

**EUREKA COUNTY BOARD OF COMMISSIONERS**

**November 20, 2017**

STATE OF NEVADA )  
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COUNTY OF EUREKA )

**CALL TO ORDER**

The Board of Eureka County Commissioners met pursuant to law on November 20, 2017. Present were Chairman J.J. Goicoechea; Vice Chairman Michael Sharkozy; Commissioner Fred Etchegaray; District Attorney, Ted Beutel; and Commissioner Clerk, 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 Etchegaray seconded the motion; motion carried 3-0.

**PUBLIC COMMENT**

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

**APPROVAL OF MINUTES**

November 6, 2017: Commissioner Etchegaray motioned to approve minutes of the November 6, 2017, meeting; Commissioner Sharkozy seconded the motion; motion carried 3-0.

**COUNTY COMPTROLLER**

Payment of Expenditures: Expenditures were presented for approval by Assistant Comptroller, Kim Todd. Commissioner Etchegaray motioned to approve expenditures in the amount of \$239,770.59 for accounts payable, \$349,918.64 for payroll, \$4,144.40 for a pass through to the School District, \$35.10 for a pass through to the Nevada Department of Taxation, and \$98.57 in Yucca Mountain expenditures, for a grand total of \$593,967.39. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Fund Balances Report: The Board reviewed a print-out of current fund balances.

**COMMISSIONERS**

Update Reports: Commissioner Sharkozy attended the Veterans Day Dinner in Eureka on November 11<sup>th</sup>; participated in a Search & Rescue meeting in Crescent Valley on November 13<sup>th</sup>; attended the Crescent Valley Volunteer Fire Department meeting on November 14<sup>th</sup>; and enjoyed the candlelight dinner at the Fannie Komp Senior Center the evening of November 16<sup>th</sup>.

Resignation from HRBWA: Commissioner Etchegaray motioned to accept the resignation of Rita Stitzel as one of Eureka County’s representatives to the Humboldt River Basin Water Authority; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Chairman Goicoechea publicly recognized and thanked Ms. Stitzel for her admirable service to HRBWA for 25 years, adding that she will be missed.

Preliminary Budget Discussion: The Chairman wished to address future needs of certain departments in preparation for the budget process. Sometime after February of 2018, the Senior Department Assistant position in Natural Resources will become vacant. The Natural Resources Manager offered to forego filling this position, but Chairman Goicoechea stated Mr. Tibbitts is already overworked and that is not a practical option. In that case, Mr. Tibbitts felt there should be a period of training for the replacement and will be prepared to discuss budget implications at the next meeting.

The Chairman noted that some key people are getting closer to retirement and this will affect Emergency Medical Services and fire management. He would like the Board to consider the advantages of combining these areas under one person and how that might affect level of services, as well as the budgets that support these services. He asked that some budget estimates be provided in the near future. Other counties successfully manage emergency services with a combined approach, and it may be time to contemplate moving in this direction.

EMS Coordinator, Mike Sullivan, relayed what he felt might be some advantages and disadvantages to this scenario, and also advised that it might be challenging to find a candidate with the necessary range of skill sets.

Western Policy Roundtable & Public Lands Forum: Chairman Goicoechea has been invited to speak at a Western Caucus Foundation event in Las Vegas. Commissioner Etchegaray motioned to approve lodging expenses for the Chairman to speak at the Western Policy Roundtable & Public Lands Forum in Las Vegas December 8<sup>th</sup>-9<sup>th</sup>; Commissioner Sharkozy seconded the motion; motion carried 3-0.

Sagebrush Ecosystem Program and Nevada Greater Sage-Grouse Conservation Plan: The Sagebrush Ecosystem Council met on November 9<sup>th</sup> and worked on finalizing comments on the Supplemental EIS (being drafted by the BLM on a portion of the Greater Sage Grouse Land Use Plan Amendments, directly resulting from the decision issued in US District Court).

Prior to the meeting, a ceremony was held commemorating the first transfer of credits under the State-managed Conservation Credit System. This historical event was the first transfer of its kind in both the State and the nation. This private transaction transferred credits from the Tumbling JR Ranch to Kinross. It will result in protection of nearly 10,000 acres of sage grouse habitat, offsetting effects to habitat from mining activities at the Bald Mountain Mine.

In addition, the NACO Board of Directors met on November 17<sup>th</sup> and agreed with the coordinated effort by counties, through retention of Laura Granier, Esq., in preparing comments for the Supplemental EIS.

## **AMBULANCE & EMS**

Report on Activities: EMS Coordinator, Mike Sullivan, reported on activities since his last report on October 20<sup>th</sup>. Eureka had 10 calls for service (117 year-to-date) and Crescent Valley had six calls for service (72 year-to-date). Call rates are trending up, with 20 more calls than at this same time in 2016. In the past month, there have been at least two mass casualty incidents involving multi-passenger vans on US Highway 6 southeast of Duckwater. Eureka was called to assist on one, but the call was cancelled before reaching the site.

Mr. Sullivan attended Attorney General Laxalt's visit to Eureka on November 3<sup>rd</sup>, and met with the Safety Manager for the Gold Bar Mine (McEwen Mining) on November 6<sup>th</sup>. The annual EMT Refresher Course was taught in Eureka on November 10<sup>th</sup>, 11<sup>th</sup>, & 12<sup>th</sup>. Continuing education classes are scheduled in Eureka on November 27<sup>th</sup> and in Crescent Valley on December 14<sup>th</sup>.

Matt Walker, CEO of William Bee Ririe Hospital, contacted Mr. Sullivan about conducting a Point of Distribution (POD) exercise to administer seasonal flu vaccines in Eureka and Crescent Valley. Mr. Sullivan is working with the required State agencies to facilitate this.

Service & Staffing: On November 14<sup>th</sup>, the Crescent Valley Ambulance was out of service from 7:00 a.m. to 11:30 p.m. due to critical staff being out of the area. Other EMS agencies were asked to respond if needed. Per regulation, the State EMS Office was notified. Crescent Valley Ambulance will again be out of service on November 22<sup>nd</sup>-24<sup>th</sup>, also due to critical staff being out of the area. Mr. Sullivan plans to speak with the State about downgrading Crescent Valley's licensing to a Basic Life Support Ambulance, or possibly considering a dual license.

Volunteer staffing is critically low and has been for some time. Mr. Sullivan spoke of the excessive overtime that employed staff, including himself, work due to the low number of volunteers. He and the Board recognized that the County cannot financially support an

ambulance service that doesn't rely on volunteers. If the communities want the service to continue, people are simply going to have to step up. The County would consider paying course fees if people show an interest in becoming an EMT.

## **PUBLIC WORKS**

Public Works Update: Public Works Director, Ron Damele, reported on Public Works projects and activities. All utility systems are in good working order. About 90% of funding (approximately \$327,000.00) was received on the Federal Aviation Administration grant for the Airport Project completed earlier this year. Work continues on one of the medical provider houses in anticipation of the Advanced Practice Nurse retained by William Bee Ririe, who will be moving in early January. The Nevada Bureau of Safe Drinking Water conducted a sanitary survey of all water systems on November 14<sup>th</sup> and all systems are clean. Four Public Works employees completed the Advanced Essential Management Skills class in Elko on November 7<sup>th</sup> & 8<sup>th</sup>.

Mr. Damele will travel to Elko with the Chairman and Natural Resources Manager on November 21<sup>st</sup> for a meeting with the BLM. The end of the season fire meeting will be held on December 6<sup>th</sup> at the Opera House and will include representatives from Eureka County, Nevada Division of Forestry, and Bureau of Land Management (Elko, Ely, and Battle Mountain Districts).

Consultant Contract with Abigail C. Johnson: Abby Johnson provides consulting and oversight services for the Commissioners, Natural Resources, Public Works, and Yucca Mountain nuclear waste issues. She works under a time and materials contract with the County and the contract is up for renewal.

Commissioner Sharkozy motioned to approve a two-year contract, to include a two-year extension option, with Abigail C. Johnson for provision of consulting and oversight services, not to exceed \$256,000.00 (\$128,000.00 in 2018 and \$128,000.00 in 2019), with \$196,000.00 funded by the US Department of Energy direct payment grant to Eureka County as an Affected Unit of Local Government. Commissioner Etchegaray seconded the motion. Motion carried 3-0.

Temporary Road Maintenance Equipment Operator I: A Memorandum of Understanding between the County and McEwen Mining was approved at the November 6<sup>th</sup> meeting. The MOU provides for an additional equipment operator to maintain certain County roads utilized by McEwen Mining. McEwen will pay \$74,000.00 per year as long as the MOU is in effect, and in turn the County will provide a temporary employee and equipment.

Commissioner Etchegaray motioned to approve the Temporary Road Maintenance Equipment Operator I job description, contingent on provision of special funding; when funding ceases, the position will be eliminated and the employee will not be entitled to layoff rights. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

## **CLERK & TREASURER**

Treasurer's Report: The Treasurer's Report for October was presented by Clerk & Treasurer, Beverly Conley. Ms. Conley stated she was pleased with the interest receipts for the month. The ending General Fund balance for the month was \$20,209,301.73.

## **ASSESSOR**

Resolution to Publish Tax Roll: County Assessor, Michael Mears, explained that Nevada Revised Statutes requires the Board of County Commissioners to adopt a resolution each year directing the Assessor to prepare and publish a list of all taxpayers and property valuations on the secured tax roll.

Mr. Mears reminded the Board that, due to recent successful legislation, the entire roll no longer needs to be published in a newspaper. As a courtesy to the taxpayers, he will publish notice that the tax roll is available on the County website and in the Assessor's office.

Commissioner Etchegaray motioned to adopt a resolution directing the County Assessor to prepare a list of all taxpayers and property valuations on the secured roll of Eureka County and to make it available to the public pursuant to NRS 361.300. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

**RESOLUTION  
OF THE EUREKA COUNTY BOARD OF COMMISSIONERS**

**A RESOLUTION DIRECTING THE COUNTY ASSESSOR TO PREPARE AND PUBLISH A LIST OF ALL TAXPAYERS ON THE SECURED TAX ROLL IN THE COUNTY, AND THE TOTAL VALUATION OF PROPERTY ON WHICH THEY WILL SEVERALLY PAY TAXES PURSUANT TO N.R.S. 361.300**

**WHEREAS**, Nevada Revised Statute requires that the County Assessor be directed by Board Resolution to prepare and publish the secured tax roll annually.

**NOW, THEREFORE BE IT RESOLVED**, that the Eureka County Board of Commissioners does hereby direct the County Assessor prepare and publish a list of all taxpayers on the 2018-19 secured tax roll in the County, and the total valuation of property on which they will severally pay taxes, pursuant to N.R.S. 361.300;

**BE IT FURTHER RESOLVED**, that the Eureka County Board of Commissioners does hereby direct the County Assessor to cause such list and valuations to be published on the Eureka County website on or before January 1<sup>st</sup> of the fiscal year in which assessments are made and a public notice be published in a newspaper of general circulation in the County that said list will also be printed and made publicly available at the Eureka County Assessor's Office and available via the County website.

**PASSED AND ADOPTED** this 20<sup>th</sup> day of November, 2017.

THOSE VOTING AYE: Commissioner J.J. Goicoechea, DVM  
Commissioner Michael Sharkozy  
Commissioner Fred Etchegaray

THOSE VOTING NAY: None

THOSE ABSENT: None

/s/ J.J. Goicoechea, DVM  
J.J. GOICOECHEA DVM, CHAIRMAN  
EUREKA COUNTY BOARD OF COMMISSIONERS

Attest: /s/ Jackie Berg  
JACKIE BERG, COMMISSIONER CLERK  
EUREKA COUNTY BOARD OF COMMISSIONERS

Update on APN 001-102-13: In September 2016, based on a title report and appraisal, the Board authorized purchase of APN 001-102-13, located at 11 North Main Street in Eureka, from the Caton family for \$15,000.00. Due to some deaths in the family, the property was involved in two estates, so the offer to purchase was extended to June 30, 2017, but no response was received by that time.

Mr. Mears was recently contacted by the family's attorney, who inquired whether the County still had interest in purchasing the property.

Offer to Purchase: The County previously held a long-term lease on the property, which houses a train caboose and numerous other items owned by the County. Based on the expense and logistics of relocating these articles, the Board felt purchase was the best solution.

District Attorney, Ted Beutel, advised that NRS 244.275 authorizes the County to make such a purchase without obtaining an updated appraisal.

Commissioner Etchegaray motioned to approve this property transaction and to extend an offer to the Caton family to purchase APN 001-102-13 at the appraised amount of \$15,000.00; Commissioner Sharkozy seconded the motion; motion carried 3-0.

## **NATURAL RESOURCES**

**Report on Activities:** Natural Resources Manager, Jake Tibbitts, reported on recent activities. Mr. Tibbitts attended the Nevada Association of Conservation Districts annual meeting in Minden on November 7<sup>th</sup> & 8<sup>th</sup>. He traveled to Ely on November 9<sup>th</sup> for the Nevada State Technical Advisory Committee meeting (Natural Resources Conservation Service). That same day in Ely, he attended the BLM's scoping meeting on the Greater Sage-Grouse Land Use Plan Amendments within Nevada (in response to Department of the Interior Secretarial Order 3353).

On November 14<sup>th</sup>, Mr. Tibbitts had a conference call with Dagny Stapleton and Tori Sundheim of NACO, along with Wayne Howell and Patty Cafferata from the Nevada Attorney General's office. Passage of SB456 in a recent Legislative Session mandated the Attorney General to work with Nevada Association of Counties and the State Land Use Planning Advisory Council to create protocol related to RS2477 roads, including possible quiet title actions on these roads. Mr. Howell has been tasked with taking the lead on this project and the call was to bring everyone up to date.

Other meetings included the Groundwater Management Plan meeting at the Opera House on November 15<sup>th</sup>; a conference call on November 15<sup>th</sup> with counties who have engaged Laura Granier, Esq., on the sage grouse issues; and a Diamond Valley Rodent Control Board meeting the evening of November 15<sup>th</sup>. Mr. Tibbitts explained that the Rodent Control Board selected two properties in Diamond Valley to provide cost-share assistance for rodent control. The Board will provide diesel reimbursement for owners to mechanically rip the property during the rodents' hibernation stage, an effective tool in population control.

**Upcoming Meetings:** Upcoming meetings include a meeting in Elko with the BLM on November 21<sup>st</sup> regarding the Battle Mountain District; the Central Nevada Regional Water Authority meeting on December 1<sup>st</sup>; the US Navy Fallon Range Training Complex stakeholder meeting in Fallon on December 4<sup>th</sup>; and the Nevada Cattlemen's Association Annual Convention in Elko December 4<sup>th</sup>-6<sup>th</sup>.

**McEwen Mining – Gold Bar Project:** On November 8<sup>th</sup>, McEwen Mining received the Record of Decision on the Final Environmental Impact Statement for the Gold Bar Project. They were staged and ready to go, so construction will begin immediately. There has been noticeable activity in Eureka as the various contractors mobilize to the area and as McEwen staff sets up their office on Main Street.

**Sage Grouse Issues:** As approved at the last meeting, Eureka County engaged Laura Granier, of Holland & Hart, to prepare scoping comments for the Supplemental EIS on the BLM and US Forest Service Greater Sage Grouse Land Use Plan Amendments. The Supplemental EIS is a direct result of the Judge's Order issued earlier this year in US District Court in Reno that partially remanded the Record of Decision on the LUPAs back to the BLM. Comment deadline for the Supplemental EIS has been extended to November 30<sup>th</sup>.

Mr. Tibbitts will provide Ms. Granier with updated information related to the harms that have been or will be experienced by Eureka County directly related to the LUPAs.

This is a concerted and coordinated effort and five other counties are utilizing Ms. Granier as well. Nine Nevada counties were involved in the original litigation in US District Court, so hopefully additional counties will decide to join in and cost-share on the legal fees.

Ms. Granier will also assist with the other issue resulting from US Department of the Interior Order 3353 (Greater Sage-Grouse Conservation & Cooperation with Western States), which triggered the BLM to begin another amendment process. Eureka County recently joined as a Cooperating Agency for the Land Use Plan Amendment within Nevada Regarding Greater Sage-Grouse Conservation.

**Grant to Conservation District:** Commissioner Sharkozy motioned to grant \$25,000.00 to the Eureka Conservation District as approved in the Fiscal Year 2017-2018 budget, to be paid from the Miscellaneous Grants line item in the Commissioners' budget. Commissioner Etchegaray seconded the motion. Motion carried 3-0.

## **CORRESPONDENCE**

Correspondence was received from: Assessor, Michael Mears; Natural Resources, Jake Tibbitts; Natural Resources Advisory Commission; Health Insurance Advisory Committee; Diamond Valley Rodent Control District; Eureka Owl Club; Crescent Valley Town Advisory Board; Abigail Johnson; Nevada Assoc. of Counties (4); Mt. Wheeler Power; Kinross Gold; Rehab Services of Nevada; Allison MacKenzie, Ltd.; Nevada Div. of Water Resources (2); Nevada Dept. of Environmental Protection; Nevada Dept. of Taxation; Nevada Dept. of Transportation; Nevada Public Agency Insurance Pool; Western Caucus Foundation; US Navy, NAS Fallon; US Committee on Natural Resources; US Dept. of the Interior-BLM (2); and US Bankruptcy Court.

## **PUBLIC COMMENT**

Commissioner Goicoechea called for public comments. Sheriff Keith Logan reminded everyone of the Christmas Tree Lighting on December 2<sup>nd</sup>. The road in front of the Eureka Senior Center will be closed from 3:00 to 7:00 p.m. for the events.

The Emergency Fund Barbeque has been scheduled for August 18, 2018, in Crescent Valley. The Sheriff was letting people know to 'save the date' for the event.

Lastly, the Sheriff provided a brief update on recent actions among the Duckwater Tribe. After numerous phone calls from Tribe members and after consulting with the District Attorney, the Sheriff was eventually contacted by Thomas Smart, Supervisor & Special Agent with the Bureau of Indian Affairs. The BIA has taken over law enforcement services for the Duckwater Tribe and recognizes Tribal Chairman Rodney Mike as sitting Chair. Mr. Smart inquired whether Eureka County would honor the agreement to house inmates on behalf of the Tribe. Sheriff Logan agreed, but offered some alternatives in handling certain situations, stating that Eureka County would not be involved in anything that might be deemed an illegal arrest.

## **ADJOURNMENT**

Commissioner Sharkozy motioned to adjourn the meeting at 10:22 a.m.; Commissioner Etchegaray seconded the motion; motion carried 3-0.

*Approved by vote of the Board this 7<sup>th</sup> day of December, 2017.*

/s/ J.J. Goicoechea

J.J. Goicoechea, Chairman

*I, Jackie Berg, Commissioner Clerk, attest that these are a true, correct, and duly approved minutes of the November 20<sup>th</sup>, 2017, meeting of the Board of Eureka County Commissioners.*

/s/ Jackie Berg

Jackie Berg, Commissioner Clerk

*I, Beverly Conley, Clerk & Treasurer of Eureka County, acknowledge and accept the attached minutes as approved by the Board of Eureka County Commissioners and attested to by the Commissioner Clerk.*

/s/ Beverly Conley

Beverly Conley, Clerk & Treasurer