

**EUREKA COUNTY BOARD OF COMMISSIONERS**

**July 7, 2022**

STATE OF NEVADA        )  
                                  :SS  
COUNTY OF EUREKA     )

**CALL TO ORDER**

The Board of Eureka County Commissioners met pursuant to law on July 7, 2022. Present were Chairman J.J. Goicoechea, Vice Chair Michael 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 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 none.

**APPROVAL OF MINUTES**

May 6, 2022: Commissioner Sharkozy motioned to approve minutes of the May 6, 2022, meeting; Commissioner McKay seconded the motion; motion carried 3-0.

**COMPTROLLER**

Payment of Expenditures: Expenditures were presented for approval by Comptroller Kim Todd, including several invoices exceeding the six-month limit. The Board took action to approve the following delinquent invoices: two invoices from Food Bank of Northern Nevada dated 12/03/21 in the amount of \$61.50 and 01/07/22 in the amount of \$20.40; and invoices from the Nevada Department of Health & Human Services for August 2021 in the amount of \$549.06, September 2021 in the amount of \$862.00, October 2021 in the amount of \$1,218.99, November 2021 in the amount of \$1,712.72, and December 2021 in the amount of \$2,310.58.

Commissioner Sharkozy motioned to approve expenditures in the amount of \$1,080,566.95 for accounts payable (this figure includes the delinquent invoices), \$581,747.49 for payroll and benefit related expenses (including employee paid deductions), and pass-through payments of \$317,330.14 to the Nevada State Controller (\$280,592.88 in general taxes and \$36,737.26 in school taxes), \$609.12 to the Nevada Department of Taxation, \$340.00 to the Nevada Division of Minerals, and \$147.25 to the Washoe County Crime Lab, for a grand total of \$1,980,740.95. Commissioner McKay seconded the motion. Motion carried 3-0.

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

Tax Rate Resolution: Commissioner Sharkozy motioned to adopt a resolution certifying tax rates for Fiscal Year 2022-2023, with no rate increases. Commissioner McKay seconded the motion. Motion carried 3-0.

Eureka, Nevada

July 7, 2022

**RESOLUTION  
SETTING TAX RATES FOR FISCAL YEAR 2022-2023**

WHEREAS, the Eureka County Commissioners took action on May 20, 2022, to set the tax rates for Fiscal Year 2022-2023, for the tax districts under their legal jurisdiction, and by this resolution are affirming that action; and

WHEREAS, the ad valorem revenues are assessed by tax rates on real and personal property as certified by the Nevada State Tax Commission; and

WHEREAS, in accordance with NRS 361.460, and following certification by the Nevada Tax Commission on June 27, 2022, tax rates for the fiscal year beginning July 1, 2022, will be hereby levied as listed below:

	Taxing Unit Rate	Imposed Legislative Tax Rate	Combined General County Rates	Combined Special District	School	State	Total
Eureka County	.8675	.0783		.0085	.7500	.1700	1.8743
Crescent Valley Town	.2153		.9458	.0085	.7500	.1700	2.0896
Eureka Town	.2153		.9458	.0085	.7500	.1700	2.0896
Diamond Valley Rodent District	.0400		.9458	.0866	.7500	.1700	1.9924
Diamond Valley Weed District	.0781		.9458	.0485	.7500	.1700	1.9924
Eureka County TV District	.0085		.9458		.7500	.1700	1.8743

THEREFORE, IT IS UNANIMOUSLY RESOLVED that the Board of County Commissioners of Eureka County, Nevada, does hereby certify the rates listed above for Fiscal Year 2022-2023.

Approved this 7<sup>th</sup> day of July, 2022.

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

/s/ Michael Sharkozy  
Michael Sharkozy, Vice Chairman

/s/ Rich McKay  
Rich McKay, Member

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

**Budget Transfer:** Formal action was required to complete a transfer that the Board included in the Fiscal Year 2023 budget to fund the County-wide road and utility project. Commissioner Sharkozy motioned to transfer \$4,000,000.00 from the General Fund to the Regional Transportation Fund as budgeted for Fiscal Year 2023 for a County-wide paving and utility project. Commissioner McKay seconded the motion. Motion carried 3-0.

**NEVADA RURAL HOUSING AUTHORITY**

**NRHA’s Activities in Eureka County and the State:** Kevin Hickey, Business Development Specialist for Nevada Rural Housing Authority’s Home At Last Program, joined the meeting by telephone to give a brief presentation on NRHA’s activities in Eureka County and the State, and to request transfer of Eureka County’s private activity bond cap. Since 2006, the Home At Last Program has assisted 11 homebuyers in Eureka County with \$2 million in affordable mortgages, \$58,000.00 in down payment assistance, and additional savings in the form of tax credits.

Commissioner Sharkozy motioned to adopt a resolution providing for the transfer of \$103,909.19, the 2022 tax-exempt private activity bond volume cap allocated to Eureka County, to Nevada Rural Housing Authority for its single-family home ownership programs. Commissioner McKay seconded the motion. Motion carried 3-0.

**EUREKA COUNTY RESOLUTION – JULY 7, 2022**

RESOLUTION OF THE BOARD OF COMMISSIONERS OF EUREKA COUNTY, NEVADA,  
PROVIDING FOR THE TRANSFER OF THE COUNTY’S 2022 PRIVATE ACTIVITY BOND VOLUME CAP TO  
THE NEVADA RURAL HOUSING AUTHORITY; AND OTHER MATTERS RELATED THERETO

WHEREAS, pursuant to the provisions of Chapter 348A of the Nevada Revised Statutes (“NRS”) and Chapter 348A of the Nevada Administrative Code (“NAC”), there has been allocated to Eureka County, Nevada (the “County”), the amount of \$103,909.19 in tax-exempt private activity bond volume cap for year 2022 (the “2022 Bond Cap”); and

WHEREAS, the Nevada Rural Housing Authority (the “NRHA”), has requested that the County transfer its 2022 Bond Cap to the NRHA for the purpose of providing a means of financing the costs of single-family residential housing that will provide decent, safe, and sanitary dwellings at affordable prices for persons of low and moderate income (“Single Family Programs”); and

WHEREAS, the County is a local government as defined by NAC 348A.070; and

WHEREAS, Section 348A.180 of the NAC provides a procedure whereby the County may, by resolution, transfer to any other local government located within the same county, all or any portion of its 2022 Bond Cap; and

WHEREAS, pursuant to NRS 315.983(1)(a), the NRHA is an instrumentality, local government, and political subdivision of the State of Nevada (the “State”); and

WHEREAS, the NRHA is located within the County, pursuant to NRS 315.963, which defines the NRHA’s area of operation as “any area of the State which is not included within the corporate limits of a city or town having a population of 150,000 or more.”

NOW, THEREFORE, the Board of Commissioners of the County does hereby find, resolve, determine, and order as follows:

*Section 1. Recitals.* The recitals set forth herein above are true and correct in all respects.

*Section 2. Transfer of Private Activity Bond Volume Cap.* Pursuant to NAC 348A.180, the County hereby transfers 2022 Bond Cap in the amount of \$103,909.19 to the NRHA for its Single Family Programs.

*Section 3. Use of 2022 Bond Cap.* The NRHA will use the 2022 Bond Cap for single family purposes in calendar year 2022 or carry forward any remaining amount according to the Internal Revenue Code of 1986, as amended, for such purposes.

*Section 4. Representative of County.* Pursuant to NAC 348A.180(1), the Director of the State of Nevada Department of Business and Industry (the “Director”) may contact Jackie Berg, Administrative Assistant, Eureka County Board of Commissioners, regarding this Resolution at (775) 237-7211 or by email at [JBerg@EurekaCountyNV.Gov](mailto:JBerg@EurekaCountyNV.Gov) or in writing at PO Box 694, Eureka, Nevada 89316.

*Section 5. Additional Action.* The Chair of the Board of Commissioners and Commissioner Administrative Assistant are hereby authorized and directed to take all actions as necessary to effectuate the transfer of the 2022 Bond Cap, and carry out the duties of the County hereunder, including the execution of all certificates pertaining to the transfer as required by NAC 348A.

*Section 6. Direction to the NRHA.* The NRHA shall notify the Director in writing as soon as practicable of the occurrence or nonoccurrence of any term or condition that would affect the disposition of the 2022 Bond Cap.

*Section 7. Representative of the NRHA.* Pursuant to NAC 348A.180(3), the Director may contact Diane Arvizo, Director of Homeownership Programs of the NRHA, regarding this Resolution at (775) 886-7900 or by email at [Diane@NVRural.org](mailto:Diane@NVRural.org) or in writing at Nevada Rural Housing Authority, 3695 Desatoya Drive, Carson City, Nevada 89701.

*Section 8. Obligation of the County.* This Resolution is not to be construed as a pledge of the faith and credit of or by the County, or of any agency, instrumentality, or subdivision of the County. Nothing in this Resolution obligates or authorizes the County to issue bonds for any project or to grant approvals for a project or constitutes a representation that such bonds will be issued.

*Section 9. Enforceability.* If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution. This Resolution shall go into effect immediately upon its passage.

ADOPTED, SIGNED, AND APPROVED this 7<sup>th</sup> day of July, 2022.

BOARD OF EUREKA COUNTY COMMISSIONERS

/s/ J.J. Goicoechea, DVM

J.J. Goicoechea, DVM, Chair of the Board

Attest: /s/ Kathy Bowling

Katherine J. Bowling, County Clerk

## **COMMISSIONERS**

**Quarterly Financial Status Report:** Commissioner Sharkozy motioned to approve the Quarterly Financial Status Report showing that \$14,273.00 was spent on indigent defense during the 4<sup>th</sup> quarter of Fiscal Year 2022, for submission to the Nevada Department of Indigent Defense by July 15<sup>th</sup>. Commissioner McKay seconded the motion. Motion carried 3-0.

## **SENIOR CENTERS**

Update Report: Senior Center Program Director Millie Oram reported on activities at the Eureka Senior Center and Fannie Komp Senior Center. In June, Eureka served 818 meals and Crescent Valley served 882 meals. There are currently 28 seniors from Eureka and Crescent Valley signed up for the trip to Virginia City later in the month (the first senior trip in two years). A total of \$8,782.04 was deposited for both centers in June.

Hiring Freeze Waiver - Kitchen Aide: Ms. Oram requested authorization to fill a vacant casual position. Commissioner Sharkozy motioned to waive the hiring freeze and authorize the Director to fill the casual position of Kitchen Aide at the Eureka Senior Center; Commissioner McKay seconded the motion; motion carried 3-0.

## **IT DEPARTMENT**

IT Update: IT Director Misty Rowley reported on IT projects and activities. IT staff is upgrading devices from Windows 10 to Windows 11 and has set up several new workstations.

Monday.com: IT assisted Public Works with setting up a Monday.com account as a project management tool.

Sheriff's Office: Syber Networks helped troubleshoot issues with the two-factor authentication during migration to the Sheriff's Office new domain controller.

E911 & Phone Systems: Routing issues with the Enhanced 911 system and the AT&T VOIP (voice over internet protocol) phones remain unresolved. Trials to test integration of the E911 system with the Cisco cloud-based phones have been successful, so efforts will now be focused on migrating to the cloud phone system.

Quest Technologies: Ms. Rowley worked with Quest to update network equipment operating systems, and to finalize the Cyber Security Internet Response Plan. She will meet with them later in the day to review preliminary design for the 4G network.

AS400: The AS400 system was restored to an earlier backup at the request of the Assessor's office.

Starlink: Confirmation was received for the Starlink business account and delivery of the equipment is expected any day. There is a 30-day trial period to ensure that this provides the connectivity solution for County facilities in Crescent Valley until completion of the fiber projects.

Non-Disclosure Agreements: Nevada POOL/PACT recommended that the IT Department secure Non-Disclosure Agreements with its technology contractors.

Commissioner McKay motioned to approve Non-Disclosure Agreements between Eureka County Information Technology Department (disclosing party) and Business Continuity Technologies and Syber Networks LLC, and authorized the IT Director to sign the agreements outside of the meeting. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

## **CONSTRUCTION MANAGER AT RISK**

Sierra Nevada Construction: Public Works Director Jeb Rowley invited Sierra Nevada Construction (SNC) to give a brief presentation to the Board. SNC was the top-ranked candidate responding to the County's advertisement for Construction Manager At Risk (CMAR) services for the County-wide road and utility project. The presentation was an abbreviated version of SNC's presentation to the CMAR selection committee.

SNC was represented by Dan Leblanc, CMAR Team Leader (civil issues/pre-construction); Alex Faust, CMAR Team Leader (paving); and Emma Crossman, Project Manager. The team described their individual qualifications and SNC's expertise in the industry, including advances in its CMAR program.

The team discussed the value that the CMAR method provides (particularly on multi-phase projects), and spoke about planning and engineering, public outreach, material procurement, management of resources, construction scheduling, etc. SNC said its goal is to manage the

project in a transparent fashion, ensuring that all parties are informed and satisfied with each phase of the project as it progresses.

CMAR Contract: Commissioner McKay motioned to approve and sign the CMAR contract with Sierra Nevada Construction, Inc., in the amount of \$57,007.00 for Phase 1 of the Eureka County Road & Utility Improvement Project. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

## **CLERK RECORDER**

2022 Primary Election Recount: Clerk Recorder Kathy Bowling reported on County results of the State-wide recount of the Gubernatorial race in the 2022 Primary Election of June 14, 2022. The recount was conducted on July 1<sup>st</sup> and resulted in no changes to County voting statistics. The candidate who requested the recount will reimburse costs totaling \$191,000.00, which will be distributed among the respective counties.

Commissioner Sharkozy motioned to approve abstract of the vote resulting from recount of the Republican race for Governor in the 2022 Primary Election; Commissioner McKay seconded the motion; motion carried 3-0.

## **EUREKA HIGH SCHOOL RODEO CLUB**

Request for Rodeo Grounds Improvements: Holli Else, Secretary/Treasurer, and students, Grant Kiechler and Scarlett Buchanan, were in attendance to present a request for upgrades to the rodeo grounds at the Eureka County Fairgrounds. They first thanked the Board for the donation to the Eureka High School Rodeo Club (EHSRC) in support of students who qualified for the 2022 National Junior High and High School Rodeos.

Ms. Else explained the Rodeo Club has existed in Eureka County since the mid-1950s. Recent years have had a decline in membership, but the club was reestablished in 2020 and is the fourth largest High School Rodeo Club in the State, with 14 members. In addition to presenting colors and the national anthem, EHSRC will host kids' activities on August 11<sup>th</sup> and a goat roping on August 13<sup>th</sup> at the upcoming Eureka County Fair.

The club is working towards hosting the 2023 Nevada State High School Rodeo in September of 2023. Ms. Else described improvements that would incentivize use of the facility, which will not only help the local club, but will provide economic benefits to the community. The requests include upgrading the roping boxes, moving/upgrading fences and gates, cleanup/repair of the horse pens, and a dedicated tractor and arena drag.

EHSRC is aware that the tractor is a large-ticket item and will require budgeting and planning if the County is willing to consider it. The club members are prepared to work hard and provide labor to help achieve the other upgrades.

The Board voiced support for the Rodeo Club and felt most of the upgrades were reasonable. The tractor will have to be discussed when the Board is working on budgets for Fiscal Year 2024, since the 2023 budget has already been approved. Chairman Goicoechea asked EHSRC work with Public Works to formulate a plan, refine cost estimates, and see what might be done in the current fiscal year and what can be planned for the upcoming fiscal year.

## **SHERIFF**

Use of Patrol Vehicles to Commute: At the June 21<sup>st</sup> meeting, Undersheriff Tyler Thomas requested that the agenda for this meeting include an item to reconsider action taken at the May 6<sup>th</sup> meeting, which suspended the use of patrol vehicles for commuting effective September 1<sup>st</sup>.

After the agenda was posted, it was brought to the Board's attention that Eureka County Code, Title 2, Chapter 10, Section .050(E) states, "*Any action to reconsider a motion already voted upon may only occur at the next meeting of the Board.*" This has been a policy since it was first adopted by resolution in 2007.

Chairman Goicoechea said he would allow discussion on the item, but County Code prohibited the Board from taking action.

Undersheriff Thomas talked at length concerning the subject. He said a ruling by a Florida court determined that the agency in question was not required to pay law enforcement officers for commute time in a marked patrol vehicle. He cited other examples, stating that state police in Delaware are not compensated for time spent commuting in their patrol vehicles. Based on the examples, he felt Eureka County shouldn't be concerned that it might have to pay wages for commute time.

He contended that deputies commuting from Elko could respond to a call in Pine Valley faster than a deputy responding from Crescent Valley. He said one deputy plans to resign if he can no longer commute in a County vehicle.

Sheriff Jesse Watts said offering patrol vehicles to commute is a recruitment and retention tool. He added that not allowing deputies to commute in patrol vehicles is detrimental to the safety of the communities.

The Undersheriff acknowledged that the Board has discussed the housing shortage and is looking for an alternate solution, but he didn't feel the housing issue could be resolved by September 1<sup>st</sup>. Because of this time constraint, he asked that the Board extend the commuting deadline beyond September 1<sup>st</sup>.

Chairman Goicoechea said it was not the Board's action or inaction that caused this issue to be unresolved at the 11<sup>th</sup> hour. He reminded the Sheriff and Undersheriff that they were asked the previous September (2021) to propose a reasonable vehicle use policy; and were again asked in March, with no response. The September 1<sup>st</sup> deadline marks nearly a year since the Board asked for a policy proposal in order to address this issue.

Jeb Rowley commented that Public Works has employees who are required to live in Crescent Valley due to the on-call requirements tied to their position. He asked that the Commissioners consider what his response should be when one of those employees decides to live elsewhere and asks for a County vehicle to commute.

Chairman Goicoechea said he has spoken with staff affected by this issue and there is no easy answer. Commissioner McKay will attend the next School Board meeting to inquire about the housing option. The Board's next step will be dependent on that outcome.

Breathalyzer Calibration Equipment: Undersheriff Thomas explained that the Sheriff's Office has 15 portable breathalyzer units, which must be calibrated every 60 days, and that is currently done by Washoe County. Sergeant Evertson and Undersheriff Thomas are certified to perform the calibrations, and he requested authorization to purchase two stations and supplies. Chairman Goicoechea asked if a single unit could be purchased and rotated between Eureka and Crescent Valley, and the Undersheriff agreed.

Commissioner McKay motioned to authorize purchase of one calibration station along with calibration gas from LifeLoc Technologies in an amount not to exceed \$1,800.00 utilizing monies budgeted for investigations (010-034-53010-176) in the Sheriff's budget. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Out-of-State Travel: Sheriff Watts said he was contacted by Ken Garff Ford in Salt Lake City. The dealership is receiving 15 low-mileage Ford F-150 Lariat pickups on an expired lease that it had with a police department. The pickups are already equipped with after-market emergency equipment – lightbars, cages, consoles, etc. Sheriff Watts would like to travel to Utah with the Senior Mechanic to inspect the vehicles. The date of travel hasn't been determined, but will be in the near future.

Jeb Rowley and Kim Todd confirmed that the auditor advised that comparable quotes can be secured by asking for a quote on vehicle specifications alone without any after-market equipment.

Commissioner McKay motioned to authorize out-of-state travel for Sheriff Watts and a Public Works employee to travel to Salt Lake City to make an initial assessment of used (lease

returned) vehicles to determine suitability for the Sheriff's Office. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Request to Convert or Compensate Unused Annual Leave: Sheriff Watts said that, due to understaffing in dispatch, Clara Bundy was unable to use 53 hours of accumulated annual leave before the fiscal year-end deadline. He asked that the County consider compensating Ms. Bundy for the unused hours by paying her wages or converting them to comp time. He felt extra consideration should be given when emergency service employees are unable to utilize accrued leave, because they are subject to being called in to work, even during scheduled time off, which is what happened with Ms. Bundy.

Someone recalled a similar request made by former Sheriff Logan. A motion to deny was forthcoming, but the motion died for lack of a second, and no variance was granted.

The Commissioners said they understood and sympathized with the situation, but felt they couldn't make an exception for one employee unless they were prepared to approve similar requests from other employees.

## **ROAD DEPARTMENT**

Report on Activities: Ray Hodson, Assistant Public Works Director, reported on Road Department activities. The southern crew finished blading the Antelope Road. Currently, one blade is operating in Diamond Valley and another is working from Tonkin Reservoir to the JD Ranch. A day was spent at the Fairgrounds preparing for the Goldrush Games. The stockpile of material on a County lot in the Eureka Canyon Subdivision has been moved, which was necessary to establish a drainage ditch.

The northern crew bladed Maggie Creek Road, Rose Ranch Road, Frenchie Flat, Stafford Canyon, Thomas Canyon, Rocky Canyon, and is now working on Willow Corral Pass. The crew worked a couple of days in Frenchie Flat repairing and widening cattle guards (which are only 8 ft. wide). Some time was spent last winter rebuilding old cattle guards that were salvaged from the laydown yard, and Nevada Gold Mines has offered to purchase some as well. Jayme Halpin completed marking all water valves and meters in Crescent Valley in preparation for the road and utility project.

The shared casual position (75% Kitchen Aide/25% Custodian) has been filled and will work 2.5 hours, four days per week, cleaning County buildings in Crescent Valley.

## **PUBLIC WORKS**

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

Consumer Confidence Reports: The Consumer Confidence Reports (water quality reports) were mailed on July 1<sup>st</sup> with the Eureka and Crescent Valley water bills.

Buildings & Grounds: Crews put in a lot of work cleaning streets and sidewalks in preparation for the 4<sup>th</sup> of July holiday and parade. Mr. Rowley thanked the volunteers for the great fireworks display that evening.

Emigrant Fire: The first wildland fire of the season, the Emigrant Fire, started July 1<sup>st</sup> and burned over 1,000 acres. Luckily the fire, north of I-80, didn't cross the interstate but did cause both lanes to be closed for a while.

CV Water Tank: The County is awaiting approval from Nevada Division of Environmental Protection to move forward with painting one of the municipal water tanks in Crescent Valley.

Courthouse HVAC: A considerable amount of time has been spent identifying a repair plan for the Courthouse HVAC after unanticipated failure of the boiler.

Devil's Gate GID: A water main leak in the 3<sup>rd</sup> Street area was repaired earlier in the week and the crew will resume work on the mainline extension.

Institutional Control Plan: Public Works will be doing some public outreach as part of the Institutional Control Plan (ICP). The ICP was the result of lead and arsenic remediation conducted

in the Eureka townsite by the US Environmental Protection Agency in coordination with Nevada Division of Environmental Protection (NDEP). The ICP requires ongoing soils management in the townsite. This includes soil testing by Public Works, removal of contaminated soil (by the property owner) for deposit at the repository above Ruby Hill Avenue, and providing access to clean replacement material.

Lumos & Associates Contract for Airport Work: Lumos & Associates prepared a proposal for engineering and planning services for the Eureka Airport, which will ensure compliance with FAA requirements.

Commissioner Sharkozy motioned to approve a time and materials contract with Lumos & Associates, Inc., for engineering and planning services for the Eureka Airport as required by the Federal Aviation Administration Circular 150/5100-14E. Commissioner McKay seconded the motion. Motion carried 3-0.

Lumos & Associates Proposal: Lumos & Associates prepared a proposal for design services related to the Eureka County Road & Utility Improvement Project.

Commissioner McKay motioned to approve the proposal from Lumos & Associates for Eureka Town Phase 1 final design and Crescent Valley improvements, in an amount not to exceed \$313,000.00 utilizing funds budgeted for surveying/engineering (025-110-55010-357) in the RTC Fund. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Water Service Applications, Crescent Valley: Commissioner McKay motioned to approve the application for a 3/4-inch residential water meter and service at APN 002-038-17 in the Town of Crescent Valley; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Commissioner McKay motioned to approve the application for a 2-inch commercial water meter and service at APN 002-041-01 in the Town of Crescent Valley; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Mr. Rowley clarified that 2-inch connections aren't typically provided, and are contingent upon Public Works having the required supplies, which it did in this instance.

Water Service Applications, Devil's Gate: Mr. Rowley explained that the water service application was due to another dry well in Devil's Gate District 1. Commissioner McKay motioned to approve a 3/4-inch residential water meter and service application for APN 007-380-55 located in the Devil's Gate General Improvement District #1; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Commissioner McKay motioned to approve a 1-inch commercial water meter and service application for APN 007-396-27 located in Devil's Gate General Improvement District #2; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Direction on Devil's Gate Water Connections: Mr. Rowley sought direction regarding an issue that is becoming problematic. With declining groundwater levels in Diamond Valley, there have been a number of domestic wells in the Devil's Gate area (primarily District 1, which encompasses the Sharrow Circle subdivision) that have failed. New water services require Board approval, but he would like authorization to move forward with these emergency water connections, to be later ratified by the Board, if certain conditions exist.

Commissioner Sharkozy motioned to authorize Public Works to proceed with emergency residential water connections in Devil's Gate Districts 1&2, to be ratified by the Board at the next available meeting, when the following conditions exist: an application has been filed with Public Works by the property owner, the service is for an existing residence (no commercial, period, and no new residential construction), a water mainline is adjacent to the property, and applicants not already paying the special tax assessment are so notified. Commissioner McKay seconded the motion. Motion carried 3-0.

McIntosh Communications Quotes: Quotes were obtained for installation of after-market equipment on two 2022 Ford F-150 pickups for the Sheriff's Office. Mr. Rowley explained that the equipment was purchased before the end of the fiscal year and the quotes are for labor to install the equipment.



Commissioner McKay motioned to approve two quotes from McIntosh Communications, in an amount not to exceed \$4,200.00 per quote (\$8,400.00 total), to install equipment in two new 2022 Ford F-150 patrol pickups, utilizing funds budgeted for Sheriff's vehicles/equipment (042-140-55010-092) in the Capital Projects Fund. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Courthouse Boiler: Mr. Rowley explained that the Courthouse boiler suffered a major breakdown and requires complete replacement. Converting from a diesel-powered boiler to an electrical HVAC system will require major electrical upgrades to the Courthouse and Eureka Senior Center. When the failure occurred, Public Works worked to secure equipment and materials available in order to cover that cost with Fiscal Year 2022 funds.

Commissioner Sharkozy motioned to ratify emergency purchase of equipment in Fiscal Year 2022 necessary to address unanticipated repairs to the Courthouse boiler, in the amount of \$229,790.00, utilizing monies budgeted for capital outlay (040-130-55010-000) in the Building Reserve Fund. Commissioner McKay seconded the motion. Motion carried 3-0.

Eureka Library Conceptual Plan & Design: A walk-through of the Eureka Library earlier this year revealed a number of items that are long overdue for upgrades. A proposal was solicited for a conceptual plan and design for the facility.

Commissioner McKay motioned to approve a proposal from Paul Cavin Architect, LLC, to provide conceptual plan and design for the Eureka Library, for an amount not to exceed \$9,500.00, utilizing funds budgeted for capital outlay (010-001-55010-000) in the Commissioners' budget. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Justice Facility Building Assessment: A proposal was obtained to perform a detailed building assessment of the Eureka Justice Facility, which will include a facility needs assessment, programming, and conceptual design.

Commissioner McKay motioned to approve a proposal from Paul Cavin Architect, LLC, to perform a building assessment on the Eureka Justice Facility, for an amount not to exceed \$87,720.00, utilizing funds budgeted for capital outlay (010-001-55010-000) in the Commissioners' budget. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Hiring Freeze Waiver Justification – Administrative Assistant: Public Works submitted documentation requesting authorization to fill a vacant position resulting from an employee transferring to another department.

Commissioner Sharkozy motioned to waive the hiring freeze and authorize the Public Works Director to fill the position of Public Works Administrative Assistant I, II, or III; Commissioner McKay seconded the motion; motion carried 3-0.

## **NATURAL RESOURCES**

Report on Activities: Natural Resources Manager Jake Tibbitts joined the meeting by telephone to report on recent activities.

Goldrush Mine Project: Notice of Availability of the Goldrush Mine Project Draft Environmental Impact Statement has been published in the Federal Register triggering the public comment period which will run into August. Public meetings have been scheduled on July 27<sup>th</sup> at the Crescent Valley Community Center and on July 28<sup>th</sup> in Elko. A virtual meeting is also planned, but the date has not yet been determined.

Juniper Project: The Administrative Draft EIS was received for the Bald Mountain Mine Plan of Operations Amendment known as the Juniper Expansion, and Mr. Tibbitts has begun review of that document.

Robertson Project: The BLM hosted the NEPA kickoff meeting on July 6<sup>th</sup> for Nevada Gold Mines' Robertson Project, which is adjacent to the Cortez Complex.

Diamond Valley GMP: On July 1<sup>st</sup>, State Engineer Adam Sullivan hosted a collaborative meeting at the Eureka Opera House in relation to restarting the Groundwater Management Plan (result of a Supreme Court decision that overturned Judge Fairman's ruling on the GMP). Mr.

Sullivan clarified that the GMP is based on a calendar year and will not start mid-season, but will be reinstated in January 2023 (which will be the second year of the plan).

Upcoming Meetings: The Intergovernmental Executive Committee for the Fallon Range Training Complex will meet on July 11<sup>th</sup>. On July 13<sup>th</sup>, i80 Gold is hosting an open house at the Opera House. The Natural Resources Advisory Commission is scheduled to meet the evening of July 13<sup>th</sup>, but may be moved to July 14<sup>th</sup> to accommodate the i80 Gold open house.

Mining Regulations, Laws, & Permitting: An Executive Order signed by President Biden resulted in establishment of an Interagency Working Group on Mining Regulations, Laws, and Permitting. The group will review 1872 Mining Law in order to recommend “reform” of mining regulations. The Department of Interior is accepting comments through the end of July, and Mr. Tibbitts will make a formal recommendation at the July 20<sup>th</sup> meeting.

He reminded the Board that the County submitted comments for the hearing on HR 7580 (Clean Energy Minerals Reform Act of 2022), and the issues will be basically the same.

WPCP Applications: Nevada Gold Mines has made application with Nevada Division of Environmental Protection for two Water Pollution Control Permits, one for the Goldrush Underground Mine and one for the Goldrush Infiltration Project.

Consulting Hydrogeologist Dale Bugenig reviewed both draft permits and sent corresponding memos recommending that the County submit a letter supporting approval of the permits and requesting continued participation and coordination with the County. Mr. Tibbitts concurred with his recommendation.

Commissioner McKay motioned to send letters to the Nevada Division of Environmental Protection supporting approval of Water Pollution Control Permits for Nevada Gold Mines identified as NEV2016104 (Goldrush Underground Mine, formerly Horse Canyon/Cortez Unified Exploration Project) and NEV2022103 (Goldrush Infiltration Project), with a request for ongoing participation and coordination, and authorized the Chairman to sign the letters outside of the meeting. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

## **CORRESPONDENCE**

Correspondence was received from: Molly Zimmerman; Madison Whimple; Ashley Adams; Public Works; Television District; Crescent Valley Town Advisory Board (2); Central Nevada Regional Water Authority; Elko-Lander-Eureka County Library System; Northeastern Nevada Regional Development Authority; Nevada Assoc. of Counties; Nevada Div. of Environmental Protection (3); Nevada Dept. of Indigent Defense Services; Nevada Dept. of Business & Industry; Nevada Supreme Court; US Dept. of the Interior, BLM; US Senator Jacky Rosen; National Assoc. of Counties (multiple); and Governing E-news (multiple).

## **PUBLIC COMMENT**

Chairman Goicoechea called for public comments.

Tracey Mellard of Beowawe said she had made a request to discuss the Rose Ranch Road on a future agenda, and she wanted to inform the Board that the community is no longer interested in making a presentation concerning the road. Related to another request, for a facility where Beowawe residents could meet, she said people in the area aren't interested in starting a 4-H club or participating in any similar group events. She thanked the Board for the consideration given to this matter.

Lisa Wolf of Crescent Valley called the Commissioners' office the day before and asked that a request be relayed to the Board during public comment. Ms. Wolf relayed that she discovered Eureka County residents are not eligible for Medicare Advantage and she was wondering if there were steps the County could take so residents can access this coverage.

Chairman Goicoechea offered condolences from the Board and himself to the Jeppesen family for the loss of Dorothy Jeppesen, longtime community member, who passed away on July 4<sup>th</sup>.

**ADJOURNMENT**

The meeting was adjourned at 12:28 p.m.

*Approved by vote of the Board this 20<sup>th</sup> day of September, 2022.*

/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 July 7, 2022, meeting of the Board of Eureka County Commissioners.*

/s/ Jackie Berg

Jackie Berg, Commissioner Administrative Asst.

*I, Kathy Bacon 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 Commissioner Administrative Assistant.*

/s/ Kathy Bowling

Katherine J. Bowling, Clerk