

EUREKA COUNTY BOARD OF COMMISSIONERS

June 21, 2021

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 21, 2021. Present were Chairman J.J. Goicoechea; Commissioner Rich McKay; District Attorney Ted Beutel; and Administrative Assistant Jackie Berg. Vice Chairman Mike Sharkozy was traveling out of state. The meeting was called to order at 9:30 a.m. and began with the Pledge of Allegiance. Due to telephone and technical difficulties at the Crescent Valley site, it could not be connected to the meeting.

APPROVAL OF AGENDA

Commissioner McKay motioned to approve the agenda as posted; Chairman Goicoechea seconded the motion; motion carried 2-0.

PUBLIC COMMENT

Chairman Goicoechea opened the floor for public comments.

Sheriff Jesse Watts relayed, in detail, actions by the Eureka County Sheriff’s Office in an officer involved shooting (OIS) that occurred in Eureka County on June 16, 2021. The suspect, who entered a barricaded construction zone on State Route 278, shot and wounded an NDOT employee who attempted to stop him.

With assistance from multiple agencies in several northern Nevada counties, the suspect was pursued and ECSO was able to deploy spike strips. This caused the suspect’s vehicle to leave the roadway and crash through tall sagebrush. He exited the vehicle and opened gunfire on the two pursuing officers, who returned fire. Ultimately, helicopter support confirmed that the suspect was down, and a team of officers moved in and discovered that the suspect had been shot in the head. Medical aid was rendered by Eureka County EMS and professionals from REACH Air Medical Services. After an hour, the suspect was pronounced dead.

Sheriff Watts showed footage of the incident recorded by body cams and dash cams. He concluded by thanking all of the neighboring agencies for support during the incident, and stated how blessed and honored he was to work alongside the men and women of the Eureka County Sheriff’s Office.

NEVADA PUBLIC AGENCY INSURANCE POOL

Insurance Coverage: The Board welcomed Alan Kalt, CFO of POOL/PACT, and Leah Gregory of Gregory Insurance. Mr. Kalt explained that Nevada Public Agency Insurance Pool (“POOL”) provides the County comprehensive insurance coverage including property, casualty, and cyber security. Insurance rates have increased across the board this year due to some catastrophic losses, but Eureka County’s rate increases were considerably lower than other entities. The overall POOL rate increase was 10.2%. Eureka County’s rate increase was 4.46% due, in part, to an increase in insured valuation.

Member Services: Mt. Kalt described the key programs available to Eureka County as a member of the POOL, including Human Resources, Risk Management, E-learning, Health and Wellness, Cyber Security, Law Enforcement/School Safety, Employee Assistance Program, Property Appraisals, and Loss Control Excellence Program,

Annual Renewal: Commissioner McKay motioned to approve the renewal proposal from Nevada Public Agency Insurance Pool in the amount of \$309,523.90 and authorized payment

from Fiscal Year 2021-2022 funds. Chairman Goicoechea seconded the motion. Motion carried 2-0.

APPROVAL OF MINUTES

May 20, 2021: Commissioner McKay motioned to approve minutes of the May 20, 2021, Commission meeting; Chairman Goicoechea seconded the motion; motion carried 2-0.

COMPTROLLER

Payment of Expenditures: Expenditures were presented for approval by Comptroller Kim Todd. Commissioner McKay motioned to approve expenditures in the amount of \$318,101.96 for accounts payable, and \$226,955.00 for payroll and benefit related expenses (including employee paid deductions), for a grand total of \$545,056.96. Chairman Goicoechea seconded the motion. Motion carried 2-0.

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

COMMISSIONERS

Genesis Contract Extension: Commissioner McKay, Millie Oram, and Jackie Berg met with Genesis staff the afternoon of June 7th. At that meeting (and the Commission meeting earlier in the day), Dr. Querubin “Jun” Iguban and his staff were formally notified that the County will not use indigent funds to pay for clients who don’t qualify per Eureka County’s welfare application as stated in the contract. These income levels are defined in County Code (Title 11, Chapter 20, Section .030) and NRS 428.015.

Commissioner McKay reported that nothing has been finalized for a new contract with Genesis Home Health Services, and more time is needed to ensure that roles and responsibilities of the County and the contractor are more clearly defined. To allow time to work on a contract for the upcoming fiscal year, it was suggested that the current contract be extended through July.

Commissioner McKay motioned to extend the contract with Genesis Home Health Services under the existing terms and conditions, through July 31, 2021, for a not to exceed monthly prorated amount of \$3,333.33. Chairman Goicoechea seconded the motion. Motion carried 2-0.

FBO Contract Extension: Based on a recommendation from POOL/PACT Human Resources following an audit that included review of contracts with independent contractors, the County is working on recommended changes to the FBO (Fixed Base Operator) contract. Jeb Rowley estimated that Public Works will need the remainder of the summer to obtain appraisals of facilities at the Eureka Airport, and to complete advertising and review of responses to the notice requesting Statements of Qualifications.

Commissioner McKay motioned to extend the FBO contract with John Walzl from June 21, 2021, through September 30, 2021, under terms and conditions of the existing contract originally entered into on March 21, 2017. Chairman Goicoechea seconded the motion. Motion carried 2-0.

Sagebrush Ecosystem Program: Chairman Goicoechea stated the first in-person meeting of the Sagebrush Ecosystem Council, since onset of the pandemic, will be held in Eureka on July 23rd at the Opera House, hosted by the Natural Resources Department. SEC members will participate in a field tour on July 22nd, beginning in Austin and ending in Eureka. Chairman Goicoechea (also Chair of the SEC) will host a barbeque at the Town Park in Eureka the afternoon of July 22nd.

AMBULANCE & EMS

Report on Activities: EMS Director Kenny Sanders reported there were 19 calls for ambulance service in May. Crescent Valley responded to four calls and Eureka responded to 15 calls. Eight patients were transferred to air medical services.

OLCESE WASTE SERVICES

Update on Waste Services: Rick Lake, Operations Manager for Olcese Waste Services, along with Owner Tillio Olcese, gave an update on residential and commercial waste collection in Eureka County over the past quarter. Four new 96-gallon residential services were added to the route in April; three residential services were added in May; and three more residential services were added in June, for ten new starts this past quarter.

Mr. Lake informed the Board that Olcese is working with Nevada Gold Mines to add one or two more receptacles near the junction of State Route 306 and Interstate 80. In order to park there, the mine has an agreement with NDOT and, as part of the agreement, must provide a place to discard trash. People are aware of the date Olcese picks up the trash and immediately fill up the one existing container. One or two more receptacles will be added to alleviate the problem.

SHERIFF

Introduction of new K9 Units: Sheriff Jesse Watts introduced Deputy Dylan Korth with K9 Cooper who will be stationed in Eureka, and Deputy Nick Collins with K9 Gara who will be stationed in Crescent Valley. The K9s and officers completed training recently and arrived in Eureka County about four days earlier. After introducing the K9 Units, Sheriff Watts raised the dogs' right paws and read the oath of office.

Citizens RIMS: Sheriff Watts said the Sheriff's Office now offers Citizen RIMS (Record Information Management System). It can be launched directly from the Sheriff's page on the County website (www.co.eureka.nv.us) or can be accessed directly at ecso.crimegraphics.com to see past activity and current activity within approximately 20 minutes of occurrence. It will show incident, time, date, location (map location, not address), and disposition of the incident or traffic stop. Businesses or residents with security cameras can register their cameras to also feed into Citizens RIMS.

Hiring Freeze Waiver Justifications: The Sheriff submitted four Hiring Freeze Waiver Justifications for two Dispatcher positions and two Deputy Sheriff positions (one for Eureka and one for Crescent Valley). The Sheriff inquired about the remote duty stipend of \$350.00 per month that the Crescent Valley officers receive. There is a candidate for the northern position who resides in Carlin, and the Sheriff felt policy wasn't clear, so asked if the stipend still applies. The Chairman asked him to place it on a future agenda.

Commissioner McKay motioned to waive the hiring freeze and authorize the Sheriff to fill two Dispatcher I or II positions, and two Deputy Sheriff positions, one for Eureka and one for Crescent Valley. Chairman Goicoechea seconded the motion. Motion carried 2-0.

Casual Deputy Sheriff: Sheriff Watts asked for permission to allow a casual position to exceed the 19-hour per week limit. He explained that, with 12-hour shifts, a Casual Deputy is limited to working one shift per week, plus seven hours. Authorizing the casual to work up to 29 hours per week will allow the employee to work two full shifts per week.

Commissioner McKay motioned to authorize the Casual Deputy/Bailiff position to work up to 29 hours per week without exceeding the annual casual worker limit of 1,039 hours. Chairman Goicoechea seconded the motion. Motion carried 2-0.

Budgeted Vehicles: Sheriff Watts requested authorization to move forward with purchase of one administrative vehicle and four patrol vehicles as budgeted for Fiscal Year 2021-2022. Commissioner McKay motioned to authorize the Sheriff to purchase one administrative vehicle, two Ford F150 pickups for patrol, and two Ford Expeditions for K9 patrol, including after-market equipment -- lights, graphics, and radios -- for a total not to exceed amount of \$275,000.00 to be paid with monies budgeted for Sheriff's vehicles in the Capital Projects Fund. Chairman Goicoechea seconded the motion. Motion carried 2-0.

Grant-Funded Overtime: Earlier in the year, the Board approved the Undersheriff being paid overtime if it is fully grant funded and when no other officers are available to work overtime. It was approved on a temporary basis through the end of the fiscal year. Sheriff Watts reported

that the Undersheriff has received no overtime during the approved period, because other officers were available to work, but he requested continued approval.

Commissioner McKay motioned to allow the Undersheriff position to continue to be overtime eligible for specific grant funded projects through Fiscal Year 2021-2022 when the overtime will be paid with grant monies and other personnel are not available to work overtime. Chairman Goicoechea seconded the motion. Motion carried 2-0.

TREASURER

Treasurer's Report: The Treasurer's Report for May was submitted by Treasurer Pernecia Johnson, showing an ending General Fund balance of \$42,622,481.73. Ms. Johnson commented that May is always a good month because that is when the net proceeds of minerals tax distribution is made.

PUBLIC HEARING – EUREKA COUNTY PERSONNEL POLICY

Notice: Notice was given that the Board of Eureka County Commissioner would hold a public hearing on June 21st to invite public and employee comments and consider adopting by resolution proposed updates and amendments to the Eureka County Personnel Policy. The resolution, proposed on June 7th, and redline policy were distributed electronically to all employees and available for public examination in the Commissioners' office and Human Resources Department.

Public Hearing: Chairman Goicoechea opened the public hearing, commenting that most of the policy changes were based on recommendations from Pray & Company, who were engaged earlier to review policies, and recommendations from POOL/PACT Human Resources following the HR Phase II Assessment Audit.

Sheriff Watts relayed several concerns and had issues with the statement that no department policy would supersede the Eureka County Personnel Policy. He had concerns over references to certain authorities belonging to Human Resources and not the department heads or elected officials.

One proposed change, recommended by POOL/PACT, was that comp time cannot be accrued and used in the same pay week. Jeb Rowley and Raymond Hodson felt being able to use comp time immediately after it is accrued is beneficial for their departments and asked that this change not be made. Ms. Todd noted that the recommendation was made based on NRS 281.100. District Attorney Ted Beutel felt language could be crafted that would satisfy both statute and the department heads.

Clerk Recorder Lisa Hoehne also spoke against the policies that would give Human Resources any authority over elected officials or their staff.

Deputy Ryan Getzler and Sergeant Marcial Evertsen made comments, similar to Sheriff Watts' concerns, over certain duties falling on Human Resources rather than the Sheriff's Office. Sergeant Evertsen asked that the letter he sent the day before be included in the official record for the meeting.

Commissioner McKay said the policy was a work in progress, and not the Commissioners' attempt to hold something over other elected officials but, he noted, when elected officials can't get along to the detriment of the entire County, policy should include a way to remedy this.

Chairman Goicoechea encouraged the employees to read the entire policy, and to note that often authorities given to Human Resources are with Board approval or direction and in collaboration with the department heads. The Chairman felt Commissioner Sharkozy should have an opportunity to comment, stating no action would be taken and a subsequent public hearing will be scheduled.

Schedule Public Hearing: Commissioner McKay motioned to schedule a second public hearing at 10:00 a.m. on July 20, 2021, to address changes and hear further public comment on

the Eureka County Personnel Policy. Chairman Goicoechea seconded the motion. Motion carried 2-0.

CLERK RECORDER

Redistricting Process: Clerk Recorder Lisa Hoehne placed this on the agenda for the Board to give direction related to the redistricting process, which follows each Census. She suggested that Assessor Michael Mears take the lead on this since he has been through two redistricting processes.

Chairman Goicoechea stated he wanted the record to reflect that final official Census numbers have not been released. The Assessor confirmed this, stating that final redistricting data will be provided to each jurisdiction by August 16th, with additional statistical data provided by September 30th.

Assessor Mears relayed the laborious task redistricting has been in the past, but Esri, the global market leader in GIS mapping software, has made advances in GIS software, creating a toolbox for redistricting, which will make the process much less labor intensive. The software license is \$4,000.00 for 12 months, but Mr. Mears is negotiating a pro-rated amount, because it won't take a year to complete the process. He asked the Board to consider whether they would like to see any geographical changes to the districts, or if they prefer to stay true to the historical districts.

Commissioner McKay motioned to assign the post-Census redistricting process to Assessor Michael Mears once official data is available; Chairman Goicoechea seconded the motion; motion carried 2-0.

Seventh Judicial District Court Cooperative Agreement: Ms. Hoehne presented the annual District Court Cooperative Agreement, noting there was only one change – the percentage of costs assigned to Eureka County (based on population) increased from 11% to 12%. Other counties in the district are White Pine and Lincoln.

Commissioner McKay motioned to approve the Seventh Judicial District Court Cooperative Agreement for Fiscal Year 2021-2022; Chairman Goicoechea seconded the motion; motion carried 2-0.

CRESCENT VALLEY TOWN ADVISORY BOARD

Crescent Valley Fun Days: A request was received from the Crescent Valley Town Advisory Board to use \$3,500.00 from the North End Activity Fund to pay for food, prizes, a health permit, and other supplies for the Crescent Valley Fun Days scheduled on July 31st. The Town Board asked that the check be issued to Chair Mikayla Kersey.

Commissioner McKay motioned to authorize use of \$3,500.00 from the North End Activity Fund for the 2021 Crescent Valley Fun Days. Chairman Goicoechea seconded the motion. Motion carried 2-0.

MEDICAL CLINICS ADVISORY COMMITTEE

Member Appointments: Irma Davila, Chair of the Medical Clinics Advisory Committee stated that all members in expiring seats on MCAC wished to be reappointed. Commissioner McKay motioned to reappoint the following members for two-year terms beginning July 1, 2021: Ashley Farris (Eureka County employee), Nona Kellerman (Crescent Valley resident), John Brown (community member), and Arnold Pena (community member). Chairman Goicoechea seconded the motion. Motion carried 2-0.

Clinical Services Contract: Ms. Davila advised that the Committee recommended renewal of the clinical services contract with William Bee Ririe Hospital for the upcoming fiscal year, with no recommended changes. Commissioner McKay motioned to renew the clinical services contract with William Bee Ririe Hospital for Fiscal Year 2021-2022 for a not to exceed amount of \$632,000.00. Chairman Goicoechea seconded the motion. Motion carried 2-0.

Physical Therapy Services Contract: The Committee recommended renewal of the physical therapy services contract for the upcoming fiscal year, with no recommended changes to the contract or subsidy formula. Commissioner McKay motioned to renew the physical therapy services contract with Rehab Services of Nevada for Fiscal Year 2021-2022 with the same subsidy formula as the current contract. Chairman Goicoechea seconded the motion. Motion carried 2-0.

COUNTY FACILITIES

Facilities Update: Public Works Director Jeb Rowley gave an update on activities at County managed facilities.

Eureka Airport: Return to service authorization has been granted for Jet A fuel, pending final calibrations on the equipment by the Department of Agriculture.

Sentinel Museum: Desiree Gonzalez has been hired as Senior Facilities Operations Assistant for the Sentinel Museum. Ree Taylor's retirement is effective in August, but her last physical day working at the Museum will be July 10th. Visitor traffic has increased at both the Opera House and Museum.

Swimming Pool: Two lifeguards are in training at the Swimming Pool. Interviews will be conducted on July 1st for seasonal casual workers.

PUBLIC WORKS

Public Works Update: Mr. Rowley reported on Public Works projects and activities.

Utilities: Well #1 in Diamond Valley is currently down, but is backed up by Well #2 and the town springs. The motor is currently being replaced on Well #1 and it should be back in service by day end.

MOU with Nevada Gold Mines: Mr. Rowley will meet with Nevada Gold Mines on June 22nd to review emergency services covered in the proposed Memorandum of Understanding between Eureka County and the mine.

LEPC Grant Notification: The Local Emergency Planning Committee received notification that the SERC Opti grant was approved; these funds will be used to replace the town siren in Eureka.

Extrication Equipment: Diamondback Fire & Rescue has serviced all extrication equipment in Crescent Valley, Beowawe, Diamond Valley, and Eureka.

Crescent Valley Town Park: Construction of the pavilion at the Crescent Valley Town Park is complete, and Mr. Rowley commended the crews for their collaboration on this project. A small amount of concrete work, structure remodeling, and final cleanup will wrap up this project shortly. Mr. Rowley requested authorization to expend funds for final remodels and furniture, which will be completed after July 1st.

Commissioner McKay motioned to authorize use of up to \$10,000.00 budgeted for capital outlay in the Capital Projects Fund for Fiscal Year 2021-2022 to complete structure remodeling and final cleanup for the Crescent Valley Town Park. Chairman Goicoechea seconded the motion. Motion carried 2-0.

HUMAN RESOURCES

Certification: Human Resources Director Heidi Whimple shared that she passed the IPMA-SCP test and is now an International Public Management Association-Senior Certified Professional.

Weed Control & Resources Technician Job Description: Ms. Whimple worked with Natural Resources Manager Jake Tibbitts on the job description for Weed Control & Resources Technician. Commissioner McKay motioned to approve the Weed Control & Resources Technician job description at range 122 on the Eureka County salary scale. Chairman Goicoechea seconded the motion. Motion carried 2-0.

Natural Resources Department Assistant Job Description: Ms. Whimple and Mr. Tibbitts also worked to update the job description for Department Assistant. Commissioner McKay motioned to approve the updated job description for Natural Resources Department Assistant at range 111 on the Eureka County salary scale. Chairman Goicoechea seconded the motion. Motion carried 2-0.

NATURAL RESOURCES

Report on Activities: Natural Resources Manager Jake Tibbitts was attending to tasks in the field and could not attend the meeting. Chairman Goicoechea gave a brief report on Natural Resources activities.

Wild Horse Issues: The BLM is preparing to begin emergency drought water hauls. The Chairman spoke with BLM State Director Jon Raby prior to the meeting, and will meet with Mr. Tibbitts later in the day to share the latest information and to encourage the BLM to conduct emergency wild horse removals. This will align with Director Raby's aggressive five-year plan to return Herd Management Areas to AML (appropriate management levels). Mr. Tibbitts and the Chairman will meet with the Elko District BLM on June 22nd.

USGS Joint Funding Agreement: The County has had an agreement with US Geological Survey for multiple years to monitor groundwater and stream flows in the Mount Hope and Roberts Mountain area and Kobeh Valley was added in 2018.

Commissioner McKay motioned to approve Federal Fiscal Year 2022 Joint Funding Agreement 22ZJFA00107 with US Geological Survey for continuation of the Hydrologic Monitoring Program in the Kobeh Valley, Mount Hope, and Roberts Mountains Vicinity in the amount of \$146,670.00 (Eureka County's portion at \$95,336.00 and USGS match at \$51,334.00). Chairman Goicoechea seconded the motion. Motion carried 2-0.

CORRESPONDENCE

Correspondence was received from: Marcial Evertsen; County Advisory Board to Manage Wildlife; Juvenile Probation; Natural Resources Manager Jake Tibbitts; Eureka County High School; Crescent Valley Town Advisory Board; Nevada Assoc. of Counties; Nevada Gold Mines; Rehab Services of Nevada; Nevada Dept. of Transportation (2); Nevada Dept. of Business & Industry (2); UNR CABNR newsletter; UNR Extension, College of Ag; US Dept. of the Interior-BLM; America First Policy Institute (multiple); National Assoc. of Counties (multiple); and Governing newsletters (multiple).

Commissioner Reports: Chairman Goicoechea announced that Dagny Stapleton is resigning from NACO, which will be a huge loss for that organization. The Chairman stated, *"Dagny will be greatly missed and she has done a lot of work for us out here; and I know that I speak for all of Eureka County when we wish her the best in whatever the future holds for her."*

PUBLIC COMMENT

Chairman Goicoechea called for public comments.

District Attorney Beutel asked if the Board had interest in resuming the call-in telephone line during meetings, not for interaction, simply for listening. If a person wishes to make public comment or comment on an action item on the agenda, they will still need to attend in person. The Board agreed to offer a "listening only" call-in option.

Jeb Rowley said construction of the Little Free Library is complete. The Eureka Elementary School Student Council and Advisor Fiona Goettle would like to invite the Board to an installation ceremony the following week at the Pocket Park on Main Street in Eureka. The Board asked Mr. Rowley to coordinate the date and time with Ms. Goettle.

ADJOURNMENT

Commissioner McKay motioned to adjourn the meeting at 12:05 p.m.; Chairman Goicoechea seconded the motion, and the meeting was adjourned.

Approved by vote of the Board this 6th day of July, 2021.

/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 June 7, 2021, meeting of the Board of Eureka County Commissioners.

/s/ Jackie Berg
Jackie Berg, Commissioner Administrative Asst.

I, Lisa Hoehne, 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/ Lisa Hoehne
Lisa Hoehne, Clerk