

EUREKA COUNTY BOARD OF COMMISSIONERS

February 7, 2022

STATE OF NEVADA)
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COUNTY OF EUREKA)

CALL TO ORDER

The Board of Eureka County Commissioners met pursuant to law on February 7, 2022. Present were Chairman J.J. Goicoechea, Vice Chair Michael Sharkozy, Commissioner Rich McKay, District Attorney Ted Beutel, and Administrative Assistant 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 between Crescent Valley and Eureka for the entire meeting, with only audio capabilities (no video).

APPROVAL OF AGENDA

Commissioner Item #5 (discussion with the Crescent Valley Town Advisory Board) and the Northern Nevada EMS Consortium were removed from the agenda. Commissioner Sharkozy motioned to approve the agenda as amended; Commissioner McKay seconded the motion; motion carried 3-0.

PUBLIC COMMENT

Chairman Goicoechea opened the floor for public comments. The Chairman acknowledged the passing of Pete Bigrigg, stating, *“We were friends for over 30 years... Pete was one of those guys that demanded respect in the room just by his sheer size... he was a loyal servant to this County and truly understood what it meant to be small town law enforcement.”* Chairman Goicoechea then asked for a moment of silence.

Commissioner McKay said that Pete & Carol Bigrigg were some of the first folks to welcome him back to Eureka seven years ago, and both will be really missed.

APPROVAL OF MINUTES

December 20, 2021: Commissioner Sharkozy motioned to approve minutes of the December 20, 2021, meeting; Commissioner McKay seconded the motion; motion carried 3-0.

January 6, 2022: Commissioner Sharkozy motioned to approve minutes of the January 6, 2022, meeting; Commissioner McKay seconded the motion; motion carried 3-0.

COMPTRROLLER

Payment of Expenditures: Expenditures were presented for approval by Comptroller Kim Todd. Commissioner Sharkozy motioned to approve expenditures in the amount of \$785,831.59 for accounts payable, \$359,992.92 for payroll and benefit related expenses (including employee paid deductions), \$618,381.25 for a pass-through tax allocation (school taxes) to the Nevada State Controller, \$5742.17.70 for a pass-through (other taxes) to the Nevada State Controller, \$8,600.00 for a pass-through from the N6 Range Improvement District account, \$400.00 for a pass-through to Nevada Division of Minerals, and \$370.92 for a pass-through to Nevada Department of Taxation, for a grand total of \$1,779,318.85. Commissioner McKay seconded the motion. Motion carried 3-0

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

Purchase of Retirement Credit: Based on questions from employees, Ms. Todd researched policies in order to clarify two policies that have sunsetted. In 2001, the County adopted THE COUNSELING OF PURCHASE OF RETIREMENT CREDIT SUNSET ORDINANCE, which gave employees who qualified one year to submit a letter of intent and start purchasing retirement credit. Eureka County would agree to purchase a limited match, based on years of service. Only persons who submitted a letter by June 30, 2002, began purchasing retirement credits, and meet other criteria are eligible for this; and it is believed that any of those employees have since retired.

The other policy concerning the County matching a purchase of retirement credit, is outlined in the Personnel Policy in Section 7.6 Retiree Health Insurance Premium Fund Buyout. Employees, hired before July 1, 2009, and eligible for the retiree health insurance subsidy may opt out by forever forfeiting the insurance subsidy in exchange for a one-time match of retirement credit purchase, based on years of service.

COMMISSIONERS

Letter to Nevada Department of Taxation: Ms. Todd explained there was an audit finding in the Fiscal Year 2021 Audit Report due to the Future Reserve Fund being over-expended when investment fees were charged to the account but had not been budgeted. Ms. Todd prepared the required response letter for the Board's approval.

Commissioner McKay motioned to send the letter to Nevada Department of Taxation in response to an audit finding in the Fiscal Year 2021 Audit Report. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Employee / Volunteer Physicals: Chairman Goicoechea wanted a discussion with staff to ensure that all necessary departments, including volunteer departments, were getting proper physicals on a recurring bases to ensure compliance with regulations, insurance, and workman's compensation.

Staff discussed use of the mobile unit for law enforcement physicals. The local clinic has agreed to match costs and offers a more flexible schedule. Some employees and volunteers possess commercial drivers' licenses, so can use the same physical exam to meet work/volunteer requirements. Chairman Goicoechea urged the departments to strive for compliance and to work with the Comptroller to ensure sufficient funds are budgeted to cover the required physicals.

McEwen Mining: Todd Sylvester, Site Manager at McEwen's Gold Bar Mine addressed the Board. He described the challenge of keeping a workforce at the mine and for its mining contractor, Ledcor, because of the housing shortage. Until just recently, McEwen was under the belief that it owned an additional parcel in the Eureka Canyon Subdivision, it was planning to construct a temporary man camp composed of seven trailer units (seven bedrooms each) and possibly some RV spaces.

Jeb Rowley has been meeting with Mr. Sylvester on this. Another large County-owned parcel that may prove more suitable has been identified. The mine's engineering contractor has drawn up a preliminary layout. The mine is interested in leasing the parcel for a five year period, with an option to renew.

Commissioner Sharkozy motioned to assign Public Works and the County Engineer to continue working with McEwen Mining to discuss an outline for development and potential lease of a County parcel. Commissioner McKay seconded the motion. Motion carried 3-0.

Possible Appeal: On January 21, 2022, Eureka County District Court issued certification of final judgement regarding Solarjos LLC in CV-2002009 (Diamond Valley adjudication case). Chairman Goicoechea wanted Eureka County to protect its right to remain involved in the case, by authorizing the steps to join in on a potential appeal.

District Attorney Beutel explained that Judge Fairman promised all affected water users that they would have an opportunity to be heard and present exceptions to the State Engineer's ruling in the Diamond Valley Adjudication. Solarjos LLC was one of the first to do this. With so many parties involved in this case, the District Attorney fully expects more independent filings to come forward, with more potential appeals.

Commissioner Sharkozy motioned to authorize the District Attorney and Chairman to work with outside counsel to prepare and, if needed, ultimately joiner onto an appeal to the Nevada Supreme Court related to certification of final judgement regarding Solarjos LLC in CV-2002009. Commissioner McKay seconded the motion. Motion carried 3-0.

Resolution Concerning Expenditure of Public Funds: Chairman Goicoechea said he has been chatting with the external auditor about budgeting and purchasing practices. It has been common for departments to include substantial contingency for unforeseen items, rather than receiving an audit

finding for an overspent budget. Budgeting for the unknown has been working in Eureka County due to responsible managers who routinely return a good percentage of their budgets. But that is no longer the case, and the Chairman said it was time to tighten things up.

A resolution was drafted addressing spending of public funds by taking what already exists in law, policy, and County Code, putting it in one place to clarify and simplify required practices.

Commissioner Sharkozy motioned to adopt a Resolution declaring specific requirements for expenditures, including but not limited to expenditures beyond the total amount budgeted in a category of a department's budget, and any capital outlay and expenditure totaling \$3,000.00 or more, and all vehicles and other equipment purchases, and all contemplated changes, repairs, or other improvements or alterations to buildings and grounds, and all information technology software and hardware configuration amendments, additions, changes, or alternations. Commissioner McKay seconded the motion. Motion carried 3-0.

Eureka, Nevada

February 7, 2022

RESOLUTION OF THE BOARD OF EUREKA COUNTY COMMISSIONERS
DECLARING SPECIFIC REQUIREMENTS FOR EXPENDITURE OF THE
PUBLIC'S MONEY BY ALL COUNTY ELECTED OFFICIALS, EMPLOYEES
AND ALL COUNTY DEPARTMENTS

THE BOARD'S AUTHORIZATION AND INTENT

WHEREAS, when it comes to spending the public's money, all elected officials, employees and all departments must follow the same procedures in order to be accountable to the Board and to the public about where the public's money went; and

WHEREAS, NRS 255.1505 grants the Board of County Commissioners power to approve spending the public's money for purposes which will provide a substantial benefit to the inhabitants of Eureka County, and NRS 244.200 et seq. authorizes a coordinated and transparent manner of allowing and auditing demands made against that money; and

WHEREAS, there should be no question the money spent by each Department of Eureka County, a political subdivision of the State of Nevada, is the public's money, because it is generated by taxes, fees, grants and programs paid for by the inhabitants of this Country, this State, and this County; and

WHEREAS, the public, and this Board, expect each elected official, County employee and each County Department to be responsible with the public's money, which is allocated by the Board each year to each Department during the County government budget process; and

WHEREAS, the Board's allocation of funding to a Department during the yearly budget process, a process which includes this Board's review of each Department's wishes for salaries and wages and requests for capital outlay and expenditure items, **does not** mean a Department may spend that money throughout the budget year as it desires, and without correctly reporting during the year to the Board its spending plans and actual expenditures to the Board and to the public; and

WHEREAS, the budget process, which is a projection of possible, and not actual expenses, **does not** constitute the appropriate level of reporting of actual spending because an approved budget request does not provide for an open and public review of the documentation and authorization necessary to properly account for and audit how the public's money was spent in every transaction; and

WHEREAS, while a Department may have funds allocated by the Board to its budget for a possible use, that **does not** mean the Board will, or must, or is in any way obligated, to approve the spending of any of that money during the budget year; and

WHEREAS, while the Board, along with the County Comptroller by the authority granted in NRS Chapter 251, remain the responsible parties to see that (1) money is always spent appropriately, and (2) taken from the correct category and account, and (3) the public is made aware of all expenditures, it is each elected official's and employee's and each Department's job to see that spending has been authorized correctly, and will come from the correct category and account; and

WHEREAS, the intent of the Board by this Resolution is to make clear to all County elected officials and employees in all County Departments and to the public what procedures must be uniformly followed by all Departments before the commitment to spend the public's money, and the expenditure of any of that money, will ever be authorized, and this constitutes the advance written notice described by NRS 244.220(1)(c) (no demand upon the County Treasury shall be approved by this Board or allowed by the Comptroller to any County officer who neglects or refuses to comply with any provision of Chapter 244 or any laws relating to that County officer after being required in writing to comply by the Board); and

WHEREAS, it is also the intent of the Board by this Resolution to remind each Department that budgeted funds are not to be spent unless correctly identified, correctly authorized, and approved in advance of the spending; and

WHEREAS, the Board is aware some Departments and some elected officials and employees have not historically and routinely requested of the Board the need to spend money in the way described here, but that will **not** serve as an excuse for failing or refusing to comply with this Resolution now and into the future; and

WHEREAS, the Board always retains the authority to restrict or deny spending now and into the future whenever a Department fails or refuses to follow these spending requirements; and

WHEREAS, while this Resolution may appear long and detail oriented, there should be no doubt following the requirements here will save time, because the task of properly accounting for the public's money and how it is spent has taken up many more hours of work than should be necessary, and this work will be reduced if these procedures are always followed and enforced; and

WHEREAS, following the requirements in this Resolution will also save money, because spending by one Department impacts the expenses of other County Departments, and without proper coordination this type of spending raises the overall cost of getting County business done. For example, a Department spending money to make changes to a County building impacts the Public Works Department (NRS 244.151), because Public Works remains responsible to maintain all buildings and grounds; and

WHEREAS, other examples (in which coordination is necessary to avoid increasing the cost of doing business) is a Department spending money on vehicles without giving Public Works the opportunity to evaluate and coordinate maintenance and repairs, or a Department spending money on changes or additions to IT (information technology) hardware and software configurations without discussing projects in advance with the IT Department, or a Department demanding autonomy to use County credit cards and other forms of spending without first following the rules and thereby impacting the work that must be done by the Comptroller and external Auditor.

NOW THEREFORE BE IT RESOLVED BY
THE BOARD OF EUREKA COUNTY COMMISSIONERS THAT:

The following categories of expenditure shall only be authorized after the procedures described here are followed, and after it has been confirmed for the Board money is available in a Department's current budget for the requested expense:

- (A) Any expenditures beyond the total amount budgeted in a category of a Department's budget, such as Services and Supplies; and
- (B) Any capital outlay and expenditure totaling \$3,000 or more; and
- (C) All vehicles and other equipment purchases; and
- (D) All contemplated changes, repairs, or other improvements or alterations to buildings and grounds; and
- (E) All information technology software and hardware configuration amendments, additions, changes, or alterations of any kind.

Every Department's categories of expenditure known as salaries and wages and benefits may not be spent unless the requirements issued by the Human Resources Department, and approved by this Board, have been followed. While these requirements are not a part of this Resolution, a Department's failure or refusal to follow those requirements will result in present and future denial of spending requests.

(A) ANY EXPENDITURES BEYOND THE TOTAL AMOUNT BUDGETED IN A CATEGORY OF A DEPARTMENT'S BUDGET, SUCH AS SERVICES AND SUPPLIES

Whenever a Department has exhausted all the public money in a category in its budget, it **may not use** other unexpended funds from other categories in its budget to continue to spend money for the exhausted category of expense. The fact that a Department may claim it did not know it had exhausted a category of expense is no excuse, and will be a basis for the Board to deny the relief described here.

To get relief, a Department must take these steps before exhausting a category in its budget: (1) A Department must first come before the Comptroller and confirm whether there is unspent money available from a different category that could be allocated to the soon to be exhausted category, and the Comptroller may approve, change, or deny the request; then (2) If the Comptroller approves a request in whole or in part, then in an open and public meeting, with an appropriate and clear agenda item for action, a Department must request of the Board to be allowed to move some amount of unspent money within its budget to the soon to be exhausted category, and explain to the Board why that step is appropriate. If the Board grants the request, expenses in that category may continue up to the additional amount authorized. If the Board denies the request, additional spending in that category is prohibited.

The Board may restrict or deny spending now and into the future whenever a Department fails or refuses to follow these requirements for spending more money in a category than what has been budgeted.

(B) ANY CAPITAL OUTLAY AND EXPENDITURE TOTALING \$3,000 OR MORE

Whenever a Department wishes to spend \$3,000 or more on an item from capital outlay or expenditure, whether it be one item, or several items of the same type or category that total \$3,000 or more, the Department must, before spending any money, first come before the Board in an open and public meeting, with an appropriate and clear agenda item for action.

The action item on the Board's agenda must include: (1) A sufficient description of the item(s), and (2) The amount of money requested which must be a "not to exceed" amount tied to a fair and reasonable quote from a reputable vendor for the item(s). The quote must be in writing, and previously submitted to the Clerk to be available for the Board to review at the time the action item is considered.

A Department making quotes available after the agenda item is considered, or not including a proper description of the item(s) to be purchased for the action item, or not identifying reasonable not to exceed amount(s), will be a basis for the Board to deny the authorization described here.

The Board recognizes there will be times when a Department must replace an unanticipated item, such as a failed pump, or a failed heating and ventilation unit for a building, and must act quickly to avoid additional

damage. A Department replacing an item that has met its useful life, and during an emergency, as an unanticipated expense, which has a replacement cost of \$5,000 or more, must: (1) Account to the Board in an open and public meeting how the Department has disposed of the used item, and (2) Shall either follow the procedures outlined above to replace the item (if there is adequate time available), or report the reasonable procedure used to replace the item on an emergency basis.

The Board may restrict or deny spending now and into the future whenever a Department fails or refuses to follow these requirements for capital outlay and expenditure and replacement of items that have met their useful life.

(C) ALL VEHICLES AND OTHER EQUIPMENT PURCHASES

Whenever a Department wishes to purchase a vehicle or other equipment, these procedures must be followed in advance of any commitment to purchase. All proposed vehicle and other equipment purchases must first be presented to the Public Works Director and Senior Mechanic for consideration, and may be rejected if the proposed vehicle or equipment a Department wishes to purchase may not easily be maintained and repaired. The Public Works Director and Senior Mechanic may recommend alternatives.

Once the Public Works Director and Senior Mechanic have written up their recommendations, a Department must, before spending any money, first come before the Board in an open and public meeting, with an appropriate and clear agenda item for action. The action item on the Board's agenda must include: (1) A sufficient description of the vehicle(s) or other equipment, and (2) The amount of money requested which must be a "not to exceed" amount tied to a fair and reasonable quote from a reputable vendor for the vehicle(s) or other equipment. The quote must be in writing, and previously submitted to the Clerk to be available for the Board to review at the time the action item is considered.

Failure by a Department to present written quotes from State purchasing as an option for the Board to consider may be grounds for refusing the Department's request to purchase any vehicle or other equipment.

The Board may restrict or deny spending now and into the future whenever a Department fails or refuses to follow these requirements for purchasing vehicles and other equipment.

(D) ALL CONTEMPLATED CHANGES, REPAIRS, OR OTHER IMPROVEMENTS OR ALTERATIONS TO BUILDINGS AND GROUNDS

Whenever a Department wishes to make changes to a County building or County grounds, such as modifications, additions, evaluations or assessments, or new construction or remodeling, or repairs, including but not limited to improvements or alterations, regardless of the contemplated cost, a Department must first present their ideas to the Public Works Director and Senior Maintenance Technician.

The Public Works Director and Senior Maintenance Technician will consider a Department's ideas on the following aspects, and any other aspect if identified by the reviewers as important: feasibility, architectural and engineering evaluation, assessment or review, the scope of construction, and project timelines. The Public Works director and Senior Maintenance Technician may approve, modify, or reject the request.

Second, a Department must ask the Board for sufficient funding to be included in the budget for the year the work may be done. The Board may reject any project which has insufficient budgeted funds for it.

Third, a Department may then request the Public Works Director to present the matter to the Board in an open and public meeting, with an appropriate and clear agenda item for action to proceed. At no time may a Department proceed independently of Public Works and the Senior Maintenance Technician.

No Department other than Public Works and the Senior Maintenance Technician is authorized to independently contact, commit to contract with, or actually contract with, or otherwise hire, engineers, consultants, architects, or other building technician or professionals, or cause any possible changes to be studied or made.

The Board may restrict or deny spending now and into the future whenever a Department fails or refuses to follow these requirements for buildings and grounds.

(E) ALL INFORMATION TECHNOLOGY SOFTWARE AND HARDWARE CONFIGURATION AMENDMENTS, ADDITIONS, CHANGES, OR ALTERATIONS OF ANY KIND

Whenever a Department other than the IT Department wishes to amend, add to, change, or alter in any way the County's information technology (IT) software or hardware, by for example changing or adding telecommunications capabilities, additional software, or contracting with a company for IT consulting or other services, the Department must, before committing to spend any money, confirm with the Comptroller that money has been budgeted by the Department for that purpose. If budgeted money is available, the Department must then come before the IT Department and present its wishes to IT. The IT Department may approve, change, or deny the request as a whole or in part, including but not limited to changing the project timeframe. If money is available, and IT has approved any part of the project, then the Department must come before the Board in an open and public meeting, with an appropriate and clear agenda item for action

The Board may restrict or deny spending now and into the future whenever a Department fails or refuses to follow these requirements for information technology hardware and software alterations.

RESOLVED with immediate effect this 7th day of February, 2022.

Board of County Commissioners

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

/s/ Michael Sharkozy
Michael Sharkozy, Vice Chair

/s/ Rich McKay
Richard McKay, Member

Attest: /s/ Jackie Berg
Clerk of the Board

cc: All County Departments, elected officials, and employees via email

IT DEPARTMENT

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

Grant Update: Ms. Rowley continues pursuing the broadband grant, working with a field representative from US Department of Agriculture, Debbie Gordon (contract grant writer), Public Works, Lumos & Associates, and Mt. Wheeler Power. The biggest hurdle now is the need to complete an Environmental Impact Statement and the time involved. The field representative is encouraging continued efforts as he expects the grant deadlines to be extended.

Crescent Valley Projects: Quest has been in Crescent Valley recabling the Town Center and installing antennas to improve connectivity speed. Ms. Rowley continues working with Quest and Syber Networks to troubleshoot the connectivity issues in Crescent Valley, which are challenging because there is limited bandwidth due to a single cell tower in the area.

General Projects: Ms. Rowley has been installing Tyler Technologies software on work stations preparing for migration to the Tyler Cloud. She is obtaining quotes for the hyper converged server and quotes for transitioning the phone systems to the Cisco Cloud, which would be a savings over AT&T.

NOC Room Keypad: A quote was obtained from Quest for installation of a keypad on the NOC (network operations center) Room door in the Courthouse. Commissioner McKay motioned to approve Quote #015545v2 from Quest Technologies for purchase and installation of a keypad on the Courthouse NOC Room door for an amount not to exceed \$8,170.00 (\$6,801.82 plus 20% contingency) to be paid with funds budgeted for capital outlay (010-018-55010-000) in the Technology Support budget. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Hyperconverged Server: A quote was obtained from Syber Networks for a hyperconverged server. Rory Jackson, of Syber Networks, explained the State Purchasing contract price for this server was \$175,000.00, and he was able to negotiate a substantial discount. Mr. Jackson explained the converged server will offer some long-term cost savings because individual servers won't need to be replaced.

Commissioner McKay motioned to approve Quote #87 from Syber Networks LLC for a hyperconverged server for an amount not to exceed \$103,000.00 utilizing monies budgeted for capital outlay (010-018-55010-000) in the Technology Support budget. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Out-of-State Travel: Commissioner McKay motioned to approve out-of-state travel for the IT Director to attend Blackhat Spring Trainings in Virginia beginning February 27th to March 4th. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

HUMAN RESOURCES

Promotion Request Form: As directed at the last meeting, Human Resources Director Heidi Whimple created a promotion request form, which must be signed by the supervisor and approved by the Commissioners. Commissioner Sharkozy motioned to approve the new promotion request form as presented; Commissioner McKay seconded the motion; motion carried 3-0.

Hiring Freeze Waiver Justification Form: Ms. Whimple also updated the hiring freeze waiver justification form. Commissioner Sharkozy motioned to approve the updated hiring freeze waiver justification form as presented; Commissioner McKay seconded the motion; motion carried 3-0.

Personnel Policy Changes: The Human Resources Director has been working on updates to the Personnel Policy, particularly to clarify hiring and promoting policies as reviewed by her at the last meeting. The draft resolution, outlining the changes, has been reviewed by the Board.

Commissioner McKay motioned to propose the resolution outlining revisions to the Personnel Policy and to set the related public hearing at 10:00 a.m. on February 22nd. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

SHERIFF

Hiring Freeze Waiver Justification – Dispatcher I: Sheriff Jesse Watts said a staff member informed him that she will be resigning in several weeks. Commissioner McKay motioned to waive the hiring freeze and authorize the Sheriff to fill the position of Dispatcher I, with the caveat that a letter of resignation be received before the position is posted. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

TREASURER

Property Acquisition: NRS 361.603 allows the County to acquire tax delinquent parcels that are beneficial to the County or the public. Public Works identified a vacant parcel in northern Eureka County that could be developed into a gravel pit. Commissioner Sharkozy motioned to acquire delinquent tax parcel APN 003-014-06, 332 Pebble Lane, Crescent Valley, approximately 4.77 acres, and authorized paying all delinquent taxes and fees owed on the parcel (currently \$209.56) plus any that accrue. Commissioner McKay seconded the motion. Motion carried 3-0.

CLERK RECORDER

Hiring Freeze Waiver – Deputy Clerk Recorder: The Board reviewed a hiring freeze waiver justification form for a position in the Clerk Recorder's office. Commissioner McKay motioned to waive the hiring freeze and authorize the Clerk Recorder to fill the vacant position of Deputy Clerk Recorder I/II. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Job Descriptions: Clerk Recorder Lisa Hoehne worked with Human Resources to create new position descriptions for election workers. The Board requested one change – that the job descriptions include the requirement of being a registered voter in Eureka County. Commissioner Sharkozy motioned to approve the position descriptions for Counting Board Member and Election Officer (Poll Worker) with the stated change. Commissioner McKay seconded the motion. Motion carried 3-0.

Hiring Freeze Waivers – Election Workers: Commissioner Sharkozy motioned to waive the hiring freeze and authorize recruitment of Election Officers (Poll Workers) and Counting Board Members. Commissioner McKay seconded the motion. Motion carried 3-0.

COOPERATIVE EXTENSION

Well Upgrades & Repair: Extension Educator Gary McCuin obtained several quotes to repair a well that was out of production most of last season. Commissioner Sharkozy motioned to approve quotes from Parsons Drilling Inc. in the amount of \$11,735.74, Mt. Wheeler Power in the amount of \$12,680.00, and Jerry White in the amount of \$3,290.00 for work and materials to upgrade and repair the east well at the Rafter 7 Sheep Farm, to be paid with monies budgeted for capital outlay (030-120-55010-000) in the Agricultural Extension budget. Commissioner McKay seconded the motion. Motion carried 3-0.

PERDIZ SPORT SHOOTING

Donation Request: Jerry White appeared before the Board to request funds for repairs and upgrades at Perdiz Shooting Range, explaining the range has been in operation since 1992. The most urgent need is replacement of gun racks and shooting benches no longer reliable for use. There are 18 gun racks and 18 shooting benches, with replacement estimates of \$150.00 each for the gun racks (\$2,700.00 total) and \$250.00 each for the benches (\$4,500.00 total).

Mr. White said the shooting range needs about \$92,700.00 in repairs and replacements. He described other priority needs: new doors for 15 skeet houses (est. \$3,750.00), waterproof vinyl flooring for the 60'x24' clubhouse (est. \$10,000.00), and replacement of seven clay pigeon throwing machines (est. total \$28,000.00). As a nonprofit organization, Perdiz may qualify for a matching funds grant.

The Commissioners agreed to assist with the most urgently needed items – gun racks and benches – and encouraged Mr. White to approach area mines and the Recreation Board for additional donations to help meet other needs or to serve as matching funds in applying for a grant. They invited Mr. White to return towards the end of the fiscal year to see if any available funds are remaining, and committed to budgeting a donation amount in the upcoming fiscal year.

Commissioner Sharkozy motioned to grant \$7,500.00 to Perdiz Sport Shooting for gun racks and shooting benches, to be paid from miscellaneous grants in the Commissioners' budget. Commissioner McKay seconded the motion. Motion carried 3-0.

COUNTY FACILITIES

Job Descriptions: Joyce Jeppesen, Public Works Assistant Director-Administration, worked with Human Resources to update job descriptions for the Swimming Pool. Commissioner McKay motioned to approve updated job descriptions for Casual Attendant, Casual Lifeguard, Casual Assistant Manager, and Swimming Pool Supervisor. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Promotion Request: Ms. Jeppesen prepared a promotion request form, noting that once the new assistant is trained she will probably return and request a second Assistant Manager.

Commissioner Sharkozy motioned to authorize promotion of a Casual Lifeguard to Casual Assistant Manager. Commissioner McKay seconded the motion. Motion carried 3-0.

Grant Application: Commissioner Sharkozy motioned to approve signing the Member Risk Management Grant Application Approval Form for a grant from Nevada POOL/PACT which will reimburse 75% of costs to install security cameras at the Eureka Swimming Pool. The grant will reimburse \$14,265.69 of the total project cost of \$19,020.92, leaving a match of \$4,755.23. Commissioner McKay seconded the motion. Motion carried 3-0.

ROAD DEPARTMENT

Report on Activities: Ray Hodson, Assistant Public Works Director, reported on Road Department activities. January began with snow removal at both ends of the County. Crews are now working on some roadside brush beating and weed burning. The southern crew and northern crew have been working together on a gravel haul to the Barth Road. All utilities, buildings and grounds are in good working order. The vacant utility position has been filled.

Support Letter for Duckwater Road Improvements: Mr. Hodson met with representatives of the Duckwater Tribe recently. They have engaged a lobbyist who is working to secure federal funds to upgrade and pave the remaining portion of the Duckwater Road, and are asking counties and other stakeholders to sign a letter of support to representatives in Washington DC. A draft letter was sent, and Tribe representatives are working to polish and finalize the letter for formal signatures.

Commissioner Sharkozy motioned to approve signing onto a letter to the Nevada Congressional Delegation, along with the Duckwater Shoshone Tribe, Nye County, White Pine County, and Nevada Department of Transportation requesting improvements and paving to the Duckwater Road from approximately 10.45 miles south of US Highway 50 to approximately one (1) mile north of Duckwater. Commissioner McKay seconded the motion. Motion carried 3-0.

PUBLIC WORKS

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

COVID Update: Mr. Rowley reported that the COVID team (for vaccinations, testing, and monoclonal antibody clinics) had arrived and was setting up base at the Eureka Airport. A coordination meeting will be held that afternoon with the team, Public Works, School District, and local clinic staff.

Chairman Goicoechea shared that Churchill County has filled the Resource Liaison position and, after a couple weeks of training, Jonica Gonzalez will be based at the Airport as well.

Crescent Valley Projects: A maintenance crew is working to complete the dugouts at the ballfield in Crescent Valley before Little League season begins. The crew has been dealing with repairs after a major power fluctuation in Crescent Valley took out a lot of sensitive equipment, including heaters and HVAC components.

Eureka Projects: Workers in the south have been filling potholes, doing work at the Eureka Canyon Subdivision, and completing construction on the Eureka Senior Center patio enclosure.

Utility Rate Review: Public Works sought direction regarding a rate review of all utility systems. The discussion of combining water systems and implementing a more progressive rate structure has come before the Board before.

Chairman Goicoechea referenced current and upcoming costs related to the utilities, and felt it was timely to put something formal together for the Board's review. Commissioner McKay commented that, due to high operating costs, the County will likely never get away from subsidized utilities, but agreed it was appropriate to take a look at the rates.

Generator Donation: The School District installed a generator at the Administrative Facility/Annex to power components related to fiber in that facility. The School no longer has a need for the generator and has offered it to the County. Commissioner Sharkozy motioned to accept donation of a Model 20 GGMA Onan-Cummins Generator from the Eureka County School District. Commissioner McKay seconded the motion. Motion carried 3-0.

Winch Rack & Transport Conversion: Public Works obtained a quote for purchase and installation of a winch rack with full width tail roller assembly to convert a transport truck into a frac tank transport. The frac tank is used to supply water for road maintenance.

Commissioner McKay motioned to approve a quote from Curry Supply Company for parts and labor to convert a transport truck to a frac tank transport for an amount not to exceed \$63,687.47 using funds budgeted for capital outlay (020-106-55010-000) in the Road Department budget. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Out-of-State Travel: Commissioner McKay motioned to approve out-of-state travel for two mechanics to deliver and pick up the completed frac tank transport once it is converted and outfitted by Curry Supply Company in Gilbert, Arizona. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Job Descriptions: Public Works coordinated with Human Resources to update mechanic job descriptions. Commissioner Sharkozy motioned to approve the updated position descriptions for Public Works Mechanic I, II, III, and Public Works Senior Mechanic; Commissioner McKay seconded the motion; motion carried 3-0.

Promotion Request: Mr. Rowley completed a promotion request form for the Board's approval. Commissioner Sharkozy motioned to authorize Public Works to promote a Mechanic II to Mechanic III; Commissioner McKay seconded the motion; motion carried 3-0.

County-Wide Capital Improvement Projects: Mr. Rowley has been working with County Engineer Jonathan Lesperance, of Lumos & Associates, on project planning for County-wide street, road, and utility infrastructure projects over the next five years. They wanted to show the Board how the projects could be phased, including estimated infrastructure costs and various paving options, as well as potential funding options.

Mr. Lesperance described a five-year plan with a total cost of \$31.5 million, that includes utility work and 3.75 miles of paving in the Town of Eureka for \$10.9 million, 2.7 miles of new paving and 8 miles of double chip seal for the Town of Crescent Valley for \$7.5 million, and 11 miles of paving in Diamond Valley for \$13 million. Work in Eureka can be phased over three years, Crescent Valley can be phased over two years, and there are several ways to break down paving in Diamond Valley.

Mr. Rowley asked for direction related to utilizing the CMAR (construction manager at risk) process for this multi-year project. Mr. Lesperance explained it is a project delivery method, appropriate when undertaking longer projects, where a single qualified contractor is selected rather than simply selecting the low-bidder.

The Commissioners continued discussing the projects later during the budget portion of the meeting. At that time, they identified priorities as the first phase in Eureka and the first phase in Crescent Valley, and determined using a CMAR was the best way to tackle this multi-year project.

NATURAL RESOURCES

Report on Activities: Natural Resources Manager Jake Tibbitts reported on recent activities and meetings. The County Advisory Board to Manage Wildlife (CAB) met on January 20th, and Mr. Tibbitts attended the State Board of Wildlife Commissioners' meeting on January 28th to relay the local Board's request to update policies surrounding wild horse management. Another concern CAB discussed was boulders placed on public roads in Diamond Valley in order to block access through certain private roads. CAB motioned to request that Eureka County take action to remove obstructions and open those roads up.

On January 26th, Mr. Tibbitts attended a virtual meeting hosted by the BLM on the proposed Greenlink North Project, which is planned for construction along US Highway 50 from Ely to Yerington. The Nature Conservancy attended the meeting and are pushing for an alternative route that would take the transmission line up along the Interstate 80 corridor.

On January 27th, Mr. Tibbitts had a phone conversation with Allison Anderson, the new Community & Government Relations Manager for i-80 Gold Corp, who wanted to introduce herself and let the community know she was available.

Upcoming Meetings: The Natural Resources Advisory Commission (NRAC) will meet on February 9th. Nevada Division of Water Resources has been doing a series of drought workshops and has one scheduled on February 9th. The State Land Use Planning Advisory Council will meet on February 10th. Central Nevada Regional Water Authority has a meeting scheduled on February 11th. On February 17th, Mr. Tibbitts will meet with the BLM and Nevada Department of Wildlife to discuss sage grouse mitigation for the Gold Bar Mine.

Out-of-State Travel: Commissioner Sharkozy motioned to approve out-of-state travel for the Natural Resources Manager to attend the National Association of Conservation Districts annual meeting in Orlando, Florida, February 12th-16th. Commissioner McKay seconded the motion. Motion carried 3-0. Travel, lodging, meals, and per diem will be paid by the Nevada Association of Conservation Districts.

Weed Treatment Set-Up: Mr. Tibbitts said the Weed & Resource Technician has been looking for a truck with a specialized bed that can be outfitted with a tank and spraying system, dump trailer with ancillary tank, and other associated equipment, tools, and supplies. He believes this can be purchased in the current fiscal year and monies are available. Most, if not all, of the costs will be recovered by future reimbursements under funding agreements with the BLM.

Commissioner Sharkozy motioned to approve purchase of a truck with the necessary equipment, tools, and supplies as described to be outfitted as a weed spraying truck for a not to exceed amount of \$230,000.00 to be paid with funds budgeted for capital outlay in the Capital Projects Fund. Commissioner McKay seconded the motion. Motion carried 3-0.

Forest-Wide Prescribed Fire Restoration Project: Mr. Tibbitts has been reviewing the Preliminary Environmental Assessment for the Forest-wide Prescribed Fire Restoration Project. Eureka County provided scoping comments previously in December 2020, asking for close coordination on the project and involvement as a cooperating agency.

Mr. Tibbitts prepared an updated response letter with virtually the same comments provided in the original letter, since the issues were not addressed in the Preliminary EA. He asked for approval of the letter with latitude to allow NRAC to add edits and approve the letter as well.

Commissioner Sharkozy motioned to send a letter to the US Forest Service in response to the Preliminary Environmental Assessment for the Forest-wide Prescribed Fire Restoration Project, allowing revision by NRAC, and authorizing the Chairman to sign the letter outside of the meeting. Commissioner McKay seconded the motion. Motion carried 3-0.

North Diamond Valley #1-27 Exploration Project EA: The Commissioners received a letter from the Elko District BLM announcing a 30-day public review period on an Environmental Assessment for the proposed Diamond #1-27 Oil Well. Mr. Tibbitts noted that the review period started on January 14th, but the letter was dated January 19th and mailed by regular mail to the County, imposing on the time needed for review by NRAC and the Commissioners.

Mr. Tibbitts explained Eureka County provided scoping comments on this in July of 2021, but none were addressed in the EA. Mr. Tibbitts prepared a response to the BLM restating the County's concerns, which include impacts to existing rights, misidentification of the project location (it is in Huntington Valley not Diamond Valley), misidentified roads, potential heavy road use due to hauling supplies and equipment in and shipping loaded barrels out, the use of County roads and gravel pit with no mitigation offered, and lack of proper coordination. He asked for the same latitude to allow NRAC to weigh-in before the February 14th comment deadline.

Commissioner Sharkozy motioned to send the letter to the BLM Tuscarora Field Office in response to the Environmental Assessment on the Proposed Diamond #1-27 Oil Well Project, and authorized the Chairman to sign the letter outside of the meeting after input and approval from NRAC. Commissioner McKay seconded the motion. Motion carried 3-0.

Sage Grouse Issues: Mr. Tibbitts and Chairman Goicoechea have been working with outside counsel, Laura Granier Esq., to comment on the BLM's proposed 2022 Greater Sage-Grouse Land Use Plan Amendments, and just received her latest revisions that morning. Mr. Tibbitts said comments align with issues previously identified by Eureka County in response to other land use plan documents and updates.

Commissioner McKay motioned to authorize Mr. Tibbitts and Chairman Goicoechea to incorporate legal counsel’s input into a letter to the BLM providing scoping comments on the proposed 2022 Greater Sage-Grouse Land Use Plan Amendments, and authorized the Chairman to sign the letter outside of the meeting. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

RECESS FOR LUNCH

The Board recessed for lunch from 12:47 noon to 1:30 p.m.

FISCAL YEAR 2022-2023 BUDGET - TAX RATE

Fiscal Year 2023 Tax Rate: The Board gave consensus that there was no desire to increase the overall tax rate.

Allocation of Tax Rate: Comptroller Kim Todd provided a breakdown of the current tax rate and anticipated revenues for each fund based on preliminary projected assessed valuations. The Board engaged in a thorough discussion of each fund. Assessor Michael Mears explained that Eureka County’s overall assessed valuation went down by about \$100 million for the 2023 fiscal tax year, primarily due to changing and depreciating mine valuations. This means each penny of the tax rate will earn around \$70,000.00 in revenue as opposed to recent years where each cent earned close to \$100,000.00.

After a lengthy discussion, the Board decided to grant \$4 million from the General Fund to the RTC Fund in the next fiscal year and moved \$0.02 from the General Fund to the RTC Fund for the following allocation of taxes. *Funds with an asterisk (*) are set by statute.*

	FY21-22	FY22-23
General Fund	\$0.6375	\$0.6175
Future Reserve Fund	\$0.0000	\$0.0000
Road Fund	\$0.0500	\$0.0500
RTC Fund	\$0.0700	\$0.0900
Ag District #15	\$0.0000	\$0.0000
Building Maintenance & Reserve Fund	\$0.0000	\$0.0000
Landfill Fund	\$0.0500	\$0.0500
Water Mitigation Fund	\$0.0450	\$0.0450
Natural Resource Multiple Use Fund	\$0.0050	\$0.0050
Capital Improvement Fund	\$0.0500	\$0.0500
Agricultural Extension Fund	\$0.0100	\$0.0100*
Accident Indigent Fund	\$0.0150	\$0.0150*
County Indigent Fund	\$0.0033	\$0.0033*
Hospital Indigent Fund	\$0.0100	\$0.0100*
<i>Total General County</i>	<i>\$0.9458</i>	<i>\$0.9458</i>
Television District	\$0.0085	\$0.0085*
Crescent Valley Town	\$0.2153	\$0.2153*
Eureka Town	\$0.2153	\$0.2153*
Diamond Valley Weed District	\$0.0781	\$0.0781
Diamond Valley Rodent District	\$0.0400	\$0.0400

FISCAL YEAR 2022-2023 BUDGET – PERSONNEL REQUESTS

Personnel Requests: The Board had a brief discussion regarding requested positions for the upcoming year, which included an investigator, moving a Senior Center casual to full-time, and a request from Sheriff Watts for 9.5 additional positions. Ms. Todd prepared a spreadsheet showing the increased payroll costs with the proposed new positions.

The Board asked the District Attorney to forego the investigator position, but agreed to move the casual Crescent Valley worker to full-time (75% assigned to the Senior Center; 25% assigned to Public Works), and asked the Sheriff to justify his request for so many positions.

Sheriff Watts repeated a previously stated plan to have four patrol deputies on duty 24/7 (two per each 12-hour shift in both Eureka and Crescent Valley). He claimed he has been the busiest Sheriff in recent County history, citing statistical reports that show increased activity and call volume (produced by a different software program than those used by previous officials).

Chairman Goicoechea stated court statistics aren't lining up with the Sheriff's statistics, and the numbers actually show that Nevada Highway Patrol is doing a lot of the work, despite the Sheriff's claim at the January 20th meeting that covering highway patrol's absence was the biggest draw on his patrol staff.

Commissioner McKay asked about plans to mothball the jail and timeline for getting the five detention positions certified for patrol. The Sheriff indicated he didn't have anything definitive.

Ultimately, Commissioner McKay said he would be willing to support one added position. Chairman Goicoechea and Commissioner Sharkozy did not support new positions, citing current vacancies, as well as budget and personnel increases made during the current Sheriff's tenure.

FISCAL YEAR 2022-2023 BUDGET – CAPITAL OUTLAY

Capital Outlay: Ms. Todd said she received feedback from numerous departments on capital outlay priorities. From that, she compiled a color-coded spreadsheet, which she reviewed with the Board. She explained items in red should be vetted but most likely could be postponed. Items in purple were rollovers from the current fiscal year, and she recommended continued funding of those items. The Board reviewed each item and postponed and reduced where possible, but didn't cut some of the large equipment and vehicles because they must remain budgeted to secure a "build slot" in the delayed supply chain.

FISCAL YEAR 2022-2023 BUDGET – DEPARTMENTAL BUDGETS

Fair Board: Fair Board Secretary Holli Else presented the Fair Board's requested budget, noting that some monies were moved among accounts, but no increase was proposed for the overall operating budget.

Television District: Bill Leppala gave an overview of the Television District's proposed operating budget of \$367,000.00. He explained that, due to skyrocketing costs, the budget includes a lot of estimates. A large capital improvement project is planned to upgrade the Argenta Ridge site, the last mountaintop to be modernized. Once this final site is done, Mr. Leppala believes the District can get away from these large annual projects for a while.

Crescent Valley Town Advisory Board: The CVTAB submitted a proposed operating budget of \$13,900.00 with no increases requested.

Recreation Board; Tourism: Commissioner McKay serves on the Recreation Board and explained reductions of \$20,000.00 (miscellaneous grants) in the Recreation budget and \$5,000.00 (contributions) in the Tourism budget. All other categories were status quo.

Justice Court; AA Fund; Facility Fund: Justice of the Peace Dorothy Rowley reviewed her budgets with the Board, explaining changes to the Justice Court operating budget for a net increase of \$1,500.00. She requested status quo budgets for the AA Fund and Facility Fund.

Sheriff; Jail: Sheriff Watts reviewed his proposed budget explaining changes resulting in a net increase of \$64,500.00 to the operating budget and an additional \$150,000.00 in capital outlay by moving a camera project (rollover from current year) and moving the communication center remodel and Mobile 911 from the General Fund budget.

Public Works; Buildings & Grounds; Road Department; RTC; Swimming Pool; Emergency Management; Opera House; Museum; Eureka Water/Sewer; Crescent Valley Water; Devil's Gate GID Water; Landfill; Planning Commission; Eureka Town; Crescent Valley Town; Cemeteries; Airport; LEPC: Jeb Rowley and Joyce Jeppesen described proposed changes in all budgets under the purview of Public Works.

In order to reflect rising costs, increases were made to budgets that support electricity, heating fuel, vehicle fuel, parts and materials for maintenance and repairs. But reductions were made where

possible to help offset this. Mr. Rowley and Ms. Jeppesen highlighted costlier purchases and planned projects, and were able to work with the Board to postpone some items to manage overall costs.

CORRESPONDENCE

Correspondence was received from: District Attorney Ted Beutel; Eureka Conservation District; NRAC; Dan Stevens; Crescent Valley Town Advisory Board, Central Nevada Regional Water Authority, Northeastern Nevada Regional Development Authority; NACO; Nevada Div. of Water Resources (3); Public Utilities Commission of Nevada (2); Nevada Dept. of Indigent Defense Services; Alfalfa U; Nevada Humane Society; Nevada Div. of Minerals; USDI-BLM (2); WanRack; US Senator Jacky Rosen; National Assoc. of Counties (multiple); Governing E-news (multiple); and America First Policy Institute (multiple).

PUBLIC COMMENT

Chairman Goicoechea called for public comments. He recognized Michael Page, who recently passed away, for his service to Eureka County as an employee and then a Commissioner.

Tracey Mellard, Beowawe resident, inquired about the Beowawe Library building and requested an item on a future agenda to discuss its possible use.

ADJOURNMENT

The meeting was adjourned at 4:46 p.m.

Approved by vote of the Board this 6th day of April, 2022.

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

I, Jackie Berg, Commissioner Administrative Assistant, attest that these are a true, correct, and duly approved minutes of the February 7, 2022, 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