

EUREKA COUNTY BOARD OF COMMISSIONERS

July 20, 2022

STATE OF NEVADA)
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COUNTY OF EUREKA)

CALL TO ORDER

The Board of Eureka County Commissioners met pursuant to law on July 20, 2022. Present were Vice Chair Michael Sharkozy, Commissioner Rich McKay, District Attorney Ted Beutel, and Administrative Assistant Jackie Berg. Chairman J.J. Goicoechea was absent. 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 McKay motioned to approve the agenda as posted; Commissioner Sharkozy seconded the motion; motion carried 2-0.

PUBLIC COMMENT

Vice Chair Sharkozy opened the floor for public comments; there were none.

APPROVAL OF MINUTES

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

TREASURER

Treasurer’s Report: The Treasurer’s Report for June was submitted by Treasurer Pernecia Johnson, showing an ending General Fund balance of \$49,785,299.67.

COMPTROLLER

Payment of Expenditures: Expenditures were presented for approval by Comptroller Kim Todd. Commissioner McKay motioned to approve expenditures in the amount of \$451,369.16 for accounts payable and \$297,937.17 for payroll and benefit related expenses (including employee paid deductions), for a grand total of \$749,306.33. Commissioner Sharkozy seconded the motion. Motion carried 22-0.

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

COMMISSIONERS

Spay & Neuter Program: In the Fiscal Year 2022 budget, the Commissioners allocated \$5,000.00 from the miscellaneous grants account to provide \$50.00 vouchers for Eureka County residents to offset the costs of having cats and dogs spayed and neutered. A total of 64 vouchers were issued for a total of \$3,200.00, leaving \$1,800.00 unused.

Commissioner McKay motioned to allocate \$1,800.00 from the miscellaneous grants account (010-001-53010-085) in the Commissioners’ Fiscal Year 2023 budget to continue the spay and neuter program. Commissioner Sharkozy seconded the motion. Motion carried 2-0.

Request for Variance: Lee Raine was in the process of purchasing a lot in the Eureka Canyon Subdivision and requested a variance to the setback requirements in the Development Agreement. She submitted her request in writing since she was unable to attend the meeting due to a previous obligation. Ms. Raine selected Lot 5 because of its proximity to Raine’s Market,

but the home she is purchasing will encroach on the rear setback by eight feet. She requested a variance to allow for a setback of 12 feet versus the required 20 feet.

The Board discussed potential options with staff. The County previously granted a setback variance, but Public Works Director Jeb Rowley stated this lot is different because of the drainage channel at the rear of the lot. The adjacent Raine's Market lot has a steep slope and the resulting runoff and erosion will require upkeep of the drainage ditch. An adequate setback will allow equipment access for ditch maintenance or utility repairs. He suggested splitting the eight feet overage resulting in 16 feet setbacks for both the front and back of the lot.

Commissioner McKay motioned to table the variance request until Ms. Raine could be present to answer questions and discuss options that could work for both her and the County. Commissioner Sharkozy seconded the motion. Motion carried 2-0.

Part-Time Position for DA's Office: District Attorney Beutel learned that a prospective employee candidate is a certified respiratory therapist. She has patients in many rural communities and is the only licensed therapist available in this part of rural Nevada. Taking away this needed service would not benefit anyone. Therefore, the District Attorney requested that the Board allow him to fill the full-time vacancy with a 32-hour part-time benefited employee.

The Board asked if this might set a precedent. Human Resources Director Heidi Whimple informed that the County has approved, on a case-by-case basis, part-time benefited positions at the Senior Center and in the IT Department.

Commissioner McKay motioned to authorize the District Attorney's office to fill a full-time (40-hours per week, 8 hours a day, 5 days a week) benefited position as a part-time (32 hours per week, 8 hours a day, 4 days per week) benefited position. Commissioner Sharkozy seconded the motion. Motion carried 2-0.

AMBULANCE & EMS

Report on Activities: EMS Director Kenny Sanders reported there were a total of 23 ambulance runs for the month of June, 10 from the Crescent Valley station and 13 from the Eureka station. Four patients were transferred to air ambulance providers and three were transported to the hospital in Elko. There were a total of 77 ambulance runs for the quarter (April, May, June).

Child Passenger Safety: Advanced EMT Shealene French and Trial Supervision Officer Jeri Sanders attended training on proper installation of child safety car seats and are now nationally certified technicians.

CV Position Filled: The vacant EMT position in Crescent Valley has been filled and the individual will begin in August.

COVID Vaccines: Mr. Sanders said EMS will resume giving COVID vaccines on a weekly basis, or as needed, until Churchill County is able to fill the vacant position that was administering vaccines locally.

Quarterly Report: EMS submitted a report showing federally mandated write-offs of Medicaid and Medicare ambulance accounts. A total of \$474.00 was written off for the quarter - \$376.00 for April, \$98.00 for May, and zero for June.

Defibrillator Monitors: Mr. Sanders explained that funds were budgeted to replace the current defibrillator monitors. Replacement parts are no longer manufactured, making the current models obsolete.

Commissioner McKay motioned to authorize purchase of three (3) Tempus ALS Monitors from Enerspect Medical Solutions for a total not to exceed amount of \$146,376.46 to be paid with funds budgeted for capital outlay (010-054-55010-000) in the Ambulance/EMS budget. Commissioner Sharkozy seconded the motion. Motion carried 2-0.

SHERIFF

National Night Out: Sheriff Watts was not in attendance, but provided the Board with a proclamation for National Night Out, an event that brings law enforcement and the community together. Commissioner McKay motioned to adopt the proclamation declaring August 2, 2022, as National Night Out, and authorized the Chairman to sign it outside of the meeting. Commissioner Sharkozy seconded the motion. Motion carried 2-0.

Quarterly Report: Sheriff Watts provided computer generated reports showing statistics for April, May, and June. There were 2,971 incidents during the quarter. Inmates are being housed in a neighboring county, so Detention Facility statistics were not provided.

COUNTY FACILITIES

Facilities Update: Joyce Jeppesen, Public Works Assistant Director-Administration, gave an update on activities at County managed facilities.

Opera House: There were 79 visitors and 317 event attendees at the Opera House for the month of June. Activities included a stage production by Missoula Children's Theatre, which works with local children to rehearse and perform a play.

In June, Ms. Jeppesen traveled to Twin Falls, Idaho, scouting bands for potential entertainment at the Opera House. She is in contact with three bands and looking at availability.

Sentinel Museum: The Museum had 224 visitors for the month.

Swimming Pool: The Pool had 372 swimmers in June and completed two sets of public swimming lessons. Private lessons are still available. POOL/PACT conducted a risk management assessment of the Pool, with excellent results. Additional signage was recommended – for instance, notice to parents about child supervision. Seven candidates are currently being interviewed for lifeguard and attendant positions.

Eureka Canyon Subdivision: The lot sales to Nevada Department of Transportation have been finalized, increasing total lots sold from 11 to 13. There are 55 remaining lots, including the pending sale to Lee Raine.

Eureka Airport: Over 2,000 gallons of fuel was sold in June for total receipts of \$12,933.00 (\$10,948.00 for jet fuel and \$1,985.00 for avgas).

Eureka Landfill: The Landfill had 629 customers for the month, with 456 municipal customers and 173 commercial customers. It received 133 tons of municipal waste and 178 tons of construction and demolition debris.

LOCAL EMERGENCY PLANNING COMMITTEE

Decontamination Tents: Funds from the SERC OPTE Grant were received from the State Emergency Response Commission. Chair Jeb Rowley requested authorization to purchase two decontamination tents, one for northern and one for southern Eureka County.

Commissioner McKay motioned to approve purchase of two (2) decontamination tents from EMS Solutions in an amount not to exceed \$17,450.00, using funds budgeted for capital outlay (010-039-55010-00) in the LEPC budget, provided by the Fiscal Year 2023 SERC OPTE Grant (23-SERC-07-01). Commissioner Sharkozy seconded the motion. Motion carried 2-0.

PUBLIC WORKS

Public Works Update: Public Works Director Jeb Rowley reported on projects and activities. A split air conditioning unit was installed at the Dispatch Center, and another one is on order for the Ambulance Bay.

Courthouse HVAC: Repairs to HVAC components in the Courthouse are ongoing. This is part of the extensive project to replace the diesel-powered boiler and convert to an electrical HVAC system. A portion of the street directly behind the Courthouse has been closed to accommodate installation of significant electrical upgrades. Mt. Wheeler Power will be working

in that area to replace the pole-mounted transformers and install pad-mounted transformers for electricity delivery to the Courthouse, Eureka Senior Center, and Eureka Library.

Devil's Gate GID: Extension of the mainline from Third Street in Devil's Gate District #2 is ongoing. Mr. Rowley reported there have been six additional water applications (County-wide) since the last meeting. Public Works is addressing these on a priority basis as time permits. Two of the applications are due to domestic well failures in District #1 (Sharrow Circle area). Mr. Rowley expects a third application shortly, with more to come as domestic wells in District #1 are on the verge of failure.

CV Water Tank Repainting: Nevada Division of Environmental Protection has issued the permit, and Public Works can proceed with repainting one of the municipal water tanks in Crescent Valley.

Fire Season: The dry lightning storms have increased the number of fires. Cold Creek volunteers responded to a fire at the north end of Newark Valley the previous week. Those volunteers are dependent upon the communications tower on Bald Mountain, and Public Works is pursuing a technology upgrade to remedy radio transmission issues.

Communication Towers: Collaborative efforts continue with Bill Bass of Western States Enterprises to map tower components, and he is currently working to identify sources of equipment on the Prospect Peak tower. There have been issues at both the Prospect Peak tower and Bald Mountain tower where another party has removed County equipment and installed their equipment.

Institutional Control Plan: Public Works is pursuing a plan to better educate Eureka Town residents of the requirements tied to the Institutional Control Plan (ICP). Any dirt work in the townsite, that disturbs three cubic yards or more of material, triggers mandatory actions outlined in the ICP. Primarily, this consists of documentation so that material can be monitored and Public Works can track where contaminated material is going and communicate this to the Nevada Division of Environmental Protection.

Water Service Application – Devil's Gate: Commissioner McKay motioned to approve the application for a 3/4-inch residential water service and meter for APN 007-380-65 located in Devil's Gate District #1; Commissioner Sharkozy seconded the motion; motion carried 2-0.

Water Service Applications – Crescent Valley: Commissioner McKay motioned to approve the application for a 3/4-inch residential water service and meter for APN 002-038-16 located in the Town of Crescent Valley; Commissioner Sharkozy seconded the motion; motion carried 2-0.

Commissioner McKay motioned to approve the application for a 3/4-inch residential water service and meter for APN 002-038-18 located in the Town of Crescent Valley; Commissioner Sharkozy seconded the motion; motion carried 2-0.

WSE Quote: Mr. Rowley explained that Public Works has a replacement schedule for radio components installed on the communication towers and he asked for approval of the quote from Western States Enterprises.

Commissioner McKay motioned to approve Quote #1002 from Western States Enterprises for radio components in an amount not to exceed \$26,845.13 (\$22,370.94 plus 20% contingency for freight), utilizing funds budgeted for radio repeater upgrades (042-140-55010-094) in the Capital Projects Fund. Commissioner Sharkozy seconded the motion; motion carried 2-0.

Equipment Purchase: Mr. Rowley explained that the breakdown of the Courthouse boiler required immediate purchase of necessary equipment. He was able to secure the items before the end of the fiscal year, allowing this to be paid from the Fiscal Year 2022 budget.

Commissioner McKay motioned to ratify emergency purchase of equipment from Mt. Wheeler Power needed to address unanticipated repairs to the Courthouse boiler, in the amount of \$100,835.00 utilizing monies budgeted for capital outlay (040-130-55010-000) in the Building

Reserve Fund for Fiscal Year 2022. Commissioner Sharkozy seconded the motion. Motion carried 2-0.

Commercial Dishwashers: Commercial dishwashers at both Senior Centers are in need of replacement. Mr. Rowley presented three competitive quotes and recommended purchase from US Foods Culinary E&S.

Commissioner McKay motioned to approve Quote #1305577 from US Foods Culinary E&S for two (2) Tempstar Dishwashers in an amount not to exceed \$21,942.43 (including a 25% contingency for freight) utilizing funds budgeted for capital outlay (042-140-55010-000) in the Capital Projects Fund. Commissioner Sharkozy seconded the motion. Motion carried 2-0.

NATURAL RESOURCES

Report on Activities: Natural Resources Manager Jake Tibbitts was not in attendance and will report on activities at the next meeting.

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 has issued a formal Request for Information to Inform the Interagency Working Group and Mr. Tibbitts prepared a response for Board approval.

The response letter outlines concerns over any significant changes to mining laws, and provides that improvements to mining regulations can and should be made through the existing legal and regulatory framework without the need to amend the 1872 Mining Law.

Commissioner McKay motioned to send the County's comment letter to the Department of the Interior in response to its Request for Information to Inform the Interagency Working Group on Mining Regulations, Laws, and Permitting, to be signed outside of the meeting by the Chairman. Commissioner Sharkozy seconded the motion. Motion carried 2-0

Ruby Hill Water Pollution Control Permit: Mr. Tibbitts drafted a comment letter regarding a Water Pollution Control Permit for the Ruby Hill Mine Project. The letter states that Eureka County supports all mining activities done right and, due to the safeguards in place, believes it is appropriate to issue the permit.

Commissioner McKay motioned to send the comment letter to Nevada Division of Environmental Protection in support of issuance of the Water Pollution Control Permit (NEV0096103) for the Ruby Hill Mine Project. Commissioner Sharkozy seconded the motion. Motion carried 2-0.

CORRESPONDENCE

Correspondence was received from: Eureka County Recreation Board; Natural Resources Advisory Commission; Crescent Valley Volunteer Fire Dept.; Crescent Valley Town Advisory Board; Nevada Div. of Environmental Protection; Nevada Gold Mines; US Dept. of the Interior, BLM; National Assoc. of Counties; and Governing E-news.

Commissioner Reports: Commissioner McKay attended the School Board meeting the previous week to discuss potential housing for Sheriff's Office employees in northern Eureka County. The School District has a lot with two mobile homes in Beowawe that may be suitable. The School Board was open to whatever arrangement might work for the County, as long as any transaction is between the County and the School.

Commissioner McKay said that he and Jeb Rowley met recently with a representative from Senator Jacky Rosen's office. He felt it was a worthwhile discussion, noting that topics included potential federal funding for the Kobeh Valley water project, proposed changes to mining law, and efforts towards establishing a child care center in Eureka.

PUBLIC COMMENT

Vice Chairman Sharkozy called for public comments; there were none.

ADJOURNMENT

The meeting was adjourned at 11:17 a.m.

Approved by vote of the Board this 20th day of October, 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 20, 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