

**EUREKA COUNTY BOARD OF COMMISSIONERS**

**September 8, 2020**

STATE OF NEVADA        )  
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COUNTY OF EUREKA     )

**CALL TO ORDER**

The Board of Eureka County Commissioners met pursuant to law on September 8, 2020. Present were Chairman J.J. Goicoechea; Vice Chairman Michael Sharkozy (via telephone); Commissioner Rich McKay; and Commissioner Administrative Assistant Jackie Berg. The meeting was called to order at 9:30 a.m. and began with the Pledge of Allegiance.

The meeting was conducted telephonically pursuant to Governor Sisolak’s Declaration of Emergency Directive 006, which was extended by subsequent Directives through duration of the current State of Emergency. County staff and members of the public were able to attend the meeting via a toll-free conference call number.

**APPROVAL OF AGENDA**

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

**PUBLIC COMMENT**

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

Chairman Goicoechea, County Health Officer, thanked his fellow officials for their work in managing the COVID-19 pandemic in Eureka County, but cautioned everyone to remain vigilant in those efforts. He stated he is taking the recent positive cases very seriously and stressed the importance for businesses and citizens to adhere to preventative measures to avoid restrictive shutdowns, which can be ordered by the Task Force (*Nevada COVID-19 Mitigation & Management Task Force*). Additionally, the Chairman asked that people comply with quarantine measures if they are notified they have tested positive for the virus or have had direct contact with someone who has tested positive.

**APPROVAL OF MINUTES**

August 20, 2020: Commissioner Sharkozy motioned to approve minutes of the August 20, 2020, meeting; Commissioner McKay seconded the motion; motion carried 3-0.

**IT DEPARTMENT**

IT Update: IT Director Misty Rowley reported on IT projects and activities.

County-Wide Assessment: Technical engineers from Quest Media will arrive on September 10<sup>th</sup> to begin the County-wide 5G broadband assessment.

Election Security: Work continues on the new firewall and multi-factor authentication hardware and software required by the Secretary of State for elections. Meetings have been scheduled to work on implementing the increased security measures. The County will be reimbursed with election funding through the Secretary of State’s office.

Eureka Fiber Project: Aerial fiber was installed the previous week, but a break or blockage in the conduit prevented it from being routed to the Administrative Facility. Ms. Rowley will work with the technicians to develop a plan and schedule time to complete installation.

Crescent Valley Fiber Options: EM3 Networks confirmed that there is no fiber from the hot point on I-80 to Crescent Valley, so Ms. Rowley is exploring other options and will look into costs of a point-to-point connection from Eureka to Crescent Valley.

E-Rate funding was approved for the School District to have fiber installed from I-80 to the Crescent Valley Elementary School. Ms. Rowley will contact the Elko-Lander-Eureka County

Library System to get an update on plans to install fiber to the Crescent Valley Library (rural libraries and schools are eligible under the E-Rate Program).

NOC Room: Ms. Rowley and Support Technician Blaine Bacon will travel to Crescent Valley on September 9<sup>th</sup> to finalize work in the NOC Room (Network Operation Center).

SO Dispatch: Syber Networks will be in Eureka the week of September 21<sup>st</sup> to assist with moving the Dispatch Center at the Sheriff's Office.

IT Support Contract: Ms. Rowley negotiated a \$500.00 monthly reduction in the contract with BCT (Business Continuity Technologies) by removing the bi-monthly online visits.

Procedures/Training: Mr. Bacon has been documenting procedures and creating training materials for end users.

## **COMPTROLLER**

Payment of Expenditures: Expenditures were presented for approval by Comptroller Kim Todd. Commissioner McKay motioned to approve expenditures in the amount of \$701,352.50 for accounts payable; \$433,160.45 for payroll and benefit related expenses (including employee paid deductions); \$1,300,997.86 for a pass-through tax allocation to the School District; \$3,940.89 for a pass-through to the State Controller; \$600.43 for a pass-through to Nevada Department of Taxation; and \$145.00 for a pass-through to the Washoe County Crime Lab, for a grand total of \$2,440,197.13. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

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

Xerox Copiers: Commissioner Sharkozy motioned to approve purchase of two Xerox VersaLink C7025S2 Copiers, one for the Human Resources Department and one for the Commissioners' office, for a total of \$8,104.00 (\$4,052.00 each) utilizing Nevada State Purchasing NASPO Contract #072712700. Commissioner McKay seconded the motion. Motion carried 3-0.

## **COMMISSIONERS**

HRBWA Member Assessment: Chairman Goicoechea explained that Eureka County is a founding member and benefits from work done by the Humboldt River Basin Water Authority.

Commissioner McKay motioned to approve paying the Fiscal Year 2021 annual member assessment to Humboldt River Basin Water Authority in the amount of \$10,000.00. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Request for Traffic Controls: Ashley Adams, Heather Anderson, and Kimberly Domingo came before the Board on behalf of concerned parents and residents to present a petition with 34 signatures asking that additional traffic control signs be placed on Sheridan Street, Archimedes Street, and Nob Hill Avenue in Eureka. They specifically asked for "15 mph" and "Children At Play" signs explaining that approximately 20 young children live in the neighborhood. In speaking with other residents, many are not aware what the speed limit is, particularly those new to the area. Ms. Adams indicated that the neighborhood has one 15 mph sign and one 25 mph sign.

Referencing County Code, Sheriff Jesse Watts said the basic speed limit in town is 25 mph. He suggested an ordinance change to reduce speeds to 15 mph in the towns of Eureka and Crescent Valley.

County Code allows the Board to designate speed limits by resolution. Chairman Goicoechea felt the existing 15 mph sign may indicate that additional speed controls are already in place. He asked staff to research if a reduced speed resolution had been adopted for the area. If not, one can be presented at the next meeting. In the meantime, he asked the Public Works Director and the Sheriff to work together on procurement of appropriate signage.

Commissioner Sharkozy motioned to direct staff to research whether additional speed controls are in place for Sheridan Street, Archimedes Street, and Nob Hill Avenue in Eureka

and, if not, to prepare a draft resolution or ordinance for consideration at the next meeting. Commissioner McKay seconded the motion. Motion carried 3-0.

Cancel September 21<sup>st</sup> Meeting: Chairman Goicoechea has conflicting meetings during the week of September 21<sup>st</sup> and requested that the regular meeting be cancelled. Commissioner McKay motioned to cancel the September 21, 2020, meeting of the Board of County Commissioners; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Additional Meeting on September 18<sup>th</sup>: Commissioner McKay motioned to schedule an additional meeting of the Board on September 18, 2020, beginning at 9:30 a.m.; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Appoint HR Director: Kim Todd introduced Heidi Whimple, top-ranked candidate for the position of Human Resources Director. Ms. Todd read the written recommendation from the Interview Panel, which consisted herself, Commissioner McKay, and former Public Works Director Ron Damele.

Eight qualified candidates were interviewed. The Panel felt Ms. Whimple's knowledge, certifications, education, and years of service in the public sector made her the clear choice for this position.

Commissioner McKay motioned to accept the recommendation from the Interview Panel and to appoint Heidi Whimple as Human Resources Director for Eureka County; Commissioner Sharkozy seconded the motion; motion carried 3-0.

HR Director Salary / Start Date: Ms. Whimple stated she is very excited to join the staff at Eureka County. She cited her experience (most recently with Grover C. Dils Medical Center in Caliente) and training (numerous relevant courses and certifications). Ms. Whimple will graduate in December with a Bachelor of Science degree in Human Resource Management. Based on her experience and education, Ms. Whimple requested a starting salary of \$68,000.00, and stated she is available to start work on September 21<sup>st</sup>.

Commissioner McKay motioned to approve a starting salary of \$68,000.00, including the benefit package afforded directors and elected officials, for Heidi Whimple as Human Resources Director for Eureka County, with a start date of September 21, 2020. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

## **SENIOR CENTERS**

Update Report: Senior Centers Program Director, Millie Oram, provided a written report on activities at the Eureka Senior Center and Fannie Komp Senior Center. In August, Eureka served 948 meals and Crescent Valley served 997 meals. All meals are home-delivered and non-contact measures are being employed during this State of Emergency. A total of \$5,899.00 was deposited for the month.

Hiring Freeze Waiver Request: Commissioner Sharkozy motioned to waive the hiring freeze to allow the Program Director to fill a vacant Casual Worker III position at the Fannie Komp Senior Center. Commissioner McKay seconded the motion. Motion carried 3-0.

## **TREASURER**

Delinquent Tax Notices: Treasurer Pernecia Johnson provided the Affidavit of Mailing of delinquent tax notices for real property parcels. A total of 269 first-year, 73 second-year, and 29 third-year notices were sent. *Notices were mailed in March, but nonessential items were temporarily removed from the Board's agendas to allow officials to implement health and safety measures related to the COVID-19 pandemic.*

Tax Delinquent Properties Auction: The Tax Delinquent Properties Auction was conducted August 20<sup>th</sup> by mail-in bid only, with a total of 15 parcels offered for sale. All properties sold with total receipts of \$86,725.65. After deduction of all taxes and fees, \$74,642.08 in excess proceeds will be held for the statutory one-year period. Funds not claimed after a year will revert to the General Fund.

Commissioner Sharkozy motioned to accept the Treasurer's Verified Return of Sale & Reconciliation of Trust Property for the Tax Delinquent Properties Auction on August 20, 2020. Commissioner McKay seconded the motion. Motion carried 3-0.

Quitclaim Deeds Resolution: Commissioner Sharkozy motioned to adopt a resolution directing the County Treasurer to execute and file Quitclaim Deeds with the County Recorder and to deliver said Quitclaim Deeds to purchasers of the properties sold at the August 20, 2020, auction; Commissioner McKay seconded the motion; motion carried 3-0.

SUMMARY: Return of Sale of Trust Property

WHEREAS, the Board of County Commissioners of Eureka County, Nevada, on the 6<sup>th</sup> day of January, 2020, duly ordered the sale at public auction of the hereinafter described real property held by Pernecia Johnson, as County Treasurer and Ex-Officio Tax Receiver of Eureka County, Nevada, in trust; and

WHEREAS, after due and legal notice of the place and manner of said sale was duly given in the manner required by NRS 361.595, by publication in the *Eureka Sentinel*, a newspaper published within the County of Eureka, State of Nevada, and posted as required by NRS 361.595 and the 2019 Order of the Board of Commissioners Directing the County Treasurer to Offer All Tax Delinquent Properties for Sale, said property was sold by sealed bid on the 20<sup>th</sup> day of August, 2020, of said day in the Treasurer's office of the Eureka County Courthouse, Eureka County Nevada, in pursuance of said Order of Sale; and

WHEREAS, at said sale the property described in the Reconciliation of Tax Auction Held August 20, 2020, attached hereto was sold to the persons or entities listed for the total sum of Ninety-Three Thousand Six Hundred Fifty Dollars and Three Cents (\$93,650.03), which were the highest and best bids for the same and the whole amount bid and paid for said property;

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Eureka County, Nevada, as follows:

1. That the Eureka County Treasurer and Ex-Officio Tax Receiver of Eureka County, Nevada, in trust, execute and file Quit Claim Deeds for record with the County Recorder of Eureka County, Nevada, and deliver said Quit Claim Deeds for properties sold to said purchasers on the attached list.

ADOPTED the 8<sup>th</sup> day of September, 2020, by the Board of County Commissioners, Eureka County, Nevada.

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

ATTEST: /s/ Pernecia Johnson  
Pernecia Johnson, Eureka County Treasurer

Excess Proceeds from Prior Year's Auction: Ms. Johnson reported that \$11,961.96 in excess proceeds was held in trust from the Tax Delinquent Properties Auction held the previous year on April 24, 2019. Some valid claims were received by the one-year deadline leaving a balance of \$9,342.56, which was transferred to the General Fund.

## **CLERK RECORDER**

2020 General Election: Clerk Recorder Lisa Hoehne gave an update on the upcoming 2020 General Election. With passage of Assembly Bill 4, which was signed by the Governor on August 3<sup>rd</sup>, all active voters in Eureka County will receive a mailed ballot. Those wishing to vote in person may surrender the paper ballot and vote by machine either during early voting or on Election Day.

Early vote begins in Eureka on October 17<sup>th</sup> through October 30<sup>th</sup> (except Sundays) and the polling location is the Clerk Recorder's office. Ms. Hoehne has established a temporary polling place in Crescent Valley and early voting will be held on October 19<sup>th</sup>, 21<sup>st</sup>, 26<sup>th</sup>, & 28<sup>th</sup> with limited hours. Both polling locations will be open on Election Day, November 3<sup>rd</sup>, from 7:00 a.m. to 7:00 p.m.

Creation of a temporary polling location in Crescent Valley necessitated purchase of extra equipment and supplies and will require staff and pollworkers to travel to Crescent Valley.

Eureka County is slated to receive up to \$43,000.00 in additional election funds provided under AB4 to be distributed by the Secretary of State's office. These funds will help pay costs associated with mailing ballots and the temporary polling location.

Questions on Election: Chairman Goicoechea inquired about maintenance of the active registered voter rolls, asking how the Clerk's office is ensuring that ballots are only mailed to voters who are indeed residents and who are still alive.

Ms. Hoehne said maintenance of the voter rolls is an ongoing process. She described various reports received from the Secretary of State and the DMV, which help track status of voters. Information on the reports determines if a voter registration is cancelled or placed on inactive status. If a voter moves outside the County, it triggers a process before registration can be cancelled, unless notification is received from a State agency or in writing from the voter.

Based on inquiries from constituents, the Chairman asked how long Crescent Valley has been a mailing precinct. Ms. Hoehne replied that she did not know, but the Chairman and several others present believed it had been at least 20 years.

Ballot Printer: Ms. Hoehne explained she would like to utilize some of the AB4 election funding to purchase a ballot printer, which could be used in disaster situations and for future ballot printing.

Commissioner Sharkozy motioned to authorize purchase of a ballot printer from Dominion Voting in the amount of \$8,575.00 utilizing additional election funds from the Nevada Secretary of State. Commissioner McKay seconded the motion. Motion carried 3-0.

Set Date to Canvass Returns: Ms. Hoehne stated that new election legislation has extended certain dates and results from the General Election will not be available before the evening of November 12<sup>th</sup>. She asked the Board to set a special meeting to review final results.

Commissioner Sharkozy motioned to schedule a special meeting on November 16, 2020, to canvass results of the 2020 General Election and approve abstract of the votes. Commissioner McKay seconded the motion. Motion carried 3-0.

## **ROAD DEPARTMENT**

Report on Activities: Raymond Hodson, Assistant Public Works Director, reported on Road Department activities. As always, the Road Department assisted at the County Fair and everything went smoothly. Crews have finished blading East Antelope Road, Tonkin Springs Road, and are currently finishing up in Diamond Valley. Next they will concentrate on gravel hauling and other projects. The JD Ranch Road is a never-ending project and that blade is currently in the Grass Valley area.

Northern crews finished blading the Geothermal Road and part of the Cortez Road. The screening plant and a dozer are in the Cottonwood Pit and northern crews are working steady on that project. Material is being trucked from the Cottonwood Pit to the Roberts Creek Road to assist the contractor there.

Chairman Goicoechea expects increased traffic around Railroad Pass and along the east foothill roads in a week or ten days as the Diamond Complex Wild Horse Gather gets underway and moves into the Eureka County side.

## **PUBLIC WORKS**

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

Devil's Gate Mainline Extension: Mr. Rowley stated that the water line extension on Selim Way (in Devil's Gate GID) is complete and ready to be charged pending final approval from the State, which is expected any time. Results of the water tests were all good. Residential connections are approved and ready to receive service off the new line. The blade in southern Diamond Valley will complete reclamation work on Selim Way and the Highway 50 right-of-way now that installation of the water line is complete.

Street Maintenance Project: As soon as the two-day cold spell is over, the contractor will resume chip sealing in Diamond Valley and will then micropave over the top of those roads and then move on to the Fish Creek Road. The Eureka Airport is done except for striping, and some striping remains in Crescent Valley as well. Some items were added to the scope of work for this project and costs will be covered by the Force Account, but Public Works will request a Change Order at the next meeting to reflect extension of the project deadline. Once final punch list items are done, the project should be completed by month-end or first of October.

Commissioner McKay has heard positive comments regarding the project and he thanked Mr. Rowley for working with the contractor to accommodate access to a couple of the residences on Spring Street in Eureka.

Sewer Pond Remediation: The fencing crew will be working at the sewer ponds this week and a crew should be here the end of September to complete relining of the remediated pond.

Residential Water Application: Public Works received a residential water service application along with written request to waive the condition placed on certain parcels on Ridgetop Road requiring utility connections to be done by a licensed contractor. Mr. Rowley waived the requirement and Public Works will complete the water connection. He recommended approval of the water service.

Commissioner McKay motioned to approve the application for a 3/4-inch residential water service in the Town of Eureka for APN 001-012-29; Commissioner Sharkozy seconded the motion; motion carried 3-0.

## **NATURAL RESOURCES**

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

NV Energy: On August 25<sup>th</sup>, the Chairman and Mr. Tibbitts met with representatives of NV Energy, including CEO Doug Cannon, regarding plans to install a new 525 kV transmission line across the Highway 50 corridor from Robinson Summit in White Pine County to Yerington. Another line is planned to link the western half of the State to Las Vegas and the company has an aggressive timeline, projecting that both lines will be constructed by 2026 and in service within the decade. This infrastructure is being built to link green energy projects. Before construction, NV Energy must obtain approval from the Public Utilities Commission, complete the permitting process, and secure rights-of-way.

There will be some impacts to the area, but it will provide some economic benefits as well, and Mr. Tibbitts and the Chairman encouraged NV Energy to use local laborers, contractors, and resources of that nature whenever possible.

Senator Rosen: Mr. Tibbitts and Chairman Goicoechea met with Senator Jacky Rosen and her staff on August 28<sup>th</sup> to discuss the 3 Bars Ecosystem & Landscape Restoration Project. The conversation touched on a myriad of current issues including COVID, wildfire, mining reform, etc., and both felt it was a good discussion.

Upcoming Meetings: The Legislative Committee on Public Lands will hold a virtual meeting on September 10<sup>th</sup> and Mr. Tibbitts plans to attend.

Wild Horse Gather: The Diamond Complex Wild Horse Gather is scheduled to start later in the week and the BLM is working in close coordination with the County. The BLM plans to remove 1150 horses from the Complex which spans three BLM Districts – Ely, Elko, and Battle Mountain. Over 1200 horses will be gathered, with some studs and fertility-treated mares returned. An inventory flight will be done towards the end of the gather.

Bank Enabling Agreement: Several years ago, Barrick (now Nevada Gold Mines) signed a Bank Enabling Agreement with the Department of the Interior to mitigate for loss of sage grouse habitat by allowing the mine to achieve a net conservative gain when “debits” from future mining activities are balanced against “credits” earned through conservation actions.

The Environmental Assessment for the Bank Enabling Agreement is now complete and Nevada Gold Mines is authorized to move forward with conservation projects, some of which are on public lands. This has raised controversy over the mine's authority to do this work on an allotment where it does not hold a grazing permit, potentially curtailing grazing for several years. Mr. Tibbitts is working with affected permittees on this ongoing issue to ensure that any impacts are minimized, and the mine has promised close coordination with the permittees and the County.

Chairman Goicoechea stated the Sagebrush Ecosystem Council does not want to allow one party to be adversely affected by another party trying to create credits. This is a major concern of the SEC and it is working to resolve this issue.

Gibellini Project: The BLM held scoping meetings on the Proposed Gibellini Project on September 2<sup>nd</sup> & 3<sup>rd</sup>, and Mr. Tibbitts prepared scoping comments for the Board's review. The comments to the BLM include thanks to Nevada Vanadium and Ron Espell, Vice President of Environment & Sustainability, for their work and coordination to help move this project along.

Commissioner Sharkozy motioned to provide scoping comments to the BLM regarding its Notice of Intent to Prepare an Environmental Impact Statement for the Proposed Gibellini Project, and authorized the Chairman to sign the letter outside of the meeting. Commissioner McKay seconded the motion. Motion carried 3-0.

Mr. Tibbitts commented on Nevada Vanadium's Open House held on August 25<sup>th</sup> to inform the public about the Gibellini Project. He thanked the public who attended, noting there were 13 community members in addition to the County people and mine representatives who were there.

MOU for Grazing Regulations EIS: Mr. Tibbitts presented the final draft of a Memorandum of Understanding for Eureka County to be a Cooperating Agency as the BLM moves forward with an EIS to update grazing regulations. The signed MOU was due September 4<sup>th</sup>, but the BLM has accepted the final changes and agreed to allow the County to give formal approval at today's meeting.

Chairman Goicoechea thanked the BLM, stating they have done a good job of reaching out to counties and other governmental entities during this process.

Commissioner McKay motioned to sign the Cooperating Agency Memorandum of Understanding with the BLM on its EIS to update grazing regulations in the Code of Federal Regulations (43 CFR 4100). Commissioner Sharkozy seconded the motion. Motion carried 3-0.

USFS Objection Response: Mr. Tibbitts reminded the Board that outside counsel, Laura Granier Esq., was engaged and Chairman Goicoechea was designated the County's authorized representative to work throughout the objection process on the US Forest Service's Final EIS for the Greater Sage-Grouse Land Management Proposed Plan Amendments.

It has taken the Forest Service several months to work through the objections and it has now prepared the final Objection Response for the Greater Sage-Grouse Plan Amendments, which includes instructions to implement before the final Records of Decision can be signed.

Mr. Tibbitts recommended that Ms. Granier review the Forest Service's response documents to advise the County if any further action is warranted before the Records of Decision are issued. The Board agreed and the Chairman will reach out to Ms. Granier.

## **CORRESPONDENCE**

Correspondence was received from: Seventh Judicial Dist. Court (CV-2002009); Cindy Beutel; flyer for Ron Damele retirement party; Comptroller Kim Todd; Planning Commission; Health Ins. Advisory Committee; Medical Clinics Advisory Committee; Recreation Board; Eureka Business Network; Crescent Valley Town Adv. Board (3); Humboldt River Basin Water Authority; Nevada Assoc. of Counties; Allison MacKenzie Ltd.; Northeastern Nevada 2020 Census Outreach; Governor's Office of Economic Development; Nevada Dept. of Agriculture; Guinn Center for Policy

Priorities; UNR Center for Economic Development; Nevada Rural Housing Authority; AEON A1; and US Senator Cortez Masto.

**PUBLIC COMMENT**

Chairman Goicoechea called for public comments.

Nona Kellerman referenced the speed limit discussion earlier in the meeting and asked that Third Street in Crescent Valley be included if further speed controls are implemented and if additional traffic control signs are installed.

**ADJOURNMENT**

Commissioner Sharkozy motioned to adjourn the meeting; Commissioner McKay seconded the motion; the meeting was adjourned at 11:16 a.m.

*Approved by vote of the Board this 18<sup>th</sup> day of September, 2020.*

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

*I, Jackie Berg, Commissioner Administrative Assistant, attest that these are a true, correct, and duly approved minutes of the September 8, 2020, 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 Recorder