

EUREKA COUNTY BOARD OF COMMISSIONERS

October 6, 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 October 6, 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 October 6th meeting; Commissioner Etchegaray seconded the motion; motion carried 3-0.

PUBLIC COMMENT

Chairman Goicoechea opened the floor for public comments. The Chairman recognized and welcomed Donna Bath, Rural Representative for Senator Dean Heller.

Representing General Moly, Pat Rogers, Vice President of Permitting & Environmental Compliance, and Zach Spencer, Director of External Communications, were in attendance to give an update on the Mount Hope Project. Unfortunately, General Moly recently laid off two Eureka based employees – Vice President and General Manager of the Mount Hope Project, Mike Iannacchione, and Chief Engineer, Pat Malone. Mr. Rogers stated that these are two great professionals that they are sorry to lose. He explained this is a direct result of the currently depressed molybdenum price. In an attempt to further cut costs, the Eureka Moly office will not be staffed. Three employees will remain at the mine site.

General Moly is pleased to announce they are in the final stages of completing an agreement with new partner, AMER International Group (China). Mr. Rogers went on to say that the Mount Hope Project is a world-class deposit and when the commodity price improves, the project will be reinvigorated and building will resume.

When asked about the status of water rights (with the recent Nevada Supreme Court decision), Mr. Rogers responded that he is confident the water rights will be reinstated, but there are no plans to meet with the State Engineer at this time. It is his understanding that the State Engineer will receive direction from the court and General Moly will abide by those directions.

In other public comment, a letter was received from Kenneth Benson, Diamond Valley resident, related to the agenda item for renewal of the contract with Consulting Hydrogeologist, Dale Bugenig.

TO: Eureka County Commissioners
FROM: Ken Benson
DATE: October 5, 2015
RE: October 6, 2015, Commission Meeting: Agenda Item #4 under Commissioners –
Consideration of one year renewal of Dale Bugenig Contract

FOR PUBLIC COMMENT:

Please consider this brief transmittal as a vote of confidence in the ongoing performance of Mr. Bugenig in terms of his contract services regarding all things water as it affects Eureka County. This contractual service agreement well deserves an extension for the benefit of all water users in Eureka County.

Thank you for your consideration in this matter.

/s/ Kenneth Benson

Kenneth Benson

Chairman Goicoechea ended public comment with the following heartfelt declaration, *“I take the prerogative of the Chair at this time and offer the County’s and the Board’s condolences to the Garaventa family for Miss Rhonda, lifetime resident of Eureka. She will be greatly missed, and I think we all share the hope that may we find a cure.”*

APPROVAL OF MINUTES

September 21, 2015: Commissioner Etchegaray motioned to approve minutes of the September 21, 2015, Commission meeting; Commissioner Sharkozy seconded the motion; motion carried 3-0.

FINANCE & RECORDER/AUDITOR

Payment of Expenditures: Expenditures were presented for approval by Recorder & Auditor, Sara Simmons. Commissioner Etchegaray motioned to approve expenditures in the amount of \$175,502.24 for accounts payable, \$410,001.34 for payroll, \$633,032.65 for a pass-through tax allocation to the School District, \$598,325.85 for a pass-through to the State of Nevada (\$65,883.50 to Division of Minerals and \$532,442.35 to State Controller), and \$15,319.49 for Yucca Mountain expenditures, for a grand total of \$1,832,181.57; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Auditor's Report: The Board reviewed a breakdown of current fund balances as depicted on the Auditor's Report.

COMMISSIONERS

Update Reports: Commissioner Sharkozy attended the Nevada Association of Counties 2015 Annual Conference in Las Vegas September 29th-October 1st, and attended the Great Basin Regional Development Authority meeting in Eureka on October 5th.

Following BLM's September 22nd signing of the Record of Decision related to sage grouse (*Record of Decision and Approved Resource Management Plan Amendments for the Great Basin Region, Including the Greater Sage-Grouse Sub-Regions of Idaho and Southwestern Montana, Nevada and Northeastern California, Oregon, Utah*), Chairman Goicoechea worked with Natural Resources Manager, Jake Tibbitts, for several days to amend the County's declaration to be filed in the petition for injunction (the County is co-plaintiff with Nevada Mineral Resources Alliance and others in this lawsuit filed in US District Court in Nevada challenging the ROD). Chairman Goicoechea participated in a conference call with livestock industry representatives related to the ROD on September 28th, attended the Nevada Association of Counties 2015 Annual Conference in Las Vegas September 29th-October 1st, participated in the Summit on Public Lands (co-hosted by the Lieutenant Governor and NACO) in Las Vegas on September 29th; participated in a conference call on October 5th regarding proposed mineral withdrawals; and met with Road Superintendent, Raymond Hodson, and Road Department staff on the morning of October 6th.

Update on Contract Negotiations with NVHC: Chairman Goicoechea provided a brief update on contract negotiations with Nevada Health Centers. The contract is close to being signed, pending resolution of a couple of points. One being the doctor providing four days of coverage in Eureka rather than the five days previously required. This change would seem to go hand-in-hand with an evaluation of the contract amount and the Chairman would like to review a profit and loss statement to understand if this is feasible. The Board agreed that the Chairman should meet with NVHC representatives at their Carson City offices on October 14th. They also agreed to have John Carlson of Benefit Intelligence Insurance Services (under the existing contract at no additional cost) research whether there are other companies that could offer rural clinical services if the County should ever decide to move forward with a request for proposals.

Commissioner Etchegaray motioned to authorize Chairman Goicoechea to meet with Nevada Health Centers to discuss contract status and to move forward with researching other companies that could offer rural clinical services; Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Advisory Committee: During the September 21st meeting, representatives of Nevada Rural Housing Authority provided an update on the Eureka Canyon Townhomes and NRHA's financial strain related to this project. NRHA requested that the County appoint an advisory committee to work with them to research and discuss options related to the townhomes and the financial agreements with Eureka County.

Commissioner Sharkozy motioned to create an advisory committee to research and make recommendations on all options related to Nevada Rural Housing Authority and the County's interest in the Eureka Canyon Townhomes; Commissioner Etchegaray seconded the motion; motion carried 3-0.

Chairman Goicoechea exercised authority as Chair and made the following appointments to the advisory committee: Fred Etchegaray (to serve as Committee Chair and Commission representative); District Attorney, Ted Beutel; Public Works Director, Ron Damele; and Clerk & Treasurer, Beverly Conley. Chairman Goicoechea clarified that all decisions will be made by the Commission; the committee will simply provide information and recommendations.

Bill Brewer, Deputy Director of NRHA, was in attendance and thanked the Board, stating he looked forward to meeting with the committee.

Consulting Hydrogeologist Contract: Dale Bugenig provided a letter outlining duties, scope of work, and fees related to services provided to Eureka County. This contract will be for

the same not to exceed amount as the previous year, which was a 33% reduction over the original contract approximately five years earlier. Chairman Goicoechea emphasized the importance and timeliness of water issues for Eureka County. The Board stated appreciation for the quality work done by Mr. Bugenig.

Commissioner Etchegaray motioned to approve a one-year contract extension (October 1, 2015, through September 30, 2016) with Dale C. Bugenig, Consulting Hydrogeologist, LLC, not to exceed \$90,000.00; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Response to Consolidation of UNCE & CABNR: Jake Tibbitts joined the Board for discussion of the proposed consolidation of University of Nevada Cooperative Extension (UNCE) and University of Nevada Reno College of Agriculture, Biotechnology & Natural Resources (CABNR). Everybody agreed the current system is not working. Many throughout the State had reservations when a merger was considered in the recent past, because CABNR had no Dean. Dr. Bill Payne is now instated as Dean of CABNR and has proven his leadership.

During their annual conference, NACO requested support for this consolidation. The Commissioners agreed they were in favor of it. Chairman Goicoechea wants to ensure that UNCE funding remains separate and protected. Eureka County has a rollover fund balance of ~\$800,000.00 for Cooperative Extension that needs to remain in Eureka County.

Commissioner Etchegaray motioned that Mr. Tibbitts and the Chairman formulate a response to Nevada Association of Counties (copied to UNCE and CABNR) in support of the merger of University of Nevada Cooperative Extension and University of Nevada Reno College of Agriculture, Biotechnology & Natural Resources, while also noting the County's concerns; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Sagebrush Ecosystem Program & Nevada Greater Sage-Grouse Conservation Plan: Chairman Goicoechea stated that the next quarterly meeting of the Sagebrush Ecosystem Council is October 15th. With recent signing of the Record of Decision (see Commissioner Update Reports) and despite reassurances being given by US Department of the Interior Secretary, Sally Jewell, there are a lot of concerns that the State Plan (an alternative in the Greater Sage-Grouse Draft EIS) will not be implemented. There is a lot of confusion whether it is "in" or "out" of the Final EIS. The ROD impacts many acres of land in the west, including portions of Eureka County, now labeled priority habitat for sage grouse.

PUBLIC HEARING

Eureka County Personnel Policy, Section 2.F.100: Notice was given that a hearing would be held to invite public and employee comments on a proposed resolution amending Section 2.F.100 of the Eureka County Personnel Policy to eliminate the position of Lieutenant and to place the Undersheriff on a salary not tied to the Sheriff's salary, thereby abolishing subsection 2.F.100(c)(2). The proposed resolution was available for public review and circulated to all employees.

Chairman Goicoechea opened the public hearing and called for comments. Sheriff Keith Logan stated that he requested this change to streamline the Sheriff's Office and noted there will be a very minor adjustment to the rate of pay for the Undersheriff. Chairman Goicoechea added that the Undersheriff position was previously tied to the County's Wage & Salary Scale and was changed in recent years to a percentage of the Sheriff's salary; this action will simply return it to the way it was. There were no other comments.

Commissioner Sharkozy motioned to adopt a resolution amending the section of the Eureka County Personnel Policy addressing the compensation plan for certain positions of the Eureka County Sheriff's Office; Commissioner Etchegaray seconded the motion; motion carried 3-0.

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 September, Eureka served 888 meals and Crescent Valley served 592 meals. A total of \$7,118.05 was deposited for the month. Dinners are planned for the month of October; Eureka will do a candlelight dinner, and Crescent Valley will enjoy foods related to Halloween.

Grant Awards: Commissioner Etchegaray motioned to ratify Notifications of Grant Award from Nevada Aging & Disability Services Division for Nutrition Grant #07-000-07-13-16 for congregate meals in the amount of \$17,043.00 with a County match of \$1,733.00, and Nutrition Grant #07-000-04-24-16 for home-delivered meals in the amount of \$22,659.00 with a County match of \$3,255.00; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Program Assessments: The Board reviewed Program Assessments from Nevada Aging & Disability Services Division for audits conducted on Nutrition Grant #07-000-04-24 for home-delivered meals, Nutrition Grant #07-000-07-13 for congregate meals, and Transportation Grant #07-000-10-BX. Some minor recommendations were made, but the Division gave high marks to both centers and made many positive observations.

ROAD DEPARTMENT

Report on Activities: Road Superintendent, Raymond Hodson, reported on Road Department projects and activities. All mowing has been completed in Diamond Valley and along Maggie Creek Road. Road maintenance (blading, patching, etc.) was done in southern Eureka County on Sadler Road, 3 Bars Road, Roberts Creek Road, and Spring Street. A ditch near the Pony Espresso Deli was patched. In northern Eureka County, crews bladed the Geothermal Road and Grass Valley Road and patching was done on Crescent Valley roads. Cleaning and repairs were done on cattle guards throughout the County. Road Department equipment is being cycled into the shops for routine maintenance.

Commissioner Etchegaray suggested placing caution lights or signs at each end of the crested wheat seeding along US Highway 50 to warn travelers of cattle. Mr. Hodson agreed.

PUBLIC WORKS

Public Works Projects: Public Works Director, Ron Damele reported on projects and activities. WILDLAND FIRE PROTECTION PLAN: Public Works will meet with Nevada Division of Forestry this week to provide feedback on the Wildland Fire Protection Plan. LANDFILL INSPECTION: An inspection of the Eureka Landfill will be conducted this upcoming week. EXTRICATION TOOLS: The annual service on extrication tools for the Beowawe, Crescent Valley, Diamond Valley, and Eureka Fire Stations will be conducted at the end of the month. AWOS: Upgrade of the Automated Weather Observing System at the Eureka Airport is complete and the system is operational.

Stevens Basin Exploratory Drilling Project: Mr. Damele and Consulting Hydrogeologist, Dale Bugenig, reported on the Stevens Basin Exploratory Drilling Project. The project was completed on October 2nd and Notice of Completion was issued on November 5th. The contractor, Boart Longyear, did a very good job. The goal of the project was to explore for groundwater to supplement the municipal water supply. Target depth was 1,200 feet and they drilled through that. It wasn't a dry hole, but the contractor encountered limestone with a lot of carbon in it and the water will not meet drinking water standards.

Fee Schedule Resolution – Grave Sites: A resolution was presented memorializing fees approved at the September 21st meeting. Commissioner Etchegaray motioned to adopt a resolution outlining a new fee schedule, effective January 1, 2016, for opening and closing of grave sites within Eureka County; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Eureka, Nevada	October 6, 2015
RESOLUTION	
TO ADOPT A NEW FEE SCHEDULE FOR GRAVESITE OPENING AND CLOSING	
WHEREAS, the Board of County Commissioners wish to adopt a new fee schedule for Eureka County gravesite opening and closing; 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 21, 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:	
<u>Gravesite Opening and Closing Fees:</u>	
Casket	\$250.00
Cremation	\$75.00
Weekend/Holiday	\$100.00 additional fee
Adopted this 6 th day of October, 2015.	
	<u>/s/ JJ Goicoechea</u> J.J. Goicoechea Chairman, Eureka County Commissioners <u>/s/ Michael Sharkozy</u> Michael Sharkozy Vice-Chair, Eureka County Commissioners <u>/s/ Fred Etchegaray</u> Fred Etchegaray Member, Eureka County Commissioners
Attest: <u>/s/ Jackie Berg</u> Jackie Berg, Executive Assistant	

Fee Schedule Resolution – Parcel Map Fees: A resolution was presented memorializing fees approved at the September 21st meeting. Commissioner Etchegaray motioned to adopt a resolution outlining the new fee schedule, effective January 1, 2016, related to parcel maps; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Eureka, Nevada

October 6, 2015

RESOLUTION
TO ADOPT A NEW FEE SCHEDULE REQUIRED UNDER TITLE 8 OF THE
EUREKA COUNTY CODE KNOWN AS THE PLANNING COMMISSION ORDINANCE

WHEREAS, considerable time and attention must be taken to review proposed subdivisions, parcel maps and divisions of land into large parcels by both the Planning Commission and the Board of County Commissioners; and
WHEREAS, Title 8 permits the Board to set by resolution the fees for filing such maps and their review by the Planning Commission; and

WHEREAS, the Eureka County Commissioners reviewed and approved the new fee schedule on September 21, 2015, and approved implementation to begin on January 1, 2016;

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

The new fees contemplated by Title 8 will be as follows:

Subdivision Tentative Map	
Processing Fee - SET BY RESOLUTION FOR EACH PROJECT (NRS 278.330)	
Subdivision Final Maps	
Processing Fee - SET BY RESOLUTION FOR EACH PROJECT (NRS 278.330)	
Recordation - map (NRS 278.450)	\$ 50.00
Recordation - each additional sheet (NRS 278.450)	\$ 10.00
Foster Care (NRS 247.305)	\$ 1.00
Recorder Technology (NRS 247.306)	\$ 3.00
Parcel Map	
Processing Fee - (NRS 278.461)	\$400.00, plus \$25.00 per lot
Recordation - map (NRS 278.468)	\$ 17.00
Recordation - each additional sheet (NRS 278.468)	\$ 10.00
Foster Care (NRS 247.305)	\$ 1.00
Recorder Technology (NRS 247.306)	\$ 3.00
Division of Land into Large Parcels Map	
Processing Fee - (NRS 278.4713)	\$400.00, plus \$25.00 per lot
Recordation - map (NRS 278.4725)	\$ 50.00
Recordation - each additional sheet (NRS 278.4725)	\$ 10.00
Foster Care (NRS 247.305)	\$ 1.00
Recorder Technology (NRS 247.306)	\$ 3.00
Planned Unit Development	
Processing Fee - SET BY RESOLUTION FOR EACH PROJECT (NRS 278A.450)	
Recordation - map (NRS 278A.570)	\$ 50.00
Recordation - each additional sheet (NRS 278A.570)	\$ 10.00
Foster Care (NRS 247.305)	\$ 1.00
Recorder Technology (NRS 247.306)	\$ 3.00
Appeal	
Processing Fee - SET BY RESOLUTION FOR EACH PROJECT (NRS 278.3195)	
Due and payable at time set in Resolution	

All application fees are due and owing at the time the application is filed with Public Works. Checks for the application fees must be payable to the Department of Public Works. The Recordation Fee will be due and owing on all maps that are approved by the Board of County Commissioners and payable to the County Recorder at the time of recordation. All fees collected are non-refundable. All other resolutions inconsistent with this fee schedule are hereby rescinded. If Nevada State Law modifies the fees listed in this Resolution, Nevada State Law prevails.

Adopted this 6th day of October, 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

YUCCA MOUNTAIN

Update on Yucca Mountain Project: Nuclear Waste Advisor, Abby Johnson, updated the Board on Yucca Mountain activities. After the Nuclear Regulatory Commission felt the Department of Energy's EIS on the Yucca Mountain Repository did not adequately address impacts to groundwater, they completed a secondary Draft Supplemental EIS. NRC's findings are that effects of radiation in groundwater downgradient from the repository will be small.

Ms. Johnson visited with licensing attorney, Diane Curran, regarding the Supplemental EIS and areas in the process where the agencies are falling short. They recommend that a comment letter be submitted related to these inadequacies.

The Interim Consolidated Storage Act of 2015 was introduced in Congress to amend the Nuclear Waste Policy Act. This legislation would authorize temporary sites for nuclear waste storage. A Congressional Subcommittee of the Energy & Commerce Committee has been appointed to grapple with the transportation issues related to interim storage. Transportation consultant, Rick Moore, continues tracking these issues.

Eureka County's website, yuccamountain.org, is regularly updated with current developments.

BUDGET DIRECTOR / IT NETWORK SUPERVISOR

Out-of-State Travel: Commissioner Etchegaray motioned to authorize out-of-state travel for IT/Network Analyst, Misty Rowley, to attend the RIMS Users Conference in South Lake Tahoe, October 12th-16th; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Update from External Auditor: Budget Director, Michael Mears introduced Teri Gage, CPA, of Eide Bailly, LLP. He felt it would be worthwhile for Ms. Gage to give the Board a refresher on proper accounting standards, practices, and terminology. Ms. Gage and her team have been in Eureka working on the County's annual audit. In reviewing minutes of the Board, Ms. Gage found several times where transactions were completed correctly, but appropriate terminology wasn't applied. Ms. Gage explained that terminology is important because the business of local government is regulated by NRS (Nevada Revised Statutes) and GASB (Government Accounting Standards Board).

The main confusion has been between the terms augmentation and transfer. An augmentation to the budget occurs when unanticipated and unbudgeted resources are realized and are applied to the current year's budget. An augmentation to the budget requires a resolution of the Board.

Transfers occur when budgeted funds are moved within a departmental budget or from one department to another department. Transfers to complete general government functions simply require notification to the Board by the transferring authority, in this case the Budget Director. General government functions include general government, public safety, public works, parks and recreation, health and sanitation, culture and recreation, and community support.

Transfers between functions, where the monies will be used for a completely different purpose, should be approved by the Board and memorialized by resolution. Transfers from funds supported by property taxes require prior notice to the public. Upon being asked, Ms. Gage agreed that it would be easier to track transfers if all were recorded by resolution.

Commitment of funds, where a portion of a fund balance is set-aside for a specific purpose, also requires a resolution. A commitment of monies remains intact, beyond fiscal years, until the Board, or a later Board, changes it by resolution. Restriction of funds (for instance a bond or debt covenant), defined by NRS, is different from a commitment.

All budgets expire at the end of a fiscal year. If the Board determines that a department may carryover funds from one budget year to another, this creates an augmentation, thereby requiring a resolution.

Ms. Gage suggested that resolutions be created for two recent transactions: (1) the set-aside of \$500,000.00 to safeguard townsite property and infrastructure; and (2) the augmentation of approximately \$5,000.00 to the current EMS budget by rolling over funds from the previous fiscal year.

In closing, Ms. Gage emphasized that budget authority is not cash. Budgets are written on anticipated revenues and those revenues may not be realized. It is the department heads, and ultimately the Board's, responsibility to monitor the revenue to determine if the full budget authority can be carried out.

US ENVIRONMENTAL PROTECTION AGENCY

EE/CA for Town of Eureka: Tom Dunkelman, US Environmental Protection Agency, Region 9, and Jeff Collins, Corrective Actions, Nevada Division of Environmental Protection, were in attendance to provide an update on status of the Engineering Evaluation & Cost Analysis (EE/CA) for the Town of Eureka. The EE/CA is a long-term plan and cost-estimating tool for removal activities related to contaminated soils (due to historical smelting activity) in the townsite of Eureka. The EE/CA will be used to solicit federal funding for continued cleanup efforts.

Cleanup to date has been completed with regional EPA funding with a \$6 million cap. That cap has been reached except for funds earmarked for a final disposal site, which will allow for removal of 10,000 cubic yards of contaminated soils located in temporary disposal sites within the townsite. Any remaining monies will be used to continue yard cleanups on private property.

Public Meeting: The Draft EE/CA is complete, except for some minor edits, and will be released the following week for the public comment period. The County originally requested a 60 day public comment period (the norm is 30 days). Since the SLAG Working Group was created of townsite citizens and County representatives and completed a thorough review and vetting of the document, all parties now felt a 45 day comment period would be adequate. A public meeting is required during the comment period and several possible dates were discussed. (The public meeting was ultimately set for 5:00 p.m. on November 2nd in the Commissioners' Chambers).

EPA National Risk-Based Priority Panel: The EE/CA will be considered by the EPA's National Risk-Based Priority Panel on November 3-4, 2015. The Priority Panel evaluates projects for funding. Mr. Dunkelman noted that most projects granted funding by the panel are properties that have been listed on the National Priorities List under the Superfund Project. Eureka is not on this list, but due to the high levels of contamination and the shovel-ready status of the project, Mr. Dunkelman feels the project will be favorably considered.

Availability of EE/CA: Mr. Dunkelman will forward several hard copies of the EE/CA (as well as electronic copies) once it is released. The Commissioners directed that copies be made available for public review at the following locations: Commissioners' Office, Public Works, Eureka Library, and Eureka Senior Center. The EE/CA will be available on the EPA's website and the County's website. The EPA will notify residents of release of the EE/CA through mailing of a flyer/fact sheet. A special edition of the Commissioners' newsletter, *Plain Talk*, may also be distributed.

EUREKA COUNTY FAIR BOARD

Resignation from Fair Board: A letter of resignation from the Fair Board was received from Amy Damele. Commissioner Etchegaray motioned to accept the resignation of Amy Damele from the Eureka County Fair Board; Commissioner Sharkozy seconded the motion; motion carried 3-0. The Board noted their appreciation for Ms. Damele's service.

EUREKA COUNTY SHERIFF

Deputy Job Descriptions: Sheriff Keith Logan presented new job descriptions to reclassify all deputy positions. This will provide more continuity in pay classifications and allow flexibility for deputies to cover either patrol or detentions. There are no net salary increases, so no cost is involved for the County. All job descriptions have been reviewed by the District Attorney and HR consultants, Pooling Resources, Inc. Commissioner Etchegaray motioned to approve the following job descriptions and associated pay ranges: Deputy Sheriff I at Range 120, Deputy Sheriff II at Range 121, and Deputy Sheriff III at Range 124; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Radar Unit Grant: Commissioner Sharkozy motioned to authorize the Sheriff's Office to proceed with purchase of four replacement radar units to be reimbursed by Nevada Department of Public Safety through a grant (Eureka County Sheriff's Office Radar Grant #TS-2016-EuCSO-00028) in the amount of \$5,697.00; Commissioner Etchegaray seconded the motion; motion carried 3-0.

SMART Grant Project: Sheriff Logan explained that Eureka County can participate in a grant to fund overtime operations in rural areas for sex offender interdiction activities to increase local offender compliance, registration, and accountability. The Sheriff informed that all offenders residing in Eureka County are in compliance and are contacted on a regular basis.

Commissioner Sharkozy motioned to authorize the Sheriff's Office to participate in the SMART (Sentencing, Monitoring, Apprehending, Registering, and Tracking) Grant Project utilizing sub-grant funds from a grant awarded by the US Department of Justice to the Nevada Office of the Attorney General; Commissioner Etchegaray seconded the motion; motion carried 3-0.

RECESS FOR LUNCH

The Board recessed for lunch from 12:00 noon to 1:00 p.m.

NATURAL RESOURCES

Report on Activities: Natural Resources Manager, Jake Tibbitts, reported on recent activities. Mr. Tibbitts attended the Governor's Drought Summit September 21st-23rd in Carson City; met with US Geological Survey on September 24th regarding the Joint Funding Agreement; met with the Division of Water Resources, Bureau of Mining Regulation & Reclamation, and Barrick Gold about Barrick's updated water model on the four basins (Grass Valley, Carico Lake Valley, Pine Valley, and Crescent Valley) on September 24th; attended a Eureka Conservation

District meeting on September 25th; attended the 2015 Summit on Public Lands in Las Vegas on September 29th; and gave an update to the Planning Commission at their meeting on October 1st regarding the draft Water Resources Master Plan.

Eureka Conservation District: Mr. Tibbitts wanted the Commission to be aware that the ~\$38,000.00 granted to the Eureka Conservation District in Fiscal Year 2014-2015 was able to be leveraged with other funds, including grants, to account for \$343,993.00 in on the ground projects. These included pinyon-juniper thinning, biochar activities, preparation work for the Groundwater Management Plan, and range improvements.

Upcoming Meetings: Upcoming meetings include a meeting in Eureka with Battle Mountain District BLM the afternoon of October 6th regarding wildfire defense and Wildland Urban Interface; a public scoping meeting (BLM and Stantec) for McEwen Mining's Gold Bar Mining Project in Eureka the evening of October 6th; a Diamond Valley Groundwater Management Plan workshop at the Eureka Opera House on October 12th; the 2015 Fall Symposium sponsored by Nevada Water Resources Association in Reno on October 19th; a joint meeting on the afternoon of October 20th between Naval Air Station Fallon, the Commissioners, and the Planning Commission regarding the recently completed NAS Joint Land Use Study; and the Eureka Conservation District annual appreciation dinner on October 22nd at the Opera House.

Tonkin Project: The Decision Record was issued by the BLM on permanent closure of McEwen Mining's Tonkin Project.

BLM State Director Named: The US Department of the Interior recently announced that interim BLM State Director, John Ruhs, will be returning to take the job permanently effective November 30th.

Barrick Bald Mountain Expansion Draft EIS: Mr. Tibbitts noted that significant changes have been made to the Draft EIS for the Barrick Gold Bald Mountain Expansion. The County previously made comments on the Preliminary Draft EIS, mostly related to water, and many of those comments were addressed. Dale Bugenig, Consulting Hydrogeologist, reviewed the water related changes. There are still some outstanding issues, particularly related to drawdown, but most of the changes represent a vast improvement.

Other outstanding issues are: the socioeconomic analysis was made using data through 2009, so some conclusions are outdated and incorrect; and there is no mitigation for AUM (animal unit monthly) loss. Although water and grazing rights are owned by the proponent for this particular project, the EIS should still address mitigation of impacts related to these losses.

Mr. Tibbitts will finalize the comment letter on this EIS, which will support the overall project and highlight outstanding issues. Commissioner Etchegaray motioned to approve submitting a comment letter to the BLM on the Barrick Gold US Inc. Bald Mountain Expansion Draft EIS and authorized the Chairman to sign the letter outside of the meeting; Commissioner Sharkozy seconded the motion; motion carried 3-0.

McEwen Mining Gold Bar Project EIS: Mr. Tibbitts prepared a letter to the BLM accepting the BLM's invitation for Eureka County to participate as a Cooperating Agency, outlining the County's jurisdiction and special expertise, and submitting scoping comments on the Gold Bar Mine Project EIS. It asks that the BLM consider the Eureka County Master Plan, particularly the Natural Resources and State & Federal Land Use Element of the Plan, as the County's primary input on the mining project.

Commissioner Etchegaray motioned to submit the letter to the BLM related to the McEwen Mining Gold Bar Project EIS, accepting the invitation to participate as a Cooperating Agency and providing scoping comments; Commissioner Sharkozy seconded the motion; motion carried 3-0.

BLM/USFS Greater Sage-Grouse Land Use Plan Amendment: Mr. Tibbitts pointed out that although the sage grouse was not listed as an endangered or threatened species under the Endangered Species Act, a large portion of the west is now under restrictions imposed by the new Land Use Plan Amendments (*Record of Decision and Approved Resource Management Plan Amendments for the Great Basin Region, Including the Greater Sage-Grouse Sub-Regions of Idaho and Southwestern Montana, Nevada and Northeastern California, Oregon, Utah*). He explained this will affect rights-of-way, grazing, and land disturbance. Areas mapped as priority habitat have a disturbance threshold of 3%. Any activity will be counted against that 3% cap and no further disturbance will be allowed. The Town of Eureka falls within the priority habitat area, so any new infrastructure developments will count against the cap.

The County joined as a co-plaintiff in the petition for injunction filed against the ROD in US District Court in Nevada in order to challenge these Land Use Plan Amendments. Mr. Tibbitts recommended that the County ask Governor Brian Sandoval to step up and challenge this as well. Commissioner Etchegaray motioned to send a letter to the Governor requesting that he challenge the Record of Decision on the BLM/USFS Greater Sage-Grouse Land Use Plan Amendment and authorized the Chairman to sign the letter outside of the meeting; Commissioner Sharkozy seconded the motion; motion carried 3-0.

US Geological Survey: Mr. Tibbitts explained that continuing with the USGS water monitoring at the current level would cost the County \$98,850.00. This represents nearly half of the program costs, with USGS sharing 50%+ of overall expenses.

In January, the USGS gave the Board an update on the program. At that time, they were asked to extend the Joint Funding Agreement several years to reduce annual costs. Mr. Tibbitts explained that the USGS is allotted funding on an annual basis, so they were unable to do this.

Mr. Tibbitts worked closely with USGS to identify monitoring, from a technical standpoint, that could be reduced or postponed while keeping a robust program in place. Based on this, a Joint Funding Agreement was drawn up at a 25% reduction, for an annual cost of \$68,250.00. Much of the monitoring has been focused on Kobeh Valley and Roberts Mountain and has provided vital data related to drawdown. It was noted that in order to keep baseline data current, some of the reduced monitoring will have to be reinitiated in future years.

Commissioner Sharkozy motioned to approve the one-year Joint Funding Agreement with US Geological Survey for continued water monitoring in the amount of \$68,250.00; Commissioner Etchegaray seconded the motion; motion carried 3-0.

CORRESPONDENCE

Correspondence was received from: Kenneth Benson; Amy Damele; District Attorney, Ted Beutel (2); Clerk & Treasurer, Beverly Conley (3); Budget Director, Michael Mears; Commissioner Clerk, Jackie Berg; EMS Coordinator, Michael Sullivan; Cultural, Tourism, & Economic Development Director, Andrea Rossman (2); Eureka Harvest Festival Flyer; Eureka County Planning Commission; Dale C. Bugenig; Consulting Hydrogeologist; Eureka Conservation District; MolyBits Messenger; Crescent Valley Harvest Festival Flyer; Barrick Cortez; Elko Daily Free Press article, "*Ruhs named State BLM Director*"; NACO News Flash; Kelly C. Brown, PLLC; Great Basin Regional Development Authority; Fort Ruby Interpretive Trail Opening Event; Nevada Rural Housing Authority (2); Nevada Aging & Disability Services Div. (2); Nevada Dept. of Public Safety; Nevada Attorney General; Supreme Court of Nevada; Allison, MacKenzie, Ltd.; Nevada Dept. of Motor Vehicles; Nevada Div. of Water Resources (2); Nevada Dept. of Health & Human Services; Nevada Dept. of Business & Industry; Nevada Div. of Environmental Protection; Nevada Deferred Compensation Program (2); Governor's Office of Economic Development (2); The Business Advocate newsletter; US Dept. of Interior-BLM / US Geological Survey / Nevada Water Science Center; BLM Nevada News (3); BLM Caliente Field Office; BLM Elko District; US Dept. of Interior-BLM; US Senator, Dean Heller (Jeremy Harrell); White River & Douglas Creek Conservation Districts; and Western Counties Alliance (3).

PUBLIC COMMENT

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

ADJOURNMENT

Commissioner Sharkozy motioned to adjourn the meeting; Commissioner Etchegaray seconded the motion; the meeting was adjourned at 1:34 p.m.

Approved by vote of the Board this 20th 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 October 6, 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