

EUREKA COUNTY BOARD OF COMMISSIONERS

October 20, 2022

STATE OF NEVADA)
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COUNTY OF EUREKA)

CALL TO ORDER

The Board of Eureka County Commissioners met pursuant to law on October 20, 2022. Present were Vice Chair Michael Sharkozy, Commissioner Rich McKay, District Attorney Ted Beutel, and Administrative Assistant Jackie Berg. Chairman Goicoechea was absent. The meeting was called to order at 9:30 a.m. and began with the Pledge of Allegiance. The interactive video conferencing system was connected between Crescent Valley and Eureka for the entire meeting.

APPROVAL OF AGENDA

The Medical Clinics Advisory Committee agenda items and agenda item #4 under Natural Resources were tabled and will be placed on a future agenda. Commissioner McKay motioned to approve the agenda with the stated changes; Commissioner Sharkozy seconded the motion; motion carried 2-0.

PUBLIC COMMENT

Commissioner Sharkozy opened the floor for public comments.

Crescent Valley Clinic: Tracy Mellard voiced concerns in regards to the Crescent Valley Clinic. She felt it was an injustice to the northern residents that their clinic is only open two days a month, which causes residents to travel to Carlin or Battle Mountain for medical care. She felt two days per month was inadequate in comparison to the Eureka Clinic, which is open five days per week. Ms. Mellard stated that a larger portion of the budget (that supports the clinics) should be allocated to Crescent Valley. Ms. Mellard felt the 75% discount afforded Eureka County residents should apply to all residents, not just those with insurance. She suggested that the County operate the clinics "in-house" rather than utilizing an outside contractor.

Paula Cassels also commented on the Crescent Valley Clinic. She asked that the County consider a proposal received from Nik Hirshi, APRN, for provision of health services at the Crescent Valley Clinic. Additionally, she requested that the County provide the necessary funding to support the proposal, which would result in provision of more equitable health coverage for the northern residents of Eureka County.

K9 Unit Police Dog, Gara: Laura Shivers, Crescent Valley resident, provided a letter which was read during the meeting. The letter was in regards to an agenda item concerning K9 Unit police dog, Gara, and stated the reasons that Ms. Shivers supported retiring Gara to the care of her handler, Deputy Collins, upon his resignation from Eureka County.

There were no further comments from the public.

APPROVAL OF MINUTES

July 20, 2022: Commissioner Sharkozy motioned to approve minutes of the July 20, 2022, meeting; Commissioner McKay seconded the motion; motion carried 2-0.

COMPTROLLER

Payment of Expenditures: Expenditures were presented for approval by Comptroller Kim Todd. After review, Commissioner McKay motioned to approve expenditures in the total amount of \$3,810,847.75, which included pass-through payments of \$1,965,485.82 (\$989,233.91 in school taxes and \$976,251.91 in general taxes) to the Nevada State Controller, \$37,810.00 to Nevada Division of Minerals, \$232.45 to Washoe County Crime Lab, and \$4,202.02 in N1 Grazing Board payments. Commissioner Sharkozy seconded the motion; motion carried 2-0.

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

Starlink Business Account (Monthly Charge): Commissioner McKay motioned to waive a provision in Eureka County Code, Title 3, Chapter 30, Section .060(C) in order to authorize a monthly recurring charge on Jessica Santoyo's purchasing card to pay the Starlink business account. Commissioner Sharkozy seconded the motion; motion carried 2-0.

Credit Card Increase: IT Department: Commissioner McKay motioned to approve a request that the monthly credit limit on the County credit card issued to Jessica Santoyo, IT Department, be permanently increased to \$1,000.00. Commissioner Sharkozy seconded the motion. Motion carried 2-0.

COMMISSIONERS

Letter to the Nevada Governor's Office of Economic Development: Commissioner McKay motioned to ratify a letter to the Nevada Governor's Office of Economic Development supporting Churchill County's application for a Community Development Block Grant to purchase equipment and supplies necessary for implementation of the Central Nevada Health District. Commissioner Sharkozy seconded the motion. Motion carried 2-0.

Nomination: Clean Energy Board: Commissioner Sharkozy motioned to ratify the nomination of Commissioner McKay as a potential board member (by Governor appointment), representing rural counties on the Nevada Clean Energy Fund Board of Directors. Commissioner McKay accepted the nomination and seconded the motion. Motion carried 2-0.

Retention of Diane Curran, Esq.: The District Attorney relayed that, in anticipation of resumption of licensing proceedings for the Yucca Mountain nuclear waste repository, Diane Curran inquired whether Eureka County wishes to continue retaining her services. There are no monetary obligations unless her services are used.

Commissioner McKay motioned to continue retaining services of Diane Curran, Esq., in reference to licensing proceedings for the Yucca Mountain nuclear waste repository. Commissioner Sharkozy seconded the motion. Motion carried 2-0.

Perdiz Sport Shooting Lease: On August 19th, the June 5, 1992, lease between Eureka County and Perdiz Sport Shooting was extended for one year through June 30, 2023. The purpose of the extension was to provide time to resolve land issues, because a portion of the Shooting Range is on public land. An update was anticipated by meeting time, but was not yet available. Due to this, the District Attorney advised the Board that no action was needed at this time.

State Land Use Planning Advisory Council: Commissioner McKay motioned to nominate Jake Tibbitts for continued service as Eureka County's representative on the State Land Use Planning Advisory Council. Commissioner Sharkozy seconded the motion. Motion carried 2-0.

RETA Application / Nevada Gold Energy LLC: The Board recently sent a letter to the Nevada Governor's Office of Energy recommending denial of a Renewable Energy Tax Abatement (RETA) application submitted by Nevada Gold Energy for partial abatement of property, sales, and use taxes in relation to its planned construction of two solar photovoltaic generating facilities in northern Eureka County. The Office of Energy responded with a request for supporting documentation.

Commissioner McKay motioned to direct the Assessor, Treasurer, and District Attorney to compile documentation, including data required by NRS 701A.365(2), for transmission to the Nevada Governor's Office of Energy in response to the request for supporting documentation for Eureka County's recommendation that the RETA Application from Nevada Gold Energy be denied. Commissioner Sharkozy seconded the motion. Motion carried 2-0.

Meeting to Canvass Returns of the 2022 General Election: Commissioner McKay motioned to cancel the regular meeting of the Board scheduled for November 21st, and to schedule an additional meeting on November 18th in order to canvass returns of the 2022 General Election. Commissioner Sharkozy seconded the motion. Motion carried 2-0.

Proposed Ordinance for Consolidation of Municipal Water Systems: Commissioner McKay motioned to propose an ordinance amending the 2018 Eureka County Code by adding a title – Title

20, Plan to Consolidate County Municipal Water Systems. Commissioner Sharkozy seconded the motion. Motion carried 2-0.

Schedule Public Hearing: Commissioner McKay motioned to schedule a public hearing at 10:00 a.m. on December 6, 2022, to consider adopting the proposed ordinance to amend 2018 Eureka County Code by adding Title 20, Plan to Consolidate Municipal Water Systems. Commissioner Sharkozy seconded the motion. Motion carried 2-0.

PUBLIC HEARING – EUREKA COUNTY PERSONNEL POLICY

Notice: Notice was given that a public hearing would be held on October 20, 2022, beginning at 10:00 a.m. to invite public comments and consider adoption of a resolution amending the Eureka County Personnel Policy, as reviewed and proposed by the Board on September 20th. Copies of the proposed resolution have been available for public examination at the Commissioners' office and with the County Clerk.

Public Hearing: Commissioner Sharkozy opened the public hearing and invited comments on the proposed resolution amending the Eureka County Personnel Policy. No comments were forthcoming.

Adoption of Resolution: Commissioner McKay motioned to adopt, as written, a resolution amending the Eureka County Personnel Policy. Commissioner Sharkozy seconded the motion. Motion carried 2-0.

DEPARTMENT OF INDIGENT DEFENSE SERVICES

Amended Public Defender Contract: Commissioner McKay motioned to sign the contract with Kelly C. Brown, PLLC, for public defense services from July 1, 2022, through June 30, 2024, as amended to incorporate regulations recently adopted by the Board of Indigent Defense Services. Commissioner Sharkozy seconded the motion. Motion carried 2-0.

Quarterly Financial Status Report: Jackie Berg reported that Eureka County received refunds from the Department of Indigent Defense Services for Fiscal Year 2022; \$12,561.00 was received for the third quarter, and \$14,273.00 was received for the fourth quarter.

She presented, for Board approval, the financial status report for the first quarter of Fiscal Year 2023. Commissioner McKay motioned to ratify the Indigent Defense Financial Status Report for the 1st quarter of Fiscal Year 2023; Commissioner Sharkozy seconded the motion; motion carried 2-0.

Notice of Voluntary Transfer of Indigent Defense Services: The Department of Indigent Defense Services recommended that the County consider transfer of criminal cases on appeal and death penalty cases, as this will obligate the State to pay 100% and 75%, respectively, for indigent defense costs related to these cases. Ms. Berg consulted with Kelly Brown Esq., the County's contracted public defender, and he concurred with the State's recommendations.

Commissioner McKay motioned to approve the Notice of Voluntary Transfer of Indigent Defense Services to the State Public Defender, pursuant to NRS 180.450(6), for transfer of appeal and death penalty cases. Commissioner Sharkozy seconded the motion. Motion carried 2-0.

IT DEPARTMENT

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

Network Equipment – Airport: Commissioner McKay motioned to approve the quote from Quest Technology Management for purchase of networking equipment for the Eureka Airport in an amount not to exceed \$7,376.39 utilizing monies budgeted for capital outlay (010-018-55010-000) in the Technology Support budget. Commissioner Sharkozy seconded the motion. Motion carried 2-0.

Conference Equipment – Annex: Commissioner McKay motioned to approve the quote from Quest Technology Management for purchase of conference equipment for the Annex (Administrative Facility) meeting room in an amount not to exceed \$5,813.50 utilizing monies

budgeted for capital outlay (010-018-55010-000) in the Technology Support budget. Commissioner Sharkozy seconded the motion. Motion carried 2-0.

Network Equipment – Library: Commissioner McKay motioned to approve the quote from Quest Technology Management for purchase of a networking cabinet and UPS (uninterruptible power supply) for the Eureka Library for an amount not to exceed \$8,280.00 (\$6,897.05 plus 20% contingency) utilizing monies budgeted for capital outlay (010-018-55010-000) in the Technology Support budget. Commissioner Sharkozy seconded the motion. Motion carried 2-0.

OptiPlex Computer – Sheriff's Office: Sheriff Jesse Watts explained that a replacement computer was required for continued operation of the Detention Facility (jail) after a catastrophic failure of the previous computer.

Commissioner McKay motioned to approve the quote from Southern Folger Detention Equipment Company for emergency purchase of an OptiPlex 3090 computer, including license, software/hardware program upgrades, and technical assistance for a not to exceed amount of \$18,500.00, utilizing monies budgeted for jail services (010-034-53010-263) in the Sheriff's budget. Commissioner Sharkozy seconded the motion. Motion carried 2-0.

E-Rate Fiber Project – Crescent Valley Library: Ms. Rowley sought approval of a Letter of Agreement, explaining this was a backup strategy that would allow the Crescent Valley fiber project to move forward in the event that Commnet Broadband encounters an issue prior to the June 2023 deadline.

Commissioner McKay motioned to ratify signing of the Letter of Agreement by Elko County Library Director Kassie Antonucci (on behalf of the Elko-Lander-Eureka Library System for the Crescent Valley Branch Library) authorizing the Office of Science, Innovation & Technology to certify and post FCC (Federal Communications Commission) Form 470 and related Request for Proposals in the E-Rate Productivity Center (for connectivity to the nearest SilverNet/Nevada System of Higher Education Point of Presence) as part of ongoing efforts for installation of fiber broadband infrastructure to connect the Crescent Valley Branch Library located in the Crescent Valley Town Center. Commissioner Sharkozy seconded the motion. Motion carried 2-0.

Out-of-State Travel: Commissioner McKay motioned to approve out-of-state travel for the IT Director and Helpdesk Technician I for travel to South Lake Tahoe/Stateline October 9th-14th for the RIMSCON 2022, 25th Annual Users Conference. Commissioner Sharkozy seconded the motion. Motion carried 2-0.

Network Equipment – Eureka Senior Center: Commissioner McKay motioned to approve the quote from Quest Technology Management for purchase of a networking cabinet and UPS (uninterruptible power supply) for the Eureka Senior Center in an amount not to exceed \$8,697.21 (\$6,697.21 with 20% contingency) utilizing monies budgeted for capital outlay (010-018-55010-000) in the Technology Support budget. Commissioner Sharkozy seconded the motion. Motion carried 2-0.

AMBULANCE & EMS

Report on Activities: EMS Director Kenny Sanders submitted a written report in his absence. There were a total of 29 ambulance runs in September, with 24 responses from the Eureka station and five responses from the Crescent Valley station. Mr. Sanders provided a quarterly run report showing a total of 102 ambulance runs for the quarter (July, August, September).

Quarterly Write-Off Report: EMS provided a written report showing federally mandated write-offs of Medicaid and Medicare ambulance accounts for the quarter. A total of \$520.00 was written off (\$0.00 for July, \$0.00 for August, and \$520.00 for September).

Hiring Freeze Waiver Justification – Volunteers: HR Director Heidi Whimple provided documentation for the Board's approval, which will allow her to open the online application portal to accept applications for Volunteer EMTs and Drivers.

Commissioner McKay motioned to waive the hiring freeze and authorize staff to proceed with filling Volunteer EMT and Driver positions; Commissioner Sharkozy seconded the motion; motion carried 2-0.

AED Equipment & Supplies: Commissioner McKay motioned to approve purchase of batteries and electrode pads for the AEDs (automated external defibrillators) from Allied 100, LLC, in the amount of \$11,955.49; Commissioner Sharkozy seconded the motion; motion carried 2-0.

SENIOR CENTERS

Update Report: Senior Center Program Director Millie Oram provided a written report on activities at the Eureka Senior Center and Fannie Komp Senior Center. In September, Eureka served 864 meals and Crescent Valley served 900 meals. A total of \$9,926.00 was deposited for the month.

Nutrition Grants: Commissioner McKay motioned to ratify Notice of Subaward from Nevada Aging & Disability Services Division for Nutrition Grant #07-000-07-1X-23 for congregate meals in the amount of \$20,960.00 with a required match of \$3,144.00. Commissioner Sharkozy seconded the motion. Motion carried 2-0.

Commissioner McKay motioned to ratify Notice of Subaward from Nevada Aging & Disability Services Division for Nutrition Grant #07-000-04-24-23 for home-delivered meals, in the amount of \$22,659.00 with a required match of \$3,399.00. Commissioner Sharkozy seconded the motion. Motion carried 2-0.

ASSESSOR

Promotion Request – Appraiser III: Assessor Michael Mears completed a Promotion Request form, explaining that an employee had achieved the necessary certifications for promotion to Appraiser III. He will work with Human Resources for internal advertising of the position.

Commissioner McKay authorized the Assessor to complete the process necessary for an internal promotion of an Assessor's office employee to the position of Appraiser III; Commissioner Sharkozy seconded the motion; motion carried 2-0.

TREASURER

Treasurer's Report: The Treasurer's Report for September was submitted by Treasurer Pernecia Johnson, showing an ending General Fund balance of \$47,161,339.97.

Ms. Johnson and Assessor Mears reported that the Assessor's office and Treasurer's office have completely migrated to GSA (Government Software Assurance) and are no longer utilizing the AS400 programs.

JUVENILE PROBATION

Red Ribbon Week Proclamation: Juvenile Probation Officer Steve Zimmerman presented a proclamation for Red Ribbon Week, describing activities that will take place as part of the campaign to promote drug-free and alcohol-free communities.

Commissioner McKay motioned to adopt a proclamation declaring October 23rd-31st as Red Ribbon Week commemorating the National Drug Prevention Campaign; Commissioner Sharkozy seconded the motion; motion carried 2-0.

SHERIFF

Quarterly Report: Sheriff Jesse Watts reported there were 3,097 calls for service during the quarter (July, August, September). Inmates are being housed in a neighboring county, and the Detention Facility is currently non-operational due to the computer failure reported earlier in the meeting.

Hiring Freeze Waiver Justifications: The Sheriff provided the necessary documentation and sought approval to fill seven vacant paid positions, as well as volunteer positions for Search &

Rescue. He explained that some of the requests were previously approved by the Board, but the hiring timeline for those positions had expired.

Commissioner McKay motioned to waive the hiring freeze and authorized the Sheriff's Office to fill two Dispatcher positions, two Deputy Sheriff I/II/III positions, two Sergeant positions, one Lieutenant position, and Search & Rescue volunteer positions. Commissioner Sharkozy seconded the motion. Motion carried 2-0.

Out-of-State Travel: Commissioner McKay motioned to approve out-of-state travel for Sheriff Watts, Maureen Garner, and Heather Peterson for travel to South Lake Tahoe/Stateline October 9th-14th for the RIMSCON 2022, 25th Annual Users Conference. Commissioner Sharkozy seconded the motion. Motion carried 2-0.

Commissioner McKay motioned to approve out-of-state travel for Miles Umina to attend the COPS (Concerns of Police Survivors) National Conference on Law Enforcement, Wellness, & Trauma November 3rd-7th in Dallas, Texas. Commissioner Sharkozy seconded the motion. Motion carried 2-0.

Increase to Credit Card Limits: Sheriff Watts requested increases to the credit limits on County purchase cards issued to employees in his department to cover the identified expenses:

- **Maureen Garner** – \$974.12 for RIMSCON Annual Conference in October; \$439.29 for FBINAA/NvSCA Annual Conference in November;
- **Heather Peterson** - \$974.12 for RIMSCON Annual Conference in October;
- **Cheryl Morrison** - \$439.29 for FBINAA/NvSCA Annual Conference in November; \$500.00 to purchase Christmas goodies for the elementary schools;
- **Deputy Dylan Korth** - \$661.15 for Death & Homicide Investigations Training in December;
- **Sergeant Miles Umina** - \$600.00 for COPS National Conference in November; \$961.58 for Death & Homicide Investigation Training in December; \$239.36 for Supervising Patrol Critical Incidents Training in December;
- **Sheriff Watts** - \$439.29 for FBINAA/NvSCA Annual Conference in November; \$961.58 for Death & Homicide Investigation Training in December; \$239.36 for Supervising Patrol Critical Incidents Training in December.

Commissioner McKay motioned to approve the Sheriff's requests to increase the credit limits on County issued credit cards for Sheriff's Office staff to cover expenses related to travel and training as outlined. Commissioner Sharkozy seconded the motion. Motion carried 2-0.

K9 PARTNER "GARA"

K9 Unit Police Dog "Gara": Deputy Nicholas Collins requested that the County transfer ownership of K9 Unit police dog Gara upon his resignation from Eureka County.

Gara was placed into service with Eureka County in June 2021, following training in Las Vegas with her handler, Deputy Collins. She was purchased and trained with taxpayer dollars and was categorized as a County asset with a listed value of \$9,833.33 (not including training costs).

Mr. Collins joined the meeting by telephone. As Gara's handler, Mr. Collins felt the dog was bonded to him and would not successfully bond or train with a new officer. He added that the dog may not be physically fit to return to duty, explaining that she had surgery two days earlier involving the stomach, a complete hysterectomy, and removal of a tooth due to a widespread infection.

A discussion ensued that included comments from other Sheriff's Office personnel. Commissioner Sharkozy noted that State law restricts local governments from simply giving away property or an asset, and he wanted to ensure the County followed any pertinent regulations.

Commissioner McKay motioned to approve the request to transfer ownership of K9 Unit police dog Gara to Deputy Nicholas Collins, and to follow through with appropriate steps and

actions necessary to comply with State and local regulations. Commissioner Sharkozy seconded the motion. Motion carried 2-0.

CRESCENT VALLEY TOWN ADVISORY BOARD

Community Christmas Event: The Crescent Valley Town Advisory requested a \$3,200.00 donation to purchase gift cards (door prizes), gift bag items, and other supplies for the Community Christmas event on December 10th. Local businesses have contributed to the event – Truckin' Water has agreed to give \$6,000.00 to sponsor the catered dinner, and Nevada Gold Mines donated \$5,000.00 to be used for Crescent Valley Fun Days and the Christmas dinner.

Commissioner McKay motioned to approve the request for a \$3,200.00 donation from the North End Activity Fund for the Community Christmas event in Crescent Valley scheduled on December 10th, with the check issued to CVTAB Chairwoman Cindy LaRochelle. Commissioner Sharkozy seconded the motion. Motion carried 2-0.

House Decorating Contest: The Town Board requested \$500.00 to purchase gift cards as prizes for the House Decorating Contest in Crescent Valley CVTAB Vice Chair Nona Kellerman explained that, in addition to the dinner and decorating contest, the celebration will include a parade. The Crescent Valley Volunteer Fire Department will seek an additional donation to purchase prizes for the winning parade entries.

Commissioner McKay motioned to approve the request for a \$500.00 donation from the North End Activity Fund to purchase prizes for the House Decorating Contest, with the check issued to Nona Kellerman. Commissioner Sharkozy seconded the motion. Motion carried 2-0.

ROAD DEPARTMENT

Report on Activities: Assistant Public Works Director Raymond Hodson reported on road maintenance throughout the County, including blading and water hauls. One operator spent a week working with buildings and grounds to complete some necessary brick work.

Mr. Hodson met with Holli Else regarding the request from the Eureka High School Rodeo Club to make improvements to the arena and rodeo grounds at the Eureka Fairgrounds. They traveled to Battle Mountain to inspect the Battle Mountain rodeo grounds

Promotion Request – Technician II: Mr. Hodson completed a Promotion Request form explaining that an employee in Crescent Valley has met the criteria and qualifications and is eligible for promotion.

Commissioner McKay authorized the Assistant Public Works Director to complete the process necessary for internal promotion of a Public Works employee to the position of Crescent Valley Technician II; Commissioner Sharkozy seconded the motion; motion carried 2-0.

PUBLIC WORKS

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

Courthouse HVAC Project: The large heating, ventilation, and air conditioning project at the Courthouse is well underway. The contractor has been asked to increase crews and take any measures necessary to accelerate the project.

Town Siren: The Eureka town siren is currently silent, but work is underway to install the upgraded siren that was purchased utilizing funds from the SERC OPTE (State Emergency Response Commission/Operational, Planning, Training, & Equipment) grant.

Road & Utility Improvement Project: Work continues on the County-wide road and utility project. Design plans for road and utility improvements within the Crescent Valley townsite are 60% complete. The team is considering good manufacturing practices and will soon have budgetary cost estimates.

Kobeh Valley PER: A kickoff meeting and follow-up meeting were conducted for the Kobeh Valley PER (Preliminary Engineering Report), as part of the effort to identify a potential municipal water source outside of the Diamond Valley Groundwater Basin.

Devil's Gate GID Water System: Jonathan Lesperance, Lumos & Associates, is completing a report on the existing water system supply and capacity in Devil's Gate GID (Districts 1&2). The study has shown that the water system has the supply, capacity, and redundancy required statutorily to serve residents of the GID. The report will also show what is needed to support full buildout of the subdivisions supported by the Devil's Gate water system.

Water Master Plan & Rate Study: Lumos & Associates provided a proposal for completion of an updated Water Master Plan and Rate Study in preparation for consolidation of Eureka, Devil's Gate, and Crescent Valley municipal water systems into a single utility known as the Eureka County Water System.

Commissioner McKay motioned to approve the proposal from Lumos & Associates for completion of an updated Water Master Plan and Rate Study in the amount of \$88,700.00 to be paid with monies budgeted for contract services (010-042-53010-058) in the Public Works budget. Commissioner Sharkozy seconded the motion. Motion carried 2-0.

Municipal Well #1 – Eureka Townsite: Mr. Rowley explained that Well 1, which serves the Eureka water system, is currently offline. It was taken out of service due to aeration caused by pumping in low water levels. Mr. Rowley said this well has experienced a 28 ft. increase in the drawdown level over the past two years. Emergency repairs are required as this well is a necessary component to the Eureka water system and is considered a potential backup water source for Devil's Gate GID.

Rehabilitation of this well will require all remaining ARPA (American Rescue Plan Act) funds in combination with other monies including future grant funds that may become available. He estimated costs could be anywhere from \$200,000.00 to \$350,000.00; more definitive cost estimates will be forthcoming as planning for this project progresses.

Commissioner McKay motioned to approve emergency repair of Well 1 currently servicing the Town of Eureka and future backup water supply for Devil's Gate GID, utilizing American Rescue Plan Act funds in combination with monies budgeted for capital outlay (042-140-55010-746) in the Capital Projects Fund and any grant monies available. Commissioner Sharkozy seconded the motion. Motion carried 2-0.

Mutual Aid MOU with Nevada Gold Mines: Mr. Rowley and Kenny Sanders recently met with the Safety Superintendent for Nevada Gold Mines, Cortez District, and Crescent Valley Fire Chief Jeremy Rice for an annual discussion on mutual aid. Mr. Rowley presented the Memorandum of Understanding for signature, noting it had been updated to reflect changes within Nevada Gold Mines.

Commissioner McKay motioned to approve the updated Memorandum of Understanding between Eureka County and Nevada Gold Mines LLC for mutual aid involving emergency medical, law enforcement, wildland fire, and hazardous materials incidents within Eureka County, and authorized the Chairman to sign outside of the meeting. Commissioner Sharkozy seconded the motion. Motion carried 2-0.

Hiring Freeze Waiver Justification – Swimming Pool Supervisor: Mr. Rowley submitted documentation and requested authorization to fill the vacant Swimming Pool Supervisor position.

Commissioner McKay motioned to waive the hiring freeze and authorize Public Works to fill the position of Swimming Pool Supervisor; Commissioner Sharkozy seconded the motion; motion carried 2-0.

Litter Fence Panels: Commissioner McKay motioned to approve a quote from Metta Technologies for four Bull litter fence panels (20'x20'x50') for the Eureka Landfill in the amount of \$38,430.00 to be paid using monies budgeted for capital outlay (190-273-55010-000) in the Landfill Fund. Commissioner Sharkozy seconded the motion. Motion carried 2-0.

Waiver of Facility Fees: Commissioner McKay motioned to waive the facility fees for use of the Opera House on October 9th for funeral and memorial services honoring Wally Cuchine; Commissioner Sharkozy seconded the motion; motion carried 2-0.

Residential Water Services: Commissioner McKay motioned to approve a 3/4-inch residential water meter and service application for APN 007-380-50 located in Devil's Gate GID District 1; Commissioner Sharkozy seconded the motion; motion carried 2-0.

Commissioner McKay motioned to approve a 3/4-inch residential water meter and service application for APN 007-380-43 located in Devil's Gate GID District 1; Commissioner Sharkozy seconded the motion; motion carried 2-0.

NATURAL RESOURCES

Report on Activities: Natural Resources Manager Jake Tibbitts reported on recent activities.

Meetings: Mr. Tibbitts traveled to Elko recently to meet with representatives of Nevada Gold Mines and Nevada Department of Wildlife (NDOW) to discuss wildlife mitigation at the Goldrush Mine Project. NDOW has concerns that increased traffic will impact wildlife. Additionally, NDOW would like the mine to consider dewatering onto the landscape to create artificial wetlands for wildlife. This would violate mitigation measures governed by two 2018 Orders of the State Engineer, as well as the Settlement Agreement between the County and Barrick Gold US Inc.

On October 11th, Mr. Tibbitts and Commissioner McKay attended a meeting regarding update of the County's Comprehensive Economic Development Strategy (CEDs). On October 12th, Mr. Tibbitts, Jeb Rowley, and Raymond Hodson met with representatives of Gold Bar Mine regarding the mine's intent to build a new haul road to access the Gold Bar South Project. The group toured the entire length of the proposed route (which is roughed in), and reached some good solutions to mitigate impacts that could affect public traffic.

BLM Assessment – Ralston & Monitor Allotments: The BLM is analyzing whether to offer new grazing permits for the Ralston and Monitor Allotments. This requires the BLM to conduct a land health assessment. Mr. Tibbitts reminded the Board that grazing rights in these allotments were lost as a result of the decades-long legal battle involving the Wayne Hage family and Pine Creek Ranch.

Mr. Tibbitts is currently reviewing the 200-plus page Land Health Assessment & Evaluation for each of the allotments, and is preparing County comments for submission by the October 30th deadline.

Commissioner McKay motioned to authorize Mr. Tibbitts to continue review and submit comments to the BLM related to the Land Health Assessment & Evaluation for the Ralston Allotment and Monitor Allotment and authorized the Chairman to sign the letters outside of the meeting. Commissioner Sharkozy seconded the motion. Motion carried 2-0.

Mt. Hope Project / Bobcat Ranch: Mr. Tibbitts explained that the majority of water rights for General Moly's Mt. Hope Project belonged to the Bobcat Ranch and were eventually transferred to the mine. The mine currently leases the Bobcat Ranch to the Young Brothers (Ralph & Paul Young). In order to continue irrigating, water rights must be transferred back to the ranch or a temporary permit must be granted each year. The mine has no desire to transfer water rights at this time, and the State Engineer has informed the parties that he will not continue to grant temporary permits year after year.

Ralph Young reached out to Mr. Tibbitts asking that Eureka County submit a letter to the State Engineer. Mr. Tibbitts prepared a letter supporting the use of temporary permits on a year-by-year basis for continued irrigating at the Bobcat Ranch until those water rights are needed by the Mt. Hope Project.

Commissioner McKay motioned to send a letter to the State Engineer supporting continued but temporary use of Mt. Hope Project mining water rights for farming at the Bobcat Ranch, and authorized the Chairman to sign the letter outside of the meeting. Commissioner Sharkozy seconded the motion. Motion carried 2-0.

Hiring Freeze Waiver – Department Assistant: Mr. Tibbitts submitted paperwork justifying the need to fill the vacant Department Assistant position. Commissioner McKay motioned to waive the hiring freeze and authorize Natural Resources to fill the vacant Department Assistant position; Commissioner Sharkozy seconded the motion; motion carried 2-0.

CORRESPONDENCE

Correspondence was received from: Eureka Conservation District; Television District; Crescent Valley Volunteer Fire Dept.; Crescent Valley Town Advisory Board (6); Nevada Assoc. of Counties; Susan Lynn (Reno resident); Nevada Div. of Environmental Protection (5); Nevada Dept. of Health & Human Services; Nevada Water Resources Assoc. (4); Nevada State Demographer; UNR College of Agriculture newsletter; Nevada Health Link; Michael Arenberg; US Navy Intergovernmental Executive Committee; US Dept. of the Interior-BLM (2); USDA Forest Service; Senator Jacky Rosen (2); National Assoc. of Counties; HHS Office of Intergovernmental & External Affairs; and Governing E-news (multiple).

PUBLIC COMMENT

Commissioner Sharkozy called for public comments; there were none.

ADJOURNMENT

Commissioner McKay motioned to adjourn the meeting; Commissioner Sharkozy seconded the motion; the meeting was adjourned at 1:11 p.m.

Approved by vote of the Board this 21st day of February, 2023.

/s/ Rich McKay
Rich McKay, Chairman

I, Kathy Bacon-Bowling, Clerk Recorder of Eureka County, acknowledge and accept the attached minutes as approved by the Board of Eureka County Commissioners.

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