

**EUREKA COUNTY BOARD OF COMMISSIONERS**  
**September 4, 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 September 4, 2015. Present were Vice Chairman Michael Sharkozy; Commissioner Fred Etchegaray; District Attorney, Ted Beutel; and Commissioner Clerk, Jackie Berg. Chairman J.J. Goicoechea was absent due to an emergency. The meeting was called to order at 9:00 a.m. and began with the Pledge of Allegiance. The interactive video conferencing system was connected and utilized between Crescent Valley and Eureka for the entire meeting.

**APPROVAL OF AGENDA**

The August 20<sup>th</sup> minutes were deleted from the agenda. With that change, Commissioner Etchegaray motioned to approve the agenda for the September 4<sup>th</sup> meeting; Commissioner Sharkozy seconded the motion; motion carried 2-0.

**COMMISSIONERS**

Interim Casual EMS Position: EMS Coordinator, Mike Sullivan, submitted a Hiring Freeze Waiver Justification form requesting authorization to hire an interim casual employee to complete the transition of ambulance billing to the third party billing contractor, Health Services Integration, Inc. Commissioner Etchegaray motioned to authorize the EMS Coordinator to hire an interim casual worker with EMS knowledge and experience, for no more than 90 days, to complete the transition of billing to the third party billing contractor; Commissioner Sharkozy seconded the motion; motion carried 2-0.

Job Description – Casual EMS Biller: Commissioner Etchegaray motioned to approve the job description for a Casual EMS Biller; Commissioner Sharkozy seconded the motion; motion carried 2-0.

Ambulance Rates Resolution: During the August 20<sup>th</sup> meeting, the Board approved new ambulance rates and a resolution was now presented memorializing these changes. The rates were filed with the Nevada Division of Public & Behavioral Health pursuant to NRS 450B.235. Commissioner Etchegaray motioned to adopt a resolution stating ground ambulance rates, effective August 20, 2015; Commissioner Sharkozy seconded the motion; motion carried 2-0.

Eureka, Nevada	September 4, 2015
<b>RESOLUTION</b>	
<b>REGARDING AMBULANCE SERVICE BASE RATE AND LOADED MILEAGE FEES</b>	
WHEREAS, pursuant to Eureka County Code Title 11 Chapter 50 the Eureka County Emergency Medical Services has authority to provide ground ambulance and paramedicine service consistent with NRS Chapter 450B; and	
WHEREAS, the Board of Eureka County Commissioners has determined that it is necessary to revise the base rate(s) and loaded mileage fee for ground ambulance service; and	
NOW THEREFORE BE IT RESOLVED that effective August 20, 2015 for ambulance service provided by Eureka County the base rates for non-emergency transport will be \$400 and for emergency transport will be \$500 per ambulance run, and \$10 per loaded mile.	
BE IT FURTHER RESOLVED that pursuant to NRS 450B.235, the Division of Public and behavioral Health will be notified by letter dated August 20, 2015 of these fee changes, and that a copy of that letter shall be attached to this Resolution as part of the official record.	
ADOPTED this 4 <sup>th</sup> day of September, 2015.	
Attest: <u>/s/ Jackie Berg</u> Commissioner Clerk	<u>/s/ JJ Goicoechea</u> Chairman of the Board Eureka County Commissioners

	<b>Eureka County Emergency Medical Service</b> <i>Community    Courage    Compassion    Commitment</i> Crescent Valley – Diamond Valley – Eureka	
Administration - PO Box 407 Eureka, NV 89316 Office: 775-237-7036 Fax: 775-237-7037 ecems5@eurekanv.org		

August 20<sup>th</sup>, 2015

Steve Tafoya  
Division of Public and Behavioral Health  
Program Manager, Emergency Medical Systems  
4150 Technology Way, Ste 101  
Carson City, NV 89706

RE: Notification of Ambulance Rate Change per NRS 450B.235 "Filing and maintenance of schedule of rates of ambulance"

Steve,

The Eureka County Board of Commissioners has revised the fees charged by eureka County for Ambulance service effective on August 20<sup>th</sup>, 2015. The rates are:

A0425 – Ground Mileage per mile	\$10
A0428 – BLS – Non-Emergency Transport (addition)	\$400
A0429 – BLS – Emergency Transport	\$500

This supersedes all previous rates and fees on file with the Division.

Thank you for your support,

Coordinator Michael Sullivan, HSME, AEMT/Instructor  
Eureka County EMS Director

**Department Head Evaluation:** A department head evaluation of EMS Coordinator, Mike Sullivan, was recently conducted by Chairman Goicoechea, as a result of Mr. Sullivan's interaction with another County employee. The required notice was provided to Mr. Sullivan. Since Mr. Sullivan and Chairman Goicoechea were both absent from the Commission meeting due to an emergency, District Attorney Beutel relayed appropriate actions, which included a range from no action up to termination. One possible action was that Mr. Sullivan be placed on unpaid leave for a one week period. Commissioner Etchegaray motioned that Mr. Sullivan be placed on unpaid leave for one week, from September 7<sup>th</sup> through September 11<sup>th</sup>, and upon his return he should meet with the District Attorney and Board Chairman for follow-up and to memorialize this action. Commissioner Sharkozy seconded the motion. Motion carried 2-0.

**Update Reports:** Commissioner Sharkozy attended a fund raiser for a Crescent Valley volunteer fireman who was involved in an accident (not related to the VFD) and it was a very successful event.

Commissioner Etchegaray attended the Barrick Ruby Hill Community Advisory Committee on August 26<sup>th</sup>.

**Set Public Hearing for Proposed Policy Change:** During the August 20<sup>th</sup> meeting, the Board proposed amending the Eureka County Personnel Policy Manual by removing Section 2.F.100(c)(2) which ties the Undersheriff's salary and the Lieutenant's salary to a percentage of the Sheriff's salary. The Lieutenant's position is obsolete and it was recommended that the Undersheriff's salary be tied to a range and step on the County's wage and salary scale. Commissioner Etchegaray motioned to set the Public Hearing at 10:00 a.m. on October 6, 2015, to consider this change to Eureka County Personnel Policy, Section 2.F.100(c)(2); Commissioner Sharkozy seconded the motion; motion carried 2-0.

## **PUBLIC COMMENT**

Vice Chairman Sharkozy called for public comments; there were none.

## **APPROVAL OF MINUTES**

**August 122015:** Commissioner Etchegaray motioned to approve minutes of the August 12, 2015, budget meeting; Commissioner Sharkozy seconded the motion; motion carried 2-0.

## **FINANCE & RECORDER/AUDITOR**

**Payment of Expenditures:** Expenditures were presented for approval by Acting Recorder & Auditor, Tina Hubbard. Commissioner Etchegaray motioned to approve expenditures in the amount of \$207,438.30 for accounts payable, \$460,248.35 for payroll (for September 8<sup>th</sup> distribution), \$763,587.16 for a pass-through tax allocation to the School District, and \$3,779.95 for Yucca Mountain expenditures, for a grand total of \$1,435,053.76; Commissioner Sharkozy seconded the motion; motion carried 2-0.

**Auditor's Report:** The Board reviewed the current fund balances as shown on the Auditor's Report.

**Presentation of Financial Reporting Award:** On behalf of the Government Finance Officers Association, a Certificate of Achievement for Excellence in Financial Reporting was presented to former Recorder/Auditor, Mike Rebaleati, and Eureka County for the Comprehensive Annual Financial Report completed for Fiscal Year 2013-2014. The Commissioners personally thanked Mr. Rebaleati for a job well done.

## **SENIOR CENTERS**

Update Report: Senior Centers Program Director, Millie Oram, reported on activities at the Eureka Senior Center and Fannie Komp Senior Center. For the month of August, Eureka served 845 meals and Crescent Valley served 630 meals. A total of \$2,594.14 was deposited for the month.

## **ROAD DEPARTMENT**

Report on Activities: Road Superintendent, Raymond Hodson, reported on Road Department projects and activities. Preparations for the County Fair proved to be challenging this year due to a heavy rainstorm and significant flooding on August 7<sup>th</sup> just as the Fair was getting underway. It took quite a bit of work to get the arena dried out and back into shape for the events. Fortunately, all events were able to proceed as planned. The same rainstorm impacted Hogpen Canyon (exposing a power line), Frontier Street, and the Sharrow Circle area in Diamond Valley (as well as a few other areas). This required some extra road grading and culvert cleaning and Mt. Wheeler completed the necessary electrical work.

Blading and road maintenance were completed on various roads throughout the County, including the following southern roads: Mustang Road from 14<sup>th</sup> Street to County Road 101, the cutoff road between 3<sup>rd</sup> Street and County Road 101, Sadler Road, Tonkin Road to the JD Ranch Road, JD Ranch area, Willows Road; and including the following northern roads: Cortez Road and surrounding roads including Cobble Lane, Pebble Lane, Rocky Road, Lipe Road, and the cutoff road between State Route 306 and the Cortez Road. The mower is in Diamond Valley and work continues whenever an operator is available.

Winter Maintenance & Snow Removal Policy: Mr. Hodson provided copies of the Eureka County Winter Maintenance & Snow Removal Policy. This policy has been in place since 2008 and due to severe budget cuts in the current year, as well as the loss of three employees through attrition, this policy will be strictly followed. Overtime hours for snow removal will be curtailed, so residents are not going to see the same level of winter maintenance they are accustomed to. Interested parties should reference the priorities set forth in the policy. The policy is available on the County website for public review.

## **BARRICK GOLD OF NORTH AMERICA**

Update on Barrick Gold: Katie Neddenriep, Manager of Corporate Social Responsibility for Barrick Gold, provided a brief update and PowerPoint presentation related to the company's activities and some recent changes.

**Ruby Hill Mine:** Open pit mining has been suspended at Ruby Hill Mine and there are no plans to resume it in the near future. Heap leaching is still active. The possibility of mining the north side of the East Archimedes Pit area is being evaluated. If this moves forward, it will require sharing of Bald Mountain Mine personnel. Exploration drilling is completed for the Mineral Point area, but feasibility work is on hold pending higher gold prices. There are currently 17 employees at Ruby Hill, with no plans for that to change in the near future.

**JD Lodge:** The JD Lodge closed effective July 17<sup>th</sup>. There are between 10-15 people on site during day shift to continue work on core logging and security coverage is provided at night. Drilling crews are now located in Elko or Crescent Valley. An ambulance is no longer located at the Lodge, so emergency services are covered with an ambulance from Cortez.

**Mercury Treatment & Storage Facility:** Permitting, planning, and design for the Mercury Treatment & Storage Facility in northern Eureka County have been placed on hold indefinitely. Due to a recent US Environmental Protection Agency ruling on Newmont Mining's handling of mercury, there may be other options available.

**Barrick Properties for Sale:** Barrick Gold recently announced that several of their Nevada assets were for sale: Ruby Hill Mine, Bald Mountain Mine (White Pine County), their 50% interest in Round Mountain Gold (Nye County), their 70% interest in the Spring Valley Project (Pershing County), and the Hill Top Project (Lander County).

**Personnel:** Barrick's Salt Lake City office is closing, with a target date of November 30<sup>th</sup>. Some employees will be cut, but others will be offered the option of relocating to the Elko office or the Henderson office.

Ms. Neddenriep introduced Gail Ross, Manager of Biological & Ecological Services, who recently joined the Barrick team, and Maria Anderson, Community Relations Specialist. Sam Kaster, Manager of the Dean Ranch, was recently promoted to General Manager of all the Cortez ranches. Other key personnel include Tim Buchanan, Director of Corporate Social Responsibility; Brian Mason, Native American Affairs Program Manager; and Kristi Begay, Administrative Assistant.

**Employee Giving Program:** At the end of 2014, Barrick implemented the Employee Giving Program, which allows employees to make charitable donations through payroll deduction. Barrick matches those donations dollar for dollar up to \$500.00 per year. Many employees choose to give to local groups, including the Eureka Volunteer Fire Department,

Eureka Conservation District, Crescent Valley Activities Program, Crescent Valley Emergency Fund, etc.

**Support from Eureka County:** On behalf of Barrick Gold, Ms. Neddenriep thanked the County for their ongoing support, including the recent letter endorsing the Barrick Cortez Inc. Plan of Operations and Reclamation Permit Amendment 3

**HEALTH INSURANCE COMMITTEE**

Flu & Pneumonia Shot Clinic: Kim Todd, Chair of the Health Insurance Committee, requested support from the County to sponsor a Flu & Pneumonia Shot Clinic in Eureka for County employees and retirees (including covered dependents), who are participants in Prominence Health Plan, the County’s insurance. Benefited persons receive the shots free of charge. Non-benefited employees can pay \$30.00 for a flu shot or \$95.00 for a pneumonia shot.

Commissioner Sharkozy asked about a clinic for Crescent Valley. Ms. Todd explained that clinics have been offered in Crescent Valley in recent years, but one year there were only four participants and another year there were zero participants. The company that offers this service requests a minimum of 50 participants in order to provide a clinic. Crescent Valley employees and dependents are welcome to travel to Eureka to take advantage of the immunizations.

Commissioner Etchegaray motioned to offer a Flu & Pneumonia Shot Clinic for County employees, dependents, and retirees on October 29, 2015, at the Eureka Opera House, to be provided by Northern Nevada Medical Group at a total cost of \$558.00; Commissioner Sharkozy seconded the motion; motion carried 2-0.

**RECESS**

The Board recessed at 10:00 a.m. for a scheduled Eureka County Liquor Board meeting.

**NEVADA STATE BANK**

Bank at Work Program: Branch Manager for Nevada State Bank, Cherisse Hayward, was in attendance to introduce the Bank at Work Program. Ms. Hayward explained there are benefits for employees to participate in the program and there is no cost for Eureka County to join. Benefits include several free and discounted services. Commissioner Etchegaray motioned that Eureka County join the Bank at Work Program with Nevada State Bank; Commissioner Sharkozy seconded the motion; motion carried 2-0.

**PUBLIC WORKS**

Devil’s Gate GID Well: Public Works Director, Ron Damele reported on recent projects and activities. A pump, along with column pipe and wiring, was replaced in one of the Devil’s Gate GID wells and it is back in service.

Stevens Basin Exploratory Drilling Project: Consulting Hydrogeologist, Dale Bugenig, has been working with Boart Longyear on the contract documents for the Stevens Basin Exploratory Drilling Project. Those documents will be ready for approval at the next meeting. Mr. Damele has been working with the water attorney to provide additional information requested by the State Engineer related to the permit for this project.

Justice Court Office Remodel: Mr. Damele presented the contract for the Eureka Justice Court Office Remodel Project. The project will be completed by the end of October. Commissioner Etchegaray motioned to approve the contract between Eureka County and Reyman Brothers Construction for the Eureka Justice of the Peace Office Remodel Project in the amount of \$39,010.92, to be funded from the Justice Court Facility Fund; Commissioner Sharkozy seconded the motion; motion carried 2-0.

Swimming Facility Fee Schedule: Mr. Damele and Swimming Pool Supervisor, Clint Tognotti, presented proposed fee increases for the Eureka Swimming Facility. Mr. Tognotti noted that Eureka has the lowest fees throughout the State, which will remain the lowest even if the new fees are adopted. Mr. Damele highlighted that the last completed audit (Fiscal Year 2013-2014) showed that annual operating costs for the Swimming Facility were \$380,000.00. This computes to over \$1,000.00 a day, even with significant budget cuts in recent years. The County will evaluate these costs during the next budget season, and may consider alternatives such as operating the pool seasonally.

<b>EUREKA SWIMMING POOL</b>	<b>Current Rate</b>	<b>New Rate (effective January 2016)</b>
Daily Swimmers	\$1.00/day	\$2.50/day
Single Monthly Pass	\$10.00/month	30.00/month
Family Monthly Pass	\$20.00/month	\$45.00/month
Public Lessons – 1 Week	\$10.00/week	\$30.00/week (4 sessions)
Private Lessons – 1 Week	\$20.00/week	\$45.00/week (4 sessions)
Parties / Events	\$1.00 per participant	\$30.00 rental; \$1.00/patron
Senior Citizens	Free	\$2.00/day
Children Under 5 Years	Free	\$2.00/day

Commissioner Etchegaray motioned to approve the updated fee schedule as presented for the Eureka Swimming Facility, effective January 1, 2016; Commissioner Sharkozy seconded the motion; motion carried 2-0.

Free Dump Day in Crescent Valley: As requested by the Crescent Valley Town Advisory Board, Public Works considered a Free Dump Day in Crescent Valley. Mr. Damele explained that free dump days are offered County-wide each year in May and there are costs and staff time involved in providing this service. This additional day is only being considered at the request of the CVTAB, so is limited to the Town Board's jurisdiction, which is the Town of Crescent Valley. Items accepted will be limited to yard waste, furniture, white goods, tires, and car bodies. Items not accepted include hazardous materials, household garbage, and dead animals.

Commissioner Sharkozy motioned to designate October 9, 2015, between 8:00 a.m. and 4:30 p.m. as Free Dump Day at the Crescent Valley Laydown Yard for the Town of Crescent Valley, as requested by the Crescent Valley Town Advisory Board, and with the limitations noted by Public Works; Commissioner Etchegaray seconded the motion; motion carried 2-0.

## **RESOLUTION HONORING TODD HUBBARD**

Recognition of Longtime Employee: Mr. Damele, along with the County Commissioners and other County employees, wished to recognize and commend longtime employee, Todd Hubbard, upon his recent retirement. Mr. Damele and the Board personally thanked Mr. Hubbard for his years of faithful service. Mr. Hubbard stated it has been a pleasure working with the County and especially with Mr. Damele.

Commissioner Etchegaray motioned to adopt a resolution recognizing Todd Hubbard for his 18 years of service with Eureka County; Commissioner Sharkozy seconded the motion; motion carried 2-0.

Eureka, Nevada

September 4, 2015

### ***RESOLUTION HONORING TODD HUBBARD FOR HIS MANY YEARS OF SERVICE TO EUREKA COUNTY***

*WHEREAS, the Board of Eureka County Commissioners wishes to honor longtime employee, Todd Hubbard, for his dedicated service and contributions; and*

*WHEREAS, Eureka County acknowledges the following biographical information: Todd was born November 7, 1961, in Idaho Falls, Idaho, to Roy & Nelda Hubbard. Todd moved to Eureka in 1964, making him practically a native! He attended Eureka County schools, graduating from Eureka County High School in 1979. Upon graduation, he completed the Vo-Tech Welding Program at Idaho State University (1980-1981). Todd married Tina on May 14, 1983, and together they raised three children: Curtis, Katie, and Crystal.*

*Todd worked for the Eureka County School District from January 1980 until February 1997. He worked as Director of Transportation from July 1985 through February 1997, but continued as Activity Bus Driver through the end of the school year in 2015. Todd began working as a Mechanic for Eureka County on August 11, 1997. He was promoted to Mechanic II on January 1, 2004, and was promoted to Senior Mechanic on November 1, 2009. This has been a demanding job that required a vast amount of experience, knowledge, and talent. Not only has he been a valued employee, Todd was a supervisor who demonstrated excellent leadership and advocated for his employees. Todd retired on August 27, 2015, with 18 years of service with Eureka County and a total of 35½ years with both the County and the School District.*

*In addition to work, Todd has been very active in the community. While his children were in school, he coached Girls' Junior High Basketball, coached High School Wrestling, and was assistant coach for High School Football. He served as driver and chaperone for both the Juvenile Probation Ski Trips and events for Future Farmers of America.*

*Todd has demonstrated outstanding character and work ethic and has lived a life exemplifying strong family values. In addition to spending time with his wife, children, and his brothers and their families, his interests include restoring old cars, woodworking, camping, fishing, the outdoors, and traveling.*

*Other contributions to Eureka County include Todd's many years of service as a volunteer firefighter for the Eureka Volunteer Fire Department, from 1983 to present.*

*WHEREAS, County officials, co-workers, and friends celebrate with Todd, who has been a significant member of our workforce, as he retires and embarks on this next chapter of his life.*

*NOW THEREFORE, BE IT RESOLVED, that the Board of Eureka County Commissioners recognizes Todd Hubbard for his accomplishments and commends him for his outstanding service to Eureka County.*

*BE IT FURTHER RESOLVED, that this resolution be published in the minutes of the Board of Eureka County Commissioners to remain a part of the permanent and historical records of Eureka County.*

ADOPTED this 4<sup>th</sup> day of September, 2015.

BOARD OF EUREKA COUNTY COMMISSIONERS  
COUNTY OF EUREKA, STATE OF NEVADA

/s/ JJ Goicoechea

J.J. Goicoechea, Chairman

/s/ Michael Sharkozy

Michael Sharkozy, Vice Chair

/s/ Fred Etchegaray

Fred Etchegaray, Member

Attest: /s/ Beverly Conley

Beverly Conley, Eureka County Clerk

### **CRESCENT VALLEY TOWN ADVISORY BOARD**

**Rabies Vaccination Clinic in Crescent Valley:** During the August 20<sup>th</sup> meeting, Dawn Gann, Chair of the Crescent Valley Town Advisory Board, informed the Board of several activities planned by the Town Board. The CVTAB requested funding assistance from the Crescent Valley Activities Program for these events. The first sponsored item is a Rabies Vaccination Clinic, and estimated cost to mail postcard notifications to area residents is \$98.00.

Commissioner Sharkozy motioned to authorize the Crescent Valley Town Advisory Board to utilize up to \$100.00 from the Crescent Valley Activities Program to pay for postage to mail notices regarding a Rabies Vaccination Clinic to be held in Crescent Valley in November; Commissioner Etchegaray seconded the motion; motion carried 2-0.

### **NATURAL RESOURCES**

**Report on Activities:** Natural Resources Manager, Jake Tibbitts, reported on recent activities. Mr. Tibbitts attended the Barrick Ruby Hill Community Advisory Committee meeting on August 26<sup>th</sup>; participated in a conference call of the Executive Committee of the Nevada Pinyon-Juniper Partnership on the afternoon of August 26<sup>th</sup>; and traveled to Carson City on August 28<sup>th</sup> for the Nevada Association of Counties Board meeting.

**Upcoming Meetings:** Upcoming meetings include the Crescent Valley Firewise Committee meeting on September 15<sup>th</sup>; a Natural Resources Advisory Commission meeting on September 16<sup>th</sup>; the Nevada State Conservation Commission meeting on September 17<sup>th</sup> in Carson City; the Bald Mountain Draft EIS Open House at the Eureka Opera House the evening of September 17<sup>th</sup>; the Central Nevada Regional Water Authority meeting on September 18<sup>th</sup> in Fallon; and the Governor's Drought Summit September 21<sup>st</sup>-23<sup>rd</sup> in Carson City (Mr. Tibbitts has been invited to participate on one of the discussion panels).

**Designation of Diamond Valley as Critical Management Area:** State Engineer Order #1264, entitled ORDER DESIGNATING THE DIAMOND VALLEY HYDROGRAPHIC BASIN (153) A CRITICAL MANAGEMENT AREA, was issued on August 25, 2015. Mr. Tibbitts explained that this starts a ten year timeframe for Diamond Valley water right holders to agree to a Groundwater Management Plan that reduces pumping or the basin will be strictly regulated by priority. The County provided testimony during the July 23<sup>rd</sup> hearing to consider this proposed order and also submitted written comments following the hearing. Based on those comments, the State Engineer adjusted pumping estimates in the final order to a more realistic number.

Preceding this, Order #1263, entitled ORDER TO REINSTATE PROCEEDINGS TO DETERMINE WATER RIGHTS IN THE MATTER OF THE DETERMINATION OF THE RELATIVE RIGHTS IN AND TO ALL WATERS, BOTH SURFACE AND UNDERGROUND, LOCATED WITHIN DIAMOND VALLEY, HYDROGRAPHIC BASIN No. 10-153, EUREKA AND ELKO COUNTIES, STATE OF NEVADA, was issued on August 21, 2015. This order restarts the adjudication process of all waters in the basin, which originally began in the 1980s but was suspended.

**Clean Water Rule:** An injunction was granted on the Clean Water Rule enacted earlier this year. This rule was originally proposed by the US Environmental Protection Agency and US Army Corps of Engineers as Waters of the US (WOTUS). It was later withdrawn, refiled under the new title, and enacted as the Clean Water Rule. The broad language is worrisome and several states appealed the rule, including Nevada. The EPA has determined they will not apply the new rule in the 13 states that signed on to the appeal, but they will enforce it in the other 37 states. The Army Corps of Engineers has issues with the current language and is now asking to have their name removed from the rule.

**BLM Fish Creek Herd Management Area:** Mr. Tibbitts reminded the Board of actions taken following their August 12<sup>th</sup> tour of the Fish Creek Herd Management Area. The Board took action to send a letter to National BLM Director, Neil Kornze, addressing falsehoods presented about the tour by Laura Leigh, leader of a wild horse advocate group. Additionally, the Board

took action to request that the State Engineer become engaged in some of the ongoing water issues surrounding this HMA.

Mr. Tibbitts informed the Board that the tour of the Fish Creek HMA has garnered some national attention. Specifically, it was discussed at the recent meeting of the National Wild Horse & Burro Advisory Board held in Oklahoma City.

The September 16<sup>th</sup> NRAC (National Resources Advisory Committee) meeting will be attended by BLM Nevada State Director, John Ruhs, to address some of the commitments made by the BLM during this tour. Local BLM District Managers (from Battle Mountain and Elko) have also been invited to attend.

**BLM Drought Decisions:** Mr. Tibbitts noted there have been no decisions by local BLM Districts related to drought since the last meeting. At the last meeting, Mr. Tibbitts reported on two responses he submitted on behalf of the County related to decisions on the Roberts Mountain Allotment. The first response to the BLM dealt with concerns over a term and condition in a decision requiring the permittee to obtain a change in place of use from the Nevada Division of Water Resources before implementing a temporary water haul.

The second response to the BLM dealt with a subsequent decision on the same allotment and addressed concerns over the agency's misuse of drought conditions, related vegetative issues, non-use due to the Frazier Fire, horses in excess of authorized numbers, restricted access to private property and privately held water rights, as well as the short timeframe allotted a Cooperating Agency for comment.

Mr. Tibbitts stated that no acknowledgement has been received from the BLM regarding either of these responses.

**BLM/USFS Greater Sage-Grouse Land Use Plan Amendment: Governor's Consistency Review:** Governor Brian Sandoval prepared a Consistency Review outlining differences between the Nevada State Plan and the Final EIS for the Nevada & Northeastern California Greater Sage-Grouse Proposed Land Use Plan Amendment. The BLM issued a response on August 6<sup>th</sup> denying the Governor's recommendations. During the August 20<sup>th</sup> meeting, the Board authorized a letter to the Governor urging him to appeal the BLM's decision. NACO and several other counties also sent letters supporting an appeal. No formal appeal has been issued to date, but there is talk that one is forthcoming.

**Potential Litigation:** The Record of Decision on the Land Use Plan Amendment could be signed as early as September 8<sup>th</sup>. The Nevada Mineral Resources Alliance is preparing a petition for injunction so it can be filed as soon as the ROD is signed. Elko County Commission voted to contribute \$10,000.00 towards this suit and to be named as a co-plaintiff. Other counties and entities are considering joining. Eureka County has been asked to participate financially and to sign on as a co-plaintiff as well.

Mr. Tibbitts provided some background on the Nevada Mineral Resources Alliance. He also provided some background on grounds for the potential litigation. The biggest argument is that the Nevada State Plan (Alternative E in the Greater Sage-Grouse Draft EIS) was not properly considered. The State of Nevada was asked to prepare a plan and invested millions of dollars and an immense amount of time preparing this plan, and the BLM has no intention of including the State Plan or allowing it to be implemented.

Mr. Tibbitts added that he discussed this with Chairman Goicoechea and the Chairman is in favor of contributing and joining in the lawsuit. After further discussion, Commissioner Etchegaray motioned in favor of Eureka County joining Nevada Mineral Resources Alliance and others as a co-plaintiff in potential litigation appealing the Record of Decision related to the BLM/USFS Greater Sage-Grouse Land Use Plan Amendment, that Eureka County contribute \$5,000.00 up front and another \$5,000.00 as litigation proceeds, and that the Natural Resources Manager work on drafting a declaration on behalf of Eureka County. Commissioner Sharkozy seconded the motion. Motion carried 2-0.

**Barrick Cortez Plan of Operations & Reclamation Permit Amendment 3:** At the last meeting, the Board authorized Mr. Tibbitts to draft a letter, to be signed by the Chairman, supporting the Barrick Cortez Plan of Operations & Reclamation Permit Amendment 3, but asked that it come back before the Board for ratification. Commissioner Etchegaray motioned to ratify the comment letter supporting the Draft EA for the proposed Barrick Cortez Plan of Operations & Reclamation Permit Amendment 3; Commissioner Sharkozy seconded the motion; motion carried 2-0.

## **CITIZEN REQUEST**

**Town of Eureka 9:00 p.m. Siren:** Eureka resident, Christine Smith, asked the Board to consider changing the time, or eliminating or reducing occurrence, of the siren that sounds in the Town of Eureka at 9:00 p.m. daily. Ms. Smith stated she began thinking about the siren after a visitor staying in a local motel relayed to her that he panicked when he thought the siren meant the motel was on fire. This wasn't the first time she had heard a similar story. Ms. Smith stated she understood this was a tradition, mainly for a curfew that was no longer enforced, and gave

several reasons why the daily siren was obsolete or should be continued at a more rational time of day.

Sheriff Logan stated there is a proclamation setting the siren at 9:00 p.m. to warn of the 10:00 p.m. curfew that still exists in Eureka County Code. It also serves as a redundant test of the emergency notification system. He suggested that local businesses could post notices warning travelers of the siren. There were other comments from those present in favor of leaving the siren as is.

Commissioner Etchegaray motioned to continue sounding the siren at 9:00 p.m. daily in the Town of Eureka; Commissioner Sharkozy seconded the motion; motion carried 2-0.

## **PUBLIC HEARING – COMMUNITY DEVELOPMENT BLOCK GRANT**

Public Input for Possible Grant Projects: Notice was given that a meeting would be held on September 4<sup>th</sup> to invite public comments for potential projects that can be funded through the Community Development Block Grant Program. These can include projects related to community development, addressing an urgent need, or meeting housing needs of low and moderate income persons. This is the first of two public hearings that will be held to solicit ideas from the public or staff. Andrea Rossman, Cultural, Tourism, & Economic Development Director, explained that projects must meet certain criteria and the County has utilized CDBG grants in the recent past to make improvements at the Eureka Senior Center and to purchase an upgraded x-ray machine for the Eureka Medical Clinic.

Vice Chair Sharkozy opened the hearing for public comments. Ms. Rossman noted that one written proposal was received from EMS Coordinator, Mike Sullivan, for infrastructure improvements to the Ambulance Bay. His request was for a backup generator and improved climate control for the building. No other comments were forthcoming. The next public hearing for CDBG proposals or comments is scheduled for September 21<sup>st</sup>.

CDBG Advisory Committee: At the last meeting, Ms. Rossman informed that the Governor's Office of Economic Development was looking for a second representative from the Great Basin Regional Development Authority to serve on the Community Development Block Grant Advisory Committee. Since White Pine County was already represented, they hoped a Commissioner from Eureka County would be willing to serve. The Commissioners asked that an item be placed on this agenda to recommend Commissioner Sharkozy for this appointment.

District Attorney Beutel advised that since Chairman Goicoechea was absent, Commissioner Sharkozy could state his conflict of interest and participate in motioning or seconding a recommendation regarding himself, or the Board could table this item. Commissioner Sharkozy and Commissioner Etchegaray agreed to table this recommendation.

## **NEVADA DIVISION OF WATER RESOURCES**

Groundwater Basin Water Right Assessments: Kelvin Hickenbottom, PE, Deputy State Engineer, appeared before the Board to explain a change in the upcoming groundwater basin water right assessments. The Division of Water Resources is planning on raising the assessments for all groundwater basins within the Humboldt River region (involving six counties) for a period of four years. The State Engineer's office is in the process of creating groundwater models for the Humboldt River and its tributaries to evaluate groundwater pumpage and the effects of pumpage on the river. This will involve the development of three models: a new model for the lower Humboldt (by US Geological Survey), expansion of an existing model for the middle Humboldt (done by USGS), and expansion of a study for the upper Humboldt (done by Desert Research Institute).

The USGS studies will cost roughly \$1 million and the DRI study will cost about \$250,000.00. The increased assessment, plus reserves, will be used to fund the studies. Proposed assessment rate is \$0.50 per acre foot for a four year period. Current assessment rates are in the range of \$0.15 to \$0.30 per acre foot, so for many this is a significant increase. Assessments are mailed to the Board of County Commissioners in December for the following tax year. The Commissioners forward them to the County Treasurer for inclusion as a special assessment on the real property tax bills.

## **HUNGER ACTION MONTH PROCLAMATION**

Food Bank of Northern Nevada: Shane Piccinini, Public Policy Advocate & Government Relations for Food Bank of Northern Nevada, contacted the Board requesting that they proclaim September as Hunger Action Month in Eureka County. Mr. Piccinini was in attendance to provide more information regarding Food Bank of Northern Nevada and the programs it supplies for the State and to Eureka County. In 2014, Eureka County alone benefited from the following: (a) 52,376 pounds of food were distributed through the Food Pantry Program to the Senior Centers, with 58% distributed in Eureka and 42% distributed in Crescent Valley; (b) 7,500 pounds of food were distributed through the Commodity Supplemental Food Program in the form of senior boxes to supplement their monthly nutrition; and (c) other programs like Mobile

Pantry, which distributes fresh produce donated by large grocers such as Walmart, Raleys, Safeway, etc.

Food Bank of Northern Nevada facilitates the Food Stamp Program, WIC (Women, Infants, and Children), and is working to urge Congress to reauthorize the Healthy Hunger-Free Kids Act, which funds the National School Lunch Program. Mr. Piccinini noted that most of these programs are facing serious funding cuts over the next decade. This is alarming because federal nutrition programs have less than a 1% waste, fraud, and abuse rate. He thanked the County for considering the proclamation, as this helps support Food Bank's argument to Congress for continued funding of these programs.

Commissioner Etchegaray motioned to approve the request from Food Bank of Northern Nevada to adopt the proclamation naming September 2015 as Hunger Action Month in Eureka County; Commissioner Sharkozy seconded the motion; motion carried 2-0.

Eureka, Nevada

September 4, 2015

### **PROCLAMATION**

#### **DECLARING SEPTEMBER 2015 AS HUNGER ACTION MONTH IN EUREKA COUNTY, NEVADA**

WHEREAS, hunger and poverty are issues of grave concern in the United States and Eureka County, Nevada; and

WHEREAS, the Board of Eureka County Commissioners is committed to taking steps to raise awareness about the need to combat hunger in every part of our state and to provide additional resources that citizens of Nevada need; and

WHEREAS, the Board of Eureka County Commissioners is committed to working with Food Bank of Northern Nevada in educating people about the role and importance of food banks in addressing hunger and raising awareness of the need to devote more resources and attention to hunger issues; and

WHEREAS, more than one in every four children in northern Nevada rely on food provided by the members of the Food Bank of Northern Nevada annually; and

WHEREAS, the members of Food Bank of Northern Nevada distributed more than 12.6 million pounds of food in 2014 through its network of food pantries, soup kitchens, shelters, and other community organizations; and

WHEREAS, food banks across the country, including the Food Bank of Northern Nevada, will host numerous events throughout the month of September to bring awareness and attention to encourage involvement in efforts to end hunger in their local community;

NOW THEREFORE, the Board of Eureka County Commissioners does hereby recognize September as Hunger Action Month in Eureka County, and does call this observance to the attention of Eureka County citizens.

HEREBY PROCLAIMED this 4<sup>th</sup> day of September, 2015.

BOARD OF EUREKA COUNTY COMMISSIONERS  
COUNTY OF EUREKA, STATE OF NEVADA

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

/s/ Michael Sharkozy  
Michael Sharkozy, Vice Chairman

/s/ Fred Etchegaray  
Fred Etchegaray, Member

Attest: /s/ Beverly Conley  
Beverly Conley, Eureka County Clerk

### **CORRESPONDENCE**

Correspondence was received from: District Attorney, Ted Beutel; Clerk & Treasurer, Beverly Conley (2); Public Works, Ron Damele; Eureka County Emergency Medical Services (2); Cultural, Tourism & Economic Development Director, Andrea Rossman (3); Commissioner Clerk, Jackie Berg; Eureka County Economic Development Program (2); Eureka Activities; Eureka Business Network; Crescent Valley Town Advisory Board (4); Nevada Assoc. of Counties (8); White Pine County; Nevada State Bank; Northern Nevada Medical Group Immunization Program; Governor's Office of Economic Development; Food Bank of Northern Nevada; Nevada Division of Water Resources (6); Nevada Div. of Environmental Protection; Nevada Deferred Compensation; Nevada Supreme Court/Administrative Office of the Courts; University of Nevada, Center for Economic Development; Governor's Drought Summit 2015; and Nevada Arts Council newsletter.

### **PUBLIC COMMENT**

Vice Chairman Sharkozy opened the floor for public comments; there were none.

**ADJOURNMENT**

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

*Approved by vote of the Board this 21<sup>st</sup> day of September, 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 September 4, 2015, meeting of the Board of Eureka County Commissioners.*

/s/ Jackie Berg

Jackie Berg, Commissioner Clerk

*I, Beverly Conley, Clerk & Treasurer of Eureka County, acknowledge and accept the attached minutes as approved by the Board of Eureka County Commissioners and attested to by the Commissioner Clerk.*

/s/ Beverly Conley

Beverly Conley, Clerk & Treasurer