

**EUREKA COUNTY BOARD OF COMMISSIONERS**

**October 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 October 6, 2021. Present were Chairman J.J. Goicoechea, Vice Chair Michael Sharkozy, Commissioner Rich McKay, District Attorney Ted Beutel, and Administrative Assistant Jackie Berg. The meeting was called to order at 9:30 a.m. and began with the Pledge of Allegiance. The interactive video conferencing system was connected and utilized between Crescent Valley and Eureka for the entire meeting.

**APPROVAL OF AGENDA**

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

**PUBLIC COMMENT**

Chairman Goicoechea opened the floor for public comments, asking residents to keep Assemblyman John Ellison in their thoughts and prayers after John’s wife passed away unexpectedly this past week.

Sheriff Jesse Watts asked for a moment of silence in honor of three County residents who had recently passed away – Tom Tomera, Jim Moyer, and John Walzl.

Eureka resident, Michael Jones, asked if Eureka County had plans for 40 N. Monroe Street in Eureka (APN 001-094-07), noting that he was interested in purchasing the property. Chairman Goicoechea responded that the parcel is owned and administered by the Eureka Volunteer Fire Department, and he asked Mr. Jones to speak with Fire Department members.

The Chairman addressed recent requests from property developers and a local business who have stated interest in purchasing County-owned property in the Eureka Canyon Subdivision. In reviewing subdivision maps and information, there are some boundary and rights-of-way issues that need to be resolved before sales can be considered. The Chairman asked the interested parties to be patient as he works with staff to address the issues.

**APPROVAL OF MINUTES**

August 20, 2021: Commissioner Sharkozy motioned to approve minutes of the August 20, 2021, Commission meeting; Commissioner McKay seconded the motion; motion carried 3-0.

**COMPTRROLLER**

Payment of Expenditures: Expenditures were presented for approval by Comptroller Kim Todd. Commissioner Sharkozy motioned to approve expenditures in the amount of \$284,663.20 for accounts payable, \$763,805.75 for a pass-through tax allocation to the Nevada State Controller, \$20,820.68 for a pass-through to the State Controller for School District tax revenues, \$573.27 for a pass-through to the Nevada Department of Taxation, and \$735,387.82 for payroll and benefit related expenses (including employee paid deductions of \$90,841.50), for a grand total of \$1,805,250.72. Commissioner McKay seconded the motion. Motion carried 3-0.

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

Credit Card Usage: Per the Board’s request, County Auditor Teri Gage, of Eide Bailly LLC, was in attendance to discuss credit card usage, best practices, and to make recommendations related to administration of County credit cards issued to employees.

Ms. Gage began by stating employees should consider it a privilege to have an employer-issued credit card. When those credit cards are funded with taxpayer dollars, usage should be held to an even higher standard. In reviewing County policies on card usage, she felt it addressed every element that should be incorporated in a 'best practices' credit card policy. This includes:

- Card is to be kept secure and private
- Spending limits are outlined
- Allowable expenditures are communicated
- Safeguards against fraudulent activity are in place (i.e. text or email alerts)
- Card numbers are not to be shared
- Card is only to be used by the employee it is issued to
- Detailed receipts must be submitted in a timely manner
- Personal expenses are disallowed
- Employees sign and agree to abide by credit card policy

Ms. Gage noted that many employers opt not to issue credit cards, but instead will reimburse an employee who uses a personal card for company business. This is becoming more the 'norm' due to the prevalence of credit card fraud.

Sheriff Watts asked several questions, giving examples of times that his department has used credit cards for transactions that fall in what he called "gray areas." This included a deputy using the Sheriff's credit card to complete a transaction that exceeded his own card limit. When escorting inmates on a flight, the Sheriff has asked a deputy to charge the air travel to their card when the Sheriff's card was not available. A staff member routinely uses her card to book hotel rooms for other staff. The Sheriff was also concerned that earning 'points' on a personal credit card might violate Ethics Law because public employees are not supposed to receive economic gain when carrying out their duties. The Sheriff asked if there was some kind of workaround when faced with these situations.

The Comptroller confirmed that monetary limits on cards can be increased in a matter of minutes with a call to her office. She said it is fine to book another employee's room on a credit card when reserving the room, because the cost is ultimately charged to the proper card.

Ms. Gage agreed, responding that most of the described situations should be avoided. If a violation does occur, it should be well-documented and the Comptroller's office should be notified as early as possible. On earning personal credit card 'points', this does happen in the business world and companies find it preferable to other risks, but Ms. Gage was not aware whether this impacts ethics for a public position. It is common practice with other public entities, including many Nevada counties and the State of Nevada, to rely on personal credit cards to temporarily fund business transactions. Chairman Goicoechea suggested seeking a ruling or finding whether the Ethics Commission had ever made a ruling on this issue related to personal credit card use.

Ms. Gage acknowledged there can be challenges in proper credit card use, particularly when you are working to protect taxpayer dollars. She suggested that employees contact the Comptroller's office when faced with questions or challenges to see how other departments may be handling out-of-the-ordinary situations.

The Sheriff said he would like to see some workarounds and exceptions added to County policy. Ms. Gage agreed that the Board could consider that option, but she felt current policy was clear, appropriate, and more than adequate. She reiterated that if an employee makes a Sunday-night-at-midnight decision when the Comptroller is not available, that the Comptroller should be contacted first thing Monday morning and informed about details of the transaction.

The Board agreed with Ms. Gage's recommendations and felt no changes to policy were necessary at this time.

## **SENIOR CENTERS**

**Update Report:** Senior Center Program Director, Millie Oram, reported on activities at the Eureka Senior Center and Fannie Komp Senior Center. In September, Eureka served 812 meals and Crescent Valley served 829 meals. Total deposits for the month were \$14,988.15.

**Nutrition Grants:** Commissioner McKay motioned to ratify Notice of Subaward from Nevada Aging & Disability Services Division for Nutrition Grant #07-000-07-1X-22 for congregate meals in the amount of \$20,960.00 with a required match of \$3,144.00. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Commissioner McKay motioned to ratify Notice of Subaward from Nevada Aging & Disability Services Division for Nutrition Grant #07-000-04-24-22 for home-delivered meals, in the amount of \$22,659.00 with a required match of \$3,399.00. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

## **COMMISSIONERS**

**Cannabis Compliance Board:** A letter was received from the State of Nevada Cannabis Compliance Board requesting information on cannabis consumption lounges and the ordinance governing cannabis in Eureka County.

District Attorney Ted Beutel recommended responding by letter, along with a copy of the requested ordinance, and completion of the short survey forwarded by the Compliance Board. He explained that the marijuana ordinance was written deliberately to deal with anticipated additional regulation and statute, similar to the one concerning cannabis consumption lounges.

Commissioner Sharkozy motioned to send a response letter, completed survey, and copy of Eureka County Code, Title 6 – Health and Welfare, Chapter 60 – Prostitution and Marijuana, to the State of Nevada Cannabis Compliance Board and authorized the Chairman to sign the letter outside of the meeting. Commissioner McKay seconded the motion. Motion carried 3-0.

**Update on Formation of Health District:** Chairman Goicoechea said the COVID pandemic highlighted challenges in rural health care including the lack of certain services. With that in mind, Churchill County was allocated additional COVID relief funds to finance a needs study as the first step towards forming a health district that could serve neighboring rural counties. Churchill reached out to its neighbors and is still in discussions with several counties, but Eureka County was the primary county to identify immediate needs and show interest in forming an alliance.

The Chairman was able to meet with the Churchill County team recently to work on details of an agreement and to firm up plans. Churchill is interested in stationing two people in Eureka County as soon as they can get the positions filled. The positions, a Community Health Nurse and a Resource Liaison, will be Churchill County employees reporting to Social Services Director Shannon Ernst, but will reside in Eureka County and coordinate with Chairman Goicoechea as County Health Officer. This will provide assistance in the community with COVID testing and reporting, vaccine coordination, and coordination on management of the Genesis Home Health Services contract, among other things. The Chairman stated Ms. Ernst would be in Eureka the following week to meet with him and Public Works regarding potential locations for these people.

An interlocal agreement with Churchill County should be ready for approval in a matter of weeks. Available grant funding will support this model through June 30, 2023. After that, a formal health district will need to be instated to ensure continued funding.

## **IT DEPARTMENT**

**IT Update:** IT Director Misty Rowley reported on IT projects and activities.

**Continued Fiber Work:** Ms. Rowley reported that Quest Media was currently in Eureka finishing fiber work at the Eureka Fire Station.

**Incident Response Plan:** She continues working with Nevada POOL PACT and the Nevada Office of Cyber Defense Coordination on an incident response plan.

Express Internet: Ms. Rowley met with the District Attorney and Public Works Director to formulate acceptable modifications for a contract renewal with Above All Communications dba Express Internet. The new contract will be presented for approval at the next meeting.

AT&T Contract for Dedicated Fiber PRI: AT&T is working to eliminate all copper telecommunication connections, so is transitioning clients from copper PRI (primary rate interface) to fiber PRI, which is a cheaper alternative. Ms. Rowley worked with AT&T and Voice Network to plan the migration and updated terms and costs are outlined in a new contract. Costs for the County will drop from over \$1,000.00 per month to less than \$600.00.

Commissioner McKay motioned to approve a two-year contract with AT&T for the provision of a dedicated fiber PRI, at a monthly cost of \$591.80. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Crescent Valley Internet: The Library System's E-rate project for installation of fiber optic internet at the Crescent Valley Library has been postponed, requiring cancellation of the order with AT&T for installation of fiber at the Crescent Valley Town Center. Ms. Rowley and Commissioner McKay met with Commnet Information Technology to discuss internet needs as part of the search for a viable internet solution in Crescent Valley.

Sky Fiber Internet: With cancellation of the fiber order with AT&T, the County needed to consider whether it would continue an agreement with Sky Fiber for provision of fiber/microwave internet service to the Crescent Valley Town Center (at a minimum cost of \$2,796.00 per month). Due to changes in Sky Fiber's terms of service, Ms. Rowley recommended that the Board not approve renewing this contract and continue seeking an alternative internet solution.

Commissioner Sharkozy motioned to deny the quote and agreement from Sky Fiber Internet for continued internet service to the Crescent Valley Town Center. Commissioner McKay seconded the motion. Motion carried 3-0.

## **CLERK RECORDER**

Hiring Freeze Waiver Justifications: Clerk Recorder Lisa Hoehne sought authorization to fill two vacant positions, explaining that an employee recently moved out of state and another employee accepted a job with the School District.

Commissioner McKay motioned to waive the hiring freeze and authorize the Clerk Recorder to fill two vacant positions of Deputy Clerk Recorder I or II. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

## **ROAD DEPARTMENT**

Report on Activities: Assistant Public Works Director Raymond Hodson was responding to an incident in northern Eureka County, so the report on Road Department activities was given by Public Works Director Jeb Rowley. Chairman Goicoechea commended Mr. Hodson for his cooperation and coordination over the last couple of weeks working with a skeleton crew while other staff members had to comply with quarantine guidelines.

Mr. Rowley reported that southern crews finished blading Willows Road, Todd Road, worked on the Maggini Ranch Road and other roads in that area of Diamond Valley, cleaned several cattle guards, worked on the Grass Valley Road, and continued running the screening plant in the Collingwood Pit. Northern crews have been working on Roberts Creek Road, Gable Canyon Road, the Spa Road, as well as roads in the area of Little Corral Pass.

Hiring Freeze Waiver Justification: Commissioner Sharkozy motioned to waive the hiring freeze and authorize Public Works to fill the vacant Equipment Operator I or II position in Crescent Valley. Commissioner McKay seconded the motion. Motion carried 3-0.

## **PUBLIC WORKS**

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

COVID Vaccines: Requests for vaccines have increased recently. The County will receive its first delivery of BinaxNOW COVID tests on October 11<sup>th</sup>.

Vehicle Orders: Mr. Rowley stated that General Motors has suspended much of its production, affecting recent orders for two Chevrolet pickups. One of the pickups had already been assigned a build slot and the other one was close behind. Those cannot be reordered until next year. Mr. Rowley commented that production delays are impacting more than vehicle purchases, and it is challenging to find equipment, parts, building supplies, water infrastructure supplies, tires, and many other items.

Eureka Landfill: Lumos & Associates is finalizing projects including a topographical map and volumetric study of the Eureka Landfill.

Eureka Airport: No issues or findings were revealed by the cultural study done at the Airport, and Lumos & Associates will return soon to complete geotechnical work, to be followed by design work, for the snow plow building and additional windsocks.

ISO Review: The five-year ISO inspection was done in Eureka in August, and Crescent Valley will be inspected next spring. The ISO currently does not recognize Eureka County as a county-wide fire protection district, but is making recommendations to help the County move in that direction. This will benefit residents, allowing them to qualify for lower fire insurance rates regardless of where they reside in the County.

NBAA Convention: Mr. Rowley attended the NBAA (National Business Aviation Association) Convention in Tonopah on September 27<sup>th</sup> & 28<sup>th</sup>. He felt it was a worthwhile and informative event and he was able to network with other stakeholders across the State.

## **NATURAL RESOURCES**

Report on Activities: Natural Resources Manager Jake Tibbitts was traveling and submitted an email in lieu of an in-person report. The email reported on upcoming meetings including the Pinyon-Juniper Partnership meeting on October 13<sup>th</sup> (virtual), the Natural Resources Advisory Commission meeting on the evening of October 13<sup>th</sup>, the US Forest Service SRS Title II Resource Advisory Committee meeting on October 14<sup>th</sup> (virtual), and the State Land Use Planning Advisory Council meeting on October 15<sup>th</sup> in Fallon.

Cloud-Seeding Contribution: Mr. Tibbitts' email relayed a request for a contribution towards Desert Research Institute's cloud seeding efforts in the Humboldt River Basin. Other counties within the basin have contributed \$3,500.00 and Mr. Tibbitts recommended that Eureka County contribute the same amount.

Commissioner Sharkozy motioned to contribute matching funds in the amount of \$3,500.00 to be paid from the Water Mitigation Fund towards Desert Research Institute's cloud seeding operations in the Humboldt River Basin. Commissioner McKay seconded the motion. Motion carried 3-0.

## **CORRESPONDENCE**

Correspondence was received from: Dan Stevens (2); District Attorney Ted Beutel; Natural Resources Manager Jake Tibbitts; The Committee to Recall Jesse Watts; Television District; Crescent Valley Town Advisory Board; Nevada Assoc. of Counties; Desert Research Institute; Richard Lee; Allison MacKenzie Ltd.; Nevada Cannabis Compliance Board; Nevada Aging & Disability Services Div. (2); Nevada Div. of Minerals; e-Republic Nevada Virtual Digital Government Summit; US Navy FRTC Intergovernmental Executive Committee; US Dept. of the Interior-BLM (2); Karen & Steve Yoder; Senator Jacky Rosen; National Assoc. of Counties (multiple); Governing E-news (multiple); and America First Policy Institute (multiple).

Commissioner Reports: Chairman Goicoechea chaired a Sagebrush Ecosystem Council meeting on October 1<sup>st</sup>. The Chairman also attended the recent NACO Conference, participating in one of the panel discussions. He publicly thanked NACO for bestowing an award inducting him

into the NACO Honor Roll in recognition of his work on behalf of Eureka County and the State of Nevada. He stated it was truly unexpected and he thanked NACO and its leadership.

**PUBLIC COMMENT**

Chairman Goicoechea called for public comments.

Clerk Recorder Lisa Hoehne requested that the Board place an item on the next agenda to consider authorizing department heads to adjust employee hours from an eight-hour, five days per week schedule, to a 10-hour, four days per week schedule.

Referencing his earlier comments, the Chairman again asked interested parties to be tolerant of the delay as he works with County staff to address potential boundary issues at the Eureka Canyon Subdivision, which may require action by the Planning Commission.

**ADJOURNMENT**

Commissioner Sharkozy motioned to adjourn the meeting; Commissioner McKay seconded the motion; the meeting was adjourned at 10:52 a.m.

*Approved by vote of the Board this 19<sup>th</sup> day of November, 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 October 6<sup>th</sup>, 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