

EUREKA COUNTY BOARD OF COMMISSIONERS
July 21, 2008

STATE OF NEVADA)
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COUNTY OF EUREKA)

CALL TO ORDER

The Board of Eureka County Commissioners met pursuant to law on July 21, 2008. Present were Chairman Jim Ithurrealde; Member Donna Bailey; Member Leonard Fiorenzi; District Attorney Theodore Beutel; and Clerk & Treasurer Jackie Berg. Chairman Ithurrealde called the meeting to order at 9:30 a.m. The interactive video conference system was connected and utilized between Crescent Valley and Eureka for the entire meeting.

APPROVAL OF AGENDA

Commissioner Bailey motioned to approve the agenda; Commissioner Fiorenzi seconded the motion; motion carried 3-0.

PUBLIC COMMENT

The Chairman opened the floor to public comment. A letter was submitted by Betty Krambs, who had requested it be read into the record: *"July 10, 2008 ¶ Since I will be out of the County during the week of your July 21, 2008 Public Hearing on the 'Resolution whether to declare that it is in the best interests of the public to lease appraised County property... et al,' I would like the following questions and any answers thereto read into the minutes of that meeting. (1) How can it ever be in the public interest to lease the referred to property without offering it to the public? (2) How can it ever be in the public interest to accept any offer for less than its market value? ¶ Respectfully submitted, Betty Krambs".*

There were no further public comments.

FINANCE

Payment of Expenditures: Expenditures were presented for approval by Recorder/Auditor, Mike Rebaleati. Commissioner Fiorenzi motioned to approve the expenditures in the amount of \$660,920.58 for accounts payable and \$234,228.98 for payroll, for a grand total of \$895,149.56; Commissioner Bailey seconded the motion; motion carried 3-0. Commissioner Fiorenzi motioned to approve the Yucca Mountain expenditures in the amount of \$30,598.08; Commissioner Bailey seconded the motion; motion carried 3-0.

Recorder/Auditor, Mike Rebaleati, stated a bill had been submitted to his office that he would like to place on the next agenda to receive direction from the Board regarding payment. The bill was submitted for work done by Radco Communications in June, but the Television District budget did not have funds in their Fiscal Year 2007-2008 budget to cover this expense. To avoid being in violation of NRS 244.215 and NRS 354, he was refusing payment at this time. Mr. Rebaleati submitted documentation to auditors, Kafoury Armstrong, and to District Attorney, Ted Beutel, for their professional opinions. Unanimous approval will be required from the Board in order to pay this bill.

Mr. Beutel and Commissioner Fiorenzi asked for clarification on the Television District's budget, and Mr. Rebaleati explained that monies reflected in their budget were in different funds not authorized to pay this bill.

Television District President, Dave Pastorino, explained that the work was originally planned for last November, but weather prevented it from being done at that time. The work was resumed in June, but was actually completed in July, so the Television District assumed it would be billed and paid for during the 2008-2009 budget year.

Purchase Network Equipment: Mr. Rebaleati explained this upgrade to the network would increase the megabits available for accessing the internet. It will also allow the Recorder/Auditor to pinpoint who is doing what on each computer, such as unauthorized web-streaming or listening to music, so that restrictions can be enforced. Commissioner Fiorenzi motioned to approve the network equipment upgrade, not to exceed \$16,000.00; Commissioner Bailey seconded the motion; motion carried 3-0.

CORRESPONDENCE

Correspondence was received from: Rita Stitzel; Betty Krambs (2); Harold Wilson; District Attorney, Ted Beutel (2); Eureka County Planning Commission; Crescent Valley Town Advisory Board (3); NRAC letter to BLM; Eureka County Fair Board; Cooperative Extension & Economic Development; Gary McCuin; Eureka County School Dist.; Walker & Associates; Lura Duvall; Claire Morrow; Building Solutions, LLC; Transfer of Wealth; Nevada Assoc. of Counties (3); Humboldt County Commission; Southern Nevada Water Authority; State Land Use Planning Advisory Council; Nevada Div. of Forestry; Nevada Dept. of Transportation (3); Nevada OSHA (3); Nevada Legislative Counsel Bureau; Nevada Public Agency Insurance Pool; Nevada Office of Veteran Services; Public Utilities Comm. of Nevada (2); NDOT Centerline; Nevada Connections; National Assoc. of Counties; and American Land Rights Assoc.

Chairman Ithurralde spoke with Harold Wilson regarding his correspondence and he is going to take his nuisance complaint before the Crescent Valley Town Advisory Board, who will make a recommendation to the Commissioners. Commissioner Fiorenzi asked that the letter from Rita Stitzel, regarding protection of agriculture lands, be referred to the Planning Commission for a recommendation.

The Crescent Valley Town Advisory Board minutes stated that Chairman Ithurralde had responded to Senator Dean Rhoads letter regarding the Crescent Valley Fire Department, and the Chairman wanted to clarify that he did not respond to that letter. The Chairman announced that the Nevada Office of Veteran Services will now have a remote benefits program office in Elko, scheduled to open on July 24th at 825 Railroad Street in Elko.

DEPARTMENT HEAD REPORTS

COUNTY FACILITIES AND ECONOMIC DEVELOPMENT

Update Report: Wally Cuchine, Facilities Director, reported on recent activities. A very successful concert by the Black Irish Band was held at the Opera House on June 19th with over 100 attendees. The statewide Transfer of Wealth meeting is scheduled at the Opera House on July 25th. Visitor numbers at the museum have been higher than average, which is surprising with the increased fuel costs.

Request From Nevada Department of Transportation: Mr. Cuchine received a letter from the Nevada Department of Transportation (NDOT), requesting an endorsement letter from Eureka County for the Landscape and Aesthetics Corridor Plan which includes portions of US Highway 50. Mr. Cuchine explained that these aesthetic improvements were dependent on NDOT's budget, but they still desired endorsement from the County. Commissioner Fiorenzi motioned to submit a letter agreeing in principle with NDOT on the Landscape and Aesthetics Corridor Plan, and to authorize the Chairman to sign the letter outside of the meeting. Commissioner Bailey seconded the motion. Motion carried 3-0.

State Tourism Grant: Mr. Cuchine explained this was the marketing grant for the year. This was a matching grant and matching funds were budgeted. Commissioner Fiorenzi motioned to approve the State Tourism Grant to Economic Development from the Nevada Commission on Tourism, in the amount of \$21,339.78. Commissioner Bailey seconded the motion. Motion carried 3-0.

SENIOR CENTERS

Replacement Copy Machine: Commissioner Bailey motioned to approve a replacement copy machine for the Eureka Senior Center, not to exceed \$3,500.00. Commissioner Fiorenzi seconded the motion. Motion carried 3-0.

WALKER & ASSOCIATES

Contract Extension: Steve Walker, of Walker & Associates, submitted a letter dated July 15th detailing additional work requested by the County that was not provided for in his previous contract. Mr. Walker's work to date includes water rights studies related to the protested water applications by Kobeh Valley Ranch. Upcoming work will include participation in the Nevada Division of Water Resources water rights hearing scheduled in October, and evaluation of evapotranspiration in Diamond Valley pertaining to the water hydrology models being completed in relation to the Mount Hope Project. Commissioner Fiorenzi motioned to approve the contract extension and augmentation in the amount of \$20,000.00 for Walker & Associates, and to authorize the Chairman to sign the contract outside of the meeting. Commissioner Bailey seconded the motion. Motion carried 3-0.

PUBLIC WORKS

Update on Crescent Valley Construction Projects: Public Works Director, Ron Damele, reported on construction in Crescent Valley. The roofs are nearly complete. The issues with the stucco have been addressed with the contractor, and an extended warranty will be requested. Minor issues with carpeting and paint were also being resolved.

Proposal from Jefferson Audio Video: A proposal was received from Jefferson Audio Video to install a court audio/video recording system in the Crescent Valley Justice Facility, not to exceed \$51,229.07. This is the system that all other courts in the County and the Seventh Judicial District have upgraded to in recent years, and the systems can be used interactively. An amended quote has been requested with a price reduction and should be forthcoming, but Public Works requested authorization to proceed so that installation could begin. Commissioner Fiorenzi motioned to accept the proposal from Jefferson Audio Video for purchase and installation of a court recording system at the Crescent Valley Justice Facility, not to exceed \$51,299.57. Commissioner Bailey seconded the motion. Motion carried 3-0.

Change Order for Crescent Valley Town Park Restrooms: A change order was submitted to redo the park restrooms for \$98,282.00. Mr. Damele felt this proposal was excessive and recommended that the Commissioners reject this estimate and upon conclusion of the contract work in Crescent Valley, local plumbers could be solicited for proposals. Commissioner Bailey motioned to reject the change order presented and to pursue proposals at a later date to complete the restroom work; Commissioner Fiorenzi seconded the motion; motion carried 3-0.

Change Order for Furniture Bid: The Crescent Valley Town Advisory Board requested an amendment to Change Order #1, related to furnishings, so they could upgrade the fabric on the chairs. Commissioner Fiorenzi motioned to approve the fabric upgrade in the amount of \$2,338.34 for furnishings at the Crescent Valley Justice Facility; Commissioner Bailey seconded the motion; motion carried 3-0.

Annual Operating Plan Between County and BLM: An annual operating plan is implemented each year between Eureka County and the Bureau of Land Management for emergency response fire suppression equipment that can be called to the site of a fire until contractors arrive. Commissioner Bailey motioned to approve signing the Annual Operating Plan between Eureka County and the BLM for fire suppression equipment. Commissioner Fiorenzi seconded the motion. Motion carried 3-0.

COUNTY ENGINEER

2008 Street Maintenance Project: Tom Young, of Lumos & Associates, reported that the 2008 Street Maintenance Project is underway; a preconference hearing was held and contracts were signed on July 18th. Patching will be completed over the next two weeks, then work will begin on the box culverts on Reno Avenue and Highway 101. Reno Avenue will be closed temporarily and a wide two-way bypass will be provided for Highway 101. Slurry seal will start the second week in August, preceded by warranty slurry seal to correct last year's problem.

Ruby Hill Sidewalk Project: The State is working on acquiring the right-of-way across several parcels, but has encountered problems with a couple of the property owners. One has rejected the prices offered by the State, asking for double the appraised value. The State does not want to set precedent by paying that, so have begun the eminent domain process which will take approximately eight months. The other property owner has requested four driveways and four sewer laterals, so Public Works is in the process of negotiating that.

Booster Station and Water Tank Project: The 50-percent design on this project will be completed by the end of the month. Water usage was recalculated using 2007 figures and incorporating projections for the Eureka Canyon Subdivision and the Prospect Subdivision. Based on these calculations, a 2.5 million gallon tank is now recommended. This project could be bid in the upcoming fall/winter timeframe, with work beginning in May of 2009.

Sewer Pond Expansion Project: The topography is complete. An amendment to the existing permit has been drafted to bring the system up to the standards in the Master Plan and will be submitted to the State within the week. 50-percent plans should be complete in six to eight weeks.

YUCCA MOUNTAIN

Update on Yucca Mountain Activity: Abby Johnson, Nuclear Waste Advisor, provided an update on Yucca Mountain. Warren Sprote, Director of the Office of Civilian Radioactive Waste Management, testified before Congress and announced year 2020 as the new achievable date for opening of the Yucca Mountain repository. The Nuclear Regulatory Commission will take about three years to review the license application. By 2020, the Department of Energy will owe the utilities 11 billion dollars for not taking their waste since 1998. At a recent press conference, Mr. Sprote estimated that the total life cycle system cost of the Yucca Mountain repository will be 90 billion dollars. Candace Trummel is the new liaison contact for the Affected Units of Local Government; Ms Trummel is a former Nye County Commissioner and most recently worked representing Lincoln County on the Yucca Mountain issue. Ms. Johnson reviewed summaries of the Final Supplemental EIS for the repository and the Final EIS for construction of the rail line, and noted that the executive summary recognizes that the complex mix of private and public lands could cause conflicts and complexities that could potentially delay construction of a railroad in the Carlin Corridor. Ron Damele sent a letter to the Surface Transportation Board requesting an informational workshop so Nevadans can better understand the rail line process. Lastly, the next Yucca Mountain newsletter will be published in September.

Nuclear Regulatory Commission Licensing: Now that the Department of Energy has submitted their licensing application, Eureka County needs to decide on their level of participation in the licensing process: full participant, interested government status, or simply an observer. Licensing Advisor, Diane Curran, recommends interested governmental status, as that will allow the County to receive full information without the requirements that go along with full participation. Commissioner Fiorenzi motioned that Eureka County participate as interested government status during the Nuclear Regulatory Commission licensing proceedings. Commissioner Bailey seconded the motion. Motion carried 3-0.

Retainer Agreement with Diane Curran, Esq.: Commissioner Fiorenzi asked two questions regarding retaining legal counsel for the licensing process: (1) if it was to be paid with Yucca Mountain funds; and (2) the level of the County's direct liability in the process. District Attorney, Ted Beutel, stated that this contract will be paid with Yucca Mountain funds; and regarding the liability issue, Eureka County is responsible for how they spend the Yucca Mountain funds, but the County retains management of the contract and the contractor, so has control over their level of liability. Commissioner Fiorenzi motioned to approve the contract with Diane Curran, of Harmon & Curran, to represent Eureka County in the Nuclear Regulatory Commission licensing proceedings for the Yucca Mountain repository. Commissioner Bailey seconded the motion. Motion carried 3-0.

MOUNT HOPE ENVIRONMENTAL IMPACT STATEMENT (EIS)

Update Report: Abby Johnson, Consultant, reported that the NEPA Committee is meeting twice per month, on the first and third Thursdays at 7:00 p.m. The NEPA Committee will review all documents related to the EIS, relying on the contracted technical experts for interpretation and comments. Key dates were received and the administrative draft will be available in November for 15 days of review. The Draft EIS will be available for a 45-day public comment period from the end of February to mid-April 2009. The record of decision will be issued in February of 2010. A report prepared by George Blankenship on the final socioeconomic conditions is currently being reviewed by the NEPA Committee. Revised chapters 1 and 2 of the EIS, the revised project description, and background chapters for the hydrology model will all be received shortly (the hydrology model report is delayed until late August). Judy Overton, Natural Resources Senior Department Assistant, is acting as gatekeeper for all documents.

Commissioner Fiorenzi reiterated his concerns over the time restrictions for submitting comments on the EIS documents, and stated the importance of receiving input from the Department Heads, even though this would be burdensome for some of the busier departments. He was also in favor of the NEPA Committee forming subcommittees so they weren't restricted to their meeting dates for working on comments.

EUREKA COUNTY 4H PROGRAM

Activities Planned for 2008 Eureka County Fair: Lynn Conley, Program Assistant, presented the 4H students who will have livestock for auction at the upcoming Eureka County Fair. Sara Green, Morgan Bailey, Will Marshall, Ethan Marshall, Selena Bailey, William Hale, Mary Kate Marshall, and Teana Green all described their animals and provided details on their feeding and conditioning. The students invited the Commissioners to attend the Fair and the auction.

RECESS FOR LUNCH

The Board recessed for lunch from 11:52 a.m. to 1:00 p.m.

AMBULANCE & EMS

Activity Report: EMS Coordinator, Mike Sullivan, reported on ambulance activity for the past two weeks. Eureka had three calls for service, for a year-to-date total of 62; Crescent Valley had one call for service, for a year-to-date total of 34. Mr. Sullivan reviewed volunteer staffing levels at both ends of the County. He has been asked to teach the high school EMT class, replacing Rob Smith, who is retiring. This will require approximately one hour a day from Monday through Thursday. The School District has agreed to allow non high school students to

attend the class. Mr. Sullivan stated he has other EMT instructors lined up as short notice substitutes should he receive an emergency call during class time.

Mr. Sullivan asked to meet with one of the Commissioners outside of the meeting to discuss options related to purchase of a new ambulance. The price quote came back much higher than expected and wasn't received until the budget was already completed. Commissioner Fiorenzi agreed to meet with him regarding this subject.

Purchase 22 Radios: Radios were requested to replace the small belt pagers and the Motorola handsets currently in use. The old radios will be gathered and as budget allows, will be sent off for refurbishing. Commissioner Bailey motioned to approve purchasing 22 radios for EMS, not to exceed \$7,000.00; Commissioner Fiorenzi seconded the motion; motion carried 3-0.

Ambulance Bill Write-Offs: Commissioner Bailey motioned to approve the ambulance bill write-offs for patient #2006261 in the amount of \$80.00, and patient #2006265 in the amount of \$75.00. Commissioner Fiorenzi seconded the motion. Motion carried 3-0.

NATURAL RESOURCES DEPARTMENT

Activity Report: Natural Resources Manager, Jake Tibbitts, reported on recent activities. On July 8th he toured the Saval Ranch with the Bureau of Land Management. The main purpose of this meeting was to get acquainted with the area BLM representatives, and Mr. Tibbitts also met Dr. Tamzen Stringham, the new Range Professor at the University of Nevada. Dr. Stringham has received an endowed professorship from UNR and will be primarily working with ranchers regarding range management and permit monitoring.

On the evening of July 8th, Mr. Tibbitts attended the NRAC meeting where topics included the release of big horn sheep on the Cortez Range, the Underwood Allotment, and wild horses. Shauna Richardson, Wild Horse Specialist for the BLM, stated everything is contingent on funding and gathering has been postponed to December or later, but the Diamond Horse Management area is the second priority for the Battle Mountain Field Office. Ms. Richardson will begin monitoring in September; Mr. Tibbitts will accompany her on some of these field tours.

On July 14th, Mr. Tibbitts attended the Public Lands meeting at the Opera House. Commissioner Fiorenzi attended as well, and they voiced concerns and asked for support regarding range resources and water resource issues being raised by the increased mining and growth in Eureka County. Mr. Tibbitts met informally with some NRAC members on July 15th to be brought up to date on their issues. On July 16th he attended the Farm Bill informational meeting sponsored by the Natural Resources Conservation Service.

Upcoming Meetings: Mr. Tibbitts will attend the Public Hearing later in the day; will accompany Tom Barrington, BLM Range Con, with Gary McCuin and Martin Etcheverry on a tour of the Roberts Creek Allotment, and will discuss cooperative monitoring. Department Assistant, Judy Overton, will attend the SLUPAC (State Land Use Planning Advisory Council) meeting in Winnemucca on July 25th.

Commissioner Fiorenzi stated that at the next meeting, all Department Heads will be asked to review the Mount Hope Environmental Impact Statement documents; Chapters 1 and 2 will be out within the week and that will trigger a 15 day time limit for comments. Commissioner Fiorenzi directed Mr. Tibbitts to be sure to review these documents and provide his input. Mr. Tibbitts agreed to make it a priority.

EUREKA COUNTY SHERIFF

Approval to Purchase Patrol Vehicles: Sheriff Ken Jones requested approval to purchase two fully-equipped patrol vehicles budgeted for Fiscal Year 2008-2009. One of the Fords recently experienced some serious engine problems, which Todd Hubbard was able to fix, but it is reaching the end of its usable life. Sheriff Jones recommended purchasing a Dodge Charger

and a Chevy Impala, having them fully equipped, utilizing radios that are still in good shape from existing cars that will be taken out of service. Commissioner Fiorenzi motioned to authorize the purchase of two fully-equipped patrol vehicles, not to exceed \$68,000.00. Commissioner Bailey seconded the motion. Motion carried 3-0.

CLERK/TREASURER

Treasurer's Report: Clerk/Treasurer, Jackie Berg, reported that the May 2008 report was in perfect balance. That was a result of going back to the beginning of the fiscal year and auditing each month's report. Ending balance for May was \$46,166,120.44. The property tax bills will be sent to the printer within the week.

Update on 2008 Primary Election: Ms. Berg reported that deadlines for the election were coming up quickly. A Sequoia technician was in Eureka the previous week and all machines were programmed for the Primary Election. Voter registration deadline for the Primary Election is July 22nd, and the Clerk's office will remain open until 9:00 p.m. on July 21st and 22nd to accommodate this deadline. Early voting begins July 26th and will continue through August 8th (including two Saturdays). Voters from all precincts may vote at the Clerk's office during early voting, but Ms. Berg cautioned that you can only vote at your assigned polling place on Election Day. August 5th is the deadline to request an absentee ballot, and forms are available at the Clerk's office. August 5th is the deadline for candidates to submit their first Campaign Contributions & Expense Report to the County Clerk. Reminder letters and forms were mailed to all candidates. Lastly, the Primary Election is August 12th. Precincts 1 and 2 will vote at the Opera House and polls will be open from 7:00 a.m. to 7:00 p.m. Precincts 3 and 4 are mailing precincts and their ballots will be accepted until 7:00 p.m. on Election Day.

Ms. Berg stated the Crescent Valley Town Advisory Board had submitted an agenda item requesting that the Commissioners sponsor a ballot question to allow Commissioners to be elected by District. The request was received too late to be placed on the July 7th agenda, and in researching the statutes, Ms. Berg found that July 21st was the deadline for a governing board to submit a ballot question in its final format, with an additional requirement of notifying the Clerk 30 days in advance (of the July 21st deadline) that a ballot question would be forthcoming. Since it was impossible to meet either of these deadlines, Ms. Berg declined to include this as an agenda item on the July 21st agenda.

EUREKA COUNTY PLANNING COMMISSION

Map for Division of Land Into Large Parcels: A map was submitted for approval by RLF Nevada Properties, and the Board reviewed the map in detail. It was noted that these parcels were subject to the Conditions, Covenants, and Restrictions outline attached to the map, and the County was not obligated to provide maintenance or snow removal.

Commissioner Fiorenzi asked about the recent change in statute, and how it affected the 1.2 acre feet formerly allowed per parcel for development of a domestic well. District Attorney, Ted Beutel, confirmed that the requirements had changed, but only for those dividing property; this change will require purchase of water rights in certain circumstances. Those with existing parcels are still able to drill a domestic well, but will have a priority date attached to that well.

Per recommendation of the Planning Commission, Commissioner Fiorenzi motioned to approve the map for Division of Land into Large Parcels, submitted by RLF Nevada Properties, LLC, for Parcel #004-360-01. Commissioner Bailey seconded the motion. Motion carried 3-0.

NEVADA HEALTH CENTERS, INC.

Fiscal Year 2008-2009 Contract: District Attorney, Ted Beutel, distributed the amended contract with Nevada Health Centers for the Board's review. Chairman Ithurralde was concerned

that the feasibility study on the telemedicine option had not been received. The Board had also asked for confirmation that support staff was in place or being trained for the telemedicine option before they would consider approval. Neither of these conditions had been met.

The Board discussed approving the contract, but wanted a written addendum requiring pre-approval for expenses related to the telemedicine option. Commissioner Fiorenzi motioned to approve the contract between Eureka County and Nevada Health Centers, Inc., with the provision that the telemedicine option and the \$188,000.00 in additional funding would not be accessed until Nevada Health Centers has identified an employee or staff to support this option and that all related expenditures must be pre-approved by the County Commissioners. Commissioner Bailey seconded the motion. Motion carried 3-0.

EUREKA COUNTY SCHOOL DISTRICT

Financial Report: The Board reviewed the June financial report submitted by the School District. Commissioner Bailey motioned to accept the School District financial report as presented; Commissioner Fiorenzi seconded the motion; motion carried 3-0.

EUREKA COUNTY SAFETY COMMITTEE

Modification to District Court Ramp: The Eureka County Safety Committee recommended a modification to the existing ramp in the District Courtroom, because the present ramp poses a tripping hazard. The proposed design was submitted to the District Court Judges and they requested a meeting before any modifications were made. Judge Dan Papez felt the proposal was intrusive and hoped to negotiate an improved design. The Board agreed to table this item until Chairman Ithurralde could meet with the Judges.

EUREKA COUNTY FAIR BOARD

Request for Additional Prize Money: Fair Board Chairwoman, Patsy Tomera, submitted a letter requesting additional prize money, in the amount of \$2,100.00, for the livestock events at the Eureka County Fair. Ms. Tomera had concerns that rising fuel costs could affect participation, and increased prize money would encourage attendance at these events.

The Commissioners asked Recorder/Auditor, Mike Rebaleati, for input, and Mr. Rebaleati stated the Fair Board's budget was sufficient to support all Fair activities. Commissioner Fiorenzi motioned to reject the request for additional prize money for the livestock events at the 2008 Eureka County Fair. Commissioner Bailey seconded the motion. Motion carried 3-0.

PRESENTATION OF MUNICIPAL WATERSHED

Community Development Coordinator, Jim Evans, provided a power point presentation regarding a municipal watershed climate station proposed for the Eureka Canyon Subdivision. Mr. Evans was commissioned a few months ago to look into the possibility of a climate station in the Eureka Canyon watershed to assist in forecasting domestic water supply related to the municipal springs.

Mr. Evans researched this subject in detail, including various station types and designs, conducted on site investigations, and recommended that the County consider installation of a SNOTEL site in conjunction with the US Department of Agriculture, Natural Resources Conservation Service (NRCS). This would involve signing a cooperative agreement for installation, management, and maintenance of the site. Mr. Evans provided extensive details on how the station would function, protocol for operating the station, benefits and data it would provide, site preparation and construction, and recommended location sites.

Cost Summary: Total cost for the components and site installation for this project was estimated to be \$17,877.00. The Commissioners thanked Mr. Evans for his presentation, but

decided to table action on this item until the next fiscal year budget discussions, and asked Mr. Evans to look into the availability of grants for this type of project.

COMMISSIONERS

Commissioner Update Reports: Commissioner Fiorenzi attended the NRAC meeting on July 8th, the Legislative Committee on Public Lands on July 14th, and the NEPA Committee meeting on July 17th.

Chairman Ithurrealde participated in two teleconferences with the attorney and water rights specialist, and will be meeting with them in Carson City on July 29th. He attended a Crescent Valley Fire Department meeting, attended the meeting regarding the new Farm Bill sponsored by NRCS, and traveled to Crescent Valley with Public Works to review the construction projects.

Consider Retirement Buy-Out Option: This was first brought before the Board in April; at that time, Chairman Ithurrealde motioned that language be drafted so the Board could consider some sort of retirement credit buy-out, but the motion died for lack of a second. For the benefit of Commissioner Fiorenzi, the Board briefly reviewed the discussions to date.

Commissioner Fiorenzi felt that the employment environment was going to become very competitive with the growth of the local mines, and thought it would be worthwhile for the County to do an analysis survey comparing wages and benefits with other counties and the mining industry. He felt it would be appropriate to address this during the next budget cycle, and suggested forming a committee of employee representatives to do this comparison. Chairman Ithurrealde suggested a five-member committee with representatives from the Courthouse, Road Department, Administration Building, Sheriff's Office, and Crescent Valley, and that Mr. Rebaleati serve as an adviser to the committee. Commissioner Fiorenzi motioned to approve forming this committee to conduct a study on employee wages and benefits to be presented during the next budget cycle. Commissioner Bailey seconded the motion. Motion carried 3-0.

Application for Indigent Assistance: Millie Oram stated that an application was submitted to the County requesting payment assistance for ambulance and air ambulance bills. After a brief discussion, the Commissioners did not feel that indigent status had been established and Commissioner Fiorenzi motioned to reject the claim for indigent assistance. Commissioner Bailey seconded the motion. Motion carried 3-0.

Contract for Appraisal Services Related to the TS Power Plant: Chairman Ithurrealde explained that several proposals were received from independent appraisers for valuation of the TS Power Plant and Mark Stafford was selected by the Board. This item was on the agenda simply to approve and sign the contract. Commissioner Fiorenzi motioned to approve a contract between Eureka County and Mark Stafford, Certified General Appraiser, for an independent appraisal of the TS Power Plant in northern Eureka County. Commissioner Bailey seconded the motion. Motion carried 3-0.

Services From Elko County Public Guardian: District Attorney, Ted Beutel, explained that a Crescent Valley resident, admitted to a medical facility in Elko, was recently evaluated and determined to be in need of guardianship services. A contract will be forthcoming from the Elko County for their Public Guardian to care for this individual, as soon as the necessary signatures are obtained. Commissioner Bailey motioned to approve a contract with the Elko County Public Guardian to provide services for this individual. Commissioner Fiorenzi seconded the motion. Motion carried 3-0.

Job Description for Eureka County Public Guardian: The Board discussed options for engaging a Public Guardian for Eureka County, including whether this should be a contract position, full-time employee, or part-time employee. Mr. Rebaleati stated he could have a job description ready for the next meeting and then the Board could decide what staff or contract level they wanted to pursue. Commissioner Fiorenzi motioned to create a job description, and

determine later whether contract, full-time, or casual employee would best serve this position. Commissioner Bailey seconded the motion. Motion carried 3-0.

Policy Regarding Volunteer Services: Mike Rebaleati explained that the County's current Personnel Policy Manual minimally addresses volunteer services, but due to some recent problems, the Commissioners needed to address whether a more comprehensive written policy was needed. Commissioner Fiorenzi felt that emergency services in Eureka County would not survive without the service of volunteers, and motioned to have the Commissioners review a more comprehensive policy to guide volunteer services, but cautioned Mr. Rebaleati to 'step lightly' in drafting that policy. Commissioner Bailey seconded the motion. Motion carried 3-0.

PUBLIC SERVICE ANNOUNCEMENT

Sheriff Ken Jones apologized for interrupting the meeting, but asked to make a public announcement that the National Weather Service had just issued a tornado warning for the Crescent Valley area for the next 20 minutes. Judge Susan Fye responded via the interactive video and stated that Crescent Valley had just experienced some extreme winds and she felt the tornado had already hit, but thanked the Sheriff for the information in case more severe weather was imminent.

COMMISSIONERS (continued)

Open Position in District Attorney's Office: District Attorney, Ted Beutel, asked for direction from the Board regarding filling the position in his office. To date there have been four applicants and those applicants were reviewed to determine compatibility between the two offices (DA's office and Clerk's office as support staff to the Commissioners). In not wanting to compete with an opening in the Clerk's office, Mr. Beutel backed off from advertising, but now the Clerk's vacancy has been filled and Mr. Beutel requested direction from the Board on proceeding to fill this position. Commissioner Fiorenzi motioned to proceed with advertising for this position and requested that one of his fellow Commissioners (more familiar with the needs), meet with the District Attorney to decide whether the job requirements should be modified. Commissioner Bailey seconded the motion. Motion carried 3-0.

Burn Restrictions: Nevada Division of Forestry released a public service announcement on July 9th enforcing burn restrictions. Commissioner Fiorenzi motioned to endorse the burn restrictions as outlined in the NDF public service announcement; Commissioner Bailey seconded the motion; motion carried 3-0. Chairman Ithurrealde stated that in addition to this endorsement, he would like Eureka County to pass a burn restriction resolution and requested this be included as an action item on the next agenda.

Signs for Eureka Justice Court: The Eureka Justice Court recently moved from the Courthouse to the Administration Building, and needed to be added to the signage at that building. Cost estimates were not yet available, so Commissioner Fiorenzi motioned to table action on this item until Public Works could obtain estimates. Commissioner Bailey seconded the motion. Motion carried 3-0.

Update Title 10 of Eureka County Code – Television District Ordinance: The Television District had approved a monthly stipend for its Directors, and it was suggested that Title 10 of the Eureka County Code be amended by ordinance to reflect this action. Commissioner Fiorenzi motioned to deny an ordinance updating Title 10 of the Eureka County Code, feeling it would be interpreted as endorsement by the Commissioners of this stipend. Commissioner Bailey seconded the motion. Motion carried 3-0.

DIAMOND VALLEY AGRICULTURE PRODUCERS

Water Issues in Diamond Valley: Diamond Valley farmers, Ken Benson, Fred Etchegaray, and Tim Bailey introduced themselves. Mr. Benson stated they had requested this time with the Commissioners to present concerns over the intentions of General Moly to reallocate and redistribute water from agriculture to mining. These concerns prompted a meeting between the agriculture producers and representatives of General Moly, where there was a healthy give and take with several proposals being voiced by the irrigators. Mr. Benson stated a subsequent meeting has been planned in a more public venue, tentatively scheduled for 1:00 p.m. on August 5th at the Eureka Opera House. At this point, discussions have merely been an exchange of information, but at some point in time, General Moly may come forward with negotiations towards a settlement or an alternate solution with respect to these water issues, rather than simply proceeding to the State Engineer hearing in October.

Mr. Etchegaray and Mr. Bailey reiterated that the meetings to date have only been an exchange of information and no negotiations have taken place, as they would not want to speak for every producer in Diamond Valley, but prefer everyone have an opportunity to speak for themselves.

Mr. Benson stated that the Board of Commissioners has set a precedent in holding public hearings in relation to progress on the Eureka Canyon Subdivision in negotiating and working towards an agreement with the mine, and he encouraged the Commissioners to take this same approach in dealing with any water negotiations that may be forthcoming, so that the irrigators themselves have sufficient opportunity to participate in the process.

PUBLIC COMMENT

The Chairman opened the floor to public comments; there were none. Chairman Ithurralde reminded everyone of the special meeting on July 25th to open bids for the Eureka Fire Station Project, and of the Public Hearing scheduled that night at 7:00 p.m. at the Eureka Opera House regarding a proposed resolution and proposed lease between Eureka County and Eureka Moly, LLC, for the annexed property near the fairgrounds.

ADJOURNMENT

At 3:57 p.m., Commissioner Bailey motioned to adjourn the meeting. Commissioner Fiorenzi seconded the motion. Motion carried 3-0.

Approved this 20th day of August, 2008.

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

Attest: /s/ Jackie Berg
Jackie Berg, Clerk