

EUREKA COUNTY BOARD OF COMMISSIONERS

March 6, 2020

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, 2020. Present were Chairman J.J. Goicoechea; Vice Chairman Michael Sharkozy; Commissioner Rich McKay; District Attorney Ted Beutel; and Deputy Commissioner Clerk Jackie Berg. The meeting was called to order at 9:30 a.m. and began with the Pledge of Allegiance. The interactive video conferencing system was connected and utilized between Crescent Valley and Eureka for the entire meeting.

APPROVAL OF AGENDA

Commissioner Sharkozy motioned to approve the agenda as posted; Commissioner McKay seconded the motion; motion carried 3-0.

PUBLIC COMMENT

Chairman Goicoechea opened the floor for public comments.

Jerry Todd stated he recently purchased a piece of property in Eureka with some rights-of-way issues that he would like to work with the County to clear up. The Chairman directed Mr. Todd to work with Public Works and any issues can be presented to the Board at a future meeting.

Laura Oslund, Executive Director of PACE Coalition, traveled from Elko to thank the Commissioners for the commitment to provide funding towards the Child Advocacy Center being established in Elko for northern Nevada communities. She stated the support will make a difference in a lot of lives, particularly children who are victims of physical and sexual abuse. Ms. Oslund commended the County on its staff, noting that working with qualified personnel in law enforcement, Juvenile Probation, and emergency response makes her job much easier.

Angie Shirley requested assistance on an issue that has developed in Crescent Valley. She has lived there for 18 years and it is common to have “squatters” outside of town, but now people are setting up structures within the townsite with no water or septic and it is creating a health issue. She explained the structures aren’t trailers or RVs, but are makeshift ‘boxes’ with tarp roofs.

Chairman Goicoechea promised to look into the situation in Crescent Valley and will consult the Sheriff and District Attorney regarding options, but felt this probably qualifies as a ‘nuisance’ issue as defined by State law.

APPROVAL OF MINUTES

February 6, 2020: Commissioner Sharkozy motioned to approve minutes of the February 6, 2020, Commission meeting; Commissioner McKay seconded the motion; motion carried 3-0.

February 20, 2020: Commissioner Sharkozy motioned to approve minutes of the February 20, 2020, Commission meeting; Commissioner McKay seconded the motion; motion carried 3-0.

COUNTY COMPTROLLER

Payment of Expenditures: Expenditures were presented for approval by Comptroller, Kim Todd. Commissioner Sharkozy motioned to approve expenditures in the amount of \$278,548.60 for accounts payable; \$316,320.41 for payroll and benefit related expenses (including employee paid deductions); \$579,442.27 for a pass-through tax allocation to the School District; \$7,315.88 for a pass-through to the State Controller; \$348.39 for a pass-through to Nevada Department of Taxation; \$165.00 for a pass-through to the Washoe County Crime Lab; and \$3,030.00 in Yucca

Mountain expenses, for a grand total of \$1,185,170.55. Commissioner McKay seconded the motion. Motion carried 3-0.

Fund Balance Report: The Board reviewed a report on all current fund balances.

COMMISSIONERS

Public Works Director Job Description: An updated job description for Public Works Director was circulated to the Board for comments, which were incorporated into the final draft.

Commissioner Sharkozy motioned to approve the updated job description for Public Works Director; Commissioner McKay seconded the motion; motion carried 3-0.

Hiring Freeze Waiver: Chairman Goicoechea reminded everyone that Ron Damele plans to retire in the next fiscal year and it is important to hire a replacement that can shadow Mr. Damele for an extended period due to all of the institutional knowledge that needs to be shared.

Commissioner Sharkozy motioned to waive the hiring freeze and authorize hiring a Public Works Director (an at-will position), and to begin advertising on March 9th with an initial internal job posting; Commissioner McKay seconded the motion; motion carried 3-0.

An Interview Panel will be established, and Chairman Goicoechea stated interest in participating on the Panel if his fellow Commissioners don't object. The Panel will recommend a candidate or candidates, who will come before the full Board of Commissioners for final selection.

Investigator: The County received a complaint from an employee of alleged harassment and discrimination. Chairman Goicoechea contacted Nevada POOL/PACT, who assigned outside counsel. The attorney recommended that the County engage an investigator. Since then, a second allegation of harassment and discrimination has been lodged, and both complaints need to be investigated. The Chairman obtained a quote from a firm to investigate the complaints at a fee of \$250.00 an hour plus travel expenses.

Commissioner McKay motioned to approve engaging the investigator and outside counsel to conduct investigations of alleged harassment and discrimination; Commissioner Sharkozy seconded the motion; motion carried 3-0.

"The Path Forward": Chairman Goicoechea participated in a conference call on March 5th with stakeholders who signed on to *"The Path Forward for Management of BLM's Wild Horses & Burros."* During the call, the Chairman stressed the urgency for the BLM to get its spending plan before Congress so that funds can be released and put to use in the current federal fiscal year, since funds won't be released for 60 days after receipt of the report. Federal legislators are being asked to sign a letter asking leadership at the Department of the Interior to expedite the report.

Jake Tibbitts added that the National Association of Conservation Districts included support for funding *"The Path Forward"* in one of its Issue Papers that will be presented to Congress during NACD's annual spring fly-in to Washington DC.

On a related issue, Chairman Goicoechea reported that progress is being made in moving the Diamond Complex higher up on the national priority list for BLM wild horse gathers. The District Manager at the Battle Mountain BLM office has committed to the Chairman that he will work with other BLM Districts to help move things along.

Sagebrush Ecosystem Program: A Sagebrush Ecosystem Council meeting is scheduled later in the month to discuss the BLM's Supplemental EISs. The Chairman thanked Mr. Tibbitts for facilitating the Adaptive Management Plan meetings for the North Central and South Central Areas, noting that some good reports came out of those meetings.

The Chairman reported that a mining entity in Winnemucca is looking into buying credits from a ranch under the Conservation Credit System, which is part of the Nevada Greater Sage-Grouse Conservation Plan.

Plain Talk Newsletter: Editor Abby Johnson was in attendance to discuss content and schedule for the next edition of the *Plain Talk* newsletter, scheduled to be published in late April. Ms. Johnson is gathering information for the newsletter on the following items: the multi-year

County-wide infrastructure project; air ambulance services, the 2020 Election, new pharmacy in Eureka; Free Dump Days, Firewise Days, and on-call weekend coverage at the Eureka Clinic.

Chairman Goicoechea suggested an update on the Eureka Canyon Subdivision, to let potential purchasers know that the County is working to buy transformers from Mt. Wheeler Power to equalize costs associated with purchasing a lot. He would also like to inform the public that the Downwinders Compensation Act will sunset in 2022. The EMS Director may be interested in including a small item to recruit EMTs or persons interested in being trained as an EMT.

Commissioner McKay informed that the Recreation Board is hiring a contractor to promote tourism and to plan events in Eureka. The successful candidate should be selected before the newsletter is published, so this would be another item of interest to the public.

YUCCA MOUNTAIN

Yucca Mountain Project: Abby Johnson, Nuclear Waste Advisor, provided an update on developments with the Yucca Mountain Project. She relayed that on February 6th, President Trump tweeted, *“Nevada, I hear you on Yucca Mountain and my Administration will RESPECT you! Congress and previous Administrations have long failed to find lasting solutions – my Administration is committed to exploring innovative approaches – and I’m confident we can get it done!”*

Ms. Johnson noted that requests for funding in the proposed budget were eliminated, which would have allowed the Department of Energy and the Nuclear Regulatory Commission to continue pursuing licensing for the repository. There is a proposal to allocate \$27.5 million in Fiscal Year 2021 for research and development and to examine innovative approaches, which will likely include interim storage of the spent nuclear fuel. Pressure for a viable storage option continues to build with no solution in sight.

Subcontract: The contract with Ms. Johnson authorizes her to subcontract with Board approval. She requested to continue subcontracting with Richard Moore, PE. Mr. Moore provides expertise on transportation issues related to Yucca Mountain. This is important since one of the preferred routes is the Carlin rail corridor, which passes through northern Eureka County.

Commissioner McKay motioned to authorize Abby Johnson to subcontract with Richard Moore, PE, to provide Yucca Mountain related transportation advisor services in 2020, for a time and materials contract not to exceed \$14,000.00. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

IT / NETWORK

AT&T Agreement: IT Director Misty Rowley recommended that the Board renew the AT&T High Volume Calling Service Agreement with AT&T for two years. Based on the County’s call volume, she recommended the tier with an annual cost of \$2,400.00, which provides a reduced per minute usage rate of \$0.0547 (usage rate is \$0.99 per minute without the agreement).

Commissioner McKay motioned to approve a two-year renewal of the High Volume Calling Service Agreement with AT&T for reduced long distance rates, at an annual cost of \$2,400.00; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Crescent Valley Internet Upgrades: Ms. Rowley presented a quote from Quest for network upgrades in Crescent Valley as part of the project to build infrastructure that will enable migration from Express Internet’s equipment.

Commissioner McKay motioned to approve the quote from Quest for managed switches in Crescent Valley, for an amount not to exceed \$6,000.00, utilizing monies budgeted for fiber optic and network upgrades in the Capital Projects Fund. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

OLCESE WASTE SERVICES

Update on Waste Services: Rick Lake, Operations Manager for Olcese, gave an update on residential and commercial waste services in Eureka County over the last quarter. In October

there were seven new residential customers, one new commercial customer, and four residential cancellations. In November there were three new residential customers, one new commercial customer, and four residential cancellations. In December there were two new residential customers and one residential cancellation. In January there were five new residential customers, four residential cancellations, and one commercial cancellation. Cancellation reasons vary – some don't like the cost of the service, others don't like moving the cart to the road, and some complain they aren't receiving bills.

Mr. Lake stated that Olcese is happy and proud to be serving Eureka County and he hopes the customer base will increase to lessen dependency on the County subsidy.

Commissioner McKay relayed that he has heard mostly positive feedback about how professional the service is, and pickups are done on time, with the primary negative comment being the high cost for commercial services.

SENIOR CENTERS

Update Report: Senior Centers Program Director, Millie Oram, reported on activities at the Eureka Senior Center and Fannie Komp Senior Center. In February, Eureka served 623 meals and Crescent Valley served 595 meals. A total of \$7,728.00 was deposited for the month.

Transportation Grant: Commissioner Sharkozy motioned to ratify the grant application to Nevada Aging & Disability Services Division for Transportation Services Grant #07-000-10-BC-20 in the amount of \$22,500.00, with a pending County match of \$3,375.00 (final amount to be determined in July). Commissioner McKay seconded the motion. Motion carried 3-0.

Positive Comments: Commissioner McKay shared that he met with a group of seniors and they were very appreciative of Ms. Oram and her staff, saying they go above and beyond in helping the seniors, especially when there are health issues, and in meeting the needs of those living in senior housing.

UNIVERSITY OF NEVADA COOPERATIVE EXTENSION

Lambing Structure: Extension Educator Gary McCuin obtained a quote for a lambing building – a frame structure covered with a commercial grade fabric. The quote includes extra rafter supports and vent kits. The quote amount is \$20,731.00, but additional lumber will be purchased locally to complete the structure. Mr. McCuin explained that the University is very close to finalizing negotiations on property in Diamond Valley for the Experiment Station site, and this is the planned location for the lambing barn.

Commissioner Sharkozy motioned to authorize Cooperative Extension to purchase a structure (30x140x120 GSpan GothPrem HTUN) and add-on kits from GrowSpan, with additional lumber supplies purchased as needed for construction, for an amount not to exceed \$25,000.00, to be paid with capital outlay funds in the Agricultural Extension budget. Commissioner McKay seconded the motion. Motion carried 3-0.

EUREKA SENTINEL

News & Information: KayLynn Roberts McMurray, *Ely Times/Eureka Sentinel*, was invited to meet with the Commissioners regarding publishing items in the *Eureka Sentinel*. The Board is interested in publishing press releases, public service announcements, and other Eureka County news as a means to provide pertinent information to the public on a timely basis and to provide additional transparency related to actions taken by local government officials. Chairman Goicoechea relayed that he has heard comments that the public misses seeing a report on the Commissioner meetings in the newspaper.

Ms. Roberts McMurray said there is a lot of interest in publishing more news about Eureka and being more engaged with this community. She would like to see the newspaper grow and increase the number of subscribers. She is happy to report on the County Commission meetings and asked that she be sent recordings and/or transcripts of the meetings.

PRAY & COMPANY

Proposed Human Resources Assessment: Dana Pray and Rhonda Zuraff, Principals of Pray & Company (based in Elko), were in attendance to communicate a proposal to conduct a Human Resources assessment to help identify the appropriate level of Human Resource services needed by Eureka County. Ms. Pray and Ms. Zuraff both have approximately 20 years of Human Resource experience, primarily in Nevada. The firm specializes in Human Resources, talent search, organizational effectiveness, and public relations work.

The assessment will involve discussion with employees, random review of employee files, review of the Personnel Policy (including performance management and discipline process), review of the hiring process, review of compensation and benefits, and completion of a report on assessment findings. The team felt they could complete the assessment in about two weeks, with results by the end of April or early May. The report will include a recommendation on whether the County should hire a Human Resources Analyst, outsource the services, or consider another option.

Chairman Goicoechea explained that the County decided to explore this because reliance on the Comptroller, District Attorney, and the Commissioners to perform Human Resource duties has become burdensome for these officials. He advised that Pray & Company should communicate with Nevada POOL/PACT during the assessment process because Human Resource requirements for a local government entity differ substantially from the private sector.

Commissioner Sharkozy motioned to approve the proposal from Pray & Company to complete an assessment of Eureka County's Human Resources needs, for an amount not to exceed \$9,600.00, with the assessment results/report due the first week in May, and to work with Comptroller Kim Todd and Commissioner Rich McKay as points of contact for the County. Commissioner McKay seconded the motion. Motion carried 3-0.

PERDIZ SPORT SHOOTING

Donation Request: Jerry White appeared before the Board to request funds to repair the club house at the Shooting Range, at an estimated cost of \$30,000.00. Repairs will include installation of a metal roof and metal siding to remediate damage and prevent further water damage.

The Board discussed granting half of the funds in the current fiscal year and the remainder in the next fiscal year. This would allow Mr. White to purchase \$15,000.00 worth of materials this fiscal year and repairs can be completed next fiscal year.

If approved, the Comptroller explained to Mr. White that receipts must be provided for all expenditures and monies granted for the current fiscal year must be expended (and materials received) prior to June 30th.

Commissioner Sharkozy motioned to grant a total of \$30,000.00 to Perdiz Sport Shooting, spread over two fiscal years with \$15,000.00 paid in Fiscal Year 2020 and \$15,000.00 paid in Fiscal Year 2021, to be paid from miscellaneous grants in the Commissioners' budget, with any unused funds reimbursed to the County. Commissioner McKay seconded the motion. Motion carried 3-0.

SHERIFF

Red Flag Lawsuit: Sheriff Watts, representing Eureka County, was authorized to join as Plaintiff with other Nevada Sheriffs to challenge the State of Nevada and Governor Sisolak regarding passage of AB291, the Nevada "Red Flag Law."

The group has decided to engage Parsons, Behle & Latimer for legal representation and the firm has agreed to represent them for a not to exceed amount of \$20,000.00. There are currently three Sheriffs involved (with more looking at joining), but Sheriff Watts asked that the Board approve a sufficient amount should one or more Plaintiffs opt out.

Commissioner McKay motioned to sign an engagement letter with Parsons, Behle & Latimer for representation in the Red Flag Lawsuit, for a not to exceed amount of \$10,000.00, to be paid from miscellaneous legal fees in the Commissioners' budget. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

CLERK RECORDER

Out-of-State Travel: Clerk Recorder Lisa Hoehne requested authorization for one of her Deputies to travel to Sacramento for training offered by Election Center, which covers a variety of election related topics.

Chairman Goicoechea asked what election training is available through the Nevada Secretary of State. Ms. Hoehne replied that she has participated in a two-day training sponsored by the Secretary of State and a Clerks' meeting that was also attended by Secretary of State staff, but she isn't aware of any upcoming training.

Commissioner McKay motioned to approve out-of-state travel for a Deputy Clerk Recorder to attend election training in Sacramento, California, March 23rd-27th; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Change in Polling Place: Ms. Hoehne announced that, due to same day voter registration, the new polling location for Eureka will be the Commission Chambers rather than the Opera House.

JUSTICE COURT

Portable JAVS: Justice Court has been needing to replace the audio/video system in Crescent Valley and recently found a portable system that will meet the needs at a substantial savings over a permanently installed system.

Commissioner Sharkozy motioned to approve a quote from Justice AV Solutions, Inc., for a portable JAVS system (Notewise Audio Plus Nimble Four-Channel Bundle), for an amount not to exceed \$4,000.00, to be paid with capital outlay funds budgeted in the Justice Court AA Fund. Commissioner McKay seconded the motion. Motion carried 3-0.

COUNTY FACILITIES

Activities/Events at County Facilities: Joyce Jeppesen, Assistant Public Works Director-Administration, reported on activities at County managed facilities.

Eureka Opera House: In January, the Opera House had 35 walk-in visitors and 230 attendees at various events. Upcoming events include the Dance Recital on March 12th, Doug Figs & The Cowboy Way on March 14th, and St. Patrick's Day Bingo on March 17th. Patty Peek announced her retirement effective June 2nd after 25 years of service with Eureka County.

Sentinel Museum: The Museum had 90 visitors in January. On February 20th, a group of 4th graders toured the Museum. Ree Taylor is working on a project to provide historic information to the Basque Museum in Boise, Idaho.

Eureka Swimming Pool: There were 277 swimmers at the Pool in January. Lifeguard training has begun with two adults and six high school students. Two Lifeguards completed Water Safety Instructor training and are now certified as swimming lesson instructors.

Eureka Canyon Subdivision: Another lot has sold at the Eureka Canyon Subdivision, for a total of 11 sold to-date and 58 remaining.

Eureka Airport: Fuel sales are down a bit at the Airport, which is typical this time of year. In January, 119 gallons of Avgas and 116 gallons of Jet A fuel were sold.

Eureka Landfill: There were 390 customers at the Eureka Landfill in January, with 112 tons of municipal waste and 199 tons of construction and demolition debris processed.

Pool Lockers: Ms. Jeppesen explained that locker replacement at the Swimming Pool was planned for the following fiscal year, but an opportunity came up to purchase the polymer lockers

at a greatly reduced rate. These will hold up much better in the humid environment than the current metal lockers that have been there for years.

Commissioner McKay motioned to approve a quote from Inland Supply Company to replace lockers at the Eureka Swimming Pool for an amount not to exceed \$7,061.00, utilizing capital outlay funds budgeted in the Capital Projects Fund. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Credit Card Terminal – Airport: The current credit card terminal at the Eureka Airport has surpassed its warranty date, and can no longer be repaired. The new terminal will connect via Verizon internet and will be more reliable than the current system.

Commissioner Sharkozy motioned to approve a quote from QTPod to replace the outdoor self-service credit card terminal at the Eureka Airport for an amount not to exceed \$13,695.00, utilizing capital outlay funds budgeted in the Capital Projects Fund. Commissioner McKay seconded the motion. Motion carried 3-0.

ROAD DEPARTMENT

Report on Activities: Raymond Hodson, Assistant Public Works Director, reported on Road Department activities. Crews on both the north and south ends have been working on the JD Ranch Road graveling project. They finished work on the Grass Valley side and have moved to the Horse Canyon side with about two more miles to go. The JD Ranch Road needs some additional culverts and Cortez Mine has offered to supply the pipe. Crews spent several days repairing cattle guards. One operator spent about half a day working on the Airport in Crescent Valley. The Utility Worker I position in Crescent Valley was filled and Mr. Hodson welcomed Christina Tucker.

PUBLIC WORKS

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

Utilities & Facilities: All utility systems are in good working order. Mr. Damele continues working with contractor, Abby Johnson, to update the Eureka County Water Conservation Plan. The amended Sanitary Class II Landfill Permit has been submitted to the State. The utility crew continues to remediate the water issues at the lower ball field in Eureka.

Large Infrastructure Project: Time was spent reviewing the multi-year County-wide infrastructure (roads and utilities) project and plans are 30% complete. Lumos & Associates will visit in early spring to give a status update on project plans.

SkyFiber Lease: The lease with SkyFiber for space on the Crescent Valley communication tower was extended for another 60 days and will terminate on May 20th.

Kobeh Valley Test Well: Specifications for the pumping test on the Kobeh Valley Test Well will be sent to contractors the following week. The test will begin in late May and must be completed by June 13th.

Mainline Extension in Devil's Gate GID: The BLM is completing review of the right-of-way application for the Devil's Gate GID mainline extension and is expected to grant approval. Day Engineering has started working on official plans for submission to the State.

Radio Repeater Upgrades: A meeting is scheduled on March 9th to review the next phase of radio repeater upgrades. This will involve reconfiguring the mountaintop equipment to digital (with two remaining analog for the mixed mode radios).

Fire Training: Red Card wildland firefighter refresher trainings are scheduled in Eureka on March 24th & 25th and in Crescent Valley on April 14th. The pre-season fire meeting with the BLM is scheduled April 21st at the Administrative Facility. Eureka Fire Chief Danny Brown has secured the burn trailer from West Wendover and training will be done on April 21st & 22nd for all departments.

Residential Water Service Applications: Commissioner Sharkozy motioned to approve a 3/4-inch residential water service for APN 002-016-31 in Crescent Valley, conditional upon written approval from the owner for meter installation. Commissioner McKay seconded the motion. Motion carried 3-0.

Commissioner Sharkozy motioned to approve a 3/4-inch residential water service for APN 002-054-02, Lots 17 & 18, in Crescent Valley, conditional upon written approval from the owner for meter installation. Commissioner McKay seconded the motion. Motion carried 3-0.

Commissioner Sharkozy motioned to approve a 3/4-inch residential water service for APN 002-052-32 in Crescent Valley. Commissioner McKay seconded the motion. Motion carried 3-0.

Hiring Freeze Waiver – Casual Worker I: Mr. Damele requested authorization to fill a Casual Worker I position, to be utilized as needed for all departments under Public Works.

Commissioner Sharkozy motioned to waive the hiring freeze and authorize Public Works to hire a Casual Worker I; Commissioner McKay seconded the motion; motion carried 3-0.

CRESCENT VALLEY TOWN ADVISORY BOARD

Christmas Event Funds: Nona Kellerman, Chair of the CVTAB, requested \$72.38 from the North End Activities Fund as reimbursement for expenses related to the Christmas events in Crescent Valley. Ms. Kellerman explained that she received \$1,000.00 in December from the North End Activities Fund for the events, but also garnered donations from Nevada Gold Mines (Cortez) and several local businesses. Some of the donations were deposited directly into the County's account, offsetting a portion of the \$1,000.00. This resulted in a net cost to the County of \$322.38 (including the requested \$72.38).

Chairman Goicoechea asked that Ms. Kellerman provide all receipts and accounting to the Comptroller's office, and the requested reimbursement can be approved conditionally pending this documentation.

Commissioner McKay motioned to issue a check to Nona Kellerman from the North End Activities Fund, in the amount of \$72.38, pending receipt of an accounting of funds for the Christmas events. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

ELKO-LANDER-EUREKA COUNTY LIBRARY SYSTEM

FY 2020-2021 Library Contract: Library staff from Elko appeared at an earlier meeting to discuss E-Rate options to improve internet access for the branch libraries and to explain minor changes in the Library Contract for the upcoming fiscal year.

Commissioner Sharkozy motioned to approve the Fiscal Year 2020-2021 Library Contract with Elko-Lander-Eureka County Library system in the amount of \$106,111.00; Commissioner McKay seconded the motion; motion carried 3-0.

NEVADA DIVISION OF WATER RESOURCES

Amended Assessments: On February 4th, the Board approved water assessments for Fiscal Year 2020-2021, which are collected by Eureka County on behalf of the Division of Water Resources.

Upon reviewing the budgets/assessments from the Division in comparison to the Diamond Valley Groundwater Management Plan, Jake Tibbitts noticed some discrepancies, which he brought to the State's attention. Based on this, the State requested a revision to the Diamond Valley assessments.

Commissioner Sharkozy motioned to approve amended assessments for Fiscal Year 2020-2021 from the Division of Water Resources for the Diamond Valley Groundwater Basin in the amount of \$137,250.29 (previously \$137,225.57). Commissioner McKay seconded the motion. Motion carried 3-0.

NATURAL RESOURCES

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

Mount Hope Project: Mr. Tibbitts informed that an extensive article was published earlier in the week in the *Elko Daily Free Press* regarding the Mount Hope Project, and the article will also appear in the current issue of *Mining Quarterly*. Mr. Tibbitts is quoted in the article talking about the County's perspective and the settlement that was reached in relation to water rights.

Walker River Court Case: On March 3rd, the Nevada Supreme Court heard oral arguments in a case concerning Walker River water rights (*Mineral County, and Walker Lake Working Group, Appellants vs. Walker River Irrigation District, et al, Respondents*). In 2018, the US Court of Appeals for the Ninth Circuit certified questions back to the Nevada Supreme Court in this case where Mineral County is challenging adjudication of the Walker River Irrigation District based on the Public Trust Doctrine, which supports that certain waters should be preserved for public use. The Public Trust Doctrine typically applies to surface water (rivers, lakes), but there are concerns that this case may affect Nevada Water Law because it is also considering whether an amount of groundwater should be reserved.

Eureka County, as a member county, was party to amicus briefs filed in this case by both Central Nevada Regional Water Authority and Humboldt River Basin Water Authority.

Upcoming Meetings: The Eureka Conservation District will meet on March 10th. The Conservation District also serves as the Diamond Valley Weed Control District Board and will be strategizing for the upcoming weed season. The Natural Resources Advisory Commission will meet on March 11th, and Nevada Gold Mines will be in attendance to discuss the Goldrush Project. On March 13th, the Central Nevada Regional Water Authority will meet in Eureka, and that evening the County Advisory Board to Manage Wildlife will meet. The Diamond Valley Groundwater Management Plan Advisory Board will meet on March 17th. Nevada Gold Mines is hosting its quarterly Community Breakfast meeting in Elko on March 19th.

BLM Grazing Regulations Update: Mr. Tibbitts prepared a letter with scoping comments on the proposed update to BLM grazing regulations. The letter states Eureka County's support of ranching and the livestock industry, requests Cooperating Agency status and close coordination with Eureka County, encourages streamlining of the many processes related to grazing, supports adaptive management practices and flexibility, and asks that decisions be made based upon the best available rangeland science.

Commissioner Sharkozy motioned to send the letter to the BLM in response to its proposal to update grazing regulations (43 CFR 4100); Commissioner McKay seconded the motion; motion carried 3-0.

NEPA Regulations Update: Mr. Tibbitts prepared a response letter to the Council for Environmental Quality related to update of regulations related to the National Environmental Policy Act (NEPA). The letter outlines Eureka County's dependence upon its natural resources and activities conducted on or in concert with federal lands (81% of lands in Eureka County are federally administered). The letter supports Cooperating Agency status and language in the regulations that will ensure that local governments are involved and engaged early in the process. The letter supports a policy of minimal federal involvement, and agrees that presumptive page limits for environmental review documents and time limits for the review process will make the NEPA process more efficient and will improve public engagement.

Commissioner McKay motioned to approve sending the comment letter by the March 10th deadline to the Council for Environmental Quality regarding updates to regulations implementing the procedural provisions of the National Environmental Policy Act and authorized the Chairman to sign the letter outside of the meeting once final edits are made. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Boulder Valley Infiltration Project: Mr. Tibbitts thanked Consulting Hydrogeologist Dale Bugenig for his assistance in reviewing the Draft Water Pollution Control Permit for the Boulder

Valley Infiltration Project. He also thanked Nevada Gold Mines, stating they went above and beyond in coordinating and communicating with the County related to this permit.

The comment letter to the Nevada Division of Environmental Protection, Bureau of Mining Regulation & Reclamation, relays the County's policies that are in place to safeguard water resources, and asks for continued involvement with the County in review of the monitoring and model updates for this permit (which must be renewed every four years).

Commissioner Sharkozy motioned to approve the response letter to Nevada Division of Environmental Protection concerning the Draft Water Pollution Control Permit for the Boulder Valley Infiltration Project (NEV0089068). Commissioner McKay seconded the motion. Motion carried 3-0.

Sage Grouse Issues: In October 2019, Judge Winmill, US District Court of Idaho, issued a preliminary injunction on the BLM's 2019 Plan Amendments. The Department of the Interior filed an appeal of the preliminary injunction, but simultaneously prepared a Supplemental EIS to address the Judge's concerns and to bolster the record supporting the 2019 Plan Amendment. The Supplemental EIS was released on February 21st, kicking off a 45-day comment period. This document, including appendices, is over 1,000 pages long. It will be discussed at the next Natural Resources Advisory Commission meeting and Mr. Tibbitts will make a recommendation at the next Commission meeting.

FISCAL YEAR 2019-2020 BUDGET

Fund Transfer: On February 20th, the Commissioners agreed to budget \$50,000.00 in the next fiscal year as a donation to the Child Advocacy Center planned for construction in northern Nevada. In addition, they agreed to donate \$50,000.00 in the current fiscal year from the Commissioners' budget, but were later advised by the Comptroller that there were not sufficient funds in the capital outlay account.

Commissioner Sharkozy motioned to transfer \$50,000.00 from the Contingency Fund to capital outlay in the Commissioners' budget to support the request to help fund a Child Advocacy Center in northern Nevada. Commissioner McKay seconded the motion. Motion carried 3-0.

Status of Current Year Budget: Chairman Goicoechea stated this item was added to the agenda so the Board could review status of the departmental budgets to ensure that departments are operating within their means for the current fiscal year. But based on some other urgent matters that came up, including some illnesses, the Commissioners didn't have a chance to review the budgets. Therefore, he asked that this item be postponed until the next meeting.

Clerk Recorder Hoehne interjected that the Secretary of State is requiring additional hardware and software to enhance election security. The up-front cost to the County is expected to be at least \$30,000.00, but will be reimbursed with HAVA (Help America Vote Act) funds.

Chairman Goicoechea asked Ms. Hoehne to place an item on the next agenda and provide details about specific costs and timeline for reimbursement.

FISCAL YEAR 2020-2021 BUDGET

Justice Court: Comptroller Todd said a letter was received from Justice of the Peace Dorothy Rowley explaining that, after recalculating jury trial costs, she would like to increase witness fees by \$9,000.00 to \$15,000.00.

Commissioner Sharkozy motioned to increase witness fees in the Justice Court budget for Fiscal Year 2020-2021 to \$15,000.00; Commissioner McKay seconded the motion; motion carried 3-0.

Sewer Pond: Public Works budgeted \$500,000.00 in the Eureka Water & Sewer Fund to address the sewer pond issue. After receiving an estimate from Lumos & Associates, that project is going to cost close to \$1 million. Ms. Todd explained that the fund balance will not cover this, and the County cannot file a negative budget for any fund, so she recommended budgeting \$1 million in the Capital Projects Fund.

Commissioner Sharkozy motioned to amend the Fiscal Year 2020-2021 budget by moving \$50,000.00 from the Eureka Water & Sewer Fund and budgeting an additional \$50,000.00 for a total budget of \$1 million in the Capital Projects Fund to address the sewer pond issue. Chairman Goicoechea seconded the motion. Motion carried 3-0.

Additional Budget Requests: A letter was received from Northern Nevada EMS Consortium requesting that a donation amount be budgeted for Fiscal Year 2020-2021. The Board asked that this be placed on the next agenda.

Clerk Recorder Lisa Hoehne stated the District Judges want to ensure that adequate funds are budgeted in case of equipment failures in District Court, so asked that \$50,000.00 be budgeted. Ms. Hoehne originally budgeted \$70,000.00 in capital outlay as a contingency before speaking with the Judges.

Commissioner McKay motioned to amend the District Court budget by reducing capital outlay to \$50,000.00 for Fiscal Year 2020-2021; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Ms. Hoehne also asked to increase the Elections budget by \$1,500.00 for travel and training. Commissioner McKay motioned to increase travel and training in the Elections budget from \$2,000.00 to \$3,500.00 for Fiscal Year 2020-2021; Commissioner Sharkozy seconded the motion; motion carried 3-0.

CORRESPONDENCE

Correspondence was received from: Connie Hicks; Public Works, Ron Damele; Seventh Judicial Dist. Court; Crescent Valley Town Advisory Board (2); McEwen Mining; Nevada Gold Mines; Great Basin College; Nevada Assoc. of Counties; Tri-County Meeting; Northern Nevada EMS Consortium; Allison MacKenzie Ltd.; Nevada Div. of Water Resources; Farr West Engineering; JOIN Inc.; Nevada Housing Div.; Nevada Dept. of Health & Human Services; Nevada POOL/PACT; Nevada Rural Housing Authority; Nevada Census 2020 (2); National Assoc. of Counties; US Dept. of the Interior-BLM (2); White House Office of Intergovernmental Affairs (4); US Centers for Disease Control; US Senator Jacky Rosen; API newsletter; and US Census Bureau.

Commissioner Reports: The Bloomberg Law article on grazing regulations, for which Chairman Goicoechea was interviewed, has been published. The article is titled, *New Sagebrush Rebellion Prompts Look at the Old West*. Chairman Goicoechea noted that the reporter paraphrased some of his comments and the interpretation wasn't completely accurate. He will forward the article to staff so it can be distributed to the other Commissioners.

PUBLIC COMMENT

Chairman Goicoechea called for public comments. Sheriff Watts stated that Senator Jacky Rosen will be in Eureka the afternoon of March 18th at the Sheriff's Office and he invited anyone interested to attend. The conversation will focus on addressing mental health concerns for inmates.

ADJOURNMENT

Commissioner Sharkozy motioned to adjourn the meeting; Commissioner McKay seconded the motion; the meeting was adjourned at 12:27 p.m.

Approved by vote of the Board this 20th day of March, 2020.

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

I, Jackie Berg, Deputy Commissioner Clerk, attest that these are a true, correct, and duly approved minutes of the March 6, 2020, meeting of the Board of Eureka County Commissioners.

/s/ Jackie Berg
Jackie Berg, Deputy Commissioner Clerk

I, Lisa Hoehne, Clerk Recorder of Eureka County, acknowledge and accept the attached minutes as approved by the Board of Eureka County Commissioners and attested to by the Deputy Commissioner Clerk.

/s/ Lisa Hoehne
Lisa Hoehne, Clerk Recorder