

EUREKA COUNTY BOARD OF COMMISSIONERS

August 6, 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 August 6, 2021. Present were Chairman J.J. Goicoechea, Vice Chair Michael Sharkozy, Commissioner Rich McKay, and Administrative Assistant Jackie Berg. District Attorney Ted Beutel was in District Court for part of the meeting, but attended the afternoon session. The meeting was called to order at 9:30 a.m. and began with the Pledge of Allegiance. Due to technical difficulties, the interactive video conferencing system could not be connected to the Crescent Valley site.

APPROVAL OF AGENDA

Chairman Goicoechea moved Commissioners' Item #1 on the agenda to 1:00 p.m. when the District Attorney could be present. He noted that he will step out of the meeting for a few minutes around 11:00 a.m., and the Board may take a brief recess or Vice Chair Sharkozy can continue the meeting.

Commissioner Sharkozy motioned to approve the agenda as amended; Commissioner McKay seconded the motion; motion carried 3-0.

PUBLIC COMMENT

Chairman Goicoechea opened the floor for public comments; there were none.

APPROVAL OF MINUTES

July 6, 2021: Commissioner Sharkozy motioned to approve minutes of the July 6, 2021, Commission meeting; Commissioner McKay seconded the motion; motion carried 3-0.

COMPROLLER

Payment of Expenditures: Expenditures were presented for approval by Comptroller Kim Todd. Ms. Todd asked for approval of an invoice exceeding the six-month limit from Flyers Energy LLC for fuel delivered to the Pine Valley Fire Station. The invoice had been sent in a timely manner, but was routed to an obsolete email address.

Commissioner Sharkozy motioned to approve payment of \$188.66 to Flyers Energy LLC for fuel delivered on November 18, 2020. Commissioner McKay seconded the motion. Motion carried 3-0.

Commissioner Sharkozy motioned to approve expenditures in the amount of \$325,384.40 for accounts payable, \$9,917.02 for pass-through tax allocation to the Nevada State Controller; \$844.59 for a pass-through to the Nevada Department of Taxation, \$14,010.00 for a pass-through to the Nevada Division of Minerals, \$153.00 for a pass-through to the Washoe County Crime Lab, and \$370,720.06 for payroll and benefit related expenses (including employee paid deductions), for a grand total of \$721,029.07. Commissioner McKay seconded the motion. Motion carried 3-0.

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

SENIOR CENTERS

Update Report: Senior Centers Program Director Millie Oram reported on activities at the Eureka Senior Center and Fannie Komp Senior Center. In July, Eureka served 770 meals and Crescent Valley served 818 meals. A total of \$2,694.50 was deposited for the month.

Transportation Grant: Commissioner Sharkozy motioned to ratify Independent Living Grant #07-000-10-LX-22 from Nevada Aging & Disability Services Division in the amount of \$22,500.00 with a match of \$3,375.00. Commissioner McKay seconded the motion. Motion carried 3-0.

COMMISSIONERS

Discussion on Easements: During public comment at the July 20th meeting, Crescent Valley resident Edward Dilley Jr. said his neighbors had obstructed his ability to utilize what he believed was a prescriptive easement across their property. In response to his request, the Board agreed to place this item on the agenda to discuss utility and prescriptive easements on private property.

District Attorney Beutel provided a letter to the Board explaining that utility easements cannot be used for vehicle traffic. The letter explained what conditions must exist to create a prescriptive easement. Additionally, the letter said that disputes over easements are typically resolved in court between the affected property owners.

Mr. Dilley was again in attendance and was provided a copy of the letter. A lengthy discussion ensued where Mr. Dilley stated several points. He felt it was the duty of law enforcement to ensure an easement was not blocked. He has been told this is a civil matter, but felt the onus was not on him to prove that a prescriptive easement exists, but was on the other property owner to prove that one does not exist. He felt it was the County's duty to inform potential land buyers that some private parcels may be "landlocked," and he requested that this information be posted on the County's website. Lastly, he asked that two non-maintained roads off Transfer Site Road be added as minor roads on the County's road map.

Chairman Goicoechea responded to Mr. Dilley's comments. The easement issue is a civil matter and the Board will not get involved. The Planning Commission page on the County website includes a Land Acquisition Guide that states, "*Easement and right-of-way access are not guaranteed on either adjoining private and/or public lands.*" In regards to adding roads to the County road map, the Board held a hearing on March 5th of this year to adopt updates to the map. The hearing was posted on the Board's agenda and notice was published in the newspaper notifying the general public of the hearing and inviting comments and input. That would have been the proper time to suggest the addition of any roads.

Spay & Neuter Assistance: Commissioner McKay met with Sheriff Watts the previous week to discuss administration of the voucher program which will provide an incentive, in the form of \$50.00 co-pay vouchers, to assist with costs to have pets spayed or neutered. They were still considering whether vouchers should be provided in advance or upon proof of surgery.

Chairman Goicoechea felt the vouchers should be obtained prior to surgery, to ensure that someone doesn't have their pet spayed or neutered only to find that the \$5,000.00 has been expended and there are no more vouchers for the year. Everyone agreed this made the most sense. The Board and Sheriff Watts concurred that the program will be administered as follows:

- Vouchers will be distributed by Sheriff's Office staff to County residents on a first-come, first-served basis, not to exceed a total of 100 vouchers (100 x \$50 = \$5,000.00)
- Dogs must be licensed before a voucher will be issued
- Vouchers must be obtained and presented to the veterinarian *prior* to surgery
- Vouchers may be used for veterinarians not practicing in Eureka County in order to accommodate northern residents
- Residents may obtain vouchers for multiple pets
- The current program ends once all funds are expended or on June 30, 2022, whichever occurs first

Public Computers: The Board received a request to provide residents public access to a computer and printer. After considering it, all Board members felt that this is a service the County

already provides through its public libraries in Eureka and Crescent Valley. Both libraries have computers, printers, and internet access. AT&T was recently the successful bidder on a massive project that will install and connect high-speed internet at the Crescent Valley Library. Eureka County pays Elko-Lander-Eureka County Library System over \$100,000.00 annually for contract library services. The Board felt it would be redundant for the County to expend other funds to provide amenities that are provided through the library contract.

Social Worker / Mental Health Services: The Board recently had a request that the County help facilitate mental health services and access to a social worker for County residents. Chairman Goicoechea shared that there may be an avenue to help provide these services in the near future. The pandemic highlighted the lack of these services in rural Nevada, and the Churchill County Manager reached out to the Chairman with an interest in forming a health district that would include the rural counties along the Highway 50 corridor. Churchill County has earmarked \$2 million in COVID relief funds to be used for a needs study as the first step towards planning a health district. The study will be conducted by the University of Nevada Reno. Chairman Goicoechea will provide further updates as the study gets underway.

Genesis Home Health Services: As part of ongoing discussions regarding contract renewal, Genesis Home Health Services sent a proposal that would increase certain fees and reduce Eureka County's oversight of contract services. In response to the proposal, Commissioner McKay met with Ted Beutel, Millie Oram, Kim Todd, and Jackie Berg. He felt it was a good meeting and a lot of progress was made and he is in the process of compiling the information to send to Genesis.

Chairman Goicoechea reiterated what he said at earlier meetings. The intent of the contract with Genesis was to provide indigent health care only. Through some serious miscommunications, housekeeping was being done for non-indigent clients. If the Board is now entertaining a change in the scope of the contract to include these non-indigent services, he felt all interested cleaning services should have an opportunity to submit proposals. Additionally, the non-indigent services were not vetted during the budget process (only indigent funds were budgeted for this contract), so he asked that all future agenda items be very clear and transparent, including dollar amounts, sources of funding, and what services will be paid with the funds.

Request for Proposals: The agenda items concerning Genesis Home Health Services included the option of advertising for proposals. Chairman Goicoechea stated the Board might still need to consider this option, but can wait to see how much the scope of services has changed once the proposed contract is received.

JUSTICE COURT

Capital Outlay Purchase: Justice Court Manager Amy Jensen explained that Justice Court has not replaced furniture in the Judge's chambers for decades, and new furniture is needed with more shelves, drawers, and space.

Commissioner McKay motioned to authorize Justice Court to purchase office furniture for the Judge's chambers, for an amount not to exceed \$6,000.00, utilizing monies budgeted for capital outlay (010-028-55010-000) in the Justice Court budget. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

HUMAN RESOURCES

Job Descriptions: HR Director Heidi Whimple forwarded several new position descriptions to the Board for review. The EMS Director and Public Works Director reviewed and are satisfied with the job descriptions under their purview. The Volunteer Search & Rescue job description is also complete, but Ms. Whimple asked that it be tabled to allow review by the SAR Commander.

Commissioner Sharkozy motioned to approve the following position descriptions: Emergency Medical Technician I, II, & III; Emergency Medical Services Assistant Director;

Volunteer Emergency Vehicle Driver; and Volunteer Firefighter. Commissioner McKay seconded the motion. Motion carried 3-0.

HEALTH INSURANCE ADVISORY COMMITTEE

Insurance Broker Contract Extensions: Jayme Halpin, Chairman, said the Health Insurance Advisory Committee has been working with LP Insurance Services for 2½ years and the team does a good job for Eureka County. The Committee recommended a three-year contract extension as outlined in the current insurance broker contract. Commissioner Sharkozy motioned to extend the insurance broker contract with LP Insurance Services for an additional three-year term, January 1, 2021, through December 31, 2023. Commissioner McKay seconded the motion. Motion carried 3-0.

CY 2022 Insurance Plans: The Committee recommended continuing with the same three medical plans with Prominence with no change in deductibles and a 3.5% increase in premiums. This includes two Point of Services plans with different deductibles and a high-deductible Health Savings Account plan. The Committee recommended continuing the dental, vision, and life insurance plans with Kansas City Life with a 6.9% increase in premiums. The combined average premium increase for all plans was 3.6%, much lower than most entities are experiencing.

Commissioner Sharkozy motioned to approve Prominence POS \$500, POS \$2000, and HD Core \$3000 medical plans and Kansas City Life dental, vision, and life insurance plans for Eureka County employees and retirees for Calendar Year 2022, and authorized the Chairman to sign any related documents or agreements outside of the meeting. Commissioner McKay seconded the motion. Motion carried 3-0.

CY 2022 Insurance Premiums: The Committee recommended the \$500 deductible plan as the sponsored plan. Employees may select from the three medical plans offered, but the base premium rates paid by the County are calculated on the sponsored plan. The County pays 100% of premiums for benefited employees and 30% for dependents (based on sponsored plan).

Commissioner Sharkozy motioned to approve the insurance premium rates as presented for all insurance plans for Calendar Year 2022 and to designate the Prominence POS \$500.00 as the sponsored medical plan. Commissioner McKay seconded the motion. Motion carried 3-0.

Insurance Premiums 01/01/2022 thru 12/31/2022								
Classification	POS \$500	Dental	Vision	Life	Total Premium	County	Employee 70/30**	
Employee	1146.76	40.68	7.49	13.14	1208.07	1208.07	0.00	
Empl+Spouse	2098.47	85.22	14.99	14.70	2213.38	1911.79	301.59	
Empl+Child(ren)	2029.68	102.75	16.04	14.70	2163.17	1876.64	286.53	
Empl+Family	2763.61	147.25	25.63	14.70	2951.19	2428.25	522.94	
Classification	POS \$2000	Dental	Vision	Life	Total Premium	County	Employee 70/30**	
Employee	1032.42	40.68	7.49	13.14	1093.73	1093.73	0.00	
Empl+Spouse	1889.24	85.22	14.99	14.70	2004.15	1911.79	92.36	
Empl+Child(ren)	1827.30	102.75	16.04	14.70	1960.79	1876.64	84.15	
Empl+Family	2488.05	147.25	25.63	14.70	2675.63	2428.25	247.38	
Classification	\$3000 HSA HD	Dental	Vision	Life	Total Premium	County	Employee 70/30**	\$500/year Match
Employee	912.23	40.68	7.49	13.14	973.54	973.54	0.00	1015.21
Empl+Spouse	1669.31	85.22	14.99	14.70	1784.22	1784.22	0.00	1825.89
Empl+Child(ren)	1614.59	102.75	16.04	14.70	1748.08	1748.08	0.00	1789.75
Empl+Family	2198.42	147.25	25.63	14.70	2386.00	2386.00	0.00	2427.67

* The HD Core \$3000 includes a match of up to \$500 per year contingent upon minimum required monthly contributions by the employee.

** Employees pay 70% and the County pays 30% of dependent insurance premiums.

Retiree Health Insurance Subsidy: The Board reviewed health insurance subsidy rates offered to retirees who stay enrolled in the County’s group insurance or Medicare eligible/enrolled

retirees who meet the criteria outlined in Personnel Policy 7.5 (Retiree Health Insurance Premium Fund). This benefit is only available to employees hired before July 1, 2009.

Commissioner Sharkozy motioned to approve the Calendar Year 2022 health insurance premium subsidy rates for retirees hired prior to July 1, 2009. Commissioner McKay seconded the motion. Motion carried 3-0.

EUREKA COUNTY RETIREE - Insurance Premium Plan Subsidy Effective January 1, 2022, through December 31, 2022		
Retired on/after July 1, 2004	(\$469.58 BASE RATE)	
Years of Service		
5	\$117.40	25.00%
6	\$152.61	32.50%
7	\$187.83	40.00%
8	\$223.05	47.50%
9	\$258.27	55.00%
10	\$293.49	62.50%
11	\$328.71	70.00%
12	\$363.92	77.50%
13	\$399.14	85.00%
14	\$434.36	92.50%
15	\$469.58	100.00%
16	\$504.80	107.50%
17	\$540.02	115.00%
18	\$575.24	122.50%
19	\$610.45	130.00%
20	\$645.67	137.50%

The 2020-2021 current premium for the County plan is more than the current premium for the PEBP plan. The proposed formula will be as follows: The County will contribute for the retirees enrolled in the County plan as follows: 100% of the amount that was established by the State of Nevada for Non-State Retirees participating in PEBP. The minimum subsidy base of \$150 per month applies to retirees who retired from Eureka County on or before July 1, 2004. Any employee who retires after July 1, 2004, and enrolls in the County plan (or enrolls in Medicare and meets the criteria outlined in Personnel Policy Section 7.5) will receive a health care subsidy listed in the above chart up to the health care premium. If the premium is less than the health insurance premium subsidy, there will be no cash payments for the difference. Only Eureka County service credit will be used to calculate this subsidy for County plan participants (or qualifying Medicare plan participants). When there is a rate change, the County will consider a modification of the base rate and percentage, but will not reduce the subsidy on this chart unless, because of financial circumstances, the County eliminates a subsidy for County plan participants. Only direct Eureka County retirees hired before July 1, 2009, are eligible for this subsidy.

UNR COOPERATIVE EXTENSION

Infrastructure Improvements: Extension Educator Gary McCuin explained that the Board of Regents has given final approval for purchase of the property on 7th Street in Diamond Valley, and escrow will close as soon as title insurance is issued. This enables him to move forward with planned capital improvements. The property has four irrigation and stock wells, with three currently down in the middle of the growing season. The improvements will restore irrigation, and a pump will be installed in the well at the feedlot facility to provide stock water and domestic water. Mr. McCuin provided several quotes for well improvements, irrigation pumps/equipment, pipelines, and labor for installation, excavation, and backfill.

Commissioner McKay motioned to accept the quotes and move forward with the infrastructure improvement project for the Great Basin Research & Extension Center in Diamond Valley, in the amount of \$61,579.00, to be paid with monies budgeted for capital outlay in the Agricultural Extension budget (030-120-55010-000). Commissioner Sharkozy seconded the motion. Motion carried 3-0.

VETERANS OF FOREIGN WARS, POST 8194

Update on Veterans Memorial Park: Quartermaster Ralph Cuda and Jim Ithurralde were in attendance to give an update on construction of the John Biale Sr. Veterans Memorial Park on Main Street in Eureka. Liability insurance has been secured, picnic tables have been added, and

10 industrial strength flagpoles with solar lighting have been purchased. The Post is currently seeking quotes for decorative wrought iron fencing and concrete work. The men thanked the Board for supporting the VFW with donations, and for waiving the facility fees for use of the ballparks for the annual softball tournament.

ROAD DEPARTMENT

Report on Activities: Assistant Public Works Director Raymond Hodson reported on Road Department projects and activities. Blading was completed in Diamond Valley in the 3rd Street area, Halpin Road, 1st Street, Frontier Street, and Minoletti Road. The crew finished at Tonkin Summit and is working on the Willows Alpha Road. Ratto, Secret, and Windfall Canyons were bladed and weeds and brush were cleared. A blade has been operating on the JD Ranch Road and surrounding area, including Grass Valley. Culverts were installed on the Todd Road and 11th Street, and a cattle guard was lifted on County Road 101.

The northern crew bladed Barth Road, Geothermal Road, and the cutoff road between Buckhorn and Sheep Creek. Blading was done in the Mineral Hill area and Union Road including Union Pass. The Crescent Valley Town Park project was completed and work is nearly done on the storage building for the Fannie Komp Senior Center.

PUBLIC WORKS

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

Utilities: All utility systems are in good working order. Commercial divers inspected and cleaned the water tanks in Eureka and Crescent Valley. Repairs are needed at a tank in Crescent Valley and one in Eureka is in need of painting, but all water tanks are structurally sound.

County Fair: Public Works crews worked to set up the Fairgrounds for the Eureka County Fair and did cleanup work once it was over.

ISO Review: The Eureka and Crescent Valley fire department districts are due for the five-year ISO review, which will be conducted on August 25th. The subsequent fire suppression rating will result in assignment of an updated PPC (Public Protection Classification). A positive PPC will secure lower fire insurance premiums for the affected communities.

Eureka Airport: A request for qualifications for a Fixed Base Operator at the Eureka Airport was advertised, with a response deadline of 4:30 p.m. on August 6th. A review panel has been appointed to review the statements of qualifications, which will be done in the upcoming week.

The cultural resource survey, needed before proceeding with the snow plow building and windsock projects at the Airport, will be conducted on August 11th.

Emergency Response MOU: The Memorandum of Understanding with Nevada Gold Mines, for shared emergency response, is being circulated among appropriate personnel at the mine for final review and signatures. Mr. Rowley expects to bring it forward for County approval on August 20th.

COVID Vaccines: EMS continues giving COVID vaccines approximately once a week or whenever a minimum number of recipients has been identified. Another mobile vaccination unit will be dispatched to the area to administer booster shots of the Pfizer vaccine, and is expected by month-end. Full FDA approval is anticipated shortly for the Pfizer vaccine. Mr. Rowley has been communicating with Tate Else, Superintendent of the School District, and the County has a good supply of rapid test kits. This should adequately meet the community's needs and the school's need for testing, particularly testing required for participation in school sports.

Road Maintenance: County Engineer, Lumos & Associates, is working on a scope of work for street maintenance and will advance the 30% design plans to 60%.

Building Maintenance: Roe Painting continues painting and resurfacing work on the Courthouse, Opera House, and Sentinel Museum. The boiler at the Swimming Pool is down, and

the pool will remain closed until repairs are completed the following week. The HVAC system at the Administrative Facility is also down.

Water Service in Devil's Gate: Public Works received two water service applications for Devil's Gate GID – one for residential service in District #1 and one for commercial service in District #2. Commissioner Sharkozy motioned to approve the application for a 3/4-inch residential water service in Devil's Gate District #1 for APN 007-380-45, and a 1-inch commercial water service in Devil's Gate District #2 for APN 007-394-02. Commissioner McKay seconded the motion. Motion carried 3-0.

NATURAL RESOURCES

Report on Activities: Natural Resources Manager Jake Tibbitts reported on recent activities.

Water Hauling Authorization: The County's comments were submitted on July 7th related to the Battle District BLM's notice of a District Wide Emergency Drought Water Hauling Authorization. Mr. Tibbitts recently met with the BLM to go over the comments. He felt it was a productive meeting and the parties were able to work through many of the outstanding issues. Mr. Tibbitts stated his appreciation for the BLM, noting this is the way coordination is supposed to work, with the BLM acknowledging the County's input and working towards solutions.

Sagebrush Ecosystem Council: The Sagebrush Ecosystem Council was in Eureka July 22nd & 23rd. The members participated in a hosted tour of the County on July 22nd, followed by a barbeque that evening hosted by Chairman Goicoechea (also Chair of the SEC), and then held its meeting at the Opera House on July 23rd.

Diamond Valley Adjudication: Mr. Tibbitts has spent a lot of time in Reno during the last couple of weeks as depositions continue for the Diamond Valley Adjudication case.

Emergency Horse Gathers: Earlier in the month, the BLM announced plans to take emergency action throughout the west over the next couple of months to gather 6,000 wild horses impacted by drought, a majority of them in Nevada.

Weed Control: Public Works used the new masticator attachment to eradicate weeds and thistles in the Spring Street Ditch. Before doing so, the Weed Control & Resources Technician worked manually on the thistles, cutting off and bagging the seed heads to avoid further spread. The ditch cannot be treated with herbicide because of the potential for water contamination.

FRTC Intergovernmental Executive Committee: On May 6th, Eureka County sent a formal request for inclusion on the Navy Air Station Fallon Range Training Complex Intergovernmental Executive Committee that was recently instated. Mr Tibbitts prepared a follow-up letter identifying Eureka County's qualifying expertise and again requesting appointment. The Navy provided a form for the County to list the primary contact and an alternate contact.

Commissioner McKay motioned to send the letter to the Navy Air Station Fallon Range Training Complex Intergovernmental Executive Committee, along with a form identifying Chairman Goicoechea as the primary member and Mr. Tibbitts as the alternate member, and authorized the Chairman to sign the documents outside of the meeting. Commissioner Sharkozy seconded the motion. Motion carried 2-0. (Chairman Goicoechea had stepped out of the meeting for a moment due to a prior commitment.)

NEVADA RURAL HOUSING AUTHORITY

Home At Last Program: Diane Arvizo, Director of Homeownership Programs for Nevada Rural Housing Authority, joined the meeting by telephone. She gave an overview of NRHA's single-family home ownership programs, particularly the Home At Last campaign. This program provides down payment assistance for home buyers. Since its launch in 2006, the program has helped over 10,000 families in rural Nevada, providing \$1.6 million in down payment assistance in Eureka County alone.

Ms. Arvizo described other assistance offered by NRHA including mortgage credits, which result in federal tax savings on average of \$2,000.00 per year for the life of the mortgage. NRHA's programs can be used in conjunction with programs from other agencies. Ms. Arvizo promised to send program materials that the County can share with potential buyers of the 50-plus lots available at the Eureka Canyon Subdivision.

Transfer of Private Activity Bond: Ms. Arvizo said many rural Nevada counties support the program each year by transferring their respective Private Activity Bond Cap allocations to NRHA. Eureka County's allocation for 2021 was \$106,245.52. Ms. Arvizo thanked Eureka County for supporting this program over the years and asked that the 2021 bond be transferred by resolution, as required by the State.

Commissioner Sharkozy motioned to adopt a resolution providing for the transfer of \$106,245.52, the 2021 tax-exempt private activity bond volume cap allocated to Eureka County, to Nevada Rural Housing Authority for its single-family home ownership programs. Commissioner McKay seconded the motion. Motion carried 3-0.

RESOLUTION

RESOLUTION OF THE BOARD OF COMMISSIONERS OF EUREKA COUNTY, NEVADA,
PROVIDING FOR THE TRANSFER OF THE COUNTY'S 2021 PRIVATE ACTIVITY BOND VOLUME CAP TO
THE NEVADA RURAL HOUSING AUTHORITY; AND OTHER MATTERS RELATED THERETO

WHEREAS, pursuant to the provisions of Chapter 348A of the Nevada Revised Statutes ("NRS") and Chapter 348A of the Nevada Administrative Code ("NAC"), there has been allocated to Eureka County, Nevada (the "County"), the amount of \$106,245.52 in tax-exempt private activity bond volume cap for year 2021 (the "2021 Bond Cap"); and

WHEREAS, the Nevada Rural Housing Authority (the "NRHA"), has requested that the County transfer its 2021 Bond Cap to the NRHA for the purpose of providing a means of financing the costs of single-family residential housing that will provide decent, safe, and sanitary dwellings at affordable prices for persons of low and moderate income ("Single Family Programs"); and

WHEREAS, the County is a local government as defined by NAC 348A.070; and

WHEREAS, Section 348A.180 of the NAC provides a procedure whereby the County may, by resolution, transfer to any other local government located within the same county, all or any portion of its 2021 Bond Cap; and

WHEREAS, pursuant to NRS 315.983(1)(a), the NRHA is an instrumentality, local government, and political subdivision of the State of Nevada (the "State"); and

WHEREAS, the NRHA is located within the County, pursuant to NRS 315.963, which defines the NRHA's area of operation as "any area of the State which is not included within the corporate limits of a city or town having a population of 150,000 or more."

NOW, THEREFORE, the Board of Commissioners of the County does hereby find, resolve, determine, and order as follows:

Section 1. Recitals. The recitals set forth herein above are true and correct in all respects.

Section 2. Transfer of Private Activity Bond Volume Cap. Pursuant to NAC 348A.180, the County hereby transfers 2021 Bond Cap in the amount of \$106,245.52 to the NRHA for its Single Family Programs.

Section 3. Use of 2021 Bond Cap. The NRHA will use the 2021 Bond Cap for single family purposes in calendar year 2021 or carry forward any remaining amount according to the Internal Revenue Code of 1986, as amended, for such purposes.

Section 4. Representative of County. Pursuant to NAC 348A.180(1), the Director of the State of Nevada Department of Business and Industry (the "Director") may contact Jackie Berg, Commissioner Administrative Assistant, Eureka County Board of Commissioners, regarding this Resolution at (775) 237-7211 or by email at JBerg@EurekaCountyNV.Gov or in writing at PO Box 694, Eureka, Nevada 89316.

Section 5. Additional Action. The Chair of the Board of Commissioners and Commissioner Administrative Assistant are hereby authorized and directed to take all actions as necessary to effectuate the transfer of the 2021 Bond

Cap, and carry out the duties of the County hereunder, including the execution of all certificates pertaining to the transfer as required by NAC 348A.

Section 6. Direction to the NRHA. The NRHA shall notify the Director in writing as soon as practicable of the occurrence or nonoccurrence of any term or condition that would affect the disposition of the 2021 Bond Cap.

Section 7. Representative of the NRHA. Pursuant to NAC 348A.180(3), the Director may contact Diane Arvizo, Director of Homeownership Programs of the NRHA, regarding this Resolution at (775) 886-7900 or by email at Diane@NVRural.org or in writing at Nevada Rural Housing Authority, 3695 Desatoya Drive, Carson City, Nevada 89701.

Section 8. Obligation of the County. This Resolution is not to be construed as a pledge of the faith and credit of or by the County, or of any agency, instrumentality, or subdivision of the County. Nothing in this Resolution obligates or authorizes the County to issue bonds for any project or to grant approvals for a project or constitutes a representation that such bonds will be issued.

Section 9. Enforceability. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution. This Resolution shall go into effect immediately upon its passage.

ADOPTED, SIGNED, AND APPROVED this 6th day of August, 2021.

BOARD OF EUREKA COUNTY COMMISSIONERS

/s/ J.J. Goicoechea, DVM
J.J. Goicoechea, DVM, Chair of the Board

Attest: */s/ Jackie Berg*
Jackie Berg, Commissioner Admin. Asst. II

DISTRICT ATTORNEY

Document Shredder: Administrative Legal Secretary Ashley Adams explained that the District Attorney's office is working on reorganization of the office's files and there are numerous files and sensitive documents that must be destroyed. The current shredder is not capable of handling this task.

Commissioner Sharkozy motioned to authorize the District Attorney's office to purchase a commercial document shredder for an amount not to exceed \$5,000.00 to be paid with monies budgeted for capital outlay (010-024055010-000) in the District Attorney's budget. Commissioner McKay seconded the motion. Motion carried 3-0.

CORRESPONDENCE

Correspondence was received from: Eureka High School Rodeo Club; Jayden Buchanan; Braylen Hubbard; District Attorney Ted Beutel (3); Natural Resources Manager Jake Tibbitts; Extension Educator Gary McCuin; County Advisory Board to Manage Wildlife; National Night Out postcard; Flu Shot Clinic flyer; St. Brendan's Church; Nevada Assoc. of Counties (2); Navy FRTC Intergovernmental Executive Committee; Genesis Home Health Services; LP Insurance Services; Nevada Aging & Disability Services Div.; Nevada Rural Housing Authority; Nevada Dept. of Indigent Defense; Nevada Div. of Environmental Protection; UNR CABNR newsletter; Pony Express Territory newsletter; Nevada Rehab Services; US Dept. of the Interior-BLM (4); National Assoc. of Counties (multiple); Governing E-news (multiple); America First Policy Institute (multiple); and US Senator Jacky Rosen.

Commissioner Reports: Chairman Goicoechea participates in weekly conference calls with The White House and the latest one focused on the American Recovery Act and how those funds can be leveraged by rural America. There was a lot of emphasis on transportation infrastructure including highways, airports, etc. The Chairman is waiting on more information, but is going to strive for improvements at the Airport and possible funding of an additional hangar.

INDIGENT DEFENSE PLAN

County Plan for Provision of Indigent Defense Services: On May 6th, Director Marcie Ryba presented an overview on the Nevada Department of Indigent Defense Services. The Department was created in 2019 by the Nevada Legislature in response to 2018 litigation challenging the constitutionality of Nevada's indigent defense practices. The newly created Department has drafted regulations that place additional requirements on counties, including direction to prepare a plan for provision of indigent defense services ("County Plan"), which must be updated and resubmitted annually to the Department. The initial plan is due September 3rd and will take effect on October 1st.

Eureka County provides indigent defense services through a contract with Kelly Brown, Esq. In consultation with the Department and the Justice and District Court judges, Mr. Brown drafted the County Plan and was in attendance to discuss content with the Board. The plan must include a general point of contact and a financial point of contact. The Board agreed that this should be Jackie Berg and Kim Todd respectively.

Mr. Brown gave a detailed overview of the plan, which includes the following sections: Statement of Policy, Definitions, Provision of Representation, Appointment of Contract Public Defender, Training, Duties of Indigent Defense Counsel, Data Collection, and Effective Date. Mr. Brown asked for direction from the Board on several points in the plan and will return to a future meeting once all the changes have been incorporated. He noted that the Department of Indigent Defense may require additional changes before approving the plan.

Mr. Brown commented that the Department has made some recommendations and would like the County to provide a more suitable location for defense counsel to meet with clients, and suggested engaging a social worker to assist in getting treatment for defendants with substance abuse and/or mental health issues.

RECESS

The Board recessed for lunch from 11:55 a.m. to 1:00 p.m.

ONE NEVADA AGREEMENT

Allocation of Opioid Recoveries: District Attorney Ted Beutel explained that Eureka County is a non-litigating party to a proposed settlement agreement in an opioid case that involves the State of Nevada, all of Nevada's counties, several cities, and two fire districts. Mr. Beutel has read the proposed settlement agreement, which is confidential for the time being, and felt the recovery money distribution formula, which was reached using the opioid database and other methodology, made a lot of sense although it is still subject to change. If Eureka County does share in the ultimate distribution of funds, it will also be expected to pay a portion of the legal costs. State laws have already been adopted setting parameters on how the recovery funds can be spent.

Commissioner Sharkozy motioned to approve the proposed settlement and authorized the Chairman to sign the One Nevada Agreement on Allocation of Opioid Recoveries by and between the State of Nevada, all of Nevada's counties, the cities of Henderson, Las Vegas, Mesquite, North Las Vegas, Reno, West Wendover, Fernley, Ely, Sparks, and the Northern and Central Lyon County Fire Protection Districts. Commissioner McKay seconded the motion. Motion carried 3-0.

PUBLIC COMMENT

Chairman Goicoechea called for public comments; there were none.

ADJOURNMENT

Commissioner Sharkozy motioned to adjourn the meeting; Commissioner McKay seconded the motion; the meeting was adjourned at 1:15 p.m.

Approved by vote of the Board this 7th day of September, 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 August 6, 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