

BOARD OF EUREKA COUNTY COMMISSIONERS

October 31, 2024 ADDITIONAL MEETING MINUTES

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, in the direction of the Chair. (For Possible Action)*
2. Pledge of allegiance.

The Board of Eureka County Commissioners met pursuant to law on October 31, 2024. Present were Chairman Rich McKay, Vice Chair Marty Plaskett via phone, Commissioner Mike Schoenwald, and Clerk Recorder Kathy Bowling. The meeting was called to order at 9:29 a.m. The interactive video conferencing system was connected between Crescent Valley and Eureka for the entire meeting.

Commissioner Schoenwald motioned to approve the agenda with no changes, Commissioner Plaskett seconded the motion, all in favor, motion carried 3-0.

The meeting began with the Pledge of Allegiance.

PUBLIC COMMENT

1. Public comment and discussion. *Notice: No action may be taken on a matter raised under this item until the matter has been specifically included on an agenda as an item upon which action will be taken. Public comments 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 explained that there will be no public comment during the action items, only in the beginning and the end. Before calling for public comment Chairman McKay acknowledged that there have been many questions regarding the payout and the dates regarding the resignation of the Sheriff. He believes it is more fiscally responsible to pay the Sheriff through the end of March rather than go through a very expensive and potentially problematic recall election. He asked the Clerk Recorder, Kathy Bowling to explain the timelines of the recall. He also explained that admin leave with elected officials has happened in Eureka County in the past, this is not the first time. County Clerk Recorder, Kathy Bowling explained that the process of putting on an election is very long and costly regardless of whether it's a recall election or general election. Kathy explained the potential timeline they would be looking at putting on the recall, the dates exclude weekends and holidays. The 90-day date for the Clerk's office to receive the signed petition was Monday October 21st. She then had 4 days from that date to send a raw count to the Secretary of States (SOS) office, she sent it October 28th. She would then receive a notice from the SOS of a sufficiency of that raw count, as of that morning October 31st she had not received that notice. Once she received that notice she has 20 days to verify signatures, if she had received notice the day before the 31st that would put the signature verify date on November 27th. The SOS would then verify that the signatures were acceptable, and the next step can begin. Assuming all would

be sufficient, and she received notice on December 2nd she would have 30 days to call for a special election. She would call for the election at the January 7th Board of County Commissioners meeting, it must be done in a commission meeting. Note Jesse Watts original retirement date was the 11th of January, it would be too late, and the recall election would have to happen even if he was no longer in office. After she called for the election on January 7th she would have another 30 days to put on the election, putting that date around the 27th of February. She emphasized that these dates are bound by statute, they also include when publications go out, last days that people must register by. She must set up the election with Dominion, Fort Orange Press, who mails out all the ballots, and Nevada Presort, who mails the sample ballots. The election process would be pushing to the beginning of April, when Jesse's leave with pay will end.

Chairman McKay called for public comment in Crescent Valley, Jeremy Rice voiced his support of the payout and being done with it all on April 1st. He is not in support of going through an election and wasting taxpayer money, rather he is glad it is all coming to an end. Crescent Valley audience member Laura Shivers echoed Jeremy Rice's comment. Commissioner McKay called for public comment in Eureka, Heather Peterson Allen commented that she has been a dispatcher for the Eureka County Sheriff's office for approximately two and a half years. She commented that she is coming before the Board as a member of the community and ask that moving forward they can all find happy ground that suits everyone in a peaceful transition for our community. She mentioned things have been nothing short of stressful for many county employees in the last 6 months to a year. She asks that they let Jesse Watts leave in peace so that everyone can move forward from the past and work on building a future for our beautiful county. Ashley Kemp commented that she will be brief and that she isn't commenting on the agenda, she wanted to bring up the need for X-Ray services on the weekends and a fill in during the week. She commented that with the amount we are paying William Bee Ririe there should be no reason someone should drive an hour to get an X-Ray. Eureka audience member Cindy Adams expressed her condolences to Commissioner Mike Schoenwald on the passing of his mother. She also commented on the need for weekend X-Ray services, over the weekend she fell and broke a rib and had to wait a couple days before she could get in at the hospital in Ely for an X-Ray. Cindy also commented that the recall was not a waste of time, the pain and emotional stress that the families went through, the young people that were accused and the whirlwind that it brought this county was tremendous. She believes that the Board is doing the right thing, and she wished Jesse Watts good luck. Eureka audience member Amy Jensen stood and read a letter from The Committee to Recall Sheriff Jesse J. Watts, she read that the last few months have been extremely difficult, emotional and exhausting. They are relieved that this process will be coming to an end, although they are 100% confident that should the recall election have taken place, Sheriff Watts would have been removed from his position. They understand that Sheriff Watts will be paid until March 31, 2025, and are in agreeance with the negotiation. As per the Nevada Secretary of States timelines, a special election wouldn't take place until late February early March 2025, therefor the taxpayers are being saved the expense of the special election. Also, the added benefit of Sheriff Watts resignation being effective at midnight. They do not believe in rewarding bad behavior, but they feel this is the least expensive and most immediate beneficial remedy for Eureka County. They believe and hopefully agree that Eureka County Sheriff's office budget will be managed in a responsible manner. His resignation also allows the staff at the Sheriff's Office to move forward and to operate and function as they see fit and enables them to rebuild what Sheriff Watts destroyed. As far as they have been told the Attorney General's Office will be pursuing multiple criminal charges against Sheriff Watts. They fully support and appreciate our other officers, dispatchers, and support staff at the Sheriff's Office and hope to have great relationships with each other going forward. The entire goal of the intent to recall was to have Jesse Watts removed from office, they feel this goal has been met. They want to thank each and every person that signed the petition, especially those that were afraid to do so but did anyways and they commend their bravery. Thank you for your time from the Committee to Recall Eureka County Sheriff Jesse J Watts.

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)*

None considered.

COMMISSIONERS-

1. Discuss, approve or deny accepting the resignation of Jesse J. Watts from the Elected position of Eureka County Sheriff, effective April 1, 2025, with the understanding that Sheriff Watts will remain on leave with pay and all benefits beginning November 1, 2024, through April 1, 2025, while simultaneously relinquishing his authority of office which will be considered a vacancy. **(For Possible Action)**



From the Desk of
Sheriff Jesse J. Watts
Office of the Sheriff
Eureka County, Nevada

October 23rd, 2024

Board of County Commissioners
Rich McKay, Chairman
10 S. Main Street
Eureka, Nevada 89316

Dear Board of County Commissioners,

Today, I write to you with clarity, conviction and peace. I announce my retirement from the Office of the Sheriff, of Eureka County on April 1st, 2025.

The cost my family and I've paid for the sacrifice to public service has been tremendous, and for that I am sorry to them. There have been tremendous accomplishments during my time here that I will forever be proud of.

With the Board's understanding I will remain on Leave with Pay, and All Benefits beginning November 1st, 2024, until my retirement date of April 1st, 2025.

Beginning November 1st, 2024, I will relinquish all day-to-day operations, and authority of my office. I will return all Eureka County property, equipment and access, effective November 1st, 2024.

The Board of County Commissioners will make a temporary appointment to serve as Sheriff-Coroner of Eureka County, effective November 1st, 2024, to fulfill the remainder of my term of office.

I wish the Citizens and Visitors of Eureka County the greatest success moving forward as this chapter closes and a new path will be forged by the next person to hold the Office of Sheriff.

Take Care and God Bless,


Jesse J. Watts
Sheriff-Coroner

MAIN OFFICE: 411 N. MAIN STREET — PO BOX 736, EUREKA, NEVADA 89316 · OFFICE: (775) 237-5330
CRESCENT VALLEY SUB-STATION: 5045 TENABO AVENUE, CRESCENT VALLEY, NEVADA 89821

Commissioner Plaskett motioned to approve accepting the resignation of Jesse J. Watts from the Elected position of Eureka County Sheriff, effective April 1, 2025, with the understanding that Sheriff Watts will remain on leave with pay and all benefits beginning November 1, 2024, through April 1, 2025, while simultaneously relinquishing his authority of office which will be considered a vacancy. Commissioner Schoenwald seconded the motion, all in favor, motion carried 3-0.

2. Discuss, approve or deny a resolution outlining the terms of the resignation of Jesse J. Watts from the office of Sheriff. (For Possible Action)

Commissioner Schoenwald motioned to approve a resolution outlining the terms of the resignation of Jesse J. Watts from the office of Sheriff. Commissioner Plaskett seconded the motion, all in favor, motion carried 3-0.

Eureka, Nevada

October 31, 2024

RESOLUTION

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

Accept a letter of retirement from Eureka County Sheriff Jesse J. Watts; and

Announce his completion of assignment November 1, 2024; and

Authorize a leave of absence with pay until the same day as the anniversary start date for Jesse J. Watts as a Deputy with Eureka County April 1, 2013; and

Resolve such other matters as are deemed appropriate and necessary.

WHEREAS, Jesse J. Watts began as a Deputy Sheriff for Eureka County April 1, 2013; and

WHEREAS, he successfully ran for the elected Office of Sheriff in 2018, and again in 2022; and

WHEREAS, Sheriff Watts accomplished many things during his tenure as Sheriff; and

WHEREAS, Sheriff Watts offered the Clerk of the Board of Eureka County Commissioners a letter, a copy of which is attached to this Resolution, announcing his retirement; and

WHEREAS, the Board of Eureka County Commissioners wish to now acknowledge receipt of the letter, and put into lasting effect its terms as described by the following paragraphs of this Resolution.

FIRST, the Board of Eureka County Commissioners acknowledge receipt, via the Board's Clerk, of the resignation of Eureka County Sheriff Jesse J. Watts by letter dated October 23, 2024, as such resignations are required to be made to the Board by NRS 245.130; and

SECOND, the Board of Eureka County Commissioners directs the Clerk to certify a vacancy in the Office of Eureka County Sheriff to the Nevada Secretary of State effective November 1, 2024, as is required by NRS 245.150; and

THIRD, the Board is authorized by NRS 245.200 to grant leave to any County officer for up to 6 months, and hereby grants the leave requested by Jesse J. Watts, with pay and benefits up to and until April 1, 2025, the anniversary date of Jesse's beginning with Eureka County law enforcement; and

FOURTH, Jesse J. Watts shall no longer be Sheriff of Eureka County effective November 1, 2024, with the exception that he shall remain in that capacity (but have no other powers or authority of that or any other County office) solely for the purpose of reporting and payment to PERS up until April 1, 2025, when payments will end; and

FIFTH, the Clerk is directed to confer with the Nevada Secretary of State and confirm the resignation of Sheriff Watts triggers NRS 306.045, which states that a public officer who is subject to a recall petition, who resigns his office before the call for a special election is issued, causes the official with whom the petition to recall is filed to stop any further proceedings regarding the petition, and the resignation thereby saves the cost to the taxpayers of a special election; and

SIXTH, the Board shall make a temporary assignment accompanied by a 5% increase in the form of a non PERS reportable lump sum each pay period (with no other change to existing benefits, including no change to remaining eligible for overtime) to a qualified peace officer to take on additional duties, immediately following the adoption of this Resolution, and will consider a permanent appointment to serve the remainder of the current unexpired 4 year term of Sheriff as authorized by NRS 245.170 at a later meeting of the Board; and

SEVENTH, by NRS 245.200 a copy of the Sheriff's letter and this Resolution will be published without delay in the Eureka County Star, and the Board has agreed to pay for this publication expense.

NOW THEREFORE BE IT RESOLVED the Board of Eureka County Commissioners by vote adopts this Resolution in its entirety effective this 31st day of October, 2024.

PROPOSED AND ADOPTED this 31st day of October, 2024.

AYES: Commissioners Michelle Starnes

Rich McKay

Marky Plaskett

NAYS: Commissioners ☐

ABSENT: Commissioner ☐

ABSTENTIONS: Commissioner ☐

EUREKA COUNTY BOARD OF COMMISSIONERS

Rich McKay
Rich McKay, Chairman

ATTEST:

Kathy Bowling
Clerk of the Board

3. Discuss, approve or deny a temporary assignment of a suitable person to perform the duties of Sheriff until such a time that the office can be filled by appointment or an election. **(For Possible Action)**

Chairman McKay explained that this position will be an interim, a fulfillment of responsibilities because the County cannot have 2 Sheriffs at the same time per PERS policy until April 1st. There will be a process prior to April 1st if someone wants to apply for the position of Sheriff. There was only 1 party that submitted a letter of interest. Lieutenant Miles Umina spoke to the room; he stated that he never thought January 1, 2005, when he was first sworn in as a dispatcher and then January 1, 2006, when he became a deputy that he would be in the position that he is. He has an incredible support team starting with his wife and family, and his fellow coworkers at the Sheriffs Office. He would like to move forward, and he has been working very hard with appointed and elected officials in Eureka County to mend some of the bridges. There is a level of professionalism that he will be bringing to the office, and he knows that not everyone sees eye to eye, but he strives for communication. He wants to enhance community trust and collaboration with the Sheriffs office, he wants to build back their bank with the community which right now he feels is bankrupt. He will strive for accountability, transparency, honesty and integrity. He encourages the community

to hold him accountable and speak with himself and his staff on any issues. He also mentioned that they will be working within the Sheriff's office to change the culture, not the uniforms, badges or trucks, but work on mending the culture within the Sheriff's office and help build back that faith.

Commissioner Schoenwald motioned to approve Lieutenant Miles Umina to the temporary assignment of Sheriff effective November 1, 2024, through April 1, 2025. Commissioner Plaskett seconded the motion, all in favor, motion carried 3-0.

4. Discuss, approve or deny the County Clerk to provide written notification to the Nevada Secretary of State certifying vacancy of the office of Sheriff pursuant to NRS 245.150 and to also notice the SOS of the person assigned to perform the duties. **(For Possible Action)**

Clerk Recorder Kathy Bowling explained to the room that as soon as she sends the notice to the Secretary of States office the recall will immediately be called off by the Secretary of State, the petitioners will not have to do a resignation.

Commissioner Schoenwald motioned to approve the County Clerk providing written notification to the Nevada Secretary of State certifying vacancy of the office of Sheriff pursuant to NRS 245.150 and to also notice the SOS of Miles Umina assigned to perform the duties. Commissioner Plaskett seconded the motion, all in favor, motion carried 3-0.

CORRESPONDENCE

1. Review correspondence. **(Discussion)**

No correspondence.

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

None.

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 comments 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 called for public comment in Crescent Valley, hearing none called in Eureka. Eureka audience member Cindy Beutel asked if Jesse Watts will be able to represent himself as Eureka County Sheriff until April 1st? Chairman McKay answered by saying that Jesse had already turned in his gun, badge and keys, he doesn't have access to the building anymore. For all intents and purposes, he is no longer the Sheriff. Lieutenant Miles Umina also stated that Jesse told him that morning he will be retired and not representing himself as Sheriff. Cindy Beutel also wanted to thank the staff for everything, she knows it was a tremendous amount of work. Marcia Brown thanked the community and all the staff in Eureka County for the support that they have had through everything. She also stated that they never asked for this, she has dreamed of being in law enforcement since she was a little girl, she believes that to be in law enforcement one must have integrity and to stand up for what is right and that's what she did. She hopes that she can prove to the community that she is dedicated as a dispatcher to our County Sheriff's office. Marcia personally thanked the commissioners, all the Eureka entities, appointed officials and especially Amy Jensen. She apologized for all the stress that this process put on the county employees and Sheriff's office, something like this is not what she asked for. Undersheriff Thomas wanted

everyone to know that over the last month or, so he has been working side by side with Miles Umina and he believes he is the best person for this job. He also looks forward to rebuilding relationships with the staff, other departments and citizens. Ashley Kemp commented that she is encouraged moving forward and looks forward to working with Miles Umina as acting Sheriff. Cindy Beutel thanked Amy Jensen and her family for all the work they did and endured.

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)*

None considered.

ADJOURNMENT

1. Adjournment of meeting.

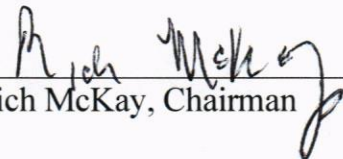
Commissioner Schoenwald motioned to adjourn, Commissioner Plaskett seconded the motion, all in favor, motion carried 3-0.

Meeting adjourned at 10:10 a.m.

Prepared and submitted by Deputy Clerk Recorder, Katelyn Ziemann.

Approved this 3rd day of December 2024 by the Board of County Commissioners.

ATTEST: 
Kathy Bowling, County Clerk Recorder


Rich McKay, Chairman