

EUREKA COUNTY BOARD OF COMMISSIONERS
June 19, 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 19, 2020. Present were Chairman J.J. Goicoechea; Vice Chairman Michael Sharkozy; Commissioner Rich McKay; District Attorney Theodore Beutel, Esq.; and Clerk Lisa Hoehne. The meeting was called to order at 9:30 a.m. and began with the Pledge of Allegiance. The interactive video conferencing system was connected and utilized between Crescent Valley and Eureka for the entire meeting.

APPROVAL OF AGENDA

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.

Sheriff Jesse Watts provided a copy of a letter that he wished to be included verbatim in the Board’s minutes and on a future agenda item.

NEVADA PUBLIC AGENCY INSURANCE POOL

Kim Todd provided a hard copy of the insurance renewal proposal and payment from Fiscal Year 2020-2021.

Chairman Goicoechea opened the floor to Marshall Smith from POOL/PACT.

Mr. Smith disclosed the renewal proposal includes property and general liability coverages along with cyber liability, earthquake, and environmental liability. Property and casualty insurance rates continue to rise. POOL/PACT is a membership of governmental entities which have combined or pooled their resources and assets to obtain insurance coverage. POOL/PACT started with just the four counties of Lincoln, Humboldt, Douglas, and Pershing. Since 1987 the POOL has grown to include over 125 public entities throughout the State. Mr. Smith went on to explain a private insurance company is in business to make a profit. The profit is derived from charging as high a premium as it can, and paying out as few claims as possible. The remainder is then retained and returned as dividends to private shareholders. In contrast, when members of the POOL exercise good risk management, the savings that are retained are then reinvested into programs and services that benefit all members. Some of these services include experienced human resource experts who specialize in public sector policies, procedures, and training. Since 2017 the estimated savings to Eureka County have been approximately \$80,000. Risk management programs include cyber security assessment and other programs that utilize risk management grants. Eureka County has received approximately \$12,000 in services and \$40,000 in value from risk management grant programs. For example, in May of 2019, law enforcement experts worked with Sheriff Watts on the Eureka County Detention Facility audit. The average cost of such an audit is approximately \$20,000. Eureka County’s Fire and EMS services have online access to a complete training program called Target Solution. These are just some examples of the services POOL/PACT invests in and provides to its customers. POOL/PACT also provides training to elected board and council members. This training is conducted by Wayne Carlson and includes County governance, ethics in government, leadership, and Open Meeting training. This training is designed to provide members the tools to become more effective leaders, which is in the best interest of the communities they serve.

Chairman Goicoechea motioned to approve accepting the renewal proposal from the Nevada Public Agency Insurance Pool and authorize payment from Fiscal Year 2020-2021 funds in the amount of \$296,318.28. Commissioner Sharkozy seconded the motion; motion carried 3-0.

APPROVAL OF MINUTES

Approval of minutes was tabled to allow more time to prepare a draft.

COUNTY COMPTROLLER

Payment of Expenditures: Expenditures were presented for approval by Comptroller Kim Todd. Commissioner Sharkozy motioned to approve expenditures in the amount of \$483,732.55, which also includes Yucca Mountain in the amount of \$95.43 and no pass-throughs. An additional expenditure of \$19,200.00 was made to Mt. Wheeler Power as part of the updated Fiber Project and replacement of power poles, bringing the total amount to \$502,932.55. Commissioner McKay seconded the motion. Motion carried 3-0.

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

COMMISSIONERS

Consumer Direct Services: Commissioner McKay stated that Consumer Direct provides home cleaning services for seniors in Eureka. Another company, Genesis, can provide both home health and hospice care for County residents, and it has been discussed that home cleaning services could be consolidated under the Genesis umbrella. It is believed that having one contract and one vendor would provide a better level of service for seniors in Eureka County. In addition, there would be less interaction with multiple providers by seniors, which is also a tangible benefit. Terminating the contract early with Consumer Direct would accelerate the June 30th expiration date. Due to the required thirty-day contract termination notice, Genesis can be ready to pick up the extra work by the 20th of July 2020. Commissioner McKay moved to allow the expiration of the contract with Consumer Direct and moved to also send a thirty-day notice of termination. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Genesis Home Health Services Inc.: Genesis can provide Eureka County residents hospice palliative care; the contract as presented requests up to \$40,000, but after discussion with Genesis, it was decided an allocation for hospice care would remain at \$10,000. In past years the expenditures have never exceeded \$10,000. Commissioner McKay stated that Consumer Direct now services ten to twelve seniors with cleaning assistance for \$20,000. There is a waiting list due to the increased demand for such services by the senior community. Genesis agreed they would offer employment to the employees of Consumer Direct and continue to provide cleaning services. Despite the agenda stating the contractor's proposal for \$80,000, the County has only budgeted \$32,000. Chairman Goicoechea stated that \$10,000 should be allocated to hospice care and \$40,000 allocated for cleaning services, with a grand total of \$50,000. Comptroller Kim Todd stated there is \$32,000 allocated for home health services and budgeting for hospital costs at \$10,000. Funds for prisoner medical and mental health services may not be applied to home health services. Because of budget constraints the Chairman suggested \$10,000 for hospice care and \$30,000 for cleaning services with a total budget of \$40,000 instead of \$50,000, with the expectation that \$10,000 will not be completely spent for hospice care and there will be approximately \$35,000 to spend on home cleaning services. If this funding does not cover expenses this upcoming fiscal year, then the Chairman agreed to build it into next year's budget, if there is still a waiting list for services at the end of the year. Commissioner Sharkozy moved to enter into a contract for services with Genesis Home Health in the total amount of \$40,000, with \$10,000 for hospice care and \$30,000 for home cleaning services, with the understanding that any unspent amount of the \$10,000 hospice allocation can also be used towards home care if needed near the end of fiscal year 2020-2021. Chairman Goicoechea seconded the motion. Motion carried 3-0.

Above All Communications: Don Meldrum (Express Internet) stated the County no longer wants Express Internet to provide internet connectivity to its offsite properties and proposed another arrangement. He proposed that Express Internet can bring in an AT&T fiber circuit “handoff” that would go to the Crescent Valley Public Works building. The County would be charged \$4,200 per quarter or \$16,800 per year for up to 200 megabytes, which would belong to the County and not be shared by anyone, including Express Internet. Sky Fiber is currently providing services to Crescent Valley at a charge to the County of \$10,000 per quarter. Mr. Meldrum requested that Express Internet obtain a longer agreement than two years with the County. Chairman Goicoechea read from the minutes of February 6, 2018 when Mr. Meldrum’s partner, Kyle Moore, was in attendance. These minutes state that Chairman Goicoechea suggested a contract term sufficient to allow the County to continue building capital to finance an internet buildout and sufficient to allow Express Internet time to consider future business plans. Mr. Moore agreed and suggested regular communication during the contract extension period. Commissioner McKay disclosed that Express Internet installed a fiber circuit at his Sundown Lodge with the intention to use that circuit and its location on Main Street in Eureka to provide broadband speed to downtown Eureka for Main Street businesses. Chairman Goicoechea proposed a six-month contract extension for Express Internet during which time the County would identify locations where wireless internet equipment may be relocated. County properties for construction of towers or working with the TV District may be part of the County’s plan. It was suggested the current contract with Express Internet be modified to include a list of their equipment and location, frequency being used, and to clean up the current contract’s winding up provision language. The Board decided to postpone a decision on this matter until at least the July 20, 2020 Commissioner meeting so that County staff members could collaborate on an effective route to move forward.

Television District: The Eureka County Television District is requesting to utilize a port on the County’s fiber circuit at the Courthouse for an internet broadband connection. The decision was made to table this matter to a time when one or more TV District representatives would be available.

Human Resources Commission Liaison: The Board agreed to separate the HR function from the Comptroller’s Office. They discussed the pros and cons of hiring a contractor, versus a full-time employee. Sheriff Jesse Watts stated his reservations on how much the County will pay a contractor to fill this position for the expected three days a week he/she will be in office. The possibility of bridging HR with another department was suggested. It was discussed that Human Resources is a very hands-on and in-depth process that should be made a full-time position so that important matters aren’t delayed or pushed back. Chairman Goicoechea stated there are funds in the budget to afford to hire a full-time Human Resources Director. This position would include benefits and a salary. It was decided that action for this matter will be placed on the agenda for the next Commissioner meeting.

Pray & Company: Pray & Company has provided suggested changes to the current Eureka County personnel policies. The company wishes to meet with the Board once more to review proposed changes and ensure they are what the Board would like to see. Commissioner McKay made the motion to approve an agreement for services with Pray & Company to review the current Eureka County personnel policies and recommend policy amendments, on a time and materials basis. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Order Granting in Part Petition for Writ of Mandate: The District Attorney informed the Board of their opportunity to appeal the District Court’s recent order issued June 8, 2020 in this public records lawsuit. Commissioner McKay made the motion to not appeal the Court’s recent order in CV-1702-321 but to also reserve the opportunity for the Board to review and possibly appeal any future orders. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Medical Clinics Advisory Committee: Commissioner Sharkozy made the motion to approve reappointing persons to the following seats on the Medical Clinics Advisory Committee: one

Eureka County Employee (Irma Davila); one Clinic User (Heather Anderson); one Community Member (Jim Ithurrealde); and non-voting Commissioner Liaison (Rich McKay). Chairman Goicoechea seconded the motion. Motion carried 3-0.

Sagebrush Ecosystem Program & Nevada Greater Sage-Grouse Conservation Plan: Chairman Goicoechea disclosed the first private transaction of credits has occurred in the State. Crawford Cattle Company transferred credits to Coeur Rochester. Estill Ranches also transferred credits to another mining entity. There should be more transfers to come.

OLCESE WASTE SERVICES

Update on Waste Services: Rick Lake, Operations Manager for Olcese, gave an update on residential and commercial waste services in Eureka County over the last quarter. In January there were five new starts, no new two yarders or three yarders ordered and no upgrades. In February there were six new starts, one two yarder, no three yarders, and a couple of service cancellations. In March there were eight new starts, one three yarder, one cancellation, three upgrades, and one downgrade. Mr. Lake ensured the Board that Olcese is equipped to handle any mishaps that may arise while en route. He also disclosed that Olcese has a backup truck in the off chance their primary truck has any issues. They have two CDL drivers currently employed for the Wednesday route, due to the length of the route, to ensure the company remains in compliance with regulations.

IT/NETWORK

Eureka Wireless Project: Commissioner McKay moved to approve the purchase of four Cisco switches for the Eureka Wireless Project for an amount not to exceed \$4,809.60 utilizing monies budgeted for capital outlay in the Technology Support budget (010-018-55010-000). Chairman Goicoechea seconded the motion. Motion carried 3-0.

Replacement Microwave Equipment: Commissioner Sharkozy made the motion to approve quote number 014080 Version 1 from Quest to install, terminate, and test replacement microwave equipment in Diamond Valley, for an amount not to exceed \$24,824.49, utilizing monies budgeted for fiber optic and network upgrades in the Capital Projects Fund. Commissioner McKay seconded the motion. Motion carried 3-0.

Mt. Wheeler Power: There are currently three power poles that need to be replaced that run from the Eureka Courthouse to the Eureka Annex building as part of the Fiber Project. Misty Rowley requested that a separate payment of \$19,200 be made so that work can begin as soon as possible on the project. Commissioner Sharkozy made the motion to approve payment to Mt. Wheeler Power to replace several power poles to support installation of aerial fiber for the County's network system. Commissioner McKay seconded. Motion carried 3-0.

Fiber Internet Access to Crescent Valley: Commissioner Sharkozy moved to authorize the IT Director to explore proposals to supply fiber internet access to public facilities in Crescent Valley. Commissioner McKay seconded the motion. Motion carried 3-0.

AMBULANCE & EMS

Report on Ambulance & Emergency Services: Kenny Sanders, EMS Director, reported on the runs conducted by Eureka County's ambulance and emergency services. The month of May 2020 had thirty total runs, including five done through transfer to air, four to Northeastern Nevada Regional Hospital, and two to William Bee Ririe Hospital. One of these runs included an individual who had concerns of COVID19, and staff members who were on this run were put out of service for the period of time it took for the test results to come back negative.

SHERIFF

Washoe County Forensic Services: Sheriff Jesse Watts requested renewal of the Forensic Science contract with Washoe County's Forensic Science Division. He reported use of the Crime

Lab has dropped, so the amount owed has dropped by approximately \$1,100 from last year. Commissioner Sharkozy made the motion to approve the contract with Washoe County Sheriff's Office, Forensic Science Division, for forensic services in fiscal year 2020-2021, in the amount of \$3,385.00, and allow the contract to be signed outside of the meeting. Commissioner McKay seconded the motion. Motion carried 3-0.

Review Hiring Freeze Waiver: Sheriff Watts stated he will not fill the position of Dispatcher until there is a formal resignation date from a current employee. Commissioner McKay moved to authorize the Sheriff to fill the Dispatcher I/II position after a resignation date has been received from a current Dispatch employee. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

CLERK RECORDER

2020 Primary Election: Lisa Hoehne, Clerk Recorder, stated there was a thirty eight (38%) percent turnout for Eureka County in the Primary. Commissioner Sharkozy made the motion to approve the abstract and canvass of the returns for the 2020 Primary Election held on June 9, 2020. Chairman Goicoechea seconded. Motion carried 3-0.

TREASURER

Review Treasurer's Report: Treasurer, Pernecia Johnson, sent an email that included the Treasurer's Report for May 2020 which the Board reviewed.

PLANNING COMMISSION

Division of Property: This item was tabled to allow the Planning Commission to proceed first.

PUBLIC WORKS

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

Road and Airport Maintenance Projects: Plans for these projects were posted June 11, 2020 and are currently being reviewed.

Sewer Pond Lining Project: Public Works is expecting the sludge to be removed will be able to go directly to the Landfill. The final design revisions for the project will be complete this week. There are three companies completing prequalification packets. The prequalification packets ensure bidders have the necessary background and qualifications for the project. Prequalification for the project will close July 2, 2020.

Street Project: Public Works expects the County Engineer to be present July 6, 2020 to assist with the street project bid opening and to help conduct a mandatory prebid meeting for the sewer pond lining project.

Radio Repeater Upgrades: The contractor WSE has been working on radio upgrades throughout the County. WSE has completed Prospect, Tank Hill, and Dispatch, and IS working on Mt. Tenabo. The rest of the mountain top sites and mobile handheld units should be upgraded by Monday July 22, 2020.

Selim Way Waterline Extension: Public Works is now in the right of way along Highway 50 and are approximately 1,500 feet, or three quarters of the way, before they start the turn down Selim Way. This project is being reviewed weekly and hasn't had any issues thus far.

Equal Land Exchange: Property owners, Public Works, and the County Engineer (Lumos and Associates) have been working together in an attempt to clean up property boundaries and rights of way. Before the Board is an equal area land exchange between the Todd family and Eureka County. Lumos has surveyed the area and has prepared the legal descriptions. This area of Eureka has a large number of misaligned property boundaries and it is in the best interest of the County to work with the property owners to fix these discrepancies as they arise. The Todd

family has agreed to share half of the survey costs, and this mirrors the steps taken on an equal land exchange that was approved in June of 2019. The Todds have signed and notarized their portion of the documents and now ask for the signature from the Chairman to finalize the exchange. Chairman Goicoechea confirmed there is no infrastructure, utilities, etc. that would be impacted by the exchange. Public Works Director Rowley explained this exchange would allow Public Works to address drainage issues in that area. It is also going to allow the County to properly align the street boundaries for future paving projects. The County has paid their half of the survey cost, and there will not be any monetary exchange between the County and the Todd family. Commissioner McKay moved to approve two quitclaim deeds and an order abandoning a portion of public right of way at Bell Street, adjoining Blocks 70 and 71. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Hiring Freeze Waiver: Public Works Director Rowley requested permission to fill a Senior Mechanic position available at the Eureka County Road Shop. This is a safety sensitive position that is responsible for the proper maintenance and repairs of all of Eureka County's equipment, including emergency response equipment such as fire, police, and EMS. Rowley stated that Eureka County has over 230 pieces of rolling stock; that number does not include stationary equipment such as emergency backup generators, fuel islands and other items that provide essential services to the County. It is also necessary to have this position filled to maintain wildland fire response equipment staged in six different locations throughout the County. Commissioner Sharkozy made the motion to approve the Hiring Freeze Waiver. Commissioner McKay seconded the motion. Motion carried 3-0.

NATURAL RESOURCES

Report: Jake Tibbitts, Natural Resources Manager, gave his report. With some work with Nevada Department of Agriculture Technician, they've been able to get a handle on keeping the Mormon Crickets in a generalized location. He explained the number of crickets that are presently in Diamond Valley are not a big concern to those who are cutting hay.

He attended the University of Nevada Cooperative Extension Advisory Council meeting the 10th of June 2020. Cooperative Extension wishes to expand the youth development and 4-H enhancements across the State of Nevada, which would also benefit Eureka County.

Chairman Goicoechea, Mr. Tibbitts, and Eureka Board member Jim Gallagher also attended a Central Nevada Regional Water Authority meeting June 12, 2020. Mr. Tibbitts described an issue confronting Daniel Venturacci. He has old stock wells installed by the CCC in the 1930s, which may be converted to solar power. Mr. Venturacci has been approved by the NRCS for an equipment contract to carry out the conversion. However, because the stock wells are on Bureau of Land Management property, the NRCS requires the BLM to provide a letter of support and let NRCS know there is no issue. This is a problem because these stock wells were installed well before the BLM was in existence.

Mr. Tibbitts informed the Board and wants the public to know the Great Basin Institute is moving forward with a non-motorized mountain bike trail project. The Institute has the funding to put up signs and kiosks for the various trails.

He also reported that he and Dale Bugenig met with Kim Wolf from Nevada Gold Mines and discussed the Water Resources Monitoring, Management, and Mitigation Plan developed with the State Engineer and Barrick. The State Engineer approves this Plan before any water is pumped. The County Advisory Board discussed changing the waterfowl zones.

This week the Diamond Complex Wildhorse Gather made the final funding cut to reduce substantial numbers of horses by gathering around 1,200 horses in the Complex. Chairman Goicoechea stated the BLM has been good to work with on this matter. Permittees are currently working with both the Ely and Battle Mountain District on building fence to restrict some horse corridors between the Triple B and the Diamonds.

The Secretary of Agriculture Sonny Perdue signed a Secretarial Order June 12, 2020 providing direction to the Forest Service to increase the productivity of national forests, valuing the nation's grazing heritage on these lands, increasing access to the National Forests, and expediting environmental reviews to support active management.

Horseshoe and Scotts Gulch Term Grazing Permit Renewal: Commissioner Sharkozy made the motion to approve a response to BLM on the Horseshoe and Scotts Gulch Term Grazing Permit Renewal EA. Commissioner McKay seconded the motion. Motion carried 3-0.

Livestock Grazing Regulations: Natural Resources understood an environmental impact statement will be prepared to consider these grazing regulation revisions. The Natural Resources Department has requested cooperating agency status in that EIS process. Commissioner McKay made the motion to send a letter to BLM requesting cooperating agency status. Commissioner Sharkozy seconded the motion. Motion carried 3-1.

Great American Outdoors Act: Commissioner Sharkozy moved to approve a response to Nevada's Congressional delegation, other lawmakers, and others, on the Great American Outdoors Act. Commissioner McKay seconded the motion. Motion carried 3-0.

Division of Water Resources: Commissioner Sharkozy made the motion to approve signing a letter to the State Engineer requesting open dialogue and engagement on the Division of Water Resources legislative agenda for the upcoming 2021 Nevada Legislature. Commissioner McKay seconded. Motion carried 3-0.

Extensions & Licensing: Commissioner Sharkozy moved to grant Jake Tibbitts the authority to continue working with the District Attorney and outside legal counsel to review and provide comments on proposed administrative regulations. Commissioner McKay seconded the motion. Motion carried 3-0.

CORRESPONDENCE

Review Correspondence: The Board had nothing pertinent to report.

PUBLIC COMMENT

Chairman Goicoechea called for public comments. There were no public comments.

ADJOURNMENT

Commissioner Sharkozy motioned to adjourn the meeting; Commissioner McKay seconded the motion; the meeting was adjourned at 12:45 p.m.

Approved by vote of the Board this 14th 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