

EUREKA COUNTY BOARD OF COMMISSIONERS

March 6, 2009

STATE OF NEVADA)
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COUNTY OF EUREKA)

CALL TO ORDER

The Board of Eureka County Commissioners met pursuant to law on March 6, 2009. Present were Chairman Jim Ithurralde, Vice Chair Leonard Fiorenzi, Member Mike Page, District Attorney Theodore Beutel, and Clerk & Treasurer Jackie Berg. The meeting was called to order at 9:32 a.m. and began with the Pledge of Allegiance. The interactive video conference system was connected and utilized between Crescent Valley and Eureka, but had to be reconnected several times throughout the Board meeting as a result of technical difficulties and a power outage in Crescent Valley.

APPROVAL OF AGENDA

Commissioner Fiorenzi made a motion to approve the agenda as posted. The motion was amended with the deletion of the 1:05 p.m. agenda item, the Duckwater Shoshone Tribe, because the individuals could not attend the meeting, and the 1:55 p.m. agenda item, Eureka County Justice Court, was moved to the morning. Commissioner Page seconded the motion with the amendments. Motion carried 3-0.

PUBLIC COMMENT

Chairman Ithurralde called for public comments. There were none.

Commissioner Fiorenzi informed the Board and public that he would abstain from discussing or voting on the 2:00 p.m. agenda item, the Public Hearing for the Ordinance Establishing the Office of the Public Guardian, due to having a close family relationship with the Public Guardian. Chairman Ithurralde asked that the resignation of a Crescent Valley Town Advisory Board member be placed on the agenda for the March 20th regular Board meeting.

EUREKA COUNTY JUSTICE COURT

New Furniture: Cindy Garcia, Eureka County Justice Court Manager, informed the Board that the Justice Court is in need of a new podium, desk, return (workstation), and two chairs. Ms. Garcia provided the Board with copies of several quotes for the requested furniture. The desk and the podium costs will be funded from the Justice Court's facility fund, and the other items will be funded with administrative assessment fees. Commissioner Fiorenzi made a motion to approve the Justice Court purchase request for new furniture in the amount of approximately \$1,905.00 plus shipping and handling costs. Commissioner Page seconded the motion. Motion carried 3-0.

APPROVAL OF MINUTES

Commissioner Page made a motion to approve the minutes of the February 9, 2009 Budget meeting. Commissioner Fiorenzi seconded the motion. Motion carried 3-0.

Commissioner Page made a motion to approve the minutes of the February 20, 2009 Commissioner meeting. Commissioner Fiorenzi seconded the motion. Motion carried 3-0.

Commissioner Fiorenzi made a motion to approve the minutes of the November 24, 2008 Budget meeting. Commissioner Page seconded the motion. Motion carried 3-0.

FINANCE

Payment of Expenditures: Expenditures were presented for approval by Recorder/Auditor, Mike Rebaleati. Commissioner Fiorenzi made a motion to approve the County payroll in the amount of \$275,592.50 and accounts payable in the amount of \$441,807.33, for an expenditure total of \$717,399.83. Commissioner Page seconded the motion. Chairman Ithurralde noted that there was a \$50,428.76 pass through to the Eureka County School District. Motion carried 3-0.

Commissioner Fiorenzi made a motion to approve Yucca Mountain payroll in the amount of \$581.01 and accounts payable in the amount of \$13,688.32, for an expenditure total of \$14,269.33. Commissioner Page seconded the motion. Motion carried 3-0.

Auditor's Report: Mr. Rebaleati informed the Board that the total cash value on the Auditor's report is lower than past months, but will return to higher values after the net proceeds payment is received by the County in late May. The Board reviewed the Auditor's report without comment.

CORRESPONDENCE

Correspondence was received from: Lumos and Associates; Peek Brothers Construction; Southern Folger Detention Equipment Company; Dolven Architectural Associates; Sierra Control Systems, Inc.; General Moly; Public Works (2); Division for Aging Services; Eureka County Economic Development Program Board (2); Ted Beutel, District Attorney (5); Eureka County High School; Connie Hicks; Adell Panning, Fannie Komp Senior Center Site Director; copy of Eureka County Commission letter to Nevada Committee on Taxation; Jackie Berg, County Clerk & Treasurer; Eureka County Planning Commission; Eureka County Fair Board; Carrie Dubray; Peggy Kirkpatrick; Crescent Valley Town Advisory Board (4); Eureka County School District; Eureka County Nuclear Waste Update; Bjorn Selinder, Public Policy Innovations; Steve Bradhurst, Central Nevada Regional Water Authority; Elko County Public Guardian; Carlin City Council; Tri-County Meeting agenda (2); Washoe County press release; Wes Henderson, Nevada Association of Counties (NACO) (5); NACO (6); Nevada Legislature; State Assembly, Committee on Natural Resources, Agriculture, and Mining (Jerry Claborn); State Assembly, Government Affairs Committee; State Assembly, Committee on Natural Resources, Agriculture, and Mining (Judy Coolbaugh); Alliance for Aviation Across America; Nevada Division of Water Resources; Nevada Division of Environmental Protection (NDEP); Nevada Department of Taxation (2); Nevada Tax Commission; Nevada POOL/PACT (2); Nevada Department of Information Technology; Public Utilities Commission of Nevada (2); NDH Reporter- Nevada Division of Housing 2008 fourth quarter newsletter; Nevada Sage; Harry Reid, US Senator; US Department of Agriculture-Forest Service; US Environmental Protection Agency: Western Watersheds Project; US Census Bureau; National Association of Counties (3); and Brent Eldridge, White Pine County.

Commissioner Fiorenzi reported that there was a letter from the Eureka County School Superintendent regarding the ambulance volunteers in Crescent Valley, and requested that the volunteers receive a copy of that letter. Chairman Ithurralde explained that Carrie Dubray sent a letter of interest for the Fair Board and will be automatically appointed due to a previous motion made by the Board. Ted Beutel, District Attorney, informed the Board that a letter regarding the Television District Board's overspending of its 2008-2009 budget is required, and will need to be drafted. Chairman Ithurralde relayed that the Board would respond to the Television District's budget issues during the March 23rd Budget meeting.

Chairman Ithurralde informed the Board and public that the Crescent Valley Town Advisory Board questionnaire tally resulted in 55 votes to keep the board at five members, 25 votes to reduce the board to three members, and 36 votes to dissolve the board. The

individuals involved in counting the questionnaire results were Chairman Ithurralde; Jackie Berg, County Clerk & Treasurer; Chuck Henry, Crescent Valley Town Advisory Board Chairman; and Adriane Tibbitts from the District Attorney's Office. The results will be officially discussed at the March 20th regular Board meeting.

YUCCA MOUNTAIN

Update Report: Abby Johnson, Nuclear Waste Advisor, provided the Board with a copy of an article from the New York Times regarding Yucca Mountain. Energy Secretary Steven Chu testified before Congress, relaying that the Yucca Mountain Project is over. However, Ms. Johnson reported that there is conflicting information on the subject. Secretary Chu told Congress that the Obama Administration does not intend to pursue Yucca Mountain; however, the license application is not being withdrawn. Ms. Johnson cautioned the Board that information on the Yucca Mountain Program is still unclear at this point. John Gervers, Yucca Mountain consultant, is currently in Washington, D.C. and is gathering information on the matter. If passed, the Omnibus Lands Bill may resolve 2009 funding issues for the Yucca Mountain Program by providing the Department of Energy (DOE) with \$288 million and the Nuclear Regulatory Commission (NRC) with \$49 million for 2009. A continuing resolution for funding in 2009 will be pursued if the Omnibus Lands Bill does not pass, which would result in \$386 million for the DOE and \$29 million for the NRC. Either scenario would provide the County with \$9 million dollars in funding.

Ms. Johnson reported that there is a pre-hearing teleconference for licensing of Yucca Mountain on March 12th, which was set by the licensing judges. Diane Curran, Yucca Mountain licensing attorney, will be attending the teleconference as well as Ms. Johnson. The licensing boards are also having a three day hearing in Las Vegas to hear arguments on contentions March 31st- April 2nd which Ms. Curran and Ms. Johnson will be attending.

Special Meeting with Diane Curran, Esq.: Ms. Johnson explained that Ms. Curran will be in Las Vegas for a meeting March 31st- April 2nd and a meeting with the Commissioners would be beneficial. Ms. Curran and Ms. Johnson wish to brief the County Commissioners on the Yucca Mountain Project on April 3rd. Commissioner Fiorenzi made a motion to approve scheduling a special meeting with Diane Curran on April 3, 2009 at 1:00 p.m. Commissioner Page seconded the motion. Motion carried 3-0.

NEPA COMMITTEE

Update Report: Abby Johnson, National Environmental Policy Act (NEPA) consultant, and Jake Tibbitts, Natural Resources Manager, reported on the NEPA Committee meeting held on Thursday, March 5th. Zach Spencer, Manager of External Communications for General Moly, gave a presentation on the fiscal revenue projections for the Mount Hope Project. The NEPA Committee discussed how the revenue projections were derived. Lee Shumway with General Moly had previously met with Mike Rebaleati, County Recorder/Auditor, and Michael Mears, County Assessor, to discuss the revenue estimates. The projections will be reflected in the socioeconomic portion of the environmental impact statement (EIS).

Mount Hope Project Correspondence: Ms. Johnson reported that the NEPA Committee discussed the socioeconomic impact differences between the County and General Moly. There has been communication between George Blankenship, General Moly's socioeconomic consultant, and Rex Massey, the County's socioeconomic consultant. Mr. Blankenship is drafting a technical memorandum to the Bureau of Land Management (BLM) with suggestions for language in portions of the socioeconomic section of the Mount Hope EIS which will reflect collaborative efforts. General Moly has also hired an individual, Brian Buck with JBR Environmental Consultants, to work with the BLM to create a solid schedule for issuing the

record of decision (ROD) on the Mount Hope EIS. Ms. Johnson will be in contact with Mr. Buck to establish the County's role in the schedule.

Ms. Johnson reported that the County sent a letter to General Moly addressing fugitive dust control. Ms. Johnson has also been in contact with the Nevada Division of Environmental Protection (NDEP) regarding the Water Pollution Control Permit for the Mount Hope Mine. The draft form of the Water Pollution Control Permit is projected to be issued in July 2009.

Mr. Tibbitts informed the Board that the County's technical experts are preparing comments on the Hydrology Model, and he expects to receive those comments via email later in the day. Mr. Tibbitts will email the comments to the BLM as soon as they are received.

Appoint Committee Member: The NEPA Committee recommended that Lloyd Morrison, alternate member, be appointed as a full member to fill a vacant seat. Commissioner Fiorenzi made a motion to appoint Lloyd Morrison to the NEPA Committee as a full member. Commissioner Page seconded the motion. Motion carried 3-0.

Mount Hope Water Resources Monitoring and Mitigation Plan: Mr. Tibbitts provided the Board with a copy of the draft Mount Hope Water Resources Monitoring and Mitigation Plan. The plan addresses monitoring, management, and mitigation issues related to the Mount Hope Mine. The plan was drafted after the Board directed County staff to do so in order for the County to take a lead role in the Mount Hope Mine monitoring and mitigation of water matters. The NEPA Committee reviewed the draft document and recognized that the plan may be revised as more cooperating agencies are involved in the plan. The NEPA Committee agreed that the document, though still in draft form, should be sent to the BLM in order to begin the discussion on the issue, if approved by the Board of County Commissioners. Ted Beutel, District Attorney, explained to the Board that this document was drafted so that the County's plan could be considered by the BLM while General Moly continues to draft a water mitigation plan. The first attempt at a water mitigation plan by General Moly was very general and did not address water issues in detail. The County's plan provides a framework to address many of the County's water concerns.

Submission of Water Resources Plan to Bureau of Land Management (BLM): Chairman Ithurralde made a motion to approve and submit the proposed Mount Hope Water Resources Monitoring and Mitigation Plan to the BLM and for Commissioner Fiorenzi to sign the document. Commissioner Page seconded the motion. Motion carried 3-0. Mr. Tibbitts left the meeting to send the plan to the BLM and involved agencies.

WESTERN COUNTIES ALLIANCE

Participation Presentation: Ken Brown, Western Counties Alliance (WCA) Field Director, provided background on the Western Counties Alliance. The alliance was organized four years ago to increase county influence on shaping federal land management laws and policies, and provides technical support for complex public land issues. Mr. Brown provided information to the Board including: other county involvement; payment in lieu of taxes (PILT) and Secure Rural Schools (SRS) funding; change in PILT formula; disaster relief for wildland fires; Clean Water Act amendment issues; National Landscape Conservation System process and extending buffer zones around existing national facilities; right-of-ways on federal lands; 1872 Mining Law and a proposed bill to reform that law; and various proposed endangered species bills. Nevada counties that are currently members of the WCA are Lincoln, White Pine, Mineral, and Elko. The fee for joining WCA is approximately \$7,500, but the fee structure is somewhat flexible. Commissioner Fiorenzi requested that the Natural Resources Manager look into the WCA criteria and make a recommendation to the Board through the Natural Resource Advisory Commission (NRAC). Chairman Ithurralde explained that if the County chooses to join WCA, the matter would have to be incorporated into the 2009-2010 budget process.

ROAD DEPARTMENT

Update Report: Raymond Hodson, Road Superintendent, reported on the Road Department activities for the month of February. Mr. Hodson reported that approximately half of the month was spent removing snow. The Road Department spent a day at the County Airport; finished the 7th Street gravel project; swept the Eureka town streets; spent time cleaning culverts throughout the County; worked on the County Lay Down Yard; and worked on the Spa Road in the north end of the County. The Beowawe Road Shop required work on the shop drains and the water well, but the problems have been resolved.

COUNTY ENGINEER

JD Ranch Bridge Replacement Project Bid: Tom Young, County Engineer, reported that 13 bids were received for the JD Ranch Bridge Replacement Project. Several of the low bids had cost discrepancies, which were rectified. The recalculations altered the order of the bidders, resulting in Huneywill Construction Company coming in with the lowest responsive bid at \$286,345.60. Travis Peek contacted the County regarding a mistake on the bid submitted by Peek Brothers Construction, and he informed the Board in writing that he wished to withdraw the bid. Commissioner Fiorenzi made a motion to accept Peek Brothers Construction's bid withdrawal (including return of the bid bond), and to award the JD Ranch Bridge Replacement Project to Huneywill Construction Company in the amount of \$286,345.60, per recommendation of the County Engineer. Commissioner Page seconded the motion. Motion carried 3-0.

Eureka Town Volunteer Fire Station: Mr. Young reported that the Eureka Town Volunteer Fire Station Project is progressing well. Fred Dolven, Dolven Architectural, and Roger Hyytinen, a structural engineer with Hyytinen Engineering, toured and inspected the project earlier in the day. The work on the exterior framing, electrical, and mechanical systems will begin soon. The exterior glass board will be placed on the building in the next 2 weeks, causing the exterior to be bright green until the exterior brick is positioned.

Eureka Town Volunteer Fire Station Change Order Request #14: Mr. Young read a letter to the Board. The letter indicated that there was an erroneous dimension placed on a corrected drawing submitted to Reyman Brothers by Roger Hyytinen. The change order to correct this matter is in the amount of \$10,875.15, but Mr. Hyytinen has assumed responsibility for the error and the County will be reimbursed for the cost of the change order. Mr. Young explained further that the cost will be reimbursed to the County through a credit on the bill from Lumos and Associates because Mr. Hyytinen is under contract with Lumos. Commissioner Fiorenzi made a motion to approve Change Order Request #14 for the Eureka Town Volunteer Fire Station in the amount of \$10,875.15. Commissioner Page seconded the motion. Motion carried 3-0.

Eureka Town Volunteer Fire Station Change Order Request #15: Mr. Young informed the Board that there was no action needed on this item.

FAA Sponsor Certification Forms: Agenda items five, six, and seven under the County Engineer were all related. Mr. Lumos explained that there are three standard forms that the Federal Aviation Administration (FAA) was requiring for the Airport Maintenance Project. Commissioner Fiorenzi made a motion to approve having the Chairman sign the FAA Sponsor Certification of Project Plans and Specifications, FAA Sponsor Certification of Project Final Acceptance, and FAA Sponsor Certification of Project Selection of Consultants for the 2009 Airport Maintenance Project. Commissioner Page seconded the motion. Motion carried 3-0.

Advertise for Bids for the Eureka Town 1.25 Million Gallon Tank and Booster Station: Mr. Young reported that the Eureka Town 1.25 Million Gallon Tank and Booster Station Project was ready to advertise for bids. The project bid specifications will be written so that the second phase will be an alternate to the project. The total project cost estimate is \$3,373,730.00. The

new tank for Tank Hill is a 1.25 million gallon tank and will have a larger diameter than the old tank. The new tank's dimensions are approximately 26 feet in height and 90 feet in diameter. Mr. Young is anticipating that the bids will be opened April 6th at 1:30 p.m. Commissioner Fiorenzi made a motion to go to bid for phase one and two of the Eureka Town 1.25 Million Gallon Tank and Booster Station Project. Commissioner Page seconded the motion. Motion carried 3-0.

Ruby Hill Sidewalk Project: Mr. Young explained that the Ruby Hill Sidewalk Project extends from the Courthouse to the Elementary School and includes a sewer line upgrade. Part of the project will be funded through a Nevada Department of Transportation (NDOT) enhancement grant. The 100% plans and specifications are completed for the project. There are two bid schedules for the project, A and B, and the County is waiting on the bid schedule approvals from NDOT. Mr. Young anticipates advertising for bid openings on April 20th. The matter will be revisited on April 6th during the regular Board meeting. This project has been budgeted for fiscal year (FY) 2008-2009, but will be rolled over into FY 2009-2010.

PUBLIC WORKS

Eureka Swimming Pool Washer and Dryer: Ron Damele, Public Works Director, reported that two bids were obtained for a washer and dryer for the Swimming Pool. The first quote is from Home Depot in the amount of \$1,431.97 and the appliances would be delivered to Eureka. The second quote is from Wilson Bates Furniture in the amount of \$1,503.00. Commissioner Fiorenzi made a motion to approve the purchase of a new washer and dryer for the Swimming Pool and accept the quote from Home Depot in the amount of \$1,431.97. Commissioner Page seconded the motion. Motion carried 3-0.

Contract with JBR Environmental Consultants, Inc.: Mr. Damele reported that a contract was sent to JBR Environmental Consultants, Inc. for an environmental assessment of the Eureka Water Distribution Project, but the signed copy has not been returned to the County yet. Commissioner Fiorenzi made a motion to authorize Chairman Ithurrealde to sign the contract outside of the meeting with JBR Environmental Consultants, Inc. for an environmental assessment of the Eureka Water Distribution Project. Commissioner Page seconded the motion. Motion carried 3-0.

Contract with Galena Group, Inc.: Mr. Damele explained that the contract with Galena Group, Inc. is for upgrading mountaintop radio repeater sites for the Sheriff's Department and County Road Department radios. The contract allows Galena Group to develop specifications and contract management for new repeater sites on Prospect Peak, Mary's Mountain, and Mount Tenabo. The new repeater sites will have the capability of being upgraded from analog to digital when needed. Commissioner Fiorenzi made a motion to approve signing the contract with Galena Group, Inc. to update the Communication Feasibility Study for new radio repeater sites. Commissioner Page seconded the motion. Motion carried 3-0.

Southern Folger Proposals: Mr. Damele reported that he and Sheriff Jones met with Southern Folger and have reviewed the two proposals Southern Folger provided for the replacement of the electronic system, locks, and locking mechanisms at the Eureka Justice Facility. A thorough analysis of the Justice Facility's doors and locking mechanisms was conducted and Southern Folger expressed that it would be in the best interest of the County to upgrade soon. Southern Folger proposed to replace the sliding door locking systems and mechanisms, detention locks, and hardware for the entire Justice Facility for \$130,250.00. The second proposal is to upgrade to an electronic touch screen control of the mechanisms for \$107,452.00. The current system has been in place since 1986. Commissioner Fiorenzi made a motion to approve the two proposals from Southern Folger, in the total amount of \$237,702.00, for the replacement of the electronic system, locks, hardware, and locking mechanisms at the Eureka Justice Facility, and that the Sheriff begin coordination efforts with

the contractor and allow access to the jail for construction. Commissioner Page seconded the motion. Motion carried 3-0.

Courthouse Roof Replacement Proposal from Fred Dolven: Mr. Damele reported that the Courthouse roof repair is divided into different tasks of the construction. The cost proposals for the repair are \$6,370.00 for the preliminary design, \$2,370.00 for the final design, \$1,730.00 for the bidding phase, and \$2,310.00 for construction administration for a total of \$12,780.00. Fred Dolven, Dolven Architectural, was directed to proceed on the preliminary design on time and materials involved in the construction of the roof repair. Commissioner Fiorenzi made a motion to approve the proposal from Fred Dolven for design assistance relating to the Courthouse roof replacement in the amount of \$12,780.00. Commissioner Page seconded the motion. Motion carried 3-0. Mr. Dolven displayed the design plans and gave a short presentation on the various options for roof repair/replacement.

Crescent Valley Water System Telemetry: Mr. Damele reported that the Crescent Valley water system telemetry needs upgrading, and funds are available to accomplish this in the current fiscal year. Sierra Controls was contacted for a quote on the telemetry system upgrades and provided a proposal in the amount of \$59,780.00. The new system will monitor the water tank levels, the well pumps, and allow for remote control of the pumps from a laptop computer.

Proposal from Sierra Controls: Commissioner Page made a motion to approve the proposal from Sierra Controls to update the Crescent Valley telemetry system in the amount of \$59,780.00. Commissioner Fiorenzi seconded the motion. Motion carried 3-0.

Eureka Volunteer Fire Station Project: This item was discussed under the County Engineer agenda item.

Eureka Wastewater Treatment Facility Expansion: Mr. Damele reported that Manfred Daut, with Eureka Moly, provided documentation for the cost share of the Eureka Wastewater Treatment Facility Expansion. General Moly proposed a 60/40 cost split with Eureka County for the facility expansion. The County's portion is 60%. Mr. Damele and Mr. Young concur that the accounting of the split is accurate. The updated cost estimate will be sent to General Moly as soon as it is completed. Commissioner Fiorenzi made a motion to accept the cost-sharing proposal for the Eureka Wastewater Treatment Facility Expansion with Eureka Moly, LLC. Commissioner Page seconded the motion. Motion carried 3-0.

Update Report form Lori Fordin, Gregory Insurance: Lori Fordin, Gregory Insurance, provided the Board with an insurance quote for non-County special events held in rented County facilities. The blanket insurance policy requires a \$2,500 deposit premium and charges \$150 per event. Once the \$2,500 has been used, then a bill will be sent for each event. The users of a facility will complete a form with specific information about the event, which will be submitted to the insurance company for approval. There is a list of approved events and non-approved events from the company. The non-approved events are actually covered under a different County insurance policy. Ms. Fordin explained that the County should acquire a certificate of insurance once a year from the community organizations that routinely use County facilities such as Girl and Boy Scouts, Veterans of Foreign Wars, Lion's Club, BLM, and the respective mines. The blanket policy covers all participants in special events and considers each person a 'spectator.'

County Rental Agreement: The second draft of the rental agreement was provided for the Board to review. Commissioner Fiorenzi made a motion to table the rental agreement document approval until the next Board meeting when the Board has reviewed it and the changes have been identified. Commissioner Page seconded the motion. Motion carried 3-0.

Chairman Ithurralde thanked Mr. Damele and the Public Works staff for the West Carlin Interchange project submittal application, commenting that the application was very professional and well written.

RECESS FOR LUNCH

The Board recessed for lunch from 12:15 p.m. to 1:13 p.m.

DUCKWATER SHOSHONE TRIBE

Resolution in Favor of Paving Highway 379: This agenda item was postponed to a future meeting.

NEVADA DIVISION OF FORESTRY (NDF)

Maintenance of District Apparatus: Joe Anelli, Battalion Chief, and Sam Hicks, NDF Fire Management Officer, reported on rebuilds and maintenance of fire district apparatus, including painting of apparatus, vehicle engine rebuilds, extrication equipment, and warranty work on vehicles. Future projects include a brake system repair on a vehicle, two apparatus that need servicing, a vehicle needing a new brake and exhaust system, and an engine rebuild from Dunphy that needs a tank replacement. The signs for the volunteer fire stations in the County have been repainted. Training took place for 22 students on a trailer burn, entry level training in Beowawe for 10 students, extrication training in Eureka town for 17 students, and several night trainings in Crescent Valley, for a total of 620 man hours. Two 40-hour wildland fire classes are scheduled in April in Eureka and in Crescent Valley. Mr. Anelli confirmed that the Eureka rescue vehicle is stocked with supplies and training has been conducted on all of the vehicle's equipment.

Purchase of a Compressed Air Foam System (CAFS): This item was tabled until more defined cost estimates are received.

New Tires for Diamond Valley #46: Mr. Anelli explained that Diamond Valley #46 is a BLM engine and that the tires were in need of replacement. The tires have been purchased utilizing funds available in the maintenance budget.

Diamond Valley and Beowawe Tenders: Mr. Anelli explained that a letter from Lodi Equipment was received with a quote for two tenders in an amount just under \$285,000.00. Automatic versus manual 10-speed transmissions were discussed. The change order to purchase an automatic vehicle is approximately \$6,500.00. The Board agreed that automatic transmissions would be a benefit for volunteer firefighters. Commissioner Fiorenzi made a motion to direct NDF staff to move forward with purchasing two tenders in the amount of \$298,000.00 if the funds are available in this year's budget. Commissioner Page seconded the motion. Motion carried 3-0. Mr. Anelli and Mr. Hicks were directed to attend the budget meeting on March 9th to discuss the availability of funds.

Discussion was had on the proposed fire district agreement and ordinance between NDF and the County. Commissioner Fiorenzi relayed that he wants to see the fire district agreement in place before fire season.

Discussion was had on the pager and radio standardization in Crescent Valley. The Crescent Valley Volunteer Fire Department requested that Mr. Anelli help standardize the pager and radio system. The Board agreed that NDF should help the Crescent Valley Volunteer Fire Department with that request.

Mr. Hicks reported that Senate Bill 94 addresses State Forester and State Fire Marshall office cooperation. The bill focuses on fuels reduction, mitigation, and enforcement of defensible space. Properties would be assessed for defensible space and authority would be

given for the enforcement of defensible space around property. Only four counties will be affected this year if the bill is passed.

NATURAL RESOURCES

Activity Report: Jake Tibbitts, Natural Resources Manager, reported that he attended a Mount Hope conference call on February 24th; a meeting with BLM in Battle Mountain for a presentation from Interflow Hydrology on March 3rd to explain the revised hydrology model and impacts; a special NEPA Committee meeting for a presentation from Interflow Hydrology on the Mount Hope hydrology model; and the NEPA Committee meeting on March 5th. Mr. Tibbitts has been spending much of his time drafting a Water Resources Monitoring, Management, and Mitigation Plan. Chairman Ithurrealde signed a letter supporting Assembly Bill 183 (Silver State Tag) outside of the Board meeting and a copy of the letter was provided to each Board member. A hearing may be held for the Silver State Tag by the State Assembly, which may require Mr. Tibbitts or one of the Commissioners to speak in support of the bill. Another letter addressing support for Senate Joint Resolution 2, which is a resolution encouraging Congress to take action on wilderness areas, was signed by the Chairman and sent earlier this week in the interest of time. Mr. Tibbitts continued to track Joint Resolution 18 (endangered species), House Resolution 699 (hard rock mining), and House Resolution 1018 (wild horses).

Upcoming Meetings: The County has also received an update on the dewatering occurring at the Ruby Hill Mine. Mr. Tibbitts will meet with Brian Mason from the Ruby Hill Mine to discuss the community advisory group and to participate in a tour at the end of March. Mr. Tibbitts informed the Board that he will be attending a Mount Hope conference call on March 10th; the NRAC meeting on March 11th; a meeting with Patty Novak from the Natural Resources Conservation Service (NRCS) on March 16th; a Cooperative Permittee Monitoring Workshop in May, where Mr. Tibbitts will teach a portion of the workshop; the Nevada Division of Water Resource meeting in Eureka on March 19th; and the NEPA Committee meeting on March 19th.

SENIOR CITIZENS

Update Reports: Millie Oram, Eureka Senior Center Site Director, reported that the Eureka Center is currently short handed. The meal count in Eureka was 859 for February. Adell Panning, Fannie Komp Senior Center Director, reported that 617 meals were served in Crescent Valley in February. Ms. Panning also reported that her staff stripped and waxed the floors and gave the center a thorough cleaning. For the month of February, the Senior Centers deposited \$6,291.01.

Eureka County Senior Center Policies: Ms. Panning reported that the Senior Center Directors met with the Senior Center Advisory Board to discuss the policies required by the Division for Aging. The policies were approved by the Senior Center Advisory Board and included matters pertaining to vehicle maintenance, advocacy, building evacuation plan, collection of donations from clients, and service in poor weather conditions. Commissioner Fiorenzi made a motion to approve the revisions to the Eureka County Senior Center policies as recommended by the Senior Center Advisory Board. Commissioner Page seconded the motion. Motion carried 3-0.

Notification of Grant Award: Ms. Oram explained that the meal count numbers affect the Nutrition Grant amount awarded by the Division for Aging. Commissioner Fiorenzi made a motion to sign the Notification of Grant Award from the Division of Aging for a nutrition grant in the amount of \$1,998.00. Commissioner Page seconded the motion. Motion carried 3-0.

Ms. Panning reported that the State Health Inspector performed the yearly inspection of the Fannie Komp Senior Center and gave the center a 100% grade with no comments.

PUBLIC HEARING - ORDINANCE ESTABLISHING OFFICE OF PUBLIC GUARDIAN

Commissioner Fiorenzi left the meeting room and abstained from discussing or voting on this item. Notice was given that the Board of Eureka County Commissioners would hold a hearing on March 6, 2009 at 2:00 p.m. The reason for said hearing was to invite public comments and take action on an ordinance amending the 2006 Eureka County Code, Title 11, Welfare and Indigent Services, by amending the existing title by adding a new chapter, Chapter 60, Public Guardian's Office, to provide for the establishment of that office, and other matters properly relating thereto. This ordinance was proposed by the Board of Eureka County Commissioners and a copy is on file with the Eureka County Clerk for public examination.

Chairman Ithurralde called for public comments. There were none. Commissioner Page made a motion to approve the ordinance establishing the office of the Eureka County Public Guardian. Chairman Ithurralde seconded the motion. Motion carried 2-0. After the vote, Commissioner Fiorenzi returned to the Boardroom.

PUBLIC HEARING – AMENDMENTS TO COMMISSIONERS' ORDINANCE

Notice was given that the Board of Eureka County Commissioners would hold a hearing on March 6, 2009 at 2:15 p.m. The reason for said hearing was to invite public comments and take action on an ordinance amending the 2006 Eureka County Code, Title 2, Eureka County Commissioners, Chapter 10, General Provisions, by amending the existing sections and adding new sections addressing rules for procedure, and other matters properly relating thereto. This ordinance was proposed by the Eureka Board of County Commissioners and a copy is on file with the Eureka County Clerk for public examination.

Chairman Ithurralde clarified that the ordinance amends the rules and procedures for open meetings as well as documenting the Commissioners' salaries. Commissioner Fiorenzi explained that he did not agree with the 4% raise for the Commissioners (as previously approved in State Legislature and affirmed by the Board of Commissioners in 2007) if the same was not done for the employees. Mr. Beutel informed the Board that the salary schedule of increases could be changed by the Board as long as the increase does not exceed the amount set by State statute. Chairman Ithurralde called for public comments. Lisa Wolf, Crescent Valley resident, requested that a copy of the ordinance be faxed to her after the meeting. There were no other public comments. The Board agreed to table the approval of the ordinance until the employee's cost of living allowances were determined for FY 2009-2010. The ordinance will be redrafted to reflect a connection between employee and Commissioner wage increases. Another public hearing will be scheduled once the ordinance is redrafted and re-proposed.

EUREKA COUNTY SHERIFF

Out-of-State Travel: Sheriff Ken Jones stated that an active case requires a material witness warrant for a person in Apache Junction, Arizona. Sheriff Jones is working with Arizona authorities to locate the witness and will need to travel to Arizona to pick up the witness, once she is located. Discussion was had on allowing the Sheriff or sheriff deputies to have authorization to travel out-of-state if needed without coming to the Board directly for approval. The ordinance addressing County employee out-of-state travel would have to be amended to allow for travel in emergency situations. Commissioner Fiorenzi made a motion to approve the out-of-state travel for the Sheriff for an investigation in March, and amendments to the travel policy will be addressed when the Sheriff brings proposed language to the Board. Commissioner Fiorenzi amended the motion to allow for a Deputy to make the trip to Arizona if the Sheriff is unavailable. Commissioner Page seconded the motion. Motion carried 3-0.

EUREKA COUNTY ECONOMIC DEVELOPMENT PROGRAM

Car Show Banners: Trish Reynolds, Eureka County Economic Development Program Assistant, submitted a letter requesting approval to hang banners from the “Welcome to Eureka” community signs at both ends of town. The banners would promote the car show scheduled in May. Mr. Damele explained that NDOT approval would be required to hang the banners, since the signs are on the State highway right-of-way. Commissioner Fiorenzi made a motion to approve the hanging of the banners on the signs, pending approval from NDOT. Commissioner Page seconded the motion. Motion carried 3-0. The Board asked Mr. Damele to contact NDOT for this approval.

COMMISSIONERS

Update Reports: Commissioner Page reported that he attended a special Nevada Works teleconference meeting. Nevada Works is concerned with using stimulus funding correctly.

Commissioner Fiorenzi reported that he attended a meeting with Public Works and Ken & Beverly Conley regarding a Devil’s Gate GID Water District right-of-way on February 27th; the NEPA Committee meeting on March 3rd; and the special Commission meeting on March 5th.

Chairman Ithurralde reported that he attended a Senior Center Advisory Board meeting on February 25th; the Carlin City Council meeting on February 25th with Mr. Damele; a meeting to count the Crescent Valley Town Advisory Board questionnaire results on March 2nd; and a meeting with the Eureka County employees and Commissioners on March 5th. The Chairman also reported that the discount drug card program will be available to Eureka County residents on April 1st.

Modified Resolution Restating Position on Water Resources: Mr. Beutel and Mr. Tibbitts redrafted the resolution restating the County’s position on water resources in the County. The resolution may be refined as the Eureka County Master Plan is revised. Commissioner Page made a motion to approve the modified resolution restating the Board of Eureka County Commissioners’ position on water resources in Eureka County. Commissioner Fiorenzi seconded the motion. Motion carried 3-0.

Eureka County Master Plan: Chairman Ithurralde explained that \$70,000.00 was earmarked in the Planning Commission budget for revising the County Master Plan in FY 2008-2009. Commissioner Fiorenzi relayed that he would like to review the requests for qualifications (RFQ), modify the RFQ if needed, and hire a consultant to work on the Master Plan. The Board agreed that the RFQ should be reviewed and brought to the Commissioners for approval.

Eureka County High School Annual Scholarship Drive: Commissioner Page made a motion to contribute to the Eureka County High School Annual Scholarship Drive in the amount of \$1,500.00. Commissioner Fiorenzi seconded the motion. Motion carried 3-0.

Regional Transportation Ordinance: The Board reviewed a possible amendment to the Regional Transportation Ordinance that would allow for identifying priorities for road projects. Commissioner Fiorenzi expressed that he would like to create a system for prioritizing County road paving projects. Chairman Ithurralde made a motion to propose amendments to the Regional Transportation Ordinance. The public hearing on the matter will be held on April 6th at 2:00 p.m. Commissioner Fiorenzi seconded the motion. Motion carried 3-0.

Television District Ordinance: The possible modification to the Television District Ordinance addresses salaries of the Television District Board members. This item was tabled until the Television District approves the modifications.

Mount Hope Project EIS and NEPA Process: No action was taken on this item.

2009 Legislative Session: Mr. Tibbitts asked if the Board wished to direct him to testify in Carson City on behalf of the County in support of the Silver State Tag. The Board agreed that Mr. Tibbitts, along with Chad Bliss, should do so.

PUBLIC COMMENT

Chairman Ithurralde opened the floor to public comments. Ms. Wolf requested that Jackie Berg, County Clerk, send her meeting notes because the video conferencing system was not connected for part of the meeting due to power outages.

Martin "Sonny" Milano and Charlie Harper spoke to the Board on behalf of the E Clampus Vitus Historical Organization. Mr. Milano and Mr. Harper explained that the organization places plaques for historical monuments in the West, such as the Eureka Sentinel Building. E Clampus Vitus is interested in placing a plaque in Eureka for the Opera House. Mr. Milano and Mr. Harper will speak with Wally Cuchine, Facilities Director, about the wording for the plaque. The item will be placed on the next regular meeting's agenda for action. There were no other comments.

Chairman Ithurralde reminded the Board and public that there is a budget meeting on Monday, March 9th at 9:00 a.m.

ADJOURNMENT

At 2:52 p.m., Commissioner Fiorenzi made a motion to adjourn the meeting. Commissioner Page seconded the motion. Motion carried 3-0.

Approved this 20th day of March, 2009.

/s/ J.P. Ithurralde

J.P. Ithurralde, Chairman

Attest: /s/ Jackie Berg
Jackie Berg, Clerk