

EUREKA COUNTY BOARD OF COMMISSIONERS

January 2, 2024

STATE OF NEVADA)
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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)

The Board of Eureka County Commissioners met pursuant to law on January 2, 2024. Present were Chairman Rich McKay, Vice Chair Michael Sharkozy, Commissioner Marty Plaskett, District Attorney Ted Beutel, Clerk-Recorder Kathy Bowling. The meeting was called to order 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.

Motion to approve agenda was made by Commissioner Sharkozy and seconded by Commissioner Plaskett. Motion approved 3-0.

PUBLIC COMMENT AND DISCUSSION

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)

Call for public comment was made. Sheriff Jesse Watts referenced an item on the day's agenda for reappointment of County department heads. He felt one official should not be reappointed and he asked the Board to consider his comments on the matter. The Sheriff continued by giving examples of why, in his opinion, the Human Resources Director should not be reappointed for Calendar Year 2024.

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)

Chairman McKay stated that rules and meeting procedures will be placed on the next agenda.

APPOINTMENT OF COUNTY COMMISSION OFFICERS

1. Appoint Chairperson to the Board of Commissioners for Calendar Year 2024. (For Possible Action)

Commissioner Mike Sharkozy motioned to keep Chairman McKay as Chair for the upcoming year. Commissioner Plaskett seconded the motion. All in favor. Motion passes.

2. Appoint Vice Chair to the Board of Commissioners for Calendar Year 2024. (For Possible Action)

A motion was made by Commissioner Sharkozy to appoint Commissioner Plaskett as Vice-Chair, however Commissioner Plaskett made a motion to appoint Sharkozy as Vice-Chair. Chairman McKay asked Commissioner Sharkozy if he'd like to remain as Vice-Chair at which he agreed to. Commissioner Plaskett motioned to re-appoint Commissioner Sharkozy as Vice-Chair, it was seconded by Commissioner Sharkozy. All in favor. Motion approved.

COUNTY COMPTROLLER

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

The Board reviewed expenditures presented by Comptroller Kim Todd for: \$903,223 with no passthroughs. Motion to accept made by Commissioner Sharkozy and seconded by Commissioner Plaskett. All in favor. Motion approved 3-0.

2. Review Fund Balance Report. (Discussion)

The Board reviewed the current fund balance report.

3. Discuss and consider some sample expenditure reports presented by the Comptroller and based upon the chosen reports, decide whether they should be posted on the website and/or the Eureka County Star newspaper. (For Possible Action)

Comptroller Todd presented various reports as requested in the prior Commission meeting. The reports presented included details of revenue and expenditures. Ms. Todd provided a report showing what is currently in the newspaper and published on the County's website. Ms. Todd explained the current NRS regarding posting requirements. One report presented included revenue, license, fees, service charges, and misc. fees broken down quarterly. This report included salaries and wages in one lump sum as well as revenue and expenditures. Another report was presented showing salaries which could be published on the website. Other reports were also presented both of these were in excess of 60 pages and both offered much more detail with expenses itemized. Comptroller Todd said that the County is currently meeting NRS guidelines for posting information on the website and in the newspaper. Ms. Todd also noted that the salaries are posted on Transparent Nevada of which the County provides information for annually. Discussion ensued on whether posting a large document on the website could be easily done. Assessor Michael A. Mears commented that it would not be a problem. Mr. Mears noted that he felt the more information available to the public the better. Chairman McKay added that he felt that a report with greater detail would be more beneficial to the public. Audience member Cindy Adams commented that she is in favor of the report that listed expenditures by Departments noting that the public likes to be informed of where taxpayer dollars are being spent. Audience member Sheriff Watts clarified for the record that some of the overtime expensed out by his department was offset by various contracts with vendors. Audience member Ms. Adams requested that any grants or other revenue, outside of what is already in the reports, be published as well. Commissioners agreed this was a good point as some departments receive grant money which means that certain expenditures are not always paid (fully) by the taxpayer.

A motion was made by Commissioner Plaskett to post the new document to the *Eureka County Star* and then post the larger document on the website, *on a quarterly basis*, that lists

expenditures by Department by vendors. It was seconded by Commissioner Sharkozy. All in favor. Motion approved 3-0.

APPOINTMENT OF COUNTY DIRECTORS/DEPARTMENT HEADS

1. Discuss, approve or deny appointment of the following Directors and Managers who report directly to the Board of County Commissioners: (a) Public Works Director; (b) Natural Resources Manager, (c) County Comptroller; (d) IT Director; (e) EMS Director; (f) Senior Centers Program Director; (g) County Webmaster; (h) Human Resources Director. (For Possible Action)

Letters of interest were received from all Departments. Commissioner Sharkozy motioned to accept County Directors and Department Heads as submitted for the next calendar year. It was seconded by Commissioner Plaskett. All in favor. Motion approved 3-0.

EUREKA COUNTY COMMITTEES & BOARDS

1. Evaluate and consider possible changes to and/or restructuring of any boards and committees under the jurisdiction of the Board of County Commissioners. *Note: A complete list of boards and committees is available by contacting the Clerk's Office.* (For Possible Action)

The Board reviewed a comprehensive list of Eureka County boards and committees. Chairman McKay noted that the Medical Clinics Advisory Committee (MCAC) had not met for over a year and may no longer serve a purpose. He asked that the Commission secretary reach out to the MCAC members to inquire whether they would like to keep the committee intact.

Regarding the Health Insurance Advisory Committee (HIAC), Kim Todd said there was some interest in restructuring the membership of the committee. District Attorney Beutel advised that, since the committee was created by resolution, it would take a resolution to make any changes. Ms. Todd said the HIAC will discuss this at their next meeting.

2. Discuss, approve, or deny appointments and re-appointments of members, alternates, and liaisons to expired or vacant seats on boards and committees in Eureka County. *Note: A complete list of boards and committees is available by contacting the Clerk's Office.* (For Possible Action)

With a motion by Commissioner Sharkozy, second by Commissioner Plaskett, and unanimous vote, the Board made the following appointments:

COUNTY BOARDS & COMMITTEES

Conservation District – County Representative

Jake Tibbitts / County Appointed Representative / two-year term

Board of Equalization

Jim Gallagher / Business / four-year term

County Advisory Board to Manage Wildlife

Jim Evans / Sportsman / three-year term

Trent Gordon / Public Interests / three-year term

Diamond Valley Rodent Control District

Jim Gallagher / Agriculture / three-year term

Lloyd Morrison / Agriculture / three-year term

Fair Board (District #15 Agriculture Board)

Jaylene Callister / County At Large / four-year term

Andrea Sestanovich / County At Large / four-year term

Local Emergency Planning Committee

Pete Goicoechea / State Elected Official / one-year term

Mike Sharkozy / Local Elected Official / one-year term

Jesse Watts / Law Enforcement / one-year term

Jeb Rowley / Civil Defense, Emergency Management / one-year term

Jayme Halpin / Firefighting / one-year term

Kenny Sanders / First Aid / one-year term

Shealene French / Health; Alt.-First Aid / one-year term

John Schweble Jr. / Transportation / one-year term

Dennis Gordon / Environmental & EPCRA Facility / one-year term

Michael Mears / Community; Media; Alt.-Local Elected Official / one-year term

Roger Hubbard / Alternate-Transportation / one-year term

Raymond Hodson / Alternate-Transportation / one-year term

Clara Bundy / Alternate-Broadcast & Print Media / one-year term

Natural Resources Advisory Commission

Jim Baumann / Ranching / four-year term

Gary McCuin / Business / four-year term

Planning Commission

Philip Brown / Commissioner District 2 / four-year term

Tony Rowley / Commissioner District 2 / four-year term

Recreation Board

Natosha Clugage / Motel-Hotel / two-year term

Regional Transportation Commission

Michael Sharkozy / Commissioner / two-year term

Philip Brown / Eureka Resident / two-year term

EUREKA COUNTY REPRESENTATIVES & LIAISONS

1. Discuss, approve, or deny appointing representatives or liaisons to non-county boards/committees, groups, agencies, or specific issues affecting Eureka County. *Note: A complete list of representatives and liaisons is available by contacting the Clerk's Office.* (For Possible Action)

With a motion by Commissioner Plaskett, second by Commissioner Sharkozy, and unanimous vote, the Board made the following appointments:

NON-COUNTY BOARDS & COMMITTEES

Boulder Valley Monitoring Plan

Mike Sharkozy / Liaison

Jake Tibbitts / Liaison

Naval Air Station FRTC IEC

Rich McKay / Eureka County / Member

Jake Tibbitts / Eureka County / Alternate

Central Nevada Regional Water Authority

Marty Plaskett / Commissioner / Member

Jim Gallagher / Farming / Member

Fred Etchegaray / Farming / Member

Jake Tibbitts / Eureka County / Alternate

Rich McKay / Eureka County / Alternate

Nevada Association of Counties

Rich McKay / Eureka County / Member

Marty Plaskett / Eureka County / Alternate

Nevada POOL/PACT Board

Rich McKay / Eureka County / Member

**Diamond Natural Resources
Protection & Conservation Association**

Jake Tibbitts / Liaison (non-voting)

Homeland Security Working Group

Jesse Watts / Sheriff, Eureka County

Humboldt River Basin Water Authority

Marty Plaskett / Commissioner / Member
Carl Slagowski / Eureka County / Member
Jake Tibbitts / Eureka County / Member
Sabrina Reed / Eureka County / Alternate

Mt. Hope 3M Plan Tech. Adv. Comm.

Jake Tibbitts / Eureka County / Member
Dale Bugenig / Eureka County / Alternate

Mt. Hope 3M Plan Water Adv. Comm.

Marty Plaskett / Eureka County

Ted Beutel / Eureka County / Alternate
Heidi Whimple / Eureka County / Alternate

Nevada Project Heartbeat

Shealene French / Eureka County / Member
Kenny Sanders / Eureka County / Alternate

Nevadaworks

Mike Sharkozy / Eureka County / Member
Rich McKay / Eureka County / Alternate

Northeastern Nevada Regional Dev. Authority

Rich McKay / Commissioner / Member

Ruby Hill Community Adv. Committee

Rich McKay / Commissioner / Member

LIAISONS – VARIOUS GROUPS / ISSUES

Census Issues

Michael Mears

Crescent Valley VFD

Mike Sharkozy

Eureka VFD

Marty Plaskett

NDF & Rural VFDs

Marty Plaskett

Legislative Representatives

Rich McKay
Michael Mears
Jake Tibbitts
Jesse Watts

Natural Resources

Marty Plaskett

NV Department of Taxation

Michael Mears

Water Protest Filings

Marty Plaskett

Water Rights

Ted Beutel
Jeb Rowley

COMMISSIONERS

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| <p>1. Discuss, approve, or deny authorizing (pursuant to NRS 245.070 which states “no county officer in any county in this State, except the board of county commissioners, shall contract for the payment or expenditure of any county moneys for any purpose whatever, or shall purchase any stores or materials, goods, wares or merchandise, or contract for any labor or service whatever, except the board of county commissioners, or a majority of it, shall order such officer to do the same”) the Eureka County Public Administrator and/or the District Attorney to use a portion of those department’s budgets to contract outside counsel to assist with an estate matter. (For Possible Action)</p> |
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District Attorney Ted Beutel provided an explanation regarding an estate case and recoupment of expenditures. He noted that care should be taken to not deplete the Public Administrator’s or the DA’s office’s contract amounts for this type of work. Commissioner Plaskett motioned to authorize the District Attorney and the Treasurer to contract with Allison McKenzie, which is the outside counsel, to assist with the estate matter. Commissioner Sharkozy seconded the motion. All in favor. Motion approved 3-0.

IT DEPARTMENT

1. Update report on IT projects and activities. (Discussion)

Director Rowley updated the Commission on the latest projects and activities she has been working on. These include implementing IRIMS (Researching and Implementing the Mobile Device Manager Solution), working on implementing a two-factor authentication program, and working on budgeting for her department.

2. Discuss, approve or deny the Eureka County, NV 2024 Passive Network Assessment Contract submitted by Antonio A. (Tony) Rucci, Independent Cybersecurity Consultant, to POOLPACT on behalf of Eureka County. This agreement will provide a vulnerability assessment to Eureka County at no cost to the County (estimated value of \$11,900.00). (For Possible Action)

Director Rowley noted that this type of test had been performed before. The Eureka County School District will also be tested at the same time and this “pen test” is free. Commissioner Plaskett motioned to accept the contract as submitted. It was seconded by Commissioner Sharkozy. All in favor. Motion approved 3-0.

TREASURER

1. Review list of tax delinquent properties held in trust by the Treasurer and consider proceeding to sale pursuant to 2019 Order of the Board and NRS Chapter 361. **(For Possible Action)**

Treasurer Pernecia Johnson notified the Commissioners that she has set the date for sale of delinquent properties for April 25, 2024. Chairman McKay asked how the property owners on the list were contacted. Ms. Johnson noted that her office uses several methods to notify them including phone calls and letters. Each property owner still has time to pay their property taxes, but because of various NRS requirements regarding delinquent property sales, the process needs to start early, she noted. Commissioner Plaskett motioned to proceed to sale, pursuant to NRS 361.603, the list of delinquent properties due to be sold at auction on April 25, 2024. Motion seconded by Commissioner Sharkozy. All in favor. Motion passes 3-0.

2. Pursuant to NRS 361.603, review and approve Eureka County’s acquisition of any tax delinquent parcels due to be sold at auction in April 2024. (For Possible Action)

Ms. Johnson notified the Commission that Public Works Director Jeb Rowley is interested in two parcels on this year’s list of delinquent properties.

Mr. Rowley came forward with further details. The first parcel mentioned is Assessor Parcel Number (APN) 001-122-02. This parcel is the site of one of the original smelters. This parcel is located next to Ruby Hill Avenue and behind Senior Housing and is approximately 0.63 acres. Mr. Rowley stated the parcel does not have maintained access and private development would be difficult. Mr. Rowley also noted that the parcel could have potential for future utility and easement development in addition to the fact that some remediation has been conducted on this parcel and that County ownership would be a way to protect that.

The second parcel of interest to Mr. Rowley is APN 003-301-02 and is located just outside the Town of Crescent Valley. This parcel has some right-of-way conflicts with the County involving

utility location. Ownership of this parcel would benefit future paving and waterline relocation jobs.

A motion was made by Commissioner Sharkozy to approve Eureka County's acquisition of these two parcels. Commissioner Plaskett seconded the motion. All in favor. Motion approved 3-0.

Treasurer Johnson noted that the property owners of these two parcels have until the deadline to pay their property taxes.

ROAD DEPARTMENT

1. Update Report on Road Department projects and activities. (Discussion)

Raymond Hodson updated the Commissioners on current projects and activities of the road department. The blade is finished in Antelope Valley and is now working on the 3 Bars mitigation project. A total of 8,670 yards have been hauled. The County finished hauling old cement and debris to the Eureka Landfill after finding these items left on the Barth Road. An attempt to find who left this was made but unsuccessful. The north end crew is currently hauling on the Dean-Dann Road. Also, next week a crew will be starting painting and installing lighting at the Crescent Valley Senior Center.

PUBLIC WORKS

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

Public Works Director Jeb Rowley updated the Commission on the well system in Eureka, the CV Senior Center paint and light project, siding on the fair building in Eureka, and swimming pool locker rooms. Mr. Rowley noted that the SCADA system (town water well system) is aged and they have been seeking an alternative system to this one but have not found one yet. Other items discussed included lack of janitorial staff and working on a quote for a firewall at the Eureka Clinic. Mr. Rowley noted that a plan for future build-out of internet capabilities is essential when considering the different entities that occupy or will occupy the clinic building in the future.

Public Works is continuing to plan for the budgeted electrical work at the airport's SRE (snow removal equipment) building which needs to go underground. Staff is preparing for the upcoming PAC meeting to be held January 23, 2024. In addition, staff is currently undergoing training for FAA grant processing and reimbursement. The water master plan was confirmed by Lumos & Assoc. while the PER (preliminary engineering report) Kobeh Valley admin drafts are to be delivered this week. Mr. Rowley noted that the master plan and admin drafts will help complete a financial analysis needed to address such things as depreciation, dates of replacement or repair, and capital improvements for the infrastructure in Eureka and Crescent Valley water systems. This will help with rate structure and future budgets, noting the results of the past County audit which said such measures (rates and depreciation) needed to be analyzed.

Both the Emergency Operations Plan (EOP) and the Hazard Mitigation Plan (HMP) are due for revisions. Funding for the HMP has not been made available even though an attempt was made in July for grant funding in the amount of \$120,000. This has caused a delay in advertising for a contractor to do the work. The EOP, in its fourth year, also needs revision per

the State. Mr. Rowley said this (the EOP) includes items like natural disaster flood insurance. There is approximately \$3.5 million established as potential Federal funding for repairs on roads that were damaged by last year's spring flooding. This dollar amount is under environmental review.

There is an EM (Emergency Management) Academy scheduled for one week each March through May, 2024 in Elko. This would provide insight and direction for the EOP and the HMP.

Chairman McKay asked about the \$3.5 million under review. Mr. Rowley explained how the Federal and State departments work as far as the money goes and what it will be used for. Some of the money will be used to reimburse the County for repairs already done but Mr. Rowley did not foresee some of these funds going into Phase 2 roadwork. Mr. Rowley went on to address potential money from the State that *could* be put towards areas that are identified as needing culverts or road elevation, etc.

LOCAL EMERGENCY PLANNING COMMITTEE

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| 1. Discuss, approve or deny signing Letter of Promulgation for inclusion in the Eureka County Hazardous Materials Response Plan. (For Possible Action) |
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Mr. Rowley addressed the Board on the requirements that this Letter of Promulgation be included in the County's Hazardous Materials Response Plan with the Chairman's signature on it. Motion to approve signing this letter was made by Commissioner Plaskett and seconded by Commissioner Sharkozy. All in favor. Motion approved 3-0.

NATURAL RESOURCES

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| 1. Report on current and emerging natural resource issues affecting Eureka County. (Discussion) |
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Mr. Tibbitts reported that he has been going through the administrative draft for the greater sage grouse land use planning effort. He was able to submit comments by the deadline. The draft EIS may be out sometime this month. Comments made, by both Eureka and other affected Counties, could have major implications on everything from ranching and mining to recreation, he said.

Mr. Tibbitts said that the Nevada Dept. of Wildlife (NDOW) will be hosting a workshop to go over their subdivision map review process. This map review process is a new authority granted through AB 211 last legislative session. Mr. Tibbitts explained the purpose behind this legislation regarding water availability, water pollution, and environmental issues. This means that subdivision maps are now reviewed by the Nevada Division of Water Resources and now, also NDOW. Comments on the map are then sent back to the Eureka County's Planning Commission. Mr. Tibbitts said he plans to attend the workshop scheduled for Thursday this week. He cautioned the Commission on what he sees as a potential issue regarding NDOW and how they are trying to work with a developer prior to submitting a subdivision map to the County's Planning Commission. Mr. Tibbitts believes the intent of the Bill was that everyone would work together and not have a sort of unilateral consultation off to the side. He plans to make these comments at the upcoming meeting.

Also: on January 8, 2024 the N6 Grazing Board will be hosting their annual meeting in Eureka; on that same afternoon the Central Nevada Regional Water Authority is hosting a meeting;

Natural Resources Advisory Commission to meet January 10, 2024; and the Humboldt River Basin Water Authority on January 12, 2024.

2. Discuss and consider response to the Draft Water Pollution Control Permit (NEV2012111) for the Progressive Contracting, Inc. Maggie Creek Plant. (For Possible Action)

This is in regards to the Barite mine and plant north of Carlin but in Eureka County. Mr. Tibbitts submitted this permit to Dale Bugenig for review. Both Tibbitts and Bugenig reviewed the document and found no compliance issues and that granting the permit is warranted. A motion was made by Commissioner Plaskett to approve the permit. It was seconded by Commissioner Sharkozy. All in favor. Motion approved 3-0.

3. Discuss and consider sending annual notices to relevant federal land and resource management agencies, in accordance with Eureka County Code, Title 9, Chapter 40.030, seeking full and complete notice and opportunity for involvement in the decision-making processes of the federal entities. (For Possible Action)

This letter is per County Code requiring annual notices be sent to relevant Federal agencies that have any resource management actions or authority on resources in Eureka County. Mr. Tibbitts provided the Commission with a letter that will go out to the Battle Mountain, the Elko, and the Ely Bureau of Land Management offices, as well as to the US Forest Service and the US Fish and Wildlife Service.

A motion to approve the letter was made by Commissioner Plaskett and seconded by Commissioner Sharkozy. All in favor. Motion approved 3-0.

CORRESPONDENCE

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

No correspondence provided.

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

No reports provided.

PUBLIC COMMENT AND DISCUSSION

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)

Raymond Hodson, Assistant Public Works Director, commented on the current Human Resource (HR) Director noting that he supervises and evaluates 12 employees and that he has not had any trouble with the HR Director. He thanked the Commission for her re-appointment noting that it is good to have a long-term employee in such a position. Audience member Cindy Adams commented (on the HR) noting that it seems that only one Department has an issue

with her and that a re-appointment by the Commission reaffirms that the County has confidence in her and the job she does.

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)

Crescent Valley audience member Tracey Mellard requested to be on the next agenda requesting a fee waiver for use of the Crescent Valley Community Center. At the same time Ms. Mellard noted that she had resigned from the Senior Center Advisory Board a year ago and should not be listed as a representative. Chairman McKay agreed to add her to the agenda and noted that her name be removed as a representative on that advisory board.

ADJOURNMENT

1. Adjournment of meeting.

The meeting was adjourned at 11:03 am with a motion from Commissioner Sharkozy and a second by Commissioner Plaskett. All in favor. Motion approved 3-0.

Prepared and submitted by Garney Damele, Deputy Clerk

Approved by vote of the Board this 5th day of March, 2024.

/s/ Rich McKay
Rich McKay, Chairman

ATTEST:

/s/ Kathy Bowling
Katherine J. Bowling, Clerk