

**EUREKA COUNTY BOARD OF COMMISSIONERS**  
**February 21, 2023**

STATE OF NEVADA        )  
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COUNTY OF EUREKA     )

**CALL TO ORDER**

The Board of Eureka County Commissioners met pursuant to law on February 21, 2023. Present were Chairman Rich McKay, Vice Chair Michael Sharkozy, District Attorney Ted Beutel, Clerk Recorder Kathy Bowling, and Deputy Clerk Recorder II 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 between Crescent Valley and Eureka for the entire meeting.

**APPROVAL OF AGENDA**

The agenda was amended to reflect that the Board would consider approval of the October 20, 2022, minutes. Commissioner Sharkozy motioned to approve the agenda with that amendment; Chairman McKay seconded the motion; motion carried 2-0.

**PUBLIC COMMENT**

Chairman McKay opened the floor for public comments.

Comment on CAC Request: Ashley Kemp remarked on two items on the day’s agenda. The Child Advocacy Center (CAC) in Elko is seeking a donation in addition to the \$100,000.00 Eureka County has contributed over two fiscal year. Ms. Kemp recognizes the value of the CAC, but encouraged the Board to consider funding needs closer to home – progress has been made, but a building is still needed for the Boys & Girls Club of Eureka.

Comment on Out-of-State Travel: Ms. Kemp referenced Sheriff’s Watts’ agenda item for discussion on exempting elected officials from seeking Board approval for out-of-state travel. Ms. Kemp felt the longstanding policy, requiring that all employees seek this approval, provided transparency to the public on expenditure of their tax dollars.

Carlin VFD: Members of the Carlin Volunteer Fire Department, Amanda Curry, Captain, and Danyelle Keller, Advanced EMT/volunteer firefighter, were in attendance to request assistance in procuring a new Type 1 Ambulance (medium-duty response vehicle). This new unit would replace a 2000 model with over 100,000 service miles.

Ms. Curry said the Department responded to 489 calls for ambulance service in 2022. Over the past five years, Carlin has responded to 394 calls for service in Eureka County. This has included significant events – motor vehicle accidents on State Route 278 with up to six patients at a single time, a structure fire in Crescent Valley that involved extended volunteer hours, and the semi versus bus accident on State Route 766 that involved 21 patients and, sadly, two fatalities. Ms. Curry noted that all responses were made with no financial cost to Eureka County.

The ladies provided additional details on the Department’s activities, challenges, and efforts to secure grants or other funding to purchase the much-needed ambulance. Carlin currently does not have the budget to make this +/- \$300,000.00 purchase independently. Once ordered, these vehicles can take 18 to 24-plus months for delivery.

Chairman McKay invited Fire Chief Linda Bingaman to call and asked the ladies to reach out to EMS Director Kenny Sanders. The Board hadn’t realized the level of assistance received from Carlin, and both Commissioners acknowledged that it was much appreciated.

**APPROVAL OF MINUTES**

October 20, 2022: Commissioner Sharkozy motioned to approve minutes of the October 20, 2022, meeting; Chairman McKay seconded the motion; motion carried 2-0.

## **COMPTROLLER**

**Payment of Expenditures:** Expenditures were presented for approval by Comptroller Kim Todd. Commissioner Sharkozy motioned to approve expenditures in the amount of \$494,621.09 for accounts payable and \$442,466.42 for payroll and benefit related expenses (including employee paid deductions), for a grand total of \$937,087.51. Chairman McKay seconded the motion. Motion carried 2-0.

**Fund Balance Report:** The Board reviewed the current fund balance report.

## **FISCAL YEAR 2023-2024 BUDGET – PERSONNEL**

**Tentative Budget:** All budgets are tentative and subject to revision before adoption of the final budget at the statutory public hearing scheduled in May.

**Personnel:** Ms. Todd gave an overview of budgeted positions currently vacant, requests to change the status of an existing position, and new position requests, as follows:

- **Assessor:** status change in one position;
- **Buildings & Grounds:** new custodian position (replaces independent contractor);
- **IT Department:** new IT Technician II;
- **District Attorney:** vacant Chief Deputy District Attorney, and vacant casual;
- **Dispatch:** vacant Dispatcher, new Dispatcher, and transfer of administrative position to Dispatch;
- **Sheriff (North):** three vacant Deputy positions, new Community Service Officer (non-sworn), and change Casual Bailiff to an administrative position;
- **Sheriff (South):** two vacant Deputy positions, and a new Community Service Officer (non-sworn);
- **Road Department:** convert two casual positions into one full-time position.

If all new position requests are granted, Ms. Todd calculated it would cost the County between \$501,000.00 and \$532,000.00, dependent on cost of living adjustments. The Board discussed each new position and felt the department heads justified their requests.

Commissioner Sharkozy motioned to include (as discussed) the new positions, the budgeted vacant positions, and the positions with requested changes to status or classification in the budget for Fiscal Year 2024. Chairman McKay seconded the motion. Motion carried 2-0.

**Salary Scale:** After a brief discussion, Chairman McKay motioned to retain the 30-step salary scale for County employees through Fiscal Year 2024; Commissioner Sharkozy seconded the motion; motion carried 2-0.

**COLAs & Merits:** Chairman McKay commented that it was a costly inflation year for everyone. From January 2022 to January 2023, the overall CPI (Consumer Price Index) rate increased 6.3% and the food index increased 10.5%. PERS (Public Employees Retirement System) contribution rates are increasing effective July 1, 2023. With these trends in mind, he proposed a \$3.00 COLA (cost of living adjustment) and a \$0.40 merit increase on the 30-step salary scale. Appointed officials do not receive merit increases or overtime pay, so he suggested a comparable 11% increase for them. The County's elected officials have not seen a salary increase for five years. Their salaries are not determined by the Board, but a bill is currently under consideration by the State Legislature.

Sergeant Marcial Evertsen commented that COLAs should be a percentage and not a set dollar amount in order to avoid diluting the variance in compensation between "superiors" and "subordinates." He felt the merit increase should not be considered when determining salary increases for appointed officials.

Sheriff Jesse Watts agreed that only the COLA should be used to calculate appointed officials' wages, noting that their insurance and PERS contributions are all employer-paid. Comptroller Kim Todd clarified that appointed officials will pay the entire PERS increase.

Chairman McKay motioned to approve a \$3.00 COLA for hourly staff except non-PERS casual employees, a \$0.40 merit increase on the 30-step salary scale, and an 11% increase for appointed/salaried employees for Fiscal Year 2023-2024, effective July 23, 2023. Commissioner Sharkozy stated his support and seconded the motion. Motion carried 2-0.

## **FISCAL YEAR 2023-2024 BUDGET – CAPITAL OUTLAY**

Capital Outlay Requests: Ms. Todd relayed the capital outlay requests for Fiscal Year 2024, including carry over items from Fiscal Year 2023.

### **General Fund – Capital Improvement Requests**

- Ambulance equipment – two 12-lead ECGs
- Elections contingency
- 4G LTE (long term evolution) project (carry over)
- Computer/network upgrades
- Fiber optic project (carry over)
- Pickups for Public Works, Building & Grounds
- Eureka Airport FAA grant
- Flooring and interior paint for Fannie Komp Senior Center
- Two new Ford F250 pickups for the Sheriff's Office; Conex unit and fencing for the Crescent Valley Substation
- Jury chairs and desk replacement for District Court
- Push-to-talk console and extrication equipment for Emergency Management
- Copy machine for Justice Court (carry over)
- Local Emergency Planning Committee – annual SERC grant
- Filing cabinet for District Attorney (carry over)

### **Road Fund – Capital Improvement Requests**

- Equipment replacement – sweeper (carry over), belly dump trailer, dump truck, pickup
- Equipment and upgrades for Road Shop (Eureka) – forklift, oil room expansion (carry over)

### **RTC (Regional Transportation Commission) – Capital Improvement Requests**

- County-wide road maintenance program – Phase One (partial carry over)

### **Agricultural Extension – Capital Improvement Requests**

- Contingency (annual)

### **Building Maintenance Fund – Capital Improvement Requests**

- Contingency for building maintenance
- Generator for Eureka Clinic (carry over)
- Roof repairs to Courthouse, Administrative Facility (Annex), and Ambulance Bay
- Electrical upgrades, generator, and building assessment for the Eureka Justice Facility

### **Capital Projects Fund – Capital Improvement Requests**

- Contingency for unforeseen repairs/replacements
- ATV trailer for Search & Rescue (carry over)
- Kennel/buildings for the Sheriff's animal control project (carry over)
- Fire equipment (annual)
- Radio upgrades (annual)
- Crescent Valley fiber optic project (carry over)
- Devil's Gate mainline extension (grant funded)
- Card lock system for Crescent Valley (carry over)

### **Recreation Fund – Capital Improvement Requests**

- Contingency (annual)

### **Water Mitigation Fund – Capital Improvement Requests**

- Kobeh Valley well (carry over), and road maintenance wells (carry over)

### **Landfill Fund – Capital Improvement Requests**

- High-side trailer for Crescent Valley

### **Assessor Technology Fund – Capital Improvement Requests**

- Technology upgrades/replacements (contingency/annual)

### **Recorder Technology Fund – Capital Improvement Requests**

- Recording upgrades/replacements (contingency/annual)

### **Justice Court Admin. Assessment – Capital Improvement Requests**

- Equipment upgrades/replacement (contingency/annual)

### **Juvenile Court Assessment – Capital Improvement Requests**

- Equipment upgrades/replacement (contingency/annual)

### **Justice Court Facility Fund – Capital Improvement Requests**

- Justice Court facility improvements (contingency/annual)

### **Town of Eureka – Capital Improvement Requests**

- Fire equipment (contingency/annual)
- Water system improvements (contingency/annual)
- Sewer system improvements (contingency/annual)

### **Crescent Valley Town – Capital Improvement Requests**

- Community Center tables and chairs
- Park equipment (may be eliminated due to liability concerns)

Commissioner Sharkozy motioned to include the capital outlay requests as presented in the tentative budget for Fiscal Year 2024; Chairman McKay seconded the motion; motion carried 2-0.

General Fund Transfers: Ms. Todd advised the Board that several funds will require transfers from the General Fund in order to support operations and capital outlay expenditures, as follows:

- \$13 million for the County-wide road and utility project - \$9 million from the RTC Fund and \$4 million from the Eureka Water/Sewer Utility Fund
- \$1.5 million to the Water Mitigation Fund;
- \$500,000.00 to the Crescent Valley Water Fund; and
- \$250,000.00 to the Retiree Health Insurance Premium Fund.

Commissioner Sharkozy motioned to transfer monies from the General Fund into the other funds, as stated, to support the budget for Fiscal Year 2024; Chairman McKay seconded the motion; motion carried 2-0.

### **EUREKA HIGH SCHOOL RODEO CLUB**

High School Rodeo – Eureka: Secretary/Treasurer Holli Else and club member Scarlett Buchanan were in attendance to provide an update. The Board of Directors for the Nevada State High School Rodeo Association approved scheduling a rodeo in Eureka on the weekend of August 18<sup>th</sup>-20<sup>th</sup>, 2023, the first rodeo of the 2023 season.

The weekend activities will begin with shooting events at the Perdiz Shooting Range on Friday. The members anticipate that the rodeo will attract 1,000 visitors and they are working to ensure the community can accommodate the influx of people.

**Fairground/Rodeo Arena Improvements:** Ms. Else continues working with Raymond Hodson on upgrades and improvements needed at the Fairgrounds, and they will be able to address those as soon as the snow melts.

**HONORARY RESOLUTION**

**Resolution Honoring Dennis Bundy:** Joyce Jeppesen read the resolution recognizing Dennis Bundy upon his retirement from Eureka County after 18 years of service.

Commissioner Sharkozy motioned to adopt the resolution honoring long-time employee, Dennis Bundy, for many years of faithful service to Eureka County; Chairman McKay seconded the motion; motion carried 2-0.

Eureka, Nevada

February 21, 2023

**RESOLUTION HONORING DENNIS BUNDY  
FOR EIGHTEEN (18) YEARS OF SERVICE TO EUREKA COUNTY**

*WHEREAS, the Board of County Commissioners wishes to honor employee, Dennis Bundy, for eighteen (18) years of service to the County of Eureka; and*

*WHEREAS, Eureka County acknowledges the following biographical information: Dennis Bundy was born on November 25, 1948, in Las Vegas, Nevada, to Ray and Quincy Bundy; Dennis graduated from High School in Mancus, Colorado, in 1966. Dennis married Teresa Lewis on October 27, 1984; they were married for thirty-eight (38) years until her passing on December 9, 2018. Dennis has six (6) children: Ray, Bruce, Kenny, Korena, Lynn, and Loren, and one step-daughter, Amy. Dennis also has eleven (11) grandchildren; and*

*WHEREAS, Dennis enlisted in the Marines through the Voluntary Draft and served from 1969 to 1971. Eureka County takes this time to thank and honor Dennis for his service to our Country; and*

*WHEREAS, Dennis moved to Eureka in October of 1980 and went to work for the Windfall Mine. Two months later he moved to the Diamond Mine as an underground miner and worked there until its closure. Dennis then went to work for independent mine contractors and traveled around working in different mines; and*

*WHEREAS, in 1991 Dennis returned to Eureka with Teresa to raise their children. Dennis went to work for Silver State Ranches until his employment for Eureka County; and*

*WHEREAS, Dennis was hired by Eureka County on January 18, 2005, into the Road Department in Crescent Valley as an Equipment Operator. Dennis was promoted to Lead Operator on September 1, 207. He transferred to the Eureka Landfill on July 16, 2010, where he operated the landfill until his retirement on January 28, 2023; and*

*WHEREAS, County officials, co-workers, and friends celebrate with Dennis as he retires and embarks on the next adventure in his life – finding the next great fishing hole; and*

*NOW THEREFORE, BE IT RESOLVED, that the Board of County Commissioners recognizes Dennis Bundy for eighteen (18) years of service and dedication on behalf of Eureka County.*

*BE IT FURTHER RESOLVED, that this resolution be published in the minutes of the Board of Eureka County Commissioners to remain a part of the permanent and historical records of Eureka County.*

*ADOPTED this 21<sup>st</sup> day of February, 2023.*

**BOARD OF COUNTY COMMISSIONERS  
COUNTY OF EUREKA, STATE OF NEVADA**

/s/ Rich McKay  
Rich McKay, Chairman

/s/ Michael Sharkozy  
Michael Sharkozy, Vice Chairman

Attest: /s/ Kathy Bowling  
Kathy Bowling, County Clerk

## **CHILD ADVOCACY CENTER**

**Donation Request:** Elko County District Attorney Tyler Ingram was in attendance to request additional funding for the Child Advocacy Center in Elko, which will be used by Elko and neighboring counties. Mr. Ingram thanked the Board for previous donations totaling \$100,000.00. Those monies enabled the stakeholders to procure formal engineering and design plans, which were instrumental in securing the \$5 million William N. Pennington Foundation grant.

Construction of the building is underway, and Mr. Ingram said they hope to occupy the Center by the 1<sup>st</sup> of April. Elko County has committed to paying utilities and maintenance costs. Mr. Ingram is traveling to the other counties (Eureka, Lander, and White Pine) seeking contributions for ongoing and recurring operational expenses.

Commissioner Sharkozy motioned to direct staff to budget \$100,000.00 for Fiscal Year 2024 as an additional contribution to the Child Advocacy Center in Elko; Chairman McKay seconded the motion; motion carried 2-0.

## **SHERIFF**

**Table Agenda Items:** Sheriff Jesse Watts asked that his agenda items regarding vehicle donations to Elko County and his out-of-state travel in March be postponed.

**911 Upgrades:** Sheriff Watts presented several quotes for servers, software, materials, and installation costs for 911 system upgrades. The improvements will allow callers to text if they are unable to call, and officers will be able to hear the actual calls in their patrol vehicles.

Commissioner Sharkozy motioned to approve 911 upgrades for an amount not to exceed \$90,000.00; Chairman McKay seconded the motion; motion carried 2-0.

**Patrol Rifles:** Sheriff Watts explained that five new patrol positions were added when detention staff moved to patrol and new rifles are needed for those positions. Sergeant Evertsen added that this purchase will allow for a spare rifle in each the north and the south.

Commissioner Sharkozy motioned to approve Quote #202301250001 for purchase of seven patrol rifles and outfitting from Black Rain Ordnance for an amount not to exceed \$10,000.00; Chairman McKay seconded the motion; motion carried 2-0.

**Pink Patch Project:** The Sheriff's Department participates in the Pink Patch Project, selling breast cancer and autism awareness patches, with a portion of the proceeds going to charity.

Commissioner Sharkozy motioned to approve purchase of 2,000 collectible patches in support of breast cancer and autism awareness for a cost of \$8,200.00 (\$4.10 each) to be paid with monies budgeted for uniforms (010-034-53010-380) in the Sheriff's budget. Chairman McKay seconded the motion. Motion carried 2-0.

**Out-of-State Travel:** Commissioner Sharkozy motioned to approve out-of-state travel for Sheriff Watts to travel to Quantico, Virginia, to attend the FBI National Command Course July 9<sup>th</sup>-15<sup>th</sup>, 2023. Chairman McKay seconded the motion. Motion carried 2-0.

Sheriff Watts informed that all lodging, provided meals, and travel expenses will be paid by the FBI Training Division.

**Discussion on Out-of-State Travel:** The Sheriff asked the Board to consider exempting elected officials from seeking approval for out-of-state travel. He said Eureka County is the only county in Nevada that requires this of their elected officials.

Other elected officials briefly commented. Most didn't seem to feel strongly either way, and there were comments that the policy may be in place for transparency or liability reasons. The District Attorney said the policy was necessary due to abuse in the past.

## **COMMISSIONERS**

**Co-Sponsor CFOA Conference:** The Board received a donation request from Gina Rackley, President of CFOA (County Fiscal Officers Association), asking that Eureka County co-host the CFOA Conference scheduled September 19<sup>th</sup>-21<sup>st</sup>, 2023 in White Pine County.

Kim Todd and Treasurer Pernecia Johnson said the conference is a good place to network, meet vendors, learn about new products, and participate in other informational activities. The

conference typically draws 250 people, and the limited hotel space in Eureka makes it difficult to sponsor locally.

Commissioner Sharkozy motioned to co-sponsor the CFOA Conference in White Pine County this upcoming September, with a \$10,000.00 donation from the miscellaneous grants category in the Commissioners' budget, with \$5,000.00 issued Fiscal Year 2023 and \$5,000.00 issued in Fiscal Year 2024. Chairman McKay seconded the motion. Motion carried 2-0.

2023 Commission & Department Priorities: Chairman McKay recently met with each department head. He wants to promote open communication, encourage interaction in identifying priorities, ensure transparency, and have a more proactive public information function. He asked the department heads to consider how this might best be accomplished – perhaps quarterly meetings with the department heads, or one-on-one meetings on a monthly basis just to check in.

Assessor and Webmaster, Michael Mears, said the planned revamp of the County's website will improve the public user's experience and will support the Board's desire to enhance communication and public information.

Lobbyist Contract: Mr. Mears and Jake Tibbitts are appointed as the County's primary legislative liaisons and communicate frequently with contracted lobbyist, Steve Walker. The latest contract has expired and Mr. Walker submitted a proposed Scope of Work and Fee Schedule to the County, via Michael Mears. He proposed an increase to the monthly fee, but will only work the months that the Legislature is in session.

Commissioner Sharkozy motioned to accept the proposal from Walker & Associates for a Legislative Lobbying Contract through June 30, 2023, with a monthly fee of \$3,500.00, and authorized the Chairman to sign the contract outside of the meeting. Chairman McKay seconded the motion. Motion carried 2-0.

Legislative Session: Mr. Mears provided a spreadsheet of legislation pertinent to the County and highlighted Assembly Bill 31 and Senate Bill 124. AB31, which will make Juneteenth (June 19<sup>th</sup>) an official State holiday, has moved out of committee and is expected to pass. SB124 is moving quickly, and will remove pre-payment of net proceeds tax to the State (pre-payment to counties was removed in 2019).

Mr. Tibbitts provided a spreadsheet of natural resources legislation along with the County's current positions (support, oppose, or neutral). The Natural Resources Advisory Commission (NRAC) has weighed in on the legislation, and Mr. Tibbitts asked the Board to carefully review the worksheet each time it is updated throughout the Session to ensure it accurately represents the County's position.

Mr. Tibbitts commented on Senate Bill 176, which will create a water retirement account to purchase and retire water rights as another means to address conflicts in instances of over-appropriation. NRAC voted and recommended supporting this bill.

Chairman McKay asked about bills that impact the local farming and ranching community. Mr. Tibbitts said there are 22 water bills, some environmental bills, and many others that impact local agriculture and mining. He noted it is early in the process, which provides an opportunity for change, so urged the Board to reach out with any questions, suggestions, or insight.

Jeb Rowley informed the Board that SB118, the bill amending legislation to allow non-adjacent counties to be parties to a health district, has passed. This will allow Eureka County to join the Central Nevada Health District, which was formally approved by the Nevada Board of Health on December 2, 2022.

Meeting Schedule Discussion: Clerk Recorder Kathy Bowling proposed changing meetings from the 6<sup>th</sup> and 20<sup>th</sup> of each month to a specific day in alternating weeks to provide more consistency in scheduling. In visiting with the Comptroller, the second and fourth Thursday would work well for payroll and accounts payable.

There was a brief discussion. The change would eliminate Monday meetings which can be challenging when things develop over the weekend, and would eliminate Friday meetings which conflict with the District Court schedule. But it could create work and deadlines on Fridays, which might not work for all departments.

Chairman McKay said he would like input from all departments. Ms. Bowling agreed to discuss the issue at the next department head meeting.

Library Contract: Chairman McKay noted there was a slight increase in the contract amount for library services for the upcoming year. Crescent Valley residents had asked for additional hours at their library, but representatives of the Library System said they could not absorb the additional cost. Chairman McKay suggested approving the contract as is, but continuing the discussion about Crescent Valley service hours.

Commissioner Sharkozy motioned to approve the library contract with the Elko County Library for Fiscal Year 2023-2024 for a total cost of \$123,725.00 to be paid in quarterly installments. Chairman McKay seconded the motion. Motion carried 2-0.

Letter Supporting Rail Line Improvements in Ely: Nevada Northern Railway Foundation (NNRY) requested support for the City of Ely's grant application to enhance and replace rail line between the City of Ely and the Shafter Connection in Elko County. This would provide an economical and reliable transporting option for the agricultural producers and mining companies in the area. Ely originally planned to pursue the RAISE Grant for funding, but has identified an alternate grant and will provide Eureka County the necessary details, when available, for a future letter of support.

Commissioner Sharkozy motioned that Eureka County write a letter of support for the City of Ely's efforts in securing grant funding for upgrades to the Nevada Northern Railway line between Ely and Elko County, and authorized the Chairman to sign the letter outside of the meeting. Chairman McKay seconded the motion. Motion carried 2-0.

Opioid Litigation Settlement Process: District Attorney Beutel explained that, as part of the ongoing opioid abuse litigation settlement, Walmart (a vendor of the prescribed drug) has agreed to settle. Eureka County must sign the provided release before the County's portion (+/- \$18,000.00) of the nationwide settlement involving Walmart can be distributed.

Commissioner Sharkozy motioned to authorize the Chairman to sign (outside of the meeting) a release with Walmart as part of the ongoing opioid abuse litigation settlement process. Chairman McKay seconded the motion. Motion carried 2-0.

Services of Joel Locke, Esq.: The District Attorney and Human Resources Director recommended that the Board avail themselves of the services of outside counsel with expertise in collective bargaining issues related to public employees.

Commissioner Sharkozy motioned to retain the services of Joel Locke, Esq., of the law firm Allison MacKenzie Ltd., to assist with the Board's evaluation of union and collective bargaining issues. Chairman McKay seconded the motion. Motion carried 2-0.

## **SENIOR CENTERS**

Update Report: Senior Center Program Director Millie Oram reported on activities at the Eureka Senior Center and Fannie Komp Senior Center. In January, Eureka served 787 meals and Crescent Valley served 774 meals. A total of \$10,354.67 was deposited for both centers in January.

## **HUMAN RESOURCES**

Update Report: Human Resources Director Heidi Whimple reported that the first department head meeting was held, and the next monthly meeting is scheduled for March 15<sup>th</sup>. She gave an overview of vacant staff positions within the County. She spoke with POOL/PACT regarding a compensation and classification study and was informed that it would take about 16 weeks. She will meet with the Comptroller to ensure there are sufficient funds in the budget to move forward.

Updated Job Description: Ms. Whimple worked with the Treasurer and IT Director to update a position description, which she presented for approval. Commissioner Sharkozy motioned to approve the updated Deputy Treasurer/Public Administrator/Public Guardian job description; Chairman McKay seconded the motion; motion carried 2-0.

Hiring Freeze Waiver Justifications: Ms. Whimple provided documentation for two positions that will be vacated the first week in March. Commissioner Sharkozy motioned to waive the hiring



freeze and authorized Human Resources to work with the relative departments to fill the vacant positions of Deputy Treasurer/Public Administrator/Public Guardian and Site Supervisor for the Senior Center Program. Chairman McKay seconded the motion. Motion carried 2-0.

## **AMBULANCE & EMS**

Report on Activities: EMS Director Kenny Sanders reported there were a total of 25 ambulance runs for the month of January, 11 from the Eureka station and 14 from the Crescent Valley station. The EMS Department received requests to conduct CPR (cardiopulmonary resuscitation) training for the Volunteer Fire Departments, and those will be done the following week in Eureka and Crescent Valley.

Xerox Copy Machines: Mr. Sanders provided a quote for two copy machines, explaining the units will replace an old copier at the Crescent Valley station and an old non-functioning copier at the Eureka Station.

Commissioner Sharkozy motioned to approve the quote from CDW-G for two Xerox VersaLink C505 SM multifunction printer/copiers for a total of \$6,033.78 (\$3,016.89 each) to be purchased with funds budgeted for capital outlay (010-054-55010-000) in the Ambulance/EMS budget. Chairman McKay seconded the motion. Motion carried 2-0.

## **TREASURER**

Treasurer's Report: The Treasurer's Report for January was submitted by Treasurer Pernecia Johnson, showing an ending General Fund balance of \$47,555,280.83.

## **EUREKA HIGH SCHOOL ALUMNI ASSOCIATION**

Waive Facility Fees: Matthew Crimm and Errol Porter, officers with the Alumni Association requested that the facility rental fee for the Opera House be waived for the Association's annual dinner in May.

Commissioner Sharkozy motioned to waive the rental fee for use of the Opera House by the Eureka High School Alumni Association to host the Annual Alumni Dinner scheduled for Saturday, May 27, 2023. Chairman McKay seconded the motion. Motion carried 2-0.

## **NORTH END ACTIVITY FUND**

Easter Egg Hunt in Crescent Valley: Marcial Evertsen submitted a donation request and budget for the upcoming Easter Egg Hunt scheduled on April 8<sup>th</sup> in Crescent Valley.

Commissioner Sharkozy motioned to approve a donation of \$1,000.00 from the North End Activity Fund to be used to purchase supplies for the Annual Easter Egg Hunt in Crescent Valley, with the check issued to volunteer Marcial Evertsen. Chairman McKay seconded the motion. Motion carried 2-0.

## **PUBLIC WORKS**

Public Works Update: Public Works Director Jeb Rowley reported on projects and activities.

Municipal Well #1: Mr. Rowley reported on status of the emergency rehabilitation of Well 1, which is part of the municipal water system that services the Town of Eureka. After reviewing video of the hydro-blasting, it was determined that the well would benefit from brushing the well casing. Parsons Drilling is scheduled to do that in the upcoming week.

Eureka Airport: Airport planning continues. Lumos & Associates will do a site visit on March 2<sup>nd</sup>. Representatives of the Phoenix ADO (Airline Dispatch Office) will be in Reno on March 6<sup>th</sup>, and Mr. Rowley will attend that planning meeting to present the Eureka Airport capital improvement plans.

Health District: Creation of the Central Nevada Health District was noted earlier in the meeting. Representatives are scheduled to give a presentation on March 6<sup>th</sup> to inform the Board on services and benefits the Health District can provide. This includes many environmental health services currently furnished to the County as contract services by the State.

Courthouse HVAC Project: Chester Plumbing has completed the boiler installation at the Courthouse. There are a few residual repairs needed in the building, but the contractor has left town.

Crescent Valley Fire Department: Crews will finish work on the men's restroom in the Crescent Valley Fire Station. The women's restroom will take a bit more time.

Eureka Library: Mr. Rowley said the building assessment completed on the library building in Eureka shows that full redesign and upgrade of that building will cost around \$775,000.00.

Sheriff's Office/Justice Facility: The three-phase building assessment is underway for the Justice Facility in Eureka. Phase 1, Facility Needs Assessment, is complete. It demonstrates that the building is operating in accordance with the building code it was designed under.

The assessment is currently in Phase 2, Programming, which will evaluate the functions of the Sheriff's Office and identify recommended repairs. These are recommendations, not requirements; but if any projects are undertaken, they will be done in accordance with current building codes. The final phase, Phase 3, is Conceptual Planning.

A building assessment proposal is being prepared for the Crescent Valley Substation. Mr. Rowley asked the Board to consider its expectations in relation to these building assessments – whether it is fitness of the overall facility, suitability for housing and/or handling inmates, or other goals. It would be helpful to understand the Board's intended outcome before undertaking the planning phase.

## **COUNTY FACILITIES:**

Facilities Update: Jeb Rowley gave an update on activities at County managed facilities.

Opera House: There were 21 visitors at the Opera House for the month of January. There were a total of 805 visitors for the 2022 calendar year.

Sentinel Museum: The Museum had 40 visitors in January and a total of 1,022 visitors for the year.

Swimming Pool: The Pool had 95 swimmers in January. The number of swimmers for the calendar year was not yet available due to a computer glitch.

Eureka Landfill: The Landfill had 355 customers in January (337 residential and 18 commercial customers). It received 194 tons of waste for the month, and approximately 4,000 tons for the calendar year.

## **NATURAL RESOURCES**

Report on Activities: Natural Resources Manager Jake Tibbitts reported on recent activities.

Meetings: Mr. Tibbitts attended the following meetings: Natural Resources Advisory Commission on February 8<sup>th</sup>; annual meeting of the National Association of Conservation Districts February 13<sup>th</sup>-15<sup>th</sup> (included a sub-meeting the the NACD Public Lands Committee, which he chaired); Eureka Conservation District on February 16<sup>th</sup>; and Humboldt River Basin Water Authority in Winnemucca on February 17<sup>th</sup>. Mr. Tibbitts continues tracking multiple legislation; he testified on Assembly Bill 109 on February 20<sup>th</sup>.

Upcoming Meetings: Nevada Department of Agriculture will be in Eureka on February 22<sup>nd</sup> as part of the tour to hold annual Mormon Cricket & Grasshopper Management meetings. NACO's Public Lands & Natural Resources Subcommittee will meet on February 23<sup>rd</sup>. Mr. Tibbitts was invited to participate in a meeting at the Division of Water Resources on February 24<sup>th</sup> to discuss the numerous water bills before the State Legislature. Central Nevada Regional Water Authority's Legislative Committee will meet the afternoon of February 24<sup>th</sup>. The Legislature will sponsor Agriculture Day on February 28<sup>th</sup> and Conservation District Day on March 3<sup>rd</sup>. The County Advisory Board to Manage Wildlife will meet on March 2<sup>nd</sup>.

Alternative Energy Policies Resolution: At the Board's direction, Mr. Tibbitts researched all County policies applicable to development of alternative energy projects on federal and/or private lands in Eureka County. The policies were taken from Eureka County Code, Eureka County Master Plan, and various resolutions adopted over the years. The policies were then compiled in a single

resolution, which was vetted and approved by the Natural Resources Advisory Commission, and now presented for Board approval.

Commissioner Sharkozy motioned to adopt the Resolution Restating & Summarizing Policies Related to Alternative Energy Siting & Development, and authorized the Chairman to sign it outside of the meeting after final edits are made to correct minor typographical or grammatical errors. Chairman McKay seconded the motion. Motion carried 2-0.

Eureka County, Nevada

February 21, 2023

**RESOLUTION OF  
THE EUREKA COUNTY BOARD OF COMMISSIONERS  
RESTATING AND SUMMARIZING POLICIES RELATED TO  
ALTERNATIVE ENERGY SITING AND DEVELOPMENT**

WHEREAS, Eureka County continues to experience numerous proposals for development of alternative energy projects on federally administered lands and private lands in Eureka County; and

WHEREAS, Eureka County has developed policies and limited land use controls for any project or land use within or affecting the citizens and natural resources of Eureka County as outlined in the Eureka County Master Plan, Eureka County Code, and various resolution adopted over the years; and

WHEREAS, some of the current policies in the Eureka County Master Plan related to alternative energy siting and development includes, but is not limited to:

Goal 3.1 - Encourage new development in Eureka County in a planned and orderly manner consistent with maintenance of existing quality of life, environmental attributes, and fiscal resource limits of the County.

Policy 3.1.1 - Support balanced community development across Eureka County and within individual planning areas.

Policy 3.1.3 - Eureka County may manage the timing and location of development to accomplish the County's goals concerning natural resources, economic development, community character, and provision of public services.

Policy 3.1.4 - Eureka County may seek to maintain the overall character of existing residential areas by discouraging incompatible adjacent land uses.

Policy 3.1.5 - Eureka County may adopt general land use maps as a means to discourage incompatible adjacent land uses.

Policy 3.1.6 - Eureka County encourages development which minimizes impacts to sensitive environmental areas.

5.2 Relationships to Other Plan Elements –

Economic development within Eureka County can influence and be influenced by other master plan elements. Before implementing each element of the plan, it is important to understand associated relationships. For example, growth management measures might discourage industrial development by limiting population growth. Alternatively, the public facilities and services element might encourage industrial growth by providing for development of one or more industrial parks. Natural resource policies of Eureka County are designed to ensure long term health and productivity of plants, water quality in streams, and abundant wildlife and livestock forages, which in turn create jobs and stimulates business. Careful thought is needed concerning timing and location of Economic Development projects so as not to interfere with natural resource benefits. Decisions to implement each element of the Eureka County Master Plan should be preceded by asking the question, "How will

Implementation of this initiative affect other adopted elements of the master plan?”

Goal 5.1 - Attract new industry and business

Policy 5.1.1 - Eureka County may offer incentives that will encourage business and industrial development.

Policy 5.1.2 - Eureka County may promote any advantages for new business development in the County.

Policy 5.1.3 - Eureka County may encourage new agriculture related businesses to locate in the County.

Policy 5.1.4 - Eureka County may encourage diversification and broadening of agricultural industries, including the processing of local and regional products.

Policy 5.1.7 - Eureka County may identify, develop, and market industrial sites where appropriate.

Policy 5.1.8 - Eureka County may encourage industrial use of geothermal, wind, and solar energy Resources in the County.

Goal 5.5 - Diversity and Expand the Eureka County Economy

Policy 5.5.1 - Eureka County will encourage diversification of the economy away from non-renewable resource based industries.

Policy 5.5.2 - Eureka County may seek to increase public sources of funding available to support local economic development initiatives.

Policy 5.5.3 - Eureka County may encourage greater private financial support for local economic development initiatives.

Policy 5.5.7 - Eureka County may, per Eureka County Goal 22, explore potential sources of funding for local business expansion.

Policy 5.5.11 - Eureka County may encourage the productivity of existing “Building Blocks” beginning with such assets as work force and natural resources including water, minerals, livestock forage, and wildlife.

Policy 5.5.12 - Eureka County will protect the private property interests and other assets of existing farms, ranches, and businesses in order to sustain legitimate economic productivity far into the future.

## 6.0 Natural Resources and Federal or State Land Use –

Per this plan, it is the policy of Eureka County that Federal and State programs make progress towards improved resource quality, greater multiple uses of the federal lands, preservation of custom, culture, and economic stability of Eureka County, and protection of the rights of its citizens. Eureka County will continue to urge state and federal employees to participate in this effort to coordinate in order to resolve inconsistencies between federal proposals and County policy...Successful implementation of this Plan requires that Eureka County Natural Resource Advisory Commission and the Board of Eureka County Commissioners stay involved with Analysis and evaluation through all stages of federal, state, and local planning efforts. County involvement must include, at minimum, review of data for scientific and factual soundness, plan development, implementation, monitoring, and evaluation of plan implementation.

#### 7.4.2 Goals and Policies for Private Land Use –

This Plan addresses the protection of existing property rights from three perspectives. First, the right to use land is not enjoined through restrictive land use designations or zoning ordinances. Second, the potential for erosion of property value through incompatible adjacent land uses is recognized and discouraged. Finally, the adverse consequences of certain land use decisions by federal, state, and local governments on adjacent private lands is recognized and discouraged.

##### Goal 7.1 - Protect Private Property Rights

Policy 7.1.1 - Eureka County will encourage private land uses which enhance the use and/or value of adjacent private lands.

Policy 7.1.2 - Eureka County will discourage state and federal actions which threaten to impair the use and/or value of private property rights in the County.

##### Goal 7.2 - Promote Orderly Development

Policy 7.2.1 - Eureka County will encourage private land uses which are consistent with adjacent land uses.

WHEREAS, Eureka County has long-term policy, both written and stated, supporting multiple-use management of federally administered lands; and

WHEREAS, Eureka County's support of multiple-use management is conditioned upon "new" projects and land uses adequately avoiding or mitigating impacts to existing lands users and uses and Eureka County's natural resources; and

WHEREAS, Eureka County considers it important to restate its position with regard to siting, development, and operation of alternative energy projects in or affecting Eureka and its citizens and resources; and

NOW THEREFORE BE IT RESOLVED, that the Eureka County Board of Commissioners in accordance with the Eureka County Code and the Eureka County Master Plan hereby restates, reaffirms, and summarizes its policies and positions, including those listed above, regarding siting, development, and operation of alternative energy projects in nor affecting Eureka County and its citizens and resources to include the following:

1. Eureka County generally does not support large wind energy projects because of their outsized Impact on adjacent land uses and values, wildlife, and viewsheds.
2. Eureka County supports prioritizing siting of alternative energy on already disturbed or degraded Lands, including brownfields, regardless of land ownership.
3. Eureka County supports transitioning irrigated agricultural lands to solarvoltaic (agrisolar) uses where overpumping or overappropriation of water can also be addressed (e.g. water rights retirement) while retraining compatible agriculture (e.g. grazing), wildlife uses, and open space.
4. Eureka County does not support alternative energy siting on federally administered lands where Impacts to livestock grazing, wildlife habitat, viewsheds, access, and open spaces are not fully avoided or mitigated.
5. Eureka County generally does not support tax abatements for alternative energy projects because of the already limited tax base of Eureka County and the fact Eureka County still must provide public services to project areas and because of taxpayer-funded subsidies and incentives already provided to many projects.
6. Eureka County supports alternative energy projects being bonded or having some other type of long-term funding mechanism to ensure projects that go defunct, meet end of life, or become

otherwise obsolete or inoperable are fully disassembled, removed, and lands are reclaimed.

7. Eureka County requires alternative energy projects affecting ranching operations on federally administered lands for federal agencies and project proponents, in coordination with affected ranchers:
  - a. ensure management decisions are based upon the best rangeland science, flexibility is built into grazing permits to allow for adaptive management as issues and concerns arise, and the quality and quantity of data collected can support all decisions made;
  - b. before imposing grazing restrictions or seeking changes in livestock stocking rates or seasons of permitted use, identify and implement all economically and technically feasible livestock distribution, forage production enhancement, weed control programs, prescribed grazing systems, off-site water development by the water rights holder, shrub and pinyon/juniper control, livestock salting/supplementing plans, and establishment of riparian pastures and herding; and
  - c. assure that all grazing management actions and strategies fully consider impact on property rights of inholders and adjacent private land owners and consider the potential impacts of such actions on grazing animal health and productivity.

BE IT FURTHER RESOLVED, Eureka County demands, pursuant to adopted federal statutes, regulations, and policies in addition to the Eureka County Code and Eureka County Master Plan, full and complete notice and opportunity for coordinated involvement in the decision making processes of the federal and state entities being taken or are being proposed to be taken regarding siting and development of alternative energy projects on all lands located within or affecting Eureka County.

Passed and adopted this 21<sup>st</sup> day of February, 2023.

/s/ Rich McKay  
Rich McKay, Chair  
Eureka County Board of Commissioners

/s/ Mike Sharkozy  
Mike Sharkozy, Vice Chair  
Eureka County Board of Commissioners

Attest: /s/ Kathy Bowling  
Katherine J. Bowling  
Eureka County Clerk

## **NATURAL RESOURCES – (continued)**

**BLM Western Programmatic Solar EIS & RMP Amendments:** Mr. Tibbitts explained that years ago the BLM issued a Programmatic Solar EIS in order to streamline the permitting process and to direct solar energy development to specific areas called SEZs (solar energy zones). Permits available under the earlier Programmatic Solar EIS are nearly depleted. So the BLM is moving forward with a new Programmatic Solar EIS to identify additional solar energy zones and to determine areas where solar development will be excluded.

Mr. Tibbitts prepared scoping comments for the Board's approval. Commissioner Sharkozy motioned to provide scoping comments to the BLM on the Western Programmatic Solar EIS & RMP Amendments. Chairman McKay seconded the motion. Motion carried 2-0.

**Duckwater Allotment Land Health Assessment:** Mr. Tibbitts said that Ely District BLM sent a letter seeking public input on the Duckwater Allotment Land Health Assessment, part of the process in renewing the 10-year grazing permit for the Duckwater Allotment.

Commissioner Sharkozy motioned to send scoping comments to the Ely District BLM in regards to the Duckwater Allotment Land Health Assessment and grazing permit renewal process. Chairman McKay seconded the motion. Motion carried 2-0.

Greenlink North Project: On December 20<sup>th</sup>, the Board approved, with recommended changes, the cooperating agency Memorandum of Understanding with the Nevada State BLM for the Greenlink North Project. The BLM accepted some of the requested changes, but not all, and returned the MOU for final approval.

Commissioner Sharkozy motioned to approve the Memorandum of Understanding with Nevada State BLM for the Environmental Impact Statement/Resource Management Plan Amendment (EIS/RMPA) for the Greenlink North Project. Chairman McKay seconded the motion. Motion carried 2-0.

## **CORRESPONDENCE**

Correspondence was received from: Comptroller Kim Todd; Nevada Association of Counties; Nevada Division of Environmental Protection; Nevada Division of Minerals; Adam Sullivan, State Engineer; and Nevada Water Resources Association.

## **PUBLIC COMMENT**

Chairman McKay called for public comments.

County Purchasing Cards: Raymond Hodson commented on recent changes to County issued credit cards. Board action to lower revolving credit limits for employees and the overall County has caused some issues. The Board is authorizing one-time increases for employees without adjusting the overall limit accordingly. This is causing employees' cards to be denied, even in cases where their individual card has no outstanding charges.

County Vehicles: Jeb Rowley reminded the Commissioners that staff had been directed to coordinate all vehicle transactions through Public Works. Although it was ultimately tabled, the Sheriff had an item requesting that two vehicles be deemed surplus property. Mr. Rowley felt it was an opportune time to remind the Commissioners and staff of the Board's directive.

Introduction: Operating Engineers representative Phil Herring introduced himself, noting that he represents public employees in collective bargaining negotiations. He was pleased that the Board had voted to retain the services of Joel Locke, Esq., stating that they have a good working relationship.

## **ADJOURNMENT**

The meeting was adjourned at 3:10 p.m.

*Approved by vote of the Board this 20<sup>th</sup> day of March, 2023.*

/s/ Rich McKay

Rich McKay, Chairman

*I, Jackie Berg, Deputy Clerk II, attest that these are a true, correct, and duly approved minutes of the February 21, 2023, meeting of the Board of Eureka County Commissioners.*

/s/ Jackie Berg

Jackie Berg, Deputy Clerk II

*I, Katherine J. Bowling, 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 Deputy Clerk.*

/s/ Kathy Bowling

Katherine J. Bowling, Clerk