

assured her that the Governor would make the appointment, and explained that the complete process would become clear as the meeting progressed.

Commissioner Benson made a final comment. For the record he made the following statements: he attended to acknowledge that this was his personal decision; he wasn't coerced in any way; NRS statute will rule the proceedings of the day; he had no intention of participating with respect to any decisions relating to his successor and would be abstaining from those items on the day's agenda; and lastly, he made one request, that the public extend him the courtesy of making the motion to ratify his letter of resignation.

There was no further public comment.

BUSINESS RELATED TO VACANCY OF COMMISSIONER DISTRICT ONE SEAT

Ratify Letter Submitted to Governor Jim Gibbons: Chairman Ithurralde requested that the Clerk read the letter of resignation submitted by Commissioner Ken Benson. *"May 5, 2008 ¶ Ms. Berg: Please read this letter of resignation as a Eureka County Commissioner into public comment at the beginning of the morning session of the May 6, 2008 meeting of the Eureka County Commissioners. ¶ My resignation is tendered, effective June 30, 2008. ¶ Sincerely, /s/ Kenneth F. Benson"*

The Chairman then asked the Clerk to read the letter submitted to Governor Jim Gibbons. *"May 6, 2008 ¶ Dear Governor Gibbons, This letter serves to inform you that Kenneth Benson, Vice Chairman of the Board of Eureka County Commissioners, announced his resignation via facsimile letter to the Board's Clerk. The letter of resignation indicates Ken's intent to resign his elected position effective June 30, 2008. A copy of the letter of resignation is enclosed. ¶ NRS 244.040(1) states that any vacancy occurring in any Board of County Commissioners must be filled by appointment of the Governor. The two restrictions placed on this power are that (1) the appointed person must be a suitable person of the same political party as Ken, i.e. Republican; and (2) the appointment does not extend beyond 12:00 p.m. of the date preceding the first Monday of January next, following the next general election, NRS 244.040(2). ¶ We will be in contact with you regarding our recommendation for appointment. ¶ Sincerely, /s/ J.P. Ithurralde, Chairman"*

Commissioner Benson motioned to ratify the letter submitted to Governor Jim Gibbons on May 6, 2008, regarding vacancy to the Commissioner District One seat. Commissioner Bailey seconded the motion. Motion carried 3-0.

Recommendation from Eureka County Republican Party: Bob Dyer, Chairman of the Eureka County Republican Party, stated he had heard a lot of concerns regarding the process of selecting a nominee. Mr. Dyer explained he received a call on May 6th regarding the resignation of Commissioner Benson. An emergency meeting was called with Republican Party officers: Chairperson, Vice Chairperson of Precinct 1, and Secretary. The meeting was also attended by Commission Chairman Ithurralde and the District Attorney. The law requires that a replacement be appointed by the Governor, and the goal of the Republican Party was to do this as efficiently as possible. It was agreed that the Republican Party Central Committee would select a nominee and recommend that nominee to the Board of Commissioners, who in turn would approve the nominee and submit the name to the Governor.

The Central Committee consists of the elected party officers, delegates to the state convention, and alternates to the state convention. Specifically, those members are as follows: Bob Dyer, Chairperson; Bob Burnham, Vice Chair (Precinct 1); Tony Rowley, Vice Chair (Precinct 2); Carl Slagowski, Vice Chair (Precinct 3); Dawn Gann, Vice Chair (Precinct 4); Michael Mears, Secretary; Joy Snowden, Assistant Secretary; Carol Burnham, Treasurer; Jim Bauman, Alternate (Precinct 1); and Tom Drenon, Alternate (Precinct 4).

Mr. Dyer went on to say that he left the special Republican meeting on May 6th with a list of possible nominees from District 1. These people were contacted, and word was put out that if anyone from District 1 was interested in being nominated, to please contact the Republican Party. Over the next few days he spoke with numerous people and had a list of nine possible names. By May 9th, three of those people had committed to being considered; but by noon one

of those three removed their name. That left Leonard Fiorenzi and Wayne Robinson, and both were interviewed during a special meeting of the Republican Party Central Committee held on May 10th at 8:00 p.m. at the Eureka Opera House. The public was welcome to attend, but the vote was conducted by secret ballot.

Mr. Dyer read a memorandum to the Board of Commissioners: *"For your consideration, the Eureka County Republican Party Central Committee elected Leonard Fiorenzi on Saturday, May 10th, 2008, for the consideration as the Republican appointee from Precinct 1 to fill the unexpired term, July 1, 2008 to January 1, 2009, of Commissioner Ken Benson. Sincerely, /s/ Eureka County Republican Party Central Committee; Bob Dyer, Chairperson; Thomas Drenon; Anthony J. Rowley; Dawn Gann; Carl Slagowski; Robert E. Burnham; Joy Snowden; Michael E. Mears; James Bauman"*

Chairman Ithurralde thanked the Central Committee for their due diligence in completing this task. Commissioner Benson requested that the Central Committee confirm to the public that he had no part in the deliberations or process whatsoever. Mr. Dyer confirmed that he, or the committee, had no contact with or influence from Commissioner Benson during this process, adding that he respected Mr. Benson for allowing them to do their job. Mr. Dyer further stated that no member of the Board of Commissioners participated in the process, other than the initial notification from Chairman Ithurralde and his attendance at the first emergency meeting of the Republican Party, where the party accepted the responsibility of selecting a nominee.

Recommendation to Governor Gibbons: Commissioner Bailey motioned that the Board approve Leonard Fiorenzi as the nominee recommended to the Governor to fill the vacant Commissioner District 1 seat from July 1, 2008, through December 31, 2008. Chairman Ithurralde seconded the motion. Motion carried 2-0. Commissioner Benson abstained.

Direct Clerk to Submit Letter to Governor Gibbons: Commissioner Bailey motioned to direct the Clerk to forward a letter to Governor Jim Gibbons notifying him of the Board's recommendation. Chairman Ithurralde seconded the motion, adding that a copy be sent to Assemblyman Pete Goicoechea. Motion carried 2-0. Commissioner Benson abstained.

Appoint Commissioner Liaison to NEPA Committee: This item was tabled to the July 6th Commissioner meeting.

Point of Contact for Water Related Issues: This item was also tabled this to the July 6th Commissioner meeting.

PUBLIC COMMENT

The Chairman called for public comment. Bob Cobb, of Eureka, asked Bob Dyer why the area Republicans weren't notified of the open meeting on May 10th at the Opera House. Mr. Dyer agreed that the meeting hadn't been advertised other than word of mouth. It was really a meeting of the Central Committee that was open to the public.

Judy Overton, of Eureka, asked if Commissioner Benson planned to actively participate in meetings until his resignation date of June 30th. Commissioner Benson replied that was his intent. There were no further questions or comments.

ADJOURNMENT

At 1:27 p.m. Commissioner Benson motioned to adjourn. Commissioner Bailey seconded the motion. Motion carried 3-0.

Approved this 6th day of June, 2007.

/s/ J.P. Ithurralde
J.P. Ithurralde, Chairman

Attest: /s/ Jackie Berg
Jackie Berg, Clerk