

EUREKA COUNTY BOARD OF COMMISSIONERS

June 20, 2023

STATE OF NEVADA)
 :SS
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 June 20, 2023. Present were Chairman Rich McKay, Commissioner Marty Plaskett, District Attorney Ted Beutel, Clerk Recorder Kathy Bowling, and Deputy Clerk Jackie Berg. Vice Chair Michael Sharkozy 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: Commissioner Plaskett motioned to approve the agenda as posted; Commissioner Sharkozy seconded the motion; motion carried 3-0.

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; 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)

No agenda items were requested at this time.

APPROVAL OF MINUTES

1. Approval of minutes of the April 20, 2023, Commission meeting. (For Possible Action)

Commissioner Plaskett motioned to approve minutes of the April 20, 2023, meeting; Chairman McKay seconded the motion; motion carried 2-0.

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 documentation and requested approval of the following:

- Senior Center Janitor/Kitchen Aide – waive hiring freeze
- DMV Technician/GIS/Department Assistant I/II/III – position description
- DMV Technician/GIS/Department Assistant II – promotion request
- Appraiser II – promotion request
- EMT II – promotion request

Commissioner Plaskett motioned to (a) waive the hiring freeze and authorize filling the position of Senior Center Janitor/Kitchen Aide; (b) approve the job description for DMV Technician/GIS/Department Assistant I/II/III; and (c) authorize internal promotions to DMV Technician/GIS/Department Assistant II, Appraiser II, and EMT II. Chairman McKay seconded the motion. Motion carried 2-0.

NEVADA PUBLIC AGENCY INSURANCE POOL

- | |
|--|
| 1. Discuss, approve, or deny accepting renewal proposal from Nevada Public Agency Insurance Pool and authorize payment with monies budgeted for Fiscal Year 2023-2024. (For Possible Action) |
|--|

Marshall Smith, Risk Manager with Nevada POOL/PACT, and Leah Gregory with Gregory Insurance presented the insurance renewal proposal for Eureka County for Fiscal Year 2024. Coverage includes property, liability, cyber security, and environmental liability. The renewal rate increased about 26% over the previous year, but they were able to limit the actual rate increase to 14%. The remaining rise in costs is attributable to the County's insured valuation, which increased due to addition of assets (vehicles and equipment). Ms. Gregory advised that some savings could be realized by increasing the deductible to \$5,000.00 (from \$2,500.00).

Mr. Smith described benefits that the County realizes from being a member of Nevada Public Agency Insurance Pool, including loss control and risk management programs, a variety of education and training, Human Resource management and consulting, legal updates and litigation trends, health and wellness resources, and grant programs.

Commissioner Plaskett motioned to approve the renewal proposal for Fiscal Year 2024 from Nevada Public Agency Insurance Pool, with an adjusted deductible amount of \$5,000.00, for a total of \$429,037.22. Chairman McKay seconded the motion. Motion carried 2-0.

COUNTY COMPTROLLER

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

Expenditures were presented by Comptroller Kim Todd.

Commissioner Plaskett motioned to approve expenditures in the amount of \$392,038.58 for accounts payable, \$256,380.15 for payroll and benefit related expenses (including employee paid deductions), and pass-through payments of \$62,838.58 to Nevada State Controller, \$476.98 to Nevada Department of Taxation, \$260.00 to Washoe County Crime Lab, and \$1,500.00 to N6 Grazing Board, for a grand total of \$713,494.29. Chairman McKay seconded the motion. Motion carried 2-0.

2. Review Fund Balance Report. (Discussion)

The Board reviewed the report showing current fund balances.

HEALTH INSURANCE ADVISORY COMMITTEE

1. Discuss, approve, or deny a recommendation to implement Employee Navigator, which will be used for online enrollment of employees into the medical, dental, vision, and life plans. *Note: This will go into effect July 1, 2023, and is being provided by LP Insurance at no cost to Eureka County.* (For Possible Action)

Jayne Halpin, Chair of the Health Insurance Advisory Committee, explained that LP Insurance Services (contracted broker) introduced the Committee to a digital platform that will streamline the insurance enrollment process for employees and provide an easier tracking mechanism for the Comptroller's office. LP Insurance is offering the program at no cost to Eureka County.

Commissioner Plaskett motioned to authorize implementation of Employee Navigator, online enrollment platform for employees in the group medical, dental, vision, and life insurance plans, effective July 1, 2023. Chairman McKay seconded the motion. Motion carried 2-0.

2. Discuss, approve, or deny a recommendation to appoint Jessica Santoyo to the Health Insurance Advisory Committee, representing the Courthouse, for the remainder of a two-year term through December 31, 2023. (For Possible Action)

The member who represented Courthouse employees is no longer employed with Eureka County and the Committee recommended appointment of Jessica Santoyo.

Commissioner Plaskett motioned to appoint Jessica Santoyo to the Health Insurance Advisory Committee representing the Courthouse, for the remainder of a two-year term through December 31, 2023. Chairman McKay seconded the motion. Motion carried 2-0.

COMMISSIONERS

1. Discuss, approve, or deny adopting resolution to join the Central Nevada Health District following the passage of Senate Bill 118 and State funding of the District. (For Possible Action)

Shannon Ernst, Director of Social Services for Churchill County, and Jeff Weed, Deputy District Attorney for Churchill County joined the meeting by telephone to answer questions concerning the Central Nevada Health District (CNHD).

Ms. Ernst and CNHD Interim Administrator Caleb Cage were present at the June 6th meeting to give a presentation on the Health District and to outline steps needed for the County to join, including a resolution. Senate Bill 118 provided State funding for CNHD and authorized non-contiguous counties to participate as members.

Commissioner Plaskett motioned to adopt a resolution to join the Central Nevada Health District and authorized the Chairman to sign the resolution outside of the meeting; Chairman McKay seconded the motion; motion carried 2-0.

RESOLUTION OF THE BOARD OF EUREKA COUNTY COMMISSIONERS
EUREKA COUNTY, NEVADA
A RESOLUTION REQUESTING TO JOIN THE CENTRAL NEVADA HEALTH DISTRICT

BE IT HEREBY RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, EUREKA COUNTY, NEVADA .

WHEREAS, Eureka County is a political subdivision of the State of Nevada; and

WHEREAS, Churchill County, Mineral County, Pershing County, and the City of Fallon, with approval of the State Board of Health on December 2, 2022, have created the Central Nevada Health District pursuant to NRS 439.370; and

WHEREAS, Eureka County may request to join the Central Nevada Health District as a member by adopting a resolution of its governing body requesting to join the Central Nevada Health District; and

WHEREAS, the Central Nevada Health District Board of Health may approve additional members to the Central Nevada Health District by a majority vote of all members of the Central Nevada Health District Board of Health.

NOW, THEREFORE, BE IT RESOLVED that the Board of Eureka County Commissioners, by unanimous vote, adopts this Resolution requesting to join the Central Nevada Health District and requests that the Central Nevada Health District add Eureka County as a member of the Central Nevada Health District.

BE IT FURTHER RESOLVED, that this resolution shall be effective on the 20th day of June, 2023.

PROPOSED AND ADOPTED this 20th day of June, 2023.

THOSE VOTING AYE:	Chairman McKay, Commissioner Plaskett
THOSE VOTING NAY:	None
THOSE ABSENT:	Commissioner Sharkozy

EUREKA COUNTY
BOARD OF COMMISSIONERS

/s/ Rich McKay
Rich McKay, Chairman

ATTEST: /s/ Kathy Bowling
Clerk of the Board

2. Discuss, approve, or deny proposing a draft ordinance governing Eureka County's participation in the Central Nevada Health District; and schedule date and time for a public hearing to consider said ordinance. *Note: This draft ordinance is an addition to the County Code; there is no local health district ordinance.* (For Possible Action)

Steps for joinder to the CNHD include adoption of an ordinance. Commissioner Plaskett motioned to propose a new Title to Eureka County Code adding an ordinance regarding the Central Nevada Health District, and motioned to schedule a hearing to consider the proposed

ordinance at 10:00 a.m. on July 19, 2023. Chairman McKay seconded the motion. Motion carried 2-0.

3. Discuss, approve, or deny a contract for the scope of work, record keeping, and financial obligations by and between the Central Nevada Health District and Eureka County. (For Possible Action)

The final step for the day was signing the contract between Eureka County and Central Nevada Health District. There are five member jurisdictions, including Eureka County. The others are Churchill County, City of Fallon, Mineral County, and Pershing County.

Ms. Ernst explained the members' financial obligations outlined in the contract's Scope of Work. There is an annual fee of \$100,000.00 plus \$5.00 per capita, approximately \$110,000.00 with Eureka County's population of 2,000. A contingency fee of 20% (of the annual rate and per capita fee combined) is required to build a contingency fund for CNHD. The contingency fee will only be collected in years when the fund drops below \$200,000.00.

Ms. Ernst briefly reviewed the services that will be provided by CNHD, noting that they will be implemented in stages. Until now, the State has provided these services under various contracts with Eureka County.

The County will need to appoint two members to the CNHD Board of Health. Lastly, Ms. Ernst offered to provide regular reports to the Board. Chairman McKay suggested quarterly updates.

Commissioner Plaskett motioned to approve the one-year Interlocal Agreement Between Central Nevada Health District and Eureka County effective July 1, 2023 through June 30, 2024, for a financial obligation of \$132,000.00 for the initial year. Chairman McKay seconded the motion. Motion carried 2-0.

4. Discuss and consider setting formal deadlines for submission of agenda items/requests and provision of backup materials for regular meetings of the Board of County Commissioners. (For Possible Action)

Chairman McKay opened a discussion and invited comments from all departments concerning deadlines for submitting agenda requests and backup materials. From his perspective as a Commissioner, he said it makes sense to have the agenda and backup materials in a timely manner to allow for adequate review.

Now that meetings fall on Tuesdays, Clerk Recorder Kathy Bowling suggested requiring agenda items the Tuesday prior to the meeting and backup items the Thursday prior to the meeting. Jackie Berg and Jeb Rowley both commented that there should be some flexibility for time sensitive items or those beyond a department's control. Kim Todd pointed out that, per County Code, vouchers are due to her office two working days before the meeting – which now falls on a Friday – so financial reports cannot be sent the Thursday before.

Chairman McKay and Commissioner Plaskett reached a consensus that the deadline for agenda requests will be the Tuesday prior to the meeting and deadline for submitting backup materials will be the Thursday before the meeting, with some accommodation for emergency items. They both felt that financial reports are received in sufficient time to review, so no change was needed there. Chairman McKay asked Ms. Berg to send notice of the new deadlines to all departments.

5. In anticipation of negotiating the clinical services contract with William Bee Ririe for Fiscal Year 2024, consider requesting a reduction to Eureka County's monthly stipend, based on financial reports that show a profit and higher reimbursement rates from Medicare and Medicaid due to certification of the Eureka Clinic as a Rural Health Clinic. (For Possible Action)

Chairman McKay explained that after reviewing a financial report on operation of the clinics, with a year-to-date positive balance of \$200,000.00, he asked William Bee Ririe to consider lowering the monthly stipend paid by Eureka County, effective with the new contract.

Commissioner Plaskett motioned to ratify the request for a financial reduction in the clinical services contract with William Bee Ririe for Fiscal Year 2024; Chairman McKay seconded the motion; motion carried 2-0.

6. Discuss, approve, or deny (a) proposing (as written or with modifications) an ordinance amending EUREKA COUNTY CODE, TITLE 2, EUREKA COUNTY COMMISSIONERS, by repealing the JANUARY 2023 EUREKA COUNTY COMMISSIONER LICENSE BOARD ORDINANCE and reinstating Title 2 to its former state so the Commissioners are no longer the County Licensing Board; and (b) scheduling a public hearing to consider adoption of said ordinance. (For Possible Action)

In late 2022, Sheriff Watts alerted the Liquor Board that the proper fees for liquor licenses were not being collected, and he suggested it was time to update the liquor ordinance. Discussions led to the Commissioners proposing an ordinance to create a Licensing Board that would merge with the Liquor Board. This action was taken and amended Title 2 (Commissioners) of County Code.

The changes necessitated updating references to the Liquor Board in Title 4 of County Code, but this was not done. In April, the District Attorney sent a memorandum outlining two options. The Board could make the necessary changes to Title 4, or it could rescind the Licensing Board Ordinance and reinstate the Liquor Board.

Chairman McKay said he initially felt combining the Boards would make things more efficient and transparent, but unforeseen issues have come up. Based on this, the Board decided to repeal the Licensing Board Ordinance and reinstate the Liquor Board.

Commissioner Plasket motioned to propose an ordinance amending Eureka County Code, Title 2, Eureka County Commissioners, by repealing the January 2023 Eureka County Commissioner License Board Ordinance and reinstating Title 2 to its former state so the Commissioners are no longer the County Licensing Board. Chairman McKay seconded the motion. Motion carried 2-0.

Commissioner Plaskett motioned to schedule a public hearing to consider said ordinance at 10:15 a.m. on July 18, 2023; Chairman McKay seconded the motion; motion carried 2-0.

LICENSING BOARD

1. Discuss, approve, or deny new liquor license applications, including single event applications, if any. (For Possible Action)

Sheriff Jesse Watts reported that no new liquor license applications were received. He was informed that someone intends to apply for a single event license for El Tapatio for the 4th of July, but paperwork has not yet been received.

2. Report on issuance of any special event licenses for the quarter beginning April 1, 2023. *Note: A special event license allows a Eureka County license holder to serve/sell liquor at an event that takes place away from their normal place of business after mandatory written notice has been provided at least three days in advance of the event.* (For Possible Action)

Sheriff Watts reported no special event licenses were issued in the last quarter, but he anticipates some in the upcoming quarter due to events in July and the County Fair in August.

3. Discuss, approve, or deny liquor license quarterly renewals. (For Possible Action)

Sheriff Watts provided the Board with a list of licenses eligible for quarterly renewal.

Chairman McKay stated that his participation in quarterly approvals would not include the license for McKay Eureka Enterprises. Commissioner Plaskett motioned to approve liquor license renewals for the quarter ending September 30, 2023. Chairman McKay seconded the motion. Motion carried 2-0.

Lic. No.	Business Name	Licensee	Type	Fee
5891	Raines Market	Lee Raine	Pkg B&L	\$15.00
5892	Catering by Darlene/Silver Sky Lodge	Darlene Moody	Ret/Liq	\$30.00
5893	Crescent Valley Market	Jasbir Kaur Dhillon	Pkg B&L	\$15.00
5894	Bunny Trails RV Park, LLC	Jeffrey A. Lynn	Ret/Liq	\$30.00
5895	Owl Club	Eleny Carrion Mentaberry	Ret/Liq	\$30.00
5896	Chevron	Giovani Minoletti	Pkg B&L	\$15.00
5897	Eureka Restoration Enterprise	Garney Damele	Ret/Liq	\$30.00
5898	Urban Cowboy Bar & Grill	Maria del Refugio A. Urena	Ret/Liq	\$30.00
5899	McKay Eureka Enterprises	Richard A. McKay	Ret/Liq	\$30.00
5900	Two Bitch Spirits LTD	Joseph Luby & Lauren Luby	Ret/Liq	\$30.00
5901	Sacha's Sugar Shack	Sasha Noel Olsen	Ret/Liq	\$30.00
5902	The Ranch House	Jerry Cecil Barton	Ret/Liq	\$30.00
5903	Cortez General Store LLC	Russell Dee Bishop	Pkg B&L	\$15.00
5904	Bunkhouse Station	Bradford Seevers	Ret/Liq	\$30.00
5905	Cuda's Winery & Italian Restaurant	Ralph Cuda	Ret/Liq	\$30.00
5906	LOCE Enterprises LLC dba Clementine's Steakhouse	Carrie DuBray	Ret/Liq	\$30.00
5907	Gina's	Gina DeValera	Ret/Liq	\$30.00
5908	Brown Brothers	Philip Brown	Ret/Liq	\$30.00
5909	Eureka Supply	Anne Kniefel	Pkg B&L	\$15.00
5910	Eureka Gold Hotel LLC dba Jackson House	Lakhvir Sodhi	Ret/Liq	\$30.00
5911	Tall Bike Ed's Unlimited dba Miss Dana's	Dana Lee Freund	Ret/Liq	\$30.00
5912	Shawn Inc. dba Bhairav Place	Brushan Bansal	Ret/Liq	\$30.00

1. Discuss, approve, or deny signing a two-year contract with Walker & Associates for lobbyist and other professional services for the period of July 1, 2023, through June 30, 2025, at an annual cost of \$24,000.00 (\$2,000.00/month). (For Possible Action)

Steve Walker described his background in natural resources and range management, noting that he has done contract work for Eureka County over the past 14 years. His Walker & Associates partner, wife Mary, is a CPA with extensive finance experience.

The new Walker & Associates contract includes the upcoming interim year as well as the next Legislative year. Mr. Walker noted that, with recent trends, legislation is much more likely to come out of interim committees than it used to, and activity will be followed closely.

Commissioner Plaskett motioned to approve a two-year contract with Walker & Associates for lobbyist and other professional services, July 1, 2023, through June 30, 2025, at an annual rate of \$24,000.00, billed monthly. Chairman McKay seconded the motion. Motion carried 2-0.

2. Recap of the 2023 Nevada Legislative Session and anticipated activity during the interim period. (Discussion)

Mr. Walker said the 82nd Session was a tough one. The Walkers monitored 433 bills, with nearly 400 reported to staff in Eureka County. For the most part, favorable bills passed, and they were able to help kill or amend the onerous ones. One disappointment was the inability to get momentum on an elected officials salary bill for counties.

One 'win' was addition of an emergency measure to AB 518, which Mr. Walker credited to Mary. The bill basically forced rural counties – judges, district attorneys, and public defenders – to work uncompensated on weekends (due to mandatory 48-hour hearings). The bill was amended to provide compensation in the form of a weekend stipend.

Mr. Walker said water bills are always important, and rural Nevada is fortunate to have Jake Tibbitts tracking movement and providing tons of relevant input. In regard to water bills, Mr. Walker said, *"I basically do what Jake tells me to do!"*

Commissioner Plaskett said the County's legislative representatives and Mr. Walker make an invaluable team. On behalf of Eureka County and on a personal level, he thanked Mr. Walker for his work on water issues and what he has done for Diamond Valley.

Chairman McKay echoed the sentiments, saying Mr. Walker's communication with the team in Eureka was excellent, which allowed him to provide the County's most recent and relevant input, while taking some of the burden off staff who simply couldn't be there every day.

AMBULANCE & EMS

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

EMS Director Kenny Sanders reported there were a total of 28 runs in May, 18 from the Eureka station and 11 from the Crescent Valley station. A total of six patients were transported to hospitals, and seven were transferred to air medical services (six to MedX AirOne and one to Reach Air).

The two staff members in Crescent Valley successfully completed a CPR stretcher course and will be conducting CPR classes in the Crescent Valley area, open to any interested parties. The State conducted its annual ambulance inspection in Eureka, and will inspect Crescent Valley when they have staff in the area.

SANDIA NATIONAL LABORATORIES

1. Discuss and consider a request to utilize the Eureka Airport for the period surrounding and including the September 24, 2023 re-entry of NASA's OSIRIS-REx spacecraft, including the following: (a) permission to deploy ground sensors on unused areas prior to and including the day of re-entry; (b) permission to close the dirt runway for several days, if needed; (c) permission to use the airport facility for balloon launches on the morning of the event; and (d) permission to suspend aircraft operations for approximately one-half hour on the morning of the event. (For Possible Action)

On September 24, 2023, NASA's OSIRIS-REx spacecraft will re-enter the earth's atmosphere and will pass directly over the Eureka Airport. It will then deposit a canister containing asteroid material in the Utah desert before returning to space on an extended mission.

Sandia National Laboratories in collaboration with Los Alamos National Laboratory, Technical Data Analysis Inc., and NASA Jet Propulsion Laboratory, is leading a seismo-acoustic campaign to study and record earth movement and sound resulting from flight of OSIRIS-REx.

The team consisting of Elizabeth Silber, Danny Bowman, Michael Fleigle, Chris Carr, Siddharth Krishnamoorthy, and David Eisenberg, joined the meeting by telephone. They explained that members of their team visited Eureka the first week in June and toured the airport with Assistant Public Works Director Jayme Halpin.

Dr. Silber said the craft should be visible from the airport if the sky is clear. The sound may be audible to some degree, but will probably be more like a rumble. The team narrated a slide presentation outlining in detail the various equipment, testing, and activities that will take place at the airport in the days preceding and on the day of re-entry.

The group concluded by expressing their excitement about the event and thanking the Board for allowing them the opportunity.

Commissioner Plaskett motioned to approve the request from Sandia National Laboratories and colleagues to utilize the Eureka Airport in the days surrounding the September 24th flight of OSIRIS-REx for various activities and testing as described. Chairman McKay seconded the motion. Motion carried 2-0.

TREASURER

1. Review Treasurer's Report for May 2023. (Discussion)

The Treasurer's Report for May was submitted by Treasurer Pernecia Johnson, showing an ending General Fund balance of \$53,082,793.12. She reported that Eureka County has received the bulk of its net proceeds of minerals allocation in the amount of \$8.5 million. These are the proceeds from Nevada Gold Mines, the largest producer, for its several mine operations in Eureka County. Ms. Johnson said the disbursement from the remaining mines won't be substantial.

Ms. Johnson noted that net proceeds payments are typically received by the end of May. They were delayed this year because the State decided to deduct the school portion before allocating to the counties. Treasurers across the State voiced their protest because of the negative impact this will have on Assessor Technology Funds.

SHERIFF

1. Discuss, approve, or deny a temporary credit limit increase of \$1,500.00 (for a total credit limit of \$2,000.00) for the purchasing card issued to Deputy Nick Harris to cover travel and lodging costs related to Nevada Division of Investigation training scheduled July 26th-30th in Ely; and Defensive Tactics Instructor training scheduled August 6th-10th and August 13th-17th in Las Vegas. (For Possible Action)

Sheriff Jesse Watts said Deputy Harris will incur travel and lodging costs related to training in Ely on surveilling and extracting illegal marijuana grows and defensive tactics instructor training in Las Vegas.

Commissioner Plaskett motioned to approve a temporary credit limit increase of \$1,500.00 (\$2,000.00 total) on the purchasing card issued to Deputy Nick Harris for travel and lodging costs related to training. Chairman McKay seconded the motion. Motion carried 2-0.

COUNTY FACILITIES

1. Report on activities and projects at County managed facilities. (Discussion)

Jeb Rowley reported on activities at County facilities in the past month. The Opera House had 112 visitors in May, an increase to the April count of 68 visitors. Events included the Old Time Fiddlers Contest, Baccalaureate, Alumni Dinner, VFW Memorial Day ceremony, and scheduled entertainment.

The Sentinel Museum had 93 visitors for the month. The Swimming Pool had 59 swimmers for private lessons in May. The Landfill compacted 460 tons of waste for the month. The crew is making good progress at the Fairgrounds and the roping chutes will be placed this week.

A one-year extension has been filed for upgrades to the elevators in the Opera House and Courthouse. They will require door restrictors and monitoring systems to bring them up to code. Silver State Elevator provided a quote showing the costs will be about \$25,000.00 for each elevator.

LOCAL EMERGENCY PLANNING COMMITTEE

1. Discuss, approve, or deny accepting Fiscal Year 2024 State Emergency Response Commission (SERC) Grant Award #24-SERC-07-01, in the amount of \$33,985.00, to be utilized for equipment and operations. (For Possible Action)

Jeb Rowley sought Commission approval for the annual SERC OPTE Grant that provides funds for operations, planning, training, and equipment. LEPC met on June 6th and voted to use the Fiscal Year 2024 grant to purchase extrication equipment.

Commissioner Plaskett motioned to accept the Fiscal Year 2024 State Emergency Response Commission (SERC) Grant Award #24-SERC-07-01, in the amount of \$33,985.00; Chairman McKay seconded the motion; motion carried 2-0.

PUBLIC WORKS

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

Public Works Director Jeb Rowley reported on department activities, as follows.

Crescent Valley Municipal Water Tank: The painting project for the municipal water tank in Crescent Valley will begin on June 26th. This is an extensive project that includes sandblasting the interior and exterior, surface preparation, recoating/painting, finishing work, and sanitizing.

Road Project: The road project is on schedule. The contractor is working in Crescent Valley pulverizing asphalt to prepare for application of CTB (cement treated base). In Eureka, the focus is on utilities – water and sewer lines.

Flooding: FEMA will be in Eureka the first week in July to do an on-site inspection. This will help identify the scope of work for repairs related to flood damage.

Facebook Page: The Eureka County Facebook page has been launched. Mr. Rowley said it will be a great tool for notifying the public of various events, such as progress of road and utility construction and repairs.

NATURAL RESOURCES

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

Administrative Assistant Hallee DeChambeau attended the meeting on behalf of Jake Tibbitts. She said natural resource updates will be provided at a future meeting. For the remaining agenda items, Mr. Tibbitts had provided backup materials to the Board along with a recommendation to approve.

2. Discuss and consider response to BLM proposed regulations to “prioritize the health and resilience of ecosystems across BLM managed lands,” otherwise known as the Public Lands Rule. (For Possible Action)

Commissioner Plaskett motioned to send a response to BLM on proposed regulations to “prioritize the health and resilience of ecosystems across BLM managed lands, “ otherwise known as the Public Lands Rule, and authorized the Chairman to sign the letter outside of the meeting. Chairman McKay seconded the motion. Motion carried 2-0.

3. Discuss and consider response to wild horse management issues in and affecting Eureka County including, without limitation, consideration of a declaration of emergency regarding wild horse impacts. (For Possible Action)

Commissioner Plaskett motioned to adopt a resolution declaring a State of Emergency in regards to wild horses in and affecting Eureka County; Chairman McKay seconded the motion; motion carried 2-0.

RESOLUTION
OF THE EUREKA COUNTY BOARD OF COMMISSIONERS
DECLARING A STATE OF EMERGENCY IN REGARDS TO WILD HORSES
IN AND AFFECTING EUREKA COUNTY WITH A CALL TO ACTION

WHEREAS, the wild horse herd in Eureka County are currently many times greater than the number deemed to be the Appropriate Management Level (AML) by federal law; and

WHEREAS, based on the Bureau of Land Management's own numbers, the Herd Management Areas (HMA) within or affecting Eureka County, on average, are at least 330% of their *high end* established AML and at least 606% of their low end established AML. Many allotments within HMAs are over 500% of AML and a couple are nearing 1000% of AML;

WHEREAS, current estimates state the horse populations will double every five years without any measures to cull the herds; and

WHEREAS, the multiple use concept of public lands requires adequate and balanced management of all the lands uses, including grazing for livestock and forage for wildlife; and

WHEREAS, although horses compete with other wildlife and livestock for forage, livestock are actively managed and wildlife numbers are kept at sustainable levels; and

WHEREAS, wild horse populations are expanding outside of HMAs; and

WHEREAS, horse herds have destroyed fences, property, and crops of county ranches; and

WHEREAS, overpopulation and subsequent over-utilization of resources by wild horses continues to (1) degrade rangelands and water sources that BLM and permittees have invested substantial time and money in improving; (2) diminish habitat and forage for sage grouse and other upland birds, mule deer and wildlife and livestock; and (3) impair watersheds that provide water, clean air, and natural amenities to our citizens. The result is severe detrimental impacts to rangeland health, our citizens' health and welfare, and our long-term socioeconomic stability; and

WHEREAS, many springs throughout the county have been severely damaged by wild horses dying of thirst, and desperate for water. Those springs are critical for livestock and the many species of wildlife that grace Eureka County and are fully appropriated by others that are being deprived of use of their water rights; and

WHEREAS, an estimated 50,000 wild horses are currently maintained by the federal government in holding facilities that cost taxpayers \$50 million a year, which consumes most of the \$67 million budgeted annually for the management of wild horses; and

WHEREAS, Eureka County has relentlessly exhorted and begged BLM to manage the wild horses within and surrounding Eureka County at AML and in a "thriving natural ecological balance."

NOW THEREFORE BE IT RESOLVED, that Eureka County declares a state of emergency over the excess wild horse herds being allowed to degrade our landscape, damage our water sources, decimate our wildlife and inflict devastating financial hardships on county ranchers; and

BE IT FURTHER RESOLVED, that Eureka County calls on the State of Nevada, as an equal sovereign to the federal government, and our Congressional representatives to protect the people, economy, and wildlife in Eureka County by demanding that wild horse herd numbers declared appropriate through the Wild and Free Roaming Horses and Burros Act, as amended, be enforced through all measures identified in the Act.

Passed, Approved and Adopted this 20th day of June, 2023.

EUREKA COUNTY BOARD OF COMMISSIONERS

By: Rich McKay
Rich McKay, Chairman

By: Michael Sharkozy
Michael Sharkozy, Vice Chairman

By: Marty Plaskett
Marty Plaskett, Member

Attest: Kathy Bowling
Katherine J. Bowling, Clerk Recorder

4. 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 increasing, maintaining, decreasing, and in similar ways managing the overall monitoring program. (For Possible Action)

Dale Bugenig, Consulting Hydrogeologist, gave a detailed update and slide presentation showing results of groundwater monitoring in Diamond Valley, which has been ongoing for 11 years. The monitoring network is comprised of data loggers installed on a dozen wells to track groundwater levels. This includes 11 wells in Diamond Valley and one at the gravel pit in Kobeh Valley (added in 2020). Half of the loggers are maintained by Eureka County (installed in 2011) and half are maintained by Diamond Natural Resources Protection & Conservation Association (installed in 2013).

When Mr. Bugenig retrieved the data for the past quarter, he expected to see a significant change in water levels in response to the flooding in March followed by rapid snow melt. But surprisingly, the changes were rather moderate.

A few wells showed a notable increase in positive recharge following the seasonal drawdown. This may be in response to the flooding, particularly in the northern wells. The southern wells are impacted by a widespread clay later that separates the shallow aquifer from the deeper zone, slowing the rate of groundwater recharge in the deeper zone.

The well in Kobeh Valley had an interesting, although more anticipated, response to the flooding and showed substantial recharge. This well is in bedrock and not part of the Diamond Valley aquifer and, as noted earlier, was added to the monitoring network in 2020.

While overall groundwater levels in Diamond Valley continue to decline, Mr. Bugenig believes some data indicates recovery in the aquifer. This includes a departure from the downward trend

in the February-March timeframe, and a rise in water levels in the shallow wells. This can be attributed, at least in part, to a decrease in pumping due to the abundance of water.

Commissioner Plaskett pointed out that there was significant snow melt in the fields even prior to the flood event that likely attributed to some of the recharge.

In conclusion, Mr. Bugenig gave a recap of the groundwater monitoring infrastructure. A northern well in Section 10 was eliminated from the network in 2019. Nine loggers have been replaced since monitoring began in 2011. Four data loggers are equipped with external battery packs, and one logger is in inventory in the event of a failure.

VETERANS OF FOREIGN WARS POST 8194

- | |
|---|
| <ol style="list-style-type: none">1. Discuss, approve, or deny a request for a donation of \$1,000.00, to be paid from the miscellaneous grants account (010-001-53010-085) in the Commissioners' budget, to support the 37th Annual Mid-Summer Classic Softball Tournament scheduled in Eureka on July 15-16, 2023. (For Possible Action) |
|---|

Elden Allred, Post Commander, explained the VFW was seeking a donation for its annual softball tournament. The Recreation Board has asked its grantees to find additional donors for events, so the VFW reached out to businesses and area mines and has received some commitments.

Mr. Allred said the event is a bit more expensive this year because they are hosting a "wood bat only" event, and it will cost \$1,300.00 to provide bats for a 12-team tournament. Any donations received in excess of tournament costs will be used for facility improvements.

Commissioner Plaskett motioned to approve the request from VFW Post 8194 for a \$1,000.00 donation to support the 37th Annual Mid-Summer Classic Softball Tournament scheduled July 15th-16th, 2023, to be paid with monies budgeted for miscellaneous grants in the Commissioners' budget for Fiscal Year 2024. Chairman McKay seconded the motion. Motion carried 2-0.

DIAMOND VALLEY GRANGE

- | |
|--|
| <ol style="list-style-type: none">1. Discuss, approve, or deny a request to waive the facility rental fees for use of the Eureka Fairgrounds building to hold regular meetings of the newly formed Diamond Valley Grange. <i>Note: The group plans to meet weekly during the startup phase and, thereafter, plans to meet twice a month. Diamond Valley Grange was recently granted chartered status by National Grange of the Order of Patrons of Husbandry, and is in the process of securing nonprofit status with the State of Nevada.</i> (For Possible Action) |
|--|

Addie Callahan commented that the community has done a great job coming together to form the Diamond Valley Grange. She explained that, similar to the 4-H organization, the Grange is centered around agriculture, but is geared to the entire community and not only youth.

The group plans to engage Crescent Valley and Duckwater, and has an upcoming meeting in Austin to see if there is interest or a need. The group will meet in different locations to engage these other communities, but would like to hold regular meetings at the Eureka Fairgrounds.

Commissioner Plaskett motioned to waive the facility rental fees to allow the Diamond Valley Grange to hold regular meetings in the building at the Eureka County Fairgrounds; Chairman McKay seconded the motion; motion carried 2-0.

EUREKA COUNTY FAIR BOARD

1. Discuss and consider ratifying the resignations of Holli Else, effective October 25, 2022, and Michaela Etzenberger, effective August 1, 2021, from the Eureka County Fair Board. (For Possible Action)

It was recently discovered that there were changes in Fair Board membership that required ratification by the Commissioners. Commissioner Plaskett motioned to accept the resignations of Holli Else and Michaela Etzenberger from the Eureka County Fair Board; Chairman McKay seconded the motion; motion carried 2-0.

2. Discuss, approve, or deny ratifying appointment of Jaylene Callister to the Eureka County Fair Board, retroactively to September 1, 2021, for the remainder of a four-year term through December 31, 2023. (For Possible Action)

Commissioner Plaskett motioned to ratify appointment of Jaylene Callister to the Eureka County Fair Board, retroactively to September 1, 2021, for the remainder of a four-year term through December 31, 2023. Chairman McKay seconded the motion. Motion carried 2-0.

CORRESPONDENCE

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

Correspondence was received from: Eureka County High School; District Attorney Ted Beutel (2); Comptroller Kim Todd; Natural Resources Advisory Commission; Tri-County Meeting; Walker & Associates; Nevada Gold Mines; Nevada Public Agency Insurance Pool; UNR CABNR monthly newsletter; Nevada Div. of Environmental Protection; Senator Ira Hansen; Sandia National Laboratories; US Dept. of the Interior-BLM (2); Elected Officials to Protect America; Grant Match Corp. (2); National Assoc. of Counties; and America First Works.

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

There were no reports from the Board.

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; 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 were no additional agenda requests.

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 12:50 p.m.

Approved by vote of the Board this 17th day of October, 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 June 20, 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