

EUREKA COUNTY BOARD OF COMMISSIONERS

May 20, 2021

STATE OF NEVADA)
 :SS
COUNTY OF EUREKA)

CALL TO ORDER

The Board of Eureka County Commissioners met pursuant to law on May 20, 2021. Present were Chairman J.J. Goicoechea; Vice Chairman Mike Sharkozy; Commissioner Rich McKay; District Attorney Ted Beutel; and Administrative Assistant Jackie Berg. The meeting was called to order at 9:30 a.m. and began with the Pledge of Allegiance. The interactive video conferencing system was connected and utilized between Crescent Valley and Eureka for the entire meeting.

APPROVAL OF AGENDA

Commissioner Sharkozy motioned to approve the agenda as posted; Commissioner McKay seconded the motion; motion carried 3-0.

PUBLIC COMMENT

Chairman Goicoechea opened the floor for public comments; there were no comments from the public. The Chairman introduced Ethan Lane and Tanner Beemer of the National Cattlemen’s Beef Association. The gentlemen, from Washington DC, were in Nevada touring with the Chairman and conducting producer outreach.

APPROVAL OF MINUTES

April 20, 2021: Commissioner Sharkozy motioned to approve minutes of the April 20, 2021, meeting; Commissioner McKay seconded the motion; motion carried 3-0.

COMPTROLLER

Payment of Expenditures: Expenditures were presented for approval by Comptroller Kim Todd. Commissioner Sharkozy motioned to approve expenditures in the amount of \$268,353.19 for accounts payable, and \$220,754.38 for payroll and benefit related expenses (including employee paid deductions), for a grand total of \$489,107.57. Commissioner McKay seconded the motion. Motion carried 3-0.

Fund Balance Report: The Board reviewed the report showing current fund balances.

COMMISSIONERS

Nevada Legislative Session: A detailed report on proposed legislation was provided by Jake Tibbitts at the last meeting, and there was not much new to report. Chairman Goicoechea said the expected language proposing changes to legislation on mining taxes has still not been introduced to the Nevada Legislature and proponents are running out of time. The County is prepared to take a strong stand against any proposal for new or additional mining taxes that would create a deduction from net proceeds of minerals, which has been one of the options considered.

AMBULANCE & EMS

Report on Activities: EMS Director Kenny Sanders reported there were 23 calls for ambulance service in April. Crescent Valley responded to four calls and Eureka responded to 19 calls. Eight patients were transferred to air medical services.

EMS Week: Mr. Sanders announced that it was National EMS Week, and he thanked all of the volunteer and staff EMTs for their dedication and hard work.

HUMAN RESOURCES

Authorized Leave: HR Director Heidi Whimple explained that the Personnel Policy outlines procedures for leaves of absence. An employee may be granted up to six months of leave without pay when exceptional circumstances exist. She requested authorization to grant this leave, as long as it's not a hindrance to the County or the department where the employee works.

Commissioner Sharkozy motioned to authorize the leave of absence, without pay, for up to six months in accordance with Personnel Policies 6.5.1 and 6.5.2. Commissioner McKay seconded the motion. Motion carried 3-0.

SHERIFF

Out-of-State Travel: Undersheriff Tyler Thomas explained that a Deputy traveled to California for Use of Force training earlier in the month. Commissioner McKay motioned to ratify out-of-state travel for a Deputy Sheriff to travel to California for training on May 17th-19th. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Sheriff Watts will travel to the National Sheriffs' Association Conference in Phoenix in June, and requested authorization for out-of-state travel. Chairman Goicoechea requested that the Sheriff use a vehicle from the car pool and not a marked patrol vehicle for this travel. Commissioner Sharkozy motioned to approve out-of-state travel for Sheriff Watts to attend the National Sheriff's Association Conference in Phoenix on June 20th-25th.

Prepay Per Diem: Two Deputies will travel to Las Vegas to participate in K9 training from May 22nd to June 20th. They hope to accelerate their time there by meeting training milestones earlier, allowing them to return sooner. To assist with costs, the Sheriff's Office requested prepayment of a portion of the per diem.

Commissioner Sharkozy motioned to authorize prepaying per diem for two Deputies for the first half of scheduled K9 training in Las Vegas; Commissioner McKay seconded the motion; motion carried 3-0.

TREASURER

Treasurer's Report: The Treasurer's Report for April was submitted by Treasurer Pernecia Johnson, showing an ending General Fund balance of \$35,103,554.82. Ms. Johnson informed that proceeds from the recent delinquent tax auction are not reflected in this report, but will be in the next report.

CLERK RECORDER

Election Management System: Clerk Recorder Lisa Hoehne requested authorization to purchase equipment to serve as a backup for elections. Commissioner Sharkozy motioned to authorize purchase of an Election Management System Express Server Kit from Dominion Voting for an amount not to exceed \$5,500.00. Commissioner McKay seconded the motion. Motion carried 3-0.

PUBLIC WORKS

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

COVID Vaccines: Mr. Rowley informed that the FDA authorized the Pfizer coronavirus vaccine to be kept in refrigerated storage for up to 30 days. This is the vaccine recently approved for use in adolescents aged 12 to 15. Mr. Rowley continues working cooperatively with EMS and the local clinic to distribute and administer vaccines.

Hazmat Training: The Hazmat training on May 13th was well attended by employees and volunteers from Public Works, the Sheriff's Office, EMS, LEPC, and the fire departments.

Nevada Gold Mines: Mr. Rowley, Jake Tibbitts, and EMS Director Kenny Sanders met with Nevada Gold Mines as they continue to work together to update a Memorandum of Understanding for mutual aid, emergency response, and road maintenance.

Radio Reprogramming: Western States Enterprises arrived earlier in the day and will be on site for up to two weeks doing maintenance on radio equipment and reprogramming radios. All radios, except law enforcement, will be reprogrammed on May 29th. Volunteers should turn in handheld radios to their respective departments by that date.

Eureka Airport: Installation of the fuel skid system at the Eureka Airport is nearly complete, and must be calibrated by the State before fuel sales can resume.

Town Parks: Public Works crews are turning on water and completing needed maintenance at the town parks. Work continues on upgrades and construction at the Crescent Valley Town Park.

Job Description: Assistant Director Joyce Jeppesen worked with the HR Director and updated the Senior Facilities Operations Assistant job description for the Opera House and Sentinel Museum. Commissioner McKay motioned to approve the updated Senior Facilities Operations Assistant job description; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Hiring Freeze Waiver: Mr. Rowley presented a Hiring Freeze Waiver Justification, explaining that Ree Taylor is retiring effective August 7th, but her last work day will be July 17th. Commissioner Sharkozy motioned to waive the hiring freeze and authorize Public Works to fill the position of Senior Facilities Operations Assistant. Commissioner McKay seconded the motion. Motion carried 3-0.

Maps, Plans, Document Storage: Public Works requested equipment to serve as an ongoing retention system for all maps, plans, and documents for various projects and activities. Commissioner Sharkozy motioned to approve purchase of a new computer, server, and related software for an amount not to exceed \$20,000.00 to be paid with funds budgeted for capital outlay in the Public Works budget. Commissioner McKay seconded the motion. Motion carried 3-0.

Water Service in Crescent Valley: Public Works received an application for a 3/4-inch residential water service in Crescent Valley. Commissioner Sharkozy motioned to approve the application for a 3/4-inch residential water service in the Town of Crescent Valley to service APN 002-048-05. Commissioner McKay seconded the motion. Motion carried 3-0.

NATURAL RESOURCES

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

Legislative Updates: At the last meeting, Mr. Tibbitts reported on SCR10, which would direct the Legislative Committee on Energy to conduct an interim study for development of hydrogen and lithium. On behalf of Eureka County, Mr. Tibbitts advocated for inclusion of vanadium in the bill, and he just received verbal confirmation that it will be included. There are currently no active vanadium mines in the continental United States, but the Gibellini Vanadium Project is in the permitting process. If permitted, it would meet 50% of the nation's vanadium needs.

Another energy bill, SB448, recently had its first hearing. This comprehensive renewable energy bill aims to drastically reduce the use of carbon-based fuel and to advance construction of infrastructure necessary for transmission of clean energy. It would require NV Energy to build electric vehicle charging stations around the State and would accelerate construction of NV Energy's Greenlink Nevada transmission line. If this bill passes, it could create some economic opportunities locally, but will also impact rural electric cooperatives (like Mt. Wheeler Power, which serves much of Eureka County).

SB77 continues moving forward in the Legislature. SB77, proposed by the County to the Legislative Committee on Public Lands, would provide an exemption under Open Meeting Law for Cooperating Agencies participating in the pre-public portion of the NEPA process for projects on public lands.

NRAC Meeting: Mr. Tibbitts reported that the Natural Resources Advisory Commission met on May 19th and discussed two upcoming projects, which will involve Eureka County participating with the BLM as a Cooperating Agency once the NEPA processes begin.

The first was Nevada Gold Mine's Ore Transportation Project, which is a planned rail line to connect Cortez Mine to the Goldstrike Mine, to transport ore for processing. The second project involves building a fiber optic connection to provide high speed internet to the Crescent Valley Library, a project recently awarded to AT&T.

NRAC also discussed the BLM's Resource Advisory Councils, which have been combined and restructured into two groups, a northern RAC and a southern RAC. The BLM is accepting nominations, and NRAC may suggest some individuals for ~~the County's~~ consideration.

Gibellini Vanadium Project: Mr. Tibbitts continues reviewing reports for the Gibellini Vanadium Project, with assistance from Dale Bugenig and Abby Johnson.

Upcoming Meetings: Upcoming meetings include Eureka Conservation District the afternoon of May 20th and Central Nevada Regional Water Authority on May 21st. On June 2nd, the Nevada Supreme Court will hear arguments on the Diamond Valley Groundwater Management Plan case.

Grazing Issues: Mr. Tibbitts is preparing comments, which will be presented at the next meeting, on the US Forest Service Austin-Tonopah Ranger District Notice of Proposed Action for the Monitor-Toiyabe Range Vacant Allotment Project. He explained there are over 40 vacant allotments on the Humboldt-Toiyabe Forest, which were lost by the Wayne Hage family after decades of litigation with the federal land management agencies.

Nevada Integrated Resource Management Plan Revisions: Mr. Tibbitts forwarded the Board screenshot images from a BLM slide presentation on a project called, "The Nevada-wide (Integrated) RMP Revision." According to the images, the Nevada BLM is taking the lead to develop State-wide Resource Management Plan revisions and is contemplating two approaches: (1) a single planning area RMP/EIS with 18 Records of Decision at the field office level; or (2) prepare 16 to 18 separate RMPs/RoDs through a single EIS.

There has been no notice, formally or informally, from the BLM that revisions are underway. Mr. Tibbitts voiced concerns that the BLM has bypassed the County (and other counties) on a project that has been assigned an aggressive timeline.

Commissioner Sharkozy motioned to direct Mr. Tibbitts to send an email to BLM State Director Jon Raby, copied to local BLM officials, asking to be involved in the EIS process for the plan revisions and inviting the BLM to attend one of the June meetings. Commissioner McKay seconded the motion. Motion carried 3-0.

Wild Horse Issues: The County received the Final EA on the Pancake Complex Wild Horse Gather Plan, a ten-year plan to reduce the horse population to low-end AML (Appropriate Management Level). The Complex is made up of several Herd Management Areas and was on the BLM's gather schedule last year, but had to be postponed because the NEPA process had not been completed. Now that NEPA is complete, the Pancake Complex should be on the next gather schedule. At last count, there were over 2,700 horses in the Complex, and low-end AML is 361 (high-end is 638).

The County submitted a comment letter to the BLM on this Environmental Assessment, but those comments were not addressed or acknowledged. The EA includes a table listing comments from all participants along with the BLM's response. Eureka County's comments weren't even included in the table.

The Board directed Mr. Tibbitts to send a letter to the Ely District BLM stating that Eureka County reviewed the Final EA on the Pancake Complex Wild Horse Gather Plan, and discovered the County's comments were not considered and included.

Sage Grouse Issues: Mr. Tibbitts provided an update on the case before the US District Court of Idaho regarding the federal Greater Sage Grouse Land Management Plan Amendment. At the direction of the Court, the BLM prepared a status update. In the update, the BLM informed

Judge Winmill that it intended to do more NEPA in consideration of mineral withdrawals in the Sagebrush Focal Areas.

There are some jurisdiction issues and questions, because the BLM still has not complied with Judge Miranda Du's 2017 Order in US District Court in Reno. The Order partially remanded the Record of Decision back to the BLM to prepare a Supplemental EIS on the 2015 Sage Grouse Land Use Plan Amendments.

PUBLIC HEARING – FISCAL YEAR 2021-2022 BUDGET & TAX RATES

Notice of Public Hearing: Notice was given that the Board of County Commissioners would hold a public hearing on May 20, 2021, to finalize the budget and adopt tax rates for the fiscal year beginning July 1, 2021.

Joint Meeting: It was noticed that this public hearing was a joint meeting with the Television District. In attendance were Vice President Randy Klatt, and members Eldon Brown, Tracy Moylan, and Joe Whimple.

Open Public Hearing: Chairman Goicoechea read the tax rates into the record, with no changes proposed from the previous year. Comptroller Kim Todd presented the budgets under the jurisdiction of the County Commissioners, as follows: Eureka County, Eureka Town, Crescent Valley Town, Devil's Gate GID, Diamond Valley Weed District, Diamond Valley Rodent District, and the Television District.

The Chairman opened the public hearing and invited comments on the tax rates and budgets for Fiscal Year 2021-2022. There were no comments from the public and the hearing was closed.

Adopt Tax Rates: Commissioner Sharkozy motioned to adopt the tax rates for Fiscal Year 2021-2022 as presented; Commissioner McKay seconded the motion; motion carried 3-0.

<u>TAX RATES</u>	<u>FY 2019-2020</u>	<u>FY 2020-2021</u>
EUREKA (GENERAL COUNTY)	\$0.9458	\$0.9458
EUREKA TOWN	\$0.2153	\$0.2153
CRESCENT VALLEY TOWN	\$0.2153	\$0.2153
EUREKA COUNTY TV DIST	\$0.0085	\$0.0085
DIAMOND VLY WEED DIST	\$0.0781	\$0.0781
DIAMOND VLY RODENT DIST	\$0.0400	\$0.0400
STATE OF NEVADA	\$0.1700	\$0.1700
EUREKA CO SCHOOL DIST	\$0.7500	\$0.7500

Adopt Budget: Commissioner Sharkozy motioned to adopt the Fiscal Year 2021-2022 budgets and sign the top sheets for submission to the Nevada Department of Taxation; Commissioner McKay seconded the motion; motion carried 3-0.

By unanimous action, the Television District Board adopted and signed the Television District budget for the upcoming fiscal year.

CORRESPONDENCE

Correspondence was received from: Connie Hicks; District Attorney Ted Buetel; Sheriff Jesse Watts; Comptroller Kim Todd; Natural Resources Manager Jake Tibbitts; Natural Resources Advisory Commission; Eureka Conservation Dist. Eureka County Television Dist.; Crescent Valley Town Advisory Board (4); McConnell Law Office; Nevada Assoc. of Counties (2); Central Nevada Regional Water Authority; Humboldt River Basin Water Authority; Northeastern Nevada Regional Development Authority; Public Utilities Commission of Nevada (2); Nevada Dept. of Transportation; Nevada Div. of Environmental Protection; Nevada Dept. of Agriculture; University of Nevada Reno; National Assoc. of Counties (multiple); Governing E-newsletter (multiple); America First Policy Institute (2); US District Court Idaho; US Forest Service; and US Dept. of the Interior-BLM (4).

Chairman Goicoechea referenced the letter from McConnell Law Office that was sent on behalf of Eureka NewGen Farms requesting to be placed on the next agenda. NewGen Farms has been scheduled on agendas in the past for the same request, which was to ask the Board to

consider a change to the ordinance that prohibits commercial marijuana establishments in Eureka County. NewGen has addressed the Board on four separate occasions in public meetings. They were formally told that the ordinance aligns with federal law, and the Board has no interest in amending it unless and until federal law changes. Chairman Goicoechea offered that he would respond to the parties in writing to reiterate what they were previously told.

PUBLIC COMMENT

Chairman Goicoechea called for public comments; there were none.

ADJOURNMENT

Commissioner Sharkozy motioned to adjourn the meeting at 11:18 a.m.; Commissioner McKay seconded the motion, and the meeting was adjourned.

Approved by vote of the Board this 7th day of June, 2021.

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

I, Jackie Berg, Commissioner Administrative Assistant, attest that these are a true, correct, and duly approved minutes of the May 6, 2021, meeting of the Board of Eureka County Commissioners.

/s/ Jackie Berg
Jackie Berg, Commissioner Administrative Asst.

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 Administrative Assistant.

/s/ Lisa Hoehne
Lisa Hoehne, Clerk