

EUREKA COUNTY BOARD OF COMMISSIONERS

November 18, 2022

STATE OF NEVADA)
 :ss
COUNTY OF EUREKA)

CALL TO ORDER

The Board of Eureka County Commissioners met pursuant to law on November 18, 2022. Present were Chairman J.J. Goicoechea, Vice Chair Michael Sharkozy, Commissioner Rich McKay, and Eureka County Deputy Clerk Brandy Mahoney. District Attorney Ted Beutel and Administrative Assistant Jackie Berg were 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 and utilized between Crescent Valley and Eureka for the entire meeting.

APPROVAL OF AGENDA

Commissioner Sharkozy motioned to change the order of the Comptroller and Treasurer (the Treasurer was placed after the Comptroller). Commissioner McKay seconded the motion; motion carried 3-0.

PUBLIC COMMENT

Chairman Goicoechea opened the floor for public comments.

Brandy Mahoney read a letter from Michael Gilbert, a resident of Beowawe, Nevada regarding the Eureka NewGen Farms, LLC. Mr. Gilbert informed the Board that he is in favor of cultivation and wholesale marijuana, but is not in favor of allowing retailers of marijuana in Eureka County.

Sheriff Jesse Watts asked for a moment of silence for two residents of Eureka County that had recently passed, Sandy Spoo and Jonny Brown.

COMPTROLLER

Payment of Expenditures: Expenditures were presented for approval by Comptroller Kim Todd. Commissioner Sharkozy motioned to approve expenditures in the amount of \$280,414.53 accounts payable, \$230,631.89 for payroll and benefit related expenses. For a grand total of \$511,046.42. Commissioner McKay seconded the motion. Motion carried 3-0.

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

TREASURER

Treasurer’s Report: The Treasurer’s Report for October was submitted by Treasurer Pernecia Johnson showing an ending General Fund Balance of \$47,683,005.51.

COMMISSIONERS

Ratification of Stipulation for case number 3:22-cv-00190-ART-CLB: Chairman Goicoechea was previously selected by the Board to appear as Eureka County client representative during settlement negotiations for case number 3:22-cv-00190-ART-CLB. Sheriff Watts was present with counsel during negotiations. Commissioner McKay motioned to approve the ratification of a Stipulation for Dismissal with Prejudice in the matter of 3:22-cv-00190-ART-CLB. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

District Attorney: There was brief discussion regarding the need to retain outside counsel to handle the numerous public records requests forwarded to the District Attorney’s Office and that Office needing assistance with processing the multitude of requests. Commissioner McKay motioned to authorize the District Attorney to continue to contract with outside counsel on an

hourly fee basis to assist with responding to numerous public records requests (given the timeframe in State law for responding to the requests, the District Attorney has already contacted and preliminarily secured, pending approval by the Board, the services of Marquis Aurbach) at the billable rate of \$250/hour for partners, \$210/hour for associates and \$110/hour for law clerks/paralegals, to be paid out of the District Attorney contract services budget 010-024-53010-058. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Eureka NewGen Farms, LLC: Attorney Katie McConnell, Esq. addressed the Board and presented a proposal for Eureka NewGen Farms, LLC regarding a plan to institute a Marijuana Business License to allow Eureka NewGen Farms to operate a commercial cannabis facility in Eureka County. Sheriff Jesse Watts and Undersheriff Tyler Thomas informed the Board that they are for the proposal by Eureka NewGen Farms, LLC. Chairman Goicoechea raised the issue of the will of the people in the 2016 Election, where an overwhelming percentage of Eureka County residents opposed legalizing cannabis in the state (63% of Eureka County voters voted "no"). Commissioner Sharkozy motioned to deny the request for Eureka NewGen Farms, LLC regarding a plan to institute a Marijuana Business License to allow Eureka NewGen Farms to cultivate and/or operate a commercial cannabis facility in Eureka County. Commissioner McKay seconded the motion. Motion carried 3-0.

AMBULANCE AND EMS

EMS Update: EMS Director Kenny Sanders reported there were a total of 26 calls for service for the month of October. Three patients were transferred to MedX Air, three patients were transferred to Reach Air, two patients were transferred to White Pine, one patient was transferred to Battle Mountain, and three patients were transferred to Northeastern Nevada Hospital. There was a standby for the football games and a request to be on standby for the basketball games.

COVID/Flu Clinic: There was a COVID/Flu vaccine clinic for both Eureka and Crescent Valley. Eureka administered 32 Flu vaccines and 19 COVID boosters (13 Moderna COVID boosters, and 6 Pfizer COVID boosters). Crescent Valley administered 1 Flu vaccine and 2 COVID boosters (1 Moderna COVID booster and 1 Pfizer COVID booster).

Credit Limit Increase: Jeanette Oakes is interested in attending the North American Rescue program in order to obtain her Advanced EMT Licensing. In order to attend a credit limit increase to \$1,105.14 is needed (\$500.00 credit limit). Commissioner McKay motioned to approve the one-time credit limit increase in the amount of \$1,105.14, on the County credit card issued to Jeanette Oakes in order to attend North American Rescue for the practical skills and testing for her Advanced Emergency Medical Technician Licensing in Las Vegas on December 4-11, 2022. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

SENIOR CENTERS

Senior Centers Update: Senior Center Program Director Millie Oram reported on activities at the Eureka Senior Center and the Fannie Komp Senior Center. The stove in Crescent Valley is working and everything else is working well. In October, Eureka served 797 meals and Crescent Valley served 883 meals. A total of \$10,059.74 was deposited for the month.

CLERK RECORDER

Canvass General Election: Clerk Recorder Kathy Bacon-Bowling introduced Annette Hayward, Elections Administrator to the Board. Ms. Bacon-Bowling and Ms. Hayward presented the abstract of the vote to the Commissioners to canvass the returns. Ms. Bacon-Bowling informed the Board that 67% of Eureka County registered voters casted a ballot. Commissioner McKay motioned to approve canvassing and returns and motioned to approve the abstract of the vote for the 2022 General Election held November 8, 2022. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

ASSESSOR

Tax Roll: Commissioner McKay motioned to adopting a resolution directing the County Assessor to post and publish a notice of completion and availability of the secured tax roll, which includes a list of all taxpayers on the secured roll in Eureka County, along with total valuation of properties on which they will pay taxes. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

SHERIFF

Lander County Sheriff's Office – LEMSJX software: Sheriff Jesse Watts informed the Board the State of Nevada is switching software programs which the Sheriff's Office uses to run criminal histories and driver histories. Lander County has received a grant that covered over \$30,000.00 and the participating counties and/or agencies would need to match a small portion of the grant. Sheriff Watts informed the Board there are currently eight other agencies who use RIMS and are a part of this process, these agencies include White Pine, Lander, Pershing, Winnemucca PD, Storey County, Lovelock PD and Eureka for a total of seven agencies. Chairman Goicoechea motioned to approve paying \$4,700 to Lander County Sheriff's Office for the State LEMSJX software conversion, which Lander County received a grant for the majority of overall cost. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Emergency Credit Card Increase: Chairman Goicoechea informed the Board Sheriff Watts made the request the previous week because he was travelling to Las Vegas and was in need of this emergency increase. Sheriff Watts informed the Board that he bought an indigent individual a bus ticket and needed an emergency increase to his Credit Card due to this \$355.00 purchase. Commissioner McKay motioned to approve ratifying a one-time emergency purchase increase for County credit card issued to Jesse Watts in the amount of \$355.00 due to indigent assistance on November 11, 2022. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Permanent Credit Limit Increase: Sheriff Watts asked for a permanent \$3,000 limit increase on the County credit card issued to himself and Undersheriff Tyler Thomas due to recent requests being made for Search and Rescue. Chairman Goicoechea had some concerns with being transparent and conservative with spending money. Chairman Goicoechea does not see a problem with authorizing emergency increases but does not agree with the permanent increases. Chairman Goicoechea would like to see Public Works work on authorization for emergency fueling if necessary. Commissioner Sharkozy agreed that if these increases were approved, the County would be moving backwards. Commissioner McKay motioned to approve a permanent credit limit increase, to \$3,000.00, on the County credit cards issued to Jesse Watts and Tyler Thomas in order to accommodate ordering and purchasing supplies, incidental purchases and operational costs. The motion was not seconded. Motion dies due to lack of a second.

ROAD DEPARTMENT

Nevada Gold Mines: Public Works Director Jeb Rowley informed the Board Nevada Gold Mines would like to install signage along the JD Road in an effort to reduce NGM related vehicle impacts to wildlife. Commissioner McKay motioned to approve a request from Nevada Gold Mines (NGM) to install signage along the JD Road, including any County standards and requirements for placement of signage, in an effort to reduce NGM related vehicle impacts to wildlife. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

LOCAL EMERGENCY PLANNING COMMITTEE

ZUMRO Air Shelters USA, LLC: Commissioner Sharkozy motioned to approve the decontamination tent from ZUMRO Air Shelters USA, LLC, in an amount not to exceed \$14,334.68, utilizing funds budgeted in capital outlay 010-039-5501-000 in the LEPC budget as

approved in the Fiscal Year 2023 SERC OPTE Grant (23-SERC-07-01). Commissioner McKay seconded the motion. Motion carried 3-0.

PUBLIC WORKS

Public Works Update: Public Works Director Jeb Rowley reported on projects and activities and presented the building and facilities report for the month of October. There were 139 visitors at the Opera House and 115 visitors at the Museum. The Swimming Pool still has reduced hours. There will be lifeguard training on November 26th and 27th for five attendants at the pool. The draft report for the Sheriff's Office building is due December 2nd and the final is due December 19th.

Hiring Freeze Waiver: Commissioner Sharkozy motioned to approve authorizing Public Works to fill the position of Landfill Equipment Operator I/II. Commissioner McKay seconded the motion. Motion carried 3-0.

Promotion Request: Jeb Rowley asked the Board to review a Promotion Request and consider promoting an employee to Casual Manager at the Swimming Pool. If a Casual Manager were to be hired it would help with increasing the hours of operation. Commissioner Sharkozy motioned to approve authorizing the Public Works Director to promote an employee to Casual Manager at the Swimming Pool. Commissioner McKay seconded the motion. Motion carried 3-0.

NATURAL RESOURCES

Report on Activities: Natural Resources Manager Jake Tibbitts reported on current and emerging natural resource issues affecting Eureka County. Mr. Tibbitts attended the NRCS State Technical Advisory Committee meeting on November 9th. The State NRCS has an acting State Conservationist named Suzie Dobbert. NRCS is asking for assistance from the counties and from the Conservation Districts to help get funding to the right places with the right producers. Mr. Tibbitts believes there are some opportunities for water conservation range improvement.

Mr. Tibbitts attended the ENRAC meeting on November 9th. Mr. Tibbitts attended the State Land Use Planning Advisory Council meeting on November 10th and there was a request that the council send a letter to the National Director of BLM supporting Nevada BLM efforts for the statewide RMP process. The letter did pass but with some caveats taking into account local interest and insuring coordination with local governments.

Mr. Tibbitts attended and moderated the Nevada Association of Conservation District meeting in Fallon, and the main focus was on water, Make Every Drop Count. It was a Legislative and Policy Panel that included Senator Goicoechea, Senator Elect Robin Titus, Assemblyman Howard Watts from Las Vegas who Chairs the Natural Resources Committee, Doug Busselman from the Farm Bureau, Jeff Fontaine from the Humboldt River Basin Water Authority, the Central Nevada Region Water Authority, and Michele Fairbank from the State Engineers Office. Legislators do not want to push anything this session regarding water, they want it to be a light water session.

Upcoming Meetings: I-80 Gold will be hosting their Townhall Meeting on November 30th at the Opera House. I-80 Gold's exploration has resulted in not only gold but silver and base metals.

BLM: The Board discussed and considered responses to BLM Stone Cabin Complex Wild Horse Gather Plan Draft Environmental Assessment. The motion is to capture the same points as previously discussed and to also ask the BLM to make those changes so they don't continue to comment on the letter every time. Commissioner McKay motioned to approve the BLM Stone Cabin Complex Wild Horse Gather Plan Draft Environmental Assessment with modifications to be signed outside of the meeting. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

CORRESPONDENCE

Correspondence was received from: NACO Veterans Newsletter, Cindy Beutel, RBA Board, US Naval Air Station, DEP, Nevada Gold Mines, Public Works, and I-80 Gold.

PUBLIC COMMENT AND DISCUSSION

Chairman Goicoechea called for public comments. There were no public comments and no items requiring action to be placed on the next agenda.

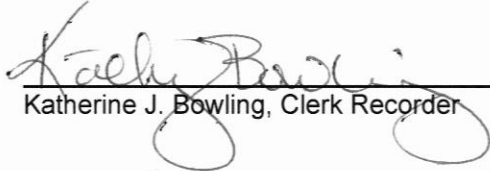
ADJOURNMENT

Commissioner Sharkozy motioned to adjourn the meeting; Commissioner McKay seconded the motion; the meeting was adjourned at 11:34 a.m.

Approved by vote of the Board this 20th day of December, 2022.

/s/ J.J. GOICOECHEA, Chairman
J.J. Goicoechea, Chairman

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


Katherine J. Bowling, Clerk Recorder