

EUREKA COUNTY BOARD OF COMMISSIONERS
August 6, 2008

STATE OF NEVADA)
 : ss
COUNTY OF EUREKA)

CALL TO ORDER

The Board of Eureka County Commissioners met pursuant to law on August 6, 2008. Present were Chairman Jim Ithurralde; Vice Chairwoman Donna Bailey; Member Leonard Fiorenzi; District Attorney Theodore Beutel; and Clerk & Treasurer Jackie Berg. Chairman Ithurralde called the meeting to order at 9:36 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.

APPROVAL OF MINUTES

Commissioner Fiorenzi motioned to approve the minutes of the July 7, 2008, Commission meeting; Commissioner Bailey seconded the motion; motion carried 3-0.

PUBLIC COMMENT

The Chairman called for public comment. Zach Spencer, External Communications Manager for General Moly, invited the Commissioners, County staff, and general public to attend a groundbreaking ceremony on Monday, August 18th, from 10:00 to 11:00 a.m. at the Eureka Townsite annexed property where Eureka Moly will be developing their subdivision.

Commissioner Bailey noted she would abstain from deliberation and vote regarding the fencing contract that afternoon. There were no further comments.

FINANCE

Payment of Expenditures: Expenditures were presented for approval by Recorder/ Auditor, Mike Rebaleati. Commissioner Fiorenzi motioned to approve expenditures in the amount of \$390,336.96 for accounts payable, and \$313,280.76 for payroll, for a grand total of \$703,617.72; Commissioner Bailey seconded the motion; motion carried 3-0. Commissioner Bailey motioned to approve Yucca Mountain expenditures in the amount of \$6,174.87; Commissioner Fiorenzi seconded the motion; motion carried 3-0.

Eureka Television District: Regarding work done by Radco Communications for the Television District in June that was not budgeted for that fiscal year, Mr. Rebaleati contacted Kafoury Armstrong and the District Attorney for opinions regarding payment options. Both responded that it was a legitimate expense that should be paid from Fiscal Year 2007-2008. Mr. Rebaleati stated this would automatically put the Television District in violation of NRS 354.625 and will be reported to the Nevada Department of Taxation and the Nevada Attorney General's office. Commissioner Fiorenzi motioned to approve this course of action; Commissioner Bailey seconded the motion; motion carried 3-0.

Television District President, Dave Pastorino, reiterated that although the work began in June, the Television District didn't expect to make payment until July upon completion of the work. Any budget violations caused by this were completely unintentional.

Review Auditor's Report: The Board reviewed the Auditor's Report and had several minor questions which were answered by Mr. Rebaleati. Commissioner Fiorenzi motioned to

accept the Auditor's Report as presented; Commissioner Bailey seconded the motion; motion carried 3-0.

Phone System Upgrade: \$160,000.00 was budgeted for Fiscal Year 2008-2009 for phone system upgrades for County offices in the Town of Eureka. Commissioner Fiorenzi motioned that the County move forward with the phone system upgrades and that Mr. Rebaleati continue as project manager; Commissioner Bailey seconded the motion; motion carried 3-0.

Intranet System for County Resolutions and Contracts: Mr. Rebaleati explained, with some licensing upgrades, the County network has the capability of creating a database for contracts and resolutions. If the Board was interested he could prepare a cost estimate. Commissioner Fiorenzi motioned that the Recorder/Auditor research the costs for a system to log these County records and present it during the next fiscal year budget cycle. Commissioner Bailey seconded the motion. Motion carried 3-0.

Budget Augmentations for Expenses Carried Over from Fiscal Year 2007-2008: Mr. Rebaleati stated this was for items ordered and construction in progress in Fiscal Year 2008 that won't be received or completed until Fiscal Year 2009. Mr. Rebaleati will take care of required advertising. Commissioner Fiorenzi motioned to proceed with the budget augmentations for Fiscal Year 2009; Commissioner Bailey seconded the motion; motion carried 3-0.

Fiscal Year 2008-2009 Capital Improvement Plan: Mr. Rebaleati provided the Board with the final copy of the capital improvement plan as submitted to the State Controller and the Nevada Attorney General.

Trust Account for Retiree Health Insurance Premium Subsidies: Mr. Rebaleati stated this was a continuing discussion regarding creating a trust account in compliance with GASB 45 (Government Accounting Standards Board). The County is obligated, by a recent NRS and County resolution, to pre-fund retiree insurance subsidies, and there are several options to administer this. Based on the actuary report completed in March, 4.5 million will be required up front to support County retirees in both the Nevada League of Cities and Public Employee Benefits Program. Nevada is working on an elective program, to assist individual counties, in the form of a trust fund managed by the State.

2007 GFOA Certification of Achievement for Excellence in Financial Reporting: Mr. Rebaleati explained that this award is from GFOA, a national organization, and is more or less a peer review of the County's accounting and financial reporting. Chairman Ithurralde read a portion of the announcement: *"This certificate of achievement of excellence in financial reporting has been awarded to the County of Eureka by GFOA for its comprehensive annual financial report. This certificate of achievement is the highest form of recognition in the area of government accounting and financial reporting and represents a significant accomplishment by the government and its management and it's been presented to Mike Rebaleati, County Auditor/Recorder."* Commissioner Fiorenzi motioned to accept the award; Commissioner Bailey seconded the motion; motion carried 3-0.

ING FINANCIAL ADVISORS, LLC

Participant Options for County Employees: Steve Platt, Manager for the State of Nevada, introduced himself and Account Representative, Joanne Obara. ING is a provider with the Public Employees Retirement Program and they are just introducing themselves to Eureka County. Mr. Platt provided a brief history on ING services, noting their 41 years of experience in the deferred compensation market. Mr. Platt reviewed office locations, website information, and noted that representatives will periodically visit the Eureka area.

CORRESPONDENCE

Correspondence was received from: T. Gaiato; Betty Krambs; Lisa Marshall; District Attorney, Ted Beutel (7); Deputy DA, Dorothy Rowley; Clerk & Treasurer, Jackie Berg; Senior Center Director, Millie Oram; Public Works Director, Ron Damele; Tom Young of Lumos & Associates; Eureka County

Planning Commission; Crescent Valley Town Adv. Board (6); Extension Educator, Gary McQuin; BJ Selinder of Public Policy Innovations (2); Lumos & Associates newsletter; Allison, MacKenzie, et al (2); Eureka County High School Athletic Steering Committee; Eureka County School District; Central Nevada Regional Water Authority; Nevada Dept. of Public Safety; Gene Ethcheverry of Lander County; White Pine County; Nevada Association of Counties (6); TNT Public Auction notice; Legends Landscaping; Building Solutions, Inc.; Nevada Div. of Industrial Relations; Nevada Div. of Water Resources (3); Nevada Dept. of Taxation (5); Nevada Div. of Environmental Protection; Public Utilities Commission of Nevada (2); Nevada Div. of Welfare; Nevada Dept. of Business & Industry; NHD Reporter; Secure the Call Foundation; Nevada Dept. of Transportation; Nevada Dept. of Motor Vehicles; Nevada Works; Erin DeLong; Sierra Pacific Power Co.; National Assoc. of Counties (2); US Minerals Mgmt. Service; US Dept. of the Interior BLM (4); USDA-Forest Service; US Nuclear Waste Technical Review Board; US Dept. of the Interior-Fish & Wildlife Service (2); and US Army Corps of Engineers.

DEPARTMENT HEAD REPORTS

COUNTY FACILITIES AND ECONOMIC DEVELOPMENT

Update Report: Facilities Director, Wally Cuchine, reported that the Transfer of Wealth meeting was held at the Opera House on July 25th with approximately 15 attendees. It provided an opportunity for Mr. Cuchine and Trish Reynolds, Program Assistant, to meet Economic Development folks from other rural counties. The first Farmer's Market was held with five vendors and close to 50 buyers. The next one is scheduled in two weeks, skipping a week to accommodate the County Fair. The Sentinel Museum now has a musical exhibit that focuses around the xylophone recently donated by Karen Stephenson (whose grandfather played it during silent movies). Tourist numbers at the museum continue to exceed previous years.

Mr. Cuchine provided the Commissioners with CDs from the Nevada Commission on Tourism narrated by John Tyson. Multiple copies were provided to the Opera House for distribution to tourists traveling Highway 50.

Sign for Economic Development Office: Proposals were received from T-Shar Enterprises and Iron Age for a sign to be mounted on the railroad car for the Economic Development office. Commissioner Fiorenzi commented that the sign proposals were for completely different styles; based on that, he motioned to reject the bids and asked Economic Development to decide which sign they preferred. Commissioner Bailey seconded the motion. Motion carried 3-0.

SENIOR CENTERS

Update Report: In her absence, Site Director, Millie Oram, provided the Board with a written report. Site Director, Adell Panning, reported on the Fannie Komp Senior Center. Both Directors attended the grand opening of the Northern Nevada Food Bank outside of Fernley on July 18th. Ms. Panning attended an Emergency Assistance Program meeting in Reno on August 5th. For the month of July, the Eureka Senior Center served 1175 meals; the Fannie Komp Senior Center served 611 meals. Deposits for the month totaled \$7,250.75.

Clarification on Budgeted Positions: During the budget meetings, a full-time position was approved for the Fannie Komp Senior Center. After reviewing the schedule, Ms. Panning found that two part-time positions would be more beneficial and they were subsequently approved as an alternate to the full-time position. Clarification was now being requested whether these were to be benefited positions.

The Board, Mr. Rebaleati, and Ms. Panning reviewed the prior discussions. The Board was certain that benefits had not been approved, but agreed that the budget could support one half-time employee with benefits, and one casual employee without benefits. Ms. Panning stated she would discuss this with her employees; if there was a problem she would bring it back before the Board.

Van for Eureka Senior Center: \$37,000.00 was approved in the Fiscal Year 2009 budget for the Eureka Senior Center to purchase a new van, and Ms. Oram provided a quote through State purchasing. Commissioner Fiorenzi motioned to approve purchase of a van through State purchasing for the Eureka Senior Center, in the amount of \$34,263.00. Commissioner Bailey seconded the motion. Motion carried 3-0.

SWIMMING POOL / PARKS / RECREATION

Update Report: Pool Supervisor, Cindy Adams, reported that there were over 1,300 swimmers during the month of July. An informal swim meet was held between the students in the swim program and the swim team. The 4th of July was very busy with 96 swimmers within two hours. Several bicycle groups traveling through Eureka made use of the downtown park and the showers at the pool. A CPR class for recertification of professional rescuers was held with 28 participants. The VFW Midsummer Classic Softball Tournament was held at the ball park. The co-ed softball league season is nearly over. These events, including the 4th of July, Lion's Club breakfast, Farmer's Market, etc., kept the pool/park crews busy with set up and clean up.

The Fairgrounds were utilized by Eureka Juvenile Probation and Eastern Nevada Coalition to sponsor a youth dance on July 17th; the Trevino family held a barbeque on July 18th; and Barrick Ruby Hill held their annual picnic on July 25th. Ms. Adams thanked the Road Crew for hauling in sand and for all their work at the Fairgrounds in preparation for the County Fair.

ROAD DEPARTMENT

Update Report: Road Foreman, Steve Auch, introduced Raymond Hodson, who will replace him upon his retirement. Mr. Auch stated that Mr. Hodson is very familiar with Eureka County roads, but they have spent some time in Crescent Valley, the Maggie Creek area, etc. and will review snow removal and year-round activities to make sure everything is covered. The Commissioners welcomed Mr. Hodson aboard.

2008 Street Maintenance Project: The Street Maintenance Program has begun. Patching is complete; shoulder work is being done; Dibble Lane has been paved; and the contractor is beginning the culvert work on Reno Avenue and Highway 101. The approach into the Pine Valley Cemetery is complete. Gravel is being hauled to the Grass Valley Road from McCluskey Creek to the Gund Ranch. The work is done at Sheep Creek and the culvert is installed. The Roberts Creek Road is suffering from the drill traffic, but the County continues hauling gravel to fill in the bad spots. Preparations for the Fair are complete, except for setting up some panels and watering. There was a fire at Sheep Creek and the County had a blade on standby, but it wasn't needed as the fire was put out in about two hours.

Commissioner Ithurralde thanked Mr. Auch and commended him on the outstanding job he has done for Eureka County for the past 18 years.

US GEOLOGICAL SURVEY

Diamond Valley Regional Flow Systems Study: Mary Tumbusch, Hydrologist with the USGS Nevada Water Science Center, provided a brief update on the Diamond Valley Regional Flow Systems Study. The study began to look at the lowering water table; some areas of the water table in Diamond Valley have lowered as much as one hundred feet, so there is evidence of subsidence. Phase One examined the hydrology of the flow system between basins and that report has been published. The study is now in Phase Two, which will continue through Federal Fiscal Year 2009. Phase Two will study the groundwater recharge and discharge components (inflow and outflow) and the geochemistry of the areas. There are two evapotranspiration stations in Diamond Valley, and two more in Kobeh Valley, which have been collecting data for a year. Ms. Tumbusch gave a brief power point presentation charting the data gathered to date.

Ms. Tumbusch planned to meet with Jake Tibbitts, Natural Resources Manager, later in the day to give him a detailed update on the project.

RECESS FOR LUNCH

The Board recessed for lunch from 12:09 to 1:09 p.m.

EUREKA COUNTY SHERIFF

Request to Purchase Budgeted Radios: Sheriff Ken Jones stated that the Sheriff's Department had not purchased new handheld radios for at least 12 years. New radios were approved during the budget cycle and were considerably cheaper than the Motorola counterpart currently being used. Two of these radios were tested during the previous year and proved more than adequate. Commissioner Fiorenzi motioned to approve the purchase of 20 handheld radios at a cost of \$7,474.27; Commissioner Bailey seconded the motion; motion carried 3-0.

AMBULANCE & EMS

Update Report: EMS Coordinator, Mike Sullivan, reported on emergency service activities for the last two weeks. Eureka had no ambulance calls, leaving their year-to-date total at 62. Crescent Valley had two calls for service, bringing their year-to-date total to 36. Mr. Sullivan reviewed volunteer staffing levels for both ends of the County. The new radios are in, and are being issued as the old radios and pagers are turned in. EMT Teen Education was held August 4th in Eureka and will be held August 14th in Crescent Valley.

Approve Travel Voucher for Terry Foster: Mr. Sullivan explained that Terry Foster has been attending an EMT Basic Class at the Fire Academy since April and submitted a travel voucher after completion of the class. Upon submission, they were notified that County policy requires travel vouchers within two weeks. Reimbursement requests after this must be approved by the Commissioners. Mr. Sullivan apologized for the miscommunication and requested that the travel be approved. Commissioner Fiorenzi motioned to approve travel reimbursement for Terry Foster in the amount of \$331.28; Commissioner Bailey seconded the motion; motion carried 3-0.

COUNTY ENGINEER

Eureka Town Fire Station: Tom Young, of Lumos & Associates, reported that bids were opened on July 25th and bid award was scheduled for 2:30 that afternoon.

2008 Street Maintenance Project: The 2008 Street Maintenance Project is underway as reported earlier in the day by Road Foreman, Steve Auch. Two buried manholes will be raised as soon as the encroachment permit is obtained from the Nevada Department of Transportation. Dibble Lane was paved and just requires some shoulder and finish work. Culvert work on Reno Avenue and Highway 101 has begun. Slurry sealing will start on August 18th, beginning with correction of last year's seal on 3rd Street.

HEALTH INSURANCE COMMITTEE

Committee Resignations: Health Insurance Chairperson, Kim Todd, provided the Board with letters of resignation from Teresa Bundy (Crescent Valley), Vera Baumann (retiree), and Russell Rowley (alternate). Ms. Todd stated that the committee sent out letters with employee paychecks and also mailed letters to all retirees in an attempt to recruit interest for the vacant seats. Commissioner Fiorenzi motioned to accept resignations from Teresa Bundy, Vera Baumann, and Russell Rowley; Commissioner Bailey seconded the motion; motion carried 3-0.

Letter of Interest: A letter of interest was received from Kathy Kinkade from Crescent Valley. Commissioner Bailey motioned to appoint Kathy Kinkade to the Crescent Valley

vacancy on the Health Insurance Committee; Commissioner Fiorenzi seconded the motion; motion carried 3-0.

CLERK & TREASURER

Treasurer's Report for June 2008: The Board reviewed the monthly Treasurer's Report. Ending balance for June 2008 was \$49,803,992.73. Per an earlier request by the Board, the report was amended to reflect maturity dates for the individual investments.

EUREKA COUNTY COURTS

Eureka Justice Court, Beowawe Justice Court, and Seventh Judicial District Court: A request was submitted to the Board to formally increase the mileage reimbursement for court witnesses. Judge Susan Fye explained that court witnesses were still paid \$0.19 cents per mile, but NRS 50.225 allowed the Board of Commissioners to increase the rate to match the state allowed rate. Commissioner Fiorenzi motioned to increase the mileage reimbursement rate for witnesses testifying in courts in Eureka County to the County and state allowed rate of \$0.585; Commissioner Bailey seconded the motion; motion carried 3-0.

For clarification, the Board commented that court witnesses would continue to be paid the County per diem rate for meals.

MOUNT HOPE PROJECT EIS (ENVIRONMENTAL IMPACT STATEMENT)

Updates and Continued Participation in Mount Hope EIS: Commissioner Fiorenzi requested that Jim Evans, Community Development Coordinator, schedule two meetings as soon as possible: one with relevant County staff for the purpose of delegating assignments related to the annexed property leased to Eureka Moly; and the second with the Public Works Director and the District Attorney regarding Eureka Moly's Comprehensive Overall Development Plan for the leased property.

Ron Damele reported that Eureka Moly is anxious to begin harvesting trees, but his understanding was that the Comprehensive Overall Development Plan (CODP) needed to be approved before any work began. Commissioner Fiorenzi stated he would like to have the meetings as requested, then meet with the mine, and agreed that the CODP should be approved first.

NATURAL RESOURCES

Report on Activities: Natural Resources Manager, Jake Tibbitts, reported that earlier in the day he toured the Roberts Creek area with Martin Etcheverry, Gary McCuin, and Tom Derington, BLM Range Con, to review possible participation in cooperative permit monitoring. This program benefits permittees, who can participate in monitoring and documenting data in conjunction with the Bureau of Land Management. Mr. Tibbitts attended a Diamond Valley irrigators meeting, simply as a bystander to be informed on issues pertinent to the irrigators.

Upcoming Meetings: Mr. Tibbitts will attend the NEPA Committee meeting on August 7th, and commented that he will be doing a lot of reading to catch up on issues and concerns of the various groups and entities in Eureka County.

PUBLIC WORKS

Update on Crescent Valley Construction Projects: Public Works Director, Ron Damele, reported that the Crescent Valley construction projects are substantially complete. The electrician is dialing in the heater at the Community Center. There was some confusion at the Senior Center; the contractor removed the soffit that was initially installed by mistake, but negotiated to remain, so that will be reinstalled. The roofs on the Senior Center and Justice

Facility are nearly complete. The 'punch-list' walk through will be conducted on August 14th along with the architect, the contractor, and Commissioner Fiorenzi.

Change Orders for Crescent Valley Construction: Mr. Damele explained that bids include a force account to cover unforeseen costs in larger projects. The first force account change order request was to postpone the construction deadline by 30 days to August 15th; the second change order request was to install a drainage line in back of the Fannie Komp Senior Center; the last change order was to expand the parking lot at the Town Hall, which will include improvements to the handicap access at the Clinic, and restriping at the Town Hall and the Clinic. Commissioner Fiorenzi motioned to approve the change orders as outlined: the deadline extension at no cost; the drainage line for \$5,000.00; and the additional paving for \$13,800.00. Commissioner Bailey seconded the motion. Motion carried 3-0.

Change Order to Furniture Bid: A request was submitted for 15 oak laminate tables, 120 fabric folding chairs, two chair trucks, and one table truck for the Crescent Valley Community Center, to be added to the furniture bid with Machabee Office Environments for the Crescent Valley Justice Facility. Commissioner Fiorenzi motioned to approve Change Order #2, adding Community Center furniture to the bid with Machabee Office Environments, for a total of \$8,638.43; Commissioner Bailey seconded the motion; motion carried 3-0.

Fencing Bids: Commissioner Bailey excused herself from the meeting room, recusing herself from deliberation and decision related to the next agenda items, which concerned a fencing contract with Eureka County.

Mr. Damele stated an error on the original fencing bid caused the Commissioners to reject all bids and re-advertise for contract. Subsequently, one bid was received from Reese Marshall & Sons, for removal of existing fencing at \$3.72 per linear foot and \$5.96 per linear foot for installation; there was also an exception for mileage related to any work requiring travel in excess of 20 miles. Commissioner Fiorenzi motioned to accept the fencing bid from Reese Marshall & Sons as presented; Chairman Ithurralde seconded the motion; motion carried 2-0.

Award and Sign Fencing Contract: Commissioner Fiorenzi motioned to approve and sign the fencing contract between Eureka County and successful bidder, Reese Marshall & Sons. Chairman Ithurralde seconded the motion. Motion carried 2-0. Upon conclusion of discussion and action related to the fencing contract, Commissioner Bailey returned to the meeting room.

Meeting Regarding Cell Service: Mr. Damele met with Alltel that morning in Crescent Valley regarding a potential site for a cell tower to enhance cell service in the Crescent Valley area. A site was selected and an alternate site was identified. Alltel plans to purchase an 80 ft. tower, which will take four to six months to install once purchased. Alltel also plans on taking a look at potential tower sites in Pine Valley.

Wage Variance for Building Maintenance Supervisor: Mr. Damele requested authorization to hire the new Building Maintenance Supervisor at an advanced wage. Commissioner Fiorenzi motioned to approve hiring the Building Maintenance Supervisor at range 126, step 6. Commissioner Bailey seconded the motion. Motion carried 3-0.

Architectural Fees Related to School Bus Barn: The County has been negotiating with the School District to use the bus barn for temporary storage of fire trucks during construction of the Eureka Town Fire Station. This would require insulating the bus barn and the school architect has submitted an estimate of \$6,000.00 for design and \$8,000.00 for construction management on site. Mr. Damele felt that \$24,000.00 in addition to materials and heating costs was excessive. It might be better to invest in upgrading the County Shop to use that for temporary storage. No construction would be required at the shop, and a new roof and another heater would make it suitable for housing the fire apparatus. Commissioner Fiorenzi motioned to deny paying architectural fees for the School District Bus Barn and to have Public Works look into housing the fire trucks in the County Shop.

FFA LEADERSHIP CONFERENCE

John Hoehne, student, reported on his recent attendance at the FFA (Future Farmers of America) Leadership Conference in Washington, DC, and thanked the Board for their financial contribution towards his trip. Mr. Hoehne reported on the various events of the conference, historical sites, and political figures both past and present. He shared photographs with the Board, commenting that it was a “once in a lifetime experience.” Mr. Hoehne will be a senior at Eureka High School this upcoming school year. The Board thanked him for his presentation.

RECESS FOR DEVIL’S GATE GID MEETING

The Board recessed from 2:10 to 2:30 p.m. for the scheduled Devil's Gate GID meeting.

BID AWARD FOR EUREKA FIRE STATION PROJECT

County Engineer, Tom Young, reported that three bids were received on July 25th. Lowest bidder was Reyman Brothers Construction, with a base bid of \$3,826,500.00. The bids were very tight, with the second lowest bidder, Bison Construction, only one percent over the low bid. Third lowest bidder was Building Solutions, at 3.5% over the low bid. The bid from Reyman Brothers Construction included a force account of \$75,000.00 and an alternative ‘A’, which is a substantial upgrade to the roof, for \$10,500.00. Mr. Young and Public Works Director, Ron Damele, reviewed the bids and recommended that the award be granted to the lowest bidder. Commissioner Bailey motioned to award the Eureka Town Fire Station bid to Reyman Brothers Construction, in the amount of \$3,837,060.00. Commissioner Fiorenzi seconded the motion. Motion carried 3-0.

COMMISSIONERS

Update Reports: Commissioner Fiorenzi reported that he attended a meeting with Public Works regarding the preliminary engineering short list. Chairman Ithurralde reported that he traveled to Carson City with Mr. Beutel, Dorothy Rowley (Assistant District Attorney), and Ron Damele to conference with Karen Peterson, attorney for the water application protests, and the hydrology team for the upcoming water hearing scheduled in October.

Public Guardian Job Description: The Board, Mr. Beutel, and Mr. Rebaleati discussed Public Guardian options at length, including whether this should be a contract professional, part-time employee, or full-time employee. Mr. Rebaleati presented a job description, noting that adjustments could be made as the Board works through the process. Mr. Rebaleati felt the position should not be contracted, but should be an entry level person who he offered to supervise. Mr. Beutel felt that exempt status would avoid excessive overtime costs, as there will be periods, even with a single client, that will require extensive time and travel of this person; this would not negate this person being supervised, but would allow him/her the ability to make the necessary day-to-day decisions.

Commissioner Fiorenzi motioned to accept the job description for Public Guardian, and to advertise for a part-time exempt employee, to be paid a salary within range 115. Commissioner Bailey seconded the motion. Motion carried 3-0.

Request to Change Landfill Hours: Mr. Rebaleati stated he placed this on the agenda because of complaints he received from several citizens. Commissioner Fiorenzi commented that the Landfill days were set based on usage, and was closed Tuesday and Wednesday because those were the slowest days. The Board agreed that the construction and growth in Eureka would soon warrant opening the Landfill seven days a week, but this was not supported in the current budget. Mr. Damele commented that he was opposed to changing the days of operation at the Landfill, and agreed that opening seven days a week might be the best solution, but this was a budget issue as it would require additional staff.

John Brown and Tony Rowley spoke in favor of opening the Landfill seven days a week. Mr. Brown stated it was an inconvenience to have a full dump truck early in the week, with crews on the payroll, and progress held up until it could be dumped on Thursday. John Mariluch commented that his garbage pick-up business was based around the Landfill schedule and it would be a great inconvenience if the days were changed; additionally he was concerned that increased hours could mean increased dumping fees which would impact his business. Doran Adams thought something might be worked out where a contractor could provide financial assistance towards wages in order to keep the Landfill open the additional days.

Commissioner Fiorenzi motioned to leave the Landfill hours as is, and to consider extending the hours during the next budget cycle, unless a budget-friendly solution was offered before that time. Commissioner Bailey seconded the motion. Motion carried 3-0.

Resolution Adopting Central Nevada Regional Water Authority Resolution: Chairman Ithurralde explained that the Central Nevada Regional Water adopted a resolution in December 2007, encouraging that land use plans adopted by member counties be based on sustainable water resources. Commissioner Fiorenzi motioned to adopt the resolution; Commissioner Bailey seconded the motion; motion carried 3-0.

Eureka, Nevada

August 6, 2008

RESOLUTION
ADOPTING BY REFERENCE RESOLUTION 07-01 OF THE
CENTRAL NEVADA REGIONAL WATER AUTHORITY

WHEREAS, a duty under law is imposed upon Nevada counties and cities to prepare land use plans that regulate and restrict the improvement of land, and such regulation must take into account the total population which the available natural resources will support without unreasonable impairment of the natural resources, including water resources; and

WHEREAS, Eureka County is a member of the Central Nevada Regional Water Authority; and

WHEREAS, Resolution 07-01 of the Central Nevada Regional Water Authority recognizes critical elements of policy governing the development of proper land use plans affecting the hydrographic basins borne by member counties; that all such policies are predicated upon the protection of sustainable water resources for all uses within the member counties.

NOW THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of the County of Eureka, State of Nevada, does hereby find, resolve, determine and order as follows:

That Resolution 07-01, dated December 14, 2007, of the Central Nevada Regional Water Authority, a copy of which is annexed hereto and by reference made a part hereof as if full set forth herein, be and it is approved and ratified.

That a copy of this Resolution be provided to the Board of Directors of the Central Nevada Regional Water Authority.

APPROVED this 6th day of August, 2008.

/s/ J. P. Ithurralde
Chairman of the Board
Eureka County Commissioners

Attest: /s/ Jackie Berg
County Clerk

Fiscal Year 2009 Member Assessment for Central Nevada Regional Water Authority: Commissioner Fiorenzi motioned to approve the member assessment for Fiscal Year 2009 for the Central Nevada Regional Water Authority, in the amount of \$7,500.00. Commissioner Bailey seconded the motion. Motion carried 3-0.

Resolution Banning Controlled Burns: The State Fire Warden recently initiated a ban on controlled burns for several counties, including Eureka County. In support of this ban and as notification to the public, the Board decided to enact a supporting resolution. Commissioner Fiorenzi motioned to adopt the resolution banning controlled burns; Commissioner Bailey seconded the motion; motion carried 3-0.

Eureka, Nevada

August 6, 2008

**RESOLUTION
OF THE BOARD OF EUREKA COUNTY COMMISSIONERS ADOPTING
A BAN ON CONTROLLED BURNING OF YARD TRIMMINGS**

WHEREAS, on July 1, 2008, the Nevada Division of Forestry authorized the closure of all controlled burning of yard trimmings in Eureka County; and

WHEREAS, the state of drought declared by this Board July 20, 2007, remains; and

WHEREAS, the potential for catastrophic fire is high,

NOW THEREFORE BE IT RESOLVED the Board of Eureka County Commissioners adopt and concur with the ban on controlled burning of yard trimmings until further notice.

Adopted this 6th day of August, 2008.

Attest: /s/ Jackie Berg
County Clerk

/s/ J. P. Ithurrealde
Chairman of the Board
Eureka County Commissioners

PUBLIC COMMENT

The Chairman opened the floor to public comment. Clerk/Treasurer, Jackie Berg, noted that the Commissioner meeting room was reserved all day on August 12th for Election Day activities. There were no other comments.

ADJOURNMENT

At 3:13 p.m. Commissioner Fiorenzi motioned to adjourn the meeting; Commissioner Bailey seconded the motion; motion carried 3-0.

Approved this 5th day of September, 2008.

/s/ J.P. Ithurrealde
J.P. Ithurrealde, Chairman

Attest: /s/ Jackie Berg
Jackie Berg, Clerk