

EUREKA COUNTY BOARD OF COMMISSIONERS

October 7, 2019

STATE OF NEVADA)
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COUNTY OF EUREKA)

CALL TO ORDER

The Board of Eureka County Commissioners met pursuant to law on October 7, 2019. Present were Chairman J.J. Goicoechea; Vice Chair Michael Sharkozy; Commissioner Rich McKay; 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 as posted; Commissioner McKay seconded the motion; motion carried 3-0.

PUBLIC COMMENT

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

APPROVAL OF MINUTES

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

September 19, 2019: After receiving a request from the Clerk Recorder to edit a portion of the September 19th minutes, Jackie Berg emailed the proposed changes to the Chairman and, based on his input, created a second draft with some of the requested changes. This draft was then provided to the entire Board for review and included in the electronic meeting packet for the day's meeting. Since more than one draft existed, she asked the Board to clarify which set of minutes it was considering for approval.

After reviewing the updated draft in the electronic record, Chairman Goicoechea confirmed he was satisfied that the draft reflected the District Judges had been asked about the resolution, but invited his fellow Commissioners to comment if they felt differently. There were no further comments.

Commissioner McKay motioned to approve the September 19, 2019, minutes as presented; Commissioner Sharkozy seconded the motion; motion carried 3-0.

COUNTY COMPTROLLER

Payment of Expenditures: Expenditures were presented for approval by Comptroller, Kim Todd. Commissioner Sharkozy motioned to approve expenditures in the amount of \$454,914.73 for accounts payable; \$318,878.37 for payroll, retiree, and related expenses; \$677,784.48 for a pass-through tax allocation to the State Controller; \$108,446.01 for a pass-through to the School District; \$963.17 for a pass-through to the Department of Taxation; \$264.00 for a pass-through to Washoe County; and \$3,250.00 in Yucca Mountain expenses, for a grand total of \$1,564,500.76. Commissioner McKay seconded the motion. Motion carried 3-0.

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

FRISK Documentation Model: Ms. Todd is working with Nevada POOL/PACT Human Resources to schedule a FRISK Documentation Model class for supervisors, which teaches the proper method for documenting employee performance issues. (FRISK = Facts, Rule, Impact, Suggestions/Directions for improvement, and Knowledge.) She explained the County hasn't had this type of class for about 10 years. John Bates, business associate with POOL/PACT, is willing

to come to Eureka to teach the class but, because of the course materials, wants a commitment on how many will be attending.

Commissioner Sharkozy motioned to authorize the Comptroller to work with Nevada POOL/PACT Human Resources to schedule a FRISK Documentation Model class for all County supervisors; Commissioner McKay seconded the motion; motion carried 3-0.

IT / NETWORK

IT Update: IT Director, Misty Rowley, provided a brief update on projects and activities, which include continued work to convert computers to Windows 10; coordination with the Department of Homeland Security for network security and vulnerability testing; work with Quest to do an on-site assessment for design of the next phase of the fiber project; and completion of a training course on routing, switching, and troubleshooting.

Agreement with BCT and Syber Networks: Ms. Rowley renegotiated the Managed Services Contract with Business Continuity Technologies to lower monthly costs by eliminating services that the County is not utilizing. BCT agreed to waive the non-solicitation agreement and allow Eureka County to engage Rory Jackson of Syber Networks for additional IT services and support.

Commissioner Sharkozy motioned to approve an agreement between Eureka County, Business Continuity Technologies, and Syber Networks LLC, to amend services provided by Business Continuity Technologies and to allow Eureka County to work with Syber Networks LLC. Commissioner McKay seconded the motion. Motion carried 3-0.

SKY FIBER INTERNET

Request for Crescent Valley Tower Space: David Peisner and Brady Chambers, SkyFiber Internet, were in attendance to request authorization to place an antenna on the transmission tower at the Crescent Valley Town Hall. Mr. Peisner explained that SkyFiber needs the equipment to serve the needs of its customer, Cortez Mine (Nevada Gold Mines). In exchange for placing an antenna on the tower, SkyFiber is offering to increase bandwidth from 50 to 100 Megabytes for the County's facilities in Crescent Valley.

Commissioner McKay asked if it was true that SkyFiber tried to install the dish antenna on the transmission tower without the County's permission. Mr. Peisner confirmed that it was true and apologized for the misunderstanding. He added that all work in Eureka County must now go through Mr. Chambers to avoid this happening in the future. Mr. Chambers explained that SkyFiber received installation approval on several other projects, but the technicians mistakenly began installation in Crescent Valley.

Chairman Goicoechea stated the County wants to be a good neighbor to Cortez and has helped other mining companies with transmission issues, but he wanted assurance that there would be no interference with the County's network and he wanted to hear if staff had any concerns or reservations.

The District Attorney reminded the Board that it has dealt directly with mining companies in the past in providing tower space. The Chairman agreed that the County would be open to a request from Cortez Mine.

IT Director, Misty Rowley, commented that the County did not currently have a need for increased bandwidth and a reduction in the monthly rate would be preferable. Mr. Peisner agreed to look into costs to see if this was feasible.

Public Works Director, Ron Damele, relayed that he was attending training in Crescent Valley on September 23rd. When he exited the Town Hall, he noticed two SkyFiber technicians on the County's tower. He contacted the IT Director to see if any tower maintenance was scheduled. Ms. Rowley contacted SkyFiber and found the techs were installing a dish antenna for Cortez.

Shortly after that, the technician called Mr. Damele, but was quite evasive about what they were doing on the tower. After being pressed, he informed that they were installing equipment for Cortez. Mr. Damele directed SkyFiber to immediately remove everything that was not serving

Eureka County until an agreement was brought forth. Later that same afternoon, Mr. Peisner called Mr. Damele and offered the increased bandwidth in exchange for tower space.

Mr. Damele stressed that Eureka County has always done business in a transparent fashion. He cautioned the Board against aligning with a company that, from all appearances, was trying to sneak an antenna onto the tower without the County's knowledge. He recommended that the County enter into a lease agreement for tower space, charge a monthly rate, and include a 30-day termination clause.

The Board agreed that Mr. Damele's suggestion made the most sense and was consistent with how the County has worked with mining companies and other entities in the past. Chairman Goicoechea asked Mr. Peisner to relay to Cortez Mine that the County would be willing to lease rack space directly to the mine. An item will be placed on the October 21st agenda to consider an agreement to rent space on the Crescent Valley Town Hall transmission tower.

ECHS FRESHMAN CLASS

Waive Facility Fees: Abby Sweet, Freshman Class Advisor at Eureka County High School, explained that the freshman class recently held a fundraising dinner to serve the OATBRAN group on its annual bicycle tour (OATBRAN = One Awesome Tour Bike Ride Across Nevada). In past years, high school groups have held this fundraiser at the Senior Center, but since it is temporarily closed, the dinner was held at the Opera House. The students requested that the facility fees be waived so that even more money can go towards their Junior Prom and Senior Sneak Trip.

Commissioner McKay motioned to waive the facility fees for the Opera House for a fundraising dinner hosted by the ECHS freshman class on September 26th; Commissioner Sharkozy seconded the motion; motion carried 3-0.

COMMISSIONERS

Medicaid Match Contract: The Nevada Department of Health & Human Services forwarded an updated contract for the Medicaid Match Program, explaining that it was amended to be consistent with legislation adopted in the 2019 Legislative Session. This contract will replace the one approved by the Board on July 19, 2019.

Commissioner Sharkozy motioned to approve the revised two-year Interlocal Contract Between Public Agencies with Department of Health & Human Services through the Division of Health Care Financing & Policy and the Division of Welfare & Supportive Services for the Medicaid Match Program, retroactively effective July 1, 2019, through June 30, 2021. Commissioner McKay seconded the motion. Motion carried 3-0.

Sagebrush Ecosystem Program: Chairman Goicoechea reported on the grueling hearing conducted by the Sagebrush Ecosystem Council on October 3rd to adopt permanent mitigation regulations. The Chairman worked with NACO's contractor, Jeremy Drew of Resource Concepts Inc., to propose several significant amendments. Discussions went on for several hours but, in the end, they were able to get some meaningful amendments in. The regulations will now go to the Legislative Counsel Bureau for final changes.

ROAD DEPARTMENT

Report on Activities: Raymond Hodson, Assistant Public Works Director, reported on Road Department activities. Southern crews finished the Sadler Brown Road and are working on the Sulfur Thompson cutoff road, which is very dry and full of cracks despite watering, blading, and rolling the road. A blade is working down Railroad Pass – extra effort has been put into maintaining this road – a culvert was installed at Four-Mile Canyon and a dozen loads of gravel were hauled to repair the washout in Rocky Canyon. Crews worked on the Kelly Creek crossing in Monitor Valley, installing two 24-inch culverts and bolsting with several loads of gravel. Crews have bladed up and over the following canyons: Windfall Canyon, Ratto Canyon, and Secret Canyon. A large asphalt cold-patch was completed on the north end of Keg Street in Diamond Valley.

The northern crew bladed the Cortez Road, Dann Road, and installed a new cattle guard at the mouth of Cottonwood Canyon. The crew is working on a gravel haul to the Dean Dann Road. Several cattle guards will be delivered for future installation where new fences are being built by Nevada Gold Mines (the mine pays for the cattle guards and the County installs them).

Steel Frac Tank: Mr. Hodson commented that roads can be bladed once with water or three to four times without water, and the frac tanks are working really well for stockpiling water when crews are blading roads in areas without ready access to water. He obtained a quote for a used frac tank from Rain for Rent in Sparks, noting it was an excellent price since new tanks are around \$50,000.00.

Commissioner Sharkozy motioned to accept the quote from Rain for Rent for purchase of a 21,000-gallon steel frac tank, for an amount not to exceed \$10,853.40, to be purchased with capital outlay funds in the Road Department budget. Commissioner McKay seconded the motion. Motion carried 3-0.

Chairman Goicoechea thanked the road crews for all their efforts. He recognized that Eureka County crews are dealing with hundreds of vehicles traveling some of these roads daily to get to the area mines. Everyone hears complaints about the condition of the roads, but the Chairman offered if people had to drive roads in surrounding counties, they would find out how good the County's roads really are.

PUBLIC WORKS

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

Utilities & Facilities: All utility systems are in good working order. Parts to upgrade the Crescent Valley municipal well (that recently had a pump failure) have arrived and the electrician will install the variable frequency drive this week.

Randy Klatt has been hired to fill the temporary casual position at the landfill.

The utility crew has been busy winterizing parks, outside restrooms, and doing final cleanup from the concrete project around the Courthouse and Courthouse parking lot.

Klindt Building Demolition: The Klindt building is completely down and all materials have been removed from the site. A spring was discovered in the bottom of the excavated area and is being pumped. Public Works believes it is connected to the water in the elevator shaft at the Opera House, so it will require continued pumping. Olcese Construction will return on October 14th to install rebar on the wall that was shared with the Senior Center. The gunite company will be in Eureka on October 21st to spray the wall with concrete. Once that is done Olcese can backfill and regrade the area.

Devil's Gate Mainline Extension: Public Works is working with NDOT and the underlying land manager, BLM, to obtain a right-of-way for the mainline extension from Devil's Gate. BLM is currently reviewing the application.

Environmental Categorical Exclusion: Mr. Damele explained that documentation must be developed for an Environmental Categorical Exclusion before the County can move forward with a storage building at the Eureka Airport to house snow removal equipment. Lumos & Associates provided a professional services proposal to complete the documentation.

Commissioner Sharkozy motioned to approve the proposal from Lumos & Associates for professional services to develop documentation necessary for an Environmental Categorical Exclusion for the snow removal equipment storage building at the Eureka Airport, for an amount not to exceed \$1,500.00. Commissioner McKay seconded the motion. Motion carried 3-0.

Eureka Airport Project: Public Works obtained a proposal from Lumos & Associates for construction bidding assistance and project management for an Airport project planned for next spring. Mr. Damele noted that this project will be funded by the County, and not the FFA.

Commissioner McKay motioned to accept the proposal from Lumos & Associates for professional services related to the Eureka Airport Taxiway Resealing, Crack Filling, & Striping

Project, for an amount not to exceed \$56,000.00. Chairman Goicoechea seconded the motion. Motion carried 3-0.

Kobeh Valley Test Well Project: A pre-qualification of bidders was advertised for the Kobeh Valley Test Well Project due to the specialized experience and equipment needed for this project. A single response was received from Boart Longyear Drilling Services. Mr. Damele and Consulting Hydrogeologist, Dale Bugenig, reviewed the response and Boart Longyear meets the qualifications to be pre-qualified as a bidder.

Mr. Bugenig explained that they have the specialized equipment needed – a dual rotary drilling rig, but it will not be available until after the first of the year. Fortunately, the company drills year-round, so as long as there is access to the site drilling can begin then.

Commissioner McKay motioned to accept the response from Boart Longyear Drilling Services for the pre-qualification of bidders on the Kobeh Valley Test Well Project and authorized Public Works to open the bid (since there is only one qualified bidder) and make a recommendation for award to the Board at a future meeting. Chairman Goicoechea seconded the motion. Motion carried 3-0.

Pinion Mountain Radio Extender: Mr. Damele obtained a quote from Western State Enterprise to install a radio extender on Pinion Mountain in Pine Valley. The BLM has a permitted building on the mountain and will allow the County to install radios until a permit is issued for a County building. Mr. Damele explained this is an extender, not a repeater, and is for the Sheriff's Office frequency only since that is the primary radio activity in that area.

Chairman Goicoechea asked Sheriff Watts about recent transmission problems from EMS to Dispatch. Sheriff Watts explained there are transmission issues between the digital and analog frequencies, and he is working with Public Works and Western State Enterprise to resolve these. Another contributing factor is that the new ambulance is taller and has a shorter antenna in order to fit into the Ambulance Bay.

Commissioner Sharkozy motioned to accept a proposal from Western State Enterprise for materials and labor to install a radio extender on Pinion Mountain, for an amount not to exceed \$25,937.01, paid with monies budgeted in the Capital Projects Fund for radio repeater upgrades. Commissioner McKay seconded the motion. Motion carried 3-0.

2020 Road & Utility Improvement Project: Public Works worked with the County Engineer, Lumos & Associates, to develop a scope of work for a large County-wide infrastructure project. This will include water, sewer, and storm drain upgrades in Eureka; street rehabilitation and new paving in Crescent Valley; and street rehabilitation in Diamond Valley. The project will be phased over two fiscal years and this will be bid it as a CMAR (Construction Manager at Risk) project.

Lumos & Associates prepared a proposal for professional services related to this project, which will include a topographic survey and base map, a 30% design, facilitation of advertising and selection of the CMAR contractor, and 60% design.

Commissioner Sharkozy motioned to accept the proposal from Lumos & Associates for professional services for the 2020 Road & Utility Improvement Project, for a time and materials amount not to exceed \$465,000.00, to be paid from capital outlay budgeted in the Devil's Gate Water District Fund, Eureka Water/Sewer Utility Fund, Crescent Valley Water Utility Fund, and Regional Transportation Commission Fund. Commissioner McKay seconded the motion. Motion carried 3-0.

AMBULANCE & EMS

Hiring Freeze Waiver – Crescent Valley EMT: EMS Director, Kenny Sanders, submitted a Hiring Freeze Waiver Justification for the EMT position in Crescent Valley, but was unavailable for the meeting as he was on an emergency call.

Commissioner McKay motioned to waive the hiring freeze and authorize the EMS Director to fill the full-time position of Emergency Medical Technician 1, 2, or 3 in the Crescent Valley area; Commissioner Sharkozy seconded the motion; motion carried 3-0.

JUVENILE PROBATION

Red Ribbon Week Proclamation: Juvenile Probation Officer, Steve Zimmerman, and Senior Department Assistant, Irma Davila, presented a proclamation declaring Red Ribbon Week, which involves local schools to promote a drug-free and alcohol-free community through awareness, activities, and education. This year's campaign invokes a social media theme with, "Send a Message, Stay Drug Free." This is the 31st year Red Ribbon Week has been nationally recognized, and Eureka County has participated since its inception.

Commissioner Sharkozy motioned to adopt the 2019 Proclamation declaring October 23rd-31st as Red Ribbon Week in Eureka County; Commissioner McKay seconded the motion; motion carried 3-0.

Red Ribbon Week Speaker: As part of Red Ribbon Week, Alexa Glazer, founder of *Living the Dream*, will speak at the Battle Mountain High School, Crescent Valley Elementary School, Eureka High School, and Eureka Elementary School. Mr. Zimmerman asked for approval of her fee, which will be funded by a grant from the PACE Coalition.

Commissioner Sharkozy motioned to approve \$6,000.00 for speaker, Alexa Glazer, to be funded by a grant from PACE Coalition; Commissioner McKay seconded the motion; motion carried 3-0.

NEVADA ASSOCIATION OF COUNTIES

NACO Overview: The Board welcomed NACO Executive Director, Dagny Stapleton, who visited Eureka to give an update on NACO activities and recent legislative actions. NACO, which was established nearly 100 years ago, is a statewide organization with members from all of Nevada's 17 counties. There are only four people on NACO's staff, but Ms. Stapleton said they work very hard to provide information and resources to the counties, provide support for the monthly collaborative Board of Director meetings, and coordinate the Annual NACO Conferences. NACO provides advocacy on a multitude of State and national issues and is very active during both legislative and interim years. NACO leadership travels to Washington, DC, each year to advocate for the counties.

NACO Conferences: Ms. Stapleton thanked Commissioner Sharkozy and Jake Tibbitts for their attendance at this year's conference in Sparks, hosted by Washoe County. Next year's conference will be hosted by Churchill County in Fallon in November (following elections).

Upcoming Workshops: NACO has a workshop scheduled December 6th to give a detailed overview of legislative changes in the 2019 Legislative Session. In 2020, workshops will cover the following topics: how to write a county water resource plan; open meeting and public records laws; and an overview of public defenders and the new State Department of Indigent Defense Services. Then just prior to the 2021 Legislative Session, there will be a workshop on how a bill becomes a law and how to be an effective advocate at the Legislature.

Rural Tour for Legislators: NACO has obtained a sponsor and some funding to host a rural tour for legislators in 2020. Ms. Stapleton said this is something that is long overdue, and it is especially important for the urban legislators from southern Nevada to visit the rural counties and learn what the communities are like in rural Nevada.

NACO Issues: Ms. Stapleton shared a laundry list of the issues that NACO is actively involved in (which parallel many of Eureka County's concerns). She highlighted Cooperative Extension, noting that she has reached out to University administration to ensure that counties are part of the conversation when Cooperative Extension budgets and planning are discussed.

Statewide Issues: NACO is involved with multiple statewide committees, many of which are established by State law. NACO oversees the Board for the Indigent Accident Fund and thanked Commissioner Sharkozy for participating as a Trustee.

Natural Resources: NACO has a Public Lands & Natural Resources Subcommittee, and now has a staff person dedicated to natural resource issues. Natural Resources Manager, Colby Prout, is an attorney with a background in environmental law. NACO has collaborated with Eureka

County and Jake Tibbitts on many natural resource issues over the years. At the next Board of Directors meeting, NACO will discuss *"The Path Forward for Management of BLM's Wild Horses & Burros"* that Chairman Goicoechea has been highly involved in.

Legislative Update: Ms. Stapleton noted that the 2019 Legislative Session included many bills that would have had a significant impact on counties, especially negative fiscal and operational impacts (she emphasized the importance of writing fiscal notes on these bills). NACO received valuable input from its Legislative Subcommittee and worked hard with lobbyists and other groups to successfully stop or temper much of the negative legislation. NACO worked closely with the Governor's office and legislative leadership and five out of the six NACO bills were passed and signed by the Governor.

NACO Bills: Ms. Stapleton gave an overview of the following bills adopted during the 2019 Legislative Session (the first five are NACO bills): **AB21** provides a solution for smaller county boards that are unable to achieve a quorum. **SB12** enable 911 surcharges collected by counties to fund audits (Eureka County does not have a surcharge). **SB13** allows counties to create nonprofit organization in times of emergencies (a need revealed by the October 2017 mass shooting in Las Vegas). **SB48** allows rural counties to raise diesel fuel tax up to five cents. **SB460** (sponsored on behalf of NACO by Senator David Parks) allows rural counties to make the office of Public Administrator an appointed, rather than elected, position.

High Priority Bills: There were numerous bills concerning public records. NACO worked hard against AB371, which did not pass, and would have required onerous reporting on all public records requests. The more comprehensive public records bill, **SB287**, did pass and public agencies can now be fined in court for knowingly violating public records law. NACO and others worked to successfully have some unreasonable restrictions removed from this bill.

AB136 requires counties to apply prevailing wage to all public works jobs that cost \$100,000.00 or more (previously \$250,000.00). **SB207** requires the use of apprentices on public works projects (there is a waiver process when none are available). **SB243** creates four distinct regions for prevailing wage and makes the reporting requirements less restrictive.

The unions introduced a significant number of workers' comp bills and, fortunately, many died due to pressure from NACO and others, with Clark County taking the lead. Bills that did pass will cause workers' comp costs to increase, but an overhaul of the entire system was avoided. **AB492** extended coverage for PTSD (post-traumatic stress disorder). **SB215** expands the list of employees eligible for workers' compensation claims for cancer, expands the list of carcinogens, and reduces the number of years that an employee must work to be eligible.

AB81 overhauls indigent defense in Nevada. A new State office was created, Department of Indigent Defense Services, along with the Board on Indigent Defense Services. Seven of the 13 Board members are county appointees and include some good rural representation. This Board will establish new standards and the Department will work with counties on implementation. The Board will create a maximum cost for each county and will be required to seek funding from the Legislature when costs exceed the cap.

State Budget Impacts: Counties are assessed for a number of services, mandated by law, that the State provides. Most are administered through the Department of Health & Human Services. Two large ones are the Medicaid Match Program and Child Protective Services. Most counties experienced an increase in those assessments for the current fiscal year (FY2019-2020). Eureka County did not experience an overall increase – the CPS assessment is higher this year, but due to low utilization the assessment for the Medicaid match decreased. That trend will likely change for Eureka County in the next fiscal year.

In the Medicaid Match Program, counties pay for the nonfederal share of the cost of long-term care for the indigent. In Fiscal Year 2020-2021 counties' costs for the Medicaid Match Program are expected to increase by an average of 34%, and counties' costs for Child Protective Services are expected to increase by an average of 22%.

NACO is working on an actuarial study of the Medicaid Match Program so it has substantiating data to present to the Legislature when advocating that the counties' assessments are inaccurate. Ms. Stapleton noted that the Indigent Accident Fund can be used to offset costs for the Medicaid Match Program.

National Association of Counties: Ms. Stapleton relayed that National NACo has a strong lobby on Capitol Hill. The NACo Board includes two representatives from Nevada – Commissioner Kirkpatrick from Clark County and Commissioner Higbee from Lincoln County. Ms. Stapleton serves on NACo's Western Interstate Region Board of Directors. NACo has a number of steering committees and interested Commissioners from Nevada are welcome to join.

NACo held its National Conference in Las Vegas this year and Ms. Stapleton said that Clark County did a wonderful job hosting the event. She thanked Commissioners Sharkozy and McKay for their attendance at the Nevada Commissioners' dinner during the Conference.

2020 US Census: Ms. Stapleton urged the County to actively participate in the 2020 Census by establishing a Complete Count Committee, noting there are resources to help with this on the NACO website and funding support is available. She said Nevada has many census tracts, both urban and rural, that are some of the most undercounted in the nation. During the last census, Utah claimed they lost a Congressional seat due to an inaccurate count, and Nevada has the potential of gaining a seat. If Eureka County isn't interested in a Complete County Committee, she recommended that the County do some outreach work to educate residents on the importance of being counted.

Conclusion: Chairman Goicoechea thanked Ms. Stapleton for her presentation, especially the thorough updates on legislation. Ms. Stapleton replied that she would be happy to visit after every Legislative Session if it is helpful to the County.

NATURAL RESOURCES

Report on Activities: Natural Resources Manager, Jake Tibbitts, reported on recent activities, meetings, and upcoming meetings. He has attended numerous meetings over the past couple weeks including the Annual NACO Conference in Sparks.

OpenET: At the last meeting, Mr. Tibbitts reported on a new online platform called OpenET (evapotranspiration). Mr. Tibbitts attended a two-day workshop hosted by Desert Research Institute in Reno on October 2nd & 3rd regarding the OpenET platform.

OpenET is intended to provide automated and widely accessible data as a water management tool for tracking water use in the western US, particularly irrigation water. It uses satellite imagery as far back as the early 1980s to estimate past water use. This online product was developed with foundational money and other fund sources, with key partners from western agriculture, water resource management communities, and involved governmental entities.

Diamond Valley was selected as one of OpenET's test cases. Marty Plaskett and Jim Gallagher (and their farms) have been involved since the beginning. Mr. Tibbitts believes there is a lot of utility for this tool to potentially help with the Diamond Valley Groundwater Management Plan process to quantify current water use and to fill in gaps where data on past use is missing.

BLM Targeted Grazing EA: The State BLM office sent a letter inviting interested agencies to respond by October 15th to participate as a Cooperating Agency as the BLM begins the process of writing an Environmental Assessment for Targeted & Prescriptive Grazing of Annual Grasses in Great Basin Ecosystems in Nevada.

Mr. Tibbitts explained that the County has already been involved by providing comments during the scoping period. In accordance with County policy, he will respond requesting Cooperating Agency status for Eureka County and will attend the kickoff meeting (via telephone) for this EA on November 1st.

Pinyon Juniper Field Day: The Pinyon-Juniper Partnership will be in Eureka the afternoon of October 14th with a network of people for a Pinyon Juniper Field Day, followed by presentations and a dinner at the Opera House. Full Circle Compost, one of the companies involved in this

project, will be one of the presenters. The previous week, Full Circle Compost delivered a load of compost and picked up most of the remaining stockpiled chips. The company is offering free soil testing to any farmer in the area, so interested parties should plan to attend the Field Day.

Eureka Conservation District: The Conservation District was successful in obtaining a \$25,000.00 grant for sage grouse habitat work. About 80 acres (private land) of sage grouse habitat on the Diamond Mountain Range has not had pinyon and juniper removed. This grant will allow for treatment of the 80 acres and maintenance on another 2,000 acres (of the total 5,000 treated). Mr. Tibbitts is meeting with the contractor early on October 8th to look over the sites.

Upcoming Meetings: Upcoming meetings include the Eureka Conservation District meeting on October 9th; the Natural Resources Advisory Commission meeting the evening of October 9th; the Cooperative Extension Advisory Board meeting the morning of October 10th in Reno; the CABNR (College of Agriculture, Biotechnology & Natural Resources) Advisory Board meeting the afternoon of October 10th, also in Reno; and the State Conservation Commission meeting on October 15th in Carson City.

Wild Horses – Danish Video: A Danish television crew was in the area for the recent Fish Creek horse gather. The crew interviewed Chairman Goicoechea, other ranchers, wild horse advocates, and BLM representatives. Mr. Tibbitts relayed that it has now released a 20-minute video that is very sensational and one-sided. The video depicts anyone who wants proper management of wild horses as being radical and aligned with groups involved in standoffs on federal lands.

Chairman Goicoechea agreed that it portrays Eureka County officials as racist and bigots and calls the Sheriff a bully. One of the wild horse advocates, who was interviewed for the piece, spoke with Senator Cortez-Masto and accused the Chairman of being a bully and encouraging the Sheriff to be a bully during the gather. Understanding that it's only Danish television, it is still such a farce that the Chairman feels the County should respond with something non-biased to illuminate the truth.

Sheriff Watts commented that the entire gather was very safe and went very smooth and, in his opinion, should serve as a model for all future gathers.

American Wild Horse Campaign: The American Wild Horse Campaign has approached the Battle Mountain District BLM with a proposal to do PZP treatments (immunocontraceptive) in the Fish Creek Herd Management Area. The BLM has asked that the group work with Eureka County to ensure all parties are aware of what's going on.

Mr. Tibbitts feels the County should support these efforts since this group has a genuine interest in controlling population. Based on modeling and science, experts have shown this type of fertility treatment can work when horses are at appropriate management levels. This is not the case in the Fish Creek HMA, but this exercise could demonstrate whether this treatment is viable in a complicated area (with horses spread over multiple valleys) that remains above AML. Perhaps the recent gather will contribute towards some level of success.

Mr. Tibbitts is meeting with the American Wild Horse Campaign on October 10th in Reno following his other meetings.

National Wild Horse & Burro Advisory Board: The BLM's National Wild Horse & Burro Advisory Board will meet in Washington, DC, on October 30th & 31st. Comments must be submitted two weeks in advance of the meeting. The County submitted comments for the Advisory Board's June meeting. Mr. Tibbitts asked for direction on whether the comments should be resubmitted or if the Board had anything specific it would like to add.

Chairman Goicoechea asked that comments be sent emphasizing the importance of a long-term solution, supporting the BLM's report to Congress regarding future management of wild horses, and supporting the \$35 million approved by the US Senate towards a solution to address overpopulation of wild horses. (The \$35 million must still gain the full support of Congress.)

Commissioner McKay motioned that Mr. Tibbitts work with the Chairman to prepare comments for the late October meeting of the National Wild Horse & Burro Advisory Board and

authorized the Chairman to sign the letter outside of the meeting. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Sage Grouse Issues: Mr. Tibbitts thanked the Chairman for his tireless work with the Sagebrush Ecosystem Program, particularly at the recent hearing of the Council to adopt permanent mitigation regulations. Mr. Tibbitts added that Chairman Goicoechea is a tireless advocate for local governments and he hopes that other local governments, and the public in general, recognize how hard the Chairman works on their behalf.

Greater Sage Grouse Adaptive Management: Mr. Tibbitts explained that the State Plan (Nevada Greater Sage-grouse Conservation Plan), as well as the BLM's Plan, and the Forest Service's (Draft) Plan all have an adaptive management strategy that requires the involved federal and State agencies to coordinate utilizing a method developed by the US Geological Survey. The method first identifies a trigger –a habitat trigger or population trigger – and once the trigger has occurred the next step is to conduct a causal factor analysis and develop management recommendations.

The Sagebrush Ecosystem Technical Team has scheduled several meetings in October regarding the adaptive management process. Local working groups are being established in the various areas across northern Nevada and Mr. Tibbitts has agreed to take the lead on the South Central local working group. The adaptive management meeting for the South Central area will be held in Battle Mountain on October 22nd and all stakeholders are encouraged to attend.

Objections on Forest Service Plan: At the last meeting, the Board authorized Mr. Tibbitts to work with the Chairman to prepare a formal objection to the Draft Record of Decision and Final EIS for the US Forest Service Land Management Plan Amendment, to be filed by the October 1st deadline. Mr. Tibbitts forwarded the signed copy for the Board's review and ratification.

Commissioner Sharkozy motioned to ratify the objection filed on October 1st related to the Draft Record of Decision and Final EIS for the US Forest Service Land Management Plan Amendment. Commissioner McKay seconded the motion. Motion carried 3-0.

Draft Programmatic EIS for the Great Basin: Mr. Tibbitts informed the Board that he is working through the voluminous Administrative Draft Programmatic EIS for Fuels Reduction & Rangeland Restoration in the Great Basin (which the BLM plans to reduce to 150 pages based on comments received from the Cooperating Agencies). As a Cooperating Agency on the EIS, the County has signed a nondisclosure agreement while working through the administrative process. Once the process becomes public, which is anticipated later this winter, the County will again make comments on the Public Draft.

CORRESPONDENCE

Correspondence was received from: Eureka County Sheriff's Office; Assessor Michael Mears; Public Works; Eureka Opera House; Natural Resources Advisory Commission; Health Insurance Advisory Committee; Crescent Valley Town Advisory Board (2); Kelly C. Brown, PLLC; Tri-County Meeting agenda; Nevada Dept. of Health & Human Services; Nevada Dept. of Business & Industry; Colonial Life; US Dept. of the Interior, BLM (4); US Environmental Protection Agency; US Navy; and Governing Magazine.

Commissioner Reports: Chairman Goicoechea received a phone call over the weekend inviting him to a meeting at the White House on October 9th with President Trump, and a handful of other elected officials, to discuss regulatory overreach and current environmental issues related to wild horses, sage grouse, etc. While in Washington, DC, the Chairman hopes to talk with a couple of legislators to advocate the Senate's proposed \$35 million to support "*The Path Forward for Management of BLM's Wild Horses & Burros.*"

PUBLIC COMMENT

Chairman Goicoechea called for public comments. Mike Tangreen, Owner/CEO, and McKenna Hines, Executive Assistant, of Eureka NewGen Farms, wanted to update the Board on

plans to build a cannabis facility in northern Eureka County, and to ask if the position prohibiting this type of business in Eureka County has changed.

Chairman Goicoechea responded that the Board typically does not engage in discussion or debate during public comment, but would entertain a future agenda item.

Mr. Tangreen stated they approached the Carlin City Council and the members were unanimously in favor of having the facility in Carlin. He said local law enforcement and emergency services have also stated support for the facility. Based on this, NewGen Farms contacted the State about moving its conditional retail marijuana license to Elko County. The State initially felt it was possible, but notified NewGen Farms a week later that the license could not be moved. NewGen Farms would like to make application for a license in Elko County, but the application period is currently not open.

Mr. Tangreen reminded the Board of the remote location of the planned facility and invited the Board, or anyone with concerns, to visit the site. He stated he understands this is a very sensitive industry, noting they want to have a positive relationship with Eureka County and be *“up front with what we’re doing.”* Mr. Tangreen stated they are aware of the County’s ordinance, but *“we believe there’s some issues there.”*

The Chairman invited Mr. Tangreen to contact the Commissioners’ office if they wish to be placed on a future agenda, reminding everyone that this was public comment.

Ms. Hines and Mr. Tangreen thanked the Board for their time and Mr. Tangreen concluded by saying, *“we’ll look forward to working with you guys.”*

There were no further public comments.

ADJOURNMENT

Commissioner Sharkozy motioned to adjourn the meeting; Commissioner McKay seconded the motion; the meeting was adjourned at 12:01 p.m.

Approved by vote of the Board this 21st day of October, 2019.

/s/ J.J. Goicoechea, DVM
J.J. Goicoechea, Chairman

I, Jackie Berg, Commissioner Clerk, attest that these are a true, correct, and duly approved minutes of the October 7, 2019, meeting of the Board of Eureka County Commissioners.

/s/ Jackie Berg
Jackie Berg, Commissioner Clerk

I, Lisa Hoehne, Clerk Recorder of Eureka County, acknowledge and accept the attached minutes as approved by the Board of Eureka County Commissioners and attested to by the Commissioner Clerk.

/s/ Lisa Hoehne
Lisa Hoehne, Clerk Recorder