

**EUREKA COUNTY BOARD OF COMMISSIONERS**  
**December 7, 2009**

STATE OF NEVADA        )  
                                  :SS  
COUNTY OF EUREKA     )

**CALL TO ORDER**

The Board of Eureka County Commissioners met pursuant to law on December 7, 2009. Present were Chairman Jim Ithurralde, Vice Chair Leonard Fiorenzi, 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**

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

**PUBLIC COMMENT**

Chairman Ithurralde opened the floor for public comments. There were none.

**APPROVAL OF THE MINUTES**

Commissioner Page motioned to approve the minutes of the November 19, 2009, pre-budget meeting; Commissioner Fiorenzi seconded the motion; motion carried 3-0. Commissioner Fiorenzi motioned to approve the minutes of the November 20, 2009, Commissioner meeting; Commissioner Page seconded the motion; motion carried 3-0.

**FINANCE**

Payment of Expenditures: Expenditures were presented for approval by Recorder & Auditor, Mike Rebaleati. Commissioner Fiorenzi noted that any action or vote by him would not include payments to the Deputy Public Guardian because they are related. Commissioner Fiorenzi motioned to approve payroll (\$329,690.18) and expenditures (\$663,152.68) in the total amount of \$992,842.86; Commissioner Page seconded the motion; motion carried 3-0. Chairman Ithurralde noted that this included a pass-through payment of \$63,810.61 to the School District, for taxes collected. Later in the day, a special payroll was presented for approval and Commissioner Fiorenzi motioned to approve it in the amount of \$3,003.74; Commissioner Page seconded the motion; motion carried 3-0. This increased the total in County expenditures to \$995,846.60.

Commissioner Page motioned to approve Yucca Mountain expenditures in the amount of \$13,903.02; Commissioner Fiorenzi seconded the motion; motion carried 3-0.

Auditor's Report: The Board reviewed the Auditor's Report, commenting that most of the large construction projects, and therefore payments to contractors, were diminishing.

Capital Outlay for Computers: Mr. Rebaleati noted that computer equipment is included each year in the capital outlay budget to acquire new and replacement equipment, which the County purchases in lots of ten or more to take advantage of quantity discounts. Commissioner Fiorenzi motioned to approve the capital outlay purchase of ten new computers, not to exceed \$12,000.00; Commissioner Page seconded the motion; motion carried 3-0.

Resolution Outlining Registration and Titling Policies: At the November 20<sup>th</sup> meeting, Mr. Rebaleati presented a draft resolution providing uniform guidelines to County departments for titling and licensing County vehicles and equipment. Per the Commissioners' request, Mr. Rebaleati incorporated language clarifying that purchase of the equipment was still subject to

approval by the Board and subject to County procurement policies. Commissioner Fiorenzi motioned to adopt the resolution outlining registration and titling policies related to certain County personal property; Commissioner Page seconded the motion; motion carried 3-0.

Eureka, Nevada

December 7, 2009

**RESOLUTION  
CREATING COUNTY POLICY IN THE PURCHASING, REGISTERING,  
AND SELLING COUNTY VEHICLES AND EQUIPMENT**

WHEREAS, the Board of Eureka County Commissioners is committed to the proper methods of purchasing and dispersing Eureka County equipment and/or vehicles; and

WHEREAS, the Board of Eureka County Commissioners with this resolution is creating County policy to ensure the proper purchasing, registering, and selling of County equipment and/or vehicles;

WHEREAS, the Public Works Department will conduct all quotes or bidding and purchase orders of vehicles and motorized equipment; and the County Recorder/Auditor department will conduct all quotes or bidding and purchase orders of all computer related products;

WHEREAS, after the Department Head follows the Eureka County Internal Control Policy in the purchasing of the equipment and/or vehicles, he/she will deliver the proper identification information to the Recorder/Auditor so the item can be added to the County insurance;

WHEREAS, the Department Head will prepare a County voucher for the title to be put in Eureka County's name; title will be mailed to the Eureka County Clerk / PO Box 677 / Eureka, Nevada;

WHEREAS, the Department Head will be responsible for getting the proper vehicle identification number inspection and title documentation for transfer of ownership so the County equipment and/or vehicles can be registered through the Eureka County Assessor's office;

WHEREAS, when the County equipment and/or vehicles is to be sold or disposed, the Department Head will be responsible for verifying with the Eureka County Clerk's office that the proper title is files;

WHEREAS, the sale or disposition of all Eureka County equipment and/or vehicles will be in accordance of the Nevada Revised Statues and Codes;

WHEREAS, the purchaser will acquire the title of the equipment and/or vehicles from the Eureka County Clerk's office and the Department Head is responsible for notifying the Eureka County Recorder/Auditor so the equipment and/or vehicles is removed from the County insurance policy and fixed asset database;

NOW THEREFORE, IT IS HEREBY RESOLVED, that the Board of the Eureka County Commissioners on behalf of the citizens of Eureka County, is creating County policy in the purchasing, registering, and selling of County equipment and/or vehicles.

ADOPTED this 7<sup>th</sup> day of December, 2009.

BOARD OF EUREKA COUNTY COMMISSIONERS  
County of Eureka, State of Nevada

By:           /s/ J.P. Ithurrealde            
James Ithurrealde, Chairman

By:           /s/ Leonard Fiorenzi            
Leonard Fiorenzi, Member

By:           /s/ Mike Page            
Michael Page, Member

ATTEST:           /s/ Jackie Berg            
Jackie Berg, Clerk

Set Dates/Times for Future Budget Meetings: Mr. Rebaleati suggested that the initial budget meeting after the first of the year could focus on two subjects, *services & supplies* and *salaries & wages*, in order to provide a good basis before entering into budget negotiations with the department heads. Commissioner Page motioned to set the first budget meeting after the first of the year for January 4, 2010, at 1:00 p.m.; Commissioner Fiorenzi seconded the motion; motion carried 3-0.

### **NEVADA HEALTH CENTERS, INC.**

Proposal to Increase Clinic Staffing Level: Michelle Agnew, Chief Operations Officer for Nevada Health Centers (NHC), introduced Bob Bravetti, NHC's Director of Human Resources. Ms. Agnew outlined a proposal that would increase staffing levels at the Eureka Clinic and provider hours at the Crescent Valley Clinic. The proposal stemmed from NHC's inability to provide telemedicine at the Crescent Valley site (originally approved for Fiscal Year 2008-2009 and carried forward for Fiscal Year 2009-2010). The Board of Pharmacy still hasn't issued approval for dispensing of medication at rural sites by staff other than a physician or pharmacist, and this approval might not be forthcoming. This alternate proposal would add a part-time physician's assistant at the Eureka site (which, at the County's option, could replace one of the medical assistants), who would travel to Crescent Valley one day per week, increasing clinic days at that site to three (two days would still be covered by NHC physicians from Elko).

Commissioner Fiorenzi was disturbed that during negotiations for the current year's budget, NHC representatives had assured the Commissioners that no additional providers were needed, and the current staffing level could support a population increase of 400 residents (should the molybdenum mine go into production). This information had, in turn, been provided to the Bureau of Land Management for consideration of impacts to Eureka County in the Mount Hope Environmental Impact Statement. Ms. Agnew replied that she had not been involved in those discussions, and although she agreed it was true that Eureka could operate at its current provider level, it was not without drawbacks, such as the burden on current providers to cover on-call and weekend hours.

Commissioner Fiorenzi motioned to approve the proposal to augment clinic staffing levels, which would increase clinic days in Crescent Valley to three per week, and supply eight additional provider days in Eureka; Commissioner Page seconded the motion; motion carried 3-0. Chairman Ithurralde noted that this increased the monthly payment to \$67,218.00. The Board requested patient encounter reports in the future, specifically asking that a report for calendar year 2009 be provided in January 2010, and that a comparison report on usage with the additional provider coverage be given during budget negotiations, so the Board can consider whether the augmented staffing levels will be continued in the Fiscal Year 2010-2011 contract. Ms. Agnew agreed to draft an addendum to the remaining Fiscal Year 2009-2010 contract, with a pro-rated amount, which will not be effective until the additional provider coverage begins. Arrangements have been made for a locums physician to begin at the Eureka Clinic in mid-January, so the pro-rated amount will probably begin February 1<sup>st</sup> to ensure that three providers are in place. Commissioner Fiorenzi clarified that the estimated costs (on the written proposal) for additional housing and travel would be reimbursable on receipts only.

Ms. Agnew introduced nurse practitioner, Judy Thomas, from Reno, who has recently begun working at the Eureka Clinic to temporarily compensate for the vacant provider position. Ms. Thomas informed the Board that she liked the clinic and liked the area and would be interested in a permanent position in Eureka.

Nevada Health Center's Response to Issues Presented by Dr. Waite: Dr. Glenn Waite's contract with Nevada Health Centers was recently terminated, and Dr. Waite appeared before the Board of Commissioners at their November 19<sup>th</sup> meeting to read a list of issues and concerns. NHC subsequently provided the Board with a written response. Ms. Agnew felt the

response letter was detailed and addressed all of the concerns. The Board agreed that the letter was detailed and they had no questions or comments. Commissioner Fiorenzi motioned to accept the letter submitted by Nevada Health Centers; Commissioner Page seconded the motion; motion carried 3-0. District Attorney, Ted Beutel, explained that since NHC's letter was presented to the Commissioners it was now public record and copies could be requested by the public. Ms. Agnew said she welcomed phone calls from any members of the public who had questions, noting that her phone numbers were listed on the letter.

Rental Agreement for Care Provider Housing: Mr. Beutel explained that care providers contracted by Nevada Health Centers are typically provided housing by Eureka County. To date only a maintenance agreement has been required, but the County wanted to inform NHC that it now recognizes the need for a full rental agreement between the County and the tenant. NHC will not be a party in the agreement, and any provision by them (such as paying the security deposit) will be between them and their contracted professional. Commissioner Fiorenzi motioned to execute lease agreements for all applicable County housing; Commissioner Page seconded the motion; motion carried 3-0.

## **CORRESPONDENCE**

Correspondence was rec'd from: L.D. Contorno; Eureka Moly, LLC; District Attorney, Ted Beutel (6); Public Works, Ron Damele; Eureka County Planning Commission; Eureka County Economic Development Program (2); Eureka County Recreation Board; Eureka County Television District; Cooperative Extension, Gary McQuin; Eureka County 4-H; Crescent Valley Town Advisory Board (3); Nye County Nuclear Waste Repository Project Office; Tri-County meeting agenda; Nevada Assoc. of Counties (3); Nevada Health Centers, Inc.; Nevada Renewable Energy & Energy Efficiency Authority; Nevada Energy Commissioner, Kelly Chandler; Society for Range Management, Nevada Section; Nevada Dept. of Conservation & Natural Resources; Nevada Dept. of Taxation (5); Committee on Local Government Finance; Nevada Public Agency Insurance Pool & Public Agency Compensation Trust (3); Nevada Dept. of Transportation; Nevada Rural Housing Authority; The Children's Cabinet; GMAC; National Assoc. of Counties; Western Counties Alliance; US Senator John Ensign; US Census Bureau; US Nuclear Waste Technical Review Board; and US Dept. of the Interior-BLM (5).

## **ROAD DEPARTMENT**

Update Report: Road Superintendent, Raymond Hodson, provided an update on recent road department activities. Diamond Valley roads have been bladed; a road was widened and a shooting pad was enlarged at the Perdiz Sport Shooting range; the cattle guard on the Sadler Brown road was cleaned; gravel was hauled to the Dry Hills Road; and sand was screened for salt/sand mixture in preparation for winter road conditions.

## **PUBLIC WORKS**

Senate Bill 358 Compliance: Public Works Director, Ron Damele, stated that recently enacted legislation, SB358, requires local governments to develop a plan to retrofit public buildings to use sources of renewable energy. A grant application has been submitted for this type of project, but a response has not yet been received. Mr. Damele requested direction from the Board, since this will most likely require contracting with an energy retrofit professional, was not provided for in the current budget, and was basically an unfunded mandate. The County has received an inquiry from Nevada Renewable Energy and Energy Efficiency Authority regarding the County's status in addressing this requirement. Following some discussion, Commissioner Fiorenzi motioned to direct the Public Works Director to write a letter to Nevada Renewable Energy & Energy Efficiency Authority informing them that funds are currently not available, a cost analysis will be done, and this will be addressed in the Fiscal Year 2010-2011 budget; and

additionally, the project could be expedited if their agency is able to provide funding to Eureka County related to this legislation; Commissioner Page seconded the motion; motion carried 3-0.

Review Snow Plow/Sander Bids: Bids for a snow plow/sander truck were received and opened at the November 20<sup>th</sup> meeting. Three bids were received, one from Kenworth Sales and two from Silver State International. Mr. Damele reported that bids were reviewed by himself, Raymond Hodson, and Todd Hubbard. The two bids from Silver State International failed to include a bid surety as required in the bid specifications, so were deemed non-compliant. Therefore, Mr. Damele submitted a letter recommending award to Kenworth Sales.

Bid Award – Snow Plow/Sander Truck: Commissioner Fiorenzi motioned to award the bid for the snow plow/sander truck to the most responsive bidder, Kenworth Sales of Reno, in the amount of \$211,028.25; Commissioner Page seconded the motion; motion carried 3-0.

Advertise for Bids – Rental Housing Repairs: Mr. Damele requested approval to advertise for bids for repairs to County owned housing that serves as residences for the medical care providers. Needed repairs include window replacement, plumbing repairs, and bathroom remodel at one house; and metal siding and insulation at the other house. Commissioner Fiorenzi motioned to advertise for bids for necessary repairs to County housing as presented; Commissioner Page seconded the motion; motion carried 3-0.

Capital Outlay Purchase of Tools: A quote was obtained from Grainger, under their contract with the State of Nevada, for necessary hand tools and equipment to outfit the fire equipment service truck. Commissioner Page motioned to approve purchase of tools to outfit the fire equipment service truck, not to exceed \$10,000.00, to be purchased from Grainger under State of Nevada Contract #7077; Commissioner Fiorenzi seconded the motion; motion carried 3-0.

Eureka Justice Facility Remodel & Expansion Project: Mr. Damele reported that roofing on the addition is complete, but there was a delay on the existing roof and a delay on installation of cases and cabinets. Southern Folger cannot install controllers, hardware, and locks until the cabinetry is installed, so they have left and will return after the first of the year. The electrical contractors are making quite a bit of progress, but have encountered some issues that can't be resolved on site and will likely require additional funds.

Change Order #1 for Justice Facility: Sheriff Ken Jones had requested relocation of surveillance cameras to provide enhanced viewing capabilities for staff. Commissioner Page motioned to approve force account Change Order #1 to relocate surveillance cameras at the Eureka Justice Facility, in the amount of \$570.00; Commissioner Fiorenzi seconded the motion; motion carried 3-0.

Commissioner Fiorenzi had heard there may be interest in installing the JAVS (Jefferson Audio Video System) at the Eureka Justice Facility. JAVS is a court recording system with video/audio broadcasting capabilities. This would enable defendants of the Beowawe Justice Court to make court appearances remotely from the jail rather than being transported to Crescent Valley. Mr. Damele stated that the Sheriff should be consulted, because it would be easier to complete installation while the remodel project is still underway.

Change Order #2 Justice Facility: Mr. Damele explained that this change order encompassed several items related to the roof at the Justice Facility, included credits for items not needed or adjusted, and had been further negotiated down from \$6,261.00. Commissioner Fiorenzi motioned to approve force account Change Order #2 for the Eureka Justice Facility in the amount of \$4,451.00, later amending his motion to authorize the Chairman to sign change order documents outside of the meeting; Commissioner Page seconded the motion; motion carried 3-0.

Additional Change Orders: Mr. Damele notified the Board that he approved a force account change order for approximately \$980.00 to redo the gun locker box, which needed to be

done at the same time as the brickwork. Another change order will be forthcoming for a request from the Sheriff to upgrade glass in the addition to bullet resistant glass, for around \$6,000.00.

Temporary Swimming Pool Assistant Manager Job Description: A parallel job description was drafted from the Swimming Pool Assistant Manager job description in order to identify this as a temporary position, and Mr. Damele recommended setting the corresponding wage at range 115. Chairman Ithurralde clarified that this job was for a maximum period of six months and may be terminated at any time. Commissioner Fiorenzi motioned to approve the Temporary Swimming Pool Assistant Manager job description and to set the corresponding wage at range 115 on the County wage scale; Commissioner Page seconded the motion; motion carried 3-0.

Memorandum of Understanding with US Gold Corporation: Eureka County has signed a Memorandum of Understanding (MOU) with US Gold Corporation for the past few years for snow removal from County roads (from 3 Bar to JD Ranch Road over Tonkin Summit) so they are able to keep the road open in the winter to support their drilling program. This MOU is a one-year renewal of that agreement. Commissioner Page motioned to approve the one-year MOU between Eureka County and US Gold Corporation for snow removal on certain County roads; Commissioner Fiorenzi seconded the motion; motion carried 3-0.

## **COUNTY ENGINEER**

Eureka Airport Grants: Tom Young, Lumos & Associates, was unable to attend the meeting due to weather, so updates were provided by Mr. Damele. Mr. Young traveled to San Francisco the week before Thanksgiving to meet with the Federal Aviation Administration (FAA) regarding the \$2.1 million grant for runway reconstruction in Fiscal Year 2010-2011, which will require a five-percent match from the County.

2009 Water System Improvement Project: The Water System Improvement Project is very close to being finished. Both generators will be fired up and tested later in the week. The booster will also be tested. The telemetry system is being worked on and should be ready to go within two weeks.

## **RECESS FOR DEVIL'S GATE GID MEETING**

The Board recessed at 11:08 a.m. for the Devil's Gate GID meeting.

## **SENIOR CENTERS**

Update Report: Millie Oram and Adell Panning, Site Directors, reported on their respective centers. Meal counts for November were 929 at the Eureka Senior Center and 658 at the Fannie Komp Senior Center. Ms. Oram attended the Nevada Attorney General's Conference on Senior Protection in Las Vegas. Preparation is being made for the seniors' Christmas parties. Total deposits for November were \$14,272.69, which was higher than average because of grant funds received. Ms. Panning has been busy with social services, assisting three people with low income energy assistance, one with emergency food assistance, and one with rent assistance. Ms. Oram assisted with several LEAH applications, and helped two people get into low income/senior housing.

Compliance with State Requirements: Several requirements were outlined in a recent Senior Nutrition Report from the Nevada Division for Aging Services. Ms. Oram reported that the following classes were completed by various staff in order to come into compliance: hand washing class, elder abuse class, serve safe class, and a transportation class in Elko will be attended by three from Eureka and two from Crescent Valley on December 12<sup>th</sup>-13<sup>th</sup>.

## **COUNTY FACILITIES & ECONOMIC DEVELOPMENT**

**Advertise for Casual Museum Employee:** Museum Director, Ree Taylor, reported that the casual museum position was recently vacated, and requested authorization to begin advertising for a replacement. This position is 19 hours per week (or less) and is utilized more heavily during the spring and summer when the museum is open seven days a week. Commissioner Page motioned to begin advertising for the casual position at the Sentinel Museum; Commissioner Fiorenzi seconded the motion; motion carried 3-0.

## **NATURAL RESOURCES**

**Report on Activities:** Jake Tibbitts, Natural Resources Manager, reported on recent activities. He attended the NACO RS2477 Workshop on November 23<sup>rd</sup>; a Fire Wise Community meeting in Crescent Valley on November 24<sup>th</sup>; the Eureka County Wildlife Advisory Board meeting on November 30<sup>th</sup>; participated in a Nevada Division of Forestry (NDF) wildfire support group tour of the Simpson Creek Ranch on December 2<sup>nd</sup>; and attended the Natural Resources Advisory Commission (NRAC) meeting, where members worked extensively on the land use element of the Master Plan, the evening of December 2<sup>nd</sup>.

**Nevada Division of Forestry Program:** Mr. Tibbitts informed the Board that he has been in contact with Ryan Shane, with the natural resources department of NDF, and monies are available through their wildlife support group for studies of 'research/demonstration plots', on private ranch lands in Nevada. NDF is working in conjunction with the University of Nevada and the USGS Natural Resource Conservation Service, and plan to utilize these studies to show the positive effects of managed grazing. Available funds can also be used for treatment solutions on ranch lands that are choked in by the pinion juniper trees. Currently, approximately \$1 million has been allocated to Eureka County.

**Western Watersheds Project Lawsuit Against BLM:** Western Resources Legal Center has forwarded a set of documents filed in the Western Watersheds lawsuit, along with background material, which is being reviewed by Mr. Tibbitts and Mr. Beutel. Right now, Eureka County does not expect to be accepted as an intervener in that case, but might be surprised.

**Barrick Cortez Hills Case:** Mr. Beutel and Mr. Tibbitts provided a brief update on the Barrick Cortez Hills case. The Ninth Circuit Court has remanded the case to District Court with an injunction and an order for the Bureau of Land Management to redraft the environmental impact statement (EIS). At issue, in part, was that the EIS did not properly analyze water impacts and mitigation measures were not adequate.

**3 Bars Ecosystem Landscape Restoration Initiative:** Federal stimulus money has been granted for this multi-year project and ACOM has been contracted. An EIS will be required for this project, and the BLM has forwarded a project outline and a letter inviting Eureka County to be a cooperating agency. Mr. Tibbitts will work on a Memorandum of Understanding between the BLM and Eureka County. The Natural Resources Advisory Commission has some concerns, especially in relation to impacts to grazing permit holders, and will be following this project.

**Upcoming Meetings:** Mr. Tibbitts had planned on meeting with the US Geological Survey in Carson City on December 8<sup>th</sup>, followed by a meeting of the State Board for Financing Water Projects (to follow-up on the SB62 grant funding for the Diamond Valley Flow Systems Study), but weather may force him to cancel. Mary Tumbusch, USGS, planned on attending the financing meeting also, so if Mr. Tibbitts cannot attend, he will forward a memo or email for Ms. Tumbusch to share with that board. Mr. Tibbitts will attend the Open House luncheon sponsored by Eureka Moly at the Opera House on December 9<sup>th</sup>; the NEPA Committee meeting on the evening of December 9<sup>th</sup>; the National Conference on Grazing Lands in Sparks in mid-December; will meet with Tina Mudd on December 16<sup>th</sup>, who is the Coordinated Weed Management Area & Weed Free Forage Coordinator for the Nevada Department of Agriculture;

and on December 17<sup>th</sup> the Central Nevada Regional Water Authority will be participating in the Great Basin Water Forum with counties from California, Utah, and Nevada.

Letter to BLM Regarding Wild Horse Issues: Mr. Tibbitts drafted a letter to Alan Shephard, BLM Wild Horse & Burro Program Lead, regarding horse management areas in and immediately surrounding Eureka County. Mr. Sheppard sets the budgets and gather schedules for wild horses. The Natural Resources Advisory Commission has reviewed and approved the letter, which will also be signed by NRAC Chairman, Jim Baumann. Commissioner Fiorenzi motioned to authorize Chairman Ithurralde to sign the letter to Alan Sheppard of the BLM, regarding wild horse issues; Commissioner Page seconded the motion; motion carried 3-0.

## **NEPA COMMITTEE**

Update Report: The NEPA Committee will meet on December 9<sup>th</sup> and will hear a report by teleconference from Kirk Wings of Environ, who is the County's air quality expert on the Mount Hope Project EIS.

Mount Hope Project EIS Correspondences: An air quality memo, signed by Commissioner Fiorenzi, attaching a letter from Mr. Wings, was sent to the BLM. Mr. Tibbitts and the Board discussed that they will be watching the parallel issues between the Barrick Cortez Hills case and the Mount Hope Project EIS.

Mount Hope Project Hydrogeology and Numerical Flow Modeling: Mr. Tibbitts received an email from Carol Oberholtzer, the County's water modeling expert, and she has been reviewing the revised model, preparing comments, and plans to have her technical memo to the County by the end of the week.

A letter was directed to Angelica Rose, BLM Planning Coordinator for the Mount Hope Project EIS, incorporating comments from the County's hydrology expert, Dale Bugenig of Eco:Logic; it was signed by Commissioner Fiorenzi, with copies provided to the Commissioners. The letter again emphasized that water resources and related issues are of paramount concern to Eureka County and its citizens.

## **RECESS FOR LUNCH**

The Board recessed for lunch from 11:59 to 1:02 p.m.

## **HUMAN RESOURCES**

Update Report: Human Resources Analyst, Jerry Larson, provided an update on recent activities. Changes and additions to the personnel policy manual have been completed. Mr. Larson will meet with Mr. Rebaleati and Mr. Beutel on December 8<sup>th</sup> to review the policy, and would like to schedule a special meeting with the Commissioners, as well. He is working on an outline of the major changes so it will be easier for the Board to follow. Chairman Ithurralde suggested that after the review by the District Attorney and Recorder/Auditor, that copies be provided individually to the Commissioners for independent review. The Board agreed to add this to the agenda for the budget meeting scheduled on January 4<sup>th</sup>. The personnel policy will be reviewed from 1:00 to 2:00 p.m. and 2:00 to 5:00 p.m. will be dedicated to the budget.

Commissioner Fiorenzi suggested that Mr. Larson meet with members of the Wage & Salary Committee regarding recommended changes. Mr. Damele, Chairman of the Wage & Salary Committee, informed the Board that the committee planned on scheduling a meeting within the next couple of weeks and intended to invite Mr. Larson to provide an update.

Temporary Swimming Pool Assistant Manager: Mr. Larson suggested one minor change regarding the temporary position job description acted on earlier in the meeting. There are several casual employees at the pool who work in the capacity of assistant manager but are not classified at range 115; to clarify that this range applies to a specific position, Mr. Larson suggested changing the title of that position to Senior Assistant Manager. Commissioner

Fiorenzi motioned to change the job title to Temporary Swimming Pool Senior Assistant Manager and the corresponding regular position to Swimming Pool Senior Assistant Manager; Commissioner Page seconded the motion; motion carried 3-0.

Defensive Driving Course: Mr. Larson stated that several vehicle incidents had been reported to him, so he recommended that a defensive driving course be implemented and made mandatory for all County employees who drive as a part of their job. He also recommended that the course be required for any employees involved in an accident. After some discussion, the Board requested input from the department heads in attendance. Mr. Damele felt an initial course would be fine, but necessity of the course following an incident or accident should be decided by the supervisor. Road Superintendent, Raymond Hodson, felt criteria should be applied rather than requiring the course for every incident or accident. Commissioner Fiorenzi preferred that the course be provided for all employees. Chairman Ithurralde felt it was only needed for employees who drive as a part of their jobs. Mr. Damele asked whether board members and volunteers, who drive County vehicles, would also be required to attend. Mike Sullivan felt the course should be offered to volunteers as well, and added that employees who drive the least might benefit from the course the most.

Commissioner Page motioned that all County employees take a defensive driving course, and then amended his motion to add anyone that drives a County vehicle, including board members and volunteers; Commissioner Fiorenzi seconded the motion; motion carried 3-0.

Letter to Area Mines: Mr. Larson stated there were some critical volunteer shortages in the County's EMT program, and requested authorization to send letters to the area mines for the purpose of recruiting volunteer EMTs; and further requesting that the mines release their employees, who are volunteers, during working hours when needed to respond to emergency calls. Mr. Larson stated he knew of one mine employee who had actually "been threatened with his job if he goes out on a call, so I want to kind of follow that up with a letter."

Mike Sullivan, EMS Coordinator, understood why the mines couldn't always allow employees to respond as EMTs, both from a safety and operational standpoint. Additionally, when Mr. Larson approached him about a letter, Mr. Sullivan felt it would be more appropriate to direct it to all employers. Commissioner Fiorenzi said he didn't have a problem writing a letter requesting volunteers, but didn't think the County should be asking the mines to release employees during working hours. Chairman Ithurralde requested that Mr. Larson speak with the mines' safety personnel before sending a letter, and requested that nothing be sent until after the first of the year. Commissioner Fiorenzi motioned to authorize sending a letter, after the first of the year, to the area mines for the purpose of recruiting volunteer EMTs; Commissioner Page seconded the motion; motion carried 3-0.

Request from Human Resource Analyst: Mr. Larson is interested in becoming a volunteer EMT, and requested the Board's approval to be on call or attend training during working hours. Mr. Sullivan clarified that training is usually not scheduled during working hours. The Board explained that Mr. Larson would have the same ability as any other employee to respond to emergency calls, and therefore no action was required.

Volunteer Firemen Physicals: Mr. Larson explained with the recent requirements placed on fire personnel physicals by the State of Nevada, he has worked to set up physicals through a company called ARC Health & Wellness, at a cost of \$366.00 per person. This company has vans that travel throughout the state to conduct these physicals, and Mr. Larson has scheduled December 16<sup>th</sup> for Crescent Valley volunteers (in Elko) and December 19<sup>th</sup> for Eureka volunteers (in Eureka). Commissioner Fiorenzi pointed out that the County had recently negotiated with Nevada Health Centers to do firemen physicals at cost, and had amended the contract to reflect this. Mr. Larson had concerns that the physicals might not meet state standards. The Board replied that negotiations were specifically based on firemen physicals, but directed Mr. Larson to contact the clinic and verify the make-up of their physical. The Board

declined to approve physicals through ARC Health & Wellness. *(This issue was further addressed during the afternoon public comment).*

## **COMMISSIONERS**

Update Reports: Commissioner Page attended the Fire Wise Community meeting in Crescent Valley on November 24<sup>th</sup>; the Crescent Valley Town Advisory Board meeting on November 30<sup>th</sup>; and went to the Dean Ranch with Jay Scott, President of the Crescent Valley Historical Society, to look at a building that the Historical Society is planning on moving.

Chairman Ithurralde attended the RS2477 Workshop sponsored by NACO via videoconference and noted that Eureka had seven in attendance which was a good turnout.

Department of Taxation's Position Related to Power Plant Depreciation: District Attorney, Ted Beutel, and County Assessor, Michael Mears, relayed that at the recent meeting between Newmont, Barrick, and County representatives, Newmont had informed the County that depreciation of the power plant would not affect their net proceeds payments to Eureka County. Since Newmont's operations in Eureka County are under a service agreement with Wells Rural Electric, and are currently not utilizing power from the TS Power Plant, there would be no attempt to take deductions for depreciation of the power plant against the mining operation. On the other hand, the Barrick owned power plant in Storey County is providing electrical service to two local Barrick mining operations (Gold Quarry and Betze Pit Expansion) which will affect net proceeds payments to Eureka County. Barrick has claimed this deduction for three years, but this is the first year the Department of Taxation has challenged them (regarding whether this is an allowable expense for the mining operation); so there is an appeal pending before the State Board of Equalization regarding that issue.

Consideration of hiring legal counsel relating to depreciation deductions for the TS Power Plant had been dropped by the County, since no appeal was pending before the State Board of Equalization on that ruling; but Mr. Beutel would like to restore the option of hiring outside legal counsel for Eureka County's interests related to the power plant in Storey County, in which Barrick has filed an appeal. Commissioner Fiorenzi motioned to authorize staff to hire legal counsel related to these tax issues, and directed staff to contact other counties to ask their position and inquire why they are not participating in this endeavor; Commissioner Page seconded the motion; motion carried 2-1, with Chairman Ithurralde voting against the motion, not because he disagreed, but because he would like more information before taking action.

Community Development Coordinator Contract: The two-year contract with Community Development Coordinator, Jim Evans, expired on December 7, 2009. The Board discussed ongoing projects being managed by Mr. Evans (such as the snotel sites), and felt they were worthwhile and would like to move forward with them, but did not feel there was enough work to warrant a renewal of the contract. Commissioner Fiorenzi suggested that Mr. Evans submit a rate schedule, and the County could engage him per project, and Mr. Evans would report to the appropriate department head overseeing each project. Mr. Evans stated he would be satisfied with that arrangement and would prepare a rate schedule for the County.

Mr. Evans informed the Board that he had a couple of days more work on the maps for the Master Plan update, and would vacate his County office as soon as those were finished, but would not bill for any work beyond the contract date of December 7<sup>th</sup>. Mr. Evans concluded by stating Eureka County was probably the best municipality or local government he has ever been involved with, and liked the freedom he was allowed in doing his job.

Resolutions for Retiring Employees: This item was tabled to the December 21<sup>st</sup> meeting.

Resolution Honoring Eureka High School Football and Volleyball Teams: Commissioner Fiorenzi motioned to adopt resolutions honoring the Eureka High School Football and Volleyball Teams; Commissioner Page seconded the motion; motion carried 3-0.

**RESOLUTION  
OF THE EUREKA COUNTY BOARD OF COMMISSIONERS  
HONORING THE EUREKA VANDALS HIGH SCHOOL FOOTBALL TEAM**

WHEREAS, the Eureka High School Football Team, the Eureka Vandals, finished the regular 2009 season 9-0, placing first in the Single 'A' League, East Region, North Division of the State of Nevada; and

WHEREAS, the players showed superb athletic ability and outstanding sportsmanship; and

WHEREAS, many members of the Eureka Vandals Football Team were selected for the All Division Team; and

WHEREAS, the Board of Eureka County Commissioners recognizes these outstanding accomplishments and achievements; and

WHEREAS, Coach Rod Garcia was honored as the 'Coach of the Year' for the East Region;

NOW THEREFORE BE IT RESOLVED that the Board of Eureka County Commissioners commend and congratulate the **Eureka Vandals Football Team**, its individual members and coaches, as follows:

**EUREKA VANDALS HIGH SCHOOL FOOTBALL – ROSTER**  
**COACH – ROD GARCIA    ASSISTANT COACH – KENNY SANDERS**

<b>JOSEPH GARCIA</b>	<b>CLAYTON SOUZA</b>	<b>JESSE REITER</b>
<b>JACK ASHCRAFT</b>	<b>MICHAEL TODD</b>	<b>PAT DAMELE</b>
<b>MIKE DAMELE</b>	<b>EDGAR BIRCHIM</b>	<b>JUSTIN MOYLE</b>
<b>DYLAN ALLEN</b>	<b>JUAN DAVILA</b>	

BE IT FURTHER RESOLVED that this Resolution be printed in the minutes of this Board and that copies hereof be provided to the coaches and members of the Eureka Vandals High School Football Team.

ADOPTED this 7<sup>th</sup> day of December, 2009.

EUREKA COUNTY BOARD OF COMMISSIONERS  
EUREKA COUNTY, NEVADA

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

/s/ Leonard Fiorenzi  
Leonard Fiorenzi, Vice Chairman

/s/ Mike Page  
Mike Page, Member

ATTEST: /s/ Jackie Berg  
Jackie Berg, Clerk

**RESOLUTION  
OF THE EUREKA COUNTY BOARD OF COMMISSIONERS  
HONORING THE EUREKA VANDALS HIGH SCHOOL VOLLEYBALL TEAM**

WHEREAS, the Eureka High School Volleyball Team, the Eureka Vandals, has demonstrated strong athletic ability and outstanding sportsmanship throughout the 2009 season, finishing with a record of 17 wins and 10 losses; and

WHEREAS, the Eureka High School Volleyball Team advanced to the Regional Playoffs for the second year in a row; and

WHEREAS, several of the girls were selected for the All Conference Team; and

WHEREAS, the team was recognized for outstanding academic achievement by winning the Single 'A' NIAA Academic State Championship for achieving a collective GPA (grade point average) of 3.91, which was the highest GPA in the State across all divisions; and

WHEREAS, the Eureka County Board of Commissioners recognizes these outstanding accomplishments;

NOW THEREFORE BE IT RESOLVED that the Board of Eureka County Commissioners commend and congratulate the **Eureka Vandals Volleyball Team**, its individual members and coaches, as follows:

**EUREKA VANDALS HIGH SCHOOL VOLLEYBALL – ROSTER**  
**COACH – CATHY DEWITT    ASSISTANT COACH – KATIE BENSON**

<b>DELAYNI DEWITT</b>	<b>CHELSEA MOODY</b>	<b>EMILY DAMELE</b>
<b>ALEXIS GARCIA</b>	<b>MARISSA TORRES</b>	<b>LYDIA BOND</b>
<b>TAYLOR MERRITT</b>	<b>KASEY PLASKETT</b>	<b>DEANNA DAMELE</b>

BE IT FURTHER RESOLVED that this Resolution be printed in the minutes of this Board and that copies hereof be provided to the coaches and members of the Eureka Vandals High School Volleyball Team.

ADOPTED this 7<sup>th</sup> day of December, 2009.

EUREKA COUNTY BOARD OF COMMISSIONERS  
EUREKA COUNTY, NEVADA

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

/s/ Leonard Fiorenzi  
Leonard Fiorenzi, Vice Chairman

/s/ Mike Page  
Mike Page, Member

ATTEST: /s/ Jackie Berg  
Jackie Berg, Clerk

**PUBLIC COMMENT**

The Chairman opened the floor to public comment. Mike Rebaleati was not present during discussions of the firemen physicals, but stated that a year of work had been expended in convincing ARC Health & Wellness to provide physicals in this area; he would like the Board to provide the volunteer firemen with both options for obtaining the required physicals (through ARC or the local clinic). After further discussion, the Board ultimately agreed that both options could be provided, contingent upon Mr. Rebaleati and Mr. Larson verifying that physicals given by both companies were compliant with what is required under the law. Commissioner Page motioned to authorize scheduling volunteer firefighter physicals on December 16<sup>th</sup> for Crescent Valley and December 19<sup>th</sup> for Eureka through ARC Health & Wellness; Commissioner Fiorenzi seconded the motion; motion carried 3-0.

**ADJOURNMENT**

Commissioner Fiorenzi motioned to adjourn the meeting at 2:36 p.m.; Commissioner Page seconded the motion; motion carried 3-0.

Approved this 21<sup>st</sup> day of December, 2009.

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

Attest: /s/ Jackie Berg  
Jackie Berg, Clerk