

**EUREKA COUNTY BOARD OF COMMISSIONERS**

**May 18, 2009**

STATE OF NEVADA    )  
                              :SS  
COUNTY OF EUREKA    )

**CALL TO ORDER**

The Board of Eureka County Commissioners met pursuant to law on May 18, 2009. Present were Chairman Jim Ithurralde, Vice Chair Leonard Fiorenzi, Member Mike Page, District Attorney Theodore Beutel, and Clerk & Treasurer Jackie Berg. The meeting was called to order at 9:32 a.m. and began with the Pledge of Allegiance. The interactive video conference system was connected and utilized between Crescent Valley and Eureka during the entire meeting.

**APPROVAL OF AGENDA**

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

**PUBLIC COMMENT**

Chairman Ithurralde noted that the day’s Commission meeting was combined with the public hearing to set the County tax rates, which pursuant to Nevada Revised Statutes must be held the third Monday in May. He called for public comments, and there were none.

**APPROVAL OF MINUTES**

Commissioner Page motioned to approve the minutes of the April 27, 2009, Budget meeting; Commissioner Fiorenzi seconded the motion; motion carried 3-0. Commissioner Fiorenzi motioned to approve the minutes of the April 29, 2009, public hearing in Crescent Valley; Commissioner Page seconded the motion; motion carried 3-0.

**FINANCE**

Payment of Expenditures: Expenditures were presented for approval by County Recorder & Auditor, Mike Rebaleati. Commissioner Fiorenzi motioned to approve County expenditures in the amount of \$203,286.95; Commissioner Page seconded the motion; motion carried 3-0. Upon presentation later in the day of the final payroll amounts, Commissioner Fiorenzi made a motion to approve the County payroll in the amount of \$215,113.72; Commissioner Page seconded the motion; motion carried 3-0. Commissioner Fiorenzi made a motion to approve the Yucca Mountain payroll and expenditures in the amount of \$2,029.57; Commissioner Page seconded the motion; motion carried 3-0.

Auditor’s Report: The Board reviewed the Auditor’s Report without comment.

Retiree Health Insurance Premium Fund Resolution: Commissioner Fiorenzi made a motion to approve the resolution reaffirming the Retiree Health Insurance Premium Fund; Commissioner Page seconded the motion; motion carried 3-0.

Eureka, Nevada	May 18, 2009
<b>RESOLUTION</b>	
<b>REAFFIRMING A RETIREE HEALTH INSURANCE PREMIUM FUND TO PRE-FUND THIS OUTSTANDING OBLIGATION AND LIMITING PARTICIPATION IN THE FUND</b>	
WHEREAS, the Board of Eureka County Commissioners is committed to the proper funding of Eureka County retiree health insurance subsidies and satisfying GASB (Government Accounting Standards Board) Statement 45; and	
WHEREAS, the Board of Eureka County Commissioners with this resolution is restating that, by resolution dated April 6, 2009, a special revenue fund was created and called the Retiree Health Insurance Premium Fund; and	

WHEREAS, the source of the Retiree Health Insurance Premium Fund is grants from various Eureka County Funds directly under the control of the Eureka County Commissioners; and

WHEREAS, the expenses and revenues for the Retiree Health Insurance Premium Fund will be controlled by the Eureka County Commissioners, the Eureka County Budget Director, and the local government budget laws pursuant to NRS Chapter 354; and

WHEREAS, retiree health insurance premium subsidies is a growing financial burden on future Boards of Commissioners; and

WHEREAS, to limit this burden the Eureka County Commissioners realize they must act now because the means to reasonably limit this subsidy may not be available in the future; and

WHEREAS, left unchecked the Eureka County Commissioners recognize the funds ay not be available to pay for subsidies in the future; and

WHEREAS, because of shifting financial conditions from year to year, the Board reserves the right of future Boards to change this resolution at any time;

NOW THEREFORE, IT IS HEREBY RESOLVED, that the Board of Eureka County Commissioners, on behalf of the citizens of Eureka County, is reaffirming its commitment to a special revenue fund which will operate under financial guidelines dictated in their annual budget which will be filed in accordance with NRS Chapter 354; and

IT IS HEREBY FURTHER RESOLVED the retiree health insurance subsidy is available only to persons currently receiving a subsidy and persons who retire into Nevada's Public Employee Retirement System or PERS directly from service with Eureka County. Only person employed by Eureka County on or before July 1, 2009 are eligible. Persons employed after July 1, 2009, or who leave employment with Eureka County and then later return after July 1, 2009, will never be eligible for the retiree health insurance subsidy.

ADOPTED this 18<sup>th</sup> day of May, 2009.

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

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

By: /s/ Leonard Fiorenzi, Vice Chairman

By: /s/ Michael Page, Member

Attest: /s/ Jackie Berg, Clerk of the Board

## **BID OPENING – EUREKA COUNTY COURTHOUSE RE-ROOF PROJECT**

Bid Opening: Ron Damele, Public Works Director, and Fred Dolven, Dolven Architectural, opened bids submitted for the County Courthouse Re-Roof Project. Five bids were received as follows: Best Contracting Services (BASE BID \$158,753.00/ALT.A \$8,500.00); Bison Construction (BASE BID \$187,200.00/ALT.A \$3,600.00); Building Solutions, Inc. (BASE BID \$139,722.00/ALT.A \$11,730.00); Schell Creek Construction (BASE BID \$140,947.00/ALT.A \$12,995.00); and Reyman Brothers Construction (BASE BID \$160,000.00/ALT.A \$13,750.00). Commissioner Fiorenzi motioned to accept the five bids into the record for the Eureka County Courthouse Re-Roof Project; Commissioner Page seconded the motion; motion carried 3-0.

## **CORRESPONDENCE**

Correspondence was received from: District Attorney, Ted Beutel (2); Clerk & Treasurer, Jackie Berg (2); Public Works Director, Ron Damele; Cooperative Extension, Gary McCuin (3); Seventh Judicial District Court; Eureka County Planning Commission (2); Eureka County Economic Development Program; Crescent Valley Town Advisory Board (2); Nye County Board of Commissioners (2); Esmeralda County/Yucca Mountain newsletter; Nevada Assoc. of Counties (11); Nevada Republican Party; Nevada Deferred Compensation; Department of Taxation; Nevada Committee on Legislative Operations; Nevada Division of Environmental Protection (4); Nevada Dept. of Transportation; NDOT Centerline newsletter; Nevada POOL/PACT: Nevada Rural Housing Authority; Nevada Div. of Welfare & Supportive Services; Public Utilities Commission of Nevada; NHD Reporter; Nevada Connections; California Regional Water Authority; National Assoc. of Counties (2); US Geological Survey; US Dept. of the Interior-BLM; and Main Street Market Update.

Chairman Ithurralde noted that Governor Jim Gibbons will be at the Eureka Opera House on May 20<sup>th</sup>. Commissioner Fiorenzi will attend the meeting on behalf of the Board.

## **EUREKA COUNTY ASSESSOR**

**Authorization to Dismiss Unsecured Tax Amounts:** Michael Mears, County Assessor, presented information on two tax accounts for oil and gas (OG) leases that have been uncollectible for four years because the contact information received from the BLM is not accurate. Updated information regarding correct addresses and whether the leases are still active has been requested repeatedly from the BLM, but each year they provide the same information. Additionally, the cost to collect the tax exceeds the amounts due. Commissioner Fiorenzi motioned to dismiss the unsecured tax amounts for accounts OG 244 in the amount of \$569.57, and OG 279 in the amount of \$1,980.09; Commissioner Page seconded the motion; motion carried 3-0. Regarding the mobile home account listed on the agenda, Mr. Mears stated no action was necessary.

**Department of Motor Vehicles Interlocal Contract:** The County contracts with the Department of Motor Vehicles every two years, which allows the Assessor's Office to administer certain DMV functions. Mr. Mears presented the Interlocal Contract, which remained unchanged from previous years. Commissioner Fiorenzi motioned to sign the Department of Motor Vehicles two-year Interlocal Contract; Commissioner Page seconded the motion; motion carried 3-0. The contract must also be approved by the Board of Examiners and the Attorney General. Mr. Mears continues working towards bringing more DMV functions to the County, but with the recent State budget cuts it is probably unlikely in the near future.

## **SENIOR CENTERS**

**Division of Aging Grants:** Commissioner Fiorenzi motioned to sign the Division for Aging grant documents for: Congregate Meals (\$15,843.00 with a County match of \$2,796.00); Homebound Meals (\$21,456.00 with a County match of \$3,787.00); and Transportation (\$16,875.00 with a County match of \$2,978.00). Commissioner Page seconded the motion. Motion carried 3-0. Adell Panning informed the Board of two other grant applications that had to be submitted by May 22<sup>nd</sup> for funding from the American Recovery and Reinvestment Act. These grants did not require Commission approval; are one-time grants for Congregate Meals (\$6,743.00) and Homebound Meals (\$2,094.00) with a minimal County match.

## **SWIMMING POOL/PARKS/RECREATION**

**Update Report:** Cindy Adams, Parks, Recreation, & Facilities Director, reported on Eureka Swimming Pool and recreation activities. There were 550 total swimmers since April 20<sup>th</sup>. Duckwater Elementary School students participated in a Water Safety Class provided by the pool staff. There are nine Water Safety Instructor candidates enrolled in a 31-hour class.

The Eureka High School Rodeo Club has been preparing the Fairgrounds for the High School Rodeo May 23<sup>rd</sup> and 24<sup>th</sup>. The club members have all signed waivers for use of the facility for practices. The County Ball Park is being used for softball, little league, and community use. The Town Park water has been turned on, the bathrooms are open, and the lawns have been mowed and watered. The servicemen banners are hung on Main Street, sidewalks are swept, flower boxes are set up, and trees have been watered. Parks and Recreation staff helped with trash removal during the recent car show.

**Resolutions Honoring Local Servicemen:** Ms. Adams reported that three young men from Eureka County – Robert Evans, Tyree Wright, and Cory , Roberts Evans of the Army, Tyree Wright of the Navy, and Kory Bleazard have recently concluded their service in the United States Armed Forces, and honorarium resolutions have been drafted. On Memorial Day, the local Veterans of Foreign Wars (VFW) Eureka Post 8194 will present the retired street banners and resolutions to the men. Commissioner Fiorenzi motioned to approve the resolutions for the three servicemen; Commissioner Page seconded the motion; motion carried 3-0. Jackie Berg, Clerk & Treasurer, read the resolutions for the record.

**RESOLUTION**  
**RECOGNIZING ROBERT EVANS,**  
**A COMMUNITY MEMBER OF EUREKA COUNTY, NEVADA**

WHEREAS, the Board of Eureka County Commissioners wish to honor and commend Robert Evans for services to his Country by serving in the Armed Forces of the United States of America;

WHEREAS, Robert Evans faithfully served from September 7, 2002, through January 10, 2008, in the United States Army;

NOW THEREFORE BE IT RESOLVED the Board of Eureka County Commissioners recognize and honor Robert Evans for his loyal commitment to the United States of America. The County Clerk is hereby directed to publish this resolution in the minutes of the Eureka County Commissioners and provide a copy to Robert Evans.

ADOPTED this 18<sup>th</sup> day of May, 2009.

EUREKA COUNTY BOARD OF COMMISSIONERS  
EUREKA COUNTY, NEVADA

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

By: /s/Leonard Fiorenzi  
Leonard Fiorenzi, Vice Chairman

ATTEST: /s/ Jackie Berg  
Jackie Berg, County Clerk

By: /s/ Mike Page  
Mike Page, Member

**RESOLUTION**  
**RECOGNIZING KORY BLEAZARD,**  
**A COMMUNITY MEMBER OF EUREKA COUNTY, NEVADA**

WHEREAS, the Board of Eureka County Commissioners wish to honor and commend Kory Bleazard for services to his Country by serving in the Armed Forces of the United States of America;

WHEREAS, Kory Bleazard faithfully served from August 21, 2005, through April 11, 2008, in the United States Army;

NOW THEREFORE BE IT RESOLVED the Board of Eureka County Commissioners recognize and honor Robert Evans for his loyal commitment to the United States of America. The County Clerk is hereby directed to publish this resolution in the minutes of the Eureka County Commissioners and provide a copy to Kory Bleazard.

ADOPTED this 18<sup>th</sup> day of May, 2009.

EUREKA COUNTY BOARD OF COMMISSIONERS  
EUREKA COUNTY, NEVADA

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

By: /s/Leonard Fiorenzi  
Leonard Fiorenzi, Vice Chairman

ATTEST: /s/ Jackie Berg  
Jackie Berg, County Clerk

By: /s/ Mike Page  
Mike Page, Member

**RESOLUTION**  
**RECOGNIZING TYREE WRIGHT,**  
**A COMMUNITY MEMBER OF EUREKA COUNTY, NEVADA**

WHEREAS, the Board of Eureka County Commissioners wish to honor and commend Tyree Wright for services to his Country by serving in the Armed Forces of the United States of America;

WHEREAS, Tyree Wright faithfully served from February 3, 2003, through February 3, 2008, in the United States Navy;

NOW THEREFORE BE IT RESOLVED the Board of Eureka County Commissioners recognize and honor Robert Evans for his loyal commitment to the United States of America. The County Clerk is hereby directed to publish this resolution in the minutes of the Eureka County Commissioners and provide a copy to Tyree Wright.

ADOPTED this 18<sup>th</sup> day of May, 2009.

EUREKA COUNTY BOARD OF COMMISSIONERS  
EUREKA COUNTY, NEVADA

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

By: /s/Leonard Fiorenzi  
Leonard Fiorenzi, Vice Chairman

ATTEST: /s/ Jackie Berg  
Jackie Berg, County Clerk

By: /s/ Mike Page  
Mike Page, Member

Surplus Property: Commissioner Fiorenzi made a motion declaring the old lap lanes from the Swimming Pool as surplus property pursuant to Eureka County Code, Title 3, Chapter 20, Section .130; Commissioner Page seconded the motion; Motion carried 3-0.

Donate Old Lap Lanes: Ms. Adams reported that swimming pools located closest to Eureka were contacted, and Tonopah is in need of lap lanes. Commissioner Fiorenzi motioned to donate the old lap lanes to the Tonopah Memorial Pool; Commissioner Page seconded the motion; motion carried 3-0.

## **COUNTY FACILITIES AND ECONOMIC DEVELOPMENT**

Update Report: Wally Cuchine, Cultural, Tourism, and Economic Development Director, reported on the car show and Highway 50 yard sale held over the past weekend. Both events were quite successful, with 74 cars at the show, and 25 tables at the yard sale. A concert by Patrick Ball was held on May 15<sup>th</sup> at the Opera House, but the music style wasn't that attractive to the car buffs, so next year Mr. Cuchine will reconsider scheduling a concert that same weekend. The Sentinel Museum is now open seven days a week and tourist volume is high.

Grant Application: Mr. Cuchine applies for an economic development grant each year which usually funds half of the cost of the Economic Development office. Although funds may not be available this year, everyone is being encouraged to apply. Commissioner Fiorenzi motioned to authorize the Cultural, Tourism, and Economic Development Director to write and submit a grant application in the amount of \$30,000.00 to the Nevada Commission on Economic Development; Commissioner Page seconded the motion; motion carried 3-0.

## **AMBULANCE AND EMS**

Update Report: Mike Sullivan, EMS Coordinator, reported on ambulance service activities since April 20<sup>th</sup>. Eureka had seven calls for service (32 year-to-date) and Crescent Valley had four calls (22 year-to-date). Mr. Sullivan reported on volunteer staffing levels and continuing education training. Mr. Sullivan will be traveling to Washington State to inspect and pick up the new ambulance. Delivery was delayed because the radio was backordered. The High School Emergency Medical Technician class will take the national registry test on May 22<sup>nd</sup>. Infection control supplies for the Swine Flu have been received and distributed.

Ambulance Bill Write-Off: Commissioner Fiorenzi motioned to approve ambulance bill write-off for patient #2005305 in the amount of \$30.00; Commissioner Page seconded the motion; motion carried 3-0.

## **COOPERATIVE EXTENSION**

2009 Extension Accomplishment Report: Gary McCuin, Cooperative Extension Educator, provided the 2009 Extension Accomplishment Report for calendar year 2008. Mr. McCuin reviewed areas of work completed or in progress: needs assessment for Eureka County; Cooperative Permittee Monitoring Program; Nevada Partners in Conservation and Development; Firesafe Council; riparian management; Eureka Moly water monitoring; Diamond Valley Irrigators; Nevada Youth Range Camp; Annual Society for Range Management Youth Forum; Eureka Hay Contest; pinion-juniper hydrologic research; herbicide trial on elongated mustard; co-authored and peer-reviewed several publications; four grant activities; UNCE White Pine Search Committee; mandatory personnel management training; professional development activities and Alfalfa Symposium in Imperial Valley; Society for Range Management; Eureka County High School Career Day; and regular Extension Office activities. Mr. McCuin will teach at Ecology Day in Winnemucca on May 19<sup>th</sup>.

## **EUREKA COUNTY 4H PROGRAM**

4H Program Activities: Lynn Conley, 4H Program Assistant, provided a copy of the 2008 Eureka County 4H Report. In 2008 there were ten finger-printed leaders and 27 members enrolled in 4H. For 2009, there are 30 members enrolled and new leaders are being recruited. Last year a grant in the amount of \$5,400.00 for shooting sports provided new guns, start-up materials, and funding to hold the Shooting Sports Leader Training in Eureka, which resulted in three certified leaders for the local program. A County sponsored shooting match is planned for 2009, and Eureka may host the State competition.

2008 4H activities included a fashion review; livestock judging team and competition; livestock projects; nutrition and management practices; Fair Promotion Day; community service projects; Farmer's Market participation; 2008 Fair exhibits; 2008 Fair livestock show and sale; 4H Achievement and Supporter Appreciation Night; and carcass contest results.

## **SEVENTH JUDICIAL DISTRICT COURT**

Fiscal Year 2009-2010 Cooperative Agreement: Commissioner Fiorenzi made a motion to sign the Fiscal Year 2009-2010 Cooperative Agreement between White Pine, Lincoln, and Eureka Counties for common costs related to the Seventh Judicial District Court. Commissioner Page seconded the motion. Motion carried 3-0. Eureka County's portion is ten percent of actual costs and is based on population.

## **COUNTY ENGINEER**

Town of Eureka Volunteer Fire Station Project: Tom Young, County Engineer, reported on progress of the Eureka Volunteer Fire Station Project. Exterior brickwork is continuing; interior drywall is hung and taped and ready to be textured; painting should begin the following week; and site work will continue with concrete being poured.

Ruby Hill Sidewalk Project: The pre-construction conference on the Ruby Hill Sidewalk Project will be held the week of June 8<sup>th</sup>, with construction beginning the following week.

2009 Street Maintenance Project: Mr. Young studied the road behind the Elementary School, and paving the entire road may cause some drainage difficulties. The Board will consider this again in the fall. The 2009 Street Maintenance Project plans will be completed soon and the project will be ready to advertise for a June 19<sup>th</sup> bid opening, with construction expected to commence after July 4<sup>th</sup>.

2009 Landfill Capacity Study and Closure Cost Estimate: Mr. Young reported on results of the 2009 Landfill Capacity and Closure Cost Estimate. From 2003 to 2009, 37,000 yards of material (waste and cover soil) was placed in the Landfill. With these figures and today's usage, life of the Landfill is estimated at 26 years; however, an increase in population would decrease that life expectancy. Total closure costs are estimated near \$1 million, including construction costs of nearly \$600,000.00. Maintenance after the closure is estimated at \$250,000.00. Commissioner Fiorenzi motioned to accept the 2009 Landfill Capacity Study and Closure Cost Estimate. Commissioner Page seconded the motion. Motion carried 3-0.

Mr. Young attended the NACO meeting on May 15<sup>th</sup>, but no decisions were made on distribution of the \$7 million available (federal stimulus money) for county and city road projects.

## **BID OPENING – 2009 AIRPORT MAINTENANCE PROJECT**

Bid Opening: Mr. Damele and Mr. Young opened bids for the 2009 Airport Maintenance Project. Bids were received from: MKD Construction, Inc. (\$377,240.00 BASE BID, \$120,760 FOR ALTERNATES = \$498,000.00 TOTAL); Sierra Nevada Construction (\$333,647.00 BASE BID, \$145,360 FOR ALTERNATES = \$479,007.00 TOTAL); and Intermountain Slurry Seal, Inc. (\$368,400.00 BASE BID, \$137,350.00 FOR ALTERNATES = \$505,750.00 TOTAL). Commissioner Fiorenzi motioned to accept the three bids into the record as received for the 2009 Airport Maintenance Project;

Commissioner Page seconded the motion; motion carried 3-0. The grant will be sent to the Federal Aviation Administration and a response must be received before the bid can be awarded; 75 days are allowed to award the bid.

**RECESS FOR LUNCH**

The Board recessed for lunch from 11:54 a.m. to 1:01 p.m.

**PUBLIC HEARING TO SET FISCAL YEAR 2009-2010 TAX RATES**

Notice was given that the Eureka County Board of Commissioners would hold a public hearing to adopt the tax rates for the fiscal year beginning July 1, 2009. The purpose of this hearing was to accept comments from the public and to take action to adopt the tax rates. *No tax increases were proposed.* Following are the proposed tax rates for the various political subdivisions in Eureka County:

Eureka County	\$0.8458	Eureka Town	\$0.2153
Television District	\$0.0085	Crescent Valley Town	\$0.2153
Diamond Vly Weed Dist.	\$0.0781	Diamond Vly Rodent Dist.	\$0.0400
Eureka School District	\$0.7500	Eureka School Bond	\$0.1625
State of Nevada	\$0.1700		

Chairman Ithurralde called for public comments. There were none. Commissioner Fiorenzi motioned to approve the tax rates as proposed, noting there were no County tax rate increases; Commissioner Page seconded the motion; motion carried 3-0. The Board discussed possible implications of a State tax rate increase.

Agriculture Extension Fund for FY 2009-2010: Any amount in excess of the mandated one cent tax rate for agricultural extensions must be approved unanimously by the Board of County Commissioners. In recent years, Eureka County has allocated a two cent rate to the agricultural extension. Commissioner Fiorenzi motioned to set the tax rate at \$0.02 for the Agricultural Extension Fund for Fiscal Year 2009-2010; Commissioner Page seconded the motion; motion carried 3-0.

Eureka, Nevada	May 18, 2009
<b>RESOLUTION</b>	
<b>APPROVING A \$.02 TAX RATE FOR THE AGRICULTURE EXTENSION FUND FOR FISCAL YEAR 2009-2010</b>	
WHEREAS, the Board of Eureka County Commissioners is committed to the proper funding of Eureka County Agricultural Extension Fund and its 4H program; and	
WHEREAS, the Board of Eureka County Commissioners with this resolution is complying with NRS 549.020(2) and supports the additional \$.01 in addition to the mandated \$.01 for the Agricultural Extension Fund;	
NOW THEREFORE, IT IS HEREBY RESOLVED, that he Board of the Eureka County Commissioners on behalf of the citizens of Eureka County is unanimously approving a \$.02 tax rate for the Eureka County Agricultural Extension Fund for Fiscal Year 2009-2010.	
ADOPTED this 18 <sup>th</sup> day of May, 2009.	
Attest: <u>/s/ Jackie Berg, Clerk of the Board</u> Jackie Berg, Clerk	Board of Eureka County Commissioners County of Eureka, State of Nevada By: <u>/s/ J.P. Ithurralde</u> J.P. Ithurralde, Chairman By: <u>/s/ Leonard Fiorenzi,</u> Leonard Fiorenzi, Vice Chairman By: <u>/s/ Michael Page</u> Michael Page, Member

## **PLANNING COMMISSION AND COMMUNITY DEVELOPMENT**

Eureka County Master Plan Professional Services: Jim Evans, Community Development Coordinator, provided a copy of the screening and ranking criteria summary utilized by the Planning Commission to review eleven applicants and select the top five candidates for the Master Plan revision.

Top-Ranked Candidates: The Board discussed the process of having the Planning Commission interview the top-ranked candidates and ranking the top three, to be followed by contract negotiations with the County Commissioners. Commissioner Fiorenzi made a motion that the Planning Commission interview the top five consulting firms, select the top three and rank them accordingly; the number one ranked candidate will negotiate a contract price with the County Commissioners with the understanding that if an acceptable price cannot be reached, negotiations will take place with the second ranked candidate and the third ranked candidate, if needed. Commissioner Page seconded the motion. Motion carried 3-0.

## **EUREKA COUNTY CLERK AND TREASURER**

Treasurer's Report for April 2009: The Board reviewed the April 2009 Treasurer's Report. Jackie Berg, County Clerk and Treasurer, explained that in light of the current interest rates, the County is doing well on the average, with Nevada State Bank offering especially competitive rates on certificates of deposit. Pursuant to the Investment Committee's instructions, as funds liquidate they are reinvested in Treasury Bonds, which are extremely secure but are presently at very low interest rates. Commissioner Fiorenzi questioned the NVEST service charges and Ms. Berg agreed to look into the fees, but believed they were transaction fees related to US Treasury Bond purchases.

## **NEPA COMMITTEE**

Update Report: Jake Tibbitts, Natural Resources Manager, reported on the National Environmental Policy Act (NEPA) Committee meeting on May 7<sup>th</sup>. At that meeting, Pat Rogers, General Moly, gave an update on Mount Hope activity. General Moly is drilling observation wells around existing wells near the planned pit area and will be pump testing (per recommendation of the BLM) to study the hydrogeology around the pit. Completion of the Hydrology Model Report is expected in September or October 2009.

Mount Hope Correspondence: There was no new correspondence to discuss.

Letter Requesting Data Sharing: Mr. Tibbitts explained that the County has had a verbal agreement with General Moly that water monitoring data would be shared freely, but there has been no formal agreement. Mary Tumbusch, USGS, is finishing up Phase 2 of the Diamond Valley Flow System Study and would like to incorporate data in the report from General Moly. The BLM has agreed to release the data for Mr. Rogers to share with the USGS. A letter was drafted to General Moly stressing the importance and usefulness of data sharing and requesting that the data be provided as soon as possible. Commissioner Fiorenzi made a motion to approve sending the letter to Pat Rogers of General Moly, Inc., requesting data sharing with the USGS for the Diamond Valley Flow System Study. Commissioner Page seconded the motion. Motion carried 3-0.

## **NATURAL RESOURCES**

Activity Report: Mr. Tibbitts attended the Yucca Mountain and Nevada Test Site Tours on May 13<sup>th</sup> and 14<sup>th</sup>, and a Wildlife Advisory Board meeting on May 11<sup>th</sup>.

Upcoming Meetings: Mr. Tibbitts will be attending: the special Commission meeting with Nevada Division of Forestry on May 19<sup>th</sup> to discuss Secure Rural Schools funding; a Natural Resource Advisory Commission (NRAC) meeting on May 20<sup>th</sup>; a meeting with Mary

Tumbusch, USGS; and a State Land Use Planning Advisory Council (SLUPAC) meeting May 29<sup>th</sup>. Two vacant positions for the NRAC will be advertised.

Natural Resources Related Legislation: Mr. Tibbitts reported that House Resolution (HR)1018 amends the Wild Horse and Burro Act (1971) and a letter was drafted in opposition of the amendments. HR1018 has already passed the House Committee on Natural Resources. Commissioner Fiorenzi motioned to approve and sign the letter in opposition to HR1018; Commissioner Page seconded the motion; motion carried 3-0.

Mr. Tibbitts drafted a letter in opposition to proposed amendments to the Clean Water Restoration Act, which would give the Federal Government control over any and all water (rivers, creeks, springs, etc.) in the United States. Commissioner Fiorenzi made a motion to approve and sign the letter opposing the amendments to the Clean Water Restoration Act, Senate Bill (S)787. Commissioner Page seconded the motion. Motion carried 3-0.

Other national Legislation involves hard rock mining, HR699 and S796, which could impact mining in counties such as Eureka. Mr. Tibbitts reported that State Legislation addressing the Silver State Tag is not progressing.

Joint Funding Agreement with USGS: Signing of the Joint Funding Agreement with the USGS for continuation of the Diamond Valley Flow System Study was delayed because the contract was post-dated and had not been placed on the agenda for action. After clarification, the date on the contract is not an issue of concern. Commissioner Fiorenzi motioned to approve and sign the Joint Funding Agreements with the USGS for continuation of the Diamond Valley Flow System Study, Phase III. Commissioner Page seconded the motion. Chairman Ithurralde indicated that the dates of the study were incorrect in the body of the agreement. Commissioner Fiorenzi amended his motion to authorize the Chairman to sign the contract once the study dates are established and corrected on the contract; Commissioner Page seconded the motion; motion carried 3-0.

Mr. Tibbitts described several new water rights applications in Eureka County. These water rights have been applied for since April and are from General Moly/Kobeh Valley Ranch, Newmont, and Dennis West. Mr. West's applications have raised concerns among some farmers, because they would transfer water rights from pivot corners to a crested wheat seeding. Kobeh Valley Ranch submitted a change application for mining and milling water rights in Diamond Valley. The addendum following the Kobeh Valley Ranch applications is of concern because it states that a maximum annual volume of 16,000 acre feet is being sought for mining and milling.

### **BID AWARD - EUREKA COUNTY COURTHOUSE RE-ROOF PROJECT**

Bid Award: Mr. Damele and Mr. Dolven reported on the five bids received earlier in the day's meeting. Building Solutions, Inc. was the apparent low bidder at \$151,502.00 and will be subcontracting R&R Roofing. Commissioner Fiorenzi motioned to award the Eureka County Courthouse Re-Roof Project to Building Solutions, Inc., in the amount of \$151,502.00, as recommended; Commissioner Page seconded the motion; motion carried 3-0.

### **PUBLIC WORKS**

Flooring Bids for Eureka Senior Center: Ron Damele, Public Works Director, reported on bids obtained for flooring at the Eureka Senior Center. Two bids were received from: BT Mancini Co. in the amount of \$33,186.00; and Carpet One-Desert Design in the amount of \$30,700.80. Mr. Damele recommended awarding to the lowest bidder.

Bid Award: Commissioner Fiorenzi made a motion to award the bid to remove and replace the flooring at the Eureka Senior Center to Carpet One-Desert Design of Elko, in the amount of \$30,700.80; Commissioner Page seconded the motion; motion carried 3-0.

Crescent Valley Well #2 Replacement: Development of the replacement well in Crescent Valley is complete; the pitless adapter will be installed, followed by the pump and pump testing.

Eureka County Water Conservation Plan: Mr. Damele explained that pursuant to NRS, the County is required to have a water conservation plan. The plan has just been updated, sent to the State for review, and was found to meet the criteria set by the Division of Water Resources. The Eureka County Water Conservation Plan will be mailed to each water customer of the Crescent Valley, Devil's Gate GID, and Eureka Town systems, and will be made available to all new customers applying for service. Commissioner Fiorenzi made a motion to accept the Water Conservation Plan for Eureka County; Commissioner Page seconded the motion; motion carried 3-0.

Resolution Supporting Eureka County Water Conservation Plan: Commissioner Page motioned to approve signing a resolution in support of implementing the Eureka County Water Conservation Plan. Commissioner Fiorenzi seconded the motion. Motion carried 3-0.

Eureka, Nevada

May 18, 2009

**RESOLUTION**  
**TO ADOPT A JOINT WATER CONSERVATION PLAN FOR THE**  
**TOWN OF EUREKA WATER SYSTEM,**  
**DEVIL'S GATE GID DISTRICT #1 AND DISTRICT #2,**  
**AND CRESCENT VALLEY TOWN WATER SYSTEM**

WHEREAS, the Board of Eureka County Commissioners wish to adopt a joint water conservation plan for the Town of Eureka, Devil's Gate GID District 1 & 2, and the Town of Crescent Valley; and

WHEREAS, Eureka County is dedicated to promoting water conservation through public outreach, customer education and responsible stewardship; and

WHEREAS, the water conservation plan will be provided to customers of the Eureka County water systems in an effort to increase public awareness of the limited supply of water in Nevada and the need to conserve water;

WHEREAS, Eureka County has programs in place to identify and reduce water system leakage, inaccuracies in water meters and to monitor distribution system pressures;

WHEREAS, Eureka County acts immediately to repair leaks as soon as they are identified and water operators check each system twice a day;

NOW THEREFORE BE IT RESOLVED by the Board of Eureka County Commissioners, who are also the Board of Directors of the Devil's Gate GID Board that:

1. The joint water conservation plan for the Town of Eureka, Devil's Gate GID District 1 & 2, and the Crescent Valley Town be adopted.
2. The joint water conservation plan be available and distributed to users in the Town of Eureka, Devil's Gate GID District 1 & 2 and Crescent Valley Town water systems.

Adopted this 18<sup>th</sup> day of May, 2009.

/s/ J.P. Ithurrealde

J.P. Ithurrealde  
Chairman, Eureka County Commissioner  
Member, Devil's Gate GID Board

/s/ Leonard Fiorenzi

Leonard Fiorenzi  
Chairman, Devil's Gate GID Board  
Vice-Chair, Eureka County Commissioners

/s/ Mike Page

Mike Page  
Vice-Chair, Devil's Gate GID Board  
Member, Eureka County Commissioner

Attest: /s/ Jackie Berg  
County Clerk

Landfill Job Descriptions: Mr. Damele provided updated job descriptions, explaining that a job description incorporating the Landfill Operator and Landfill Attendant positions was revised to reflect a Landfill Attendant working directly under the Landfill Operator. The Landfill Attendant position will begin at a salary Range 115. Commissioner Page made a motion to approve the job description for the Landfill Attendant at Range 115 to become effective July 1, 2009; Commissioner Fiorenzi seconded the motion; motion carried 3-0.

Beowawe Road Maintenance Equipment Operator/Mechanic Job Description: The job description for the Beowawe Road Maintenance Equipment Operator/Mechanic was revised to include additional mechanical duties. The Equipment Operator and Mechanic 1 positions were merged to better reflect the position and will begin at salary Range 116. Commissioner Page made a motion to approve the job description for the Beowawe Road Maintenance Equipment Operator/Mechanic at Range 116 to become effective July 1, 2009; Commissioner Fiorenzi seconded the motion; motion carried 3-0.

Weed Control Technician: A letter of resignation was received from Weed Control Technician, Ellen Mariluch, effective September 30, 2009. It will be difficult to fill this position with someone as knowledgeable of the entire County, and Ms. Mariluch has agreed to participate in training of the new employee. Many of the large grant-funded projects are complete, and Mr. Damele would like to downgrade this position from full-time/benefited to part-time and reevaluate that in one year. Commissioner Fiorenzi motioned to replace the retiring Weed Control Technician with a casual employee on a one-year trial basis, with a status report at the end of that period; Commissioner Page seconded the motion; motion carried 3-0.

Speaker System for Fairgrounds and Ball Park: Mr. Damele requested authorization to go to bid for new speaker systems for the Fairgrounds and Ball Park, as well as a portable system for the County. The Fairground system will be wireless, and costs for the systems have been budgeted. Commissioner Fiorenzi made a motion to authorize Public Works to go to bid for a new speaker systems for the Fairgrounds and Ball Park, as well as a portable speaker system; Commissioner Page seconded the motion; motion carried 3-0.

Scope of Work – Lumos & Associates: Tom Young, of Lumos & Associates, provided the County with a cost estimate for construction oversight and testing for the Eureka Water Tank/Booster Project, Eureka Town Fire Station Project, Ruby Hill Sidewalk/Sewer Project, JD Ranch Bridge Project, Airport improvements, and Street Maintenance Project. Mr. Damele stated that with the number and importance of projects scheduled, he recommended full-time observation to ensure they are constructed and installed correctly. Commissioner Fiorenzi motioned to approve the construction management budget for 2009 for the six projects, not to exceed \$474,000.00; Commissioner Page seconded the motion; motion carried 3-0.

Mr. Damele reported there are non-contract costs associated with running power to the new Eureka Town Volunteer Fire Station. The cost of \$20,315.00 to Mount Wheeler Power will include the transformer, labor, and supplies. The Board agreed these costs are necessary and the matter will be brought to the Board on June 8<sup>th</sup> for approval.

Update Report on Eureka Canyon Subdivision: Tim Arnold, General Manager for Eureka Moly, LLC, reported that in order to gather information on localized water in the Mount Hope pit area, several wells are being drilled and pump testing conducted. Regarding the Eureka Canyon Subdivision, soil erosion, stabilization, dust abatement, and noxious weed control is being planned for the site; related cost estimates are being prepared, and ongoing monitoring will be conducted regularly. Immediate plans include seeding of the area and using the juniper wood chips to cover the slopes. Carrie Dubray of General Moly will contact the County's Weed Control Technician to participate in some of the onsite monitoring.

Mr. Damele asked Mr. Arnold about the construction schedule and security of the site, stating there has been some vehicle encroachment which is a concern because of the open

ditches, and further recommended that the site be fenced. Mr. Arnold stated the ditches will be filled in when the pipes are properly capped. Construction is expected to resume following release of the EIS (environmental impact statement) expected mid-summer 2010, and the ROD (record of decision) subsequent to the EIS. Completion of the subdivision is reliant on the ROD and obtaining financing.

Regarding relocation of the dog pound, Mr. Damele suggested that Eureka Moly utilize available funds for site stabilization and postpone moving the dog pound. Commissioner Fiorenzi pointed out that the lease for the site is in default and Eureka Moly should be renegotiating the lease to coordinate with their delayed schedule. Mr. Arnold promised to provide the Board with an updated written schedule as soon as their draft is finalized and to address the dates in the lease.

Tom Young believed that the original Storm Water Pollution Prevention Plan (SWPPP) for the site had been filed by the contractor, Ames Construction, and informed Mr. Arnold that if Ames is no longer the responsible party, Eureka Moly needs to re-file this with the Nevada Division of Environmental Protection. The discussion concluded by Mr. Damele requesting that Mr. Arnold attend one Commission meeting a month for the next several months.

### **EUREKA GYMKHANA CLUB**

Request to Water Arena: Kim Todd, Gymkhana organizer, requested assistance from the Road Department to water the Fairgrounds arena for the Gymkhana on June 27, 2009. Mr. Damele commented that a tractor is usually provided also. Commissioner Fiorenzi made a motion to approve the request for the Eureka County Road Department to provide a tractor and water the arena prior to the Eureka Gymkhana, scheduled for June 27, 2009. Commissioner Page seconded the motion. Motion carried 3-0.

### **EASTERN NEVADA COMMUNITIES COALITION**

Mud Volleyball Fundraising Event: Eleny Carrion, community representative, explained that the proposed mud volleyball tournament during the County Fair does not require County involvement and will be the responsibility of the Activities Committee, through the Eastern Nevada Communities Coalition. This will be a fundraising event titled the Ron Carrion Memorial Tournament. The Activities Committee will set up the pit, and all time and materials are being donated. Nine teams have already signed up for the tournament. The Fair Board is in favor of this event being held during the Fair. Commissioner Fiorenzi motioned to approve the request to hold mud volleyball event during the 2009 County Fair, contingent on the Fair Board agreeing to the details and that no assistance is required from the County. Commissioner Page seconded the motion. Motion carried 3-0. The Board requested a letter from the Fair Board stating their consensus.

### **CRESCENT VALLEY TOWN ADVISORY BOARD (CVTAB)**

Street Light Request: A letter was received from the CVTAB requesting a street light over the crosswalk on Highway 306 and 4<sup>th</sup> Street. Mr. Damele reported that the County is awaiting a permit from the Nevada Department of Transportation (NDOT) because the light will be placed in a NDOT right-of-way. Gust Electric will be asked to provide a bid on running 250 feet of power to the light. Commissioner Page motioned to approve the street light request. Commissioner Fiorenzi seconded the motion and recommended that Public Works document any correspondence with NDOT. Motion carried 3-0, as amended.

### **ELKO-LANDER-EUREKA COUNTY LIBRARY SYSTEM**

Library Contract: Commissioner Fiorenzi motioned to approve the contract with the Elko County Library System, in the amount of \$101,325.00, for library services in Eureka County for

Fiscal Year 2009-2010; Commissioner Page seconded the motion; motion carried 3-0. The Chairman noted that feasibility of the Beowawe Library should be considered in the future.

### **FISCAL YEAR 2009-2010 FINAL BUDGET**

Budget Items: Mr. Rebaleati reported that the County health insurance carrier will change from Hometown Health to St. Mary's effective July 1, 2009. Informational meetings will be offered to the employees as part of open enrollment. Mr. Rebaleati has contacted NDOT to request the closure of a portion of Highway 50 during the 4<sup>th</sup> of July street events; an official detour plan will be required; items relevant to this matter will be placed on the next agenda.

Mr. Rebaleati reviewed priority capital improvements scheduled over the next three years, as well as the overall five year capital improvement plan with projects totaling an estimated \$40,035,300.00. Expenditures from all major County funds were also reviewed (these items were discussed in detail throughout the previous budget meetings). Mr. Rebaleati explained minor changes made to the ad valorem and net proceeds projections from the tentative budget to the final budget, mainly to avoid overestimating these categories.

Final Budget Approval: Commissioner Fiorenzi motioned to approve the FY 2009-2010 Final Budget; Commissioner Page seconded the motion; motion carried 3-0. All departmental top sheets were signed by the Board for transmittal to the Nevada Department of Taxation.

### **COMMISSIONERS**

Update Reports: Commissioner Page toured Yucca Mountain and the Nevada Test Site the previous week, and visited a park in Lovelock with low watering features. Chairman Ithurralde attended a litigation meeting in Carson City, a NACO teleconference, an Investment Committee meeting, and a meeting with Virgil Roper and Phil Schmitz, Chief of the Crescent Valley Fire Department.

Mobile Home Ordinance: The Board reviewed further revisions to the Mobile Home Ordinance (Title 8, Planning Commission, Chapter 140 of the Eureka County Code). A lengthy discussion ensued on various mobile home requirements, inspections and which entity is responsible for different inspections. Commissioner Fiorenzi stated that there are enforcement issues and it didn't make sense to adopt an ordinance that the County isn't going to enforce. Mr. Damele suggested holding a workshop with the Division of Manufactured Housing, and final decisions regarding the ordinance could be made following that meeting. Chairman Ithurralde asked that this be posted as a special meeting so that the full Board could attend.

### **PUBLIC COMMENT**

Chairman Ithurralde called for public comments. Mr. Beutel noted that the County has authority over and is responsible for certain aspects of housing, and should consider public health, safety, welfare, and fire issues when considering the County ordinance dealing with mobile homes.

Nevada Health Centers sent a letter regarding telemedicine. The Nevada Legislature is considering an amendment to alleviate the requirement of a pharmacy technician in rural areas.

Mr. Rebaleati provided copies of proposed updates to the 2006 Eureka County Code, Title 2, Chapter 50, Personnel Policy. The changes would amend existing portions to solidify the Retiree Health Insurance Premium Fund and retiree buy-out options for current employees. These matters will be discussed at a future Board meeting. There were no other comments.

### **ADJOURNMENT**

At 3:43 p.m., Commissioner Fiorenzi motioned to adjourn the meeting; Commissioner Page seconded the motion; motion passed 3-0.

Approved this 8<sup>th</sup> day of June, 2009.

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

Attest: /s/ Jackie Berg  
Jackie Berg, Clerk