

**EUREKA COUNTY BOARD OF COMMISSIONERS**  
**September 21, 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 21, 2015. Present were Chairman J.J. Goicoechea; Vice Chairman Michael Sharkozy; Commissioner Fred Etchegaray; District Attorney, Ted Beutel; and Commissioner Clerk, 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 Sharkozy motioned to approve the agenda for the September 21<sup>st</sup> meeting; Commissioner Etchegaray seconded the motion; motion carried 3-0.

**PUBLIC COMMENT**

Chairman Goicoechea called for public comments. Eureka Activities Coordinator, Cindy Beutel, reported on the Eureka Arts in the Park held on September 19<sup>th</sup>, sponsored by Nevada Arts Council and Eureka Activities. She began by thanking the supporters, Nevada Arts Council, which provided a grant; McEwen Mining, which contributed \$5,000.00; and the Recreation Board, which also contributed. Ms. Beutel thanked the Sheriff's Office, Public Works, Michael Mears, and the many volunteers. The event would not be possible without the generous donations and assistance from County departments and volunteers. The event included balloon rides, vendors, and many art related activities, including art classes taught by Dan Wold, Eureka County High School Principal, and a very popular basket weaving class.

Ms. Beutel announced that *Wally's World: The Loneliest Art Collection in Nevada* will be displayed in the Gallery Hall of the County Courthouse September 28<sup>th</sup> through November 20<sup>th</sup>. This is a traveling art show sponsored by Nevada Arts Council with all works provided by exhibitor/art collector and local resident, Wally Cuchine. A reception will be held from noon to 1:00 p.m. on October 20<sup>th</sup> in the Gallery Hall and Ms. Beutel invited the Commissioners and others to participate.

Ms. Beutel provided information on other upcoming events including the Harvest Festival on October 17<sup>th</sup>, Christmas Tree Lighting and visit from Santa on December 5<sup>th</sup> (the Chairman vowed to sit on Santa's lap if he promised to bring snow), an upcoming feast and theater event (details to be announced), and future art exhibits in the Gallery Hall.

For other public comment, the following letter was received from Recorder/Auditor, Sara Simmons, who requested that it be included in the minutes.

SEPTEMBER 20<sup>TH</sup>, 2015

To: The Board of County Commissioners and Citizens of Eureka County

From: Sara Simmons, Eureka County Recorder/Auditor

I apologize for the short notice in sending this correspondence however I feel I must clear up misconceptions about my leave of absence.

I know that many of you have questions regarding my leave of absence that was granted under Nevada Revised Statutes (NRS) 245.200. The county researched and presented me with a written request seeking the leave of absence under NRS 245.200 on April 10<sup>th</sup>, 2015 which was approved at the May 6<sup>th</sup>, 2015 commission meeting. I did not know of this statute until it was presented to me. As a condition of return, I have a scheduled meeting with Chairman J.J. Goicoechea and District Attorney Ted Beutel on the 28<sup>th</sup> of September to discuss a smooth transition back to my post. I want to thank Tina Hubbard, Lisa Hoehne and Amanda Pearce for filling in so effectively during my absence.

I had been hospitalized three times for multiple days each time and sought medical care for an unknown condition during the months of February through April of 2015. Due to the unknown condition and uncertainty about time off, the County proposed that I take a leave of absence. I was under a physician's care when I experienced a reaction to one of the medications. I was informed that it could have been a factor in my accident that occurred on April 8<sup>th</sup>, 2015. I must reiterate that the timing of the leave of absence had nothing to do with the accident as it was offered to help me with the medical issues. Initially, the physician's estimate was that my absence would be no more than a few short months.

My family was dealt a setback in May, when my father passed away unexpectedly in Texas from a medical condition other than the cancer he was battling. The handling of his services and estate required my presence in Texas while I was still under my physicians care.

I fully intend to meet my obligations as the elected Recorder/Auditor. I am grateful to the Commissioners and the other elected officials granting me the time and consideration needed to resolve both my health issues and dealing with my father's passing. Additionally, I have been made aware of a possible recall petition being circulated and I hope this clears up any confusion regarding my leave of absence. If you have any questions, please don't hesitate to call me at 775-237-5226.

Respectfully,

Sara G. Simmons  
Recorder/Auditor

## **NATURAL RESOURCES**

**Report on Activities:** Natural Resources Manager, Jake Tibbitts, reported on recent activities. Mr. Tibbitts attended the Crescent Valley Firewise Committee meeting on September 15<sup>th</sup>; participated in the Natural Resources Advisory Commission meeting on September 16<sup>th</sup>; attended the Nevada State Conservation Commission meeting on September 17<sup>th</sup> via telephone; and attended the open house at the Eureka Opera House on the evening of September 17<sup>th</sup> for the Bald Mountain Mine North & South Operations Area Projects Draft Environmental Impact Statement.

**Upcoming Meetings:** Upcoming meetings include 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); a meeting in Carson City on September 24<sup>th</sup> between the Nevada State Engineer, Bureau of Mining Regulation & Reclamation (subsidiary of Nevada Division of Environmental Protection), and Barrick Gold (regarding Barrick Gold's completed water model covering four basins – Crescent Valley, Pine Valley, Grass Valley, and Carico Lake Valley); a Eureka Conservation District meeting on September 25<sup>th</sup>; a Nevada Drought Forum meeting on September 28<sup>th</sup> in Carson City; the 2015 Summit on Public Lands (co-hosted by the Lieutenant Governor and NACO) in Las Vegas on September 29<sup>th</sup> (where Mr. Tibbitts and Chairman Goicoechea will both present during the multiple use and travel/access portions of the summit); the Nevada Association of Counties 2015 Annual Conference in Las Vegas September 29<sup>th</sup>-October 1<sup>st</sup> (where Mr. Tibbitts will participate in the Public Lands Planning Panel on September 30<sup>th</sup>); the Mount Hope 3M Plan Technical Advisory Committee meeting on October 2<sup>nd</sup>; and the Gold Bar EIS scoping meeting in the Commissioners' Chambers the afternoon/evening of October 6<sup>th</sup>. Lastly, the Naval Air Station, Fallon, has requested a joint meeting with the Commissioners and the Planning Commission to review the recently completed Joint Land Use Study; this meeting is tentatively scheduled for 5:00 p.m. on October 20<sup>th</sup> in the Commissioners' Chambers.

**USGS Joint Funding Agreement:** A three-year Joint Funding Agreement with the US Geological Survey, for continued monitoring in Diamond Valley, Kobeh Valley, and Pine Valley, will be presented at the next meeting for the Board's consideration.

**Wild Horse Management Issues:** The NRAC meeting on September 16<sup>th</sup> was attended by BLM State Director, John Ruhs; Battle Mountain District Manager, Doug Furtado; Battle Mountain Field Manager, John Sherve; Elko District Manager, Jill Silvey; and Elko Field Manager, Rich Adams. The meeting involved a lot of good discussion including follow-up regarding the August 12<sup>th</sup> field tour of the BLM Fish Creek Herd Management Area sponsored by NRAC and the Commissioners.

Ongoing water issues were discussed, including hauling water to horses and water sources outside of HMA boundaries. The BLM provided a copy of their official policy on water rights and highlighted the section stating it is the vendor's obligation to ensure that State water law is followed. When questioned, the BLM admitted they probably weren't notifying vendors of this obligation.

The Bob Brown Well, outside of the Fish Creek HMA, is still being pumped to supply water to the horses. The BLM stated they will likely file an application with the State Engineer to change the place of use in order to pipe the water the short distance into the HMA.

Mr. Furtado indicated that the Battle Mountain District will be restarting the Resource Management Plan process once a sage grouse decision is forthcoming. He noted that HMA boundaries can be adjusted during this process and he invited the County to consider putting forth an alternative.

Also discussed at the NRAC meeting was the letter written by wild horse advocate, Laura Leigh. This letter contained multiple falsehoods related to the tour. Other first-hand accounts of

the tour have been published in *The Progressive Rancher* and *Nevada Rancher* and Mr. Tibbitts encouraged the Board and interested public to read these articles.

Lastly, Mr. Tibbitts informed the Board that, to date, there has been no response regarding the County's appeal, before the IBLA (Interior Board of Land Appeals), on the BLM Fish Creek HMA wild horse gather and fertility control treatment.

**BLM Drought Decisions:** Since the last Commission meeting, two final decisions have been issued by the BLM. Both are on the Roberts Mountain Allotment. The County had formally protested a term and condition requiring the permittee to obtain a change in place of use from the Nevada Division of Water Resources before implementing a temporary water haul. Mr. Tibbitts was pleased to report that this condition was removed from the BLM's final decision.

The other decision dealt with modifications to the grazing permit due to drought. The decision restricted access to private meadows adjacent to unfenced BLM managed land. Since the final decision was signed on September 1<sup>st</sup>, the date the permittee needed to turn out the cows, there was no time to address unresolved issues.

**BLM/USFS Greater Sage-Grouse Land Use Plan Amendment: Record of Decision:** The County filed a formal protest on the Nevada & Northeastern California Greater Sage-Grouse Proposed Land Use Plan Amendment Final EIS prior to the June 29<sup>th</sup> deadline, as did many other counties, but these protests have not yet been acknowledged. On August 6<sup>th</sup>, the BLM denied the Governor's recommendations in his Consistency Review, whereby the Governor outlined the differences between the Final EIS and the Nevada State Plan (Alternative E in the Draft EIS); appeal of this denial has also not yet been acknowledged.

These protests and appeals must be answered prior to signing of the Record of Decision on the BLM/USFS Greater Sage-Grouse Land Use Plan Amendment. It is anticipated that these will be dealt with nearly simultaneously, with the BLM addressing the protests and appeals immediately followed by signing of the ROD.

Chairman Goicoechea clarified that this Record of Decision is a separate action from listing the bird as endangered or threatened under the Endangered Species Act. Eleven western states will live under the restrictions imposed by this ROD, regardless of whether the US Fish & Wildlife Service takes action to list the sage-grouse.

**Potential Litigation:** Nevada Mineral Resources Alliance is preparing a petition for injunction to be filed against the ROD in US District Court in Nevada. During the September 4<sup>th</sup> meeting, the Board approved joining as co-plaintiff in this lawsuit and contributing \$5,000.00 up front with another \$5,000.00 as litigation proceeds. Chairman Goicoechea, Mr. Tibbitts, and District Attorney Beutel have been working to develop Eureka County's declaration outlining multiple issues. This declaration will be signed by the Chairman and filed with the petition for injunction.

**Economic Impacts:** This Record of Decision will have a tremendous impact on the affected western states and counties, particularly counties like Eureka County, whose economies are reliant upon natural resource based industries such as mining and agriculture.

**Coordination with BLM:** A Memorandum of Understanding between Eureka County and the BLM has been drafted for several years and presented to the BLM on multiple occasions. The document simply outlines a formal process for coordination. During the recent NRAC meeting, BLM State Director, John Ruhs, committed to moving forward with the document and returning it to the County within 60 days. He stated the BLM is comfortable with 80% of the document, but their solicitor may have problems with some of the language.

**Barrick Bald Mountain Expansion Draft EIS:** A 15-day extension was granted for the BLM to receive comments on the Barrick Bald Mountain Mine North & South Operations Area Projects Draft EIS, so Mr. Tibbitts asked that the Board table this item. Commissioner Etchegaray motioned to table the agenda item related to providing comments on the Barrick Gold US Inc. Bald Mountain Expansion Draft EIS; Commissioner Sharkozy seconded the motion; motion carried 3-0.

**Midway Gold Rock Mine Administrative Final EIS:** Mr. Tibbitts reviewed the County's comments that will be submitted to the BLM on the Midway Gold Rock Administrative Final EIS. Overall, the Final EIS does a better job of presenting data than did the Draft EIS. The letter will thank the BLM for taking the County's comments into consideration and clarifying issues in relation to socioeconomic impacts. There are still a few outstanding issues, such as no mitigation for proposed AUM (animal unit monthly) loss, and discrepancies in some of the water numbers, and these will be noted in the County's letter as well.

Commissioner Etchegaray motioned to approve sending comments to the BLM on the Midway Gold US Inc. Gold Rock Mine Project Administrative Final EIS; Commissioner Sharkozy seconded the motion; motion carried 3-0.

## **APPROVAL OF MINUTES**

**August 20, 2015:** Commissioner Sharkozy motioned to approve minutes of the August 20, 2015, Commission meeting; Commissioner Etchegaray seconded the motion; motion carried 3-0.

September 4, 2015: Commissioner Sharkozy motioned to approve minutes of the September 4, 2015, Commission meeting; Commissioner Etchegaray seconded the motion; motion carried 2-0. Chairman Goicoechea abstained from the vote as he missed the September 4<sup>th</sup> meeting due to an emergency.

## **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 \$334,284.71 for accounts payable, \$272,303.69 for payroll, and \$79.95 for Yucca Mountain expenditures, for a grand total of \$606,668.35; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Auditor's Report: The Board reviewed current fund balances as reported.

## **COMMISSIONERS**

Update Reports: Chairman Goicoechea attended the Nevada Association of Counties Board meeting on August 28<sup>th</sup> in Carson City; traveled to Cody, Wyoming, September 8<sup>th</sup>-11<sup>th</sup> to represent Nevada as a member on the Public Lands Council; attended the Natural Resources Advisory Commission meeting on September 16<sup>th</sup>; and attended the open house at the Eureka Opera House on the evening of September 17<sup>th</sup> for the Bald Mountain Mine North & South Operations Area Projects Draft Environmental Impact Statement.

Commissioner Sharkozy attended the Crescent Valley Volunteer Fire Department meeting on September 8<sup>th</sup>; attended the Pony Express Territory meeting in Eureka on September 9<sup>th</sup>; followed by the Economic Development Program meeting on September 9<sup>th</sup>; participated in a Search & Rescue meeting in Crescent Valley on September 14<sup>th</sup>; and attended the Crescent Valley Firewise Committee meeting on September 15<sup>th</sup>.

Commissioner Etchegaray attended the Recreation Board meeting on September 17<sup>th</sup>; and attended the Central Nevada Regional Water Authority meeting held in Fallon on September 18<sup>th</sup>.

## **AMBULANCE & EMS**

Activity Report: EMS Coordinator, Mike Sullivan, reported on activities since his last report on August 20<sup>th</sup>. Eureka had 12 calls for service (98 year-to-date) and Crescent Valley had eight calls for service (45 year-to-date). Volunteer staffing level remains mostly stable, although a couple volunteers have been out sick for an extended time. A driver is now certified in Eureka for the MPTV (multi-patient transport vehicle). Continuing education training was held August 24<sup>th</sup> and September 10<sup>th</sup> in Crescent Valley, and August 31<sup>st</sup> and September 14<sup>th</sup> in Eureka. Training is scheduled on September 24<sup>th</sup> in Crescent Valley and on September 28<sup>th</sup> in Eureka.

The permit for MedX AirOne, an air ambulance helicopter out of Winnemucca, has been approved. Mr. Sullivan met with representatives of American Medflight and they are starting a new bedside enrollment program. Patients can now sign up for their membership program, effective immediately, without the previous waiting period.

Mr. Sullivan traveled to Carson City on August 24<sup>th</sup> to submit the application and to receive the attendant's license for the MPTV driver. On August 25<sup>th</sup>, he provided EpiPen® auto injector training at Eureka County High School (State law now requires these to be available in all school buildings). The MPTV was displayed at both the Annual Rural Nevada EMS Conference in Elko, and at the EMS World Expo 2015 in Las Vegas, and the unit received universal praise.

## **PUBLIC WORKS**

Public Works Projects: Public Works Director, Ron Damele reported on recent projects and activities. The pre-construction conference for the Justice Court Office Remodel was held with the contractor on September 11<sup>th</sup>. Public Works met with Nevada Department of Transportation related to required mileage reporting for tax-exempt fuel. Eureka County's reporting was within 3% of actual fuel use. Anything under 5% requires no adjustments.

The new AWOS (automated weather observing system) unit will be installed at the Eureka Airport the first week of October.

Fire Response: A dozer, transport, and heavy engine responded to the fire in Diamond Valley on September 14<sup>th</sup>. They were released after about 12 hours. The BLM Eureka Fire Station is now staffed with a full-time Fire Operations Supervisor, Todd Zumhofs.

Fee Schedule Resolution – Ballfields, Fairgrounds, Etc.: New fees were discussed and approved for the ballfields and fairgrounds during the July 20<sup>th</sup> meeting. Mr. Damele presented a resolution outlining the updated fees. Commissioner Sharkozy motioned to adopt a resolution memorializing the new fee schedule for the Eureka ballfields, Eureka Fairgrounds, and Crescent Valley Arena & Rodeo Grounds, effective January 1, 2016; Commissioner Etchegaray seconded the motion; motion carried 3-0.

**RESOLUTION**  
**TO ADOPT A NEW FEE SCHEDULE FOR THE EUREKA BALLFIELDS AND**  
**EUREKA FAIRGROUNDS AND CRESCENT VALLEY ARENA & RODEO GROUNDS**

WHEREAS, the Board of County Commissioners wish to adopt a new fee schedule for the Eureka Ballfields and Eureka Fairgrounds and Crescent Valley Arena and Rodeo Grounds; and

WHEREAS, Eureka County is dedicated to reviewing income and expenses from time to time in order to make appropriate adjustments as needed; and

WHEREAS, the Eureka County Commissioners reviewed and approved the new fee schedule on August 6, 2015, and approved implementation to begin on January 1, 2016;

NOW THEREFORE BE IT RESOLVED by the Board of Eureka County Commissioners that:

The new Fee Schedule will be as follows:

**Ballfields Rental**

Daily Rental	\$75.00 per field
Youth League Rental	\$100.00 per season
Adult League Rental	\$100.00 per team / per season
League Tournament	\$100.00 per day
Refundable Deposit	\$100.00 per rental

**Eureka Fairgrounds & Crescent Valley Arena & Rodeo Grounds Rental**

Eureka Fairgrounds Rental	\$200.00 per day
<i>(Includes: Fair Building, Pavilion, Arena, Concession Stand, Park)</i>	
Crescent Valley Arena & Rodeo Grounds	\$200.00 per day
<i>(Includes: Community Center, Arena, Concession Stand)</i>	
Refundable Deposit	\$100.00 per rental
Stall Rentals	\$10.00 per day
Roping Members	\$10.00 per member / per season
<i>(Includes High School Rodeo and Roping Club Members)</i>	

ADOPTED this 21<sup>st</sup> day of September, 2015.

/s/ JJ Goicoechea  
J.J. Goicoechea  
Chairman, Eureka County Commissioners

/s/ Michael Sharkozy  
Michael Sharkozy  
Vice-Chair, Eureka County Commissioners

/s/ Fred Etchegaray  
Fred Etchegaray  
Member, Eureka County Commissioners

Attest: /s/ Jackie Berg  
Jackie Berg, Executive Assistant

**Fee Schedule Resolution – Landfill & Transfer Site:** New fees were discussed and approved for the landfill and transfer site during the July 20<sup>th</sup> meeting. Mr. Damele presented a resolution outlining these fees. Commissioner Sharkozy motioned to adopt a resolution memorializing the new fee schedule, effective January 1, 2016, for the Eureka Landfill and the Crescent Valley Transfer Site; Commissioner Etchegaray seconded the motion; motion carried 3-0.

**RESOLUTION**  
**TO ADOPT A NEW FEE SCHEDULE FOR THE EUREKA LANDFILL**  
**AND CRESCENT VALLEY TRANSFER SITE**

WHEREAS, the Board of County Commissioners wish to adopt a new fee schedule for the Eureka Landfill and Crescent Valley Transfer Site; and

WHEREAS, Eureka County is dedicated to reviewing income and expenses from time to time in order to make appropriate adjustments as needed; and

WHEREAS, the Eureka County Commissioners reviewed and approved the new fee schedule on August 6, 2015, and approved implementation to begin on January 1, 2016;

NOW THEREFORE BE IT RESOLVED by the Board of Eureka County Commissioners that:

The new Fee Schedule will be as follows:

**Eureka Landfill**

Household Waste Permit	\$176.00 per year
Commercial Waste Permit	\$456.00 per hear (Self-Haul)
Minimum Charge	\$5.00
Household Garbage	\$6.00 per cubic yard
Loose Bulk Material/Construction Debris	\$8.00 per cubic yard
Packer Hauler (for hire)	\$6.00/yard compacted; \$12.00/yard loose
Mattress/Furniture	\$3.00 each
Dead Animals	\$9.00 100 lbs & under; \$15.00 over 100 lbs
Tires	\$3.00 Pass/Truck; \$10.00 Semi; \$25.00 Tractor

**Crescent Valley Transfer Site**

Minimum Charge	\$5.00
Household Garbage	\$6.00 per cubic yard
Loose Bulk Material/Construction Debris	\$8.00 per cubic yard
Mattress/Furniture	\$3.00 each
Tires	\$3.00 Pass/Truck; \$10.00 Semi; \$25.00 Tractor

ADOPTED this 21<sup>st</sup> day of September, 2015.

/s/ JJ Goicoechea  
J.J. Goicoechea  
Chairman, Eureka County Commissioners

/s/ Michael Sharkozy  
Michael Sharkozy  
Vice-Chair, Eureka County Commissioners

/s/ Fred Etchegaray  
Fred Etchegaray  
Member, Eureka County Commissioners

Attest: /s/ Jackie Berg  
Jackie Berg, Executive Assistant

Fee Schedule Resolution – Eureka County Swimming Pool: Updated fees were discussed and approved for the swimming facility during the September 4<sup>th</sup> meeting. Mr. Damele presented a resolution outlining these fees. Commissioner Sharkozy motioned to adopt a resolution memorializing the new fee schedule, effective January 1, 2016, for the Eureka County Swimming Pool; Commissioner Etchegaray seconded the motion; motion carried 3-0.

Eureka, Nevada

September 21, 2015

**RESOLUTION**

**TO ADOPT A NEW FEE SCHEDULE FOR THE EUREKA COUNTY SWIMMING POOL**

WHEREAS, the Board of County Commissioners wish to adopt a new fee schedule for the Eureka County Swimming Pool; and

WHEREAS, Eureka County is dedicated to reviewing income and expenses from time to time in order to make appropriate adjustments as needed; and

WHEREAS, the Eureka County Commissioners reviewed and approved the new fee schedule on September 4, 2015, and approved implementation to begin on January 1, 2016;

NOW THEREFORE BE IT RESOLVED by the Board of Eureka County Commissioners that:

The new Fee Schedule will be as follows:

**Swimming Pool Fees**

Daily Swimmer	\$2.50 per day
Single Monthly Pass	\$30.00 per month
Family Monthly Pass	\$45.00 per month
Public Lessons/1 week	\$30.00 per week/4 sessions

Private Lessons/1 week	\$45.00 per week/4 sessions
Parties/Events	\$30.00 rental fee/\$1.00 per patron
Senior Citizens	\$2.00 per day
Kids Under 5	\$2.00 per day

ADOPTED this 21<sup>st</sup> day of September, 2015.

/s/ JJ Goicoechea  
 J.J. Goicoechea  
 Chairman, Eureka County Commissioners

/s/ Michael Sharkozy  
 Michael Sharkozy  
 Vice-Chair, Eureka County Commissioners

/s/ Fred Etchegaray  
 Fred Etchegaray  
 Member, Eureka County Commissioners

Attest: /s/ Jackie Berg  
 Jackie Berg, Executive Assistant

Fee Schedule for Grave Site Opening & Closing: Mr. Damele provided a recommendation for fees to be charged when opening and closing grave sites. He provided a comparison of what neighboring counties are charging. He noted the recommended fees still won't cover all labor costs, but should cover fuel costs for the equipment, travel, and a portion of the labor.

<u>GRAVE OPENING/CLOSING</u>	<u>Current Rate</u>	<u>New Rate</u>
	\$75.00 open/close	\$250.00 open/close - casket
		\$75.00 open/close – cremation
		\$100.00 weekend/holiday fee

Commissioner Sharkozy motioned to approve the updated fee schedule for opening and closing of grave sites for all graveyards within Eureka County; Commissioner Etchegaray seconded the motion; motion carried 3-0.

Fee Schedule for Parcel Maps: Mr. Damele and Planning Commission Department Assistant, Anne Kniefel, provided recommended parcel map fees, along with a comparison of what other counties are charging. Parcel maps are reviewed by Public Works, the County Assessor, and the District Attorney. Maps are also reviewed by an engineer at Lumos & Associates at a cost of \$320.00 (two hours at \$160.00 per hour).

<u>PARCEL MAP FEES</u>	<u>Current Rate</u>	<u>New Rate</u>
	\$400.00	\$400.00 plus \$25.00 per lot

Commissioner Sharkozy motioned to approve the updated fee schedule for parcel maps, at the recommended \$400.00 per map plus \$25.00 per lot; Commissioner Etchegaray seconded the motion; motion carried 3-0.

Boart Longyear Contract – Stevens Basin Exploratory Drilling Project: Commissioner Sharkozy motioned to approve the contract with Boart Longyear, in the amount of \$171,150.00 (as outlined in Bid Schedule A), for the Stevens Basin Exploratory Drilling Project, and authorized the Chairman to sign the contract outside of the meeting; Commissioner Etchegaray seconded the motion; motion carried 3-0. Drilling for this project will begin September 28<sup>th</sup>.

**EUREKA COUNTY FAIR BOARD**

2015 Eureka County Fair: Fair Board Department Assistant, Anne Kniefel, provided a breakdown of total revenues (\$29,764.00) and total expenses (\$91,452.92) for the 2015 Eureka County Fair. For comparison purposes, she also provided a breakdown for the 2014 County Fair. There was a heavy rainstorm on August 7<sup>th</sup> and Ms. Kniefel thanked Public Works and the Road Department, stating they were “absolutely amazing” in getting the arena back into shape for events scheduled on August 8<sup>th</sup>.

In light of budget constraints, the Fair Board continues to work hard to narrow the gap between expenses and revenues. The next Fair Board meeting is September 30<sup>th</sup> and this will be a continued topic of discussion.

**COUNTY FACILITIES & ECONOMIC DEVELOPMENT**

Update Report: Cultural, Tourism, & Economic Development Director, Andrea Rossman, reported on activities for the Opera House, Sentinel Museum, and Economic Development. Ms.

Rossman recently prepared a \$2,500.00 marketing grant application for submission to Nevada Commission on Tourism.

Ms. Rossman chaired the Pony Express Territory meeting in Eureka on August 9<sup>th</sup> attended the Economic Development Program Board meeting on August 9<sup>th</sup>, and attended the CDBG (Community Development Block Grant) Forum in Virginia City on September 15<sup>th</sup>. Ms. Rossman provided the August calendar of events for the Opera House. The Opera House schedule is picking up and foot traffic continues to be high due to tourism.

Juni Fisher, cowgirl singer/songwriter, will perform at the Opera House the evening of September 25<sup>th</sup>. Missoula Children's Theater will begin student auditions the second week in October and the play will be performed at the Opera House on October 9<sup>th</sup>. Great Basin Regional Development Authority will meet in Eureka on October 5<sup>th</sup>.

Museum Director, Ree Taylor, submitted a written report detailing museum activities. Museum photos were recently used for an article on the Windfall Mine published in the *Elko Daily Free Press*. The museum provided a photo for inclusion in a book set to be published early next year, titled *Under the Nevada Giant*. On September 12<sup>th</sup>, Ms. Taylor conducted a tour of the facilities for a group from Nevada Commission on Tourism.

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

Public Input for Possible Grant Projects: Notice was given that a meeting would be held on September 21<sup>st</sup> to invite public comments for potential projects to be funded through the Community Development Block Grant Program. Eligible projects can be related to community development, addressing an urgent need, or meeting housing needs of low and moderate income persons. This is the second of two public hearings to solicit ideas from the public or staff. The County has utilized CDBG grants in the recent past to make improvements at the Eureka Senior Center and to purchase a digital x-ray machine for the Eureka Medical Clinic.

The public hearing was opened and two proposals were received. EMS Coordinator, Mike Sullivan, submitted a proposal for infrastructure improvements to the Ambulance Bay. Public Works proposed purchasing a digital x-ray machine for the Crescent Valley Medical Clinic, at an approximate cost of \$35,000.00. The Board agreed to submit applications for both requests.

Project Applications: The Board directed Mr. Sullivan to obtain cost estimates for the Ambulance Bay improvements and to bring them forward at a future meeting. Commissioner Etchegaray motioned to submit an application for a Community Development Block Grant to fund a digital x-ray machine for the Crescent Valley Medical Clinic, in the proposed amount of \$35,000.00 with a County match of 20% (approximately \$7,000.00); Commissioner Sharkozy seconded the motion; motion carried 3-0.

CDBG Advisory Committee: Chairman Goicoechea motioned to send a letter to the Governor's Office of Economic Development recommending appointment of Commissioner Michael Sharkozy to the Community Development Block Grant Advisory Committee, representing both Eureka County and the Great Basin Regional Development Authority. Commissioner Etchegaray seconded the motion. Motion carried 3-0.

## **CLERK & TREASURER**

Treasurer's Report: The Treasurer's Report for August was submitted by Clerk & Treasurer, Beverly Conley. Ending General Fund balance was \$13,687,794.06. Overall ending balance, including encumbered funds was \$57,423,066.42.

## **JUVENILE PROBATION**

Out-of-State Travel: Juvenile Probation Officer, Steve Zimmerman, and Senior Department Assistant, Joyce Jeppesen, provided information on the Music Makes Music group. This is a very positive group of young men who have overcome troubled pasts, including drug use, not finishing school, and other struggles. Through appropriate rock music and testimonies, they encourage today's youth to stay in school, remain drug free, etc. The program incorporates a high level of involvement from local students. Juvenile Probation hopes to work with the local high school to bring this group to Eureka sometime in 2016. The only cost to Eureka County would be a typical donation of no more than \$600.00.

Commissioner Etchegaray motioned to approve out-of-state travel for Juvenile Probation staff to travel to Twin Falls, Idaho, on October 12<sup>th</sup> & 13<sup>th</sup> to evaluate the Music Makes Music performance as a possible prevention assembly for Eureka; Commissioner Sharkozy seconded the motion; motion carried 3-0.

## **GOLDEN OLDIES of CRESCENT VALLEY**

Waive Facility Fees for Harvest Festival Events: Commissioner Sharkozy motioned to approve a request from the Golden Oldies of Crescent Valley to waive facilities fees for use of County facilities on October 10<sup>th</sup> for the Harvest Festival, specifically to utilize the Crescent

Valley Community Center for a craft bazaar and to utilize the Fannie Komp Senior Center for a dinner; Commissioner Etchegaray seconded the motion; motion carried 3-0.

## **NEVADA RURAL HOUSING AUTHORITY**

Introductions: Representatives of Nevada Rural Housing Authority, Bill Brewer, Deputy Director, and Jack White, Consultant, were in attendance to provide an update on the Eureka Canyon Townhomes at the Eureka Canyon Subdivision.

Recent Damage: Fire sprinklers recently malfunctioned and caused water damage to three units, resulting in an insurance claim of \$61,000.00 in damages. Sheet rock replacement and other repairs were made, and all three units will be available shortly. NRHA is working to correct issues with the emergency sprinkler systems.

Rental Activity: Rentals have decreased significantly with the reduction in mining activity. Currently, 40 apartments are vacant. Ten apartments are rented, or will be rented, by October 1<sup>st</sup>, resulting in 20% occupancy. Two leases expire November 1<sup>st</sup>. NRHA continues promoting and advertising and six one bedroom apartments have been furnished in an effort to increase rental traffic.

Rental Prospects: NRHA does not anticipate the occupancy rate to increase in the near future since the housing market, along with the local job economy, has collapsed. Stable occupancy has not been achieved since the property opened, and rentals have been consistently low for about a year now. Mr. White noted that the “break-even” point on this property is about 62% occupancy.

Rental Assistance: Mr. Brewer and Mr. White felt there were no alternatives to filling the apartments without instituting rental assistance to make units viable for low income folks. The Commissioners stated they were not in favor of bringing these types of programs to Eureka. Additionally, it was agreed upon during original negotiations that this would not be an option.

The Commissioners asked if NRHA had the ability to lower rents to increase occupancy. NRHA responded that they do have the ability and would be willing to do so, but added that the rental traffic simply is not there. (A one bedroom townhome currently rents for \$720.00/month).

Graphs Showing Rental & Fiscal Performance: NRHA provided a graph showing rental operation and fiscal performance for 2013, 2014, and 2015; and provided two graphs showing revenues versus expenses since opening in November 2012 through present, as well as forecasts through mid-2016.

Fiscal Report: NRHA reported that they have a capital investment of \$672,943.75 and the County has a capital investment of \$5,781,384.04 in the project, which encompasses the 50 townhome units as well as the undeveloped multifamily portion of the site. The townhome property is in excellent condition and no capital needs are foreseen.

During a more prolific rental period, NRHA used the HUD standard of \$250.00 per unit per year to build up a reserve account with a present balance of around \$27,000.00. Although expenses have been reduced to the bare minimum, Mr. White stated that the project is now on the verge of needing to use its limited reserve account to meet operating expenses. NRHA has not taken any fees from the project for oversight or bookkeeping. The third-party management company that oversees rental and maintenance has agreed to manage the property for no fee, although the on-site manager and maintenance person will continue to be funded by NRHA.

Interest Payments, Taxes: NRHA has made no principal payments to the County, but per the agreements has made interest payments on a regular basis. Taxes on the property are current. Mr. White stated that at today’s rental numbers and cash flow level, they cannot continue the interest payments as currently structured.

Project Funding: For those not familiar with the agreements surrounding this project, Mr. Brewer and Mr. White informed that this project was funded solely by Eureka County and NRHA, with no federal funding or funding through banking/financial institutions. Mr. White provided a brief history on how the project and the funding came about. The County ultimately took on the single family portion of the subdivision, with NRHA retaining the multifamily portion.

Feasibility Study: The feasibility study, conducted prior to construction of the project, determined that the project was viable. The study took into account existing economy, population, and employers, particularly Barrick Gold, and did not base feasibility of the project on projected mines, such as the Mount Hope Project.

Possible Exit Strategy: Mr. White noted that one asset of the project is that it was built to include convertibility, meaning there are multiple approaches for an exit strategy related to the project. Mr. White offered that these options include: converting one or all of the buildings to fee simple townhomes; deferring interest while NRHA seeks other funding sources; reassignment to the County utilizing a “deed in lieu” agreement; judicial foreclosure by the County due to default; or possibly other options that the County might suggest.

Mr. White stated that ideally, NRHA would like to reach a “window of comfort” where both NRHA and the County can “hang on” for a while towards a workable solution that will ultimately make both parties whole. Mr. Brewer and Mr. White indicated that all options were ultimately contingent on what the County wanted to do with the property.

Financial Documents: NRHA agreed to allow the County access to all financial and accounting documents related to the project in order to assist the County in formulating options or reaching a decision related to the property.

Advisory Committee: NRHA stated their desire is to keep the County and NRHA whole. They requested that the County appoint an advisory committee to work with NRHA to formulate options and recommendations that the Commissioners could consider.

The Commissioners agreed to place an item on the October 6<sup>th</sup> agenda to take action to form an advisory committee.

**CORRESPONDENCE**

Correspondence was received from: Eureka County Recorder/Auditor, Sara Simmons; District Attorney, Ted Beutel; Public Works Director, Ron Damele; Cultural, Tourism & Economic Development Director, Andrea Rossman; Commissioner Clerk Jackie Berg (2); Natural Resources Advisory Commission; Medical Clinics Advisory Committee; Recreation Board; Crescent Valley Town Advisory Board (2); Crescent Valley Golden Oldies; Seventh Judicial District Court; Nevada Assoc. of Counties (4); White Pine County; Central Nevada Regional Water Authority; Great Basin Regional Development Authority; Lumos Insights; Allison, MacKenzie, Ltd.; Nevada Div. of Water Resources; Nevada Rural Housing Authority; Nevada Public Agency Insurance Pool; Food Bank of Northern Nevada; Nevada Deferred Compensation Program; UNR Economic Development, Fred Steinmann (2); Nevada Dept. of Transportation; Nevada Connections newsletter; Nevada Div. of Environmental Protection; Nevada Supreme Court; US Dept. of the Interior-BLM (5); Western Counties Alliance; and US Nuclear Waste Technical Review Board.

**PUBLIC COMMENT**

Chairman Goicoechea 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 12:11 p.m.

*Approved by vote of the Board this 6<sup>th</sup> day of October, 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 21, 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