

EUREKA COUNTY BOARD OF COMMISSIONERS
November 20, 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 November 20, 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 November 20th 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

October 20, 2015: Commissioner Sharkozy motioned to approve the minutes of the October 20, 2015, joint meeting with Naval Air Station Fallon; Commissioner Etchegaray seconded the motion; motion carried 3-0.

November 6, 2015: Commissioner Etchegaray motioned to approve minutes of the November 6, 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 \$131,548.76 for accounts payable, \$250,015.50 for payroll, \$66,723.31 for a pass-through tax allocation to the School District, \$765.79 for pass-through fees to the Central Grazing Committee, and \$224.19 for Yucca Mountain expenses, for a grand total of \$449,277.55. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Auditor's Report: The Board reviewed current fund balances on the Auditor's Report.

COMMISSIONERS

Update Reports: Commissioner Sharkozy attended the Nevada Network of Fire Adapted Communities Conference in Reno on November 9th; attended the Crescent Valley Volunteer Fire Department meeting and training on November 10th; participated in a Search & Rescue meeting in Crescent Valley on November 16th; attended the Senior Centers Advisory Board meeting via interactive video on November 17th; and attended employee and supervisory training sponsored by Nevada POOL/PACT on November 17th in Crescent Valley.

Commissioner Etchegaray attended the hearing in US District Court in Reno on November 17th for the petition for injunction filed against the Record of Decision related to Greater Sage-Grouse Land Use Plan Amendments (he commented that Chairman Goicoechea provided excellent testimony during the hearing); and met with representatives of Business Continuity Technologies, IT/Network Analyst, Misty Rowley, and others on November 19th regarding IT issues.

Chairman Goicoechea attended the Nevada Rangeland Resources Commission meeting in Winnemucca on November 12th; attended the Nevada State Grazing Boards Central Committee meeting in Winnemucca the afternoon of November 12th; chaired the Nevada Land Action Association meeting in Winnemucca the evening of November 12th; attended the Nevada Cattlemen's Association 2015 Joint Convention in Winnemucca November 13th-14th; traveled to Reno on November 16th to meet with legal counsel in preparation for the sage grouse hearing; and attended the hearing in US District Court in Reno on November 17th.

UNCE & CABNR Proposed Merger: The County previously sent a letter supporting the proposed consolidation of University of Nevada Cooperative Extension and College of Agriculture, Biotechnology & Natural Resources. NACO supports this merger and was currently in a special meeting to consider adopting their position paper (it was later reported that NACO did adopt their position paper). An additional letter may be requested from the County and, if so, an item will be placed on a future agenda.

Continued Review of Layoff Policy: Discussion continued on proposed changes to the County's layoff policy (Eureka County Personnel Policy, Section 9.A.500-700). District Attorney Beutel reviewed changes suggested by contract Human Resources. This included addition of a section allowing for transfer of employees and some minor revisions to sections regarding the layoff notice and the reinstatement process. The Board agreed with the suggested changes.

Commissioner Sharkozy motioned to propose a resolution outlining all changes to the layoff policy proposed to date, including changes recommended by contract Human Resources and discussed by the Board during this meeting; that the resolution be circulated among all employees with comments requested by the December 21st meeting; and that a public hearing to consider adopting the changes to the layoff policy be scheduled for 10:00 a.m. on January 6, 2016. Commissioner Etchegaray seconded the motion. Motion carried 3-0.

National Home Care Month: Commissioner Sharkozy motioned to adopt a proclamation declaring November 2015 as National Home Care Month in Eureka County; Commissioner Etchegaray seconded the motion; motion carried 3-0. This proclamation was requested by Genesis Home Health Services, Inc. Genesis provides home health services in Eureka County.

Sagebrush Ecosystem Program & Nevada Greater Sage-Grouse Conservation Plan: Chairman Goicoechea was scheduled to testify before the Legislative Committee on Public Lands on November 18th, but missed it due to the sage grouse hearing running an additional day. The Committee heard an update on a proposed Memorandum of Understanding with the federal agencies intended to address shortcomings in the recently adopted sage grouse documents. Many of the Committee members voiced strong opinions regarding the MOU. They have asked that Chairman Goicoechea testify at their Committee meeting scheduled for February in Las Vegas.

AMBULANCE & EMS

Activity Report: EMS Coordinator, Mike Sullivan, reported on activities since his last report on October 20th. Eureka had nine calls for service (120 year-to-date) and Crescent Valley had seven calls for service (55 year-to-date). Continuing education training was held on October 26th and November 2nd in Eureka and on October 29th, November 12th, and November 19th in Crescent Valley. Training is scheduled for November 30th in Eureka and December 10th in Crescent Valley.

MedX AirOne is in service in Winnemucca and has responded to one call in Crescent Valley. The transition continues to the third-party ambulance billing company, Health Services Integration, Inc.

Mr. Sullivan provided assistance to the School District in replacing EpiPens® with new voice instruction versions. Unfortunately, the units were just delivered to the District when they

were recalled due to issues with proper dosage. Mr. Sullivan worked to obtain traditional EpiPen® replacements in just a few days.

Cardiac Science recently announced they are ending support for several models of AEDs (Automated External Defibrillators). This affects three units in the County and Mr. Sullivan is working on replacements.

An EMT refresher course was conducted on November 14th-15th. The more intense Advanced EMT refresher will begin on November 20th and continue through the weekend.

ASSESSOR / IT NETWORK SUPERVISOR

Resolution to Publish Tax Roll: County Assessor, Michael Mears, stated that Nevada Revised Statutes requires the Board of County Commissioners to adopt a resolution each year directing the Assessor to prepare and publish a list of all taxpayers and property valuations on the secured tax roll.

Mr. Mears was pleased to report that after several attempts, legislation (Senate Bill 95) passed during the 2015 Legislative Session changing the way assessment rolls must be published. The entire roll no longer needs to be published in the paper, but a full page ad must be published four times the first year and once in subsequent years. The entire roll will be available on the County website.

Commissioner Etchegaray motioned to adopt a resolution directing the County Assessor to prepare and publish a list of all taxpayers on the secured roll of the County pursuant to NRS 361.300. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

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 NRS 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 2016-17 secured tax roll in the County, and the total valuation of property on which they will severally pay taxes, pursuant to NRS 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 20th day of November, 2015.

THOSE VOTING AYE: Commissioner J.J. Goicoechea, DVM
 Commissioner Michael Sharkozy
 Commissioner Fred Etchegaray

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, EXECUTIVE ASSISTANT
EUREKA COUNTY BOARD OF COMMISSIONERS

IT/Network Update from Business Continuity Technologies: Effective August 1st, the County contracted with Business Continuity Technologies (BCT) for IT and network management. Lester Keizer, CEO of BCT was in attendance to provide an update on progress of work in Eureka County. Mr. Keizer provided a brief overview of BCT, which is 32 year old minority owned/employee owned company based out of Las Vegas. In the last several years they have expanded to working in rural areas.

BCT offers the County overall management of the network, including security, maintenance, 24/7 remote monitoring, a 24/7 on-call technician, an unlimited help desk, and backup and recovery services. Engineers, technicians, and officers are assigned specifically to Eureka County and have gained an intimate knowledge of the County's systems, needs, and goals. Much of the work can be accomplished remotely, but technicians will be on-site on a periodic basis. BCT offers a service ticketing system with a sophisticated tracking protocol, which provides a high level of accountability.

BCT works closely with the County's IT/Network Analyst, Misty Rowley, and Mr. Keizer stated she is a great asset to the County. They are also working with IT Supervisor, Michael Mears, to review all technology related vendors and contracts as there may be some redundancy and some opportunities for cost savings.

Mr. Keizer stated their goal is to provide seamless, worry-free IT for Eureka County. A variety of reports are available and he will return to provide periodic updates.

PUBLIC WORKS

Public Works Projects: Public Works Director, Ron Damele reported on projects and activities. PINE VALLEY FIRE STATION: Public Works is working with a contractor to re-roof the Pine Valley Fire Station. It was originally built in the 1980s and a new roof is needed. BLM FIRE MEETING: The BLM's end of the season fire meeting is scheduled for December 16th at the Annex/Administration Building. Fortunately, there was a low amount of fire activity this year. SCBA REPLACEMENT: Public Works is working with vendors on SCBA (self-contained breathing apparatus) replacement for the fire departments. The County purchased 57 units in 2007, but there have been issues that needed to be corrected. The County is taking advantage of a trade-in program where units are registered and exchanged for replacement at no cost. HOUSEKEEPING ITEMS: A lot of time has been spent reviewing various permits and applications and making sure everything is current.

Justice Court Remodel: The Justice Court Remodel Project began on November 12th and was completed by November 16th except for some minor outstanding matters that will involve ordering some cabinetry and other items for the office. Reyman Bros. Construction was the contractor for the project.

YUCCA MOUNTAIN

Certificate of Expenditures: Each year the County must sign a certificate of expenditures showing that monies received from the Department of Energy were expended in accordance with Public Law 111-85 and the Nuclear Waste Policy Act. These funds are distributed to Eureka County as an affected unit of local government in relation to the Yucca Mountain Project. Commissioner Etchegaray motioned to sign the certificate of expenditures for Federal Fiscal

Year 2015 related to the direct payment grant from the Department of Energy for the Yucca Mountain Project; Commissioner Sharkozy seconded the motion; motion carried 3-0.

CLERK & TREASURER

Treasurer's Report: The Treasurer's Report for October was submitted by Clerk & Treasurer, Beverly Conley. Ending General Fund balance was \$14,173,265.78. Overall ending balance, including encumbered funds was \$57,088,264.75.

COUNTY FACILITIES & ECONOMIC DEVELOPMENT

Update Report: Cultural, Tourism, & Economic Development Director, Andrea Rossman, reported on activities for the Opera House, Sentinel Museum, and Economic Development. The Holiday Bazaar is underway at the Opera House and will continue through November 21st. Upcoming events include a performance of *A Christmas Carol* by the White Pine Players on December 12th. Museum Director, Ree Taylor, submitted a written report detailing museum activities over the past month. The Economic Development Program Board held a meeting on November 13th. Their next meeting is December 10th.

Appointment to ECEDP Board: Two letters of interest were received for the Economic Development Program Board. Commissioner Etchegaray motioned to appoint Doran Adams to the alternate seat representing southern Eureka County on the Economic Development Program Board; Commissioner Sharkozy seconded the motion; motion carried 3-0. This is a mid-term appointment as a one-year alternate member on the ECEDP Board.

Live Entertainment Tax: Effective October 1, 2015, with passage of Senate Bill 266 (amending NRS 368A), all live entertainment events held in facilities with a maximum occupancy of 200 or more are subject to the Live Entertainment Tax. This includes local governments, so events at the Opera House are now subject to this tax. Ms. Rossman reported that the rate is 10% of all admissions and she has registered with the Department of Taxation to begin reporting and paying the tax.

EUREKA COUNTY JUSTICE COURT

Proposed Resolution: In July, the Board adopted a resolution identifying Dorothy Rowley as Justice of the Peace Pro Tempore. Justice Court requested that a new resolution be adopted naming Amy Jensen as an additional substitute Justice of the Peace. Chairman Goicoechea had concerns this might create a conflict of interest if Ms. Jensen, who works as a clerk for the court, is asked to preside over a case for which she processed the documents as clerk. The Chairman would like to meet with Justice of the Peace, John Schweble, before moving forward with this resolution. Commissioner Etchegaray motioned to table the resolution regarding Justices of the Peace Pro Tempore; Commissioner Sharkozy seconded the motion; motion carried 3-0.

EUREKA ALUMNI ASSOCIATION

Military Banners: Ashley Adams, President of the Eureka Alumni Association, relayed that the Alumni Association will assume responsibility for purchasing and displaying armed services banners in the Town of Eureka to honor active duty and reserve servicemen and servicewomen. In the past, the banners have been purchased by the County. Ms. Adams noted that since it is the Alumni Association, banners will be purchased for military members who have graduated from Eureka County High School.

MEDICAL CLINICS ADVISORY COMMITTEE

NVHC Quarterly Performance Audit: The Medical Clinics Advisory Committee met on October 27th to conduct the quarterly performance audit of Nevada Health Centers, Inc., for the

period covering July, August, and September. Garney Damele, Chair of the MCAC, was not present but provided a letter outlining results of the audit. The Board had a question on calculation of the penalty, so will request clarification from Ms. Damele. Commissioner Etchegaray motioned to table a decision related to the quarterly penalty to be assessed against Nevada Health Centers pending further information; Commissioner Sharkozy seconded the motion; motion carried 3-0.

NATURAL RESOURCES

Report on Meetings & Activities: Natural Resources Manager, Jake Tibbitts, reported on recent activities. Mr. Tibbitts attended the Fire Adapted Communities Conference in Reno on November 9th; and was in Reno November 16th through 18th to prepare for and attend the hearing related to sage grouse in US District Court.

Upcoming Meetings: Upcoming meetings include the Diamond Natural Resources Protection & Conservation Association meeting on November 30th. A Groundwater Management Plan meeting will be scheduled once a date can be determined that works for most folks. Other than that, things are fairly quiet going into the holiday season.

Sage Grouse Issues: Everyone will await the US District Court judge's decision from the recent hearing on the petition for injunction filed against the ROD (*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*). There is talk that other entities may file another motion for injunction.

The Board and Mr. Tibbitts discussed the hardships imposed with approval of the federal Land Use Plan Amendments that will directly affect Eureka County and its residents. There will be a direct impact on the County's future growth and development as lands previously identified for disposal are no longer available. Any new projects involving rights-of-way across public lands, such as extensions of water lines or power lines, will either be impossible or will involve so many hurdles that the cost will be astronomical and it will take years to see a project to completion. There will be exceptions for "net conservation gain," but there are a lot of questions about what that means, who determines what qualifies, etc. There are many other questions raised by the documents. The tragedy is that many areas have been incorrectly identified as sage grouse habitat, despite contrary evidence provided during the EIS process.

BLM Fish Creek Herd Management Area: Mr. Tibbitts provided the Board with copies of the *Range Magazine* article on the Fish Creek Herd Management Area tour hosted by the Commissioners and Natural Resources Advisory Commission on August 12th.

Nevada Drought Forum: The final meeting of the Nevada Drought Forum (established by executive order of the Governor) was currently underway (November 20th), and final recommendations to the Governor will be adopted during this last meeting.

Knapweed Spraying: Knapweed spraying is being done by the contractor. Mr. Tibbitts informed the Board that this is the most effective time to treat knapweed – when the weeds are dormant and after the first killing frost.

Water Rights: Mr. Tibbitts noted that the County received a copy of the letter from Barrick Gold US, Inc., to the State Engineer with a response regarding their water application in Pine Valley within the Horse Canyon area.

Kobeh Valley Ranch, LLC (General Moly), is making reapplication for water rights in Kobeh Valley and notifications should be published shortly. Kobeh Valley Ranch made the statement that they believe the correct course of action following the Nevada Supreme Court September 18th Order on appeal is to remand the case to the State Engineer and for the State Engineer to conduct further hearing on the applications at issue; if those applications are determined by the District Court or the State Engineer to have been denied on account of the

Supreme Court Order, then Kobeh Valley Ranch will pursue these new applications; if however, the State Engineer reopens the hearing for further action, then the applications will be withdrawn.

CORRESPONDENCE

Correspondence was received from: Barbara Dugan; David Pastorino; Doran Adams; District Attorney, Ted Beutel (2); EMS Coordinator, Mike Sullivan; Planning Commission; Medical Clinics Advisory Committee (2); Eureka Owl Club (2); Crescent Valley Town Advisory Board (2); Nevada Assoc. of Counties (2); White Pine County (2); Nye County; Barrick Gold US, Inc.; Allison, MacKenzie, Ltd.; Northern Nevada Food Bank; Nevada Dept. of Taxation; Nevada Legal Services; Nevada Dept. of Transportation; Nevada Div. of Water Resources (3); Nevada Bicycle & Pedestrian Advisory Board; Nevada Div. of Environmental Protection (2); National Assoc. of Counties; and Senator Dean Heller.

PUBLIC COMMENT

Chairman Goicoechea opened the floor for public comments. Sheriff Keith Logan stated he met recently with Nevada Department of Transportation regarding several issues including traffic control on the interstate during major storms. He was able to relay some citizen concerns over a portion of State Route 306 in northern Eureka County. There were no other public comments.

ADJOURNMENT

The meeting was adjourned at 11:38 a.m.

Approved by vote of the Board this 7th day of December, 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 November 20, 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