

**EUREKA COUNTY BOARD OF COMMISSIONERS**

**May 20, 2022**

STATE OF NEVADA        )  
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COUNTY OF EUREKA     )

**CALL TO ORDER**

The Board of Eureka County Commissioners met pursuant to law on May 20, 2022. Present were Chairman J.J. Goicoechea, Vice Chair Michael Sharkozy, Commissioner Rich McKay, District Attorney Ted Beutel, and Administrative Assistant 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 between Crescent Valley and Eureka for the entire meeting.

**APPROVAL OF AGENDA**

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

**PUBLIC COMMENT**

Chairman Goicoechea opened the floor for public comments; there were none.

**APPROVAL OF MINUTES**

March 21, 2022: Commissioner Sharkozy motioned to approve minutes of the March 21, 2022, meeting; Chairman Goicoechea seconded the motion; motion carried 2-0, with Commissioner McKay abstaining since he was unable to attend that meeting.

**COMPTROLLER**

Payment of Expenditures: Expenditures were presented for approval by Comptroller Administrative Assistant DeeAnna Colby. An invoice from Sierra Controls exceeded the six month limit. Jeb Rowley explained that the invoice for services had been paid, but travel related to those services had not been previously billed. Commissioner McKay motioned to approve payment of \$215.00 to Sierra Controls LLC; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Commissioner Sharkozy motioned to approve expenditures in the amount of \$278,426.89 for accounts payable, and \$201,106.57 for payroll and benefit related expenses (including employee paid deductions), for a grand total of \$479,533.46. Commissioner McKay seconded the motion. Motion carried 3-0.

Fund Balance Report: The Board reviewed the current fund balance report.

**COMMISSIONERS**

County Health Officer: Appointment of the County Health Officer should be made on or before January 1<sup>st</sup> following each General Election. This was overlooked after the 2020 General Election, so was placed on the agenda to confirm appointment through the current term.

Commissioner McKay motioned to ratify appointment of J.J. Goicoechea as County Health Officer for the period of January 1, 2021, through December 31, 2022; Commissioner Sharkozy seconded the motion; motion carried 3-0.

**SENIOR CENTERS**

New Position Description: Senior Center Program Director Millie Oram presented a job description for the budgeted position of Kitchen Aide/Custodian, explaining that she worked with Heidi Whimple and Raymond Hodson on the job description for this shared position (75% Senior

Center / 25% Public Works). This was previously a casual position at the Fannie Komp Senior Center that the Board authorized upgrading to a full-time shared position.

Commissioner Sharkozy motioned to approve the job description for the full-time position of Kitchen Aide/Custodian; Commissioner McKay seconded the motion; motion carried 3-0.

Hiring Freeze Waiver Justification – Kitchen Aide/Custodian: The Board reviewed the Hiring Freeze Waiver Justification. Commissioner Sharkozy motioned to waive the hiring freeze and authorize the Director to fill the position of Kitchen Aide/Custodian in Crescent Valley; Commissioner McKay seconded the motion; motion carried 3-0.

## **AMBULANCE & EMS**

Report on Activities: EMS Director Kenny Sanders reported there were a total of 14 calls for ambulance service in April, with seven responses from the Eureka station and seven responses from the Crescent Valley station. This included five transports to hospitals (three to Battle Mountain and two to Elko), and two transfers to REACH Air.

EMS conducted a CPR class in Pine Valley the previous week. Candidates were interviewed for the vacant EMT position in Crescent Valley. The last of the upfitting equipment for the new command vehicle is on order, and the vehicle will be placed into service before the end of June.

Chairman Goicoechea observed that it was 2022 National EMS Week, and he took the opportunity to thank staff and volunteers at both ends of the County, adding that the communities are very lucky to have such a quality service.

## **TREASURER**

Treasurer’s Report: The Treasurer’s Report for April was submitted by Treasurer Pernecia Johnson, showing an ending General Fund balance of \$43,868,054.31.

## **PUBLIC HEARING – FISCAL YEAR 2022-2023 BUDGET & TAX RATES**

Notice of Public Hearing: Notice was given that the Board of County Commissioners would hold a public hearing on May 20, 2022, to finalize the budget and adopt tax rates for the fiscal year beginning July 1, 2022.

Open Public Hearing: Chairman Goicoechea opened the public hearing and invited comments on the tax rates and budgets for Fiscal Year 2022-2023.

Adopt Tax Rates: No changes to the tax rate were proposed. Commissioner Sharkozy motioned to adopt the tax rates for Fiscal Year 2022-2023 as presented; Commissioner McKay seconded the motion; motion carried 3-0.

<b><u>TAX RATES</u></b>	<b><u>FY 2021-2022</u></b>	<b><u>FY 2022-2023</u></b>
<b>EUREKA (GENERAL COUNTY)</b>	<b>\$0.9458</b>	<b>\$0.9458</b>
EUREKA TOWN	\$0.2153	\$0.2153
CRESCENT VALLEY TOWN	\$0.2153	\$0.2153
EUREKA COUNTY TV DIST	\$0.0085	\$0.0085
DIAMOND VLY WEED DIST	\$0.0781	\$0.0781
DIAMOND VLY RODENT DIST	\$0.0400	\$0.0400
STATE OF NEVADA	\$0.1700	\$0.1700
EUREKA CO SCHOOL DIST	\$0.7500	\$0.7500

Adopt Budget: Budgets were prepared for all entities under the jurisdiction of the County Commissioners, as follows: Eureka County, Eureka Town, Crescent Valley Town, Devil’s Gate GID, Diamond Valley Weed District, Diamond Valley Rodent District, and the Television District.

Commissioner Sharkozy motioned to adopt the Fiscal Year 2022-2023 budgets and sign the top sheets for submission to the Nevada Department of Taxation; Commissioner McKay seconded the motion; motion carried 3-0.

## **SHERIFF**

**Hiring Freeze Waiver Justification – Deputy I, II, III:** Undersheriff Tyler Thomas submitted the required documentation and requested authority to fill a vacant patrol deputy position. Commissioner McKay motioned to waive the hiring freeze and authorize the Sheriff’s Office to fill the vacant position of Deputy I, II, or III; Commissioner Sharkozy seconded the motion; motion carried 3-0.

## **CLERK RECORDER**

**Hiring Freeze Waiver Justification – Deputy Clerk Recorder I, II, III:** Clerk Recorder Kathy Bowling presented documentation justifying the request to fill a vacancy in her office. Commissioner Sharkozy motioned to waive the hiring freeze and authorize the Clerk Recorder to fill the vacant position of Deputy Clerk Recorder I, II, III; Commissioner McKay seconded the motion; motion carried 3-0.

**Final Polling Locations:** Ms. Bowling explained that she has made some revisions to the polling locations proposed before she took office, and she provided the Board with the following schedule:

### **Eureka County Courthouse, Clerk Recorder’s Office, 10 S. Main Street, Eureka**

May 28 <sup>th</sup>	9:00 a.m. to 1:00 p.m.
May 30 <sup>th</sup>	CLOSED MEMORIAL DAY HOLIDAY
May 31 <sup>st</sup> – June 3 <sup>rd</sup>	8:00 a.m. to 5:00 p.m. (Closed 12:00 p.m. to 1:00 p.m.)
June 4 <sup>th</sup>	9:00 a.m. to 1:00 p.m.
June 6 <sup>th</sup> -10 <sup>th</sup>	8:00 a.m. to 5:00 p.m.

### **Crescent Valley Town Hall, 5045 Tenabo Ave., Crescent Valley**

May 28 <sup>th</sup>	2:00 p.m. to 8:00 p.m.
June 3 <sup>rd</sup> -4 <sup>th</sup>	2:00 p.m. to 8:00 p.m.
June 10 <sup>th</sup>	2:00 p.m. to 8:00 p.m.

Ms. Bowling explained that moving early voting into the Clerk Recorder’s office (rather than the Opera House), will allow her and her staff to manage early voting and will alleviate the need to hire poll workers for those two weeks. It will also eliminate having to set up and take down the voting machines every day, which is unnecessary handling of the election equipment. Voting on Election Day will remain at the Opera House, as it has been traditionally. Notice of the Primary Election polling locations will be published in the newspaper and will be posted in numerous locations.

Commissioner McKay motioned to establish final polling locations for the 2022 Primary Election as presented by the Clerk; Commissioner Sharkozy seconded the motion; motion carried 3-0.

## **COUNTY FACILITIES**

**Facilities Update:** Joyce Jeppesen, Public Works Assistant Director-Administration, gave an update on activities at County managed facilities.

**Opera House:** The Opera House had 101 tourists in April. A total of 363 people attended meetings and events. Ms. Jeppesen relayed events held in April (including High School Prom) and upcoming events (including Alumni Dinner and Memorial Day Ceremony).

**Sentinel Museum:** The Museum had an estimated 50 visitors in April. It was not open for the entire month due to staff being on leave.

**Swimming Pool:** The Pool had 168 swimmers for the month. Water Safety Instructor Training is scheduled for June 4<sup>th</sup> & 5<sup>th</sup>. The swimming lesson schedule will be announced once training has been completed.

Eureka Airport: Fuel sales for the month totaled \$4,357.00 – accounted for by sale of 340 gallons of avgas and 417 gallons of Jet A fuel.

Eureka Landfill: The Landfill had 452 municipal customers and 47 commercial customers in April. It received 130 tons of municipal waste and 222 tons of construction and demolition debris. Free Dump Days are ongoing each Saturday in May.

## **PUBLIC WORKS**

Public Works Update: Public Works Director Jeb Rowley reported on projects and activities.

Courthouse Boiler: The boiler in the Courthouse is no longer working and Public Works is reviewing building plans and exploring alternatives to diesel boilers.

Volunteer Fire Departments: Pine Valley volunteers completed Red Card refresher training, signifying the end of this season's wildland firefighter training for volunteers and staff. All extrication equipment has been serviced and recertified.

Quarterly BLM Meeting: Mr. Rowley attended a quarterly meeting with managers from the Battle Mountain and Elko District BLM offices. They discussed the permitting schedule for gravel pits and potential expansions to meet increased demand for material.

Ongoing Projects: Work continues on the Devil's Gate water mainline looping. The road work in Crescent Valley (in preparation for the large County-wide project) is nearly complete.

CMAR RFQ: Close of business on May 20<sup>th</sup> marks the deadline for receiving Statements of Qualifications from interested parties for the Construction Manager at Risk related to the multi-year County-wide road and utility project.

Airport: Public Works is also advertising for an airport consultant to provide planning and engineering services.

Residential Water Service: Commissioner McKay motioned to approve the application for a 3/4-inch residential water service for APN 007-396-27 located in Devil's Gate District #2; Commissioner Sharkozy seconded the motion; motion carried 3-0.

CMAR Selection Committee: Mr. Rowley recommended members and outlined the duties of the committee for selection of the Construction Manager at Risk.

Commissioner McKay motioned to appoint Raymond Hodson, Lester Porter, Jayme Halpin, Joyce Jeppesen, and Jeb Rowley to the CMAR selection committee. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Water Systems: Ms. Jeppesen has been studying the water rates to determine what might be an appropriate rate increase. She recommended that the Board move forward with combining the three water systems before implementing any new rates.

There was discussion about the steps necessary to combine the water systems, necessary infrastructure upgrades, and factors that should be considered when determining appropriate rates – such as costs related to identifying and implementing an additional municipal water source outside of the Diamond Valley basin.

Mr. Beutel said he would start working on an ordinance, as one of several steps, needed to accomplish merger of the three water systems. Chairman Goicoechea suggested the Board could review a draft ordinance in about 30 days, which will allow Public Works to receive some awaited background information.

## **NATURAL RESOURCES**

Report on Activities: Natural Resources Manager Jake Tibbitts reported on recent activities.

Meetings: On May 9<sup>th</sup>, Mr. Tibbitts traveled to Reno to attend the Nevada Mining Industry Value Network & Supply Chain Mapping Symposium hosted by UNR College of Business.

Hearing on Mining Law: On May 12<sup>th</sup>, Mr. Tibbitts watched (online) the Subcommittee Hearing titled, "*Reforming the Mining Law of 1872.*" There was a panel discussion before the

hearing and Debbie Struhsacker (mining policy expert from Nevada) was the only member on the panel who opposed a federal royalty and advocated for maintaining location based mining.

An interagency working group has also been established by the Department of the Interior to examine, and advise on, potential changes to mining law.

Goldrush Mine Project: The Draft EIS for the Goldrush Mine Project is still at BLM headquarters in Washington DC. As soon as all the necessary signatures are obtained, Notice of Availability will be published which will begin the public review period.

Nevada Gold Mines will be hosting public meetings – dates and times are yet to be determined, but one will be held in Crescent Valley, one will be held in Elko, and a virtual meeting will be offered.

WRDC Meeting: At the last meeting, the Board approved out-of-state travel for Mr. Tibbitts to attend the Western Rural Development Center (WRDC) meeting in Bend, Oregon. WRDC has now provided a virtual option, which wasn't available before, so Mr. Tibbitts will not be traveling to the meeting.

Public Roads: The last meeting included a thorough discussion on public and accessory roads, including review of pertinent State law that recognizes the jurisdiction of the local Board of Commissioners in relation to these roads. As a follow-up to that discussion, Chairman Goicoechea and Mr. Tibbitts will be meeting with Daniel Venturacci and his representatives on June 6<sup>th</sup> to see if the parties can reach some common ground in addressing the road issues.

Upcoming Meetings: Mr. Tibbitts informed the Board of the following upcoming meetings: Eureka Conservation District on May 25<sup>th</sup>; the Area 14 Mule Deer Enhancement Program on May 26<sup>th</sup> (for a scheduled tour with Nevada Department of Wildlife); and State Land Use Planning Advisory Council on June 6<sup>th</sup>.

Conserve Nevada Program: Mr. Tibbitts prepared a comment letter on proposed regulations for the Conserve Nevada Program. He explained that AB 84 passed during the 2019 Legislative Session authorizing general obligation bonds to carry out projects and programs for conservation of Nevada's natural, cultural, and recreational resources.

AB 84 directed the Department of Conservation & Natural Resources (DCNR) to prepare regulations for the program. A hearing on the proposed regulations is scheduled for June 3<sup>rd</sup>, with comments due by May 24<sup>th</sup>.

Mr. Tibbitts gave an overview of the letter, which outlined requested changes, including a request that the regulations include a requirement for close coordination with local counties on any projects implemented under the program.

Commissioner McKay motioned to send the letter to Nevada Department of Conservation & Natural Resources regarding the Conserve Nevada Program proposed regulations; Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Letter on Goldrush Mine Project: Mr. Tibbitts prepared a letter to the Bureau of Land Management in Washington, DC. The letter urged the BLM to move expeditiously to publish the Notice of Availability of the Goldrush Project Draft EIS in order to begin the public review process. Chairman Goicoechea asked that the letter be copied to the congressional delegation.

Commissioner McKay motioned to send the letter to the Bureau of Land Management in Washington, DC, concerning publishing the Notice of Availability of the Draft EIS for Nevada Gold Mines' Goldrush Mine Project. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Printer/Copier: Mr. Tibbitts obtained two quotes for a multifunction printer/copier and recommended approving the quote from Xerox, the more economical choice in the long term.

Commissioner Sharkozy motioned to approve purchase of a replacement multifunction printer/copier for a not to exceed amount of \$4,300.00 utilizing monies budgeted for capital outlay (042-140-55010) in the Capital Projects Fund. Commissioner McKay seconded the motion. Motion carried 3-0.

## **CORRESPONDENCE**

Correspondence was received from: Cindy Beutel; Forest Anderson; Ashley Adams; Dan Stevens; District Attorney Ted Beutel (4); HR Director Heidi Whimple; Treasurer Pernecia Johnson; Comptroller Kim Todd; Eureka Conservation District; Eureka Television District; Crescent Valley Town Advisory Board; Nevada Assoc. of Counties; Northeastern Nevada Regional Development Authority; Nevada Div. of Environmental Protection; Nevada Dept. of Health & Human Services; Nevada Dept. of Business & Industry; US Dept. of the Interior BLM; Rail Pros; ISO; American Lands Council; Federal Highway Administration; National Assoc. of Counties; and Governing E-news.

**ISO Rating:** Jeb Rowley commented on the letter from ISO (Insurance Services Office), noting that the County's municipal water system and fire response capabilities have contributed to the County's ISO rating, which results in discounted insurance rates for property owners.

**Health & Human Services:** Chairman Goicoechea commented on the letter from Department of Health & Human Services, Division of Public & Behavioral Health. The letter was formal notification that Governor Sisolak announced his intent to end the COVID-19 State of Emergency effective May 20, 2022. The announcement included removal of the delegation of authority granted to J.J. Goicoechea, as County Health Officer, to act on the Governor's behalf during the COVID State of Emergency. This returns management of COVID-19 back to the local level through the Eureka County Board of Health and the County Health Officer.

## **PUBLIC COMMENT**

Chairman Goicoechea called for public comment.

Tracey Mellard, Beowawe resident, said she recently planted 121 trees on her property, but is now losing trees due to a Mormon cricket infestation. She said she realizes the County can't solve every problem, but was hoping "some kind of plan" could be formulated. She contacted State Entomologist Jeff Knight and plans to call him again later in the week.

Chairman Goicoechea stated that Jeff Knight, Nevada Department of Agriculture, was the proper party to contact regarding Mormon cricket issues. He suggested having Mr. Knight attend a future meeting, if he's available, to provide an update on the State's work with the Mormon crickets.

## **ADJOURNMENT**

The meeting was adjourned at 11:11 a.m.

*Approved by vote of the Board this 20<sup>th</sup> day of July, 2022.*

/s/ J.J. Goicoechea, DVM

J.J. Goicoechea, Chairman

*I, Jackie Berg, Commissioner Administrative Assistant, attest that these are a true, correct, and duly approved minutes of the May 20, 2022, meeting of the Board of Eureka County Commissioners.*

/s/ Jackie Berg

Jackie Berg, Commissioner Administrative Asst.

*I, Kathy Bacon Bowling, 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 Administrative Assistant.*

/s/ Kathy Bowling

Katherine J. Bowling, Clerk