

**EUREKA COUNTY BOARD OF COMMISSIONERS
JANUARY 20, 2023 MEETING MINUTES**

STATE OF NEVADA)
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COUNTY OF EUREKA)

CALL TO ORDER

1. Approval of the agenda notice with addition of any emergency item and/or deletion of any item. *Unless otherwise stated, items may be taken out of the order presented on the agenda, at the discretion of the Chair.* (For Possible Action)
2. Pledge of Allegiance.

The Board of Eureka County Commissioners met pursuant to law on January 20, 2023. Present were Vice Chairman Michael Sharkozy, Commissioner Rich McKay, District Attorney Ted Beutel and Clerk Recorder Kathy Bowling. Chairman J.J. Goicoechea was absent. The meeting was called to order at 9:31 a.m. The interactive video conferencing system was connected and utilized between Crescent Valley and Eureka for the entire meeting. Vice Chairman Sharkozy called for the approval of the agenda, Commissioner McKay seconded the motion, Motion carried 2-0.

Sheriff Jesse Watts noted that Item #2 under Sheriff BOCC approval date should read as November 18, 2022 and not November 20, 2022.

Vice Chairman Sharkozy lead the Pledge of Allegiance.

PUBLIC COMMENT

1. Public comment and discussion. *Notice: No action may be taken on a matter raised under this item until the matter has been specifically included on an agenda as an item upon which action will be taken. Public comment may be limited to three (3) minutes per person. Public comment may be allowed on "Action" items, in addition to the two times specified on the agenda.* (Discussion)

Vice Chairman Sharkozy opened the floor for public comments.

Tracy Mellard from Crescent Valley made a comment concerning the Public Information Officer position. She expressed that she would like to see the job offered to someone with the best qualifications from the north end of the County. She stated that she thought it was outrageous the amount of money that had been budgeted for the position. She would rather see the money be spent on the medical clinic in Crescent Valley. She suggested that the County look into the Inflation Reduction Act funding for rural development or NRS 244.16165, which gives the board the authority to create policy on how it increases participation in public policy. Ms. Mellard then requested to be placed on the next agenda for a brief discussion concerning the current issues at the Crescent Valley Medical Clinic that needs attention rather than in six months when the current contract ends. She also wanted an item on the agenda to discuss the backlog of the BOCC meeting minutes.

Sheriff Jesse Watts introduced Lieutenant Ed Kilgore. Lieutenant Kilgore will be serving as the northern area commander and lieutenant for the county.

2. Consider items requiring action to be placed on the agenda for the next regular meeting. *Notice: The public is welcome to request agenda items for future meetings during the Public Comment period, or may consult with one or more of the Board of Commissioners to request agenda items for future meetings.* (Discussion)

Vice Chairman Sharkozy made mention that Tracy Mellard's requested items were the only thing that they had at the moment for the next agenda.

APPROVAL OF MINUTES

1. Approval of minutes of the August 19, 2022 Commission meeting. (For Possible Action)

Commissioner McKay motioned to approve the August 19, 2022 BOCC Meeting draft minutes; Commissioner Sharkozy seconded the motion; motion carried 2-0.

AMBULANCE & EMS

1. Report on ambulance and emergency Services. **(Discussion)**

EMS Director Kenny Sanders reported that there was a total of 31 county wide ambulance runs for December, an increase of 10 runs from the previous month of November. Of the 31 runs, 18 were in Eureka, 9 were in the town of Crescent Valley, 3 were in the Crescent Valley vicinity and 1 was in the Eureka area.

Mr. Sanders reported that he was looking into another EMT for the Crescent Valley Station as soon as the candidate becomes licenses. He also stated that he would be getting another driver for the Eureka Station upon completion of paperwork. He reported that EMS was still continuing to do CPR classes for individuals that are requesting it. He is continuing COVID vaccines and flu shots and testing for COVID.

2. Review Annual 2022 Ambulance Run Report. **(Discussion)**

EMS Director Kenny Sanders reported that there was a total of 327 calls for service in 2022 which was an increase of 12 calls from the prior year of 2021.

3. Review quarterly report on mandatory ambulance bill write-offs for Medicaid and Medicare accounts. **(Discussion)**

The fourth quarter federally mandated write-off for Medicaid and Medicare ambulance accounts totaled \$319.00 with \$150.00 for the month of October; \$104.00 for the month of November and \$115.00 for the month of December.

COUNTY COMPTROLLER

1. Payment of expenditures. *Notice: Expenditures received after action has been taken under this Comptroller section may be presented and acted upon throughout the day. (For Possible Action)*

Expenditures were presented by Comptroller Kim Todd. Commissioner McKay motioned to approve total expenditures in the amount of \$1,218,212.05 for accounts payable, \$476,916.03 for payroll and benefit related expenses (including employee paid deductions), and pass-through payments to; Nevada State Controller for school taxes in the amount of \$84,729.10, The Nevada Division of Minerals for \$290.00; Washoe County Crime Lab \$135.85; N6 Grazing Board \$787.50. Commissioner Sharkozy seconded the motion. Motion carried 2-0.

2. Review Fund Balance Report. **(Discussion)**

The Commissioners reviewed the Fund Balance Report.

COMMISSIONERS

1. Discuss, approve or deny notifying the Secretary of State of a vacancy on the Board of County Commissioners following Chairman JJ Goicoechea's appointment as Director of the Department of Agriculture. *Note: NRS 245.150 requires the Clerk of the Board to certify the vacancy to the Secretary of State. (For Possible Action)*

Clerk Recorder Kathy Bowling read a letter of resignation from JJ Goicoechea, Eureka County Commissioner Chair. Commissioner McKay motioned to approve notifying the Secretary of State of a vacancy on the Eureka Board of County Commission. Seconded by Commissioner Sharkozy. Motion carried 2-0.

2. Discuss, approve or deny reappointing a Chair and Vice Chair Because of a vacancy in the Chair. **(For Possible Action)**

Clerk Bowling explained the vacancy process. She first notifies the Secretary of State's office who, in turn, notifies the Governor's office. The replacement process will be up to the Governor. Commissioner Sharkozy motioned to elect Member Rick McKay as Chairman for the interim. It was seconded by Commissioner McKay. All in favor motion carried 2-0. Chairman McKay motioned to make Commissioner Sharkozy Vice-Chair. It was seconded by Commissioner Sharkozy. All in favor and motion carried 2-0.

3. Discuss, approve or deny securing the funding and services for a Public Information Officer to communicate with and assist citizens regarding the activities of local government and to provide a positive and reliable source of information. **(For Possible Action)**

Commissioner Sharkozy asked that this item be tabled. Audience member Sheriff Jesse Watts asked about the history of this position? Audience member Joyce Jeppesen noted that the idea for this position originated with the resignation of Abby Johnson, Yucca Mountain representative. Chairman McKay agreed to table this item.

4. Discuss, approve or deny an extension of the contract with Crystal Clear Janitorial for services to remain in effect through June 30, 2023 for the Eureka Courthouse, Annex, Justice Facility and Library. **(For Possible Action)**

Leanna Cantrell, owner of Crystal Clear Janitorial appeared before the Board. A brief discussion ensued. Commissioner Sharkozy motioned to approve a contract extension. It was seconded by Chairman McKay. All in favor, motion carried 2-0.

5. Discuss, approve or deny purchasing panels, gates and posts for improvements to the Eureka County Fairgrounds in an amount not to exceed \$75,000.00 utilizing funds from Commissioner Capital Outlay Fund (010-001-55010-000). **(For Possible Action)**

Public Works Assistant Director Raymond Hodson presented the Board with quotes for panels and for posts. Commissioner Sharkozy motioned to approve. It was seconded by Chairman McKay. Motion carried 2-0.

TREASURER

1. Review Treasurer's Report for December 2022. **(Discussion)**

Treasurer Johnson presented the December 2022 Treasurer's Report for review.

HUMAN RESOURCES

1. Report on Human Resources projects and activities. **(Discussion)**

Human Resources Director Whimple updated the Board on upcoming projects. Ms. Whimple is organizing a Eureka County leadership roundtable and she is currently accepting topics for discussion. She also noted that she is working on collecting quotes for a compensation and wage study.

2. Discuss, approve or deny authorizing Hiring Freeze Waiver Justification for recruitment, promotion requests and position descriptions presented to the Board of County Commissioners. **(For Possible Action)**

Three Waiver Justifications were presented to the Board for consideration: one from the Comptroller's Office, a promotion request from the Sheriff's Office, and for a Dispatch position at the Sheriff's Office. It was noted that all three positions are budgeted for. Commissioner Sharkozy motioned to approve; it was seconded by Chairman McKay. Motion carried 2-0.

3. Discuss, approve or deny out-of-state travel for the Human Resources Director to attend HRCI SPHR Certification in Salt Lake City, Utah on June 20-21, 2023. **(For Possible Action)**

Commissioner Sharkozy motioned to approve out-of-state travel for the HR Director. It was seconded by Chairman McKay. Motion carried 2-0.

Chairman McKay closed this BOCC meeting at 11:22 a.m. and then re-opened the meeting for the Public Hearing.

PUBLIC HEARING AND PROPOSED ORDINANCE

Notice was given that a public hearing would be held on January 20, 2023, beginning at 10:00a.m. (local time) in the Eureka Commissioners' Chambers in the County Courthouse at 10 South Main Street in Eureka, Nevada. The reason for said hearing is to invite public comments and take action on a proposed ordinance of the County of Eureka, State of Nevada to amend the 2018 Eureka County Code, by adding a Title, Title 20, Plan to Consolidate County Municipal Water Systems. The Ordinance was reviewed and proposed by the Board of County Commissioners October 20, 2022, and a copy of said Ordinance is on file in the Commissioners' Office and in the Office of the County Clerk for public examination.

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| 1. Open public hearing and invite comments on proposed Ordinance of the 2018 Eureka County Code. (Discussion) |
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Chairman McKay opened the meeting for public comment at 11:22 a.m. Chair McKay summarized the purpose of this ordinance as a consolidation of the three water districts – Devil's Gate, Crescent Valley, and Eureka, into one water district. Crescent Valley audience member Marcial Evertson expressed his concern in combining three districts into one as each district is distinct in issues and location. Chairman McKay addressed Mr. Evertson's concern noting that the issue in Diamond Valley is separate from the proposed ordinance. This ordinance refers to residential/commercial use only. Chairman McKay also addressed the rates and the effort being made to make sure that rates are consistent between all areas of use. Audience member Joyce Jeppesen expressed her support of the consolidation noting the rates and the fact that Eureka County subsidizes the water district. Audience member Jesse Watts asked about rate hikes and if the arsenic treatment plant installation would affect the rates for Diamond Valley and Eureka citizens? No other comments were presented. Discuss and consider adopting as presented, adopting with further revisions or denying proposed Ordinance of the 2018 Eureka County Code. **(For Possible Action)**

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| 2. Discuss and consider adopting as presented, adopting with further revisions or denying proposed Ordinance. (For Possible Action) |
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Commissioner Sharkozy motioned to approve the ordinance. It was seconded by Chairman McKay. Motion carried 2-0.

Chairman McKay recessed for five minutes at 10:29 am. He reconvened the meeting at 10:36 am.

PUBLIC HEARING – COUNTY LICENSE BOARD

Notice was given that a public hearing would be held on January 20, 2023, beginning at 10:30a.m. (local time) in the Eureka Commissioners' Chambers in the County Courthouse at 10 South Main Street in Eureka, Nevada. The reason for said hearing is to invite public comments and take action on a proposed ordinance of the County of Eureka, State of Nevada to amend the 2018 Eureka County Code, by adding Chapter 90, County License Board to Title 2, Eureka County Commissioners, and to declare the Commissioners as the County License Board. The Ordinance was reviewed and proposed by the Board of County Commissioners December 20, 2022, and a copy of said Ordinance is on file in the Commissioners' Office and in the Office of the County Clerk for public examination.

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|--|
| 1. Open public hearing and invite comments on proposed Ordinance of the 2018 Eureka County Code. (Discussion) |
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Chairman McKay opened the floor for comments. Crescent Valley audience member Tracey Mellard suggested the County License Board should include citizens of the County rather than Commissioners, noting that conflict of interest could be an issue. Audience member Jesse Watts commented on the ethical issue raised and stated that if a Commissioner as a member has a conflict they would abstain from voting. Seeing no other comments Chairman McKay called for a motion.

2. Discuss and consider adopting as presented, adopting with further revisions or denying proposed Ordinance of the 2018 Eureka County Code. **(For Possible Action)**

Commissioner Sharkozy motioned to approve the ordinance. It was seconded by Chairman McKay. All in favor, motion carried 2-0.

Chairman McKay closed the Hearing and re-opened the Commissioner meeting.

NEVADA DEPARTMENT OF TRANSPORTATION

1. Presentation by Sondra Rosenberg with the Nevada Department of Transportation (NDOT) regarding the county consultation process, NDOT annual work program within the county and the One Nevada Process. **(Discussion)**

A presentation via Web was given by Ms. Sondra Rosenberg. Colleen Unterbrink, Rural County Liaison, appeared in person. The presentation shared upcoming work projects in Eureka County. NDOT would like the County to be involved in the consultation process moving forward. NDOT maintains and operates 194 miles of US Highways in Eureka County with about \$765,000 generated in motor fuel tax. An overview of NDOT and their programs and plans were given. A County workshop was discussed that would evaluate the conditions, investments and funding opportunities of which NDOT and the County might collaborate on. An update was given on NDOT's prior year's accomplishments in the County which included paving, chip seal, and trash removal, among others. Chairman McKay asked about the NDOT yard moving from town to Diamond Valley. Ms. Rosenberg did not have details but said she would follow up with an email. Some discussion ensued regarding the Investment Infrastructure and Jobs Act and grant possibilities. Ms. Rosenberg also introduced the new NDOT Director Tracy Thomlison. Assistant Public Works Director Raymond Hodson asked about safety issues concerning striping and chain up areas.

IT DEPARTMENT

1. Report on IT projects and activities. **(Discussion)**

Misty Rowley, IT Director, updated the Board on recent activities noting the USDA Reconnect Grant she has been involved with as well as the Business Impact analysis project. She has also been busy getting quotes for the Sheriff's Office's 911 radio project.

ROAD DEPARTMENT

1. Report on Public Works projects and activities. **(Discussion)**

Raymond Hodson, Assistant Public Works Director, updated the Board of recent activities.

PUBLIC WORKS

1. Report on Public Works projects and activities. **(Discussion)**

Jayne Halpin updated the Board on recent activities. The boiler installation at the Courthouse is complete. Various other activities were reported.

2. Discuss, approve or deny purchasing two (2) MVP MS 6-way snowplow attachments from Semi Service, Inc. for an amount not to exceed \$19,000, utilizing funds in the Road Department Capital Outlay Fund (020-106-55010-000). **(For Possible Action)**

This is to replace one of the straight blades and will make snow removal easier. Commissioner Sharkozy motioned to approve. It was seconded by Chairman McKay. All in favor, motion carried 2-0.

3. Discuss, approve or deny quote from Home Depot to replace flooring in The Eureka Medical Clinic, for an amount not to exceed \$50,000.00, from funds budgeted in the Capital Outlay Building Maintenance Fund (040-130-05510-000). **(For Possible Action)**

After a brief discussion, Commissioner Sharkozy motioned to approve. It was seconded by Chairman McKay. All in favor, motion carried 2-0.

LOCAL EMERGENCY PLANNING COMMITTEE

1. Discuss, approve or deny signing Letter of Promulgation for inclusion in the Eureka County Hazardous Materials Response Plan. **(For Possible Action)**

Commissioner Sharkozy motioned to approve. It was seconded by Chairman McKay. All in favor, motion carried 2-0.

DISTRICT ATTORNEY

1. Discuss, approve or deny out of state travel for Ashley Kemp and Heather Anderson to attend the Karpel National User Conference in St. Louis, Missouri on Monday, April 3, 2023-Thursday, April 6, 2023. *Note: Karpel is the name of the software tracking system to be used by the DA's Office, replacing eProsecutor by Journal Technologies.* **(For Possible Action)**

District Attorney Ted Buetel updated the Board on this trip noting the new software system is a lot different than the one currently being used and felt the training was essential. Commissioner Sharkozy motioned to approve. It was seconded by Chairman McKay. All in favor, motion carried 2-0.

2. Discuss, approve or deny a one-time credit limit increase in the amount of \$1,000.00 on the County credit cards issued to both Ashley Kemp and Heather Anderson in order to secure airline flights and hotel reservations for them to attend the Karpel National User Conference in St. Louis, Missouri on Monday, April 3, 2023-Thursday, April 6, 2023. **(For Possible Action)**

Commissioner Sharkozy motioned to approve. It was seconded by Chairman McKay. All in favor, motion carried 2-0.

SENIOR CENTERS

1. Report on activities at Eureka Senior Center and Fannie Komp Senior Center. **(Discussion)**

Senior Center Program Director Millie Oram updated the Board on activities. In Eureka, the center provided 864 meals and in Crescent Valley they provided 816 meals for the month of December 2022. A total of \$8,794.25 was collected and deposited.

CLERK RECORDER

1. Discuss, approve or deny out of state travel for Betty Overson to attend the PRIA (Property Recording Industry Association) Conference in Phoenix, AZ February 19, 2023—February 24, 2023. **(For Possible Action)**

Clerk-Recorder Kathy Bowling appeared before the Board. She noted that the State of Nevada does not provide training for County recorders. Commissioner Sharkozy motioned to approve travel for employee Betty Overson. It was seconded by Chairman McKay. All in favor, motion carried 2-0.

2. Discuss, approve or deny a one-time credit limit increase in the amount of \$1,500.00 on the County credit card issued to Betty Overson in order to secure airline flights in order to attend the PRIA Conference in Phoenix, AZ February 19, 2023-February 24, 2023. **(For Possible Action)**

Commissioner Sharkozy motioned to approve a one-time credit card increase. It was seconded by Chairman McKay. All in favor, motion carried 2-0.

SHERIFF

1. Review quarterly report from Sheriff regarding security of the jail and treatment and condition of inmates at the Detention Facility. **(Discussion)**

Sheriff Watts updated the Board on activities at the Detention Facility. Some discussion ensued regarding emergency calls in Crescent Valley versus Eureka. Sheriff Watts reported ten coroner cases. He noted there were seven arrests for quarter four.

2. Discuss, approve or deny ratification of expenditure to Sunridge Systems, in the amount of \$4,700.00, which was previously approved by the BOCC on November 20, 2022 to be paid to Lander County Sheriff's Office. **(For Possible Action)**

Commissioner Sharkozy motioned to approve. It was seconded by Chairman McKay. All in favor, motion carried 2-0.

3. Discuss, approve or deny the renewal expenditure of MOTTOMOBILE, in the amount of \$5,000.00, for the Sheriff's Office Mobile App utilizing funds out of the Sheriff's Office Machine Maintenance Fund (010-034-53010-242). **(For Possible Action)**

This is the public app available on smart phone devices and also the internal information sharing app for employees. The fee is for maintenance. Commissioner Sharkozy motioned to approve. It was seconded by Chairman McKay. All in favor, motion carried 2-0.

4. Discuss, approve or deny the expenditure EVERBRIDGE, in the amount of \$3,207.60, for the purchase of NIXLE 360 Mass Notification System Public Safety Platform, utilizing funds out of the Sheriff's Communications Support Fund (010-034-53010-044). **(For Possible Action)**

This mass notification system can be sent via text, voice, email, social media, etc. This would give the local authorities an avenue for quicker notice of emergencies by bypassing the State process. Commissioner Sharkozy motioned to approve. It was seconded by Chairman McKay. All in favor, motion carried 2-0.

5. Discuss, approve or deny out of state travel for Sheriff Watts to attend a Rural Justice Collaborative (RJC) Peer to Peer Learning Event in Renville, MN, February 15, 2023-February 17, 2023. *Note: Sheriff Watts was awarded a grant to cover hotel and travel expenditures and is requesting authorization for per diem and possible luggage/incidental fees.* **(For Possible Action)**

Sheriff Watts noted that he does not need incidentals covered as he was notified that all his travel expenses will be paid. Commissioner Sharkozy motioned to approve. It was seconded by Chairman McKay. All in favor, motion carried 2-0.

6. Discuss, approve or deny ratification of out of state travel for Sheriff Watts to travel to Phoenix, AZ on December 29, 2022 to attend a PAN Meeting. *Note: Sheriff Watts attended a funeral on December 30, 2022 before returning to Nevada.* **(For Possible Action)**

Commissioner Sharkozy motioned to ratify out of state travel. It was seconded by Chairman McKay. All in favor, motion carried 2-0

7. Discuss, approve or deny Sheriff's Watts' request for the Public Records Request fees to be waived in the interest of public transparency. **(For Possible Action)**

Sheriff Watts has previously requested over 30 public record requests from the County of which he received quote at \$100,000 from the District Attorney's council. Sheriff Watts contends this number is not consistent with the Freedom of Information Act therefore he is requesting a waiver. Sheriff Watts stated that a reasonable fee would be \$0.25 to \$0.50 per page. Chairman McKay asked that the public records requested be reviewed prior to any waiver. This item was tabled.

8. Discuss, approve or deny a proclamation to rename the Eureka County Justice Facility the “Sheriff Kenneth E. Jones Law Enforcement Center” in honor of Sheriff Kenneth E. Jones who is the longest serving Sheriff in Eureka County’s 150-year history. (For Possible Action)

Some discussion ensued regarding Sheriff Ken Jones and his impact on Eureka County as the longest serving Sheriff in the County. Sheriff Watts plans to have March 1, 2023 as the dedication date, if approved. Clerk-Recorder Bowling read aloud the proclamation. Commissioner Sharkozy motioned to approve. It was seconded by Chairman McKay. All in favor, motion carried 2-0.

EUREKA COUNTY BOARD OF COUNTY COMMISSIONERS

PROCLAMATION

WHEREAS, the Eureka County Board of County Commissioners recognize the extraordinary contributions and impact that Kenneth E. Jones made to the Eureka County Communities at large as the Sheriff of Eureka County;

WHEREAS, Kenneth E. Jones served as the Eureka County Sheriff from 1985 to 2003, then again from 2007 to 2015. Sheriff Kenneth E. Jones retired as the senior Sheriff in the State of Nevada, and the Longest serving Sheriff of Eureka County; and

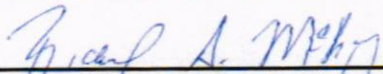
WHEREAS, through his tireless leadership, the impact of the Eureka County Sheriff's Office was proven countless times and the reputation of the Eureka County Sheriff's Office is distinguished because of Sheriff Kenneth E. Jones; and

WHEREAS, the completion of the Eureka County Justice Facility was a significant enhancement to the law enforcement facilities of the county in 1989, under the Leadership of Sheriff Kenneth E. Jones,

WHEREAS, the naming of a facility is an appropriate recognition for such a distinguished person who served the Citizens and Visitors of Eureka County with Honor, Integrity, Pride and Dedication for so many years and impacted so many lives; and

NOW THEREFORE BE IT RESOLVED, that the Board of Eureka County Commissioners hereby names the Eureka County Justice Facility, the Sheriff Kenneth E. Jones Law Enforcement Center in honor of Sheriff Kenneth E. Jones; and

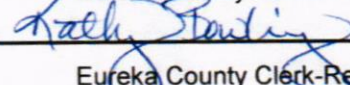
BE IT FURTHER RESOLVED, that the Board of County Commissioners directs that an appropriate ceremony be held to mark the naming of the Sheriff Kenneth E. Jones Law Enforcement Center.



Eureka County Board of County Commissioner – Rich McKay



Eureka County Board of County Commissioner – Michael Sharkozy



Eureka County Clerk-Recorder - Katherine J. Bowling

Signed the 20th of January, 2023.

K9 PARTNER "COOPER"

- 1. Discuss, approve or deny a request from Deputy Dylan Korth to retire K9 Unit police dog, Cooper, and allow Dylan to assume ownership upon his resignation from Eureka County on January 16, 2023. (For Possible Action)**

Clerk-Recorder Bowling contacted Deputy Korth who spoke to the Board via speakerphone. Korth, who retired from the Eureka County Sheriff's Office on January 16, 2023, requested that the County retire Cooper, the K9 Unit police dog. Mr. Korth explained his request to the Board. Commissioner Sharkozy motioned to approve the K9 police dog's retirement from service. It was seconded by Chairman McKay. All in favor, motion carried 2-0.

Eureka, Nevada

January 20, 2023

**RESOLUTION OF THE BOARD OF EUREKA COUNTY COMMISSIONERS
TO DONATE DOG COOPER TO FORMER EUREKA COUNTY DEPUTY
SHERIFF DYLAN KORTH UPON THE DEPUTY'S RESIGNATION**

WHEREAS, Eureka County Deputy Sheriff Dylan Korth resigned effective January 16, 2023; and

WHEREAS, this Deputy was assigned to work with Cooper, a dog trained to detect narcotics. Cooper, placed into service in June 2021, was purchased and trained with taxpayer dollars, and is a County asset with a current listed value of \$7,833.29 (not including training costs); and

WHEREAS, in order to properly account for how local government spends taxpayer money, and because of the amount of taxpayer money spent by the Eureka County Sheriff's Office to obtain Cooper, Cooper is considered a capital asset of Eureka County (asset ID 8559); and

WHEREAS, the donation of capital assets is governed and restricted by both State law (NRS 244.1505; Expenditure of public money; grant of public money and donation of certain property to certain nonprofit organizations or governmental entities) and Eureka County Code (Title 3, Chapter 20, Section .130); and

WHEREAS, NRS 244.1505 does not apply because Dylan Korth is not a nonprofit organization created for religious, charitable or educational purposes, and he is not another governmental entity, and he does not plan to use Cooper for a purpose which will provide a substantial benefit to the inhabitants of the County; and

WHEREAS, Eureka County Code 3.20.130 does not apply because the Eureka County Sheriff and the Board chose not to follow that County regulation, which requires 7 steps (steps which include a "using department" written determination of surplus, a second department head concurrence, and a request form for review and approval by the Comptroller and the Board, all of which was not done); and

WHEREAS, instead of working through State law or the County Code steps to appropriately account for the County's property, the Board considered the equities and chose to grant Cooper to Dylan Korth;

NOW THEREFORE BE IT RESOLVED EFFECTIVE IMMEDIATELY Cooper is and will remain the property of Dylan Korth; all other County property relating to Cooper's care and control, including but not limited to Cooper's dog kennel, leashes, feeding station, etc., may also leave with Cooper and Dylan Korth upon their departure from service with Eureka County; and all assets of County property related to this retirement and donation shall be removed from the list of County assets.

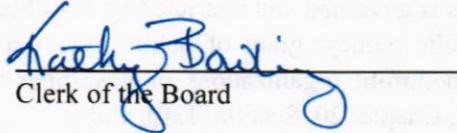
RESOLVED this 20th day of January, 2023 by unanimous vote (one seat on the Board currently vacant).

Board of County Commissioners


Michael Sharkozy


Richard McKay

Attest:


Clerk of the Board

cc: Eureka County District Attorney

NATURAL RESOURCES

1. Report on current and emerging natural resource issues affecting Eureka County. (Discussion)

Natural Resources Manager Jake Tibbitts updated the Board on recent activities. There are multiple projects that Mr. Tibbitts has been commenting on including the Green Link North Project and the West Wide Solar Program. He also informed the Board that Hallie DeChambeau transferred from the County landfill to his office. He is continuing discussion with the Natural Resources Advisory Commission (NRAC) members on the potential of "agri solar" project in Diamond Valley. Mr. Tibbitts informed the Board of recent appointees to NRAC board: Jim Evans, representing Wildlife and Carl Olsen, representing Mining. Mr. Tibbitts noted that the State of Nevada is planning to update the State's water plan.

Upcoming meetings: January 23, 2023 is the Central Nevada Regional Water Authority; the Fallon Range Training Complex to discuss the Navy's expansion; other NACO meetings and water workshops were noted.

Chairman McKay asked about possible gaps in committees with the resignation of Commission Chair JJ Goicoechea. Mr. Tibbitts advised the Board to wait until the third Commission member was appointed to make decisions on other Board and Committee appointments.

2. Discuss, approve or deny 2022 Certification of Expenditure of Funds for Title III funds received through the Secure Rural Schools and Community Self Determination Act. (For Possible Action)

Mr. Tibbitts provided a brief explanation of this Fund and of the requirements attached to it. This certification is required by February 1 of each year and shows what this money is spent on each year. The majority of expenses are for the two Firewise programs organized by the Eureka's Natural Resource office. Commissioner Sharkozy motioned to approve. It was seconded by Chairman McKay. All in favor, motion carried 2-0.

3. Discuss request and consider contributing match funding towards Desert Research Institute's cloud seeding operations in the Humboldt River Basin with any contribution to come out of the Water Mitigation Account, or other appropriate account identified. A base contribution of \$3,500.00 is requested but more or less may be contributed (For Possible Action)

This is the second year the request has been made with Eureka County and it was noted that the County contributed last year. Mr. Tibbitts noted that DRI is data based driven and that scientific data is used to support their programs and projects. Commissioner Sharkozy motioned to approve a contribution. It was seconded by Chairman McKay. All in favor, motion carried 2-0.

4. Discuss, approve or deny renewal of annual subscription to E&E News at a flat rate renewal of \$3,565.00 and determine account to cover subscription if approved. *Note: E&E News' five daily publications deliver reporting on energy, environment and public lands issues to. As E&E News states, "keep top decisionmakers in government, business, NGO's and academia informed and ahead of the curve."* (For Possible Action)

Mr. Tibbitts conveyed that he felt the information gleaned from this publication was valuable and useful. Chairman McKay motioned to approve and it was seconded by Commissioner Sharkozy. All in favor, motion carried 2-0.

5. Discuss, approve or deny or request changes to cooperating agency memorandum of understanding with BLM on the Environmental Impact Statement/Resource Management Plan Amendment (EIS/RMPA) for the Greenlink North Project (GLNP). **(For Possible Action)**

This was approved in a prior Board meeting, but the points of contact included were Mr. Tibbitts and JJ Goicoechea. Mr. Tibbitts recommended that the Board approves this and then make changes to the new signatory indicating the new Commissioner Chairman. Chairman McKay motioned to approve and it was seconded by Commissioner Sharkozy. All in favor, motion carried 2-0.

6. Quarterly presentation by Consulting Hydrogeologist, Dale C. Bugenig, on Diamond Valley water level monitoring. This item may include action by or direction from the Board on the overall monitoring program. **(For Possible Action)**

Mr. Bugenig provided a brief history of the groundwater monitoring data collection. He stated that water levels have been declining since the 1960s. Mr. Bugenig added that a goal is to see if there is any relationship between irrigation pumping and water levels. He noted that it could take up to six years of data to understand what is happening with differing water levels. He mentioned the relationship between Kobeh Valley and Diamond Valley and noted that both areas are being studied. Irrigation wells presented included the Bailey Ranch well, the Morrison well, and various other wells in the southern portion of Diamond Valley. He noted how one well impacts another which is known as 'interference'. Mr. Bugenig's presentation discussed various well levels for differing years and at various locations. He noted that the water level declines are less now verses data from 2010 through 2014. This is mostly due to efforts being made by farmers who are utilizing different water nozzles, using soil moisture meters, and adopting various water conservation methods.

FISCAL YEAR 2023-2024 BUDGET

1. Conduct budget review with departments listed below including possible action or direction related to tentative budgets. *Note: The Tentative Budget is due to the Department of Taxation by April 15, 2023. All budgets are subject to revision before adoption of the Final Budget, which is due to the Department of Taxation by June 1, 2023.* **(For Possible Action)** A. District Attorney, Law Library B. Data Processing, IT C. Natural Resources, NRAC, Game Board, Diamond Valley Weed District, Diamond Valley Rodent District D. Commissioners, North End Activities, Medical Clinic (D&T Center), Ag Extension, Water Mitigation, Natural Resource Multiple Use Fund, Library

District Attorney/Law Library: District Attorney Ted Beutel presented his budget to the Board. He explained the increases some of which are due to Federal statutes and regulations requiring hard copies of subscriptions and other law-related items. Some discussion regarding the line item for contracted services, and its respected increase, ensued. It was mentioned that, with the public document request, for example, someone with knowledge will need to review each page of this request to determine what is confidential and what is not. That person completing this review would likely be an attorney, he noted.

Data Processing/IT: Misty Rowley appeared before the Board to discuss her budget. She noted some increases in various line items, but noted that she moved money from one line to another this year.

Natural Resources: **NRAC:** This budget stayed close to last year's.

Also discussed were NRAC's interest in mapping roads and possibly utilizing assistance from the County. NRAC is contemplating moving forward in researching historical data to determine which roads meet the criteria, per the County regulations, to be considered a public road. Road maintenance was briefly discussed. This project would take some outside help and expertise.

Diamond Valley Weed District and Diamond Valley Rodent District: The Weed District now has a full-time employee (with 25% of this salary coming out of Mr. Tibbitt's Natural Resource budget). This position is also partially grant funded. The Rodent District's budget has remained the same. Mr. Tibbitts noted that it is up to these Boards on what they want to do, and that he is there to assist them. Mr. Tibbitts noted that these Boards are authorized by NRS and were established Diamond Valley landowners in the 1960s. He added that land owners can petition to become a part of these Boards and that the Weed District actually has more acreage outside Diamond Valley, as any landowner County-wide can petition to become part of this District.

Commissioners: Commissioner McKay mentioned a proposed Day Care Center and budgeting \$100,000 for construction of a facility. The miscellaneous grant line item would need to be increased to support something like this. Other areas in the budget were briefly discussed.

North End Activities: Crescent Valley resident Jeremy Rice commented. He suggested increasing the budget from \$9,000 to \$12,000 due to a planned increase in activities.

Medical Clinic: It was noted that Indigent Fund covers three months of the clinic subsidy provided to William Bee Ririe. Utilizing revenue from the Indigent Funds for this purpose has occurred in the last couple years.

Ag Extension: After discussion with Gary McEwen an increase in this budget may be requested but the exact number is not available yet.

Water Mitigation: Some discussion ensued regarding water mitigation. Mr. Tibbitts added that this Fund was originally created with funding from Barrick Goldstrike. It was an agreement with Barrick to conduct scientific studies and collect water data.

Natural Resource Multiple Use Fund: This Fund has \$250,000 and could be used for the road inventory study as previously mentioned under the Natural Resource/NRAC budget.

Library: This budget was increased by \$5,000 by the Comptroller.

CORRESPONDENCE

1. Review correspondence and place requests for action items on the next agenda. (Discussion)

Correspondence: A copy from the Governor's Office of Energy of the Renewable Energy Tax Abatement Application from Beowawe Power, LLC; a letter from Connie Hicks; a letter from the Nevada Division of Environmental Protection regarding a remediation report of Sam's Corner Store; a letter from DA Beutel regarding report of claims; a quarterly report from the Crescent Valley Volunteer Fire Department; a report from the TV District; a letter from the Humboldt River Basin Water Authority; invoice from Mt. Wheeler Power.

2. Commissioner reports on pertinent correspondence or other matters. (Discussion)

The Commissioners had nothing to report.

PUBLIC COMMENT AND DISCUSSION

1. Public comment and discussion. *Notice: No action may be taken on a matter raised under this item until the matter has been specifically included on an agenda as an item upon which action will be taken. Public comment may be limited to three (3) minutes per person. Public comment may be allowed on "Action" items, in addition to the two times specified on the agenda.* (Discussion)

Public Comment: Chairman McKay opened the floor for public comments. There were none.

2. Consider items requiring action to be placed on the agenda for the next regular meeting. *Notice: The public is welcome to request agenda items for future meetings during the Public Comment period, or may consult with one or more of the Board of Commissioners to request agenda items for future meetings.* (Discussion)

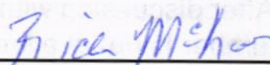
Items included: Tracey Mellard; Legislative items under Natural Resources;

ADJOURNMENT

1. Adjournment of meeting. (For Possible Action)

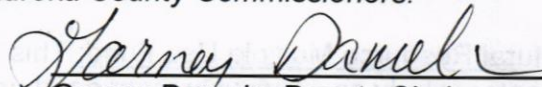
A motion to adjourn was made by Commissioner Sharkozy; it was seconded by Chairman McKay. All approved. Meeting adjourned at 2:03 p.m.

Approved by vote of the Board this 2nd day of April, 2024. .




Rich McKay, Chairman

I, Garney Damele, Deputy Clerk, attest that these are a true, correct, and duly approved minutes of the January 20, 2023, meeting of the Board of Eureka County Commissioners.



Garney Damele, Deputy Clerk

I, Katherine J. Bowling, 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 Deputy Clerk.



Katherine J. Bowling, Clerk

