

EUREKA COUNTY BOARD OF COMMISSIONERS

September 20, 2010

STATE OF NEVADA)
 :SS
COUNTY OF EUREKA)

CALL TO ORDER

The Board of Eureka County Commissioners met pursuant to law on September 20, 2010. Present were Chairman Leonard Fiorenzi, Vice Chair Jim Ithurralde, Member Mike Page, District Attorney Theodore Beutel, and Clerk & Treasurer Jackie Berg. The meeting was called to order at 9:30 a.m. and began with the Pledge of Allegiance. The interactive video conference system was connected and utilized between Crescent Valley and Eureka for the entire meeting.

APPROVAL OF AGENDA

Chairman Fiorenzi noted two changes to the agenda: the Fair Board report will moved to the afternoon or postponed to the following meeting; and the September 7th minutes will be moved to the October 6th meeting. Commissioner Ithurralde motioned to approve the agenda with the changes noted; Commissioner Page seconded the motion; motion carried 3-0.

PUBLIC COMMENT

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

FINANCE

Payment of Expenditures: Expenditures were presented for approval by Recorder & Auditor, Mike Rebaleati. Chairman Fiorenzi stated he will not deliberate or vote on any Public Guardian bills since he is related to the Deputy Public Guardian. Commissioner Ithurralde motioned to approve expenditures in the amount of \$1,294,766.69 for accounts payable and \$264,897.87 for payroll, for a grand total of \$1,559,664.56; Commissioner Page seconded the motion; motion carried 3-0. Commissioner Page motioned to approve Yucca Mountain expenditures in the amount of \$2,331.45; Commissioner Ithurralde seconded the motion; motion carried 3-0.

Auditor's Report: The Board reviewed the Auditor's Report without question or comment.

COMMISSIONERS

Update Reports: Commissioner Ithurralde attended a finance meeting with Nevada Rural Housing Authority on September 8th; participated in a phone conference with the NEPA technical review team on September 8th; met with the US Geological Survey with the Natural Resources Manager on September 9th; and had a Central Nevada Regional Water Authority teleconference on September 10th. Commissioner Ithurralde provided information on the upcoming Great Basin Water Forum Conference in Sparks on October 21st & 22nd. Commissioner Page attended the Crescent Valley Town Advisory Board meeting on September 13th; and attended the Cortez Mine EIS meeting in Crescent Valley on September 14th. Chairman Fiorenzi attended the NEPA Committee meeting on September 16th.

Economic Development: Commissioner Page was concerned that impacts from the population growth, housing needs, etc., could adversely affect the Economic Development Program and felt it was a good time to consider making this a stand-alone department and possibly seek State or federal funding. Chairman Fiorenzi felt the current program was functioning well with a part-time employee under the management of the Cultural, Tourism & Economic Development Director and the Economic Development Program Board. Commissioner Ithurralde did not feel it was time to develop or expand another County

department and motioned that no change be made to the Economic Development Program at this time; Chairman Fiorenzi seconded the motion; motion carried 2-1 with Commissioner Page voting against the motion.

Old Pine Valley Maintenance Station: It was brought to the Board's attention that the old Pine Valley Maintenance Station, along with 25 acres, might be available if the County was interested in purchasing it. The Board members agreed that there was no specific interest in it at this time. Commissioner Ithurralde motioned to notify the State that Eureka County has no interest in purchasing the old Pine Valley Maintenance Station; Commissioner Page seconded the motion; motion carried 3-0.

Open House: The County had discussed scheduling an Open House to update the public regarding the County's position and filing of protests related to water applications that will have an effect on Eureka County. After some discussion, Commissioner Ithurralde motioned to schedule an Open House at 7:00 p.m. on October 5th at the Eureka Opera House; Commissioner Page seconded the motion; motion carried 3-0. [*Note: This Open House was later cancelled due to time constraints and prior staff obligations.*]

Update on Mt. Hope Project EIS and NEPA Process: There were no new discussions related to the Mt. Hope Project EIS.

COUNTY FACILITIES AND ECONOMIC DEVELOPMENT

Update Report: Wally Cuchine, Cultural, Tourism & Economic Development Director, reported that the vacancy was filled at the Sentinel Museum and it has resumed the seven days per week schedule. A concert at the Eureka Opera House on September 10th was well attended. The Economic Development Program Board will meet on September 23rd. The Opera House is beginning to book Christmas parties and holiday events.

NEVADA RURAL HOUSING AUTHORITY

Eureka Canyon Subdivision - General Updates: Dave Craig, NRHA Real Estate Manager, provided an update on the feasibility studies related to the Eureka Canyon Subdivision. NRHA has provided comments and feedback on the feasibility study for the apartment housing and are still waiting for receipt of the feasibility study on the entire site. NRHA would like to schedule a meeting with the core group (Commissioner Ithurralde, Ted Beutel, Ron Damele, Michael Mears, Mike Rebaleati, and Abby Johnson) sometime the first week in October to review the feasibility studies in detail. The tentative plan will be updated following review of the feasibility studies and will be forwarded to Summit Engineering, who will prepare final drawings for submittal to the Planning Commission and the State of Nevada. Chairman Fiorenzi reminded Mr. Craig that another public meeting should be scheduled for review of the site plan before a final plan is submitted to the State.

Report on Financial Meeting: Mr. Craig stated they had a very good financial meeting with the core group on September 8th. Mr. Craig provided worksheets showing the 'flow of funds' for the multifamily development, single family development, commercial land development, and the recreational development. The two main focuses of the meeting were to answer concerns put forth in the letter from Recorder/Auditor, Mike Rebaleati, and to explore financing options for the entire project. Mr. Craig detailed the options available including bonds, loans, investment/equity/capital groups, County financing, and HUD or USDA loans. The HUD loan is one of the only construction loans available in today's market for multifamily housing projects and it has an 18-month anticipated application/approval process. NRHA would require up-front money from the County and issue a promissory note to be paid when the HUD financing comes through. The Board discussed payback options related to the single family housing and the multifamily housing. Infrastructure was discussed, including whether the County should fund and install it prior to construction of the subdivision, or phase it and include it in the construction

costs with a portion calculated into the price of the lot/home sales. Chairman Fiorenzi noted the Commissioners needed more detailed information before they could make an informed decision, and he realized these details were pending outcome of the feasibility studies.

Mr. Craig noted that commercial land development should incorporate a business plan and stated NRHA would like to involve the Economic Development Program with that.

Update on Home Rehabilitation: Mr. Craig stated a soils engineer has been obtained to evaluate a drainage issue at the house because the underlying earth may not have been properly prepared. This can likely be mitigated with gutters, rain spouts, etc. to draw water away from the structure. Once this is addressed, the remaining rehabilitation should move quickly. During earlier meetings, the Board had discussed marketing the house to a County or School District employee and wished to give further direction to NRHA regarding this. Commissioner Ithurralde motioned to offer the home to a public employee for the first 30 days and if no offer is received, then offer it for sale to the general public; Commissioner Page seconded the motion; motion carried 3-0.

EUREKA VETERINARY CLINIC

Request to Lease Veterinary Clinic Building: Darla Baumann, DVM, came before the Board requesting to enter into a lease agreement for the Veterinary Clinic located on 180 South Main Street in Eureka, since JJ Goicoechea, DVM, wishes to discontinue his lease of the facility. In order to do this, the Board must receive written notification from Dr. Goicoechea; an appraisal must be obtained on the building; and if the Board wishes to continue leasing the facility as a veterinary clinic, they must adopt a resolution stating it is in the best interest of the public to utilize this building for a veterinary clinic. Commissioner Ithurralde motioned to direct Public Works to obtain an appraisal on the building located at 180 South Main Street in Eureka; Commissioner Page seconded the motion; motion carried 3-0. The other requirements will be addressed upon completion of the appraisal.

BID OPENING – DEVIL’S GATE DISTRICT 1 & 2 WATER TRANSMISSION / WATER TANK PROJECT

As advertised, bids were received and opened at 10:00 a.m. on September 20th for the Devil’s Gate District 1 & 2 Water Transmission Main and Water Tank Project. A total of seven bids were received, as follows: Campbell Construction Company, Inc./bid total of \$1,797,075.00; Sierra Nevada Construction, Inc./bid total of \$1,491,007.00; Hunewill Construction Company, Inc./bid total of \$1,447,215.00; Herback General Engineering, LLC/bid total of \$1,478,443.00; A&K Earth Movers, Inc./bid total of \$1,287,000.00; Peavine Construction, Inc./bid total of \$1,574,940.00; and Q&D Construction, Inc./bid total of \$1,674,150.00. Commissioner Page motioned to accept the bids into the record; Commissioner Ithurralde seconded the motion; motion carried 3-0. Public Works and Day Engineering were directed to review the bids and return later in the day with a recommendation for award.

NEVADA DIVISION OF FORESTRY

Annual Operating Plans for Volunteer Fire Departments: Eureka County Battalion Chief, Sam Hicks, was unable to attend, but provided the annual operating plans for the Volunteer Fire Departments. Commissioner Ithurralde motioned to approve and have the Chairman sign the Annual Operating Plans (AOP) for the Diamond Valley, Pine Valley, and Beowawe Volunteer Fire Departments; Commissioner Page seconded the motion; motion carried 3-0. The AOP for the Eureka Volunteer Fire Department was approved and signed at a previous meeting.

PUBLIC WORKS

Application to Acquire BLM Acreage: At an earlier meeting, the Board motioned to make application to the BLM to acquire 88 acres adjacent to the Eureka Townsite. Public Works

Director, Ron Damele, and Assessor, Michael Mears, reviewed a map of the site and noted that acquisition of additional acreage could 'square up' the perimeter of the townsite, so Mr. Damele asked for further direction from the Board. Chairman Fiorenzi commented that any AUM loss should be mitigated or compensated, but Mr. Damele was worried this might set a precedent. Commissioner Page motioned to include additional acreage when making application to the BLM and to compensate any AUM loss, but the motion died for lack of a second. Without further direction, Public Works will move forward with the original request for 88 acres.

Engineer's Estimate: Mr. Damele presented an estimate for installation of off-site utilities to the Eureka Canyon Subdivision, as follows: \$121,000.00 to install water utilities from Ridgetop Road, \$257,000.00 to install water utilities from Hogpen Canyon, and \$79,000.00 for installation of sewer line. Commissioner Ithurralde motioned to accept the engineer's estimates and to proceed with requesting a change order on the Main Street Water and Sewer Project for offsite utilities to the Eureka Canyon Subdivision (incorporating a previous decision by the Board to omit the sewer line at this time, but to install a 20 ft. joint); Commissioner Page seconded the motion; motion carried 3-0.

Gust Electric Quote: The domestic well at the Beowawe Fire Station has been problematic for some time, so a quote was obtained from Gust Electric to replace and change the pump. Commissioner Page motioned to approve the Gust Electric quote to replace the pressure transducer pump at the Beowawe Fire Station with a variable frequency drive pump not to exceed \$7,525.00; Commissioner Ithurralde seconded the motion; motion carried 3-0.

Battery Recycling Contract: Public Works advertised a request for proposals to recycle batteries from the Eureka Landfill. Two proposals were received; Eureka Supply proposed to pay \$2.50 per battery and Eureka Hardware proposed to pay \$3.28 per battery. Commissioner Ithurralde motioned to award the battery collection contract to Eureka Hardware, LLC, at a rate of \$3.28 per battery; Commissioner Page seconded the motion; motion carried 3-0.

Crescent Valley Arsenic Treatment Plant: All issues have been resolved with the contract for the Arsenic Treatment Plant in Crescent Valley and the contractor, Severn Trent Services, is shipping the signed contract via FedEx. Commissioner Ithurralde motioned to authorize the Chairman to sign the contract with Severn Trent Services outside of the meeting upon arrival; Commissioner Page seconded the motion; motion carried 3-0.

Emergency Sewer Line Replacement: There has been a recurring problem with the sewer line from the Atlas Trailer Park and a portion of the sewer line has been identified as below grade. Sierra Nevada Construction, contractor for the Main Street Water and Sewer Project, proposed to replace approximately 500 ft. of sewer line for \$78,525.00. Commissioner Ithurralde motioned to approve a force account change order to the Main Street Water and Sewer Project for sewer line replacement at the intersection of Ruby Hill Avenue and Vandal Way not to exceed \$78,525.00; Commissioner Page seconded the motion; motion carried 3-0.

COUNTY ENGINEER

Main Street Water & Sewer Project: Tom Young, Lumos & Associates, reported that Sierra Nevada Construction encountered some high groundwater in front of the Sheriff's Office which caused some problems, but they have worked through that area. Currently SNC was working on sewer lines in the NDOT right-of-way in the Sheriff's Office area and south of the Eureka Fire Station, where lower than expected sewer laterals caused a minor delay. Later in the week they should be in front of the Alpine Lodge building. They are slightly behind schedule and a new timeline and paving issues will be addressed at a meeting with the contractor on September 21st.

2010 ARRA Street Maintenance Project: The ARRA Street Maintenance Project is complete and Federal Highways Administration (FHWA) conducted their project review the previous week along with Nevada Department of Transportation.

2010 Street Maintenance Project: Paving, followed by shoulder work, was completed on Keg Street in Diamond Valley the previous week, on schedule. Mr. Young will conduct an inspection following the day's meeting.

SWIMMING POOL

Update Report: Cindy Adams, Parks, Recreation & Facilities Director, reported on pool activities. There were 390 total swimmers over the past month. There were 12 students in a 41-hour lifeguarding class, which required a 80% score on four different practical tests and all participants passed. All in all, it was a successful and safe summer at the pool.

EUREKA COUNTY FAIR BOARD

Report on 2010 County Fair: Patsy Tomera, longtime Chairwoman of the Eureka County Fair Board, was unable to attend due to unforeseen circumstances and will provide this update at the next Commissioner meeting.

Memo from Fair Board Members: Fair Board member, Carrie Dubray, submitted the following memo: *"To: Eureka County Board of Commissioners; From: Beth Cutler, Chairperson, Eureka County Fair Board (by Carrie Dubray); CC: Eureka Fair Board file; Date: 09/20/2010 Re: 09/20/2010 Commissioner meeting item: 11:35-Eureka County Fair Board, Patsy Tomera, Chairwoman, 1. Report on 2010 Eureka County Fair; ¶ PLEASE READ THE FOLLOWING INTO THE PUBLIC RECORD PRIOR TO THE SCHEDULED 11:35 AGENDA ITEM: ¶ Beth Cutler is the current Chairperson for the Eureka County Fair Board as of August 24, 2010. ¶ The 'report' being presented on behalf of the Eureka County Fair Board was not reviewed nor approved for presentation to the Commissioners by the Eureka County Fair Board and may not be factually accurate or complete as all aspects and activities from this year's Fair may not be included in the report being presented to the Commissioners today. ¶ The Fair Board is continuing to receive voucher payments and deposits for reconciliation with the 2010 Fair Budget. An accurate accounting of the 2010 Eureka County Fair will be reported to the Commissioners upon completion. "*

AMBULANCE & EMS

Update Report: EMS Coordinator, Mike Sullivan, updated the Board on emergency service activities. Since the last report, Eureka has had 14 calls for service (104 calls year-to-date) and Crescent Valley has had five calls for service (72 calls year-to-date). Mr. Sullivan reviewed volunteer staffing, and noted he has received eight applications for EMT training. The new EMT classes should begin in approximately 40 days, pending State approval. Continuing education is scheduled for September 27th and October 4th in Eureka and September 30th and October 14th in Crescent Valley. Mr. Sullivan supplied the zoning map to Summit Air Ambulance and re-extended his offer to update the map to better meet their needs. Summit Air Ambulance has agreed to conduct landing zone safety training on September 27th at the Eureka Fairgrounds and September 30th in Crescent Valley.

Mr. Sullivan attended a meeting at the University of Nevada regarding delivery of health care to veterans on September 3rd; and Nevada Project Heartbeat on September 9th. All defibrillators from the Mt. Wheeler grant have been distributed. American Medflight began their standbys at the Eureka Airport on September 19th-20th and also plan to be there September 26th-27th.

Mr. Sullivan commended volunteers from the Ambulance Service, Eureka Volunteer Fire Department, and employees of the Sheriff's Office who responded to a serious single vehicle rollover on the Antelope Valley Road on September 19th; additionally he thanked the citizens who stopped and called in the accident.

Job Descriptions: Mr. Sullivan presented position descriptions that were created for Volunteer EMT-1 and Volunteer EMT-2, which will replace the old EMT job description.

Commissioner Ithurralde motioned to accept the Volunteer EMT-1 and Volunteer EMT -2 job descriptions as presented; Commissioner Page seconded the motion; motion carried 3-0.

EUREKA COUNTY PLANNING COMMISSION

Parcel Map for Homestake Mining Company: A parcel map for Homestake Mining Company (within the boundaries of APN 007-410-05) was approved by the Planning Commission at their September 15th meeting. Clerk, Jackie Berg, explained that the map is currently in the safe in the Clerk/Treasurer's office and the safe failed a few days earlier and cannot be opened. The manufacturer is sending a repairman from Elko, but the map is inaccessible until then. Commissioner Ithurralde motioned to table this item until the map is available for review by the Board; Commissioner Page seconded the motion; motion carried 3-0.

NEVADA ASSOCIATION OF COUNTIES

Update on NACO Activities: Wes Henderson, Government Affairs Coordinator for NACO, provided an update on NACO activities and legislative issues of interest to the counties. Mr. Henderson began with a brief history of NACO which began in 1924. Mr. Henderson then gave a presentation on various issues that NACO advocates for the counties including legislative issues; natural resources and public lands; taxes and revenues; intergovernmental relationships; economic development; and a multitude of other interests. Mr. Henderson thanked the County for their support, and the Board thanked him for the update.

NEVADA HEALTH CENTERS, INC.

Provider Service Report for July: The Board reviewed written reports which were submitted regarding provider service dates during July at the two medical clinics and a financial report for July.

NATURAL RESOURCES

Activities and Upcoming Meetings: Natural Resources Manager, Jake Tibbitts, reported on activities and upcoming meetings, noting that most of his time has been dedicated to review and comment on the Administrative Draft Environmental Impact Statement for the Mt. Hope Project. Mr. Tibbitts participated in a conference call with the technical experts regarding the Administrative Draft EIS on September 8th; met with representatives from US Geological Survey on September 9th; attended the Central Nevada Regional Water Authority meeting on September 10th; and attended the NEPA Committee meeting on September 16th. For upcoming meetings, there is a Mt. Hope conference call on September 21st; a special meeting of the Wildlife Advisory Board on September 22nd; a meeting with the BLM in Battle Mountain on September 29th; the Northeast Great Basin Resource Advisory Council meeting in Ely on September 30th; a Cooperative Permittee Monitoring class on October 1st; and the second Great Basin Water Forum in Reno on October 21st & 22nd.

CORRESPONDENCE

Correspondence was received from: District Attorney, Ted Beutel (4); Clerk & Treasurer, Jackie Berg (2); Public Works, Ron Damele (2); Wally Cuchine; Natural Resources, Kathy Porter; Senior Center Director, Adell Panning; Eureka County Planning Commission; Economic Development Program; Eureka County Fair Board; Eureka County Recreation Board; Crescent Valley Town Advisory Board (6); Abby Johnson; Nevada Division of Forestry, Sam Hicks; Tri-County Meeting; University of Nevada Cooperative Extension; Nevada Assoc. of Counties (2); Summit Engineering; Gust Electric; Public Policy Innovations, Bjorn Selinder; Nevada Health Centers, Inc.; Nevada Gaming Control Board; Nevada Pool/PACT; Congressman Dean Heller; and Coalition for North American Trade & Investment.

EUREKA COUNTY JUVENILE PROBATION

Approval for Out-of-State Travel: Juvenile Probation Officer, Steve Zimmerman, requested approval for out-of-state travel for three individuals to attend Girls' Circle Facilitator Training. Commissioner Ithurrealde motioned to approve out-of-state travel for the Juvenile Probation Officer and two other individuals to attend Girls' Circle Facilitator Training in Sonora, California, October 13-16, 2010; Commissioner Page seconded the motion; motion carried 3-0.

EUREKA MEDICAL CLINIC

Update on Eureka Medical Clinic: Duane "Duke" Gibson, Physician Assistant, introduced Dr. Maria Cuda who is interviewing for the primary physician vacancy at the Eureka Medical Clinic. Ms. Cuda is currently working in New York and should she accept the position, would be available around June of 2011.

YUCCA MOUNTAIN

'Lessons Learned' Project Contract: Abby Johnson, Nuclear Waste Advisor, requested authorization to sub-contract for the video portion of the 'Lessons Learned' Project. Ms. Johnson's two-year contract includes a provision to sub-contract for up to \$20,000.00 each year for work related to the Yucca Mountain Project. Commissioner Ithurrealde motioned to approve a sub-contract with Gwendolyn Clancy under Ms. Johnson's current contract for creation of the video portion of the Yucca Mountain 'Lessons Learned' Project not to exceed \$40,000.00; Commissioner Page seconded the motion; motion carried 3-0.

NEPA COMMITTEE

Update Report: Abby Johnson, EIS Coordinator, reported on NEPA Committee activities. The NEPA Committee meeting on September 16th focused on comments on the Mt. Hope Project Administrative Draft EIS and was a very extensive meeting. Mr. Tibbitts was pleased that many of the members reviewed the document thoroughly and provided both general and specific comments.

Approve Edits and Additions to Comments: The comments are due to the BLM by close of business Thursday, September 23rd, so final edits or additions to the comments were requested from the Board. Following some discussion the Board agreed to add emphasis to the importance of historical and ongoing fishing in the Roberts Creek area, strengthen comments on air quality, and to reiterate in the transmittal letter that the County wants to be a full participant/partner in the water monitoring and mitigation. Commissioner Ithurrealde motioned to approve those edits and additions to the comments on the Mt. Hope Project Administrative Draft EIS and to authorize the Chairman to sign the final comments outside of the meeting; Commissioner Page seconded the motion; motion carried 3-0.

Committee for BLM Review Meeting: The BLM will hold a 2-3 day meeting for review of the comments on the Mt. Hope Project Administrative Draft EIS, and the County wished to identify possible attendees in advance. The NEPA Committee recommended several members and the Commissioners had additional recommendations. Based on these suggestions, Commissioner Ithurrealde motioned to designate Jake Tibbitts, Abby Johnson, Dale Bugenig, JJ Goicoechea, Christine Smith, and Bob Burnham as representatives who would potentially attend the BLM review meeting (*meeting date not yet determined*); Commissioner Page seconded the motion; motion carried 3-0.

HUMAN RESOURCES

Department Head/Manager Evaluations: Per their direction, Human Resources Analyst, Jerry Larson, informed the Board of the performance evaluation assignments for the managers/department heads who report directly to the Commissioners. Commissioner Page will

conduct annual performance evaluations for Senior Center Director, Millie Oram; and Natural Resources Manager, Jake Tibbitts. Commissioner Ithurralde will conduct evaluations for Senior Center Director, Adell Panning; Human Resources Analyst, Jerry Larson; and Cultural, Tourism, and Economic Development Director, Wally Cuchine. Chairman Fiorenzi will conducted evaluations for Public Works Director, Ron Damele; and EMS Coordinator, Mike Sullivan.

Retirement Letter: Mr. Larson presented the Board with Wally Cuchine's formal retirement letter, effective April 14, 2011.

Duties of Cultural, Tourism, & Economic Development Director: Earlier in the meeting, a decision was made to leave the Economic Development Program under the direction of the Cultural, Tourism, & Economic Development Director, and the Board informed Mr. Larson that there would be no changes to the job description regarding this aspect of the position.

Commencement of Advertising for Position: Commissioner Ithurralde motioned to authorize Human Resources to commence advertising for the Cultural, Tourism, & Economic Development Director position; Commissioner Page seconded the motion; motion carried 3-0.

Review Panel for Performance Evaluations: Mr. Larson explained that the Personnel Policy Manual provides for appointment of a review panel for instances when an employee performance evaluation is disputed. Mr. Larson recommended appointing Ron Damele, Kim Todd, Jake Tibbitts, Vicki Drenon, Shane Cantrell, and Bill Tilton. The Board declined to take action, requesting that Mr. Larson provide a broader list of names including employees who did not work in a supervisory capacity.

APPROVAL OF MINUTES

Commissioner Ithurralde motioned to approve the minutes of the August 20, 2010, Commissioners' meeting; Commissioner Page seconded the motion; motion carried 3-0.

RECESS FOR DEVIL'S GATE GID MEETING

The Board recessed for the Devil's Gate General Improvement District meeting from 1:37 p.m. to 1:50 p.m.

BID AWARD-DEVIL'S GATE DIST. 1&2 WATER TRANSMISSION MAIN / WATER TANK PROJECT

Commissioner Ithurralde motioned to award the bid for the Devil's Gate District 1&2 Water Transmission Main and Water Tank Project to A&K Earth Movers, contingent upon receiving all necessary permits, for a total amount of \$1,287,000.00; Commissioner Page seconded the motion; motion carried 3-0. Commissioner Ithurralde motioned to authorize the chairman to sign the contract for the project outside of the meeting; Commissioner Page seconded the motion; motion carried 3-0.

CRESCENT VALLEY TOWN ADVISORY BOARD (CVTAB)

Resolution to Clarify Rules on Water System: The CVTAB submitted a letter in favor of this resolution. Commissioner Page stated he was not in favor of it because it would sunset sale of water to residents outside the Town of Crescent Valley. Commissioner Ithurralde commented that the water permit only provided for use within the town boundaries. Commissioner Ithurralde motioned to adopt the Resolution to clarify rules on the Crescent Valley water system and to sunset the sale of water to persons without online service who reside outside the Town of Crescent Valley, except for the customers specifically identified at an earlier meeting as grandfathered into the system; Chairman Fiorenzi seconded the motion; motion carried 2-1, with Commissioner Page voting against the motion.

Request for Water Rate Study: Chairman Fiorenzi clarified that during the quarterly meeting in Crescent Valley on July 15th, references to the Crescent Valley water system becoming self-supporting were anticipating that this needed to happen at some time in the

future. Eureka County is aware of the need to fund the system for the next several years. The Chairman felt it wasn't prudent to conduct a water rate study until the arsenic treatment has been in place for at least a year in order to determine actual costs. Commissioner Page motioned to table the water rate study at this time until more defined data is available; Commissioner Ithurralde seconded the motion; motion carried 3-0.

Consider Appointment to CVTAB: Commissioner Page stated he would abstain from discussion and action on this item since the candidate for the CVTAB seat was the person involved in a past open meeting law dispute that involved him. After some discussion, the Board declined to make any appointment to the CVTAB for the remaining term, as there are only three months remaining and on January 1, 2011, the CVTAB will become a three-member board. Commissioner Ithurralde motioned to decline making an appointment for the remainder of the existing term and to wait until January and hear a recommendation from the newly seated board; Chairman Fiorenzi seconded the motion; motion carried 2-0. Commissioner Page abstained.

PUBLIC POLICY INNOVATIONS, LLC

Contract Renewal: The lobbyist contract was not yet available, so this item was tabled to a future meeting.

EUREKA COUNTY CLERK & TREASURER

August Treasurer's Report: The Board reviewed the financial reports for August 2010. The ending balance for the month of August was \$61,798,771.16.

APPROVAL OF MINUTES

Commissioner Ithurralde motioned to approve the minutes of the August 20, 2010, Commissioner meeting; Commissioner Page seconded the motion; motion carried 3-0.

PUBLIC COMMENT

Chairman Fiorenzi opened the floor for public comments. Zach Spencer of Eureka Moly invited the Commissioners as well as the general public to a community picnic on Saturday, October 2nd at 'R' Park in Eureka.

Lisa Wolf asked how people living outside the town boundaries of Crescent Valley would access water since the resolution passed earlier in the meeting would sunset sale of water to these people. Chairman Fiorenzi stated that the County was actually in violation of its permit by selling water for use outside the town boundaries and the resolution served to correct this error. Commissioner Ithurralde reminded everyone that existing customers were grandfathered in. There were no further public comments.

ADJOURNMENT

Commissioner Ithurralde motioned to adjourn the meeting 2:15 p.m.; Commissioner Page seconded the motion; motion carried 3-0.

Approved this 5th day of November, 2010.

/s/ Leonard Fiorenzi
Leonard Fiorenzi, Chairman

Attest: /s/ Jackie Berg
Jackie Berg, Clerk