

EUREKA COUNTY BOARD OF COMMISSIONERS
Quarterly Meeting – January 14, 2011

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 14, 2011, at the Crescent Valley Town Center. Present were Chairman Leonard Fiorenzi, Vice Chairman Mike Page, Member Jim Ithurralde, and Clerk & Treasurer Jackie Berg. District Attorney Ted Beutel was in attendance via the interactive video conferencing link from Eureka. Present for the Crescent Valley Town Advisory Board were Chairwoman Gloria Sharrow and Vice Chair Dawn Gann. The meeting was called to order at 9:30 a.m. and began with the Pledge of Allegiance.

APPROVAL OF AGENDA

Chairman Fiorenzi stated that the NEPA Committee would be moved up as the first item of business on the agenda. With that change, Commissioner Ithurralde motioned to approve the agenda; Commissioner Page seconded the motion; motion carried 3-0.

NEPA COMMITTEE

Response Letter to BLM: Natural Resources Manager, Jake Tibbitts, explained that the County has continued to request that a reduced project alternative be included and analyzed in the Mt. Hope Project EIS. This means that a slower rate of mining with an extended mine life would also be analyzed in the EIS. The BLM has asked for the County’s help in defining the scope of this reduced alternative. The letter to the BLM suggests that they analyze a 50% reduced production rate and the associated impacts. This doesn’t mean the County is suggesting a full 50% reduction, but it is a request that the full spectrum be analyzed so that the BLM can make an informed decision, which may very well fall somewhere in between the original proposed mining rate and the reduced alternative. Commissioner Page motioned to approve sending the letter to the BLM regarding analysis of a reduced project alternative in the Mt. Hope EIS; Commissioner Ithurralde seconded the motion; motion carried 3-0.

PUBLIC COMMENT

Commissioner Ithurralde stated that he received an email from Assemblywoman Marilyn Kirkpatrick, who is Chair of the Government Affairs Committee for the 2011 State Legislature. She is requesting that Eureka County provide an update to the Committee in mid-February since there are so many new legislators this year. Commissioner Ithurralde will attend and find another County representative to accompany him. There were no further comments.

JOINT MEETING WITH CRESCENT VALLEY TOWN ADVISORY BOARD

Appointment to CVTAB: Dawn Gann explained that the Commissioners had requested that a recommendation be forthcoming from the newly seated CVTAB after the first of the year. Due to a miscommunication, the CVTAB had forwarded a recommendation in December and had since received further interest in the vacant seat. Chairman Fiorenzi asked the CVTAB if they were requesting to withdraw the letter. Ms. Gann and Chairwoman Sharrow responded affirmatively and motioned, seconded, and voted 2-0 to withdraw the letter.

A subsequent letter from the current CVTAB requested that the Commissioners select the candidate to be appointed, noting that either Vickie Etchinek or Bryan Mason would be a welcome addition to their Board. Chairman Fiorenzi stated that the CVTAB should select the

third member, since they will be the ones working with this person. Dawn Gann motioned to recommend Bryan Mason for the vacancy and Chairwoman Sharrow seconded the motion which passed 2-0.

Commissioner Page motioned to accept the CVTAB's recommendation and appoint Bryan Mason to the Crescent Valley Town Advisory Board; Commissioner Ithurralde seconded the motion; motion carried 3-0.

Introduction of CVTAB Secretary: Chairwoman Sharrow introduced their recently hired secretary, Michelle Winters. Everyone welcomed Ms. Winters on board. Both Boards thanked Sandy Spoo for doing such a great job as secretary over the past few years.

Budget Planning for Fiscal Year 2011-2012: CVTAB members requested assistance in preparing their budget for the upcoming fiscal year. Public Works Director, Ron Damele, agreed to provide some assistance.

Crescent Valley Deed of Restrictions: Ms. Gann and Chairwoman Sharrow explained that survey results are still coming in. Since the County has 47 parcels in the townsite, they requested the County's position on whether the Deed of Restrictions should be eliminated. Chairman Fiorenzi relayed that the County should support the majority of the residents, but also felt the County shouldn't interfere with an individual's private property rights, and there were bound to be some who were not in favor of removing the Deed of Restrictions.

District Attorney, Ted Beutel, clarified that it wasn't simply a 'majority rules' question. If the majority wishes to eliminate the Deed of Restrictions, it would take agreement from all property owners to voluntarily remove it from the chain of title to their property, or it would take a civil court action (by those favoring removal) to force all property owners to comply in the form of a quiet title action on each of the properties.

Commissioner Ithurralde motioned to table any action on this item for the time being; Commissioner Page seconded the motion; motion carried 3-0. Chairman Fiorenzi advised the CVTAB that they may want to reevaluate whether they should continue pursuing this item.

HOSS DISPOSAL

Discuss Contract Extension: James Beresorvoy, owner of Hoss Disposal, presented a proposal for a three-year contract extension for waste disposal in Eureka and Crescent Valley. The current contract expires on March 22, 2011. No fee increases were proposed, but Mr. Beresorvoy requested that a fuel multiplier be included in the contract. Commissioner Ithurralde motioned to table the contract with Hoss Disposal until Mr. Beresorvoy could meet with Public Works Director, Ron Damele, to work out a fuel formula for the contract; Commissioner Page seconded the motion; motion carried 3-0.

Mr. Beresorvoy informed the Board that he is in the process of purchasing J&E Disposal in Eureka and plans to continue operations as usual when he takes over in March.

PUBLIC WORKS

Authorization to Hire Road Maintenance Equipment Operator: Public Works Director, Ron Damele, stated the County lost a valuable employee when Russell Rowley passed away recently. Pursuant to the attrition policy, approval must be obtained from the Board of Commissioners before any vacancy is filled. Commissioner Ithurralde motioned to approve hiring a replacement Road Maintenance Equipment Operator; Commissioner Page seconded the motion; motion carried 3-0.

Purchase Emergency Medical Rescue Slide-In Skid Unit: Commissioner Ithurralde motioned to approve purchasing an Emergency Medical Rescue Slide-In Skid Unit, MTD-11, from Kimtek Corporation; Commissioner Page seconded the motion; motion carried 3-0.

Crescent Valley Well Replacement Project: Mr. Damele reported that the Well Replacement Project is pending approval of the right-of-way by the BLM. The Environmental

Assessment has been published and barring any substantive comments, the right-of-way should be approved in late February.

Arsenic Treatment Plant: Construction submittals are in process of being approved by the engineer and the State for the Arsenic Treatment Plant. Construction should begin in late May or early June.

Community Center Wall Modifications: The Community Center wall modifications will be started in the spring.

Crescent Valley Town Park Redesign Project: There have been several community meetings regarding the Crescent Valley Town Park Redesign Project. The CVTAB selected the preferred schematic plan with some minor modifications and the architect is working on the modified plans. The final plans will help with budget planning. The new design will make the park more user-friendly, support a variety of activities, and reduce the amount of water needed to maintain the park.

North End Road Shop Design: A request for qualifications is being advertised for an architect for the North End Road Shop design; advertising will close around January 21st.

Review Panel for Architectural Services: Commissioner Ithurralde motioned to appoint a review panel to make a recommendation regarding architectural services for design of the North End Road Shop, consisting of Ron Damele, Commissioner Page, and Bruce Harland; Chairman Fiorenzi seconded the motion; motion carried 3-0. Chairman Fiorenzi asked Mr. Damele to make sure a public meeting is scheduled once the site for the new Road Shop is selected, so that the citizens are aware and can approve the location. Mr. Damele replied that the architect will be instrumental in selecting an appropriate site.

COMMISSIONERS

Appoint County Liaisons/Representatives: With a motion by Commissioner Page, a second by Commissioner Ithurralde, and unanimous vote, the following representatives were appointed:

- Mt. Hope Project EIS & NEPA Process – Chairman Fiorenzi
- Mt. Hope Project Water Protests – Chairman Fiorenzi
- Nevada Division of Forestry (*includes Beowawe Fire Dept., Dunphy Fire Dept., Pine Valley Fire Dept., and Diamond Valley Fire Dept.*) – Chairman Fiorenzi
- Crescent Valley Fire Department – Commissioner Page
- Eureka Fire Department – Commissioner Ithurralde
- Yucca Mountain – Commissioner Ithurralde
- Natural Resources – Chairman Fiorenzi
- Nevada Dept. of Taxation – Commissioner Ithurralde & Assessor Michael Mears
- Eureka Townsite Annexation Advisory Committee – Commissioner Ithurralde
- Water Rights – District Attorney, Ted Beutel
- Census, Local Update of Census Addresses, Redistricting – Assessor Mears

Quarterly Breakdown of Costs – Mt. Hope Project EIS and Water Litigation: The Board reviewed the quarterly breakdown of costs, including total expenses to date, related to the Mt. Hope Project EIS and NEPA process, including water litigation related to the Mt. Hope Project. A portion of the costs for the most recent quarter were related to the water hearing held in Carson City in December.

CLERK & TREASURER

Authorization to Hire Vacant Positions: Clerk & Treasurer, Jackie Berg, requested authorization to fill two vacancies in the Clerk/Treasurer office. The Board previously approved hiring a Department Assistant, but Ms. Berg wanted to inform them that recruitment was put on hold during the election, but has been reactivated. A second vacancy is effective January 14th

due to an internal transfer, and Human Resources began advertising earlier in the month. Ms. Berg requested flexibility in hiring the Deputy Clerk/Treasurer-Financial Analyst position as a part-time (20+ hours/week) or full-time position, with the ability to supplement the remaining hours with a casual employee. Commissioner Ithurralde motioned to authorize the Clerk & Treasurer to hire two positions in her office, with the flexibility of hiring one as a part-time with a minimum of 20 hours per week; Commissioner Page seconded the motion; motion carried 3-0.

APPROVAL OF MINUTES

December 20, 2010: Commissioner Ithurralde motioned to approve the minutes of December 20, 2010; Commissioner Page seconded the motion; motion carried 3-0.

CORRESPONDENCE

Correspondence was received from: District Attorney, Ted Beutel; Public Works Director, Ron Damele (2); Natural Resources Manager, Jake Tibbitts; Eureka County Planning Commission; Economic Development Program; Eureka County Fair Board; Eureka County Health Insurance Committee; Crescent Valley Town Advisory Board (4); Allison MacKenzie, et al; Consulting Hydrogeologist, Dale Bugenig; CFA, Inc., Daniel Kovach; MolyBits newsletter; Elko County Board of Commissioners; Humboldt River Basin Water Authority; Tri-County Meeting; Battle Mountain BLM RMP newsletter; Legislative Counsel Bureau, Susan Scholley; Nevada Division of Environmental Protection; Nevada Energy; Western Counties Alliance (2); Monterey Human Resources; National Assoc. of Counties; US Dept. of the Interior-BLM; and Nuclear Waste Technical Review Board.

PUBLIC COMMENT

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

ADJOURNMENT

Commissioner Page motioned to adjourn the meeting at 10:50 a.m.; Commissioner Ithurralde seconded the motion; motion carried 3-0.

Approved this 7th day of February, 2010.

/s/ Leonard Fiorenzi

Leonard Fiorenzi, Chairman

Attest: /s/ Jackie Berg

Jackie Berg, Clerk