

EUREKA COUNTY BOARD OF COMMISSIONERS

March 6, 2023

STATE OF NEVADA)
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COUNTY OF EUREKA)

CALL TO ORDER

The Board of Eureka County Commissioners met pursuant to law on March 6, 2023. Present were Chairman Rich McKay, Vice Chair Michael Sharkozy, District Attorney Ted Beutel, Clerk Recorder Kathy Bowling, and Deputy Clerk Recorder II Jackie Berg. 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 following agenda items were tabled: approval of the February 21st minutes and appointment to the Recreation Board. Commissioner Sharkozy motioned to approve the agenda as amended; Chairman McKay seconded the motion; motion carried 2-0.

PUBLIC COMMENT

Chairman McKay opened the floor for public comments.

Assistant Public Works Director Raymond Hodson asked for remembrance of Kelly Strain who recently passed away. Mr. Strain was a long-time resident of Crescent Valley and recently retired after more than 12 years of service to Eureka County.

COMPTROLLER

Payment of Expenditures: Expenditures were presented for approval by Comptroller Kim Todd. Commissioner Sharkozy motioned to approve expenditures in the amount of \$447,683.64 for accounts payable, \$382,075.58 for payroll and benefit related expenses (including employee paid deductions), and the following pass-through tax allocations: \$980,509.69 to the Nevada State Controller (\$970,702.97 in school taxes and \$9,806.72 in general taxes), \$331.85 to the Nevada Department of Taxation, \$160.00 to the Nevada Division of Minerals, \$99.00 to Washoe County Crime Lab, for a grand total of \$1,810,859.76. Chairman McKay seconded the motion. Motion carried 2-0.

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

COMMISSIONERS

Proposed Ordinance to Change Meeting Dates: The Board reviewed a draft ordinance entitled, "THE MARCH 2023 EUREKA COUNTY COMMISSIONER DATES OF REGULARLY SCHEDULED MEETINGS ORDINANCE," prepared due to a request to change the regularly scheduled Commission meetings from the 6th and 20th of each month to the second and fourth Thursday of each month.

Chairman McKay felt the change would be easier in regards to scheduling, and several parties agreed. He asked if anyone had concerns. Nobody voiced opposition, but he asked that all department heads be consulted to ensure there were no adverse impacts.

Commissioner Sharkozy motioned to propose THE MARCH 2023 EUREKA COUNTY COMMISSIONER DATES OF REGULARLY SCHEDULED MEETINGS ORDINANCE, an ordinance amending the 2018 EUREKA COUNTY CODE, TITLE 2, CHAPTER 10, SECTION .030 to change dates of the Board's regularly scheduled meetings. Chairman McKay seconded the motion. Motion carried 2-0.

Commissioner Sharkozy motioned to schedule a public hearing on April 6, 2023, to consider adoption of the proposed ordinance; Chairman McKay seconded the motion; motion carried 2-0.

Opioid Recovery Funds: An email was received from the Nevada Attorney General's office informing counties that the first annual report for use of opioid recovery funds (under the One Nevada Agreement) is due July 1, 2023. Mark Krueger, Chief Deputy Attorney General, has been

working with the Department of Health & Human Services to create a template for this reporting. The template and reporting instructions will be available to counties prior to the deadline, probably via a cloud-based link.

The Board considered which office or department should be assigned to complete the tracking and reporting related to the opioid recover funds. The recovery funds are received through the Treasurer's office and disbursed through the Comptroller's office, making either of these departments the logical choice. Comptroller Kim Todd noted that a conflict exists with her office, which is tasked with internal auditing of all grants.

Chairman McKay asked that this item be tabled to allow him to visit with Treasurer Pernecia Johnson before taking formal action to assign this reporting responsibility to her office.

Letter Supporting SB118: Eureka County sent a letter to the Health & Human Services Committee supporting legislation that would amend current law and allow non-adjacent counties to participate as members in a health district. If this legislation is adopted, Eureka County will participate as a full member of the recently created Central Nevada Health District without dependence on an interlocal agreement, as is the case now.

Commissioner Sharkozy motioned to ratify the February 15, 2023, letter to the Health & Human Services Committee stating support of Senate Bill 118; Chairman McKay seconded the motion; motion carried 2-0.

Legislative Issues: Jake Tibbitts and Assessor Michael Mears discussed pertinent legislation with the Board. Each provided a list of proposed bills of interest to Eureka County and currently before the Nevada State Legislature.

While the Legislative Session is in progress, the Board reviews proposed legislation at each meeting; hears updates and recommendations from staff; and upholds or revises its position to support, oppose, or remain neutral on each bill.

Commissioner Sharkozy motioned to approve the list of proposed natural resources legislation, with no changes at this time to Eureka County's position; Chairman McKay seconded the motion; motion carried 2-0.

Commissioner Sharkozy motioned to delegate authority to Jake Tibbitts and Michael Mears to represent Eureka County's position on proposed and emerging legislation before the Nevada State Legislature and in communications with contracted lobbyist, Walker & Associates. Chairman McKay seconded the motion. Motion carried 2-0.

IT DEPARTMENT

IT Update: IT Director Misty Rowley reported on IT projects and activities. Work continues on converting all departments to the Cloud-based phone system (a time-consuming process). Other work included a meeting on best cyber security practices; continued work with department heads to complete BURT (business unit recovery team) interviews and questionnaires; setting up new workstations; assisting with research and download of website platforms; and installation of a new computer and JAVS software at the Crescent Valley Justice Facility.

Credit Limit Increase: Commissioner Sharkozy motioned to approve the request for permanent credit limit increases, for a \$2,000.00 recurring monthly limit, on County credit cards issued to Misty Rowley and Jessica Santoyo to accommodate ordering and purchasing supplies for the IT Department. Chairman McKay seconded the motion. Motion carried 2-0.

Public Relation Services: Commissioner Sharkozy motioned to approve the proposal (EUREKACOUNTYPR2023) from Marketshare PR for a one-year contract with a base monthly rate of \$7,500.00 for 46 hours of public relation services, with additional time billed at a rate of \$175.00/hour, to be paid with monies budgeted for contract services (010-018-53010-058) in the Technology Support budget. Chairman McKay seconded the motion. Motion carried 2-0.

Public Website Portal: Commissioner Sharkozy motioned to approve a digital solutions agreement with GHD Digital for website redesign and citizen portal, for a one-time implementation fee of \$25,425.00 and an annual recurring hosting/licensing/maintenance fee of \$20,480.00, to be

paid with monies budgeted for contract services (010-018-53010-058) in the Technology Support budget. Chairman McKay seconded the motion. Motion carried 2-0.

HUMAN RESOURCES

Update Report: Human Resources Director Heidi Whimple reported that the County was advertising two recently vacated positions: Senior Center Site Supervisor and Deputy Treasurer/Public Administrator/Public Guardian. Ongoing vacancies include the Deputy District Attorney and five Deputy Sheriff positions. New hires made since the last meeting included a full-time Dispatcher and a casual position at the Eureka Senior Center.

Hiring Freeze Waiver Justification, Promotion Request, & Position Description: Ms. Whimple requested authorization to fill up to five Casual Lifeguard or Casual Attendant positions. These will fill vacancies that occur as students graduate and move away to seek higher education. She submitted a Promotion Request to advance a casual swimming pool employee to Casual Assistant Manager. Lastly, she worked with the IT Director to prepare an IT Professional I, II, III position description (to replace the IT Helpdesk Technician).

Commissioner Sharkozy motioned to: (a) waive the hiring freeze and authorize filling up to five Casual Lifeguard or Attendant positions; (b) authorize promotion of a swimming pool employee to Casual Assistant Manager; and (c) approve the IT Professional I, II, III job description. Chairman McKay seconded the motion. Motion carried 2-0.

Compensation & Classification Study: Paypoint HR estimated it will cost between \$32,000.00 and \$35,000.00 to complete a compensation and classification study on Eureka County employees. Ms. Whimple explained that these studies typically benchmark positions, salaries, and benefits within the industry. Chairman McKay commented that the County competes with the mining industry for valuable employees. Because of this, he would be interested in having the report include the private sector as well.

Commissioner Sharkozy motioned to authorize the Human Resources Director to engage the contract services of Paypoint HR for a compensation and classification study of Eureka County employees, to be paid from the Human Resources budget. Chairman McKay seconded the motion. Motion carried 2-0.

Appointment of Senior Center Program Director: An interview panel consisting of Chairman McKay, Heidi Whimple, and Millie Oram conducted interviews on February 13th for the position of Senior Center Program Director. Based on interviews and independent scoring, the panel submitted a letter recommending appointment of the top-ranked candidate, Linda Gordon.

Ms. Whimple informed that the position was advertised with a salary range of \$58,500.00 to \$63,500.00. Based on current salary and the 5% pay increase dictated in policy (upon promotion to a higher classification), the appropriate salary range for Ms. Gordon is \$60,781.00 to \$63,500.00.

The Board considered the recommendation from Human Resources based on County policy and advertised salary range, as well as the compensation request from Ms. Gordon, which she based on her experience and knowledge.

Commissioner Sharkozy motioned to appoint Linda Gordon to the at-will position of Senior Center Program Director, effective March 6th, with an annual base salary of \$64,000.00. Chairman McKay seconded the motion. Motion carried 2-0.

SHERIFF

Advance Step Hire: Sheriff Jesse Watts joined the meeting by phone. He asked for authorization to make an advanced step hire to reinstate an employee at the former wage. The employee left approximately four months ago to pursue an opportunity in another area of the State, but is now seeking rehire.

Commissioner Sharkozy motioned to approve an advanced step re-hire, pursuant to Personnel Policy 5.7.3, in order to reinstate a Deputy Sheriff II to Range 121, Step 8, on the law enforcement salary scale. Chairman McKay seconded the motion. Motion carried 2-0.

Credit Card Limit Increase: Commissioner Sharkozy motioned to approve the request from Sheriff Watts for a permanent increase, to \$1,000.00, for the recurring monthly limit on the County credit card issued to Heather Petersen-Allen, to accommodate ordering supplies and booking travel accommodations for the Sheriff's Office and Search & Rescue. Chairman McKay seconded the motion. Motion carried 2-0.

Honorary Resolution: The Sheriff prepared an honorary resolution for Cheryl Morrison, who was retiring after 32 years of service to Eureka County. Commissioner Sharkozy motioned to adopt the resolution honoring long-time employee, Cheryl Morrison; Chairman McKay seconded the motion; motion carried 2-0.

Eureka, Nevada

March 6th, 2023

**RESOLUTION HONORING CHERYL MORRISON
FOR THIRTY-TWO (32) YEARS OF SERVICE TO EUREKA COUNTY**

WHEREAS, the Board of County Commissioners wishes to honor employee, Cheryl Morrison, for thirty-two (32) years of service to the County of Eureka; and

WHEREAS, Eureka County acknowledges the following biographical information: Cheryl Morrison was born on March 8th, 1955, in San Diego, California, to Jim and Rosemary Mercer. Cheryl graduated from Kearney High School in San Diego, California, in 1973. Cheryl married Matthew Morrison on February 14th, 1976; they've been married for forty-seven (47) years. Cheryl has three (3) children: James, Sara, and Bryan. Cheryl Also has four (4) grandchildren; and

WHEREAS, Cheryl moved to Eureka in July 1979. Cheryl was a stay-at-home mother until she went to work for Mt. Wheeler Power; and

WHEREAS, Cheryl was hired by Eureka County on November 18th, 1991, in the Sheriff's Office as a Casual Administrative Assistant under Sheriff Ken Jones. Cheryl later became the full-time Senior Administrative Assistant, where she served four Sheriffs, and remained until her retirement on March 1st, 2023; and

WHEREAS, County officials, co-workers, and friends celebrate with Cheryl as she retires and embarks on the next adventure in her life, spending time traveling, and with her family; and

NOW THEREFORE, BE IT RESOLVED, that the Board of County Commissioners recognizes Cheryl Morrison for thirty-two (32) years of service and dedication on behalf of Eureka County.

BE IT FURTHER RESOLVED, that this resolution be published in the minutes of the Board of Eureka County Commissioners to remain a part of the permanent and historical records of Eureka County.

ADOPTED this 6th day of March, 2023.

**BOARD OF COUNTY COMMISSIONERS
COUNTY OF EUREKA, STATE OF NEVADA**

/s/ Rich McKay

Rich McKay, Chairman

Attest: /s/ Kathy Bowling

Kathy Bowling, County Clerk

/s/ Michael Sharkozy

Michael Sharkozy, Vice Chairman

ROAD DEPARTMENT

Report on Activities: Raymond Hodson, Assistant Public Works Director, reported on Road Department activities. The frequent heavy snowstorms have kept crews very busy on both ends of the County. Mr. Hodson anticipates substantial flooding, particularly after the rains forecasted in the upcoming week.

Mr. Hodson and Jayme Halpin, Assistant Public Works Director-Project Manager, attended the Nevada Asphalt Conference held February 15th-16th in Reno. The conference emphasized the importance of pavement preservation and the astronomical costs to restore pavement if preventive maintenance is not done.

PUBLIC WORKS

Public Works Update: Assistant Public Works Director Jayme Halpin reported on projects and activities.

County-Wide Road & Utility Project: Public Works is moving forward with repainting of the municipal water tank in Crescent Valley (Tank #3), as part of the County-wide road and utility improvement project. 100% plans are due by month end, and the next step will be approval of the Phase 1 contract in order to lock in prices (Guaranteed Maximum Price contract).

Municipal Well #1 – Eureka: Video following hydro-blasting of Well #1 in Eureka revealed it would benefit from brushing the well casing. A follow-up video after the brushing showed some large defects in the casing. A repair sleeve (500 feet of 14-inch casing) has been ordered and will line the existing 16-inch casing.

Courthouse HVAC: The first full month of using the new electric-powered boiler at the Courthouse (in comparison to the diesel-powered boiler) has resulted in over \$2,000.00 in energy savings.

Red Card Training: Red Card wildland firefighter refresher training is scheduled on March 21st & 22nd in Eureka and March 20th for Beowawe and Crescent Valley.

Grant Projects: Jeb Rowley and Lumos & Associates are in Reno meeting with the Federal Aviation Administration to review current grant projects at the Eureka Airport, and to plan grant projects for Fiscal Year 2024.

Contract with Richard C. Moore, PE: The Board reviewed the 2023 Task Authorization Request from Richard C. Moore, PE, for technical assistance and advisory services related to transportation issues.

Movement on the Yucca Mountain Project is not anticipated in the current political climate. But if anything were to advance, it makes sense to have Mr. Moore's transportation expertise, particularly now that the Carlin route has been identified as the primary transport route. Mr. Moore has also assisted the Natural Resources Department in transportation reviews related to various mining projects, including the Gibellini Mine Project and potential uranium shipments.

Commissioner Sharkozy motioned to approve a one-year contract with Richard C. Moore, PE, in an amount not to exceed \$18,000.00 for time and materials, utilizing monies budgeted for Yucca Mountain expenses (010-042-53010-059) in the Public Works budget. Chairman McKay seconded the motion. Motion carried 2-0.

Building Assessments: Building assessments are proceeding for the Eureka Library and Eureka Justice Facility. Public Works solicited another proposal from the architect for a building assessment of the Crescent Valley Justice Facility.

Commissioner Sharkozy motioned to approve the proposal from Paul Cavin Architect, LLC, to perform a building assessment on the Crescent Valley Justice Facility, for an amount not to exceed \$35,800.00, utilizing monies budgeted for capital outlay (010-001-55010-000) in the Commissioners' budget. Chairman McKay seconded the motion. Motion carried 2-0.

Courthouse Boiler Project: Public Works provided a breakdown of costs related to emergency repair/replacement of the Courthouse boiler.

Commissioner Sharkozy motioned to ratify emergency repairs related to the Eureka County Courthouse boiler project, in the amount of \$327,480.00, to be paid with funds budgeted for capital outlay (040-130-55010-000) in the Building Operations & Maintenance Reserve Fund. Chairman McKay seconded the motion. Motion carried 2-0.

Donation of 2014 Dodge Chargers (X2): In accordance with Eureka County Code, Title 3, Internal Control Policy, Chapter 20, Section .130, Mr. Halpin requested that two 2014 Dodge Chargers be deemed surplus property for donation to the Elko County Sheriff's Office. He explained that Elko County is taking parallel steps to donate two pickup trucks to Eureka County.

Commissioner Sharkozy motioned to declare two 2014 Dodge Chargers (Property #7822 and #7823) surplus property, and to adopt a resolution, to be signed by the Chairman outside of the meeting, for donation of said vehicles to the Elko County Sheriff's Office. Chairman McKay seconded the motion. Motion carried 2-0.

Eureka County, Nevada

March 6, 2023

RESOLUTION

**OF THE BOARD OF EUREKA COUNTY COMMISSIONERS PROVIDING FOR
THE DONATION OF SURPLUS PROPERTY, TWO (2) 2014 DODGE CHARGER
PATROL VEHICLES, TO THE ELKO COUNTY SHERIFF'S OFFICE**

WHEREAS, Eureka County has determined that two (2) patrol vehicles, namely two 2014 Dodge Chargers (Property #7822 and #7823) are no longer of any value to the County, no longer serve a useful function, and are not required for the effective continued operation of Eureka County or the Eureka County Sheriff's Office; and

WHEREAS, the using department (Sheriff's Office) has made written determination that the property is excess to the needs of the department, and the Public Works Director has agreed with this determination; and

WHEREAS, for these reasons, which are supported by continuous non-use and absence of expected use in the foreseeable future, the Board of Eureka County Commissioners does hereby determine that the referenced vehicles be deemed surplus property; and

WHEREAS, Elko County Sheriff's Office has expressed interest in obtaining two (2) 2014 Dodge Chargers; has established a need for the vehicles; and has demonstrated the ability to operate, maintain, store, and provide adequate funding to ensure effective use of the vehicles; and

WHEREAS, Eureka County believes that donating two (2) Dodge Chargers to Elko County Sheriff's Office will provide the highest benefit to the individuals of Eureka County for the following reasons:

(a) Elko County borders Eureka County; therefore, the vehicles will be placed into service in the same geographical area;

(b) Elko County Sheriff's Office has responded, and will continue to respond, to incidents in Eureka County when it is appropriate to provide mutual aid and when the incident warrants multi-jurisdictional response; and

(c) Elko County Sheriff's Office has a good working relationship with Eureka County and other law enforcement, public safety, and emergency management agencies in rural Nevada; and

(d) Elko County participates in Nevada's Intrastate Mutual Aid System.

NOW THEREFORE, BE IT RESOLVED, that pursuant to Eureka County Code, Title 2, Chapter 20, Section .130, and in accordance with NRS 244.1505, the Board of Eureka County Commissioners does hereby declare two (2) Dodge Chargers surplus property; hereby resolves to donate said vehicles to Elko County Sheriff's Office, a governmental entity; and hereby identifies the vehicles by Eureka County Property Numbers and Vehicle Identification Numbers, to wit:

- ◆ Property No. 7822 / Vehicle Identification No. 2C3CDXAT8EH243615
- ◆ Property No. 7823 / Vehicle Identification No. 2C3CDXATXEH243616

BE IT FURTHER RESOLVED, that officials of Eureka County are hereby authorized to complete all steps necessary for this transaction, including signing the Certificates of Title for transfer of two (2) 2014 Dodge Chargers to Elko County Sheriff's Office.

ADOPTED this 6th day of March, 2023.

/s/ Rich McKay
Rich McKay, Chairman
EUREKA COUNTY BOARD OF COMMISSIONERS

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

NATURAL RESOURCES

Report on Activities: Natural Resources Manager Jake Tibbitts reported on recent activities. He attended the Nevada Department of Agriculture annual Mormon Cricket & Grasshopper Management meeting on February 22nd in Eureka. He continues tracking bills that are before the State Legislature, and noted that many are gaining momentum and there are often daily changes to the text.

i80 Gold Acquisition of Paycore Minerals: On February 27th, i80 Gold announced it had entered into an agreement with Paycore Minerals Inc., whereby i80 will acquire all outstanding common shares of Paycore Minerals. i80 Gold indicated it has no plans to accelerate mining, but the acquisition does offer some expansion potential.

i80 Gold has scheduled a Town Hall meeting on March 29th at the Eureka Opera House to provide an update on its projects and the acquisition.

BLM Proposes Emergency Feeding: Mr. Tibbitts informed the Board that the Ely District BLM issued notice that it is proposing to authorize emergency feeding of livestock on public lands due to heavy snows.

Upcoming Meetings: Mr. Tibbitts advised the Board of upcoming meetings, as follows: the County Advisory Board to Manage Wildlife on the afternoon of March 6th; Natural Resources Advisory Commission on March 8th; BLM scoping meeting on March 9th for the Lahontan Cutthroat Trout Habitat Environmental Assessment; Central Nevada Regional Water Authority's Legislative Committee on March 10th; and Nevada Gold Mines will present water monitoring data on March 14th (regarding Cortez) and March 15th (regarding the Carlin Trend).

BLM Grazing Modifications for Lahontan Cutthroat Trout Habitat EA: Mr. Tibbitts prepared scoping comments on the Environmental Assessment addressing grazing modifications for Lahontan Cutthroat Trout habitat. He pointed out that the 30-day scoping period opened on February 15th, but the letter from the Nevada State BLM office (dated February 15th) wasn't received by Eureka County until February 22nd.

The Natural Resources Advisory Commission will provide comments on this EA at their meeting on March 8th. Mr. Tibbitts requested latitude to incorporate NRAC's comments and to obtain the Chairman's signature outside of the meeting.

Commissioner Sharkozy motioned to send scoping comments on the BLM's grazing modifications for Lahontan Cutthroat Trout habitat Environmental Assessment, and authorized incorporating NRAC's comments, to be signed by the Chairman outside of the meeting. Chairman McKay seconded the motion. Motion carried 2-0.

Out-of-State Travel for CARET Meeting: Mr. Tibbitts is an appointed Nevada CARET (Council for Agricultural Research, Extension, & Teaching) delegate and requested authorization to travel to Washington DC, March 13th-16th, to participate in the annual CARET meeting. He said the event is not a conference, but is a concentrated effort to meet with congressional and senate offices to advocate for the program and continued funding. Mr. Tibbitts' travel expenses will be paid by University of Nevada, Reno, College of Agriculture, Biotechnology, & Natural Resources (CABNR).

Commissioner Sharkozy motioned to approve out-of-state travel, March 13th-16th, for Mr. Tibbitts to attend the annual CARET meeting in Washington DC; Chairman McKay seconded the motion; motion carried 2-0.

CORRESPONDENCE

Correspondence: Correspondence was received from: Connie Hicks; Dan Stevens; District Attorney Ted Beutel (2); HR Director Heidi Whimple; Natural Resources Advisory Commission; Eureka Community Blood Drive flyer; Television District; Crescent Valley Town Advisory Board; Northeastern Nevada Regional Development Authority; Nevada Assoc. of Counties (4); Nevada Dept. of Health & Human Services; UNR CABNR newsletter; Nevada Div. of Emergency Management; Nevada Water Resources Assoc.; Nevada Chapter, National Assoc. of Social Workers; Nevada Div. of Environmental Protection (2); US Dept. of the Interior-BLM (2); US Senator Jacky Rosen; US Fish & Wildlife Service; ERC Energy Update; Southwest Energy Efficiency Project (SWEEP); America First Works (multiple); National Assoc. of Counties (multiple); and Governing E-newsletter.

PUBLIC COMMENT

Chairman McKay called for public comments; there were none.

ADJOURNMENT

Commissioner Sharkozy motioned to adjourn the meeting; Chairman McKay seconded the motion; the meeting was adjourned at 11:15 a.m.

Approved by vote of the Board this 6th day of April, 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 March 6, 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