

EUREKA COUNTY BOARD OF COMMISSIONERS
September 6, 2019

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 6, 2019. Present were Chairman J.J. Goicoechea; Vice Chair Michael Sharkozy; Commissioner Rich McKay; and Commissioner Clerk, Jackie Berg. District Attorney, Ted Beutel, was absent as he was representing the State in District Court. The meeting was called to order at 9:30 a.m. and began with the Pledge of Allegiance. The interactive video conferencing system was connected and utilized between Crescent Valley and Eureka for the entire meeting.

APPROVAL OF AGENDA

Commissioner Sharkozy motioned to approve the agenda with the removal of the August 20th minutes; Commissioner McKay seconded the motion; motion carried 3-0.

PUBLIC COMMENT

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

APPROVAL OF MINUTES

August 6, 2019: Commissioner McKay motioned to approve minutes of the August 6, 2019, meeting; Commissioner Sharkozy seconded the motion; motion carried 3-0.

SEARCH & RESCUE

Out-of-State Travel: Sheriff Watts explained that a Search & Rescue volunteer transported an instructor from, and back to, Salt Lake City to avoid rental car expense. Commissioner McKay motioned to ratify out-of-state travel for Arnold Pena for travel to Salt Lake City on both July 19th and July 22nd; Commissioner Sharkozy seconded the motion; motion carried 3-0.

COUNTY COMPTROLLER

Payment of Expenditures: Expenditures were presented for approval by Comptroller, Kim Todd. Commissioner Sharkozy motioned to approve expenditures in the amount of \$373,416.59 for accounts payable; \$399,368.07 for payroll, retiree, and related expenses; \$1,317,944.48 for a pass-through tax allocation to the School District; \$7,843.36 for a pass-through to the State Controller; \$608.72 for a pass-through to Nevada Department of Taxation; \$159.00 for a pass-through to Washoe County; and \$4,510.00 in Yucca Mountain expenses for a grand total of \$2,103,850.22. Commissioner McKay seconded the motion. Motion carried 3-0.

Fund Balance Report: The Board reviewed the current fund balances.

PERS Certification Form: Ms. Todd presented a Nevada Public Employees Retirement System (PERS) full-time certification form to certify that the County's law enforcement employees are moving to 12-hour work days and a 14-day pay period. Each employee will work seven days within the pay period for a total of 84 hours.

Ms. Todd explained that this certification is only for retirement purposes and does not affect the Fair Labor Standards Act (FLSA), which requires employees on a 14-day pay period to work 86 hours before being eligible for overtime.

Commissioner Sharkozy motioned to submit the full-time certification form to Nevada Public Employees Retirement System to certify that non-salaried law enforcement will work 84 hours in a 14-day period as full-time equivalent employees. Commissioner McKay seconded the motion. Motion carried 3-0.

COMMISSIONERS

2019 Nevada Wildfire Summit: On August 19th, Chairman Goicoechea and Jake Tibbitts attended the 2019 Nevada Wildfire Summit hosted by US Senator Catherine Cortez Masto. The Chairman, Mr. Tibbitts, and Ron Damele are working on a letter to the Senator in response to the Summit, and the Chairman invited further input for content of the letter.

Multiple items were discussed during the Summit, with a main issue being the disconnect that agencies (federal and State) have with local governments, both overall and during a fire. The letter will discuss the importance of adequate pre-suppression efforts, and will request that bureaucratic processes be reduced or eliminated for fire prevention work on federal lands. Examples of Eureka County's proven practices will be outlined in the letter.

The Chairman commended Eureka County's fire model, which has been built up over the years under the leadership of Ron Damele. Chairman Goicoechea said the agencies and other counties should follow this model because, "...it absolutely works." Proactive communication with the agencies, the rancher liaison program, access to County staff and equipment during a fire, the County's pre-suppression work (blading fire breaks, treating weeds, etc.), are just some of the elements that make the County's fire model a success.

The Summit was part of Senator Cortez Masto's efforts to gather data and information to take back to Congress to advocate for funding to implement a concerted effort on a broader scale. Paul Peterson, BLM State Fire Management Officer, has asked for a copy of the letter when it is done and is working on improved practices that he is hoping to implement State-wide beginning this fall. There is talk that Nevada Division of Forestry is working on something similar.

Chairman Goicoechea, Mr. Tibbitts, and Mr. Damele will continue finalizing the letter and will present it at a future meeting for ratification.

Contract Services & Related Costs: Chairman Goicoechea explained that the District Attorney is working on some ongoing litigation and will need help doing research and preparing documentation. He has not filled two budgeted positions in his office and would like to redirect funds allocated for wages and benefits towards contracted personnel. The Chairman and District Attorney met with the Comptroller, who informed them that Board action was required to redirect the funds.

Commissioner McKay motioned to approve a request to utilize unallocated salary/wage/benefit monies in the District Attorney's Fiscal Year 2019-2020 budget to be directed to contract services and related costs. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Sagebrush Ecosystem Program: Chairman Goicoechea said the Sagebrush Ecosystem Council will hold another hearing and workshop on September 19th related to the temporary mitigation regulations requiring compensatory mitigation when sage grouse habitat is disturbed on federal or State lands.

There is word that the Gold Bar Mine will do proponent driven mitigation instead of utilizing the Conservation Credit System, and that the BLM has given an extension of time while it reviews the Environmental Assessment. As a Cooperating Agency, Eureka County hasn't seen the EA or any other documentation, but will ask the BLM about this during a meeting with the Battle Mountain District on September 11th.

IT / NETWORK

IT Update: IT Director, Misty Rowley, provided a brief update on projects and activities, which include continued planning for the second phase of the fiber upgrade; converting desktop computers to Windows 10; beginning the process of connecting to the new fiber; and working on a plan to clean up NOC (Network Operations Center) rooms in both Eureka and Crescent Valley. In Crescent Valley, Ms. Rowley installed switches, set up new computers, and worked with Express Internet to clean up and organize network equipment in preparation for the NOC room cleanups.

Fiber Upgrade Design: Ms. Rowley requested authorization for Quest to examine the County's network equipment in order to design the second phase of the fiber upgrade.

Assessor, Michael Mears, explained the full fiber buildout will probably take two years. He is working with Ms. Rowley to plan the phases so this can be budgeted over more than one fiscal year. Quest's expertise in evaluating and advising on the County's best next step will help in prioritizing the phases.

Commissioner McKay motioned to authorize Quest to design the second phase of the Fiber Upgrade & Remediation Project, for an amount not to exceed \$8,000.00, utilizing monies budgeted in the Capital Projects Fund. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

SHERIFF

Employee Recognition: Sheriff Jesse Watts gave a shout-out to Marcial Evertsen who, as of August 23rd, is a 15-year employee with Eureka County. Mr. Evertsen was presented with a certificate at the staff meeting earlier in the week and will also receive a plaque.

State Route 766 Accident: Sheriff Watts reported on the tragic August 24th accident on State Route 766 when a tractor-trailer (hauling ore) collided head-on with a bus carrying 21 Goldstrike Mine employees, resulting in the death of the truck driver and one mine employee. Many others were injured, some critically.

Sheriff Watts noted that, in addition to Eureka County, multiple entities responded to the accident: Elko County 911, Nevada Highway Patrol, Carlin Fire, Carlin Police Department, Elko County Sheriff's Office, Elko County EMS, Elko County Fire Protection District, MedX AirOne, Reach Air, and Nevada Gold Mines who had 44 mine rescue workers (which included over 30 EMTs) on the scene in less than five minutes. The Sheriff said a lot of lives were saved that day because of the mine rescue team (19 tourniquets were applied at the scene), and he praised the response of all the entities. He also commended Northeastern Nevada Regional Hospital because the medical staff there triaged 20 patients in an hour.

The MCI (Mass Casualty Incident) Bus that Eureka County donated to Elko County (renamed MERV – Major Emergency Response Vehicle) was a much-needed resource at this accident and transported 13 patients to NNRH. Sheriff Watts commended the Commissioners and County staff who had the foresight to see a need to place this bus closer to the large mines and with an agency that has the resources to fully staff it. Elko County EMS called in extra paramedics and extra EMTs and did a wonderful job staffing the bus.

Sheriff Watts recognized that this is the second major incident on SR766, in the same location, in less than five months due to this difficult turn in the road. The sulfuric acid spill in May occurred about 100 yards from this accident.

Chairman Goicoechea said that in his time on this Commission, the Board has discussed SR766 with NDOT multiple times during its annual spring county tour. This year the Board made a point to stress that the mines have some serious concerns over SR766 and will be asking for improvements and upgrades on that route, with the full support of Eureka County. NDOT needs to address this, and Chairman Goicoechea noted it may require County participation in some fashion to make that happen.

Sheriff Watts has received Goldstrike Mine's after-action report and is in the process of drafting his after-action report. Copies will be provided to the Commissioners once complete.

Out-of-State Travel: To facilitate delivery of the new patrol vehicles, Sheriff Watts has secured a purchase order for upfitting – installation of lights, radios, cages, etc. A Sheriff's Office employee has offered to drive the vehicles to St. George on his days off, stay with family in the area, and return once upfitting is complete. The only cost to the County will be travel costs, as the employee is not requesting per diem and no lodging is involved.

Commissioner McKay motioned to approve out-of-state travel for Sheriff's Office personnel to travel to St. George, Utah, upon delivery of recently purchased patrol vehicles to have the vehicles upfitted with specialty equipment. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Out-of-State Travel: Sergeant Jeri Sanders oversees the animal control program and received a scholarship from Maddie's Pet Project to attend an animal control conference. There will be no costs to the County for Sergeant Sanders to attend the conference.

Commissioner Sharkozy motioned to approve out-of-state travel for Sergeant Jeri Sanders to attend the National Animal Control Association Conference in Orlando, Florida, October 8th-13th, with all expenses paid by Maddie's Pet Project. Commissioner McKay seconded the motion. Motion carried 3-0.

Status Review of Jail Audit: Sheriff Watts relayed that Legal & Liability Risk Management Institute (contracted through Nevada POOL/PACT) will be in Eureka on October 22nd for a follow-up status review of the jail audit conducted this spring. The Sheriff explained that most of the audit findings have been remedied. The one item that rural counties cannot comply with, due to the high cost, is having a licensed nurse on staff. The Sheriff's Office does pre-booking checks and has been able to meet the inmates' medical needs through the local clinic.

Hiring Freeze Waiver: Sheriff Watts submitted a Hiring Freeze Waiver Justification requesting to fill a Communications position due to a resignation. Commissioner McKay motioned to waive the hiring freeze and authorize the Sheriff to fill the position of Dispatcher I or II; Commissioner Sharkozy seconded the motion; motion carried 3-0.

ASSESSOR

State BOE Hearing on Valuation of TS Power Plant: Assessor, Michael Mears, gave an update on the State Board of Equalization hearing to consider valuation of the TS Power Plant. Mr. Mears, contracted appraiser and agent, Mark Stafford, and Appraisal Supervisor, Garney Damele, attended the hearing on behalf of Eureka County.

Earlier this year, Newmont Nevada Energy Investment LLC petitioned the County Board of Equalization for a review of taxable valuation of the TS Power Plant, seeking a reduction of roughly \$150 million, essentially taking the property to a scrap value of \$46 million (current taxable value is \$195 million). The County Board of Equalization upheld the Assessor's valuation. Newmont appealed to the State Board of Equalization and a hearing was set for August 26th in Carson City.

Mr. Mears described how the TS Power Plant was last, of 13 appeals, on the State BOE's agenda. The hearing began at 9:00 a.m. and, finally, at approximately 4:20 p.m., Eureka County was called to the table. No sooner did the process begin when Chairman Meservy (one of two Board members attending by video from Las Vegas) abruptly adjourned the meeting, stating they had to vacate the room in Las Vegas by 4:30 p.m. and announcing that the hearing would reconvene at 1:00 p.m. the following day.

Negotiations with Newmont: As everyone was leaving, Newmont approached Mr. Mears and asked if Eureka County and Newmont could sit down somewhere and talk. After two and a half hours of deliberating the case and doing a lot of calculations, Newmont went to talk privately and returned with a proposed 25% reduction in value.

Mr. Mears explained to the Commissioners that throughout the hearing, the State BOE had been sympathetic towards the taxpayers. During a break in the meeting, Mr. Mears and Mr. Stafford were able to talk to some of the BOE members and got a sense of the valuation they were considering for the power plant. One member shared he was favoring a 25% reduction.

With that insight, Mr. Mears and his team agreed to the 25% reduction, drafted a Stipulated Agreement with Newmont, presented it to the State BOE the next afternoon, and the BOE approved it with no questions.

This takes the property from a net taxable value of \$195,651,177.00 to a net taxable value of \$145,972,272.00, a reduction just under \$50 million. The original tax bill for this property was \$1,283,481.00, and is now \$957,585.00 for the current tax year, reducing the County's tax revenue by \$325,896.00.

TS Power Plant: Mr. Mears said it is apparent that Newmont has no intention of closing the power plant, which is more valuable to the company now due to the Barrick Newmont Joint Venture.

Newmont's argument to the County BOE (and intended argument to the State) was that the plant is obsolete because coal-fired plants are no longer being built and existing ones are shutting down. But comments made by Newmont's people show they are researching costs of converting to natural gas, which they indicated would be a \$50 million investment. This type of investment should return the plant to its original valuation.

Chairman Goicoechea thanked Assessor Mears for his hard work on the entire process.

PUBLIC HEARING – EUREKA COUNTY PERSONNEL POLICY

Notice was given that the Board would hold a hearing on September 6th to hear public and employee comments and take action on a resolution to amend the Eureka County Personnel Policy. The resolution was reviewed and proposed by the Board on August 20, 2019, and a copy of said resolution was distributed to all employees and was on file with the County Clerk for public examination.

Open Public Hearing: Chairman Goicoechea opened the public hearing and invited comments on the proposed resolution to amend the Eureka County Personnel Policy.

Comptroller, Kim Todd, stated that in reviewing the policy she discovered an omission. She presented a new section, 5.8.6 Remote Station Duty Pay for Law Enforcement. A previous Board of Commissioners approved remote duty pay of \$350.00 a month for law enforcement officers residing in northern Eureka County, but it was never added to policy.

After some brief comments by staff, Ron Damele, asked why all employees living in the north aren't eligible for remote duty pay. Public Works' employees face many of the same challenges that the Sheriff's employees do. Sheriff Watts agreed. This led to a lengthy discussion about remote duty pay and who might or should be eligible. A few employees shared what they recalled, but nobody was clear on what motivated or prompted the remote duty pay. Some thought it might be an incentive for employees who are on-call. Mr. Damele noted that Public Works employees are on-call for issues such as snow removal or water system emergencies.

Sheriff Watts informed that employees are paid 25 cents an hour for on-call time, so an employee is only paid \$6.00 for a 24-hour period. Everyone agreed that the amount was outdated and should be addressed. Sheriff Watts proposed that it be increased to \$1.00 an hour.

Sheriff Watts asked that the Board also consider increasing shift differential. He would like to increase swing shift to 50 cents an hour and graveyard shift to 75 cents an hour (currently 25 cents and 50 cents respectively).

Chairman Goicoechea asked staff to research the previous Board's reason for implementing remote duty pay for law enforcement. He said the Board will consider remote duty pay, on-call pay, and shift differential in the future, but he didn't want to make changes now that would adversely affect departments who didn't budget for these items. Any changes having monetary impact need to be effective July 1st to allow them to be addressed in the budgets.

After a final call for public comments, the Chairman closed the hearing.

Adopt Resolution: Commissioner McKay motioned to adopt a resolution amending Eureka County Personnel Policy to incorporate the changes in the redline version of the policy presented and reviewed during the August 20th meeting, and adding Section 5.8.6 Remote Station Duty Pay for Law Enforcement presented by the Comptroller. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Future Public Hearing: The Chairman reiterated that remote duty pay, on-call pay, and shift differential will be considered at a future public hearing, held timely so these items can be addressed in the budget.

Eureka, Nevada

*Proposed August 20, 2019
Adopted September 6, 2019*

RESOLUTION AMENDING THE EUREKA COUNTY PERSONNEL POLICY

WHEREAS, the Eureka County Personnel Policy has been updated and amended pursuant to the procedure contained in the Eureka County Code, Title 2, Chapter 50; and

WHEREAS, the Board of Eureka County Commissioners have been presented by the Comptroller's Office with various annual updates and amendments of the policy for consideration; and

WHEREAS, the updated Policy (with the changes to be considered already incorporated) is available to view at the County's website: <http://www.co.eureka.nv.us/>; and

NOW THEREFORE BE IT RESOLVED this Resolution was proposed on the 20th day of August, 2019, and circulated to the Commissioners for their review and modification that same day; and

IT IS FURTHER RESOLVED the Comptroller's Office will circulate this Resolution for review to all departments electronically, for distribution to County employees, requesting comment on the proposed changes to the Policy; and

IT IS FURTHER RESOLVED a public hearing will be conducted September 6, 2019 beginning at 10:15 a.m. or as soon thereafter as the matter may be heard in the County Commission chambers, following publication of the hearing in the Eureka Sentinel once at least ten (10) days before the hearing; and

IT IS FURTHER RESOLVED at that public hearing, and any additional public hearings if deemed necessary, the Commissioners may adopt, reject, or adopt with revisions or amendments one, some, or all of these proposed changes to the Policy.

ADOPTED / REJECTED / OR ADOPTED WITH REVISIONS or AMENDMENTS (circle one) this 6th day of September 2019.

/s/ J.J. Goicoechea, DVM
Chairman of the Board
Eureka County Commissioners

Attest: /s/ Jackie Berg
Commissioner Clerk

SENIOR CENTERS

Update Report: Senior Centers Program Director, Millie Oram, reported on activities at the Eureka Senior Center and Fannie Komp Senior Center. In August, Eureka served 723 meals and Crescent Valley served 632 meals. A total of \$6,151.50 was deposited for the month.

Move to Opera House: With help from the IT Director, preparations are underway for the temporary move to the Opera House during demolition of the building on Main Street that shares a wall with the Senior Center.

Meat Donations: Ms. Oram learned earlier in the day that four lambs, cut and wrapped, were donated to the Senior Center. Three were from an agricultural group or agency and one was from a Goicoechea, but she wasn't sure which one. Two pigs were also donated – one from Mt. Wheeler Power and one from McEwen Mining. She said the extra meat really helps stretch the budget.

Grant Subaward: Commissioner McKay motioned to ratify Notice of Subaward from Nevada Aging & Disability Services Division for Transportation Grant #07-000-10-BC-20, in the amount of \$22,500.00, with a required match of \$2,492.00. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

JUVENILE PROBATION

Out-of-State Travel: Commissioner Sharkozy motioned to authorize out-of-state travel for Steve Zimmerman and Irma Davila to attend the Utah Fall Substance Abuse Conference in St.

George, Utah, September 17th-20th; Commissioner McKay seconded the motion; motion carried 3-0. Juvenile Probation Officer, Steve Zimmerman, explained that all conference costs are funded by grants from the PACE Coalition, Substance Abuse Prevention & Treatment Agency.

AMBULANCE & EMS

Out-of-State Travel: Commissioner Sharkozy motioned to authorize out-of-state travel for Shealene French to attend the Utah Fall Substance Abuse Conference in St. George, Utah, September 17th-20th; Commissioner McKay seconded the motion; motion carried 3-0. EMS Director, Kenny Sanders, explained that all conference costs are paid by the PACE Coalition.

HEALTH INSURANCE ADVISORY COMMITTEE

Retiree Health Reimbursement Account: Jayme Halpin, Chair of the Health Insurance Advisory Committee, gave an update on the Health Reimbursement Account that was adopted by resolution and added to the Personnel Policy on July 5th. This new voluntary policy allows retirees who meet certain criteria to opt out of the County health insurance and retain the insurance subsidy to be applied to Medicare and Medicare supplemental plans.

The Committee is working with the County's insurance broker, LP Insurance Services, to finalize documents for the Health Reimbursement Account (HRA), and working to educate and inform the retirees about their options. LP Insurance Services held a workshop in Eureka in August, which was attended by a dozen retirees. A workshop was scheduled in Crescent Valley, but there was no interest.

LP Insurance will be in Eureka for open enrollment, and will have an agent well-versed in Medicare to answer questions about Medicare and the different supplement plans. Retirees will have a different time-slot than regular employees so the presentation can focus on retiree options.

Retiree Health Reimbursement Plan: Mr. Halpin provided the Board with two documents for review and approval: a manual explaining the Retiree Health Reimbursement Account Plan in detail, and a Retiree Health Reimbursement Plan Summary. The District Attorney's comments have been incorporated into the documents.

Commissioner Sharkozy motioned to approve the Retiree Health Reimbursement Account Plan and Retiree Health Reimbursement Plan Summary and authorized the Chairman to sign the documents where necessary. Commissioner McKay seconded the motion. Motion carried 3-0.

MEDICAL CLINICS ADVISORY COMMITTEE

Appointment: A letter of interest was received from Arnold Pena for a vacant seat on the Medical Clinics Advisory Committee. Chairman Goicoechea stated his support for the appointment and noted that the Committee primarily deals with contract issues and not personnel, but asked Mr. Pena if he felt if a conflict of interest might arise since his wife is a practitioner at the clinic. Mr. Pena felt he would have no issues discerning if a conflict of interest came up.

Commissioner Sharkozy motioned to appoint Arnold Pena to the Medical Clinics Advisory Committee representing a 'Community Member' for the remainder of a two-year term through June 30, 2021. Commissioner McKay felt Mr. Pena would be a great addition to the Committee and seconded the motion. Motion carried 3-0.

Clinical Services Contract with WBRH: MCAC member, Jim Ithurralde, explained that most elements of the clinical services contract remain the same: annual contract amount of \$633,000.00; agreed-upon prices for services paid by the County; 75% discount for Eureka County residents (after co-pays and insurance payments); and staffing levels at the Eureka Clinic.

Changes include: removal of references to shared health services with the Duckwater Shoshone Tribe; reduction of contract payments once the Eureka Clinic is recognized as a Rural Health Clinic by Centers for Medicare & Medicaid Services and is assigned a higher reimbursement rate; and reduced services at the Crescent Valley Clinic (with the intent of finding an alternate medical provider). The contract includes a clause that upon mutual agreement of both parties,

William Bee Ririe may opt-out of providing services at the Crescent Valley Clinic provided another medical provider has been secured.

Commissioner McKay serves as liaison to MCAC and he and member, Nona Kellerman, are setting up a meeting with Jason Bleak, CEO of Battle Mountain General Hospital. In discussions with Matt Walker, CEO of WBRH, Mr. Bleak has indicated that once the Battle Mountain facilities are fully staffed, he may be interested in providing services to Crescent Valley.

Commissioner Sharkozy motioned to approve the clinical services contract with William Bee Ririe Hospital for Fiscal Year 2019-2020 for a not to exceed amount of \$633,000.00; Commissioner McKay seconded the motion; motion carried 3-0.

Health Fair: Mr. Ithurralde reminded everyone that the Health Fair is Friday, September 20th, at the Eureka Opera House from 8:00 a.m. to noon.

Citizen Petition: A petition with 117 signatures was presented to MCAC. The petition requested that the Board of County Commissioners negotiate with William Bee Ririe Hospital to include after-hours coverage at the clinic. The Committee decided to forward the petition to the Commissioners to seek direction.

Since additional services were not considered in the current budget, Chairman Goicoechea felt this was an option to be explored for the next fiscal year. He cautioned that after-hours care caused provider burnout in the past, adding that some other partnership options may develop in the future.

In speaking with the EMS Director, Commissioner McKay noted that Mr. Sanders estimates that 30 to 40 percent of care flights could be eliminated if after-hours care was available.

Mr. Ithurralde thanked the Commissioners for their direction and will take the advice and comments back to the Committee.

ROAD DEPARTMENT

Report on Activities: Raymond Hodson, Assistant Public Works Director, reported on Road Department activities. Southern crews are working on Sadler Brown Road, Railroad Pass, Sheep Creek Road (six loads of gravel were hauled to fill some problem areas); the south end of Antelope Road (a loader and set of belly dumps assisted with a sizeable gravel haul); Kelly Creek Road in Monitor Valley (including installation of a culvert); Union Pass; and 3 Bars Road (where several loads of gravel were hauled).

Northern crews are working on Spa Road; Dean Dann Road; Cortez Road; McCluskey Road; Tonkin Road to 3 Bars Road; and Cottonwood Road (including a gravel haul and installation of a new cattle guard).

PUBLIC WORKS

Public Works Update: Public Works Director, Ron Damele, reported on Public Works projects and activities.

Utilities & Facilities: All utility systems are in good working order. Concrete repairs around the Courthouse are going well. Plans for the Devil's Gate mainline extension were submitted to the State, but there have been some challenges in obtaining a right-of-way, and the project will not begin this fall as originally planned.

Klindt Building Demolition: Notice to Proceed was issued on the Klindt Building Demolition and the process will start September 16th. For a portion of the first 30 days of the project, the road behind the Courthouse will be closed to vehicle traffic during working hours. Pedestrian traffic will be allowed for access to the Courthouse and the Library.

Timberline Resources MOU: Timberline Resources will begin drilling at its Lookout Mountain Project soon, so Public Works is reinstating a Memorandum of Understanding memorializing Timberline's responsibility to do snow removal on the access road and to repair any damage associated with its activities.

Kobeh Valley Test Well Project: Prequalification requirements for the Kobeh Valley Test Well Project were published with a response deadline of September 13th.

Free Dump Days: Commissioner McKay motioned to declare October 5th, 12th, 19th, & 26th as Free Dump Days at the Eureka Landfill and Crescent Valley Laydown Yard for the following items: yard waste, furniture, white goods, tires, and car bodies (excluding hazardous materials, household garbage, and dead animals). Commissioner Sharkozy seconded the motion. Motion carried 3-0. Hours for the Free Dump Days at both locations will be 8:00 a.m. to 12:00 noon and 1:00 p.m. to 4:00 p.m. All items must be separated and disposed of according to each waste classification.

NATURAL RESOURCES

Report on Activities: Natural Resources Manager, Jake Tibbitts, reported on recent activities, meetings, and upcoming meetings.

Wildlife Migration Corridors: Mr. Tibbitts traveled to Reno on August 29th for a meeting hosted by Nevada Department of Wildlife related to wildlife corridors. There is a big push in the west right now for designation of these migration corridors, with an emphasis on big game. The impetus for this is Secretarial Order 3362, signed by former Secretary of the Interior, Ryan Zinke. It directs federal agencies within the Department of the Interior to work with wildlife agencies in the western states to move forward with this corridor initiative. The Western Governors' Association also passed a policy related to wildlife corridors shortly after Secretary Zinke's Order.

The main focus now is on mining infrastructure and transportation routes, but there is also interest in conservation easements to prevent development on private lands, and Mr. Tibbitts said this is something that the County needs to stay engaged in.

Chairman Goicoechea was unable to attend the meeting, but is working on this same issue through the Public Lands Council and National Cattlemen's Beef Association. He has experienced consequences first-hand. With no notice to him, NDOW received approval on a funding proposal to remove a fence on his ranch enclosing a couple hundred acres of private land within the forest. Chairman Goicoechea didn't hear a thing about it until it hit Washington, DC.

Upcoming Meetings: The County Advisory Board to Manage Wildlife is scheduled to meet on September 12th; Humboldt River Basin Water Authority is meeting on September 13th; Eureka Conservation District is meeting on September 17th; and Natural Resources Advisory Commission has rescheduled its meeting for September 18th.

Conservation District: The US Farm Bill that passed in December provides funding through the Natural Resource Conservation Service and requires local communities to develop a Resource Needs Assessment. The Conservation District is working on this and wants to get a good cross-section response of resource needs among everyone in the local community.

Mr. Tibbitts passed out cards with a website address to complete a survey for the Resource Needs Assessment and encouraged everyone to participate before the next Eureka Conservation District meeting on September 17th.

General Moly's Mount Hope Project: Mr. Tibbitts reported that the Final Supplemental EIS for the Mount Hope Project was issued on August 23rd. This starts a 30-day review period before the BLM can sign the Record of Decision on the project.

Also related to General Moly, Great Basin Resource Watch appealed Mount Hope's Water Pollution Control Permit from the Nevada Division of Environmental Protection. GBRW's primary claim is that the model used by BLM and General Moly is flawed when estimating level of acid drainage into the pit lake once the mine closes. The appeal was heard earlier in the week by the Nevada State Environmental Commission, which denied the appeal and upheld the permit. As part of its ruling, the Commission gave an unprecedented special directive requiring NDEP to work with GBRW to address changes to the permit over time, and to bring forward potential legislative or regulatory changes needed at the State level.

FRTC Modernization: The Final EIS for the Fallon Range Training Complex Modernization will be released September 9th. There's a lot going on behind the scenes now as Churchill County takes the lead (with assistance from Resource Concepts Inc.) in developing a proposal, which will eventually be an agreement signed by the Governor's office, involved State agencies, and involved counties. This document will identify what the Navy can do itself, and will identify what Congress must do by directing the Navy and providing necessary tools and funding.

USGS JFA for Kobeh Valley: Last September the Board approved a Joint Funding Agreement with US Geological Survey to monitor four existing wells and to auger two additional shallow wells in Kobeh Valley to study the correlation with Diamond Valley. USGS has been working to get authorization from the BLM, but still has not received it. The County paid the quarterly invoices under the Agreement, so simply needs to extend the agreement, at no cost, through September 30, 2020, to allow USGS to obtain authorization and proceed with the work.

Commissioner McKay motioned to modify the Fiscal Year 2019 Joint Funding Agreement 19JJFA00111 with US Geological Survey to extend the period of performance to September 30, 2020, with no additional cost to Eureka County. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

USGS JFA for Areas of Diamond Valley: Mr. Tibbitts explained it is time to renew the agreement that the County has had with USGS for multiple years to monitor groundwater and stream flows in the Mount Hope and Roberts Mountain area. This has provided good baseline data for analyzing impacts of new mines in the area and potential impacts to adjacent basins. USGS provides a federal match, often close to 50 percent, and this year is providing \$43,705.00.

Commissioner Sharkozy motioned to approve Federal Fiscal Year 2020 Joint Funding Agreement 20ZJJFA00110_00 with US Geological Survey for continuation of the Hydrologic Monitoring Program in the Mount Hope and Roberts Mountains Vicinity in the amount of \$118,090.00, with Eureka County's portion at \$74,385.00 and a USGS match at \$43,705.00. Commissioner McKay seconded the motion. Motion carried 3-0.

Wild Horse Issues: Mr. Tibbitts noted that the BLM's gather of the Fish Creek Herd Management Area began that morning and is authorized to continue for 20 days. The goal is to remove 550 horses from the HMA by gathering 600 and releasing 50 (only those in excess of 550 will be released). Release of the horses will be determined by several factors, such as age, or a desire to preserve a genetic feature, etc.

Mr. Tibbitts reported there are three gathers going on presently – two in Nevada and one in Utah – with a goal of removing a total of 2,000 horses from the range, which will fill to capacity the BLM's remaining holding space. There is authorized interplay between the gathers. If one gather falls short, the numbers can be made up in one or both of the other gathers (up to a 20% increase of the original number).

Mr. Tibbitts stated that the close coordination on planning and implementation of the Fish Creek HMA gather is the way things should work between the County and the BLM. The County, including its law enforcement, was able to participate with the BLM and its contractor in the pre-gather meetings, and the BLM has kept the County closely involved. It has been a good partnership and should serve as a model for future coordination.

CORRESPONDENCE

Correspondence was received from: Arnold Pena; Assessor, Michael Mears; Public Works, Ron Damele (3); 2019 Eureka County Health Fair; Seventh Judicial Dist. Court (CV-1902-348, CV-1902-349, CV-1902-350); Northeastern Nevada Regional Development Authority (2); Humboldt River Basin Water Authority; Kinross Bald Mountain; MedX AirOne; White Pine-Nye Counties Forest Service RAC; Article: *Potential Area 51 gathering concerns Lincoln County officials*; Nevada Assoc. of Counties (2); *Loneliest Road in America* newsletter; Allison MacKenzie Ltd.; Nevada Div. of Environmental Protection (3); NV Div. of Water Resources; Nevada Dept. of Transportation; Nevada Attorney General;

Nevada Aging & Disability Services Div.; The Western Way; US Dept. of the Interior-BLM (6); Governing (3); Military Vehicle Preservation Assoc.; and US Navy.

Commissioner Reports: Chairman Goicoechea was interviewed by a Danish television crew on September 5th and reported they were very anti-grazing, anti-BLM, and he had to keep bringing the focus back to preserving the resources and the welfare of the horses, so it will be interesting to see how they spin the documentary.

NACO reached out to Chairman Goicoechea and Mr. Tibbitts earlier that morning regarding the proposal, *"The Path Forward for Management of BLM's Wild Horses & Burros."* NACO wants to address it at either its September or October meeting to consider signing on as a supporter.

Commissioner McKay reported there was a second CEDS (Comprehensive Economic Development Strategy) workshop at the Courthouse recently. It seems that the new joint venture, Nevada Gold Mines, is interested in reinvesting in the rural communities based on what is included in the CEDS documents.

PUBLIC COMMENT

Chairman Goicoechea called for public comments; there were none.

ADJOURNMENT

The meeting was adjourned at 11:53 a.m.

Approved by vote of the Board this 7th day of October, 2019.

/s/ J.J. Goicoechea, DVM

J.J. Goicoechea, Chairman

I, Jackie Berg, Commissioner Clerk, attest that these are a true, correct, and duly approved minutes of the September 6, 2019, meeting of the Board of Eureka County Commissioners.

/s/ Jackie Berg

Jackie Berg, Commissioner Clerk

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 Clerk.

/s/ Lisa Hoehne

Lisa Hoehne, Clerk Recorder