

**EUREKA COUNTY BOARD OF COMMISSIONERS**  
**June 5, 2020**

STATE OF NEVADA            )  
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COUNTY OF EUREKA        )

**CALL TO ORDER**

The Board of Eureka County Commissioners met pursuant to law on June 5, 2020. Present were Chairman J.J. Goicoechea; Vice Chairman Michael Sharkozy; Commissioner Rich McKay; District Attorney Theodore Beutel, Esq.; and Deputy Commissioner Clerk Jackie Berg. The meeting was called to order at 9:37 a.m. The Pledge of Allegiance followed. The interactive video conferencing system was connected and utilized between Crescent Valley and Eureka for the entire meeting.

**APPROVAL OF AGENDA**

Chairman Goicoechea requested agenda item number 2 at 9:55 be removed and placed on the next agenda. Commissioner McKay motioned to approve the agenda as amended; Commissioner Sharkozy seconded the motion; motion carried 3-0.

**PUBLIC COMMENT**

Chairman Goicoechea called for public comment.

Cheyenne Gibson, Regional Coordinator with the Nevada Census 2020 Outreach team, wanted to give Eureka County an update on the Census. Nevada’s response rate is 59.8%, Eureka County is at 14.2%. US Census Bureau has begun their “update leave” operation, where 2020 Census forms are hand delivered to residences that either do not have mail delivered to the physical location of the home or the mail delivery information for the residence cannot be verified. There will be no physical contact between Census employees and household members during this process. Forms will only be left at the residences. We have until the end of October to self-respond. The Census informs where billions of dollars will go over the next 10 years, so it is crucial for our community to be counted so we do not lose out on funding.

Alex Sebastian, who lives at Hot Springs Ranch on Antelope Valley Road, called with a concern regarding dust from passersby. Antelope Road passes through private property owned by Hot Springs Ranch, he understands that it is a public access road and that many of the vehicles are governmental entities, Fish and Game, and commercial drivers, including hay trucks. Many of these people are inconsiderate and are only concerned with their own needs. The Road Department has recently applied a magnesium chloride dust palliative that is making a huge difference. He believes the treatment may need to be done more than once a year due to the speed of many vehicles. He spoke to a Deputy Sheriff in town regarding a violator who sped past him doing at least 60 miles per hour; Mr. Sebastian considered this assault. The Deputy Sheriff “hemmed and hawed” and told Mr. Sebastian that he should go express himself at the Commission meeting which is why he was on the phone. Mr. Sebastian believes he lives in a residential area, in principle. He may build another residence 300 feet down the road so NRS 484B.053 would be triggered, it would then define this area as a residential area. He commended the County Road Department for their assistance.

Sheriff Jesse Watts invited the public to the parade for the 8<sup>th</sup> grade class, starting the evening of June 5, 2020 beginning at 7:00 p.m. going from DJ’s Diner to the Firehouse.

Chairman Goicoechea requested the Genesis and Consumer Direct contracts be placed on the next agenda. The Chairman believes there is also some action needed on the Express Internet contract.

**APPROVAL OF MINUTES**

May 6, 2020: Commissioner Sharkozy motioned to approve minutes of the May 6, 2020 Commission meeting; Commissioner McKay seconded the motion; motion carried 3-0

May 20, 2020: Commissioner Sharkozy motioned to approve the minutes of the May 20, 2020 Commission meeting; Commissioner McKay seconded the motion; motion carried 3-0

**COUNTY COMPTROLLER**

Payment of Expenditures: Expenditures were presented for approval by Comptroller Kim Todd. Commissioner Sharkozy motioned to approve expenditures in the amount of \$6,273,140.67 for accounts payable, which includes \$3,250.00 in Yucca Mountain expenses; \$5,355,310.75 for a pass-through to the School District; \$217.82 for a pass-through to the Nevada Department of Taxation; \$6,107.95 for a pass-through to the Nevada State Controller; \$132.00 for a pass-through to the Washoe County Crime Lab; for a total in pass-throughs of \$5,361,768.52. Commissioner McKay seconded the motion; motion carried 3-0

Fund Balance Report: The Board reviewed a report on all current fund balances.

Resolution Setting Tax Rates for Fiscal Year 2020-2021: The Board agreed tax rates will not change next fiscal year.

Commissioner Sharkozy motioned to approve the resolution adopting tax rates for next fiscal year; Commissioner McKay seconded the motion; motion carried 3-0.

Eureka, Nevada

June 5, 2020

**RESOLUTION  
SETTING TAX RATES FOR FISCAL YEAR 2020-2021**

WHEREAS, the Eureka County Commissioners took action on May 20, 2020, to set the tax rates for Fiscal Year 2020-2021, for the tax districts under their legal jurisdiction, and by this resolution are affirming that action; and

WHEREAS, the ad valorem revenues are assessed by tax rates on real and personal property as certified by the Nevada State Tax Commission; and

WHEREAS, in accordance with NRS 361.460, and following certification by the Nevada Tax Commission on June 25, 2020, tax rates for the fiscal year beginning July 1, 2020, will be hereby levied as listed below:

	Taxing Unit Rate	Imposed Legislative Tax Rate	Combined General County Rates	Combined Special District	School	State	Total
Eureka County	.8675	.0783		.0085	.7500	.1700	1.8743
Crescent Valley Town	.2153		.9458	.0085	.7500	.1700	2.0896
Eureka Town	.2153		.9458	.0085	.7500	.1700	2.0896
Diamond Valley Rodent District	.0400		.9458	.0866	.7500	.1700	1.9924
Diamond Valley Weed District	.0781		.9458	.0485	.7500	.1700	1.9924
Eureka County TV District	.0085		.9458		.7500	.1700	1.8743

THEREFORE, IT IS UNANIMOUSLY RESOLVED that upon certification by the Nevada Tax Commission, the Board of County Commissioners of Eureka County, Nevada, does hereby certify the rates listed above for the Fiscal Year 2020-2021.

Approved this 5<sup>th</sup> day of June, 2020.

/s/ J.J. Goicoechea

J.J. Goicoechea, Chairman

/s/ Michael Sharkozy

Michael Sharkozy, Vice Chairman

/s/ Rich McKay

Rich McKay, Member

Attest: /s/ Lisa Hoehne

Lisa Hoehne, Eureka County Clerk

## **COMMISSIONERS**

William Bee Ririe Hospital and Rural Health Clinic Contract for fiscal year 2020-2021. Irma Davila, President of the Medical Clinic Advisory Board, mentioned one concern regarding on-call services. Ms. Davila spoke with Matt Walker, CEO of William Bee Ririe, requesting use of William Bee Ririe's on-call Health Nurse instead of the Eureka County Sheriff's Office dispatchers, Mr. Walker stated that it would be a possibility and he is checking with REMSA to see if the County can do the triage through the Health Nurse rather than Eureka County Sheriff's Office Dispatch. There would be no additional cost to the County for this. Chairman Goicoechea requested any additional changes to the contract from the District Attorney and Commissioner McKay and Commissioner Sharkozy. There were no other suggestions and/or modifications.

Commissioner McKay motioned to approved the contract for services with William Bee Ririe Hospital and Rural Health Clinic for fiscal year 2020-2021 in an amount not to exceed \$53,097.00 per month, and \$637,160.00 for the contract term; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Early Neutral Evaluation: Chairman Goicoechea volunteered to act as the County representative in the upcoming early neutral evaluation conference in Case Number: 3:20-CV-00130-RCJ-WGC before the United States District Court in Reno, Nevada. Commissioner McKay nominated Chairman J.J. Goicoechea to represent the County; Commissioner Sharkozy seconded the nomination. Carries 3-0.

Personnel Policy Update: Kim Todd, Eureka County Comptroller, informed the Board this policy update includes changes discussed during the budget cycle; one is the Undersheriff's salary being 95% of the Sheriff's salary and also the stand by pay moving to \$2.00. It also incorporates the changes from the Comptroller's Office to Human Resources. Chairman Goicoechea stated the policy will say "Human Resources" rather than Comptroller due to the County wanting to outsource many of the human resource duties. Ms. Todd stated that in section 2.1.3 the EEO officer will now be Human Resources, however the Commissioners need to designate an alternate.

Chairman Goicoechea stated that it would be up to Human Resource to designate an alternate EEO officer in the event the EEO officer was unavailable. Commissioners Sharkozy and McKay agreed with the Chairman's recommendation.

Commissioner Sharkozy asked if the County would have to approve who is designated as the alternate EEO officer. Chairman Goicoechea stated Human Resources would have to designate that person in writing, and that by adopting this policy, the County would avoid having to micro manage Human Resources.

Kim Todd would like to modify the proposed change to Section 2.25, Management Training, to state "the Comptroller will work with Human Resources" due to the fact the County is the only one entity that can assign employees to the POOL/PACT training because they are our insurance

carrier and not the insurance carrier of the Human Resources independent contractor. Chairman Goicoechea is alright with this modification. In Section 3.14, background checks would have to remain with the Comptroller because the Comptroller is certified with the Department of Public Safety. There is a definition for "Human Resources" in the back of the policy manual that states: "Human Resources is the designation by this Board to either an independent contractor, County office, or a County employee to administer and perform duties associated with human resource functions on behalf of Eureka County." The Commissioners have authority to assign duties to those three different types of entities.

Chairman Goicoechea asked if the July 12<sup>th</sup> effective date for these changes was picked for the payroll because that date started the payroll on the new fiscal year. The Comptroller stated that was the reason for that change.

Commissioner Sharkozy motioned to approve setting a public hearing to consider adopting the resolution to amend and update the Personnel Policy for the date of July 6, 2020 beginning at 10:00 a.m.; Commissioner McKay seconded the motion; motion carried 3-0.

Interlocal Contract: Commissioner Sharkozy motioned to approve a revised two-year interlocal contract with the Department of Health & Human Services through the Division of Health Care Financing & Policy and the Division of Welfare & Supportive Services for the Medicaid Match Program, retroactively effective July 1, 2019 through July 30, 2021; Commissioner McKay seconded the motion; motion carried 3-0.

Victim Financial Assistance: Commissioner Sharkozy motioned to approve an application for financial assistance from Eureka County for counseling pursuant to Eureka County Code, Title 11, Chapter 30; Commissioner McKay seconded the motion; motion carried 3-0.

## **PUBLIC HEARING FOR THE LEASE OF COUNTY REAL PROPERTY**

Open public hearing to public comment: The Chairman called for public comment and there was none.

Resolution for lease of County real property: Commissioner McKay motioned to approve adopting a resolution for the lease of County real property less than 25,000 square feet in area pursuant to N.R.S. 244.2833; Commissioner Sharkozy seconded the motion; Motion carried 3-0.

Communications Site Lease Agreement: Commissioner Sharkozy motioned to approve the Communications Site Lease Agreement with Skyfiber Video LLC for leasing an area less than 25,000 square feet near Crescent Valley, for an initial term of three (3) years with an option to extend the lease for two (2) years; Commissioner McKay seconded the motion; motion carried 3-0.

## **SENIOR CENTERS**

Update Report: Senior Centers Program Director, Millie Oram, reported on activities at the Senior Center and Fannie Komp Senior Center. In May, Eureka served 833 meals and Crescent Valley served 777 meals. A total of \$10,950.99 was deposited for the month. Millie stated the staff is discussing how operations will work when transportation to Elko becomes available again.

## **IT/NETWORK**

IT Department Reports: IT Director Misty Rowley stated she is working with the Secretary of State on the voting server. She is also working on finalizing fiber plans along with working with Mt. Wheeler to complete an agreement for Eureka County to use their power poles to carry aerial fiber for the fiber project. IT is also working on upgrades for AS400 support, setting up new work stations, and updating the software for the CAD (computer assisted dispatch) system at the Sheriff's Office.

Attachments License Agreement: Commissioner McKay motioned to approve the signing of an agreement outside of the meeting with Mt. Wheeler Power to connect aerial fiber to power

poles with the understanding the agreement will be reviewed by District Attorney Ted Beutel; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Upgrade and Replace Fiber Optic Cable: Commissioner Sharkozy motioned to approve quote number 013877 Version 8 from Quest in an amount not to exceed \$82,437.69 to upgrade and replace the fiber optic cable between the Annex and the Courthouse, and to install new fiber optic cable between the EMS Ambulance Bay and the Eureka Opera House, utilizing available capital outlay budgeted for fiber optic and network upgrades in the Capital Projects fund (042-140-55010-203); Commissioner McKay seconded the motion; motion carried 3-0.

## **SEVENTH JUDICIAL DISTRICT COURT**

Commissioner McKay motioned to approve the 2020/2021 Cooperative Agreement between White Pine, Lincoln, and Eureka Counties; Commissioner Sharkozy seconded the motion; motion carried 3-0.

## **ROAD DEPARTMENT**

Update on Road Department projects: Raymond Hodson, Assistant Public Works Director, informed the Board they have finished spraying weeds and plan to go back to Crescent Valley in July to spray again.

Blading has been completed on 3 Bars Road from Atlas over to Tonkin and McClusky, along with Union and Whistler. Mustang and Wild Balance are bladed and 15<sup>th</sup> Street is next. There is a blade on Sadler's and in the JD area.

A blade has finished up Robert's Creek, and Frenchy Flat, Stafford and Rocky Canyon up north.

Palisade has been bladed and the blade is now working on Maggie Creek. The Buildings and Grounds crew has been working on the parks and they are looking great.

## **PUBLIC WORKS**

Report on Public Works projects and activities: Ron Damele, Retiring Public Works Director and Jeb Rowley, Public Works Director, informed the Board the arsenic media change in Crescent Valley will occur July 14, 2020. Free dump days are every Saturday in June. The Kobeh Valley well test was suspended early due to not enough output.

Ratify CARES Act Grant: Ron Damele informed the Board that Eureka County applied for a grant from the FAA submitted on May 22, 2020 for \$20,000.00 to be used for operation and maintenance expenses. It cannot be used for expenses incurred prior to January, 2020, and we have four years to use this grant. Additional documents needed to be signed.

Commissioner Sharkozy motioned to approve ratification of the application for the CARES Act grant; Commissioner McKay seconded the motion; motion carried 3-0.

County Office relocation: The Nevada Highway Patrol Office is being vacated and will be assigned to the Justice Court for the Justice Court Jury Room now that domestic battery misdemeanors allow for trial by Jury; the University of Nevada Cooperative Extension Office will be vacated on June 30, 2020 and will be assigned to the Comptroller's Office; the Juvenile Probation Office is being relocated to the Comptroller's Office in the Courthouse; IT may be relocating to the Juvenile Probation Office in the Annex Building; the Nevada Department of Wildlife has been vacated in the Courthouse and that room will be utilized by the Commissioners and the Deputy Commission Clerk; and the IT Office may remain vacant for future use. The Offices will be cleaned prior to moving, which will occur at the end of June and beginning of July.

Commissioner Sharkozy motioned to approve all Office relocations; Commissioner McKay seconded the motion; motion carried 3-0.

2020 Road Maintenance and Sewer Relining projects: Ron Damele informed the Board the road project is moving along quickly, and will include all pavement in Eureka County, including

the Airport. Available funding is 3.85 Million Dollars. Opening and awarding of bid will occur on July 6, 2020.

In the sewer relining project, there is not as much sludge to remove as expected, and in a week or ten days the sludge will be dry enough so the contractor won't have to move it again. We are in the 21-day pre-qualification period, the County expects to open and award the bid on July 20, 2020. Available funding is \$1,000,000.00.

Well #1 repair: Well #1 is down, repair was \$28,436.46. Comptroller Kim Todd indicated the money can be taken out of Capital Outlay (042-140-55010-000).

Commissioner Sharkozy motioned to approve the use of \$28,436.46 from Capital Outlay; Commissioner McKay seconded the motion; motion carried 3-0.

## **NATURAL RESOURCES**

Report on Natural Resource Issues: Jake Tibbitts, Natural Resource Manager, informed the Board NEPA reviews are ongoing, the Gold Rush permitting process is moving forward, and there are meetings with BLM and other agencies every Wednesday. Southern Nevada Water Authority dropped an application to move forward with the water from eastern Nevada, and did not appeal Judge Este's ruling and withdrew all applications for water. Eureka County did protest those applications in the past. Southern Nevada Water Authority amended their plan for southern Nevada. The State Engineer has released draft regulations to define terms that aren't defined in water law, as well as outlining the extension of time process.

Mormon Crickets remain a big issue, and the County does have a good path forward, working with BLM on treatment and baiting. The County will have the go ahead to begin baiting next week on BLM land. The crickets seem to moving through very quickly. Private land owners are able to bait if they want to. It's important that people understand that if you are killing crickets that are there, and not removing them, you will get more crickets. The Board's recommendation is "don't bait".

Cooperative Extension Advisory Meeting will be July 10<sup>th</sup>, the Central Nevada Water Authority meeting will be July 12<sup>th</sup>, and the County Advisory Meeting will meet the 18<sup>th</sup>.

Mr. Tibbitts explained the County settled a water rights protest with Barrick Gold some time ago, and agreed to work with them on development of a water mitigation plan, and the mine would like to start work on that plan. Dale Bugenig and Jake Tibbitts will be meeting with Nevada Gold Mines to work on a water mitigation plan.

BLM Draft Programmatic Environmental Impact Statement: Commissioner Sharkozy motioned to approve comments on the BLM Draft Programmatic Environmental Impact Statement for Fuel Reduction and Rangeland Restoration in the Great Basin; Commissioner McKay seconded the motion; motion carried 3-0.

Presentation on Diamond Valley water level monitoring: Dale Bugenig, Consulting Hydrogeologist, commented on water pumping in Diamond Valley. In 2017 the State Engineer stated that 76,000 acre feet was pumped, in 2018 pumping was reduced to 65,000 acre feet, and in 2019 (the beginning of the Groundwater Management Plan) pumping was reduced to 56,000 acre feet. There is progress being made, and water levels are beginning to stabilize in all of Diamond Valley.

## **CORRESPONDENCE**

Correspondence was received and reviewed.

Chairman Goicoechea stated the BLM Wildhorse and Burro Program will get 21 million dollars for next year from House and Senate Appropriations.

Commissioner McKay asked if the County is assembling all of the costs relating to COVID and if we are submitting those costs to the State. Chairman Goicoechea stated Joyce Jeppesen is tracking all of the costs, and there is money available from the federal government.

**PUBLIC COMMENT**

Chairman Goicoechea called for public comment; there were none.

**ADJOURNMENT**

Commissioner Sharkozy moved to adjourn the meeting at 11:25 a.m.; Commissioner McKay seconded the motion; motion carried 3-0.

*Approved by vote of the Board this 14<sup>th</sup> day of August, 2020.*

/s/ J.J. Goicoechea  
J.J. Goicoechea, Chairman

*I, Lisa Hoehne, Clerk Recorder of Eureka County, acknowledge and accept the attached minutes as approved by the Board of Eureka County Commissioners.*

/s/ Lisa Hoehne  
Lisa Hoehne, Clerk Recorder