

EUREKA COUNTY BOARD OF COMMISSIONERS

January 7, 2019

STATE OF NEVADA)
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COUNTY OF EUREKA)

CALL TO ORDER

The Board of Eureka County Commissioners met pursuant to law on January 7, 2019. Present were Chairman J.J. Goicoechea; Vice Chairman Michael Sharkozy; Commissioner Rich McKay; District Attorney, Ted Buetel; and Commissioner Clerk, 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. Commissioner Sharkozy commented that he would like to welcome all of the newly elected officials in Eureka County.

APPOINTMENT OF OFFICERS

Chairman 2019: Commissioner Sharkozy motioned to retain J.J. Goicoechea as Chairman for Calendar Year 2019; Commissioner McKay seconded the motion; motion carried 3-0.

Vice Chair 2019: Commissioner McKay motioned to retain Mike Sharkozy as Vice Chairman for Calendar Year 2019; Chairman Goicoechea seconded the motion; motion carried 2-0, with Commissioner Sharkozy abstaining.

APPROVAL OF MINUTES

December 20, 2018: Chairman Goicoechea asked for a slight wording change to clarify a sentence in the minutes. Commissioner Sharkozy motioned to approve minutes of the December 20, 2018, meeting as edited; Commissioner McKay seconded the motion; motion carried 3-0.

COUNTY COMPTROLLER

Payment of Expenditures: Expenditures were presented for approval by Comptroller, Maureen Garner.

Chairman Goicoechea offered clarification related to some expenses charged to the Sheriff's budget that were reimbursements to Sheriff Jesse Watts for out-of-pocket expenses made while he was Sheriff Elect. In order to expedite training for the incoming Sheriff and to complete the background check on the incoming Undersheriff, an agreement was made about a month ago between the Chairman, the (then) Sheriff, and the (then) Sheriff Elect that these expenses could be presented for approval at the first meeting in January.

The Board reviewed the list of expenditures. Commissioner Sharkozy motioned to approve expenditures in the amount of \$405,042.14 for accounts payable, \$304,799.90 for payroll related expenses, \$880,226.18 for a pass-through tax allocation to the School District, \$396,010.61 for a pass-through to the State Controller, \$14,530.00 for a pass-through to the Division of Minerals, \$303.00 for a pass-through to the Department of Taxation, and \$5,269.13 in Yucca Mountain expenditures for a grand total of \$2,006,180.96. Commissioner McKay seconded the motion. Motion carried 3-0.

Fund Balance Report: The Board reviewed the Fund Balance Report provided by the Comptroller's office.

APPOINTMENT OF COUNTY DIRECTORS / DEPARTMENT HEADS

Annual Appointments: Annual appointments are made to the following at-will positions that answer directly to the Board of County Commissioners:

Public Works Director: Commissioner Sharkozy motioned to reappoint Ron Damele as Public Works Director; Commissioner McKay seconded the motion; motion carried 3-0.

Natural Resources Manager: Commissioner Sharkozy motioned to reappoint Jake Tibbitts as Natural Resources Manager; Commissioner McKay seconded the motion; motion carried 3-0.

County Comptroller: Commissioner McKay motioned to reappoint Maureen Garner as County Comptroller; Commissioner Sharkozy seconded the motion; motion carried 3-0.

EMS Director: Commissioner Sharkozy motioned to reappoint Kenny Sanders as EMS Director; Commissioner McKay seconded the motion; motion carried 3-0.

Senior Centers Program Director: Commissioner McKay motioned to reappoint Millie Oram as Senior Centers Program Director; Commissioner Sharkozy seconded the motion; motion carried 3-0.

IT/Network Supervisor & Webmaster: Commissioner Sharkozy motioned to reappoint Michael Mears as IT/Network Supervisor and County Webmaster; Commissioner McKay seconded the motion; motion carried 3-0.

EMS Director Salary: In September, Kenny Sanders was appointed as EMS Director, but agreed to serve in a dual role for a transitional period and continue as Sergeant until January to avoid creating a hardship for the Sheriff's Office. In keeping with County policy, he received a 5% wage increase to compensate for the additional duties. Everyone agreed to negotiate the permanent EMS Director salary once this transition was complete in January.

Chairman Goicoechea researched the County's wages, including that of the former EMS Coordinator, and felt a base salary of \$61,000.00 was appropriate. Since there is no break in service, Mr. Sanders will retain his longevity and will receive the benefit package provided all officials appointed by the Board.

Mr. Sanders indicated that he was satisfied with this offer.

Commissioner McKay motioned to set the base salary for the EMS Director at \$61,000.00 with the benefit package afforded all appointed officials; Commissioner Sharkozy seconded the motion; motion carried 3-0.

COMMITTEE, BOARD, & LIAISON APPOINTMENTS

Changes and/or Restructuring: The Board reviewed a comprehensive worksheet showing all members (including vacancies and expired seats) to County committees and boards, non-County committees and boards, and liaisons to various groups or representing specific issues.

It was determined that there was no longer a need for the Debt Management Board. The Commissioners also decided not to appoint a liaison to American Lands Council. Commissioner McKay motioned to dissolve the Debt Management Board and to deny appointing a liaison to American Lands Council; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Appointments: The Board continued reviewing the list to determine appointees. With a motion by Commissioner Sharkozy, second by Commissioner McKay, and unanimous vote, the following appointments were made:

COUNTY BOARDS & COMMITTEES

Board of Equalization

Jim Ithurrealde / Business or Elected Official / four-year term (new appointment)

Ralph Cuda / Business / unexpired four-year term (new appointment)

Diamond Valley Rodent Control District Board

Lloyd Morrison / Agriculture / three-year term

Fair Board (District #15 Agriculture Board)

Lynn Conley / County At Large / four-year term

Chanlie Auch / County At Large / four-year term

Health Insurance Advisory Committee

Nona Kellerman / Public Taxpayer / two-year term

Jayne Halpin / Road Dept., Public Works / two-year term

Marcial Evertsen / Sheriff's Office / two-year term

Tina Hubbard / Retirees / two-year term

Local Emergency Planning Committee

Pete Goicoechea / State Elected Official / one-year term

Mike Sharkozy / Local Elected Official / one-year term

Jesse Watts / Law Enforcement / one-year term (new appointment)

Ron Damele / Civil Defense, Emergency Management / one-year term

Shealene French / First Aid; Health / one-year term

Michael Mears / Community Groups; Broadcast or Print Media / one-year term

Jayne Halpin / Firefighting / one-year term

Earl Overholser / Local Environmental, EPCRA Facility / one-year term

John Schweble, Jr. / Transportation / one-year term

Roger Hubbard / Alternate-Firefighting / one-year term

Kenny Sanders / Alternate-First Aid / one-year term (new appointment)

Cathy Wolf / Alternate-Health / one-year term

Ron Jensen / Alternate-Local Environmental, EPCRA Facility / one-year term

Misty Rowley / Alternate-Broadcast or Print Media / one-year term

Medical Clinics Advisory Committee

Amber Whelchel / Community Member / unexpired two-year term (new appointment)

Rich McKay / Commissioner Liaison / non-voting

Natural Resources Advisory Commission

Paul Etzler / Recreation / four-year term

Ari Erickson / Mining / four-year term

Planning Commission

Craig Benson / Commissioner District #1 / four-year term

Recreation Board

Rich McKay / Commissioner / four-year term

Darlene Moody / Motel, Hotel / four-year term (new appointment)

Regional Transportation Commission

Rich McKay / Commissioner / two-year term (new appointment)

Senior Center Advisory Board

Barbara Dugan / Northern County / three-year term

Robin Evans / Non-Senior South / three-year term

Mike Sharkozy / Commissioner / three-year term

Kathy Kinkade / Non-Senior North / three-year term (new appointment)

NON-COUNTY BOARDS & COMMITTEES

Boulder Valley Monitoring Plan

Mike Sharkozy / Liaison
Jake Tibbitts / Liaison

Central Nevada Regional Water Authority

J.J. Goicoechea / Commissioner / Member (new)
Jim Gallagher / Farming / Member
Fred Etchegaray / Farming / Member
Jake Tibbitts / Alternate

Diamond Natural Resources Protection & Conservation Association

Jake Tibbitts / Liaison (non-voting)

Homeland Security Working Group

Jesse Watts / Sheriff, Eureka County (new)

Humboldt River Basin Water Authority

J.J. Goicoechea / Commissioner / Member
Carl Slagowski / Eureka County / Member
Tom Tomera / Eureka County / Member
Jake Tibbitts / Eureka County / Alternate

Mt. Hope 3M Plan Tech. Adv. Comm.

Jake Tibbitts / Eureka County / Member
Dale Bugenig / Eureka County / Alternate

Mt. Hope 3M Plan Water Adv. Comm.

J.J. Goicoechea / Eureka County

Nevada Association of Counties

J.J. Goicoechea / Eureka County / Member
Rich McKay / Eureka Co / Alternate (new)

Nevada Pinyon-Juniper Partnership

Jake Tibbitts / Eureka County / Member

Nevada POOL/PACT Board

Beverly Conley / Eureka County / Member
Ted Beutel / Eureka County / Alternate
Ron Damele / Eureka County / Alternate

Nevada Project Heartbeat

Shealene French / Eureka Co / Member (new)
Kenny Sanders / Eureka Co / Alternate (new)

Nevadaworks

Mike Sharkozy / Eureka County / Member

Northeastern Nevada Regional Dev. Auth.

Rich McKay / Commissioner / Member (new)

Ruby Hill Community Adv. Committee

J.J. Goicoechea / Commissioner / Member (new)

LIAISONS - VARIOUS GROUPS / ISSUES

Census Issues

Michael Mears

Crescent Valley VFD

Mike Sharkozy

Eureka VFD

J.J. Goicoechea

NDF & Rural VFDs

J.J. Goicoechea

Legislative Representatives

J.J. Goicoechea

Michael Mears

Jake Tibbitts

Jesse Watts (new)

Natural Resources

J.J. Goicoechea

NV Department of Taxation

Michael Mears

Water Protest Filings

J.J. Goicoechea

Water Rights

Ted Beutel

Yucca Mountain

J.J. Goicoechea

COMMISSIONERS

Letter to Marijuana Enforcement Division: Chairman Goicoechea explained that the Board received a letter from Nevada Department of Taxation, Marijuana Enforcement Division, notifying the County that two applicants had been selected for conditional retail marijuana licenses. Eureka County Code prohibits any commercial purpose related to marijuana (Title 6, Chapter 60, Section .050). A letter was prepared notifying the Division of Eureka County's regulations related to marijuana and marijuana establishments.

Commissioner Sharkozy motioned to send a letter, with a copy of the applicable Code, to the Department of Taxation, Marijuana Enforcement Division, notifying them of Eureka County's regulations on marijuana; Commissioner McKay seconded the motion; motion carried 3-0.

Sagebrush Ecosystem Program: Chairman Goicoechea reported that the Sagebrush Ecosystem Council is still moving forward with ongoing issues. He had a few conversations with Kelly McGowan, Manager of the Sagebrush Ecosystem Program, about the new administration with Governor Sisolak and what might be expected. The Program is housed at the Department of Conservation & Natural Resources and Governor Sisolak reappointed Brad Crowell as Director, so big changes aren't expected there.

SENIOR CENTERS

Update Report: Senior Centers Program Director, Millie Oram, reported on activities at the Eureka Senior Center and Fannie Komp Senior Center. In December, Eureka served 602 meals and Crescent Valley served 552 meals. A total of \$2,343.91 was deposited for the month.

TREASURER

Review Past Order: Treasurer, Beverly Conley, provided a copy of the 2015 Order of the Board of Commissioners Directing the County Treasurer to Offer All Tax Delinquent Properties for Sale Pursuant to NRS 361.595(2). The current Order directs the Treasurer to publish notice of sale in the *Eureka Sentinel* and the *Elko Daily Free Press*. Ms. Conley stated that advertising in Elko is too expensive for the properties going to sale, and State law only requires publication in one newspaper.

The Commissioners agreed to amend the Order in relation to publication requirements and will place this item on the next agenda.

List of Tax Delinquent Properties: Ms. Conley shared a list of 24 parcels, along with maps showing the properties, which will be sold at the April 24, 2019, auction if not redeemed by the April 22nd deadline.

County's Option to Acquire: NRS 361.603 outlines a process where local governments can acquire property held in trust. Ms. Conley consulted with Public Works and none of the delinquent parcels would be beneficial to the County. The Board agreed that there was no desire to acquire any of the tax delinquent parcels.

ROAD DEPARTMENT

Report on Activities: Assistant Public Works Director, Raymond Hodson, and Jayme Halpin, Road Equipment Operator III, reported on Road Department activities. The gravel haul project on the JD Ranch Road kept both north and south crews busy for the month of December and they completed over four miles of road. Crews also spent several days plowing snow due to occasional snowstorms.

PUBLIC WORKS

Public Works Update: Public Works Director, Ron Damele, reported on Public Works projects and activities.

Utilities & Facilities: One of the Crescent Valley wells is down due to a pump failure, but should be repaired by the end of the day. All other utility systems continue to operate without any issues. Parts for the Opera House elevator are scheduled to arrive January 14th, and Silver State Elevator Company will be in Eureka that week to finish repairs.

Firefighter Training: Public Works is in the process of scheduling Red Card training for wildland firefighting. Refresher classes as well as initial training will be offered. Several volunteer firemen from Crescent Valley are attending an exterior structure class in Carlin. This is valuable training and it will take the volunteers about three months to complete the course.

Road Maintenance MOU: The Memorandum of Understanding with Barrick Cortez for assistance with road maintenance is finished and Barrick has sent it to their office in Toronto for review. The MOU is basically the same as previous ones, except that additional roads were added in the Crescent Valley area.

Solid Waste Collection Contract: Last January, Public Works advertised for a Statement of Qualifications for a garbage collector and received one response, which was rejected because of the high cost. Mr. Damele would like to advertise again, for 30 days, and offer a County-wide franchise. He advised that in order to attract a contractor, the County will have to subsidize for at least the first couple of years to help with the initial investment needed to supply bins and receptacles. The current solid waste collection contract with Hoss Disposal expires on April 30th, and Mr. Damele stated this should be extended for another six months to allow time to get a new contractor in place.

Commissioner McKay motioned to direct Public Works to advertise through a Statement of Qualifications or other means for a County-wide solid waste collection contractor; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Parcel Map: The parcel map for David A. Pastorino Family Trust was tabled pending signature by the property owner.

SHERIFF

Advanced Step Hire: Sheriff Jesse Watts requested that the wages for the incoming Undersheriff, James Clark, be set at Range 130 Step 15, based on his qualifications and years of experience, and also because the Undersheriff is the only salaried position in the County that shares in the cost of dependent insurance.

Commissioner Sharkozy motioned to authorize an advanced step hire, pursuant to Personnel Policy 5.7.3, for the position of Undersheriff; Commissioner McKay seconded the motion; motion carried 3-0.

NATURAL RESOURCES

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

FRTC Modernization EIS: The Navy extended the comment period for the Fallon Range Training Complex Modernization EIS to February 14th.

Upcoming Meetings: The Eureka Conservation District will hold its first meeting of the year on January 8th. The District welcomes new board member, Carl Olsen, who was elected in November.

Mr. Tibbitts will travel to Fallon on January 10th to participate with a group of people representing various interests who were selected to discuss proposed water related legislation to try to find some common ground. He will remain in Fallon to attend the Central Nevada Regional Water Authority meeting on January 11th.

On January 15th and 16th, the State Engineer's office will conduct workshops to provide updates on water modeling studies, management plans, and administration of the Humboldt River. Workshops will be held in Lovelock, Winnemucca, and Elko. Consulting Hydrogeologist, Dale Bugenig, will attend one of the workshops on behalf of the County.

On January 16th, Mr. Tibbitts will go to Las Vegas for the Cooperative Extension Advisory Council meeting. On January 17th, the County Advisory Board to Manage Wildlife will meet in the afternoon, followed that evening by a meeting of the Natural Resources Advisory Commission.

Sagebrush Ecosystem Program Proposed Regulations: Mr. Tibbitts worked closely with NACO developing comments on the proposed mitigation regulations drafted by the Sagebrush Ecosystem Council. Due to this, Eureka County adopted NACO's comments. At the last meeting, the Board authorized Mr. Tibbitts to submit those comments by the December 28th deadline.

Commissioner McKay motioned to ratify comments submitted in coordination with NACO on the Sagebrush Ecosystem Program's proposed mitigation regulations for activities located in Greater Sage-Grouse habitat. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

USFS LMPA & DEIS: Mr. Tibbitts submitted comments on January 3rd regarding the Forest Service's plan amendments and Draft EIS.

Chairman Goicoechea motioned to ratify comments submitted on the USDA Forest Service's Greater Sage-grouse Proposed Land Management Plan Amendments and Draft Environmental Impact Statement for the Intermountain and Rocky Mountain Regions. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

BLM Final EIS: At the last meeting, the Board authorized Mr. Tibbitts to work with the Chairman and outside legal counsel to protest the BLM's Nevada and Northeastern California Greater Sage-Grouse Proposed Resource Management Plan Amendment and Final EIS. The protest deadline is January 9th. The County has engaged Laura Granier with Holland & Hart to work on the Land Use Plan Amendments, and Mr. Tibbitts contacted her about assisting with the protest. He asked the Board to approve an additional amount for legal fees, not to exceed \$7,500.00.

Commissioner Sharkozy motioned to approve up to \$7,500.00 to engage Laura Granier, Esq., to assist with filing a protest on the BLM's Nevada and Northeastern California Greater Sage-Grouse Proposed Resource Management Plan Amendment and Final EIS. Commissioner McKay seconded the motion. Motion carried 3-0.

Out-of-State Travel: Mr. Tibbitts requested authorization for out-of-state travel to attend the upcoming National Association of Conservation Districts meeting in San Antonio, noting that all travel costs will be paid by NACD. He explained that the Association represents Conservation Districts nationwide and he serves as Nevada's board member.

NACD has been successful in establishing national policy important to Nevada. For instance, a few years ago it advocated to allow EQIP (Environmental Quality Incentives Program through the Natural Resources Conservation Service) funding to be utilized on public lands as long as there is a private land agreement with the rancher.

This year NACD is advocating for a change in policy related to the Land & Water Conservation Fund, a federal fund that uses oil and gas receipts to pay for land and water conservation. The fund has been misused, in NACD's opinion, for federal acquisition of more land and water rather than actual conservation. NACD wants policy amended so these funds are also available to local entities, such as Conservation Districts.

Commissioner Sharkozy motioned to approve out-of-state travel for Mr. Tibbitts to attend the National Association of Conservation Districts meeting in San Antonio, Texas, February 4th-6th; Commissioner McKay seconded the motion; motion carried 3-0.

FISCAL YEAR 2019-2020 BUDGET

Budget Timeline & Statutory Deadlines: Assistant Comptroller, Kim Todd, explained that the Tentative Budget is due to the State (Nevada Department of Taxation) by April 15th, and the Final Budget is due by June 1st. The County must notify the State of any proposed changes in the tax rate and proposed allocation of the tax rate by February 20th.

The Assessor and Treasurer are working on ad valorem revenue projections and the preliminary report is due to the State by the end of January. The Department of Taxation must provide overall revenue projections to the counties by March 25th.

Preliminary Budget Discussion: The Board and Ms. Todd discussed how they wanted to approach this season's budgeting process. After some discussion, the Board agreed to consider the following budget issues at the January 22nd meeting: tax rate and allocation of tax rate, requests for capital outlay purchases and capital outlay projects, personnel requests, and merits

and cost of living adjustments. Departmental budgets will be presented at subsequent meetings. The Comptroller's office will assist with scheduling the various departments.

Computer Purchases: Assessor Michael Mears, who is also IT Supervisor, noted that departments need to budget for computer replacements, as IT only keeps a small number of computers in stock for emergency replacements. Mr. Mears added that computers need to be budgeted in services and supplies, and not in capital outlay.

Ms. Todd agreed, adding that the dollar threshold for capital outlay purchases is \$3,000.00 and above. Anything under \$3,000.00 should not be charged to capital outlay. The external auditors don't like seeing the County's capital assets increasing because someone has charged a \$200.00 computer monitor to capital outlay.

CORRESPONDENCE

Correspondence was received from: District Attorney, Ted Beutel (2); Public Works Director, Ron Damele (2); Natural Resources Manager, Jake Tibbitts (3); Comptroller, Maureen Garner; Asst. Comptroller, Kim Todd; Senior Centers Program Director, Millie Oram (2); Sergeant Sandy Eastwood; Amber Whelchel; Paul Etzler; Ari Erickson; Brayton Talbot; Wes Leavitt; Joseph Martini; Carl Olsen; Kathy Kinkade; Marty Plaskett; Natural Resources Advisory Commission; Kelly Brown, PLLC; Central Nevada Regional Water Authority (2); Nevada Assoc. of Counties; Nevada Dept. of Taxation; Nevada Dept. of Health & Human Services; and US Navy (3).

PUBLIC COMMENT

Chairman Goicoechea called for public comments; there were none.

ADJOURNMENT

Commissioner Sharkozy motioned to adjourn the meeting; Commissioner McKay seconded the motion; the meeting was adjourned at 10:57 a.m.

Approved by vote of the Board this 22nd day of January, 2019.

/s/ J.J. Goicoechea, DVM

J.J. Goicoechea, Chairman

I, Jackie Berg, Commissioner Clerk, attest that these are a true, correct, and duly approved minutes of the January 7, 2019, meeting of the Board of Eureka County Commissioners.

/s/ Jackie Berg

Jackie Berg, Commissioner Clerk

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 Clerk.

/s/ Lisa Hoehne

Lisa Hoehne, Clerk Recorder