

BOARD OF EUREKA COUNTY COMMISSIONERS
February 6, 2008

STATE OF NEVADA)
 : ss
COUNTY OF EUREKA)

CALL TO ORDER

The Board of Eureka County Commissioners met pursuant to law on February 6, 2008. Present were Chairman Jim Ithurrealde, Vice-Chairman Kenneth Benson, Member Donna Bailey, District Attorney Theodore Beutel, and Clerk & Treasurer Jackie Berg. Chairman Ithurrealde called the meeting to order at 9:33 a.m. The interactive video conference system was connected and utilized between Crescent Valley and Eureka for the entire meeting.

APPROVAL OF AGENDA

Commissioner Benson requested an emergency addition to the agenda relating to a citizen's request for assistance with snow removal. Chairman Ithurrealde acknowledged that the request qualified for emergency addition. Commissioner Benson moved to approve the agenda as amended. Commissioner Bailey seconded the motion; motion carried 3-0.

APPROVAL OF MINUTES

Commissioner Bailey motioned to approve the minutes of the January 7, 2008, Commission meeting. Commissioner Benson seconded the motion; motion carried 3-0.

PUBLIC COMMENT AND OPEN DISCUSSION

The Chairman opened the floor for public comment and there was none.

SEVENTH JUDICIAL DISTRICT COURT

Commissioner Bailey motioned to authorize payment of an invoice to Marvel and Kump, Ltd., in the amount of \$1,450.00, for court appointed attorney fees, per Order of Judge Steve Dobrescu. Commissioner Benson seconded the motion; motion carried 3-0.

FINANCE

Expenditures were presented for approval by Eureka County Recorder & Auditor Mike Rebaleati. Commissioner Benson motioned to approve the Yucca Mountain expenditures in the amount of \$16,893.48. Commissioner Bailey seconded the motion; motion carried 3-0.

Commissioner Benson motioned to approve the County expenditures in the amount of \$282,118.19 for payroll, and \$2,388,902.28 for accounts payable, for a grand total of \$2,671,020.47. Commissioner Bailey seconded the motion; motion carried 3-0. Chairman Ithurrealde noted that the amount for accounts payable included a tax distribution to the Eureka County School District in the amount of \$1,975,750.00.

Auditor's Report: The Auditor's report was presented and reviewed by the Board.

CORRESPONDENCE

Correspondence was received from: Lee Raine; Economic Development Assistant, Trish Reynolds; District Attorney, Ted Beutel (2); Karen Peterson, Esq., of Allison MacKenzie; Deputy District Attorney, Dorothy Rowley; Extension Educator, Gary McCuin (3); Team Green, Inc. Landscaping; Town of Crescent Valley; Eureka County Planning Commission (2); Lumos & Associates; Humboldt River Basin Water Authority; Washoe County E-Update; Nevada Association of Counties; Nevada Division of Water Resources; Nevada Department of Public Safety; Building

Solutions, LLC (2); Las Vegas Review Journal; Nevada Legislative Counsel Bureau; Nevada Department of Taxation; Nevada Tax Commission; Nevada Department of Transportation; Nevada Gaming Control Board; Nevada Rural Housing Authority; Nevada System of Higher Education; Public Utilities Commission of Nevada (4); Northeast Nevada Firefighter's Association; Nevada Public Guardian Meeting Notice; National Public Radio; National Association of Counties (3); US Senator Harry Reid (3); and US Department of the Interior-Bureau of Land Management.

Commissioner Benson advised the public that Eureka County staff and contractors would be attending a meeting with legal counsel, Karen Peterson of Allison MacKenzie, relating to the pre-hearing conference scheduled in March regarding the water rights protests.

DEPARTMENT HEAD REPORTS **COUNTY FACILITIES**

Activity Report: Facilities Director, Wally Cuchine, reported that staff is busy with annual cleaning at the Opera House. Museum Director, Ree Taylor, is working with new exhibits and preparing for the museum to be open seven days a week starting May 1, 2008. The Economic Development Program Advisory Board meeting is scheduled for February 28, 2008.

Museum Artifacts: Mr. Cuchine requested approval for a three-sided pole barn structure to display County artifacts and items donated by the Paris Ranch in Cherry Creek. The items have been stored in the County warehouse since they were donated several years ago. Several issues were discussed including protection from weather, security fencing, grounds keeping, building size, building location, and display options. Cindy Adams suggested displaying items at the town park or at the Fairgrounds to increase visibility. This item was tabled at the direction of the Chairman to allow further research into the display facility and recommended location.

Economic Development Program Advisory Board: A letter of interest was received from Lee Raine regarding appointment to the Economic Development Program Advisory Board. Concern was voiced that Ms. Raine spends extensive time outside of Eureka County in relation to ranching, sportsman, and freelance writing activities; but it was pointed out that Ms. Raine is a business owner in Eureka County and takes an active part in operation of the business. Commissioner Benson motioned to appoint Lee Raine to the Economic Development Program Advisory Board as the at-large member. Commissioner Bailey seconded the motion; motion carried 3-0.

SENIOR CENTERS

Activity Report: Senior Center Site Director, Millie Oram, and Fannie Komp Site Director, Adell Panning reported on their respective centers. Eureka is still awaiting their oven; Resco estimates delivery in two weeks. In January, Eureka served 893 meals and Crescent Valley served 632 meals. The Eureka Senior Center will begin delivering freezer meals to the homebound seniors on February 9th. The Fannie Komp Senior Center has been delivering freezer meals for the past twelve to eighteen months, and the people are very pleased with them. Ms. Panning said progress on the installation of the walk-in is very slow but hoped it would be complete by week end. Ms. Panning acknowledged Nancy Foster at the Crescent Valley Elementary School, for providing freezer and refrigeration space. Heidi Hopper, Fannie Komp employee, was also acknowledged for her extra effort in transporting the frozen and refrigerated items to and from the school.

ROAD DEPARTMENT

Activity Report: Road Foreman, Steve Auch, was busy with snow removal, so Mr. Damele provided an update in his place. Snow removal continues, and Mr. Damele anticipates having all of the full-time residences and ranches opened up within the next couple of days. Crews have been concentrating efforts in Grass Valley and Barth, as several people have been snowed in. Mr. Damele reported one equipment breakdown, which was the four-wheel drive plow on the north end, but says the work can still be performed with a grader. With all the heavy activity since December 15th, there have been no accidents and only one equipment breakdown.

Emergency Request for Snow Removal: Eureka County resident, Lloyd Seaman, appeared to request assistance with the removal of snow. Mr. Seaman has a wood cutting contract in Fenstermaker Canyon, and both accesses to the area are closed due to snow accumulation. Mr. Seaman was concerned because some of his Eureka County customers were depending on the wood for heating, because of the harsher winter. Mr. Seaman requested that Eureka County open the area from the Antelope Road to the site of the 3-C Cabin. Mr. Damele advised that current snow removal policy does not provide for opening or maintaining that area. Commissioner Benson motioned to authorize the Road Department to open the road from Antelope Road, past the Segura Ranch to the 3-C Cabin, on a one-time basis, without subsequent maintenance. Commissioner Bailey seconded the motion; motion carried 3-0.

SWIMMING POOL / PARKS / RECREATION

Swimming Pool Supervisor, Cindy Adams, reported 426 total swimmers for the month of January. Other activities included two birthday parties, a thirty-four hour lifeguard class, staff training sessions, morning exercise classes, and swimming lessons. Ms. Adams stated the buildings and grounds crew has been busy shoveling snow and taking down the Christmas decorations. Jonnie Maslach, Assistant Pool Supervisor, is working with the Nevada Division of Forestry Honor Camp Crew to clear the snow from around the fire hydrants and buildings.

EUREKA BOY SCOUTS

Chairman Ithurralde acknowledged the presence of Boy Scouts, Josh and Britain Everett; the boys were working towards their Citizenship in the Community Merit Badge, and one requirement was to attend a public meeting.

PUBLIC WORKS

Eureka Town Well Rehab Project: Public Works Director, Ron Damele, and Senior Utility Maintenance Worker, Jack Orr, provided information related to rehabbing the two large wells that serve the town of Eureka. Mr. Damele stated that the wells should be videoed to determine the overall condition and to identify worn parts requiring replacement. Mr. Orr stated the older well was put into production in 1989, and there are no records indicating that rehab work was previously performed. Mr. Orr advised that over the past nineteen years, the water level has dropped approximately 34.5 feet, and there is concern over the static water level, as well as the drawdown level from pumping. Mr. Orr recommended that work be completed prior to the end of March, due to the higher demand for water in the spring/summer.

Humboldt Drilling Proposal: Commissioner Benson motioned to approve the proposal for Humboldt Drilling to perform the rehab work on the Eureka town wells, not to exceed \$31,117.22. Commissioner Bailey seconded the motion; motion carried 3-0.

Diamond Valley Weed Building: Mr. Damele advised that the storage for the Diamond Valley Weed District had been relocated, and the building could now be used to house the ambulance stationed at the Diamond Valley Fire Station. Mr. Damele presented a quote from Brown Brothers for \$7,700.00 to remove and replace the roll-up door. The cost estimate included additional modifications to the building to allow for the installation of a larger door. Commissioner Bailey moved to accept the proposal from Brown Brothers to remove and replace the roll-up door at the Diamond Valley Weed building, not to exceed \$7,700.00 Chairman Ithurralde seconded the motion; motion carried 2-0. Commissioner Benson abstained.

Advertise for Road Foreman Position: The Road Foreman position will become vacant upon Steve Auch's retirement, and Mr. Damele requested authorization to begin advertising for a replacement. He would like to hire the individual as soon as possible so there could be a thirty to forty-five day familiarization and training period. Commissioner Benson motioned to proceed

with the advertisement for a Road Foreman to replace a retiring employee. Commissioner Bailey seconded the motion; motion carried 3-0.

Street Light Request in Eureka Town: Mr. Damele met with Kevin Robinson and Jesse Murdock of Mt. Wheeler Power to negotiate a proposal to provide street lighting within the town of Eureka. Mr. Damele stated that if the County created a resolution outlining requirements for outdoor security lighting, Mt. Wheeler would be able to provide that service, including the pole and the light fixture, and the cost to Eureka County would be a monthly charge. The Board agreed that this would be an excellent approach to the situation and requested that a resolution be brought forward at a future meeting.

YUCCA MOUNTAIN

Activity Report: Abby Johnson, Nuclear Waste Advisor, has been busy compiling the Draft Environmental Impact Statement (EIS) comments during the first part of January, and then attended a Nuclear Waste Technical Review Board and Affected Units of Local Government (AULG) meeting in the latter part. Ms. Johnson provided updated information regarding the Transportation Aging and Disposal Canister System (TADS) being considered for transporting nuclear waste to Yucca Mountain. Each canister weighs 180 tons, and loaded on a rail car will weigh 280 tons. The system is rail dependent due to the weight. Without a rail system, heavy haul trucks would be the only way to transport the canisters, and heavy haul traffic is not feasible on a nationwide highway system. With the Department of Energy budget cuts, Warren Sprote, Director of the Office of Civilian Radioactive Waste Management, stated the "Nevada rail system is off the critical path"; it appears the rail planning is being postponed for two years. Ms. Johnson confirmed that the AULG funding for Federal Fiscal Year 2009 would be approximately nine million dollars, which is the same amount as Federal Fiscal Year 2008.

Yucca Mountain Radio Communication Study: Stu Cronan, of The Galena Group, Inc., provided an overview of the communications study, initially performed in 2004, and updated in 2007. The original report was reviewed, and due to Federal and State mandates, the initial recommendations were updated and further recommendations were added. The communications system for Eureka County has not changed since 2004, and of primary concern is lack of a central communication department. If a central communication department was present, it would allow for uniform maintenance and purchasing of radio equipment. Mr. Cronan stated the three mountaintops were revisited and while they essentially cover the entire County, there are holes in the coverage area. Mr. Cronan recommended that Tenabo and Mary's Mountain storage facilities be upgraded to provide a better environment for the equipment.

The FCC has mandated a change to narrowband frequencies by January 1, 2013. This mandate will require an upgrade in equipment as well as a modification to existing licenses. The Project 25 (P25) compliance mandated by the FCC is essentially digital technology designed to ensure compatibility between radios.

Mr. Cronan stated that within the communication study, are sixteen recommendations to improve the County's existing radio system. Recommendations are as follows: develop a radio equipment standard for purchases; develop a radio equipment replacement schedule and provide a funding commitment for the schedule; upgrade the dispatch console to a two-person station; upgrade main repeaters; resolve current mountaintop maintenance issues; improve and define fire station alerts and volunteer call-outs; consolidate all radio users' equipment to one service provider and develop a regular maintenance schedule; develop a back-up emergency operations center agreement between dispatch and Public Works; postpone medical radio equipment purchases until after the next State legislative session due to a consideration to replace the medical radio system and the suggestion that legislature fund rural department's upgrades; and to discuss with the Nevada Division of Forestry their proposed microwave upgrades that may facilitate linking Prospect Peak and Mary's Mountain radio sites.

Mr. Cronan advised that the Nevada Department of Transportation is investigating new sites for repeaters and is considering a location near Table Mountain at Alpha. This site will enhance coverage in Pine Valley and possibly act as a back up for the Tenabo repeater. Mr. Cronan strongly urged Eureka County to appoint a representative to attend Nevada Communications Steering Committee meetings to track their actions and voice opinions of the rural counties. Finally, Mr. Cronan pointed out that should Eureka County join in on the state system, the main expense would be to purchase the radios to match the system, but all infrastructure costs and maintenance, would be at the expense of the State.

Acceptance of the Yucca Mountain Radio Communication Study: Commissioner Benson motioned to accept the Radio Communication Study as presented by Mr. Stu Cronan of The Galena Group, Inc. Commissioner Bailey seconded the motion; motion carried 3-0.

COUNTY ENGINEER

2007 Street Maintenance Project: Mike Bennett, of Lumos and Associates, reported that the Labor Commissioner concurred with the Commissioners decision, regarding the labor claim against a subcontractor for the 2007 Street Maintenance Project, and authorized the release of the remaining retention.

Eureka Town Fire Station Project: Mr. Bennett advised that the design is scheduled for completion by February 29th, and the design team will be meeting weekly to ensure that progress remains on track. Once the design is complete, it will be submitted to the State Fire Marshall's Office and the Nevada Department of Transportation for review, which will take one to two months. Mr. Damele stated the project would probably go to bid during the review period.

JD Ranch Bridge Project: The plans are complete for the JD Ranch Bridge Project and have been submitted to JBR Environmental Consultants. JBR will review and submit the plans to the Army Corps of Engineers within the next two weeks. Mr. Damele will be meeting with the landowner to discuss the right-of-way information.

CENTRAL NEVADA REGIONAL WATER AUTHORITY (CNRWA)

Update on Activities: Steve Bradhurst, Executive Director of the CNRWA, provided a brief overview and update on activities. Mr. Bradhurst began by explaining that the CNRWA was created in the fall of 2005, with Eureka County participating as an original member. There are eight member counties, with Churchill County and Pershing County being the newest additions. The basis for the organization is the central hydrographic region, which is the largest of the fourteen hydrographic regions in the State and occurs in twelve counties. There are twenty members on the Board of Directors which meets every three months at an alternating member county. The central hydrographic region is characterized by the absence of regional surface water flow, such as the Truckee River; deep uncharacterized bedrock aquifers, which are often connected by subsurface flows that influence other basins; and the alluvial aquifers are productive in many of the seventy-eight basins.

The US Geological Survey and Websoft Services, Inc., have been developing a comprehensive database of water level information for the central region and that project should be complete in approximately forty-five days; the information accessible through the Nevada Division of Water Resources website. The CNRWA website is in the developmental phase, and is expected to be available by the end of March. Other activities include initiating a consistency analysis of member county water resource plans; adopting and promoting a resolution calling for implementation of land-use/growth management plans among member counties; monitoring key water resource issues; and promoting water resource education aimed at local governments and the public. Mr. Bradhurst outlined the importance of the water level data collected by the USGS, as it leads to a better understanding of the water resources in any given basin, as well as the water budget.

CNRWA Resolution 07-01: Mr. Bradhurst explained that the resolution was proposed to urge member counties to develop land-use plans that are in balance with the known and identifiable water resources in the member county, which will allow for effective management of those resources. The resolution addresses the issue of counties creating land use entitlements and expectations that exceed the available water resources within that county.

Adoption of CNRWA Resolution 07-01: The Commissioners decided to table adopting CNRWA Resolution 07-01, preferring to create a parallel resolution specific to Eureka County.

RECESS FOR LUNCH

The Board recessed for lunch between 12:14 p.m. and 1:12 p.m.

AMBULANCE & EMS

Activity Report: EMS Coordinator, Mike Sullivan, reported on calls for service in the last two week period. Eureka had eight calls, for a total of 17 year-to-date. Crescent Valley had no calls for service, and their year-to-date total remains at three. Volunteer strength remains the same for both departments. Automatic steps have been installed on the Crescent Valley ambulance and approved by the Crescent Valley EMTs. The Crescent Valley EMT class will participate in the State Practical Certification Testing on February 28, 2008, in Elko. Upon passing the practical test, the students will be eligible to complete the written test. Continuing education training was held in Eureka on February 4th and will be held in Crescent Valley on February 14th. The Sheriff's Office Search and Rescue unit has requested First Responder training, which will be scheduled for the spring.

Amended EMS Stipend Policy: Mr. Sullivan provided the amended EMS stipend policy, which had been reviewed by the District Attorney, Recorder/Auditor, and the volunteers. Commissioner Benson motioned to approve the amended stipend policy. Commissioner Bailey seconded the motion; motion carried 3-0.

PUBLIC HEARING – COUNTY SPONSORED DIAL-UP INTERNET SERVICE

Notice was given that the Board of Eureka County Commissioners would hold a public hearing to invite public comment and to take action regarding discontinuance of the Eureka County sponsored dial-up internet service to telephone prefixes of 468 and 237. Said hearing was scheduled for February 6, 2008 at 1:15 p.m., in the Eureka County Commissioners' Chambers at the Eureka County Courthouse, 10 South Main Street, Eureka, Nevada. The purpose of this public hearing was to invite comments and to provide information to the public regarding consideration of discontinuing the County sponsored dial-up internet services, and to address issues or concerns anyone might have before final action is taken.

Mr. Rebaleati stated there were currently six dial-up users in Eureka, and approximately thirty-four users in Crescent Valley. Some subscribers opposed to discontinuing the service have already switched over to other providers. Lisa Wolf, Crescent Valley resident, advised the Commissioners that Net Zero was available to Crescent Valley residents for a monthly rate of \$14.95. Mr. Rebaleati confirmed that the rate was lower than the Eureka dial-up rate. Commissioner Benson motioned to sunset Eureka County's participation in dial-up internet service effective June 30, 2008. Commissioner Bailey seconded the motion; motion carried 3-0.

NEVADA DIVISION OF FORESTRY

Purchase of a Rescue Truck and Extrication Equipment: Battalion Chief, Joe Anelli, presented quotes from Boise Mobile Equipment for the purchase of a rescue truck for the Eureka Town Fire Department and from Diamondback Fire & Rescue for the purchase of two sets of extrication equipment that would be provided to the Eureka Town and Diamond Valley Fire Departments. Concern was expressed relating to the quote from Boise Mobile Equipment, as it was a "piggyback" quote on an Idaho State bid and pertinent to a 2005 model truck. Mr. Damele advised that due to price, the extrication equipment should be advertised for bid as

opposed to soliciting quotes. Chairman Ithurralde stated this item would be tabled until the February 20th Commission meeting to allow Mr. Anelli the opportunity to receive more information and research compliance on the bid process.

Mr. Anelli requested approval to send the Diamond Valley tender for repair in order to receive it back in service by June 1, 2008. The Commissioners requested additional quotes on the repairs for that truck, and will take action at the February 20th meeting.

NEWMONT MINING CORPORATION

Representatives from Newmont Mining and the TS Power Plant appeared to provide an overview of Newmont's mining activities, and the progress of the TS Power Plant. Mary Korpi, Director of External Relations, provided an overview of Newmont's mining activities. Safety issues are critical to Newmont's overall operation, and in the last few years, the safety incidents have decreased; in 2007, Newmont tied for first place among national and international mining companies for overall safety ranking. Ms. Korpi stated that Newmont operates as a single unit within Nevada, utilizing ore and processing facilities from different sites, which facilitates the implementation of new processes without incurring a large start up cost. Ms. Korpi briefly touched on the various mine sites and their status in relation to production. Newmont properties in Nevada account for 45 percent of Newmont Gold Corporation's total production.

Allen London, Regional Controller, provided an overview of Newmont's cost of operation in comparison to the price of gold. By the end of 2008, Newmont anticipates employing 3600 people in Nevada with an annual payroll of approximately \$300 million dollars. Electricity is one of their largest costs, however, that cost will decrease once the TS Power Plant is online. Mr. London stated that approximately 80 percent of the costs are influenced by only four or five commodities or cost factors. Increases in production costs are tied to a declining ore grade (or pursuing lower grades during times of higher gold prices) and the age of the processing facilities.

Sharon Byram, Senior Manager of State and Local Tax, briefly outlined the requested capital spending plan for the Eureka County properties, and the projected production royalties. Ms. Byram noted that the budget for capital spending had not been finalized, so the figures were only projections.

Monte Rider, Supply Chain Manager, reviewed the progress of the Shared Services Distribution Warehouse. The warehouse will be a centralized facility located in Elko that will supply all of the sites in Nevada. Newmont is expecting an improvement in the price and quality of products, as well as improving inventory management. Mr. Rider stated that bulk commodities such as lime, cyanide, and diesel, would continue to be delivered to the individual mine sites. Mr. Rider is anticipating construction of the warehouse to be completed in mid-June, with the transfer of supplies continuing until February of 2009.

Gary Hevelone, TS Power Plant Project Manager, updated the Commissioners on the progress of the TS Power Plant. Mr. Hevelone explained that the plant was currently in the boiler tuning and testing phase, which will last for approximately three months as they try to synchronize the fifty-four systems required for reliable production. The first fire on oil was November 19, 2007, and this was performed to provide better control of the plant in the early stages. The first coal firing was performed on January 22, 2008. The initial process involves bringing the boiler up to temperature and stress in preparation for cleaning; the boiler is cleaned to remove the rust and scale buildup. The next step was to commence "steam blows" which cleans the steam pipe that leads to the turbine; the steam must meet purity requirements prior to entering the turbine. The coal to power the plant is delivered by rail car from the Powder River Basin of Wyoming, utilizing 130 rail cars that transport 15,300 tons of coal per trip. At the plant, the coal is transported via a series of conveyor belts and processed into a very fine powder that is then blown onto the burners; twelve burners are in use during full production. During normal operation, the turbines and generator shafts are rotating at approximately 3600 rpm, which

generates 18,000 volts of electricity; the electricity is then fed to a “step up” transformer that increases it to 120 kV. Newmont will wholesale power to Sierra Pacific, and then purchase power back at a wholesale price, with a transmission toll for the use of their distribution system. The plant is in limited production currently, but should be in full production by the end of May.

DIAMOND MOUNTAIN FFA CHAPTER

Agricultural Issues Forum: Diamond Mountain FFA members Sage Williams, John Hoehne, Jackie Bice, Logan Cantrell, Katie Griffin, Paula Soto, and Erin Wilker, presented their Agricultural Issues Forum, “*Mt. Hope Molybdenum Mine: Helping or Hurting?*” In order to participate at the Zone and State levels, the team must present to five local groups. The forum was presented as a skit, created to represent a Town Hall meeting. Several points of view were represented including those of a schoolteacher, game warden, farmer, miner, sheriff, and local businesswoman. The Board was impressed with the leadership potential demonstrated by the students and suggested the students present their skit to the NEPA Committee, as the issues presented were the same ones the NEPA Committee are currently dealing with.

NATURAL RESOURCES

Activity Report: Natural Resource Senior Department Assistant, Judy Overton, listened to the Senate Energy Committee hearing on January 24th, at which the primary discussion was the Hardrock Mining Bill. Ms. Overton advised that the Western Republican Senators stated they would only accept limited changes to the 1872 Mining Law, and would not accept new environmental standards. The Senators also made it clear that they would not accept a royalty on existing mines. Three issues discussed were replacement of patenting with a modern form of senior tenure; imposition of perspective and profits based royalty; and the establishment of an abandoned locatable mine reclamation fund to clean up sites that threaten the environment and public safety. On January 28th, Ms. Overton participated with Eco:Logic in the development of the Hydrology Water Modeler Contract and Scope of Work, which was presented at the Budget meeting later that afternoon. On February 4th, Ms. Overton met with General Moly, Inc., regarding ongoing issues with the proposed Mt. Hope Project.

Nevada Water Resource Association Conference: Ms. Overton requested approval to attend the Nevada Water Resource Association 2008 Annual Conference in Mesquite, Nevada, on March 4-6, 2008. Commissioner Bailey motioned that Ms. Overton attend this conference. Commissioner Benson seconded the motion; motion carried 3-0.

Upcoming Meetings: Ms. Overton will be participating in the meeting with Karen Peterson of Allison McKenzie to discuss the upcoming pre-hearing conference pertaining to the protests filed on the Kobeh Valley Ranch, LLC, water rights applications. The NEPA committee will meet on February 7th, and representatives from Mt. Wheeler Power and Nevada Department of Transportation will attend. Ms. Overton will attend the National Association of Conservation Districts Annual Conference in Sparks on February 11th & 12th. While in the area, she will attend a meeting at the Division of Water Resources pertaining to monitoring plans for Boulder Valley and Maggie Creek, as well as the Humboldt River Water Basin assessment meeting. On February 13th, General Moly, Inc., will host a hydrology field meeting and orientation to bring everyone involved in the water model together for an exchange of information and orientation. Ms. Overton will attend the Waste Rock Geochem presentation at the Bureau of Land Management in Reno on February 14th. The Natural Resource Advisory Commission will meet on February 19th to discuss the newly revised Scope of Work for the Natural Resources Manager for presentation to the Commissioners at the February 20th Commission meeting.

EUREKA COUNTY SHERIFF

Purchase of a Patrol Vehicle: Sheriff Ken Jones requested authorization to purchase a patrol vehicle from Ken Garff, in Salt Lake City, for \$33,178.00. Commissioner Benson

motioned to approve purchase of a patrol vehicle on an existing bid from Ken Garff, and the accompanying equipment package, not to exceed \$33,500.00 Commissioner Bailey seconded the motion; motion carried 3-0.

Purchase of an Identification Card Printing Machine: Sheriff Jones requested approval to purchase an identification card printing machine for \$4,080.00. The machine will be used to print all identification cards issued by the Sheriff's Office including work cards, concealed weapons permits, and identification cards for students. Commissioner Benson motioned to authorize the purchase of an identification card printing machine, not to exceed \$4,100.00.

Request to Retain Dolven Architectural Associates: Sheriff Jones requested approval to retain Dolven Architectural Associates to design the upgrade to the communications and booking areas at the Eureka Justice Facility. Both areas will require technology as well as accommodation upgrades. Sheriff Jones stated that Mr. Rebaleati had advised that this upgrade was already budgeted for FY07-08. Commissioner Benson motioned to authorize the retention of Fred Dolven to perform a comprehensive review of the Eureka Justice Facility and propose solutions that address the deficiencies. Commissioner Bailey seconded the motion; motion carried 3-0.

JUVENILE PROBATION

Commissioner Bailey motioned to authorize the purchase of a new copy machine for the Juvenile Probation Department, not to exceed \$2,600.00. Commissioner Benson seconded the motion; motion carried 3-0.

HEALTH INSURANCE COMMITTEE

Update Report on Benefit Requests: Kim Todd, Chairperson, requested a follow-up on the committee's recommendation regarding insurance coverage beginning for new hires 30 days after employment as opposed to the current 60 days. The Board advised that this would be addressed during the final budget workshop. Ms. Todd asked about the prior Insurance Committee recommendation to include the retiree subsidy and dependent subsidy in the County personnel manual. The Board stated that this issue would not be addressed until after receipt of the Actuary's report on benefits provided by Eureka County.

Community Health Fair Update: Barrick Gold Corporation has donated \$3,000.00 towards the cost of the health fairs, and General Moly, Inc., has just donated \$500.00. Renown Health has requested a guarantee of 215 participants, with Eureka County funding any shortfalls to that number. Ms. Todd stated that the Health Insurance Committee is confident that between Crescent Valley and Eureka, that level of participation will be reached. The committee is recommending that the County fund the blood chemistry panel and total blood count at a cost of \$69.00 per participant. The proposed dates for the Community Health Fairs are May 15th for Crescent Valley, and May 16th for Eureka.

Health Fair Approval: Commissioner Bailey motioned to approve the Community Health Fairs in Crescent Valley on May 15th, and in Eureka on May 16th. Commissioner Benson seconded the motion; motion carried 2-0, with Commissioner Benson abstaining from final vote.

EUREKA COUNTY PLANNING COMMISSION

Revised Parcel Map Application: Vera Baumann, Planning Commission Administrative Assistant, presented the revised parcel map application as approved by the Planning Commission. Revisions of all map applications were developed in cooperation with District Attorney, Ted Beutel; Public Works Director, Ron Damele; and Barry Fitzpatrick of Lumos and Associates. Commissioner Benson moved to approve the revised Parcel Map application form as approved by the Planning Commission. Commissioner Bailey seconded the motion; motion carried 3-0.

Revised Division of Land into Large Parcels Application: Commissioner Benson moved to approve the revised Division of Land into Large Parcels application form as approved by the Planning Commission. Commissioner Bailey seconded the motion; motion carried 3-0.

Revised Subdivision Map Application: Commissioner Bailey motioned to approve the revised Subdivision Map application as approved by the Planning Commission. Commissioner Benson seconded the motion; motion carried 3-0.

Ordinance Amendment Proposal: Updates to the Planning Commission section of the Eureka County Code were requested to allow for more than one alternate member and matters relating to alternate members. Commissioner Ithurralde motioned to propose the requested amendments and to set a public hearing for March 6, 2008, at 2:00 p.m. Consideration will be given to allowing for more than one alternate member to the Planning Commission, addressing pay and mileage compensation for alternate members, and the possibility of giving alternate members priority status when appointing full members to the commission. Commissioner Bailey seconded the motion; motion carried 3-0.

EUREKA COUNTY SCHOOL DISTRICT

December 2007 Financial Reports: Commissioner Benson motioned to approve the Eureka County School District's December 2007 financial report, and requested that School District representatives attend an upcoming Commissioners meeting to provide an update. Commissioner Bailey seconded the motion; motion carried 3-0.

CITIZEN REQUEST TO DISCUSS SLOUGH CREEK

Jerry Anderson and Ed Anderson, 3rd Street residents, appeared to discuss the possible flooding of Slough Creek due to the high water this spring. The Andersons advised that their property was prepared for the flow of water, but were concerned for other residents and farmers in the 3rd Street area because of the combined threat of Slough Creek, Baumann Creek, and Hog Pen Canyon. The Andersons suggested that the County clean the snow out of the ditches to allow for the free flow of water. The Board acknowledged the possibility of flooding and awareness of the County's liability to protect the residents of Diamond Valley, noting that the County's Emergency Management Team was in place for just such an event. The team consists of the Sheriff's Office, Emergency Medical Services, local Fire Departments, and Public Works.

RESCHEDULE JOINT PUBLIC OPEN HOUSE

Chairman Ithurralde requested that the Joint Open House regarding development of the County's annexed property be rescheduled to a later date to allow more time for preparations. Chairman Benson motioned to re-set the Open House for March 12, 2008, at 7:00 p.m. to be held at the Opera House. Commissioner Bailey seconded the motion; motion carried 3-0.

COMMISSIONERS

Update Activity Report: Commissioner Benson attended the Budget meeting on January 28th and participated in the monthly scoping meeting with General Moly, Inc., on February 4th.

Chairman Ithurralde attended the pre-construction meeting for the Eureka Justice Court remodel; attended the Economic Development Program Advisory Board meeting; attended a meeting at the Sheriff's Office to discuss budget items, housing, and upgrades to the Justice Facility; participated in the interviews for the Assistant Public Works Director; and met with Mt. Wheeler Power representatives to discuss the security lighting concerns for Eureka town.

Commissioner Representative for Water Protests: Chairman Ithurralde motioned to appoint Commissioner Benson as Commissioner representative regarding the protests filed on applications made by Kobeh Valley Ranch, LLC, to develop water rights for the Mt. Hope Project. Commissioner Bailey seconded the motion; motion carried 3-0.

Authorization Letter for US Geological Survey: Commissioner Benson motioned to approve a letter to Kimball Goddard, Director of the Water Science Center of the US Geological Survey, authorizing the USGS to release data collected in Kobeh Valley, as part of the Diamond Valley Regional Flow Study, to General Moly, Inc., Walker and Associates, and Eco:Logic. Commissioner Bailey seconded the motion; motion carried 3-0.

Walker and Associates Contract Authorization: Commissioner Benson motioned to authorize the Chairman to sign the approved extended contract with Steve Walker of Walker and Associates. Commissioner Bailey seconded the motion; motion carried 3-0.

Propose Development Agreement Ordinance: Chairman Ithurralde stated that proposal of a development agreement ordinance for Eureka County has been discussed recently, but has been tabled, and he felt it was now time to formally propose that ordinance. Commissioner Benson stated he would second that motion. Chairman Ithurralde amended his motion to set the date and time for a public hearing to consider the proposed ordinance for March 6, 2008, at 2:30 p.m. Commissioner Benson seconded the motion; motion carried 3-0.

Applicant/Licensee Fingerprinting Ordinance: The Board asked the District Attorney to provide background on the request for the fingerprinting ordinance. Mr. Beutel stated that a letter was received from the Division of Public Safety requesting that local governments enact an ordinance by mid-2008 to comply with FBI standards for fingerprinting. Some states have responded with statutes, which local governments can follow or use as a guideline in enacting local standards, but Mr. Beutel had no knowledge of such legislation in Nevada yet. The Board preferred to table action on this item to allow for more research. Commissioner Benson stated a preference for 'smaller government', adding he wasn't necessarily in favor of passing an ordinance regarding every issue that arises. Commissioner Bailey stated she agreed.

Purchase of Video Presentation Equipment: Commissioner Bailey motioned to authorize purchase of video presentation equipment for the Commissioners' meeting room, not to exceed \$3,000.00. Commissioner Benson seconded the motion; motion carried 3-0

PUBLIC COMMENT AND OPEN DISCUSSION

The Chairman called for public comment. Lisa Wolf, Crescent Valley resident, stated that reciprocal presentation equipment in Crescent Valley would facilitate individuals who wished to make a presentation to the Commissioners but were unable to travel to Eureka.

The Chairman called for further comment, and there was none.

ADJOURNMENT

At 4:16 p.m., Commissioner Bailey motioned to adjourn. Commissioner Benson seconded the motion; motion carried 3-0.

Approved this 6th day of March, 2008.

/s/ J.P. Ithurralde

J.P. Ithurralde, Chairman

Attest: /s/ Jackie Berg

Jackie Berg, Clerk