

EUREKA COUNTY BOARD OF COMMISSIONERS

August 1, 2023

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)

The Board of Eureka County Commissioners met pursuant to law on August 1, 2023. Present were Chairman Rich McKay, Vice Chair Michael Sharkozy, Commissioner Marty Plaskett, Clerk Recorder Kathy Bowling, and Deputy Clerk II Jackie Berg. District Attorney Ted Beutel was not in attendance. The meeting was called to order at 8:30 a.m. and began with the Pledge of Allegiance. The interactive video conferencing system was connected between Crescent Valley and Eureka for the public (open) portion of the meeting.

Approval of Agenda: Commissioner Plaskett motioned to approve the agenda as posted; Commissioner Sharkozy seconded the motion; motion carried 3-0.

CLOSURE OF PUBLIC MEETING

1. Discuss, approve, or deny a motion of the Board to suspend the open meeting for approximately one hour to conduct a closed session, which will not be open to the public, for the purpose of the Board, the Board's contracted union negotiation counsel, and the Board's appointed management representatives, with no one else present to observe or participate in the discussion, to consider confidential union contract negotiations. (For Possible Action)

Closure of Meeting: Commissioner Plaskett motioned to close the meeting for a confidential session between the Board, its contracted union negotiation counsel, and its appointed management representatives to discuss confidential union contract negotiations. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

CLOSED PERSONNEL SESSION – Pursuant to NRS 288.220

1. Confidential management discussion of union contract negotiations for the following three bargaining units: Eureka County Sheriff's Office: (1) Sergeants, (2) Deputies, and (3) Dispatch and Civilian Staff, all represented by the Operating Engineers Local Union No. 3, International Union of Operating Engineers (IUOE), American Federation of Labor and Congress of Industrial Organizations (AFL-CIO). (For Discussion Only)

RESUMPTION OF OPEN MEETING

Chairman McKay called the open meeting of the Board back to order.

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)

Chairman McKay opened the floor for public comments.

Beowawe resident, Tracey Mellard, requested that consideration of the clinic contract with William Bee Ririe be tabled to the next meeting. She said residents are concerned about the clinic's future because of disturbing comments that are circulating among the community. Tabling this item would allow residents to review the proposed contract and provide feedback.

Forest Anderson said that he has lived in Crescent Valley for 20 years and has observed the decline in services at the clinic. He felt this was a result of the current contractor trying to "save a few bucks," and said it was time for the Count to "do something now!"

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)*

Future agenda items were discussed later in the meeting.

APPROVAL OF MINUTES

1. Approval of minutes for the following meetings: (a) January 3, 2023, and (b) July 18, 2023. (For Possible Action)

Commissioner Sharkozy motioned to approve minutes of the January 3, 2023, and July 18, 2023, Board meeting; Chairman Plaskett seconded the motion; motion carried 3-0.

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, which included a credit of \$31,490.00 from William Bee Ririe. It was recently discovered that invoices from January through May 2023 were in excess of the approved contract amount.

Expenditures included two invoices from Office Products Inc. (OPI) that exceeded the six-month limit. When OPI replaced a copy machine for Juvenile Probation, they failed to send the final invoice for the trade-in machine (December 2022), and also missed an invoice on the new machine (February 2023).

Commissioner Sharkozy motioned to approve expenditures in the amount of \$496,204.65 for accounts payable including OPI invoices #AR300294 for \$33.23 and #AR302502 for \$55.06; and \$410,301.13 for payroll and benefit related expenses (including employee paid deductions), for a grand total of \$906,505.78. Commissioner Plaskett seconded the motion. Motion carried 3-0.

2. Review Fund Balance Report. (Discussion)

The Board reviewed a report on current fund balances.

COMMISSIONERS

1. Discuss, approve, or deny signing a letter supporting application to the Nevada Water Conservation & Infrastructure Initiative, and authorize County representatives to complete and submit applications to the program seeking funding for continued efforts and projects to reduce water demand in Diamond Valley. (For Possible Action)

Jeb Rowley and Jake Tibbitts explained that \$100 million in America Rescue Plan Act monies are available across the State for water conservation projects, with \$25 million set aside for water rights retirement. Mr. Rowley and Mr. Tibbitts will work collectively to identify projects and make application for these funds. The Initiative requires that the Board of County Commissioners adopt a resolution or submit a letter supporting grant applications and naming authorized representatives.

Commissioner Sharkozy motioned to approve sending a letter to the Nevada Department of Conservation & Natural Resources supporting application for grant funds under the Nevada Water Conservation & Infrastructure Initiative, and naming Jeb Rowley and Jake Tibbitts as authorized representatives in the grant application process with authority to act on behalf of Eureka County in relation to future projects and any ensuing contracts. Commissioner Plaskett seconded the motion. Motion carried 3-0.

2. Discuss, approve, or deny clinical services contract with William Bee Ririe Hospital & Rural Health Clinic for Fiscal Year 2023-2024, for an amount not to exceed \$633,000.00, and authorize the Chairman to sign the contract outside of the meeting. (For Possible Action)

Based on the request from Crescent Valley, the Board agreed to table the clinical services contract, but Chairman McKay took time to give an overview of current services. An annual amount of \$453,000.00 is allocated to the 5-day per week clinic in Eureka with two midlevel providers, support staff, and a weekend on-call rotation. \$180,000.00 is allocated to Crescent Valley for two 12-hour clinic days per week with a midlevel provider and part-time medical assistant.

In recent years, Chairman McKay and members of the Medical Clinics Advisory Committee have explored the limited options for provision of health care services in Crescent Valley. Combining the services of Nik Hirschi under the umbrella of William Bee Ririe has been the most promising, and the only in-person, option in years. The involved parties agreed to try it for a six-month period and, contrary to rumors, Matt Walker (CEO of William Bee Ririe) has verbally committed to continuing for another year.

PUBLIC HEARING - PERSONNEL POLICY AMENDMENTS

Notice was given that a public hearing would be held on August 1, 2023, beginning at 10:00 a.m. (local time) in the Eureka Commission Chambers in the County Courthouse at 10 South Main Street in Eureka, Nevada. The reason for said hearing is to invite public and employee comments and take action on a resolution amending the Eureka County Personnel Policy. The resolution was reviewed and proposed by the Board of County Commissioners on July 18, 2023, and a copy of said resolution is on file in the Commissioners' Office and in the Office of the County Clerk for public examination.

1. Open public hearing and invite comments on proposed resolution to amend the Eureka County Personnel Policy. (Discussion)

Chairman McKay opened the public hearing to hear comments and feedback concerning proposed changes to the Eureka County Personnel Policy. He invited Human Resources Director Heidi Whimble to give an overview of the proposed changes.

Ms. Whimble said the policy with proposed changes (redline) and cover resolution were posted to the County website and circulated to all employees on July 18th requesting feedback. Notice of the public hearing was published in the *Eureka Star*.

Rescind 2014 Resolution: Ms. Whimble explained that a June 20, 2014, resolution of the Board implemented the hiring freeze and was in full effect until further resolution of the Board. The proposed policy changes contemplate an end to the official hiring freeze. Therefore, if the resolution proposing those changes is adopted, it will rescind the 2014 resolution.

Sick Leave: Ms. Whimble received only one response on the proposed policy changes. It was from Betty Overson related to sick leave policy that requires employees to provide certification from a medical professional if more than three absences occur in a pay period.

Ms. Overson explained that she recently had several unrelated absences in the same pay period that triggered the need for a doctor's certification. Having worked for years in the private sector, she has found that policies generally require documentation after three or more "consecutive" sick days. She requested that the policy be amended accordingly.

After hearing perspectives from employees and supervisors present, the Board decided to leave the policy unchanged, but added that other documentation substantiating a medical visit will be acceptable in lieu of a doctor's certification.

Advanced Step Hires: A proposal to limit advanced step hires to a maximum of seven steps was discussed. After weighing the pros and cons, the Board agreed to leave the policy as written (with no limit), because all advanced step hires must be approved by the Board.

Hiring Freeze Waiver v. Vacancy Request: Per direction at an earlier meeting, Ms. Whimble said the Hiring Freeze Waiver Justification (HFWJ) will remain in policy for newly budgeted positions. It was proposed that a Vacancy Request form be used for other vacancies. This will ensure Board involvement and transparency, and will provide a tracking mechanism for Human Resources. The Vacancy Request form will not delay onset of the hiring process.

This led to a lengthy discussion among the Board and staff. It was ultimately agreed that department heads may fill a vacancy without Board approval if the position is budgeted and the replacement starts at the entry level salary (all advanced step hires require Board approval). The hiring process on any vacancy cannot begin until a written resignation or other documented separation date is received.

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| <p>2. Consider adopting as presented, adopting with further revisions, or denying a resolution amending the Eureka County Personnel Policy. (For Possible Action)</p> |
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The Chairman summarized the issues discussed: (a) Hiring Freeze Waiver Justifications will remain for newly budgeted positions; (b) department heads may fill vacancies for budgeted positions at step one in the assigned salary range; (c) all advanced step hires must be pre-approved by the Board; (d) a resignation letter or other written documentation with a specific separation date must be in place before initiating the hiring process for any vacant position; and

(e) language will be added that documentation substantiating a medical visit will be acceptable in lieu of a doctor's certification.

Commissioner Sharkozy motioned to adopt a Resolution Amending the Eureka County Personnel Policy with the revisions outlined by the Chairman; Commissioner Plaskett seconded the motion; motion carried 3-0.

Eureka, Nevada

Proposed July 18, 2023

Adopted August 1, 2023

RESOLUTION

AMENDING THE EUREKA COUNTY PERSONNEL POLICY

WHEREAS, the Eureka County Personnel Policy has been updated and amended pursuant to the procedure contained in the Eureka County Code, Title 2, Chapter 50; and

WHEREAS, the Board of Eureka County Commissioners have been presented by the Human Resources Office with amendments of the Policy for consideration; and

WHEREAS, the updated Policy (with the changes to be considered already incorporated) is available to view at the County's website: <http://www.co.eureka.nv.us/>; and

WHEREAS, upon adoption of this Resolution, the June 20, 2014, Resolution of the Board (RESOLUTION DECLARING REVENUE SHORTFALLS, INSTITUTING BUDGET CONSTRAINT THROUGH A HIRING FREEZE, AND PROMOTING A REDUCTION IN THE LABOR FORCE THROUGH ATTRITION), which memorialized Eureka County's attrition policy and established a hiring freeze for all departments, is hereby rescinded.

NOW THEREFORE BE IT RESOLVED this Resolution was proposed on the 18th day of July, 2023, and circulated to the Commissioners for their review and modification that same day; and

IT IS FURTHER RESOLVED the Human Resources Office will circulate this Resolution for review to all departments electronically, for distribution to County employees, requesting comment on the proposed changes to the Policy; and

IT IS FURTHER RESOLVED a public hearing will be conducted on the 1st day of August, 2023 beginning at 10:00 a.m. or as soon thereafter as the matter may be heard in the County Commission chambers, following publication of the hearing in the Eureka County Star once at least ten (10) days before the hearing; and

IT IS FURTHER RESOLVED at that public hearing, and any additional public hearings if deemed necessary, the Commissioners may adopt, reject, or adopt with revisions or amendments one, some, or all of these proposed changes to the Policy.

ADOPTED / REJECTED / OF ADOPTED WITH REVISIONS or AMENDMENTS (circle one) this 1st day of August, 2023.

/s/ Rich McKay

Rich McKay, Chairman of the Board
Eureka County Commissioners

Attest: /s/ Kathy Bowling
Katherine J. Bowling, County Clerk

IT DEPARTMENT

1. Update report on IT projects and activities. (Discussion)

IT Director Misty Rowley reported on IT projects and activities, including work related to Monday.com, gathering information for the auditors, continued research related to network designs, and continued work on the Crescent Valley fiber installation and expansion.

iRIMS6 for Sheriff's Office: Contractor Rory Jackson (SyberNetworks) joined by telephone to describe the detailed work necessary to prepare for and implement the iRIMS6 platform for the Sheriff's Office. Cyber security is a huge issue and the security requirements for iRIMS6 are exponentially higher than typical standards.

2. Review sales order and consider a one-year contract renewal with Monday.com for the period of July 24, 2023, through July 23, 2024, for a base contract amount of \$15,840.00 (30 user licenses at a rate of \$44.00 per month/per user), including the ability upgrade and pro-rate the contract with additional user licenses (minimum of five licenses per upgrade at the specified rate of \$44.00 per month/per user), and authorize the IT Director to sign the contract outside of the meeting. (For Possible Action)

Ms. Rowley requested contract renewal with Monday.com, a program that the IT Department has been using for the past year, along with the ability to expand the contract if other departments feel they might benefit from the Monday.com platform.

Commissioner Plaskett motioned to approve a one-year contract renewal with Monday.com for the period of July 24, 2023, through July 23, 2024, for a base contract amount of \$15,840.00, including the ability to upgrade the contract with additional user licenses and pro-rate the fee accordingly. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

AMBULANCE & EMS

1. Update report on ambulance and emergency services. (Discussion)

EMS Director Kenny Sanders reported there were a total of 22 ambulance runs for the month of July, with 13 from the Eureka station and nine from Crescent Valley. Three patients were transported to hospitals and six patients were transferred to air medical services.

After the last meeting, Mr. Sanders reached out to MedX AirOne and REACH Air regarding memberships. In addition to individual memberships (which also cover deductibles and co-pays), REACH offers memberships where a county can subscribe for all county staff or all county residents. Mr. Sanders has not yet received a response from MedX AirOne.

2. Discuss, approve, or deny purchase of two (2) Tempus ALS Monitors from Enerspect Medical Solutions for a total amount not to exceed \$100,366.24 utilizing monies budgeted for capital outlay (010-054-55010-000) in the Ambulance/EMS budget. (For Possible Action)

Mr. Sanders obtained a quote for two defibrillator monitors, which will replace the last of the obsolete models (three replacements were purchased the previous fiscal year).

Commissioner Sharkozy motioned to approve purchase of two Tempus ALS Monitors from Enerspect Medical Solutions for a total amount not to exceed \$100,366.24 utilizing monies

budgeted for capital outlay in the Ambulance/EMS budget. Commissioner Plaskett seconded the motion. Motion carried 3-0.

HEALTH INSURANCE ADVISORY COMMITTEE

1. Per recommendation of the Health Insurance Advisory Committee, consider extending the insurance broker contract with LP Insurance Services for an additional three-year term, beginning January 1, 2024, through December 31, 2026, as provided for in the current contract. (For Possible Action)

Jayne Halpin, Chair of the Health Insurance Advisory Committee, recommended renewing the insurance broker contract for an additional three years. This will be the second three-year extension as provided in the original contract.

Commissioner Plaskett motioned to extend the insurance broker contract with LP Insurance Services for an additional three-year term, beginning January 1, 2024, through December 31, 2026. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

HUMAN RESOURCES

1. Review documentation and consider approval of requests related to Hiring Freeze Waiver Justifications, Promotion Requests, and Position Descriptions. (For Possible Action)

Human Resources Director Heidi Whimple presented a Promotion Request to cover Swimming Pool casual employees. Once attendants have three months of service and obtain the necessary certifications, they are eligible for promotion to Lifeguard.

Commissioner Plaskett motioned to authorize the Swimming Pool Supervisor to promote casual workers (attendants) to the position of Lifeguard once the required criteria is met. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

CLERK RECORDER

1. Discuss, approve, or deny the use of ballots (including, without limitation, mail ballots and return envelopes) purchased by the Secretary of State in accordance with the contract or contracts entered into pursuant to AB192 of the 2023 Nevada Legislative Session for all statewide and local elections held in Calendar Years 2024 and 2025, and request that the Clerk notify the Secretary of State in writing of this decision no later than August 6, 2023. (For Possible Action)

Clerk Recorder Kathy Bowling explained that AB192, which passed in the 2023 Nevada State Legislature, establishes requirements related to the purchase of ballots and return envelopes used for elections in the State. It also makes an appropriation to the Secretary of State to enter into contracts for purchase of ballots and return envelopes.

Counties may opt to receive these election materials from the Secretary of State, or may continuing ordering their own ballots and envelopes and submitting reimbursement requests.

Commissioner Sharkozy motioned to approve the use of ballots (mail ballots and return envelopes) purchased by the Secretary of State in accordance with contracts entered into pursuant to AB193 for all statewide and local elections in 2024 and 2025, with notification of this determination submitted by the Clerk to the Secretary of State no later than August 6, 2023. Commissioner Plaskett seconded the motion. Motion carried 3-0.

2. Discuss, approve, or deny authorizing the Clerk to sign the Third Amendment to the Voting System Agreement By and Between Dominion Voting Systems, Inc. and Eureka County, Nevada. (For Possible Action)

Ms. Bowling explained that the contract between Dominion Voting Systems began in 2017, and is amended each two-year election cycle. She requested authorization to sign the Third Amendment to the agreement.

Commissioner Plaskett motioned to authorize the Clerk to sign the Third Amendment to the Voting System Agreement By and Between Dominion Voting Systems Inc. and Eureka County; Commissioner Sharkozy seconded the motion; motion carried 3-0.

ROAD DEPARTMENT

1. Update report on Road Department projects and activities. (Discussion)

Assistant Public Works Director Raymond Hodson reported on Road Department activities. Crews have bladed roads in the JD Ranch area, Union Pass, Sadler Road, Antelope Road, Ratto Canyon to Prospect Peak, Windfall and Secret Canyons, and Keg Street in Diamond Valley working north. Magnesium chloride was applied to the Roberts Creek Road and several other roads in Diamond Valley. Crews are working on final preparations at the Fairgrounds for the upcoming County Fair and High School Rodeo.

Northern crews bladed Palisade over to Barth, but were stalled when heavy rains exposed an underground fiber optic line. Before finishing that road the area will need to be backfilled. With the delay, the crew moved to Mary's Mountain and Crescent Valley, and are currently working on some significant washouts and cattle guard repairs in Cottonwood Canyon.

RECESS FOR DEVIL'S GATE MEETING

The Board recessed for a scheduled Devil's Gate meeting.

PUBLIC WORKS

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

Public Works Director Jeb Rowley reported on Public Works projects and activities. Road and utility work are heavily underway in the Eureka Townsite. The contractor is on track to begin paving in Eureka the second week of September.

Crescent Valley roads are done except for a final seal. Utility work in Crescent Valley should wrap up in about a week. As part of ongoing radio equipment and infrastructure upgrades, Western States Enterprises finished installing equipment at the Bald Mountain repeater site.

2. Discuss, approve, or deny ratifying application for a 3/4-inch residential water meter and service for APN 007-380-18 located in Devil's Gate General Improvement District #1. (For Possible Action)

Commissioner Sharkozy motioned to ratify approval of a 3/4-inch residential water service for APN 007-380-18 in District #1 of the Devil's Gate General Improvement District; Commissioner

Plaskett seconded the motion; motion carried 3-0. This service was approved earlier in the day by the Devil's Gate Board of Directors.

3. Discuss, approve, or deny a contract with Lumos & Associates for Eureka Town Phase II final design, in an amount not to exceed \$527,500.00 utilizing monies budgeted for surveying and engineering in the Regional Transportation Commission Fund (025-140-55010-357) and the Eureka Water & Sewer Fund (045-177-53010-357), and authorize the Chairman to sign the contract outside of the meeting. (For Possible Action)

Lumos & Associates prepared a proposal for engineering services in Eureka related to the ongoing road and utility project. The proposal is broken down into tasks that include project management and CMAR coordination; topographic survey; geotechnical investigation; hydrology and hydraulic analysis; water modeling and reporting; 30%, 60%, 90%, and final design; permitting; and right-of-way dedications, abandonments, and easements.

One of the more challenging aspects of the project is managing the right-of-way dedications, abandonments, and easements in the Eureka Townsite. The goal is to align the County right-of-way, and Lumos estimates there are up to 22 parcels that may need survey and title work, as well as cooperation of the property owner, to make the adjustments.

Commissioner Plaskett motioned to approve a contract with Lumos & Associates for Eureka Town Phase II final design, in an amount not to exceed \$527,500.00 utilizing monies budgeted for surveying and engineering in the Regional Transportation Commission Fund and the Eureka Water & Sewer Fund, and authorized the Chairman to sign the contract outside of the meeting. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

4. Discuss, approve, or deny a contract with Sierra Nevada Construction Inc. in the amount of \$72,007.00 utilizing monies budgeted for capital outlay (025-140-55010-000) in the Regional Transportation Fund and monies budgeted for surveying and engineering (045-177-53010-357) in the Eureka Water & Sewer Fund, for pre-construction services related to the Eureka County Road & Utility Improvement Project, and authorize the Chairman to sign the contract outside of the meeting. (For Possible Action)

Jonathan Lesperance, with Lumos & Associates, expounded on the pre-construction services for Phase 2 of the overall road and utility project.

Jayne Halpin, Assistant Public Works Director/Project Manager, commented on the CMAR (Construction Manager at Risk) delivery method and how well it works for projects like the one in the Town of Eureka. When unexpected items are encountered underground, the CMAR approach allows Eureka County to work seamlessly with the contractor to address the issue, rather than waiting for Board approval of one or more change orders.

Commissioner Plaskett motioned to approve a contract with Sierra Nevada Construction Inc. in the amount of \$72,007.00 utilizing monies budgeted for capital outlay in the Regional Transportation Commission Fund and monies budgeted for surveying and engineering in the Eureka Water & Sewer Fund, for pre-construction services related to the Eureka County Road & Utility Improvement Project, and authorized the Chairman so sign the contract outside of the meeting. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

5. Review Quote GC 00110 from Reno Forklift and consider authorizing purchase of a Doosan G30E-7 Forklift utilizing Sourcewell Contract #091520-DIV for an amount not to exceed \$35,577.25 to be

paid with monies budgeted for capital outlay (042-140-55010-000) in the Capital Projects Fund. (For Possible Action)

Mr. Rowley said in his 20 years of employment with Eureka County, a skid steer has been used in the place of a forklift. There has been a special request for a much-needed forklift at the warehouse, and he was able to obtain a very reasonable estimate from Reno Forklift.

Commissioner Plaskett motioned to approve Quote GC 00110 from Reno Forklift and authorized purchase of a Doosan G30E-7 Forklift utilizing Sourcewell Contract #091520-DIV for an amount not to exceed \$35,577.25 to be paid with monies budgeted for capital outlay in the Capital Projects Fund. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

6. Review Quote 269450 from LN Curtis and consider authorizing purchase of batteries and chargers to be used with extrication equipment, in the amount of \$5,925.00, utilizing monies budgeted for capital outlay (010-040-55010-000) in the Emergency Management Fund. *Note: The extrication equipment was purchased with grant monies recently awarded through the SERC OPTE Grant.* (For Possible Action)

Public Works obtained a quote from LN Curtis for batteries and charges necessary to power the extrication equipment to be purchased through a grant to the Local Emergency Planning Committee.

Commissioner Sharkozy motioned to approve Quote 269450 from LN Curtis and authorized purchase of batteries and chargers to be used with extrication equipment, in the amount of \$5,925.00 utilizing monies budgeted for capital outlay in the Emergency Management Fund. Commissioner Plaskett seconded the motion. Motion carried 3-0.

NATURAL RESOURCES

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

Natural Resources Manager Jake Tibbitts reported on recent activities.

Communication Tower in Pine Valley: Notice was received regarding the communications facility to be constructed in Pine Valley (Commnet cellular tower), and the BLM has published an environmental assessment for granting the right-of-way.

Grazing Regulations: Notice was received from the BLM of its intent to cease updating grazing regulations on the national level and intention to look internally for policy and guidance to streamline grazing. This is somewhat unfortunate, since some of the proposed changes were improvements to current regulations.

Humboldt River: The Division of Water Resources has begun their conjunctive management workshops for the Humboldt River. Mr. Tibbitts said he planned to attend (virtually) one of the workshops that afternoon. The Division is completing its capture model, which will be used to regulate groundwater use in the basin. Subsequent workshops are scheduled for September 6th and September 26th.

NWCII: Mr. Tibbitts referenced the letter approved earlier in the meeting, authorizing staff to seek grant funding for water conservation and infrastructure projects under the Nevada Water Conservation & Infrastructure Initiative. The Central Nevada Regional Water Authority held a

special meeting the previous Friday and voted to submit an application for a water rights retirement project. The Humboldt River Basin Water Authority has scheduled a meeting this week to consider doing the same.

Upcoming Meetings: Natural Resources will host a Firewise booth the afternoon of August 1st during the National Night Out event, and is hoping to the same event in Crescent Valley the following day. Several meetings are scheduled on August 3rd – NACO Public Lands & Natural Resources Subcommittee, Humboldt River Basin Water Authority, and County Advisory Board to Manage Wildlife. The State Land Use Planning Advisory Council has scheduled a meeting in Eureka on August 4th. Mr. Tibbitts will participate in a call on August 7th with the Nature Conservancy and Langdon Group (tasked with community engagement for the water retirement and agrivoltaics study in Diamond Valley). The Intergovernmental Executive Committee for the Naval Air Station Fallon Range Training Complex is scheduled for August 8th. The next meeting of the Natural Resources Advisory Commission is on August 9th.

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| 2. Discuss and consider comments to BLM on the Golden Lake Exploration Project Environmental Assessment. (For Possible Action) |
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Golden Lake Exploration has been in the area a few years doing exploration. Mr. Tibbitts said Eureka County was first notified of the company's intent to do an environmental assessment (EA) in 2021. He attended a kickoff meeting in March 2022 with the BLM and Golden Lake Exploration to discuss what should be included in the EA. Nothing else was heard until a letter showed up recently stating the EA was complete and comments were due in 30 days.

Mr. Tibbitts did a high-level analysis of the EA, and will refine it further before submitting comments. He has identified three major issues: impacts to roads, grazing, and socioeconomics. He focused on the potential impact to roads, which is huge. The County holds prescriptive easements on the affected roads. Mr. Tibbitts has found more than one reference that Golden Lake Exploration, or its environmental team, will work with the County in regard to the roads and future reclamation. *Despite the guarantees, no representative has ever approached the County concerning these roads.* Roads that, according to the EA, Golden Lakes Exploration intends to reclaim to primitive condition!

He stated the company has also fallen short on analysis of socioeconomics and grazing. On socioeconomics, the EA says, *"Not further analyzed in the EA."* On grazing, the EA simply notes that there is no loss of AUMs (animal unit month), therefore, *"Not further analyzed in the EA."*

Commissioner Sharkozy motioned to approve sending comments to the BLM on the Golden Lake Exploration Project Environmental Assessment, and authorized the Chairman to sign the letter outside of the meeting. Commissioner Plaskett seconded the motion. Motion carried 3-0.

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| 3. Discuss and consider response to recent activities and issues related to sage grouse including, but not limited to, the State Plan and Federal Plan Amendments and updated State habitat mapping. (For Possible Action) |
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Mr. Tibbitts forwarded a presentation from US Geological Survey, given at the Sagebrush Ecosystem Council (SEC) meeting in May, which was Mr. Tibbitts' first meeting as appointed local government representative on the Council. Habitat maps included in the presentation were presented to the SEC for adoption as official habitat maps for the State. But the maps were denied by the SEC after Chairman Chris MacKenzie had to break a 3 to 3 tie vote.

Had the maps been adopted, they would have become official BLM habitat maps based on a Memorandum of Understanding that the BLM has with the State. This would have been devastating to land use industries in Eureka County.

The maps depict priority habitat management areas (PHMA) in red, and priority habitat management areas **plus** (PHMA+) in blue. As “plus” habitat, the blue areas would be designated areas of critical environmental concern (ACEC), the highest level of land restriction that the BLM is authorized to impose under the Federal Land Policy & Management Act. Mr. Tibbitts informed the Commissioners that according to these maps, *“Where you’re sitting right now, is the best habitat sage grouse will ever live in!”*

Sage grouse issues are moving forward at a rapid rate, with a heavy push to adopt these maps. Mr. Tibbitts believes the intent is to have changes in place before another national election and potential change in administration. He cautioned that sage grouse could become the spotted owl of the Great Basin, the spotted owl of the West.

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| 4. Discuss, approve, or deny out-of-state travel during August (exact dates TBD) for Weed & Resource Technician, Mitch Nielsen, to retrieve new spray truck from Douglass Truck Bodies in Bakersfield, California, and deliver to Floyd Lilly Company in Twin Falls, Idaho, for installation of spray system. (For Possible Action) |
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Mr. Tibbitts said that travel to California is no longer needed, as a transport has been located for the spray truck, which will be delivered to Silver State International in Sparks on August 2nd. Mr. Nielsen still needs authorization to travel to Idaho for installation of the spray system.

Commissioner Plaskett motioned to approve out-of-state travel for Mitch Nielsen to deliver the new weed spray truck to Floyd Lilly Company in Twin Falls, Idaho; Commissioner Sharkozy seconded the motion; motion carried 3-0.

CORRESPONDENCE

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| 1. Review correspondence and place requests for action items on the next agenda. (Discussion) |
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Correspondence was received from: Braylen Hubbard and Jayden Buchanan; Dan Stevens; Mike Popovitch; Television Dist.; Crescent Valley Town Advisory Board; Central Nevada Health Dist.; State Land Use Planning Advisory Council; Nevada Div. of Water Resources (2); University of Nevada Reno, CABNR monthly newsletter; US Dept. of the Interior, BLM (2); National Assoc. of Counties; and America First Works.

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| 2. Commissioner reports on pertinent correspondence or other matters. (Discussion) |
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There were no reports from the Board.

PUBLIC COMMENT

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| 1. Public comment and discussion. <i>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.</i> (Discussion) |
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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)

There was a quick review of future agenda items, and a request to schedule a Liquor Board meeting the morning of August 15th.

ADJOURNMENT

1. Adjournment of meeting. (For Possible Action)

Commissioner Plaskett motioned to adjourn the meeting; Chairman McKay seconded the motion; the meeting was adjourned at 12:56 p.m.

Approved by vote of the Board this 5th day of September, 2023.

/s/ Rich McKay

Rich McKay, Chairman

I, Jackie Berg, Deputy Clerk II, attest that these are a true, correct, and duly approved minutes of the August 1, 2023, meeting of the Board of Eureka County Commissioners.

/s/ Jackie Berg

Jackie Berg, Deputy Clerk II

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.

/s/ Kathy Bowling

Katherine J. Bowling, Clerk