

EUREKA COUNTY BOARD OF COMMISSIONERS
November 20, 2018

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, 2018. 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

Chairman Goicoechea noted that the Natural Resources' item regarding the Deep South Expansion Project Draft EIS should be removed from the agenda and will be placed on a future agenda. Commissioner Sharkozy motioned to approve the agenda as amended; Commissioner Etchegaray seconded the motion; motion carried 3-0.

PUBLIC COMMENT

Chairman Goicoechea called for public comments; there were none.

APPROVAL OF MINUTES

November 8, 2018: Commissioner Sharkozy motioned to approve minutes of the November 8, 2018, Commission meeting; Commissioner Etchegaray seconded the motion; motion carried 3-0.

COUNTY COMPTROLLER

Payment of Expenditures: Expenditures were presented for approval by Comptroller, Maureen Garner. Commissioner Etchegaray motioned to approve expenditures in the amount of \$141,832.22 for accounts payable and \$79.95 for Yucca Mountain expenses, for a grand total of \$141,912.17. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Fund Balance Report: The Board reviewed the Fund Balance Report and the Pooled Cash Report provided by the Comptroller's office.

JUSTICE COURT

Temporary Part-Time Authorization: Justice of the Peace, John Schweble, and Justice Court Manager, Amy Jensen, were in attendance to request that Justice Court Deputy Clerk, Lindsey Stith, be allowed to transition from a full-time position to a part-time position with benefits for a period of up to one year. Ms. Stith has been on maternity leave and is due to return to work, but is having difficulty finding a full-time caretaker for her newborn infant.

Chairman Goicoechea referenced Eureka County Personnel Policy, Section 2.8, which states the employer is committed to providing reasonable accommodations for employees related to pregnancy, childbirth, or a related condition. This was added to policy following adoption of the Nevada Pregnant Workers' Fairness Act during the 2017 Nevada Legislative Session.

Chairman Goicoechea inquired about the planned work schedule, stating he wanted to make sure this wouldn't result in the County having to hire an additional person. He asked that Justice of the Peace elect, Dorothy Rowley, share her thoughts on the proposed change.

Ms. Jensen explained that Ms. Stith is scheduled to return to work on December 5th and the proposed work schedule would be a 24-hour week – four hours per day on Monday, Tuesday, Wednesday, and Friday, and eight hours on Thursdays when they travel to Crescent Valley for court.

Ms. Rowley responded that she has talked with Ms. Jensen in-depth about this and the staffing adjustment is manageable with the current workload. The case load may change with new administration at the Sheriff's Office in January, but doing this on a temporary basis will allow Justice Court to assess their future needs, while providing a necessary accommodation for an employee.

Should the case load increase, Chairman Goicoechea asked if there was a chance Ms. Stith could return to full duty earlier than a year. Ms. Stith said she plans on resuming her schedule as soon as the caregiver is willing to take the baby full-time.

Commissioner Etchegaray felt a full year was excessive and suggested that the change be allowed for six months and then be reevaluated if further time is needed. Everyone agreed this was acceptable.

Commissioner Sharkozy motioned to approve changing the Justice Court Deputy Clerk from a full-time position with benefits to a 24-hour per week part-time position with benefits through June 6, 2019; Commissioner Etchegaray seconded the motion; motion carried 3-0.

AMBULANCE & EMS

Report on Activities: EMS Director, Kenny Sanders, reported on recent activities. There were a total of 19 ambulance runs in October. Eureka had 12 calls for service, which included three assists to White Pine County. Crescent Valley had seven calls for service.

Mr. Sanders explained that Melynda Sharkozy's EMT application had to be resubmitted with additional information. Once approved, she can begin serving in Crescent Valley.

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. The utility crew is working on remodeling the restrooms at the Fairgrounds. Once completed they will work on an enclosure for the Eureka Senior Center to provide additional storage for Food Bank items.

NDF Conservation Crews: Honor crews from the NDF Conservation Camp were in Eureka the previous week cleaning up litter at the Eureka Landfill.

Eureka Airport: Lumos & Associates has completed the Disadvantaged Business Enterprise Program, which is mandatory to receive FAA grants. The completed Program is being sent to the FAA for review.

BLM / NDF Fire Meeting: There will be a post season fire meeting with the BLM and NDF at the Administrative Facility on December 4th at 1:00 p.m.

Road Maintenance MOU: Work continues on a Memorandum of Understanding with McEwen Mining for maintenance of the Roberts Creek Road and the 3 Bars Road.

CLERK & TREASURER

Treasurer's Report: The Treasurer's Report for October was submitted by Clerk & Treasurer, Beverly Conley, showing an ending General Fund balance of \$27,109,641.89, an increase of \$1.8 million over the previous month. Ms. Conley commented on the interest earnings, which were \$138,000.00 for the month.

NATURAL RESOURCES

FRTC Modernization Draft EIS: Natural Resources Manager, Jake Tibbitts, reported that the US Navy released the Fallon Range Training Complex Modernization Draft EIS on November 16th for a 90-day public comment period, ending January 15, 2019. This is a very long Draft EIS published in two thick volumes. Mr. Tibbitts will be working to review the material throughout the holiday season and will present comments to the Board at their first meeting in January.

Mr. Tibbitts participated in a Cooperating Agency conference call with the Navy on November 19th to be apprised of changes made between the Administrative Draft provided to Cooperating Agencies and the public Draft EIS. Consultant, Abby Johnson, participated as well. Ms. Johnson has assisted in coordinating comments and document review.

With release of the Draft EIS, the Navy has announced seven public meetings in rural locations in Nevada affected by the FRTC Modernization. One will be held at the Eureka Opera House on December 11th from 5:00 to 8:00 p.m. Public comments, either written or oral, will be accepted at the meetings.

BLM Wildfire Rehabilitation & Grazing Closures: Mr. Tibbitts has received multiple fire decisions from the Battle Mountain District and Elko District BLM offices. Each District is taking a different approach in issuing decisions. The Battle Mountain District is allowing a 15-day public consultation period and, although there are some outstanding issues, their final decisions have included some positive changes based on comments provided by Eureka County.

The Elko District is simply issuing Full Force & Effect Decisions without any public comment period. This leaves no opportunity for input other than appealing the decision. Mr. Tibbitts didn't recommend an appeal of any decisions thus far, but will discuss this at the next Natural Resources Advisory Commission meeting. He will recommend to NRAC that written notification be sent to the Elko District asking that Eureka County be consulted and coordinated with before issuing decisions, particularly regarding lands in Eureka County.

Sage Grouse Issues: Greater Sage-Grouse Land & Resource Management Plan Amendments (Forest Service): The Draft EIS for the Forest Service land use plan amendments is currently in a 90-day public comment period that will end in January. Mr. Tibbitts will provide comments for the Board's approval at the December 20th meeting.

Nevada & Northeastern California Greater Sage-Grouse Resource Management Plan Amendment (BLM): The Final EIS for the BLM land use plan amendments is expected any day. It was originally expected a couple of weeks earlier, but is being held up due to a conflict over mitigation. The Department of the Interior issued an Instruction Memorandum discontinuing certain mitigation practices and basically questioning the agency's ability to impose compensatory mitigation (unless provided for by law). This is inconsistent, since the main purpose for the BLM amending their plans was to align more closely with the State Plan, which has a strong mitigation component with the Conservation Credit System.

The Sagebrush Ecosystem Council is working to get regulations into State law, and in the meantime has requested an Executive Order from the Governor to provide the needed framework for mitigation. The entire process (involving the BLM's Final EIS, the Governor's Consistency Review, and a possible Executive Order) is now further complicated because it will span two different Governor administrations.

Other Sage Grouse Issues: The County has recently commented on Environmental Assessments for mining exploration projects. The County's comments are consistent for every project, whether mining or not. Input related to sage grouse is intended to align management with the State Plan. Mr. Tibbitts has learned that this input has caused the BLM to meet with mine representatives concerning impacts to sage grouse. The County has not yet been invited to participate in these meetings, but Mr. Tibbitts felt it would be worthwhile for the County to be involved towards a solution, particularly if this has resulted from the County's comments.

CORRESPONDENCE

Correspondence was received from: Crescent Valley Town Advisory Board; Northeastern Nevada Regional Development Authority (with attached memo from UNR College of Business, Center for Economic Development); William Bee Ririe Hospital; Mt. Wheeler Power (2); Nevada Div. of Environmental Protection; Nevada Div. of Water Resources (2); Nevada Dept. of Transportation (4); Nevada Health Foundation newsletter; and US Navy (3).

PUBLIC COMMENT

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

ADJOURNMENT

Commissioner Sharkozy motioned to adjourn the meeting; Commissioner Etchegaray seconded the motion; the meeting was adjourned at 10:05 a.m.

Approved by vote of the Board this 4th day of December, 2018.

/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 20th, 2018, 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