

EUREKA COUNTY BOARD OF COMMISSIONERS
March 20, 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 20, 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 9:30 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 due to technical difficulties.

APPROVAL OF AGENDA

Commissioner Page made a motion to approve the agenda as posted. Commissioner Fiorenzi seconded the motion. Motion carried 3-0.

PUBLIC COMMENT

Chairman Ithurralde called for public comments. There were none.

APPROVAL OF MINUTES

Commissioner Page made a motion to approve the minutes of the February 23, 2009 Budget meeting. Commissioner Fiorenzi seconded the motion. Motion carried 3-0.

Commissioner Fiorenzi made a motion to approve the minutes of the March 5, 2009 meeting with the Eureka County employees. Commissioner Page seconded the motion. Motion carried 3-0.

There were two corrections to the March 6, 2009 minutes: (1) the time the meeting began; and (2) the motion to award the bid for JD Ranch Bridge Replacement Project had included acceptance of a bid withdrawal from Peek Brothers Construction, as well as return of their 5% deposit. Commissioner Page made a motion to approve the minutes of the March 6, 2009 Commissioner meeting as amended. Commissioner Fiorenzi seconded the motion. Motion carried 3-0.

FINANCE

Payment of Expenditures: Expenditures were presented to the Board for approval by Tina Hubbard, Deputy Recorder & Auditor. Commissioner Fiorenzi made a motion to approve payroll in the amount of \$200,905.18 and accounts payable in the amount of \$268,782.71, for a total of \$469,687.89 in expenditures. Commissioner Page seconded the motion. Motion carried 3-0.

Commissioner Fiorenzi made a motion to approve Yucca Mountain expenditures in the amount of \$8,334.28. Commissioner Page seconded the motion. Motion carried 3-0.

Auditor's Report: The Board reviewed the Auditor's report without comment.

CORRESPONDENCE

Correspondence was received from: Ron Damele, Public Works Director (4); Trish Reynolds, Economic Development Coordinator; Ted Beutel, District Attorney (4); Darlene Moody, Drug Free Committee; letters of interest for the Wages and Salaries Committee; copy of Commissioner letter to Nevada Department of Transportation (NDOT); Jackie Berg,

County Clerk & Treasurer; Crescent Valley Town Advisory Board (2); Eureka County Planning Commission; Eureka County Economic Development Program Advisory Board; Eureka County Recreation Board; Eureka County Fair Board; Eureka County High School; Ben Zunino, Eureka County School District Superintendent; Lumos & Associates (3); Nevada Division of Forestry (NDF); Sierra Pacific; Nevada Association of Counties (NACO); Tri County agenda and minutes; Kathy Carter, Washoe County; Southern Nevada Regional Water Authority; Wes Henderson, NACO (10), including responses; NACO Legislative Committee (2); Norm Frey; Patricia Whitten; Karen Hinton; Home Health Services of Nevada; Nevada Office of Business and Industry; Nevada Department of Motor Vehicles; Nevada Department of Transportation; NDOT Centerline; Nevada POOL/PACT (3); Nevada Division of Welfare (2); Nevada Department of Information and Technology; Public Utilities Commission of Nevada (3); US Senator, Harry Reid; US Department of the Interior-Bureau of Land Management (BLM); National Association of Counties; and Techline newsletter.

Chairman Ithurralde reminded the Board and public that the Public Hearing on the Regional Transportation Commission (RTC) Ordinance will be held April 6th at 2:00 p.m. The Chairman requested that action on a resolution supporting Nevada Wildfire Awareness Week be placed on the April 6th regular Board meeting agenda.

NEPA COMMITTEE

Update Report: Abby Johnson, National Environmental Policy Act (NEPA) consultant, and Jake Tibbitts, Natural Resources Manager, reported on recent NEPA Committee activities, including their meeting on March 19th and the next scheduled meeting on April 9th. General Moly is still considering their response to the BLM on the hydrology model and report. Ms. Johnson explained that the socioeconomic addendum to the draft environmental impact statement (EIS) is being orchestrated by George Blankenship, General Moly's socioeconomic consultant, and Rex Massey, the County's socioeconomic consultant. The addendum provides additional information for projected Eureka County socioeconomic impacts from the Mount Hope Mine project. There has been agreement on areas including population impacts, better characterizing the Eureka County economy, descriptions of Eureka County infrastructure, and landfill impacts. There is disagreement on certain fiscal impacts. Commissioner Fiorenzi relayed that the County will be using figures that best suit the County which may differ from the figures in the socioeconomic portion of the Mount Hope EIS. Ms. Johnson explained that the County will be able to provide strong comments on the socioeconomic portion of the administrative draft EIS to express concerns on the impact discrepancies. At the March 19th NEPA meeting, Mary Tumbusch (US Geological Survey) and Pat Rogers (General Moly Director of Environmental and Permitting) agreed to exchange water exploration data; Ms. Johnson will follow this data exchange progress.

Mount Hope Project Correspondence: Mr. Tibbitts reported that the NEPA Committee members received a copy of the Board's transmittal letters with comments on the hydrology model from Dale Bugenig, Eco:Logic hydrologist, and a letter transmitting the Water Resources Monitoring and Mitigation Plan to the BLM. There have been no responses from the BLM on these subjects. The NEPA Committee discussed the lack of communication from the BLM when letters and comments are submitted by the County. The Board directed the NEPA Committee to draft a letter to the BLM regarding the County's concern with their lack of response; examples of incidents where little or no communication was received will be included in the letter.

Mount Hope Hydrology Model: Mr. Tibbitts reported that the latest hydrology model and report have been submitted to the BLM for review. The County sent comments to the BLM on March 6th, and the BLM is reviewing the model, report, and comments. There is a

Mount Hope conference call on March 24th where an update on the status of the model and report should be available.

Letter to Eureka Moly, LLC: Ms. Johnson explained that a letter was drafted as a follow up to a conversation between County Recorder/Auditor Mike Rebaleati, County Assessor Michael Mears, and Lee Shumway, with General Moly, concerning the tax revenue projections. The NEPA Committee felt that clarification was needed from Eureka Moly regarding the start-up date estimate of the Mount Hope project. The NEPA Committee is questioning whether the start-up date is contingent on the BLM's record of decision only or whether the price of molybdenum will also be considered. A letter was drafted on behalf of the County addressing this concern. Commissioner Fiorenzi made a motion to approve sending a letter to Eureka Moly, LLC, regarding clarification on requirements for mine start up, with authorization for the Chairman to sign the letter. Commissioner Page seconded the motion. Motion carried 3-0.

US GEOLOGICAL SURVEY (USGS)

USGS Water Resources Monitoring Proposal Presentation: Mary Tumbusch, hydrologist, and Kimball Goddard, Director, with the Nevada Water Science Center conducted a presentation on the flow system study to date, as well as a long-term USGS water resources monitoring proposal. Ms. Tumbusch explained that Phase 2 of the Diamond Valley Flow System Study is nearly complete and data is being compiled. The USGS requested authorization to proceed with Phase 3 of this study (beginning July 1, 2009), which will include the addition of an evapotranspiration station in northern Diamond Valley. This has been a jointly-funded study with monies being provided from the USGS, Eureka County, and the Barrick Mitigation Fund. A secondary proposal from the USGS was for the County to begin considering the benefits of entering into an extended water resources monitoring plan to provide valuable long-term water resource information, and it was noted that the final proposal on that plan would be forthcoming at a future date.

The Board discussed the importance of long-term monitoring to obtain solid data averages to use as a tool for water resource trends. Ms. Tumbusch explained in detail the complex and proven monitoring techniques and data collection performed by the USGS. Mr. Goddard stressed the sophisticated data archive process, which allows people to access and utilize the data with confidence, both currently and for many years into the future.

USGS Water Resources Monitoring Proposal: Commissioner Fiorenzi made a motion to approve moving forward with Phase 3 of the Diamond Valley Flow System Study, and also that the County pursue USGS involvement in a long-term future monitoring program and begin developing a cost estimate for that program. Commissioner Page seconded the motion. Motion carried 3-0.

COUNTY ENGINEER

Eureka Town Volunteer Fire Station Project: Mike Bennett, Lumos and Associates, reported to the Board on behalf of Tom Young, County Engineer. Mr. Bennett informed the Board that Mr. Young and Commissioner Fiorenzi had a meeting at the Eureka Town Volunteer Fire Station March 19th. The contractor is planning to have the plumbing, mechanical, and electrical systems roughed in within the next several weeks. A meeting will be scheduled with the engineers for inspection following the completion of the rough-in. After the inspection, drywall work will begin. Mr. Bennett reported that work on the brick façade will begin within the next month and construction is progressing as scheduled.

Change Order Request #10: Mr. Bennett explained that Change Order Request #10 encompasses two items: the installation of plumbing in the footings, which was erroneously

left out by the mechanical engineer (who is willing to pay for the redo costs of \$2,973.04); and changing the floor mounted toilets to wall mounted toilets and associated plumbing for a total amount of \$9,754.91. The County will be responsible for paying \$6,781.87 (total minus the cost of installing plumbing in the footings). Commissioner Fiorenzi made a motion to approve Change Order Request #10 in the amount of \$9,754.91, with Lumos & Associates covering \$2,973.04 of that amount on behalf of their subcontractor. Commissioner Page seconded the motion. Motion carried 3-0.

Ruby Hill Sidewalk and Sewer Replacement Project: Mr. Bennett explained that the final comments and final review of the Ruby Hill Sidewalk and Sewer Replacement Project have been received by the County from the Nevada Department of Transportation (NDOT). NDOT has given approval for the County to go to bid with the plans. The sidewalk portion of the Ruby Hill Sidewalk Project is funded with 95% matching grant money from NDOT. Commissioner Fiorenzi made a motion to authorize advertising for bids on the Ruby Hill Sidewalk and Sewer Project. Commissioner Page seconded the motion. Motion carried 3-0.

Title 8 (Mobile Homes) Chapter 140.070 - Permanent Installation Permit: Mr. Damele provided the Board with a copy of the amendments to Title 8 (Mobile Homes) Chapter 140.070-Permanent Installation Permit, Eureka County Code, and reported that this will be discussed in detail during a future meeting after the Board has had an opportunity to review the draft changes.

Disadvantaged Business Enterprise Program/Eureka County Airport Project: Mr. Bennett explained that a resolution is required to receive Federal Aviation Administration (FAA) funding for the Eureka County Airport. Commissioner Fiorenzi made a motion to approve the resolution regarding the Disadvantaged Business Program participation in the Eureka County Airport improvement project and that the Chairman be authorized to sign the resolution. Commissioner Page seconded the motion. Motion carried 3-0.

PUBLIC WORKS

Keg Street in Diamond Valley: Ron Damele, Public Works Director, along with Lynford Miller, Diamond Valley resident, provided a 1973 aerial photograph of the areas near 12th and 14th Streets. Keg Street connects 12th and 14th Streets in Diamond Valley, accesses several hay barns and stack yards, and serves a full-time residence. Keg Street is a Revised Statute 2477 (RS 2477) road which is a right-of-way road granted on public lands and maintained prior to 1976. Currently, the road is not claimed by the County; converting to a County road would require obtaining a 66 ft. right-of-way from the BLM and several upgrades to bring the road up to County standards. Mr. Damele recommended beginning the process of obtaining this right-of-way, which could take up to a year, and suggested that the connecting road between 11th and 12th streets be included when making application to the BLM.

Upgrades to Keg Street in Diamond Valley: Commissioner Fiorenzi made a motion for the County to pursue obtaining a larger right-of-way for Keg Street in order to upgrade the road to County standards, and to provide snow removal on Keg Street. Commissioner Page seconded the motion. Motion carried 3-0. Ted Beutel, District Attorney, advised that Public Works inform the BLM of the snow maintenance and any small improvements that may be made to the road prior to obtaining the larger right-of-way.

County Rental Agreement: Mr. Damele reported that the changes to the draft rental agreement requested by the Board and Gregory Insurance have been completed. The changes include an exemption for memorial services, hold harmless clause language, grammatical corrections, and phone numbers for facility contacts. A fee schedule for rented County facilities will be discussed at the next Commissioners' meeting.

Eureka County Rental Agreement Application: Mr. Damele explained that special events and spectators will be covered with the blanket insurance policy obtained by the County. Commissioner Page questioned the food service portion of the rental agreement, such as events that have potluck meals. Mr. Damele explained that if food is provided but not prepared at the rented facility, a food handler's license is required. Commissioner Fiorenzi made a motion to accept the standardized Eureka County Rental Agreement Application. Commissioner Page seconded the motion. Motion carried 3-0.

Implementation Date for the County Rental Agreement: Commissioner Fiorenzi made a motion to make March 20, 2009, the implementation date for the Eureka County Rental Agreement Application. Commissioner Page seconded the motion. Motion carried 3-0.

Premium for Tenant Liability Insurance: Mr. Damele explained that a \$2,500.00 premium for the blanket insurance policy is required, which includes coverage for the first ten special events held in rented County facilities. For every event after the ten events, the premium is \$150.00 per event. Commissioner Fiorenzi made a motion to approve paying the initial premium for the tenant liability insurance in the amount of \$2,500.00 to cover the first ten events. Commissioner Page seconded the motion. Motion carried 3-0. Mr. Damele asked for clarification whether the intent was to pay the additional \$150.00 per event after the first ten. Commissioner Fiorenzi clarified that no renters would be charged for insurance, and when the rate schedule is set, it will serve to recoup at least a portion of that expense.

May Clean-Up: Mr. Damele explained that in the past, every Thursday in May was designated as clean-up for the County townsites. Public Works recommended that a free dump day be provided at the Eureka Landfill for yard waste and furniture only. Mr. Damele reported that the prisoner honor crew has been requested to clean up the right-of-ways in Crescent Valley, excluding private property. Commissioner Page expressed that he would like to see free dump days in Crescent Valley on Saturdays in May from 8:00 a.m. to 12:00 p.m. Commissioner Fiorenzi made a motion designating every Thursday in May as May clean-up for the town sites of Eureka and Crescent Valley, and that every Saturday be free dump days in Eureka (normal hours) and in Crescent Valley (from 8:00 a.m. to 12:00 p.m. at the Lay Down Yard) for yard waste and furniture only. Commissioner Page seconded the motion. Motion carried 3-0.

Amendment of Assistance Agreement with BLM: Mr. Damele explained that an amendment was requested to the Assistance Agreement with the BLM to provide funds in the amount of \$25,000.00 to Eureka County in order to continue the Green-Up Program. Commissioner Fiorenzi made a motion to approve signing the Amendment of Assistance Agreement with the BLM for the Green-Up Program. Commissioner Page seconded the motion. Motion carried 3-0.

Southern Folger Contracts for Eureka Justice Facility: This item was discussed under the Eureka County Sheriff agenda item. Mr. Damele reported that two contracts with Southern Folger were obtained for the electrical upgrades and for the locking mechanism upgrades at the County Jail. The contracts have been sent to Southern Folger, but not yet returned. Payment bonds are required in the contracts. Sheriff Ken Jones reported that the prisoners in the jail would be moved from one cell block to another, or to other jurisdictions if needed, during the upgrades or construction. Commissioner Fiorenzi made a motion to approve signing two contracts for services with Southern Folger for upgrades to the Eureka Justice Facility in the amounts of \$108,189.00 and \$131,138.00. Commissioner Page seconded the motion. Motion carried 3-0.

John Deer 772G Motor Grader: Mr. Damele explained that State law allows the County to piggyback other bids. A Caltrans bid with Pape Machinery has been located for a complete John Deere 772G Motor Grader with all of the specifications sought by the County.

The sales price is \$264,901.66 and is in the 2008-2009 budget. The grader will be located in Beowawe if purchased. Commissioner Page made a motion to approve piggybacking Caltrans bid #36421-226-061 with Pape Machinery for a new and complete John Deere 772G Motor Grader, including options specified, for a total of \$264,901.66 (State of California purchase order #62172). Commissioner Fiorenzi seconded the motion. Motion carried 3-0.

Fairgrounds Park Sprinkler System: Mr. Damele provided the Board with the proposals for the sprinkler system upgrades at the Fairgrounds and various County facilities and parks. The upgrades will result in a cost savings for the County in manual labor. The sprinkler upgrade price also includes lawn treatment such as fertilizer, weed treatment, and insect treatment in the amount of \$20,164.00. Commissioner Fiorenzi made a motion to approve the installation of a sprinkler system for the Fairgrounds Park and various sprinkler system upgrades at County facilities and parks in the amount of \$20,164.00. Commissioner Page seconded the motion. Motion carried 3-0.

Crescent Valley Park Sprinkler System Upgrades: Mr. Damele reported that the Crescent Valley Park sprinkler system has been very problematic. An upgrade would include the replacement of 55 sprinkler heads, controllers, and moisture sensors. Commissioner Page made a motion to approve the sprinkler system upgrades for the Crescent Valley Park in the amount of \$6,500.00. Commissioner Fiorenzi seconded the motion. Motion carried 3-0.

Fugitive Dust Control on Eureka Roads: Mr. Damele provided the Board with a copy of a draft memorandum of understanding (MOU) for fugitive dust control with Eureka Moly, LLC. The County is concerned with fugitive dust created by mine activities on County roads, and the County proactively approached Eureka Moly to create a mitigation plan to control fugitive dust. Brian Musser, Environmental Manager for the Mount Hope Project, and Mr. Damele have been working on a MOU to mitigate dust that would be tied to the Mount Hope Mine if the mine were to change owners. Mr. Damele relayed that an agreement should be established outlining the County and the mine's responsibilities to mitigate the fugitive dust.

Mr. Musser explained that Eureka Moly is willing to add the recommended County roads into the mine's Class 2 Air Permit and Fugitive Dust Control Plan, where involved County roads would receive the same dust control practices as on-site roads. Mr. Damele explained that the agreement should also require that mine employees use the main mine access roads instead of using back roads. The Sadler-Brown Road will be highly impacted by mine activity and may need to be upgraded and maintained prior to high traffic usage. Commissioner Fiorenzi made a motion to direct staff to move forward with Eureka Moly to amend the Fugitive Dust Control Plan to include mine activity on County roads. Commissioner Page seconded the motion. Motion carried 3-0. Mr. Damele and Mr. Musser agreed to continue working on the agreement.

Eureka Canyon Animal Shelter: Mr. Damele reviewed some minor comments on the Eureka Canyon Animal Shelter facility relocation plans that were submitted by the County to Lumos & Associates. The comments addressed an alternate substance (other than drywall) for the interior of the facility; types of nails required; and road drainage. A total of fourteen items on the plans needed attention or clarification. Commissioner Fiorenzi made a motion to approve the Eureka Canyon Animal Shelter plans, conditional that these fourteen items are addressed to Public Works' satisfaction. Commissioner Page seconded the motion. Motion carried 3-0.

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

RECESS FOR LUNCH

The Board recessed for lunch from 11:54 a.m. to 1:04 p.m.

DUCKWATER SHOSHONE TRIBE

Paving of Highway 379: Duckwater Shoshone Tribal Chairman Jerry Millett, Council Secretary Annette Harris, and Assistant Tribal Manager Lisa George came before the Board to discuss paving of Highway 379. Mr. Millett reported that the Duckwater Shoshone Tribe has been in contact with Senator Harry Reid's office for the paving of Highway 379. Cost estimates have been gathered, but do not include the paved portion in Eureka County. Mr. Millett asked if Eureka County staff could provide a cost estimate for paving and upgrading the portion of the road in Eureka County, and the Board agreed that Public Works could provide this estimate. The paving may be funded through the new federal stimulus bill or through the normal appropriations process. The Duckwater Shoshone Tribe is requesting support from Eureka County for the paving project, either in letter form or by resolution. Discussion was had on the condition of the road to Duckwater, the effort made to get the road paved, and the progressiveness of the tribe. A joint resolution with Eureka, Nye, and White Pine counties was signed previously in 2001 in support of paving Highway 379. Commissioner Fiorenzi made a motion to send a letter of support for paving Highway 379 that refers to the previous joint resolution, and that the Chairman be authorized to sign the letter outside of the meeting. Commissioner Page seconded the motion. Motion carried 3-0.

ELKO CHAPTER- E CLAMPUS VITUS (CHAPTER 1881)

Historical Plaque for Eureka Opera House: Charlie Harper, member of the E Clampus Vitus Chapter 1881, provided the Board with a copy of the proposed wording for the Nevada-shaped plaque that will be placed on the Eureka Opera House. Commissioner Fiorenzi made a motion to authorize the historical plaque to be placed at the Eureka Opera House, courtesy of the Elko Chapter, E Clampus Vitus. Commissioner Page seconded the motion. Motion carried 3-0. The Board requested that Mr. Harper confer with County staff to make several minor corrections to the wording.

COUNTY FACILITIES AND ECONOMIC DEVELOPMENT

Update Report: Wally Cuchine, Facilities Director, reported that the Division of Water Resources meeting on March 19th at the Opera House was successful and had good attendance. Chairman Ithurralde relayed that he would like to have County staff draft a letter to the Division of Water Resources, thanking them for providing the presentation and open communication with the Diamond Valley irrigators and other concerned County residents. The Opera House hosted a concert on March 13th which was well attended. Mr. Cuchine reported that a part-time worker has been hired for the Sentinel Museum, allowing the Museum to soon be open seven days a week. The Economic Development Program Advisory Board had a meeting and training was provided by Joe Lacurto, Director of Rural Economic Development with the Nevada Commission on Economic Development.

Grant Application: Mr. Cuchine reported that every year the County applies for a grant through the Nevada Commission on Tourism for advertising and marketing. Last year, the County was granted over \$20,000.00 for advertising and marketing purposes. The availability of grant money is uncertain, but the application is still required if there are any funds available. Commissioner Fiorenzi made a motion to approve the submission of a grant application to the Nevada Commission on Tourism by the April 10, 2009 deadline. Commissioner Page seconded the motion. Motion carried 3-0.

May Clean-Up Letter to Residents: Per request of the Economic Development Advisory Board, the Board considered notifying Eureka residents and absentee land owners who are not post office box holders of May Clean-Up. Commissioner Fiorenzi made a motion to deny expanding the mailing list to include absentee landowners who are not post office box

holders, when notifying residents of May Clean-Up, due to the amount of staff hours required to accomplish that task. Commissioner Page seconded the motion. Motion carried 3-0.

AMBULANCE AND EMS

Update Report: Mike Sullivan, EMS Coordinator, reported that Eureka had eight calls for service and Crescent Valley had three calls during the past month. Eureka has 16 year-to-date service calls and Crescent Valley has 14 year-to-date calls. Mr. Sullivan reported on volunteer staffing levels. The newly ordered Eureka ambulance is being constructed and should be complete near the end of April. Mr. Sullivan will be taking the Eureka High School EMT class to the University Medical Center in Las Vegas on April 2nd-5th. A copy of a letter sent to Fergus Laughridge, Program Manager for the Nevada Emergency Medical Systems, was provided to the Board. The letter requests an endorsement of a Crescent Valley ambulance to intermediate level, allowing an intermediate EMT to respond whenever available. Mr. Sullivan has been invited to meet with Barrick on March 1st in Elko to participate in a discussion about the Cortez Mine emergency response vehicle and a community industry cooperation in the Crescent Valley and Beowawe areas. Mr. Sullivan reported on new equipment for the Crescent Valley ambulance, and the State EMS Office provided the County with the latest software upgrade for the computer system used for run reports as well.

Ambulance Bill Write-Off: Commissioner Fiorenzi made a motion to write off the ambulance bills for patient #2006323 in the amount of \$40.51 and patient #2006327 in the amount of \$68.88. Commissioner Page seconded the motion. Motion carried 3-0.

SWIMMING POOL/PARKS/RECREATION

Update Report: Chairman Ithurralde relayed that Cindy Adams and Wally Cuchine's titles need to be updated to better fit their job descriptions. This will be done at the next Budget meeting on March 23rd or during the next regular Board meeting. Cindy Adams, Pool Supervisor, reported on the Eureka Swimming Pool's activity. The numbers are slightly down. The new lap lanes purchased by the County have been installed and are being used.

NATURAL RESOURCES

Activity Report: Jake Tibbitts, Natural Resources Manager, reported that he attended a Mount Hope conference call on March 10th; a Natural Resources Advisory Commission (NRAC) meeting on March 11th, where a letter was sent to the Legislature in support of the Silver State Tag, and a letter was sent to Secretary Salazar asking consideration of Bob Abbey as the national BLM Director; a Western Legacy Alliance presentation at the March 11th NRAC meeting; a meeting with Patty Novak with the Natural Resources Conservation Service (NRCS) on March 16th to discuss teaching a portion of a Cooperative Permittee Monitoring workshop in May; a meeting with the Nevada Division of Water Resources on March 19th; and a NEPA Committee meeting on March 19th. Mr. Tibbitts has been devoting time to the Secure Rural Schools (SRS) Title III funding. Mr. Tibbitts has been in contact with the Forest Service concerning the proposed Travel Management Plan where roads would be categorized as trails and not maintained as full roads.

Upcoming Meetings: Mr. Tibbitts will be attending: a Wildlife Advisory Board meeting on March 23rd; a Mount Hope conference call on March 24th; a tour of the Barrick Ruby Hill Mine on March 24th; a Ruby Hill Mine Advisory Board meeting on March 25th; and a meeting with Steve Williams of the Forest Service on March 26th.

Secure Rural Schools Title III Funds: Mr. Tibbitts reported that designated SRS Title III funds must be used for Firewise Community programs, reimbursement for medical

services on federal land paid for by the County, and/or to develop community wildfire protection plans. Recently, however, more rules for spending the SRS funds have been specified, and Mr. Tibbitts detailed those for the Board. The additional rules severely limit Eureka County's ability to spend the SRS Title III funds. Mr. Tibbitts is trying to obtain clarification on whether the SRS funds can be rolled over into the next fiscal year, as it is unclear whether they could simply be obligated for a particular purpose, or they actually need to be spent by the end of the fiscal year. Mr. Tibbitts has been working on designating the communities in Eureka County as Firewise Communities in order to spend the funding correctly.

Natural Resources Related Legislation: Mr. Tibbitts reported that he is tracking legislation activity, especially natural resources legislation. Senate Joint Resolution (SJR) 7 addresses the National Landscape Conservation System being pulled from the Omnibus Lands Bill and a legislative hearing is planned. SJR 8 calls for recognition of the State's authority over water, especially relating to the Clean Water Act. Assembly Bill (AB) 416, sponsored by Assemblyman Pete Goicoechea, is scheduled for a hearing by the Committee of Governmental Affairs on March 25th. AB 416 would require that the applicant of an inter-basin water rights transfer ensure that the transferring basin has had a full water inventory. Commissioner Fiorenzi made a motion to send a letter of support for AB 416 and authorize the Chairman to sign the letter outside of the meeting. Commissioner Page seconded the motion. Motion carried 3-0. Commissioner Fiorenzi made a motion to send letters of support for SJR 7 and SRJ 8 and authorize the Chairman to sign the letters outside of the meeting. Commissioner Page seconded the motion. Motion carried 3-0.

EUREKA COUNTY SHERIFF

Eastern Nevada Narcotics Task Force: Sheriff Ken Jones reported that last year Eureka County did not participate in the Eastern Nevada Narcotics Task Force because the fee was unknown until after the final budget was approved. Participation is requested if the Board is willing to augment the Fiscal Year 2009-2010 budget by the fee amount of \$21,500.00. This will be considered during the March 23rd Budget hearing.

County Travel Policy: Sheriff Jones reported that County Policy currently requires advance approval by the Commissioners for out-of-state travel. The proposed change to this policy would allow the Sheriff to approve out-of-state travel in certain instances due to time constraints (i.e. investigations or extraditions) without prior authorization of the Board. Commissioner Fiorenzi made a motion to approve the modification to the County travel policy allowing the Sheriff to approve out-of-state travel in certain instances due to time constraints without prior authorization of the Board, but to include that the Sheriff must immediately inform the Board of any out-of-state travel. Commissioner Page seconded the motion. Motion carried 3-0.

SEVENTH JUDICIAL DISTRICT COURT

Court-Appointed Attorney Fees: Commissioner Fiorenzi made a motion to approve the payment of court-appointed attorney fees to Michael Shurtz, Chtd., in the amount of \$30.00, per order of Judge Dobrescu. Commissioner Page seconded the motion. Motion carried 3-0.

Financial Assistance for Counseling: Ted Beutel, District Attorney, explained that assistance for counseling cannot exceed \$1,000.00 per individual, which is a limit set by State law. Commissioner Page made a motion to approve the applications of two individuals for financial assistance from Eureka County for counseling, pursuant to Eureka County Code. Commissioner Fiorenzi seconded the motion. Motion carried 3-0.

EUREKA COUNTY CLERK/TREASURER

Treasurer's Report for December 2008: Jackie Berg, County Clerk and Treasurer, presented the December 2008 Treasurer's report, and confirmed that the Treasurer's report remains in balance with the bank; however, the auditor adjustments for the past fiscal year would cause the report to be out of balance. Since the amended figures weren't thoroughly explained, Ms. Berg requested a meeting with Kafoury Armstrong for clarification and possible correction. This meeting and work session will take place on March 26th and 27th.

Treasurer's Report for January 2009: The Board reviewed the Treasurer's Report for January 2009. There were no comments.

Capital Outlay Purchase: Ms. Berg explained that certain voting records and District Court records must always remain under lock and key. Two locking storage cabinets are requested in order to move old records to make needed room in the District Court vault. Other office furniture requested includes three chairs, two bookcases, a work table, and a credenza for the Commissioners' meeting room. The purchases are budgeted for this fiscal year. Commissioner Fiorenzi made a motion to approve the capital outlay purchase of the furniture requested in the amount of \$3,125.00 plus freight. Commissioner Page seconded the motion. Motion carried 3-0.

EUREKA MASONIC LODGE

Building Repairs: This agenda item will be rescheduled for a future meeting.

EUREKA COUNTY SAFETY COMMITTEE

Courthouse Parking Lot Designation: Lisa Hoehne, Safety Committee member and secretary, explained that large vehicles parked in the north side spaces of the Courthouse parking lot limit the visibility of vehicles pulling out of the parking lot onto Ruby Hill Avenue. This can be dangerous if vehicles are traveling down the hill and cannot be seen. The Safety Committee recommended that the north side parking spaces be designated for compact car parking only to eliminate this hazard. Commissioner Fiorenzi made a motion to deny the compact car space designations because of the lack of parking available. Commissioner Page seconded the motion. Motion carried 3-0.

EUREKA COUNTY SCHOOL DISTRICT

School District Financial Reports: Commissioner Fiorenzi made a motion to accept the Eureka County School District's financial report for February 2009 as given. Commissioner Page seconded the motion. Motion carried 3-0.

EUREKA COUNTY HIGH SCHOOL-GRAD NITE CELEBRATION

2009 Grad Nite Celebration Donation: Commissioner Fiorenzi made a motion to approve a \$500.00 donation to the Eureka County High School 2009 Grad Nite Celebration. Commissioner Page seconded the motion. Motion carried 3-0.

ESTABLISHMENT OF WAGE AND SALARY COMMITTEE

Wage and Salary Committee: Chairman Ithurralde asked that this committee be objective and bring information and recommendations to the Board that will satisfy the Board, County employees, and County taxpayers. Commissioner Fiorenzi made a motion to instate a short-term committee to research comparable wages and salaries, report findings, and make recommendations regarding Eureka County wages and salaries to the Board of Eureka County Commissioners. Commissioner Page seconded the motion. Motion carried 3-0. Commissioner Page made a motion to appoint seven members plus one alternate member to

the committee; Commissioner Fiorenzi seconded the motion; motion carried 3-0. Commissioner Page made a motion to call the committee the Wage and Salary Committee; Commissioner Fiorenzi seconded the motion; motion carried 3-0.

Appointments to Wage and Salary Committee: Commissioner Ithurralde made a motion to appoint Michael Mears, County Assessor, and Ron Damele, Public Works Director, to the Wage and Salary Committee; Commissioner Fiorenzi seconded the motion; motion carried 3-0. After discussion, Commissioner Fiorenzi made a motion to appoint Sandy Mariluch, Kathy Kinkade, Joyce Jeppesen, Diane Podborny, Toni Wright, and alternate Ree Taylor to the Wage and Salary Committee; Commissioner Page seconded the motion; motion carried 3-0. Ms. Berg will create and post an agenda for the first meeting of the Wage and Salary Committee.

COMMISSIONERS

Update Reports: Commissioner Page reported that he attended the Crescent Valley Town Advisory Board meeting on March 12th.

Commissioner Fiorenzi reported that he attended the NRAC meeting on March 11th; the Fair Board meeting on March 18th; the Volunteer Fire Station Project progress meeting on March 19th; and the NEPA Committee meeting on March 19th.

Chairman Ithurralde reported that he attended a NACO teleconference meeting on March 13th; the Elko County Commissioners' meeting on March 18th where a presentation was given by Dr. Tom Harris from the University of Nevada, Reno on Hard Rock Mining; the Division of Water Resources meeting on March 19th with the other Commissioners; and a meeting with the Eureka Town Volunteer Fire Chief, Dan Brown, to discuss the proposed Fire District Ordinance. The Chairman has been to Crescent Valley and Eureka to initiate the Discount Prescription Drug Program. The information on the prescription program is available at both clinics, senior centers, Crescent Valley Town Hall, Clerk's Office, and will also be published in the newspaper.

Crescent Valley Town Advisory Board (CVTAB) Questionnaire: Chairman Ithurralde reported that the CVTAB questionnaires were counted on March 2nd and the results were as follows: 55 votes to keep the CVTAB as is, with five members; 25 votes to reduce the board to three members; and 36 votes to dissolve the board altogether. Commissioner Page explained that 61 voters expressed that change is needed and 55 want to keep the CVTAB as is. Commissioner Page made a motion that the CVTAB be reduced to three members and that it should be done through attrition or the next election, whichever comes first. Commissioner Fiorenzi seconded the motion. Motion carried 2-1, with Chairman Ithurralde voting against the motion. A public hearing will be held in Crescent Valley on the matter on April 29th at 6:00 p.m. and a public hearing in Eureka on May 6th at 2:00 p.m.

Request for Qualifications (RFQ): Mr. Beutel explained the process in obtaining professional services to update the Master Plan. The Planning Commission will review the proposals and resumes of the applicants for a consultant to update the Eureka County Master Plan. Eureka County does not have zoning laws, unlike many other counties. Deliverables should include at least 100 copies of the updated plan, electronic copies, as well as minutes and agendas from the process. The contact information was also included in the RFQ. Ellen Rand, Planning Commission Chairperson, asked the Board for clarification of the Planning Commission's responsibilities in the Master Plan update. The Board explained that a consultant will be hired to help the Planning Commission update the Master Plan. A timetable for the deliverable was discussed and it was agreed that the update should be completed within six months after initiation. A draft of the RFQ will be provided to the

Planning Commission for review. The Board would like to see a short list of applicants by June.

Eureka County Master Plan: Commissioner Fiorenzi made a motion to provide the Planning Commission with the draft Master Plan RFQ for review for changes if necessary; direct the Planning Commission move forward to secure a consultant to update the Master Plan; and provide a short list of applicants to the Board by June 1st. Commissioner Page seconded the motion. Motion carried 3-0. Commissioner Fiorenzi relayed that the Planning Commission should come to the Board for more direction if needed.

Ordinance Governing County Commissioners: Commissioner Page made a motion to propose changes to the ordinance governing the County Commissioners and Commission meetings, and there will be a public hearing on the matter on April 20th at 2:00 p.m. Commissioner Fiorenzi seconded the motion. Motion carried 3-0.

Television District Ordinance: Commissioner Fiorenzi motioned to table the proposal of the modifications to the Television District Ordinance until information is received from the Television District Board. Commissioner Page seconded the motion. Motion carried 3-0.

Community Development Corporation (CDC): Discussion was had on CDC funds. There is one outstanding loan with the CDC account and the loan is current. Commissioner Fiorenzi made a motion to send a letter to the CDC requesting a report on the program and funding, addressed to Mark Paris. Commissioner Page seconded the motion. Motion carried 3-0. The Board was in agreement that the letter would be signed outside of the meeting by the Chairman.

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

2009 Legislative Session: Michael Mears, County Assessor, reported that AB 328 and SB 255 are bills that are of concern to Eureka County. AB 328 provides abatement to individuals that purchase a home as first time homeowners of a foreclosure home. The buyers are provided with an exemption of property taxes for the first year residing in that home. Mr. Mears is concerned with the policy that the bill would set forth and other bills may follow suit. Commissioner Fiorenzi made a motion to send an opposition letter on AB 328 and that Bjron Selinder, lobbyist, speak to the Legislature on behalf of the County on the bill; Commissioner Page seconded the motion; motion carried 3-0. Mr. Mears explained that SB 255 is a bill that addresses housing and urban development (HUD) rental rates and associated tax caps. Chairman Ithurralde made a motion to incorporate opposition comments on both AB 328 and SB 255 in one letter; Commissioner Page seconded the motion; motion carried 3-0.

Chairman Ithurralde reported that AB 375 is a bill that would reduce the Cooperative Extension tax rate by .5 cents, which would decrease Eureka County's Cooperative Extension budget.

SB 191 would adopt uniform mechanical and national electrical codes for construction. Currently, Eureka County does not have a building department or zoning. Mr. Tibbitts explained that SB 191 would require that approval from the State Public Works Board before a uniform electrical or mechanical code is adopted by a county. Mr. Tibbitts reported that any letters sent on behalf of the County are being sent to the chairman of the particular committee working on a bill, committee members, and lobbyist Bjorn Selinder.

PUBLIC COMMENT

Chairman Ithurralde opened the floor to public comments. Lisa Wolf, Crescent Valley resident, asked for names of presenters during the Board meeting, and also asked Ms. Berg to send a list of the individuals appointed to the new Wage and Salary Committee. Ms. Wolf,

commenting as an Economic Development Board member, explained that she would offer comments and suggestions to help the CDC become active again and forward those for distribution to the Commissioners. Discussion was also had on the Master Plan revision and public input. There were no other comments.

ADJOURNMENT

At 3:48 p.m., Commissioner Fiorenzi made a motion to adjourn the meeting. Commissioner Page seconded the motion. Motion carried 3-0.

Approved this 6th day of April, 2009.

/s/ J.P. Ithurrealde
J.P. Ithurrealde, Chairman

Attest: /s/ Jackie Berg
Jackie Berg, Clerk