

EUREKA COUNTY BOARD OF COMMISSIONERS

November 19, 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 November 19, 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

Approval of the November 6th minutes was removed from the agenda. With that change, Commissioner Sharkozy motioned to approve the agenda; Commissioner McKay seconded the motion; motion carried 3-0.

PUBLIC COMMENT

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

COUNTY COMPTROLLER

Payment of Expenditures: Expenditures were presented for approval by Comptroller, Kim Todd. Commissioner Sharkozy motioned to approve expenditures in the amount of \$643,732.52 for accounts payable; \$197,635.42 for expenses related to payroll, retiree, and benefits (including employee paid deductions); and \$13.92 in Yucca Mountain expenses, for a grand total of \$841,381.86. Commissioner McKay seconded the motion. Motion carried 3-0.

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

PUBLIC WORKS

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

Utilities & Facilities: All utility systems are operational. The variable frequency drive will be installed in one of the municipal wells in Crescent Valley on November 20th. One of the Crescent Valley wells is operating in manual mode while staff troubleshoots control issues with the backup generator.

Johnson Controls was in Eureka the previous week to install new fire alarm panels at the Opera House and Administrative Facility and to do maintenance checks at the Courthouse.

Klindt Building Demolition: The contractor has returned to install waterproof sealant to the remaining wall of the Klindt Building (shared with the Eureka Senior Center). Once the moisture barrier has cured, the crew will return to backfill and regrade the area. A no-cost change order was approved to extend the contract for seven days to compensate for several days of inclement weather.

Road Maintenance MOUs: Mr. Damele and Raymond Hodson, Assistant Public Works Director, will meet with McEwen Mining later in the week to review and update the annual Memorandum of Understanding for road maintenance.

Fire: BLM staff is in Eureka for a post-season fire meeting at the Administrative Facility. Mr. Damele reported that it was a mild fire season for most of the County, with most fire activity occurring in the northern portion of the County.

Chairman Goicoechea noted that Senator Cortez Masto's staff thanked Eureka County for the letter in response to the 2019 Nevada Wildfire Summit. The letter talked about the importance of coordinating and utilizing local resources. The Senator's staff is interested in meeting to discuss Eureka County's progressive fire program, which the Chairman stated is a direct reflection of Mr. Damele's involvement.

2020 Road & Utility Improvement Project: The 2020 Road & Utility Improvement Project is the opportune time to install conduit for underground fiber. IT Director, Misty Rowley, is working with a contractor to identify routes, and Ms. Rowley and Mr. Damele held a planning meeting with Assessor Michael Mears and Elmer Porter, Technology Director for the School District.

Kobeh Valley Test Well Project: Bid documents for the Kobeh Valley Test Well Project were received from Boart Longyear Drilling Services and were reviewed by Mr. Damele and Dale Bugenig, Consulting Hydrogeologist. The total bid is \$412,044.00 and available budget for the project is \$350,000.00.

In meeting with Boart Longyear, the parties agreed to modify the bid by eliminating the bid bond (not needed since Boart Longyear was pre-qualified and is the sole bidder), and eliminating the labors and materials bond and the performance bond (this is a reputable company that has worked with the County on large projects in the past). The other modification is to phase out the stainless steel casing to be done at a later date. This makes sense because the well is currently a test well and stainless steel casing can be added should the well prove to be a viable production well. These modifications reduced the overall bid to about \$263,000.00.

Commissioner Sharkozy motioned to accept the bid from Boart Longyear Drilling Services on the Kobeh Valley Test Well Project and to approve the negotiated bid schedule of \$263,644.11, which includes waiving the requirement for a bid bond, labor and materials bond, and performance bond, as part of the overall \$350,000.00 budgeted in the current fiscal year for this project. Commissioner McKay seconded the motion. Motion carried 3-0.

Certificate of Expenditure of Funds: Each year, Eureka County must show that monies received from the Department of Energy were expended in accordance with Public Law 111-85 and the Nuclear Waste Policy Act. These are funds that were distributed to Eureka County earlier as an Affected Unit of Local Government in relation to the Yucca Mountain Project.

Commissioner Sharkozy motioned to sign the Certificate of Expenditure of Funds for Federal Fiscal Year 2019 relating to the direct payment grant from US Department of Energy for the Yucca Mountain Project. 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. Conversion of Windows 7 computers to Windows 10 is about 75% complete. She is working with the contractor and meeting with County and School District staff to plan for the upcoming fiber project. The Department of Homeland Security is coordinating with Ms. Rowley to conduct vulnerability assessments. The new server for the District Attorney's office was set up and a GIS server will be set up for the Assessor. Ms. Rowley is coordinating a connection between Eureka, White Pine, and Lincoln Counties for the Pioneer application for District Court. She is seeking a quote for wireless equipment and labor so the remote locations have access to the County internet. The NOC (Network Operations Center) room cleanups have been postponed until December.

AMBULANCE & EMS

Report on Activities: EMS Director, Kenny Sanders, reported there were 31 ambulance runs for the month of October, with 11 from the north end of the County and 20 from the south

end. Seven of the 31 runs were transports to air ambulance (six to MedX AirOne and one to REACH Air).

Mr. Sanders informed that the individual in Crescent Valley who is interested in the full-time EMT position (but is certified in another state) has progressed through the fast-track class to obtain Nevada certification and is in the testing process now.

FAIR BOARD

Response to Advertisement: The Fair Board advertised for an individual to provide secretarial and administrative support on a varied schedule to accommodate the annual County Fair. One response was received from Holli Else who proposed to provide professional services at \$30.00 an hour, not to exceed \$17,000.00 for the year (approximately 567 hours). In accordance with previous contracts, the Fair Board will supply a laptop and will pay for copying, printing, and postage. The contractor will work from home and will provide her own vehicle.

Contract Approved: Commissioner McKay motioned to accept the proposal from Holli Else to provide specialized services to the Eureka County Fair Board for Calendar Year 2020, for an amount not to exceed \$17,000.00, and authorized the Fair Board to enter into a contract with Ms. Else to be signed outside of the meeting. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

SHERIFF

Out-of-State Travel: Sheriff Jesse Watts explained that he and Undersheriff James Clark plan to go to Washington DC next May to attend the National Law Enforcement Memorial. Sheriff Watts has paid for his flight and will not seek reimbursement. Other costs will be paid with travel monies in the Sheriff's budget.

The Sheriff explained he has applied for a grant, which will be awarded at the event. If received, the grant will be used to construct a memorial in Eureka County for the two law enforcement officers who have lost their lives in the line of duty – Sheriff James Rattazzi (who served until 1938) and Deputy Sheriff Ernest Evans (who served until 1907).

Commissioner McKay motioned to approve out-of-state travel for Sheriff Watts and Undersheriff Clark to attend the National Law Enforcement Memorial on May 9-16, 2020, in Washington DC. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Conex Storage Containers: Sheriff Watts requested authorization to purchase two large storage containers, which will house equipment and supplies, including the Search & Rescue UTV (utility vehicle).

Commissioner Sharkozy motioned to authorize purchase of two 40-foot Conex storage containers, for a not to exceed total of \$10,000.00, to be paid with funds budgeted for capital outlay in the Sheriff's budget (010-034-55010-000). Commissioner McKay seconded the motion. Motion carried 3-0.

Town Hall Meetings: Sheriff Watts invited the Commissioners to attend the Sheriff's Town Hall Meeting at the Opera House in Eureka on November 20th, or the one scheduled in Pine Valley on November 22nd. The Town Hall Meeting in Crescent Valley was held on November 15th with a small gathering.

COUNTY ASSESSOR

Resolution to Publish Tax Roll: As required by NRS 361.300, Commissioner Sharkozy motioned to adopt a resolution directing the County Assessor to prepare and publish a list of all taxpayers and property valuations on the secured tax roll of Eureka County. Commissioner McKay seconded the motion. Motion carried 3-0.

In addition to a published notice in the newspaper, Assessor Michael Mears will post the tax roll on the County website and a copy will be available in his office for review by the public.

**RESOLUTION
OF THE EUREKA COUNTY BOARD OF COMMISSIONERS**

A RESOLUTION DIRECTING THE COUNTY ASSESSOR TO PREPARE AND PUBLISH A LIST OF ALL TAXPAYERS ON THE SECURED TAX ROLL IN THE COUNTY, AND THE TOTAL VALUATION OF PROPERTY ON WHICH THEY WILL SEVERALLY PAY TAXES PURSUANT TO N.R.S. 361.300

WHEREAS, Nevada Revised Statute requires that the County Assessor be directed by Board Resolution to prepare and publish the secured tax roll annually.

NOW THEREFORE BE IT RESOLVED, that the Eureka County Board of Commissioners does hereby direct the County Assessor prepare and publish a list of all taxpayers on the 2020-21 secured tax roll in the County, and the total valuation of property on which they will severally pay taxes, pursuant to N.R.S. 361.300;

BE IT FURTHER RESOLVED, that the Eureka County Board of Commissioners does hereby direct the County Assessor to cause such list and valuations to be published on the Eureka County website on or before January 1st of the fiscal year in which assessments are made and a public notice be published in a newspaper of general circulation in the County that said list will also be printed and made publicly available at the Eureka County Assessor's Office and available via the County website.

PASSED AND ADOPTED this 19th day of November, 2019.

THOSE VOTING AYE: Commissioner J.J. Goicoechea, DVM
Commissioner Michael Sharkozy
Commissioner Rich McKay

THOSE VOTING NAY: None
THOSE ABSENT: None

/s/ J.J. Goicoechea, DVM
J.J. GOICOECHEA, DVM, CHAIRMAN
EUREKA COUNTY BOARD OF COMMISSIONERS

Attest: /s/ Jackie Berg
JACKIE BERG, COMMISSIONER CLERK

TREASURER

Treasurer's Report: The Treasurer's Report for October was submitted by Treasurer, Pernecia Johnson, showing an ending General Fund balance of \$30,159,034.66, a slight increase over the previous month.

OLCESE WASTE SERVICES

Update on Waste Services: Rick Lake, Operations Manager for Olcese Waste Services, was in attendance to give an update on residential and commercial waste services in Eureka County, which began on August 1st under the County's franchise agreement with Olcese. Mr. Lake said the company began with 258 customers on August 1st and now has a total of 433 customers in Eureka County. This is primarily made up of 96-gallon residential carts, but includes 2-yard and 3-yard commercial containers as well.

He explained that delivery was a little bumpy in the beginning because some addresses were difficult to find, but the driver followed-up on subsequent days until every customer was serviced. The most recent delivery run resulted in only one missed customer, but the driver was able to get there the following day, and the route is now going smoothly.

Mr. Lake explained there will be times during inclement weather that delivery will not be possible to some of the outlying customers. To alleviate this, the customers will be notified in advance and extra containers will be delivered to those locations (at no additional charge).

Mr. Lake believes the majority of customers are happy with the service. Some were initially unhappy with the price change, but customer calls are now minimal and typically involve questions about billing.

CRESCENT VALLEY PARADE OF LIGHTS

Prize Monies: Eldon Brown requested \$500.00 to purchase prizes for the annual Parade of Lights event in Crescent Valley on December 14th. Commissioner Sharkozy motioned to approve the request from Eldon Brown for \$500.00 from the North End Activities Fund to purchase prizes for the Crescent Valley Parade of Lights. Commissioner McKay seconded the motion. Motion carried 3-0. Any unused funds will be reimbursed to Eureka County.

CRESCENT VALLEY TOWN ADVISORY BOARD

Christmas Event & House Decorating Contest: Nona Kellerman, Chair of the Crescent Valley Town Advisory Board, requested \$1,000.00 to be used for prizes for the annual House Decorating Contest and supplies for the Community Christmas Event in Crescent Valley on December 14th.

The Town Board has worked to obtain donations for the Christmas festivities from Nevada Gold Mines (\$3,150.00 for a catered dinner), Truckin' Water Inc. (\$500.00 in gift cards), Royalty Automotive LLC (amount to be determined), Pilot Thomas (safety person, Kathy Farmer, will buy goody bags for Santa's Village), and Hecla Mines (amount to be determined).

Commissioner Sharkozy motioned to approve the request from the Crescent Valley Town Advisory Board for \$1,000.00 from the North End Activities Fund for the House Decorating Contest and Community Christmas Event in Crescent Valley, with check issued to Nona Kellerman. Commissioner McKay seconded the motion. Motion carried 3-0. Any unutilized funds will be reimbursed to Eureka County.

GENESIS HOME HEALTH & HOSPICE

Home Care Month: At the request of staff from Genesis Home Health in Elko, who provide services in Eureka County, the Commissioners considered a proclamation supporting National Home Care Month. The purpose of the proclamation is to increase awareness about home care and hospice options to help reduce hospitalization and other institution-based care for the elderly, disabled, and infirm.

Commissioner McKay motioned to adopt the Proclamation declaring November 2019 as National Home Care Month; Commissioner Sharkozy seconded the motion; motion carried 3-0.

NATURAL RESOURCES

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

Upcoming Meetings & Events: Nevada Gold Mines is hosting its community breakfast in Elko on November 20th. Later that same day in Elko, the State Engineer is hosting a public workshop on AB62 and proposed revisions to Nevada's water rights laws and regulations.

The Diamond Valley Groundwater Management Plan Advisory Board is meeting on November 21st and will discuss scheduling of the mandatory annual public meeting with the State

Engineer, which must take place by December 15th. Oral arguments in the lawsuit, filed in Seventh Judicial District Court, concerning the Groundwater Management Plan are scheduled December 10th-12th and the proceedings will be conducted at the Opera House.

The annual Eureka Conservation District dinner is on November 21st, and anyone is welcome to attend but must RSVP. On November 22nd, Mr. Tibbitts will travel to Elko for the Nevada Cattlemen's Association Annual Convention, where he has been invited to participate in a discussion during the meeting of its Private Lands & Wildlife Committee.

Sage Grouse Issues: Mr. Tibbitts stated there have been discussions with legal counsel who represented NACO and the counties in the first lawsuit against the federal plans (in US District Court in Reno) concerning appropriate action related to the October 2019 preliminary injunction, granted by US District Court of Idaho, blocking the BLM's 2019 Plan Amendments from being implemented and reinstating the sage grouse plans adopted by the BLM in 2015.

Judge Winmill, of the Idaho court, has requested more information from the BLM, and it appears that the Department of the Interior feels that a lot may be gained by amending the record with the additional information and clarifications. The Department of the Interior still has time to intervene in the case if it determines to go that route.

Mr. Tibbitts informed the Board that the Forest Service has scheduled an objection resolution meeting December 10th-12th in Salt Lake City, Utah, concerning the US Forest Service Greater Sage Grouse Land Management Plan Amendment. Chairman Goicoechea may attend this while Mr. Tibbitts attends the Groundwater Management Plan oral arguments scheduled for the same dates, but that will be determined after they see the agenda for the objection resolution meeting.

FRTC Modernization: Mr. Tibbitts and Chairman Goicoechea attended a meeting in Carson City on November 18th regarding the Fallon Range Training Complex Modernization. The meeting was in response to the State of Nevada Consolidated Request put forward by the Governor's office, signed by the Governor, involved agencies, and involved counties. Mr. Tibbitts stated that the Governor's office, State agencies, NACO, and the counties were all very well represented at the meeting.

Todd Mellon, Principal Deputy Assistant Secretary of the Navy, was at the meeting. Mr. Tibbitts explained that the FRTC Modernization EIS process has been frustrating, and often the response to the County's concerns has been a simple, *no we cannot do that*, with no explanation. But Mr. Mellon was very pointed in directing the meeting, even shutting down his own staff at times. Eureka County was allowed to voice some of its concerns, which Mr. Tibbitts said need to be documented. These include concerns over air space – for instance, AGLs (above ground levels) in the Diamond MOA and Duckwater MOA (military operations area).

At conclusion of the meeting, Mr. Mellon stated that the parties need to have the exact same meeting again in a month's time. Mr. Tibbitts felt it was a very good meeting and is interested to see how the Navy addresses the County's comments over the next month.

CORRESPONDENCE

Correspondence was received from: Connie Hicks; Television District; Northeastern Nevada Regional Development Authority; Nevada Assoc. of Counties; Nevada Div. of Environmental Protection; Nevada Dept. of Agriculture; Nevada Dept. of Transportation; US Dept. of the Interior-BLM; and US Forest Service.

Commissioner Reports: Chairman Goicoechea and Commissioner McKay will attend a Superintendent Meet & Greet later in the day with Jhone Ebert, State Superintendent of Public Instruction, and Tate Else, Eureka County Superintendent of Schools.

Chairman Goicoechea has been asked by the Teddy Roosevelt Foundation to give an interview on, "*The Path Forward for Management of BLM's Wild Horses & Burros*," and he hopes to find time in the next day or so to do that.

PUBLIC COMMENT

Chairman Goicoechea called for public comments; there were none.

ADJOURNMENT

Commissioner Sharkozy motioned to adjourn the meeting; Commissioner McKay seconded the motion; the meeting was adjourned at 10:50 a.m.

Approved by vote of the Board this 6th day of December, 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 November 19, 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