

EUREKA COUNTY BOARD OF COMMISSIONERS

October 6, 2017

STATE OF NEVADA)
)
) :ss
COUNTY OF EUREKA)

CALL TO ORDER

The Board of Eureka County Commissioners met pursuant to law on October 6, 2017. Present were Chairman J.J. Goicoechea; Vice Chairman Michael Sharkozy; Commissioner Fred Etchegaray; District Attorney, Ted Beutel; and Deputy Clerk, Amanda Pearce. 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 as posted; Commissioner Etchegaray seconded the motion; motion carried 3-0.

PUBLIC COMMENT

Chairman Goicoechea opened the floor for public comments. There were none.

APPROVAL OF MINUTES

September 20, 2017: Commissioner Sharkozy motioned to approve minutes of the September 20, 2017, Commission meeting; Commissioner Etchegaray seconded the motion; motion carried 3-0.

COUNTY COMPTROLLER

Payment of Expenditures: Expenditures were presented for approval by Comptroller, Maureen Torres. Expenditures included an invoice from Jefferson Audio/Video for \$75.42 from August, 2016 that required Board approval; Commissioner Etchegaray motioned to approve; Commissioner Sharkozy seconded; motion carried 3-0.

Commissioner Etchegaray motioned to approve expenditures in the amount of which includes: \$3,681,482.24; for accounts payable; \$225,917.59 for payroll; \$1,212,604.94 for a pass through to the Eureka County School District; \$26,000 pass through to the State of Nevada; Division of Minerals; \$919,057.32 pass through to the Nevada State Controller and \$2,145.08 for Yucca Mountain expenditures, for a grand total of \$3,909,544.91. Commissioner Sharkozy seconded the motion; motion carried 3-0.

Fund Balances Report: The Board reviewed a print-out of current fund balances.

DISTRICT ATTORNEY

Additional Funding: Commissioner Etchegaray motioned to approve the request from the District Attorney to access additional funding for the provision of up to 700 more casual hours and an additional full time employee because of the upcoming retirement of a key employee, with the condition that funds would be procured from the General Fund due to payroll and benefit cost savings realized in the Sheriff's Office budget (due to vacancies), with additional funds procured from the Contingency Fund if the need arose. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Hiring Freeze Waiver Justification: Commissioner Sharkozy motioned to approve the request from the District Attorney to utilize additional casual hours and hire a new full time staff member to replace a retiring key employee, with the understanding that the two full time positions

would have a period of overlap during the training transition, however, ultimately the office would retain one full time employee along with Mr. Beutel; Commissioner Etchegaray seconded; motion carried 3-0.

COMMISSIONERS

Update Reports: Commissioner Sharkozy reported that he attended a William Bee Ririe Hospital fund meeting telephonically on September 21st, and a Crescent Valley Volunteer Fire Department meeting on September 26th.

Settlement Authority in Sadler Water Mitigation Case CV 1409-204: The Board discussed the need to appoint a representative to attend the upcoming Mediation with Judge Gamble and other interested parties in order to negotiate terms on behalf of Eureka County. District Attorney, Ted Beutel, suggested discussing the range of parameters that all members of the Board would consider acceptable so that the representative could determine a reasonable settlement in Case #CV1409-204 with full confidence that the Board would then ratify his determination. Commissioner Etchegaray motioned to elect Chairman Goicoechea to retain Settlement Authority at the October 16, 2017, Mediation Hearing; Commissioner Sharkozy seconded; motion carried 3-0.

PUBLIC HEARING-CORTEZ JOINT VENTURE WATER APPLICATION 86134

Hearing: A Public Hearing was held to invite public comment with regard to Application 86314 filed by Cortez Joint Venture with the Nevada State Engineer, Division of Water Resources.

Public Comment: There was no public comment.

Course of Action: A discussion ensued about the frequent occurrences of similar applications due to the ongoing project; The Board declined to recommend a course of action to the Nevada State Engineer at this time but recommended reviews when permits that effected Eureka County were submitted on the part of Cortez Joint Venture.

CLERK & TREASURER

Software Conversions Update: Clerk and Treasurer, Beverly Conley, provided an update on software conversions over the next 2 years.

Election Management Software Contract: Commissioner Etchegaray motioned to approve authorizing Beverly Conley to sign a contract for VEMACS Software & Services; a Software License Agreement; a Software License Oracle Sub-License Addendum; and a Software Maintenance, Warranty and Support Agreement with VOTEC Voting Systems election equipment, not to exceed \$9,546.40; Commissioner Sharkozy seconded; motion carried 3-0.

Election Equipment Purchases: Commissioner Sharkozy motioned to authorize Beverly Conley to sign contracts outside the meeting to purchase Dominion and VOTEC Voting systems election equipment, for an amount not to exceed \$103,160.00.

NV SOS Grant for State Appropriated Voting Systems: Commissioner Sharkozy motioned to authorize Beverly Conley to apply for a reimbursement grant from the Nevada Secretary of State for State Appropriated Voting Systems (AB519), in the amount of \$46,304.00. Mrs. Conley noted that the grant funds were guaranteed and would help the County recoup a portion of the costs of necessary election equipment purchases. Ms. Conley expressed her gratitude to Secretary Cevagske and her staff for procuring the funds.

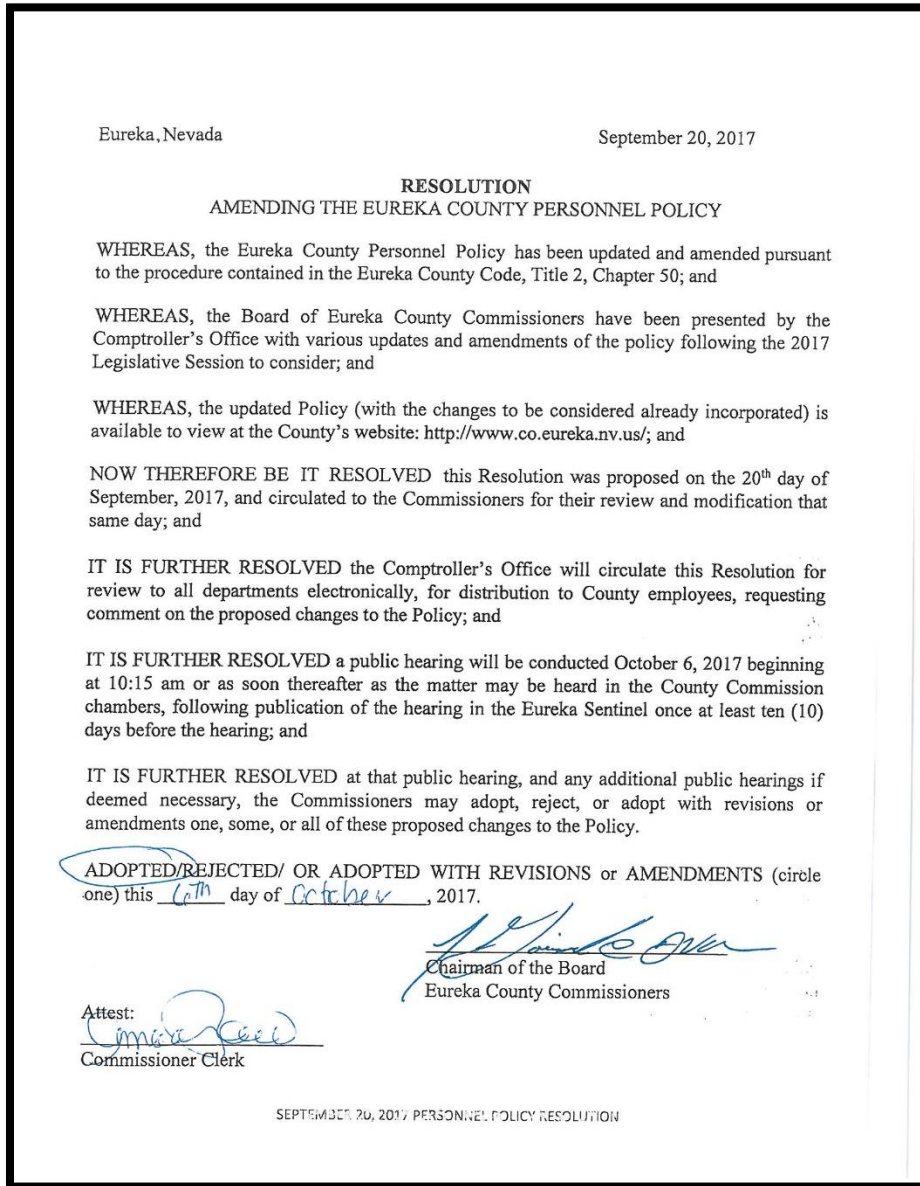
7th Judicial District Court Case Management Software: Commissioner Etchegaray motioned to authorize Beverly Conley to sign the three year Software License Agreement, Software License Summary Exhibit 1 and the Software Maintenance Agreement with Pioneer Technology Group for the Benchmark Software for the Eureka County 7th Judicial District Court case management system.

PUBLIC HEARING-EUREKA COUNTY PERSONNEL POLICY

Hearing: A Public Hearing was held to invite comments and take action on the Eureka County Personnel Policy due to various updates and amendments of the policy following the 2017 Legislative Session.

Public Comment: None.

Resolution: Commissioner Sharkozy motioned to approve adopting the Resolution Amending the Eureka County Personnel Policy as presented without revisions for all of the proposed changes to the policy; Commissioner Etchegaray seconded; 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. In September, Eureka served 601 meals and Crescent Valley served 579 meals. A total of \$8,881.45 was deposited for the month.

Ratification of Grant Notification: Commissioner Sharkozy motioned to approve ratifying Notifications of Grant Award from Nevada Aging & Disability Services Division for the following grants: (a) Nutrition Grant #07-000-07-1X-18 for congregate meals in the amount of \$17,043 and

(b) Nutrition Grant #07-000-04-24-18 for home-delivered meals in the amount of \$22,659; Commissioner Sharkozy seconded; motion carried 3-0.

COMMISSIONERS (continued)

Clarification and Justification of Employee Work Schedules: The Board led a discussion in order to clarify work schedules for all departments. During the discussion, the following departments were declared exempt from a mandated schedule: Public Works; Natural Resources; Senior Centers; Juvenile Probation; Museum and Opera House; Swimming Pool; and I/T. The Board discussed the hours of the discretionary office of the Comptroller and noted that while the staff works from 8:00 am until 12:00 pm and 1:00 pm until 5:00 pm, the office itself does not have to be open during these hours. Further discussion ensued regarding the ability for the Board to override Nevada Statutes with regard to assigning hours that offices must retain administrative staff to serve the public. To that end, Commissioner Etchegaray motioned to approve an 8:00 am to 12:00 pm and 1:00 pm to 5:00 pm work schedule for the following departments: Clerk and Treasurer, with the exception of variable hours during elections; Assessor; Recorder; District Attorney; Justice Court; and Sheriff, which also retains administrative staff at other hours. Commissioner Sharkozy seconded the motion; motion carried 3-0.

ROAD DEPARTMENT

Report on Activities: Raymond Hodson, Assistant Public Works Director, reported on Road Department projects and activities. He described maintenance and blading done on multiple roads in both southern and northern Eureka County.

PUBLIC WORKS

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

Utilities: All utility systems are in good working order.

McEwen Mining: Currently working on a Road Maintenance Memorandum of Understanding for 3Bars, Roberts Creek and Tonkin Roads.

Courthouse: The front doors that are being repaired should be returned and installed by mid-October.

Winterizing: The utility crews are working on winterizing parks and facilities.

Medical Clinics: The issues at both medical clinics that arose after the fire marshal's inspection including a locksmith and a fire inspection are being addressed and finalized.

Free Dump Days: Mr. Damele noted the dates: October 7th, 14th, 17th and 28th.

Opera House: Sheri Rowe is performing on October 7th at 7:00 pm.

SERC Grant Approval: Commissioner Etchegaray motioned to approve FY18 State Emergency Response Commission Grant, 18-SERC-07-01 in the amount of \$13,295, and authorize equipment purchases in an amount not to exceed \$9,295; Commissioner Sharkozy seconded; motion carried 3-0.

Private Water Line Easement: Commissioner Etchegaray motioned to approve granting a 15 foot Private Water Line Easement within a portion of Well Street for the benefit of Lot B1 on Parcel Map 212688; Commissioner Sharkozy seconded; motion carried 3-0.

Crescent Valley 3/4" Residential Water Service Application: Mr. Damele recommended approval of an application for a 3/4" residential water service for Crescent Valley APN 002-027-07. Commissioner Sharkozy motioned to approve the application; Commissioner Etchegaray seconded; motion carried 3-0.

JUVENILE PROBATION

Proclamation: Mr. Zimmerman reported on this year's Red Ribbon week motto: "Your future is Key; So Stay Drug Free." Commissioner Etchegaray motioned to approve adopting the Red Ribbon Week Proclamation, commemorating a drug-free community from October 23-31; Commissioner Sharkozy seconded; motion carried 3-0.

HEALTH INSURANCE ADVISORY COMMITTEE

Update: Toni Wright and Joyce Jeppesen provided updates from the HIAC meeting on October 3rd. They reported that the broker they utilize had a difficult time procuring quotes because of several factors including, but not limited to: heavy use of doctors in Utah on the part of insured; more than half of insured members over 50 years of age with a number of ongoing medical issues; and a number of retirees under the Medicare eligible age.

Calendar Year 2018 Provision of Insurance Coverage: The Committee members asked the Board for direction on how to move forward. The Board recommended the Committee bring proposals to either the October 20th or November 6th meeting, for both two and three plan options and research information on subsidies and Medicare.

Flu Shots: Chairperson, Toni Wright noted that the Committee is finalizing details with regard to flu shots at the Medical Clinic through William Bee Ririe and will return with details at a later date.

NATURAL RESOURCES

Report on Activities: Natural Resources Manager, Jake Tibbitts, reported on recent activities. Notably, Mr. Tibbitts reported on major implications from the Pyramid Lake Paiute Tribe vs. Truckee-Carson Irrigation District suit and subsequent Decision by the United States Courts Ninth Circuit whereby the Courts determined that the Tribe was entitled to the groundwater from their federally owned lands.

Sage-Grouse: Mr. Tibbitts reported that the Department of the Interior provided a Notice of Intent to the Federal Register for publication on October 13th that could impact Eureka County. He noted that the Natural Resources Advisory Committee would analyze the content of the publication. The Chair asked that Mr. Tibbitts report on NRAC's discussion at the October 20th Board of County Commissioners meeting.

Recreational Trails Effort: Commissioner Sharkozy motioned to approve providing formal support towards efforts to promote recreational trails in Eureka County.

Wild Horse Management: Commissioner Etchegaray motioned to approve and sign Mr. Tibbitts' draft letter to the National Wild Horse & Burro Advisory Board for consideration at the upcoming meeting in Colorado; Commissioner Sharkozy seconded; motion carried 3-0.

Southern Nevada Water Authority Water Application Hearings: Commissioner Etchegaray motioned to approve a letter drafted by Mr. Tibbitts providing comment to the State Engineer regarding the Southern Nevada Water Authority water application hearings for Spring, Cave, Dry Lake and Delamar Valleys, especially related to the water monitoring, management and mitigation (3M) plans; Commissioner Sharkozy seconded; motion carried 3-0.

CORRESPONDENCE

Correspondence was received from: EMS Coordinator, Mike Sullivan; IT Manager, Misty Rowley; Public Works Director, Ron Damele; Connie Hicks; Assistant Comptroller, Kim Todd; Clerk & Treasurer, Bev Conley (3); Owl Club (3); Natural Resources Manager, Jake Tibbitts (2); EBN (2); Commissioner Clerk, Jackie Berg; CVTAB; Garney Damele; NACO (2); Cleveland Clinic Lou Ruvo Center for Brain Health Publication; NV Supreme Court; NV Dept of Taxation (3); BlindConnect; Kinross; NDOT; Newmont Mining; US Bankruptcy Court; US Navy (2).

PUBLIC COMMENT

Commissioner Goicoechea called for public comments. The Chair mentioned a letter from Eureka citizen, Connie Hicks about pigeon feces on the sidewalks in town and inquired whether Public Works Director, Ron Damele's department was addressing the matter. Mr. Damele noted that indeed he was. Nothing further.

ADJOURNMENT

Commissioner Sharkozy motioned to adjourn the meeting at 11:24 am; Commissioner Etchegaray seconded the motion; motion carried 3-0.

Approved by vote of the Board this 20th day of October, 2017.

/s/ J.J. Goicoechea

J.J. Goicoechea, Chairman

I, Amanda Pearce, Deputy Clerk, attest that these are a true, correct, and duly approved minutes of the October 6th, 2017, meeting of the Board of Eureka County Commissioners.

/s/ Amanda Pearce

Amanda Pearce, Deputy 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 Deputy Clerk.

/s/ Beverly Conley

Beverly Conley, Clerk & Treasurer