

EUREKA COUNTY BOARD OF COMMISSIONERS

April 5, 2019

STATE OF NEVADA)
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COUNTY OF EUREKA)

CALL TO ORDER

The Board of Eureka County Commissioners met pursuant to law on April 5, 2019. Present were Chairman J.J. Goicoechea; Vice Chair Michael Sharkozy; Commissioner Rich McKay; District Attorney Ted Beutel; and 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

Two items were removed from the agenda: a marketing grant under Public Works and audio/video equipment under IT/Network. Commissioner Sharkozy motioned to approve the agenda as amended; Commissioner McKay seconded the motion; motion carried 3-0.

PUBLIC COMMENT

Chairman Goicoechea opened the floor for public comments.

Aaron Whelchel stated the following for the record: “My name is Jack Aaron Whelchel. I’m here to discuss Eureka County Commissioners’ agenda item number three. I was advised to state that I’m on vacation today as it is normally a work day for me, but I did have to take vacation today to represent myself and defend myself against the false statements that were placed on the agenda. I am not in support of a settlement between Eureka County and Dina Salvucci. Agenda item number three states that there is an Agreement of Mutual Release for a Settlement between all parties named, and my name is one of the names mentioned. I was never aware of a settlement nor that I was going to be placed on the agenda, and I do not support this. I would like to make it known that I think a settlement between Eureka County and Dina Salvucci is being considered prematurely and with the absence of all facts associated with the outcome of multiple pending investigations. This document, that I have right here, is a complaint which was filed and is currently under investigation into former Sheriff Logan, who is Dina’s husband, and his illegal activities surrounding this situation. There’s an internal investigation into my conduct of that night, which was started by former Sheriff Keith Logan and his administration, which is still ongoing and has been ongoing since July of last year. I do not support this because I stand by my work in keeping our streets safe and keeping the streets of Eureka safe. I do not want to see anyone hurt, injured, or killed. I want to keep our streets safe for our children and our families. I have the support of other agencies who know that I work to keep our streets safe and that I’m an ethical Deputy and I work ethically. I spent eight years in the military as a law enforcement officer, and during that career I had not one written or verbal reprimand. After that I was a federal police officer in Seattle; not one verbal or written reprimand. I’ve worked here for three years now; not one verbal or written reprimand. I have worked ethically, but due to this situation here, I have been on administrative leave since July of last year. I’m made to stay at my house Monday to Friday, 8:00 a.m. to 4:00 p.m. Anytime I want to leave I have to ask my Sergeant’s permission, and I have to tell him when I’m going to be returning to my house, as if I’m placed on house arrest for doing something wrong. And there has been no findings of my guilt at all. There is nothing at this point to come out to say that I did anything wrong. There has been nothing to saying that I wrongfully arrested Dina Salvucci to this point. Therefore, I do not agree with this settlement. I stand by my work and to call into question my character and my professional competency and place that on a public agenda without any supporting documents is unethical. And the person who did this should be spoken to. That’s all I have to say.”

Chairman Goicoechea asked if there were other public comments.

Northern Nevada EMS Consortium contacted Jackie Berg and asked that she speak on their behalf during public comment. NNEMSC requested that the County budget \$6,000.00 in the upcoming fiscal year as a membership donation to the Consortium. NNEMSC provided statistics for MedX AirOne transports out of Eureka County. In 2018 there were 27 transports and a total of \$5,960.00 was written off. In 2019, year-to-date, there have been four transports and \$1,903.00 was written off. The Commissioners agreed to place their request on the next agenda.

There were no further public comments.

APPROVAL OF MINUTES

March 20, 2019: Commissioner Sharkozy motioned to approve minutes of the March 20, 2019, meeting; Commissioner McKay seconded the motion; motion carried 3-0.

COUNTY COMPTROLLER

Payment of Expenditures: Expenditures were presented for approval by Comptroller, Maureen Garner. Commissioner Sharkozy motioned to approve expenditures in the amount of \$245,439.36 for accounts payable, \$337,105.59 for payroll and retiree related expenses, \$720,219.32 for a pass-through tax allocation to the School District, \$508,015.80 for a pass-through to the State Controller, \$110.00 for a pass-through to the Nevada Division of Minerals, \$19.80 for a pass-through to the Nevada Department of Taxation, and \$3,140.00 in Yucca Mountain expenses, for a grand total of \$1,814,049.87. Commissioner McKay seconded the motion. Motion carried 3-0.

Fund Balance Report: The Board reviewed the current Fund Balance Report.

COMMISSIONERS

Court Financial Reports: Legislation requiring the Justice of the Peace and County Clerk to submit quarterly financial reports to the Board recently changed and the Justice of the Peace and Clerk of District Court must now provide monthly financial reports to an official designated by the Board.

After a brief discussion, Commissioner Sharkozy motioned that the detailed monthly financial reports submitted to the Treasurer, and subsequently reported to the Commissioners, meet the requirements of NRS 4.100 for the Justice of the Peace and NRS 19.090 for the Clerk of the District Court. Commissioner McKay seconded the motion. Motion carried 3-0.

Second Amendment Resolution: The Commission Chambers and Crescent Valley Town Boardroom were filled with Eureka County residents and officials from neighboring counties in support of a proposed resolution upholding rights protected under the Second Amendment of the US Constitution.

Sheriff Jesse Watts read the resolution. Following the reading, Chairman Goicoechea requested a minor amendment. Although the resolution was triggered, in part, by passage of SB143, it is not specific to a single bill. In consulting legal counsel outside Eureka County, the Chairman was advised to remove language that might limit the latitude of the resolution.

Commissioner Sharkozy motioned to amend the proposed resolution to read, "...*support for the duly elected Sheriff of Eureka County, Nevada,*" and to strike, "*in the exercise of his lawful discretion and duties.*" Commissioner McKay seconded the motion. Motion carried 3-0.

Comments on Resolution: The Chairman invited comments on the proposed resolution.

Jim Izzolo, Eureka resident, felt that the bill coming out of Carson City was blatantly unconstitutional and wondered if anybody has considered a constitutional challenge.

Cliff Eklund, Elko County Commissioner, referenced AB153 and AB291, stating that more anti-gun laws are coming. He talked about the ramifications of these two bills, remarking that he has concerns with passage of legislation that infringes on not only Second Amendment rights, but the ability of local government to regulate its own laws. Commissioner Eklund said the Elko County Commission adopted a similar resolution at their second meeting in March.

Elko County Sheriff, **Aitor Narvaiza**, talked about the implications these new laws would have on private party transactions and the restrictions that would be placed on the use of a citizen's legally owned firearms.

Ashley Adams emphasized that she was commenting on her own behalf and not as an employee of the District Attorney's office. She asked the Sheriff if non-enforcement of the bill would extend beyond the County's citizens to others who come into town because they know this is a sanctuary county. Ms. Adams said she would like to discuss other concerns with the Sheriff outside of the meeting.

Chairman Goicoechea clarified for the record that there is no reference to a sanctuary county and the resolution is not intended for and does not reference a specific bill.

In response, Sheriff Watts answered that he would be happy to discuss the matter any time, but added that it is ultimately up to the District Attorney to bring charges, regardless of whether his office enforces a bill or not. He stated he was in Lander County earlier in the week when their District Attorney made a public statement that his office will not enforce SB143.

Joseph Moylan, Crescent Valley resident, said he was in attendance to support Sheriff Jesse Watts in his defense of the Constitution. Mr. Moylan pointed out that our Founding Fathers used the word "infringe" versus "violate" in the Constitution, and these bills are a bombardment of one infringement upon another.

Forest Anderson, Crescent Valley resident, said he was confused about what will be enforced and what won't be enforced and suggested the Sheriff, Commissioners, and District Attorney meet to determine how this will be handled. He asked how the County might respond if the State threatens to cut funding to counties who don't comply with the new laws.

Lander County Sheriff, **Ron Unger**, stated he was in attendance to support Eureka County and the Eureka County Sheriff. He said his thoughts echo the testimony of Commissioner Eklund and Sheriff Narvaiza. He believes many more bills are coming, and he will do everything he can to support the neighboring counties.

Art Clark, Lander County Commissioner, stated he has enjoyed the freedoms of this State since coming here in 1972. He eventually moved to Battle Mountain where he and his wife raised their two boys. On February 2, 1998, the Sheriff came to his house to tell them that their youngest boy had been murdered. Branson Clark was a UNR cheerleader at the time and was victim of a senseless killing. The 17 year old perpetrator had 64 priors, including two home invasions with a deadly weapon. The second perpetrator had two prior felony convictions. Mr. Clark said the gun that killed his son was obtained the night before in a methamphetamine deal. Both murderers are in prison.

In 2016, Mr. Clark and his wife joined Sheriff Unger and Senator James Settlemeyer to make a video opposing Question 1. This year he testified before the Legislature against SB143. Mr. Clark stated, *"...you are never going to convince me that some words scribbled on a piece of paper are going to stop crime,"* later adding, *"...and I'll be damned if anybody will use my son's statistics against us."* Mr. Clark commended the Sheriffs for taking the lead on this issue. He concluded by saying Lander County plans to adopt a similar resolution, but decided to wait until the Legislature is over.

Eureka resident, **Stuart Bloyd**, said, *"...we know that the end game of it is to take away our guns."* He stated SB143 is unenforceable unless there is universal gun registration, and in every case in history where there has been gun registration, there have been gun confiscations. He commented that this needs to be opposed now before it gets any worse.

Angie Shirley, of Crescent Valley, commended the Commissioners and Sheriffs who are banding together against this issue, stating that everyone should be proud of how well the rural counties are working together to stop this.

Adoption of Second Amendment Resolution: Chairman Goicoechea thanked everyone for their comments and called for a motion on the resolution. Commissioner McKay motioned to adopt a Board Resolution, as amended, stating support for the right to bear arms and opposition to laws

which restrict the individual rights of United States citizens as protected by the Second Amendment of the United States Constitution and Article 1, Section 11, of the Constitution of the State of Nevada. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

**RESOLUTION
OF THE EUREKA COUNTY BOARD OF COMMISSIONERS**

**STATING ITS SUPPORT FOR THE RIGHT TO BEAR ARMS AND OPPOSITION TO LAWS
WHICH RESTRICT THE INDIVIDUAL RIGHTS OF UNITED STATES CITIZENS AS
PROTECTED BY THE SECOND AMENDMENT OF THE UNITED STATES CONSTITUTION
AND ARTICLE 1, SECTION 11, OF THE CONSTITUTION OF THE STATE OF NEVADA**

WHEREAS, the Second Amendment to the United States Constitution, adopted in 1791 as part of the Bill of Rights, states “the right of the people to keep and bear arms, shall not be infringed”; and

WHEREAS, Article 1, Section 11 of the Constitution of the State of Nevada states, “Every citizen has the right to keep and bear arms for security and defense, for lawful hunting and recreational use and for other lawful purposes”; and

WHEREAS, the Right of the people to keep and bear arms for defense of life, liberty and property is regarded as an inalienable right by the citizens of Eureka County; and

WHEREAS, the residents of Eureka County derive economic benefit from all safe forms of firearms recreation, hunting, and shooting conducted within the County; and

WHEREAS, in 2016, Eureka County voters overwhelmingly opposed State Question No. 1 which proposed to amend Chapter 202 of the Nevada Revised Statutes to prohibit, except in certain circumstances, a person from selling or transferring a firearm to another person unless a federally licensed dealer first conducted a federal background check; and

WHEREAS, the Eureka County Sheriff and Board of Commissioners are elected to represent the residents of Eureka County and by their Oath of Office must uphold the United States Constitution, the Constitution of the State of Nevada, and the government of the State of Nevada, including, but not limited to, the lawful Right to Keep and Bear Arms;

NOW, THEREFORE BE IT RESOLVED that the Eureka County Board of County Commissioners does hereby support the Constitutional rights of its citizens, including the Second Amendment and Article 1, Section 11 of the Nevada Constitution.

BE IT FURTHER RESOLVED that the Eureka County Board of County Commissioners opposes the enactment of any legislation, state or federal, that would unconstitutionally infringe upon the lawful rights of residents to keep and bear arms including the rights of private individuals to lawfully sell or transfer their legally-owned firearms without undue government burden.

BE IT FURTHER RESOLVED that the Eureka County Board of Commissioners affirms its support for the duly elected Sheriff of Eureka County, Nevada.

PASSED, ADOPTED, and APPROVED this 5th day of April, 2019, by the following vote of the Eureka County Board of Commissioners.

Board of Eureka County Commissioners
County of Eureka, State of Nevada

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

By: /s/ Michael Sharkozy
Michael Sharkozy, Vice Chair

By: /s/ Rich McKay

Attest: /s/ Jackie Berg
Jackie Berg, Commissioner Clerk

Proposed Settlement Agreement: Chairman Goicoechea explained that the proposed Settlement Agreement and Mutual Release by and between Dina Salvucci, Eureka County, and Eureka County Deputy Sheriff Jack Aaron Whelchel, was placed on the agenda at the recommendation of the County's insurance company. The Chairman said it is the adjuster's job, along with the Commissioners, to limit the liability of the County.

Chairman Goicoechea stated he still has a lot of questions concerning this matter. He has no knowledge of what the investigative report says, and without that knowledge has reservations about making decisions that will affect individuals and the County.

Commissioner McKay stated he thought it was premature to make a settlement because not all of the facts are given and the evidence hasn't been presented to the Board. He didn't feel the County should be paying settlement monies based on limited information.

Commissioner Sharkozy stated he was also uncomfortable approving a settlement without knowledge of the evidence. Commissioner Sharkozy motioned to deny the Settlement Agreement and Mutual Release by and between Dina Salvucci, Eureka County, and Eureka County Deputy Sheriff Jack Aaron Whelchel. Commissioner McKay seconded the motion. The Chairman called for public comment on the motion, which is included below. Following the comments, the Board voted 3-0 to deny the settlement.

Public Comment on Proposed Settlement Agreement: Sheriff Watts stated he opposes a settlement that is premature in nature. He said the item directly associates guilt, and in our society we are innocent until proven guilty. Although he wasn't in office when the event occurred, he said it concerns his employee, and he appreciates the Board taking the stance that they did.

Jim Izzolo, Eureka resident, said he doesn't understand, in a time when cameras are everywhere, how there are no records on the day this incident occurred. He wondered if this matter might fall under purview of the Freedom of Information Act, so the Board could petition the information, if it exists.

Giovani Minoletti, Eureka resident and law enforcement officer for Nevada Highway Patrol, stated the investigation "*is what it is,*" stressing that he had a problem with the agenda language. He said upon reading it, he put himself in the same position, adding that cops are subject to frivolous lawsuits all the time. Mr. Minoletti stated that, regardless of guilt or innocence, the agenda item was slanderous and unprofessional. He felt a person willing to slander someone in public should also apologize in public. He concluded by saying that's not what officials are elected for and it is cowardly to hide behind pen and paper.

There were no further comments on this item, and as recorded earlier in these minutes, the Board voted unanimously to deny the Settlement Agreement.

Sagebrush Ecosystem Program: Chairman Goicoechea reported that the Sagebrush Ecosystem Council will meet again on April 29th for another hearing on the proposed regulations that would require compensatory mitigation when sage grouse habitat is disturbed.

Legislative Updates: Assessor, Michael Mears, briefed the Board on current legislation that he is tracking or testifying on. AB388 is a proposal to exempt personal property taxes from heavy equipment rented for earth moving and industrial purposes. Proponents argue that equipment is the rental company's inventory, similar to products or goods on a store shelf. A proposed

amendment frames the definition of construction equipment and would allow equipment in use on July 1st (lien date for personal property tax) to be taxed. The Assessors' Association is prepared to testify and opposes this bill even with the amendment.

AB401 proposes a vehicle mileage tax as an additional fee placed on annual vehicle registrations. The intent is for drivers of hybrid and electric vehicles to contribute fuel taxes to support the State highway fund. The proposed tax is one cent per driven mile. The bill includes a formula to deduct fuel taxes already paid at the pump, by utilizing the EPA's fuel economy estimates for each vehicle. As a DMV Field Office, the Assessor's staff would be required to check odometers for every vehicle registration renewal. A related bill, AB483, proposes that DMV do a two year mileage study, and Mr. Mears agrees that more data is warranted.

SJR14, the property tax bill to reset depreciation and the abatement upon sale of property, is still pending a hearing. Mr. Mears continues to track this closely, and expects it may go to hearing on April 9th. There is a lot of murmuring that this is a tax increase in disguise, which is causing legislators to get 'cold feet' on whether they want to move forward with this bill.

JUVENILE PROBATION

Grad Nite Celebration: Juvenile Probation Officer, Steve Zimmerman, requested a contribution for the 2019 Grad Nite, noting that this will be the 29th year that this annual event has occurred. This celebration, with entertainment, prizes, and refreshments for students, has proven to be a successful and safe alternative to alcohol and drug related parties. Mr. Zimmerman noted that nearly \$12,000.00 was raised the year before, and it was all used for prizes for the students.

Commissioner Sharkozy motioned to donate \$500.00 from miscellaneous grants in the Commissioners' budget for the 2019 Grad Nite event; Commissioner McKay seconded the motion; motion carried 3-0.

Angie Shirley from Crescent Valley asked if future years could include a donation for the Battle Mountain Sober Seniors for their graduation event, since Crescent Valley students attend high school in Battle Mountain. Chairman Goicoechea asked her to have the Sober Seniors send a request directly to the Commissioners.

PACE Coalition Grant: The PACE Coalition grant that funds Boys' Council, Girls' Circle, Life Skills, and after-school tutoring is expiring and Juvenile Probation will make application for the new competitive grant that is replacing it. The new grant will span four years through June 30, 2023. The Coalition serves Eureka, White Pine, and Elko Counties who will all apply for a portion of the funds. Under the existing grant, Eureka County received \$12,000.00 annually to fund the programs. The new grant will allow Juvenile Probation to continue the existing programs and possibly introduce some new ones.

Commissioner McKay motioned to authorize Juvenile Probation to submit an application for a new competitive grant from PACE Coalition; Commissioner Sharkozy seconded the motion; motion carried 3-0.

SENIOR CENTERS

Update Report: Senior Centers Program Director, Millie Oram, reported on activities at the Eureka Senior Center and Fannie Komp Senior Center. In March, Eureka served 660 meals and Crescent Valley served 535 meals. A total of \$10,245.85 was deposited for the month.

Transportation Grant Application: Commissioner McKay motioned to ratify the grant application to Nevada Aging & Disability Services Division for Transportation Services Grant #07-000-10-BC-19 in the amount of \$22,500.00; Commissioner Sharkozy seconded the motion; motion carried 3-0. Ms. Oram explained that a match will be required for the portion of the grant that is federally funded, but no match is required for the State funded portion. Last year's match for this same grant was \$3,971.00.

ROAD DEPARTMENT

Report on Activities: Jayme Halpin, Road Equipment Operator III, reported on Road Department activities. March began with crews plowing snow. Then as snow began to melt, culverts were checked and cleared and crews made sure there were no issues from spring runoff. As roads began to dry, the Road Department took advantage of the moisture and had six to eight blades running steadily, which allowed them to blade a majority of the roads. The road crews and utility crews all attended a first-aid class taught by EMS.

PUBLIC WORKS

Public Works Update: Public Works Director, Ron Damele, reported on Public Works projects and activities. Mr. Damele reported that the Barrick-funded Equipment Operator position has been filled internally. The surplus vehicles were sold at online auction and have all been picked up.

Utilities & Facilities: All utilities are in good working order. The Opera House elevator was inspected by the State on March 26th and placed back into service. Public Works has negotiated a new lease for the Veterinary Clinic and will present it for approval at the next meeting.

Eureka Airport: Mr. Damele met with the FAA in Carson City recently regarding the Airport grant. The Disadvantaged Business Enterprise Program has been completed with assistance from Lumos & Associates. The DBE Program is required to receive federal entitlement grants, and establishes a goal of awarding 4.25% of any contract funded by federal grants to a minority-owned business. The FAA was pleased that Eureka County is using its own DBE Program instead of the State's (which is no longer allowed).

Environmental Protection Agency: The EPA will return to Eureka on May 6th for an abbreviated construction season, expected to last from six to eight weeks. One large property will be remediated and EPA crews will fence the County-owned slag pile on the southern end of town and the privately-owned slag pile on the northern end of town. This final phase will conclude the EPA's presence in Eureka related to lead and arsenic cleanup.

Olcese Waste Services: Public Works continues working with Olcese Waste Services on an exclusive franchise agreement with the County. Good progress is being made towards a possible start date of August 1st.

Free Dump Days: Commissioner McKay motioned to declare May 4th, 11th, 18th, & 25th as Free Dump Days at the Eureka Landfill and Crescent Valley Laydown Yard from 8:00 a.m. to 12:00 noon and 1:00 p.m. to 4:00 p.m. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

The following items will be accepted: yard waste, furniture, white goods, tires, and car bodies. Excluded items include hazardous materials, household garbage, and dead animals. All items must be separated and disposed of according to each waste classification. Mr. Damele reminded everyone that Free Dump Days will be offered again in October.

Wildland Fire Protection Program: Mr. Damele presented a contract for the Wildland Fire Protection Program with the Nevada Division of Forestry. The contract amount has decreased from \$150,000.00 annually for the last four years to \$81,531.00 annually. This is primarily because Eureka County hasn't had any significant wildland fires in recent years.

Commissioner Sharkozy motioned to approve a two-year contract between Eureka County and the State of Nevada, Department of Conservation & Natural Resources, Nevada Division of Forestry, for the Wildland Fire Protection Program, in the amount of \$81,531.00 per year, for a grand total of \$163,062.00 for the contract term of July 1, 2019, to June 30, 2021. Commissioner McKay seconded the motion. Motion carried 3-0.

ASSESSOR

DMV Contract: Assessor, Michael Mears, presented Amendment #1 to the contract with the Department of Motor Vehicles, explaining that it will extend the existing contract by two years

and adds some language under the training section of the contract. This contract authorizes the Assessor's office to do vehicle registration renewals and titling transactions as a DMV Field Office.

Chairman Goicoechea motioned to approve Contract Amendment #1 to the Intrastate Interlocal Contract between Eureka County and the Department of Motor Vehicles, with a Revised Scope of Work and extending the current contract an additional two years to June 30, 2021. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

IT / NETWORK

Update Report: IT Manager, Misty Rowley, reported on IT projects and activities. She is working with BCT and Quest to finalize the expressway communication project, which will allow secure audio/video collaboration outside of the County's network. The Nevada System of Higher Education was in Eureka on March 22nd related to the fiber project for the School District and the County to connect to the NDOT yard. NNE Construction will be in Eureka later in the month to begin the fiber project.

Ms. Rowley met with Gust Electric to plan the cable drop portion of the wireless installation in County facilities. Gust Electric began on-site work on April 4th. Rory Jackson will be in Eureka at the end of the month to assist with installation of the wireless equipment. Ms. Rowley set up a server for the Clerk Recorder's jury management program. The background check for Rick Huckannen, BCT, was completed so he has clearance to work with the Sheriff's Office. The brief internet outage on April 1st was due to AT&T being offline.

Firewall Upgrade: Ms. Rowley explained that if the County's firewall fails, staff will have no access to the internet until it is replaced. She requested authorization to install an improved firewall, which will allow the current one to act as a redundant system.

Commissioner McKay motioned to approve a firewall upgrade to High Availability WatchGuard, in the amount of \$3,644.13, utilizing monies budgeted for capital outlay in the IT budget. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

SHERIFF

Hiring & Staffing Update: Sheriff Jesse Watts announced that contingent job offers were made to five individuals earlier that day with two more planned for the afternoon. This will fill all current patrol and jail vacancies.

Advanced Step Hires: Pursuant to Personnel Policy 5.7.3., Sheriff Watts requested authorization to make two advanced step hires. The Deputy who will be assigned to Crescent Valley is a retired Police Chief with 28 years of law enforcement experience. The other Deputy is moving to Eureka after seven years with the Carlin Police Department and possesses Intermediate and Advanced POST certificates, which qualifies him as a Deputy III.

Commissioner Sharkozy motioned to authorize advanced step hires pursuant to Personnel Policy 5.7.3. for a northern Deputy at salary range 121 step 10 and for a southern Deputy at salary range 124 step 7. Commissioner McKay seconded the motion. Motion carried 3-0.

Mobile RIMS: Sheriff Watts requested authorization to equip patrol vehicles with Mobile RIMS, which will allow the officers to submit reports from the vehicle, view information pertinent to service calls, and provide GPS tracking of the patrol cars. The quote for Mobile RIMS and 12 tablets was \$34,306.00, but the Sheriff explained that there will be additional costs for mounts, keyboards, and GPS pucks (antenna units).

Commissioner McKay motioned to authorize the purchase of Mobile RIMS from Sun Ridge Systems and purchase of Surface Pro tablets from CDW-G, not to exceed \$45,000.00, utilizing monies budgeted in the Capital Projects Fund for Sheriff's Office capital purchases. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Hiring Freeze Waiver – Dispatcher: A Hiring Freeze Waiver Justification was presented for a Dispatcher position recently vacated by an employee who moved outside of the County.

Commissioner McKay motioned to waive the hiring freeze and authorize the Sheriff to fill the vacant Dispatcher position; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Request for 12-Hour Shifts: Sheriff Watts researched the benefits of implementing 12-hour shifts for the Patrol, Detentions, and Communication Divisions. The employees are in favor of the change and the schedule would benefit the County by allowing more coverage with less personnel resulting in considerable savings on overtime. The Sheriff contacted PERS (Public Employee Retirement System) and confirmed the employees' benefits won't be affected.

Assistant Comptroller, Kim Todd, explained that under the Fair Labor Standards Act, law enforcement can work in seven day increments (7, 14, 21, & 28) without accruing overtime until they reach a certain threshold. But Dispatchers don't fall under this FLSA rule and are tied to the standard 40-hour work week.

Sheriff Watts responded that he is aware of several other counties working 12-hour shifts and in some instances Dispatchers are included.

Chairman Goicoechea asked the Sheriff to contact the other counties for information on how they're structuring the shifts and if they're following FLSA. This item can be placed on a future agenda once more information is obtained. Commissioner Sharkozy motioned to table this item pending more information; Commissioner McKay seconded the motion; motion carried 3-0.

Annual Detention Facility Walk-Through: The annual walk-through and inspection of the Detention Facility was conducted at 1:00 p.m. following the meeting. The resulting report is on file in the Clerk Recorder's office and available upon request.

RECREATION BOARD

Appointment: Commissioner McKay motioned to appoint Jeff Bartley to the Recreation Board for the remainder of a four-year term through December 31, 2019; Commissioner Sharkozy seconded the motion; motion carried 3-0.

TELEVISION DISTRICT

Appointment: Commissioner Sharkozy motioned to appoint Randy Klatt to Seat 4B on the Television District Board for the remainder of the unexpired term; Commissioner McKay seconded the motion; motion carried 3-0. Seat 4B will be up for election in 2020.

Typically the Television District makes appointments to its Board, but pursuant to NRS 318.090(5), vacancies beyond 30 days must be filled by the Board of County Commissioners.

FISCAL YEAR 2019-2020 BUDGET

Note: The Television District Board convened a joint meeting with the Commissioners for review and signing of the tentative budget for the Television District. Present representing the Television District were: President Bill Leppala, members Jim Breitrick, Randy Klatt, and Tracy Moylan.

Television District Tentative Budget: Assistant Comptroller, Kim Todd, gave a brief overview of the tentative budget for the Television District, pointing out budgeted revenues and expenditures.

Commissioner McKay motioned to sign the Fiscal Year 2019-2020 Television District Tentative Budget for filing with the Nevada Department of Taxation. Commissioner Sharkozy seconded the motion. Motion carried 3-0. By motion and unanimous vote, the Television District Board also approved signing the Television District Tentative Budget.

Overview of Tentative Budgets: Ms. Todd provided an overview of budgeted revenues and expenditures for the remaining tentative budgets under the jurisdiction of the Board of County Commissioners: Eureka County (overall), Eureka Town, Crescent Valley Town, Devil's Gate GID, Diamond Valley Weed District, and Diamond Valley Rodent District.

During the review, Ms. Todd highlighted deficits in several areas. The Crescent Valley Town files a negative budget each year because its tax revenues are minimal in comparison to

annual expenses. She cautioned that by Fiscal Year 2020-2021 Crescent Valley won't have enough money in its general government funds to cover the year's expenses.

This is true of its proprietary fund as well – Crescent Valley Water. Proprietary funds in other budgets, Eureka Water/Sewer and Devil's Gate Water, face the same dilemma. Revenues from water rates, which haven't increased since 2006, don't come close to meeting the operating costs of the utilities.

Ms. Todd noted that General Fund revenue for Fiscal Year 2019-2020 is \$11.3 million, which is \$1.7 million less than the \$13 million budgeted in the current fiscal year (FY18-19). Revenues are down, but budgeted expenses are up. Expenses budgeted in the governmental funds for Fiscal Year 2019-2020 are \$23.7 million, an increase of \$1.1 million over the current year's budgeted expenses of \$22.6 million. For net proceeds, the State estimates \$4.5 million, exactly the same as the estimate for the current year.

Approve Tentative Budgets: Commissioner Sharkozy motioned to sign and submit Fiscal Year 2019-2020 Tentative Budgets to the Nevada Department of Taxation for Eureka County, Eureka Town, Crescent Valley Town, Devil's Gate GID, Diamond Valley Weed District, and Diamond Valley Rodent District. Commissioner McKay seconded the motion. Motion carried 3-0.

Set Public Hearing: Commissioner Sharkozy motioned to schedule a public hearing at 11:00 a.m. on May 20th to consider changes to the Tentative Budget and to adopt the Final Budget and tax rates for Fiscal Year 2019-2020. Commissioner McKay seconded the motion. Motion carried 3-0.

NATURAL RESOURCES

Waters of the United States: Natural Resources Manager, Jake Tibbitts, presented a letter in response to a proposed rule revising the definition of "waters of the United States" to clarify federal authority under the Clean Water Act. He explained this is an updated version of a letter the Board approved earlier. Natural Resources Advisory Commission wanted to add comment about the tributary rule, and Mr. Tibbitts added more detail to some of the existing comments.

Commissioner McKay motioned to approve sending the letter to the US Environmental Protection Agency and US Army Corps of Engineers concerning the proposed rule revising the definition of "waters of the United States." Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Sage Grouse: A letter was received from Assistant Director, Kristin Bail, US Department of the Interior, BLM, Washington, DC. The letter was in response to the County's protest in January regarding the Nevada & Northeastern California Greater Sage-Grouse Proposed Resource Management Plan Amendment and Final EIS. The BLM's letter advised that the protest was dismissed in part, but portions of the protest were considered valid and, therefore, were addressed in the Director's Protest Resolution Report.

The Nevada and Northeastern California Greater Sage-Grouse Record of Decision (ROD) and Approved Resource Management Plan Amendment were issued by the BLM on March 15th. Mr. Tibbitts noted that many of the changes in the final document were based on Eureka County's comments throughout the process and he didn't recommend appealing the ROD.

On a related item, the US Forest Service is asking for input from Cooperating Agencies on their Greater Sage-grouse Proposed Land Management Plan Amendments and Administrative Final EIS. This is not a formal comment period; the Forest Service is just seeking input.

Western Rural Development Center: Mr. Tibbitts has been asked to serve as the CARET (Council for Agricultural Research, Extension, & Teaching) representative on the Western Rural Development Center Board. The Western Rural Development Center collaborates with land-grant universities and public and private sector partners to focus on agricultural and natural resource related rural economic development.

Chairman Goicoechea motioned to support Mr. Tibbitts' appointment to the Western Rural Development Center Board; Commissioner Sharkozy seconded the motion; motion carried 3-0.

CORRESPONDENCE

Correspondence was received from: Randy Klatt; MSHA Inspector, Charles Snare; Juvenile Probation, Steve Zimmerman; Natural Resources Advisory Commission; Television District; Crescent Valley Town Advisory Board; Eagle Communications, Leslie Lotspeich; Central Nevada Regional Water Authority; Humboldt River Basin Water Authority; Northern Nevada EMS Consortium; Nevada Aging & Disability Services Div.; Nevada Dept. of Taxation; Nevada Dept. of Business & Industry (2); Nevada Business Aviation Assoc.; US Dept. of the Interior, BLM; and National Assoc. of Counties.

Commissioner Updates: Chairman Goicoechea visited with Senator Lisa Murkowski while in Washington, DC, recently to voice support for a change in PILT (Payment in Lieu of Taxes) that would potentially give Eureka County an additional \$35,000.00 to \$40,000.00 annually, with no deductions to other counties. This change would increase PILT revenues to counties with populations under 5,000. The Chairman plans to reach out to Senator Catherine Cortez Masto, on the Senate Finance Committee, for her support.

PUBLIC COMMENT

Vice Chairman Sharkozy called for public comments; there were none.

ADJOURNMENT

Commissioner Sharkozy motioned to adjourn the meeting; Commissioner McKay seconded the motion; the meeting was adjourned at 12:07 p.m.

Approved by vote of the Board this 19th day of April, 2019.

/s/ J.J. Goicoechea, DVM

J.J. Goicoechea, Chairman

I, Jackie Berg, Commissioner Clerk, attest that these are a true, correct, and duly approved minutes of the April 5, 2019, meeting of the Board of Eureka County Commissioners.

/s/ Jackie Berg

Jackie Berg, 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 Commissioner Clerk.

/s/ Lisa Hoehne

Lisa Hoehne, Clerk Recorder