

PUBLIC COMMENT

Chairman Goicoechea opened the floor for public comments. Christine Smith, Eureka resident, referenced the agenda item later in the day to discuss staffing levels with department heads. She referenced the Board's resolution dated June 20th which spoke about efficient use of employees. She felt this might be addressed by finding a way for employees, who aren't under the direct eyes of a supervisor, to be held more accountable for their performance during the workday.

APPROVAL OF MINUTES

August 6, 2014, Commission Meeting: Commissioner Sharkozy motioned to approve the minutes of the August 6, 2014, Commission meeting; Commissioner Ithurralde seconded the motion; motion carried 3-0.

FINANCE

Payment of Expenditures: Expenditures were presented for approval by Recorder & Auditor, Mike Rebaleati. Commissioner Ithurralde motioned to approve expenditures in the amount of \$83,660.97 for Fiscal Year 2013-2014 accounts payable, \$296,864.97 for Fiscal Year 2014-2015 accounts payable, \$301,008.79 for payroll, and \$60,980.53 for a pass-through tax allocation to the School District, for a grand total of \$681,534.73; Commissioner Sharkozy seconded the motion; motion carried 3-0. There were no Yucca Mountain expenditures.

Auditor's Report: The Auditor's Report, showing current fund balances, was presented later in the day to allow for posting of the first quarter real property taxes. At a future meeting, upon posting of the final payments for the Robins Street Project, Mr. Rebaleati will discuss possible redistribution of cash balances between the enterprise funds.

Mr. Rebaleati noted that as the State works through reconciliation issues related to prepayment of net proceeds of minerals tax, the County has received notification that additional refunds from the County (in excess of \$100,000.00) may be due.

COMMISSIONERS

Update Reports: Commissioner Sharkozy attended the Search & Rescue meeting in Crescent Valley on August 11th; attended the Great Basin Regional Development Authority meeting in Eureka on August 12th; attended the Eureka Business Network meeting in Eureka on

August 13th; attended the Eureka County Economic Development Program meeting via interactive video from Crescent Valley on August 14th; and attended a luncheon with Congressman Mark Amodei hosted by Wells Rural Electric in Wells on August 15th.

Commissioner Ithurralde attended the Barrick Ruby Hill Mine awards luncheon on August 12th, and participated in a teleconference (with NACO staff and Commissioners from White Pine and Lincoln Counties) the afternoon of August 12th concerning the annual NACO Conference in November.

Chairman Goicoechea, along with Natural Resources Manager Jake Tibbitts, met in the Commissioners' Chambers on August 13th with representatives of Nevada Department of Agriculture to review mapping pertinent to sage grouse and fire issues. NDA has fires mapped from 1910 to present; it is interesting to note that the acreage consumed by fires from 2000 to 2014 is nearly triple the acreage burned from 1910 to 2000. Chairman Goicoechea met with the District Attorney on August 13th; met with Jake Tibbitts also on the 13th; met with representatives of the Natural Resources Advisory Commission on August 14th regarding several issues, including the Nevada Sagebrush Landscape Conservation & Economic Development Act (Reid-Heller proposed legislation); attended the Nevada Association of Counties meeting on August 15th (there was a lack of quorum so any issues will be discussed at their next meeting on August 22nd); participated in a tour of the Argenta Allotment on August 16th; and had a phone call with Congressman Mark Amodei the afternoon of August 16th regarding various legislation.

Interlocal Contract for Children's Services: A contract was received from Nevada Aging & Disability Services Division for provision of services to children with developmental disabilities and related conditions. This is another service that the State is now obligating the counties to provide independently or contract with a State agency and pay reimbursement for these services. Commissioner Ithurralde motioned to approve entering into an Interlocal Contract with Nevada Aging & Disability Services Division for provision of services to children with developmental disabilities; Commissioner Sharkozy seconded the motion; motion carried 3-0.

AMBULANCE & EMS

Activity Report: EMS Coordinator, Mike Sullivan, reported on emergency services since his last update. Eureka had 10 calls for service (80 year-to-date) and Crescent Valley had three calls for service (36 year-to-date). Continuing education training was held in Eureka on July 28th and August 4th and in Crescent Valley on July 31st and August 7th. Upcoming classes are scheduled in Eureka on August 25th and in Crescent Valley on August 28th.

Mr. Sullivan reported on recent activities. On July 21st he picked up eight AEDs (automated external defibrillators) in Reno. Six were delivered to the Sheriff's Office for use in patrol vehicles and two were delivered to the School District for use in the new gymnasium. On July 30th-31st, Mr. Sullivan and Michael Boharsik, EMT-2, conducted CPR/First Aid training for the school bus drivers. On August 5th, EMS participated in the National Night Out in Eureka. Eureka Ambulance Service provided standby coverage at the Eureka County Fair on August 7th, 8th, and 9th. All Eureka and Crescent Valley Emergency Medical Technicians have received MPTV (multi-patient transport vehicle) training, and refresher triage training on the SMART Incident Command System™. EpiPen® training will be provided for School District personnel on August 21st; recent legislation requires schools to have EpiPen® auto injectors on site.

EUREKA COUNTY SHERIFF

Equitable Sharing Agreement: Undersheriff 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 distribution to Eureka County of \$394.83 for fund forfeited in the previous fiscal year. Commissioner Ithurralde

motioned to approve the annual Equitable Sharing Agreement between Eureka County and the US Department of Justice and US Department of the Treasury; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Law Enforcement Meeting: Undersheriff Logan reported on the August 12th meeting between rural Sheriffs and Assemblyman Ira Hansen to discuss potential legislation to address ongoing law enforcement issues with federal agencies. In addition to Assemblyman Hansen and Undersheriff Logan, the meeting was attended by Sheriff Ben Trotter (Churchill County); Sheriff Richard Machado (Pershing County); Sheriff Ed Kilgore and Undersheriff Curtiss Kull (Humboldt County); Sheriff Ron Unger and Undersheriff Robert Quick (Lander County); and Sheriff Jim Pitts (Elko County). Unfortunately, the Sheriffs from White Pine and Lincoln Counties were unable to attend due to an incident in Lincoln County.

A letter in July from Assemblyman Hansen described how federal agencies are circumventing law enforcement authority when issuing citations in local jurisdictions. The letter asked for input as work proceeds on draft legislation to modify and clarify what involvement federal law enforcement groups should have. Proposed legislation will support directing all law enforcement issues through the local authority. Undersheriff Logan recently spoke with Senator Pete Goicoechea who has introduced a BDR (bill draft request) on the Senate side to address these same issues.

COUNTY FACILITIES & ECONOMIC DEVELOPMENT

Update Report: Cultural, Tourism, & Economic Development Director, Andrea Rossman, reported on activities at the Opera House, Sentinel Museum, and Economic Development. Country/western artist, Pipp Gillette performed at the Opera House on August 1st. Upcoming entertainment at the Opera House includes McAvoy Layne on September 19th with his rendition of Mark Twain, and western singer/songwriter Mary Kaye Knaphus on September 26th.

The Economic Development Program Board met on July 31st. Ms. Rossman attended the CDBG (Community Development Block Grant) Application Workshop in Fallon on August 7th; the CDBG annual forum will be held at the Opera House on September 9th-10th. The Great Basin Regional Development Authority held their meeting at the Opera House on August 12th.

In addition to regular tourists, the Sentinel Museum has been visited by three bus tours, the 4th Grade class from Eureka Elementary School, and the Eureka Boy Scouts Troop. Museum Director, Ree Taylor, is assisting Nevada Women's Legacy with video interviews and written biographies of women from Eureka County as part of a project celebrating Nevada's Sesquicentennial.

Traffic Control Plan: Economic Development Department Assistant, Cindy Beutel, requested authorization to obtain a traffic control plan in order to close the outside lanes of US Highway 50 (from the Courthouse to the Eureka Medical Clinic) during the annual Christmas Tree Lighting event to accommodate sleigh rides. The plan will be submitted to Nevada Department of Transportation along with the application for a traffic control permit. Public Works Director, Ron Damele, explained that permits issued by Nevada Department of Transportation are revocable if necessary, for instance if weather or other conditions occur. Engineer Mike Bennett, Lumos & Associates, felt a plan could be designed for approximately \$500.00.

Commissioner Ithurralde motioned to authorize Lumos & Associates to design a traffic control plan (billable as a time and materials project) to be submitted to Nevada Department of Transportation for closure of outside lanes on a portion of US Highway 50 in the Townsite of Eureka during the annual Christmas Tree Lighting event. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Eureka County Comprehensive Economic Development Strategy: Representatives of the Eureka County Economic Development Program Board, Chair Sandy Green and members Lisa Wolf and Sondra Sharkozy, were in attendance to present the final Comprehensive Economic

Development Strategy for approval. Ms. Green explained that the ECEDP held a meeting on July 31st to accept the final draft CEDS with some minor editorial changes, and held a follow-up meeting on August 14th to review those incorporated changes. Due to some technical difficulties, most of the members were unable to view the document in its final revised form on August 14th, but have since confirmed that the July 31st changes have been made. Ms. Green noted that the CEDS is a very well done document, is a living strategy that can be revised over time, and is a product of much dedicated work on behalf of the ECEDP.

Also in attendance was Mike Baughman, Intertech Services Corporation, who was contracted to prepare the CEDS. Mr. Baughman provided an overview of the final draft, highlighting changes made along the way and answering questions from the Commissioners. He explained that the purpose of the document is to guide the County's economic development initiatives. The CEDS identifies and prioritizes goals and objectives, outlining tasks required to implement each plan. The County is under no time constraints or requirements to complete any of the items, which are subject to availability of manpower and funding. A significant part of the document, the SWOT Analysis, focuses on the County's strengths, weaknesses, opportunities, and threats. Mr. Baughman stated the CEDS focuses on more traditional economic development which he defines as attracting, growing, and retaining basic industry in order to diversify and expand the County's tax base. He felt the County's current Economic Development Program is largely focused on tourism and use of public facilities.

The CEDS should be submitted to the US Economic Development Administration. Dependent upon employment rates and income levels, Eureka County may qualify as a redevelopment area and become eligible for EDA infrastructure and technical assistance grants. Once redevelopment status is attained it is never lost as long as EDA is provided with an annual update. The CEDS may be instrumental in accessing other grants, including funding from the Governor's Office on Economic Development, the Community Development Block Grant program, etc.

Commissioner Ithurralde motioned to accept the final draft Eureka County Comprehensive Economic Development Strategy as presented and to place the resolution memorializing adoption of the CEDS and authorizing submission to the US Economic Development Administration on the September 5th agenda; Commissioner Sharkozy seconded the motion; motion carried 3-0. The Commissioners thanked the ECEDP and Mr. Baughman for their hard work throughout writing of the CEDS.

PUBLIC WORKS

FAA Grant for Airport Master Plan: Public Works Director, Ron Damele, explained that each year the County is eligible for grant funds from the Federal Aviation Administration to be utilized at the Eureka Airport. With major improvements over the past several years, it is appropriate to update the Eureka Airport Master Plan. This would include update of the layout plan, an aerial topographic survey, and capacity analysis. An application was submitted and FAA has offered a grant for 93.5% of allowable costs for this project. Commissioner Ithurralde motioned to accept the Federal Aviation Administration planning grant, AIP Grant #3-32-0007-011-2014, in the amount of \$58,900.00 with a County match of 6.25%, along with adoption of the related resolution and assurances, for an update of the Eureka Airport Master Plan. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Lumos & Associates Proposal for Airport Master Plan: Mike Bennett, Lumos & Associates, provided an engineering services proposal for the Eureka Master Plan Update and Airport Layout Plan. The Master Plan will basically be created from scratch since the existing one is very brief. Updated mapping of the airport will serve to document recent improvements which include runway reconstruction, rebuilding of the existing apron, construction of a second

apron, extension of the taxiways, and drainage infrastructure improvements. The Master Plan and updated mapping will serve to support future grant applications.

Mr. Damele provided the Board with documentation that Lumos & Associates is not listed on the Federal suspension and debarment list (Excluded Parties List System) for federally funded projects. Commissioner Ithurrealde motioned to accept the proposal from Lumos & Associates to update Eureka Airport (05U) Master Plan and related engineering work, not to exceed \$60,000.00; Commissioner Sharkozy seconded the motion; motion carried 3-0.

FAA Grant for Runway Lighting: A grant application was submitted to the FAA for rehabilitation of runway lighting at the Eureka Airport. This project will elevate the lights and upgrade them to LED for the 7,850 ft. runway. Commissioner Ithurrealde motioned to accept the Federal Aviation Administration grant, AIP Grant #3-32-0007-010-2014, in the amount of \$209,766.00 with a County match of 6.25%, along with adoption of the related resolution and assurances, to upgrade runway lighting at the Eureka Airport. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Bid Award for Runway Lighting Replacement Project: Mr. Damele reported that bids for the Runway Lighting Replacement Project were opened on July 30th. A total of four bids were received. The apparent low bidder, CR Drake & Sons, Inc., failed to meet the disadvantaged business enterprise goal, rendering their bid non-responsive; they have been properly notified. The next lowest bid was from Mesquite Electric, LLC, and their bid was found to be in order.

Mr. Damele provided the Board with documentation that Mesquite Electric is not listed on the Federal suspension and debarment list (Excluded Parties List System) for federally funded projects. Commissioner Ithurrealde motioned to award the Eureka Airport Runway Lighting Replacement Project, PW Project #EU-2014-285, to the lowest responsive and responsible bidder, Mesquite Electric, LLC, in the amount of \$168,350.00. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Multi-Jurisdictional Hazard Mitigation Plan: The Local Emergency Planning Committee has been working on a Multi-Jurisdictional Hazard Mitigation Plan with White Pine County for many months and LEPC feels the plan is now ready for implementation. Once a resolution is adopted, the plan will be submitted to the Federal Emergency Management Agency. Commissioner Ithurrealde motioned to adopt the resolution establishing the Eureka County Multi-Jurisdictional Hazard Mitigation Plan; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Robins Street Improvements & Utility Upgrades Project: The Robins Street Project is very near substantial completion. All utilities have been installed and the CTB (cement treated base) and paving are complete. Shoulder work and collaring of manholes and water valves is currently underway. A final walk-through will be done and the Notice of Completion should be issued prior to month end.

Engineer Mike Bennett commented that he has worked on a lot of projects, but this one has been exceptional. Public Works staff and the project contractor, Legacy Construction & Development, should be commended for their outstanding administration of this project.

Courthouse HVAC Project: A design proposal was obtained to replace the diesel boiler in the Courthouse with an electric boiler. The cost was found to be excessive, so this option was denied at this time. The remodel will be compatible with an electric boiler should replacement be deemed appropriate in the future.

CLERK & TREASURER

Treasurer's Report: The Treasurer's Report for July was presented by Clerk & Treasurer, Beverly Conley. Ending balance for the month was \$49,878,845.60. Ms. Conley explained that she and staff have been working with the external auditors on a change from booking accrued

interest to booking interest received. This required an accounting adjustment, but represented no change in value. This will provide conformity in all future reporting.

PLANNING COMMISSION

Parcel Map - Eureka County School District: Planning Commission Department Assistant, Anne Kniefel, and County Assessor, Michael Mears, provided a brief history of the parcel map submitted by Eureka County School District. The map is for a merger and resubdivision of existing Eureka County High School parcel, Eureka County pool parcel, and the Russell residential parcel in the Townsite of Eureka in order to coincide with existing fence lines and other agreed upon boundaries. The map will remove certain parcel boundaries and adjust other boundaries, but no new parcels will be created. The map has been approved by the Planning Commission, but will be presented at their next meeting for signatures. It will then come before the Commissioners for final approval. Commissioner Ithurralde motioned to table the parcel map submitted by Eureka County School District until the appropriate signatures are obtained; Commissioner Sharkozy seconded the motion; motion carried 3-0.

NATURAL RESOURCES

Report on Activities: Chairman Goicoechea relayed that Natural Resources Manager, Jake Tibbitts, was not in attendance as he had to travel to Ely to pick up the chipper in preparation for the biochar unit. The Chairman provided a brief report on activities. Mr. Tibbitts participated in the meeting with representatives of Nevada Department of Agriculture on August 13th in Eureka. Mr. Tibbitts attended the Argenta Allotment tour on August 16th, which was also attended by the Chairman, Senator Pete Goicoechea, and elected officials from Elko, Lander, Humboldt, and Pershing Counties. Mr. Tibbitts has been very busy with the Pinyon Juniper Wildlife Enhancement Project, which is transitioning from the cutting phase into the biochar phase, with chipping to begin later in the day. A tour of Porter Canyon is scheduled for August 20th; this is an area where the University of Nevada Reno and other groups are doing a lot of work on sage grouse, pinyon-juniper thinning, water, etc.

Willow Creek Fire Wildfire Management & Livestock Closure: A response was received from the BLM on the Willow Creek Fire Closure. The closure decision was rescinded by the BLM and the agency has agreed to coordinate a meeting with Eureka County and the affected permittees.

RECESS FOR LUNCH

The Board recessed for lunch from 11:35 a.m. to 1:00 p.m.

MEETING WITH DEPARTMENT HEADS REGARDING STAFFING LEVELS

Resolution of June 20, 2014: On June 20th, the Board adopted a resolution declaring revenue shortfalls, instituting budget constraints through a hiring freeze, and promoting a reduction in the labor force through attrition. The resolution states, *"The Board of County Commissioners will establish minimal staffing levels for each county department with the cooperation of department heads, both elected and appointed. Minimal staffing levels for each county department will be declared during Fiscal Year 2015, from July 1, 2014 to June 30, 2015, and these staffing levels will be attained by attrition, unless declared otherwise by later Resolution of the Board."*

Minimum Staffing Levels: Chairman Goicoechea explained it is the Board's intent to establish minimum staffing levels – not to immediately implement a reduction in workforce other than as outlined in the resolution – but in order to have a template in place in the event of a worst-case scenario. He added that this meeting should serve to remind everyone that the

downturn in revenues is real and the extent of the downturn will likely remain unknown until the net proceeds of minerals issue is resolved through legislature.

District Attorney, Ted Beutel, conducted research and consulted with Nevada Pool/PACT to define minimum staffing levels. That definition is: *“Number of staff necessary to carry out legal responsibilities dictated through State and Federal law as well as local ordinances; no services beyond those dictated by laws are performed.”* Similarly, the Eureka County Personnel Policy Manuel directs that when considering a reduction in workforce, *“...Eureka County shall consider the essential function to the general public, whether it is required by State or Federal law or safety related.”*

The Board invited comments from the department heads present. County Assessor, Michael Mears, noted he will look at what functions are statutory in his department and what functions may go away if staff is reduced. Cultural, Tourism, & Economic Development Director, Andrea Rossman, agreed with Mr. Mears noting that Churchill County went through a similar situation. Road Superintendent, Raymond Hodson, offered that some of the decisions will come back to the Commissioners regarding what services will continue and what services will be cut. Senior Center Director, Adell Panning, stated she will work with Senior Center Director, Millie Oram, to work up a plan that encompasses the different programs they manage, adding that the Senior Centers really do operate under minimum staffing levels with all staff members willing to work in whatever capacity needed. EMS Coordinator, Mike Sullivan, acknowledged that his department is somewhat unique in that it is difficult to predetermine number of emergency calls.

Chairman Goicoechea offered that he, District Attorney Beutel, Mike Rebaleati as current Budget Officer, and Michael Mears as incoming Budget Director, will work one-on-one with the department heads if direction is needed or if a plan does not align with the intent outlined in this meeting or the resolution.

Commissioner Ithurralde motioned to direct department heads to determine minimum staffing levels necessary to operate their respective departments, as outlined in the June 20th resolution, and to provide their plans to the Budget Officer by September 15th in order to have continued discussion during the September 19th meeting; Commissioner Sharkozy seconded the motion; motion carried 3-0.

CORRESPONDENCE

Correspondence was received from: District Attorney, Ted Beutel; Natural Resources Manager, Jake Tibbitts; Executive Assistant, Jackie Berg (4); Eureka County Economic Development Program (3); Eureka County Planning Commission; Eureka Business Network (2); MolyBits Messenger; Crescent Valley Town Advisory Board (2); Nevada Association of Counties; Great Basin Regional Development Authority; White Pine County Commission; White Pine County Building Subcommittee; Lumos & Associates (4); Intertech Services Corporation; Allison, MacKenzie, Pavlakis, Wright & Fagan; Nevada Health Centers, Inc.; Nevada Assemblyman, Paul Aizley; Nevada Aging & Disability Services Division; Nevada Dept. of Transportation; Nevada Div. of Forestry; Nevada Div. of Water Resources; Nevada Div. of Environmental Protection (2); Nevada Dept. of Taxation; *Las Vegas Review Journal* article, “Judge rules for Nye ranchers in range suit”; Federal Aviation Administration; US Department of Justice; US Dept. of Interior-BLM (3); Government Finance Officers Assoc.; and Timber Products Manufacturers.

PUBLIC COMMENT

Chairman Goicoechea called for public comments. Lisa Wolf asked if there was an opportunity to dispose of old prescription medications. Undersheriff Keith Logan informed that these may be turned over to the Sheriff’s Office at any time; upon receipt a report is filed and the medications are subsequently destroyed.

Adell Panning thanked Nona Kellerman for working to get the SPCA (Society for the Prevention of Cruelty to Animals) mobile unit to Crescent Valley recently. A total of 20 animals

were spayed or neutered and Ms. Panning acknowledged this wouldn't have occurred without the efforts of Ms. Kellerman.

Chairman Goicoechea commented that it was erroneously stated at the Eureka Business Network meeting that the County has a contractual relationship with Nevada Rural Housing Authority to set minimum rental rates on the townhomes at the Eureka Canyon Subdivision. This is not accurate; the County has absolutely no involvement in the rental or rental rates of the townhomes.

ADJOURNMENT

Commissioner Ithurralde motioned to adjourn the meeting; Commissioner Sharkozy seconded the motion; the meeting was adjourned at 1:24 p.m.

Approved by vote of the Board this 5th day of September, 2014.

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

I, Jackie Berg, Executive Assistant to the Board of Eureka County Commissioners, attest that these are a true, correct, and duly approved minutes of the August 19, 2014, 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 Executive Assistant of the Board.

/s/ Beverly Conley
Beverly Conley, Clerk & Treasurer