

# EUREKA COUNTY BOARD OF COMMISSIONERS

November 7, 2022

STATE OF NEVADA        )  
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COUNTY OF EUREKA     )

## CALL TO ORDER

The Board of Eureka County Commissioners met pursuant to law on November 7, 2022. Present were Chairman J.J. Goicoechea, Vice Chair Michael Sharkozy, Commissioner Rich McKay, District Attorney Ted Beutel, and Administrative Assistant 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 and utilized between Crescent Valley and Eureka for the entire meeting.

## APPROVAL OF AGENDA

Sheriff Jesse Watts stated that item #4 does not comply with the Open Meeting Law. Commissioner's item #4 was modified on the agenda to remove the phrase "all matters properly relating thereto". Commissioner Sharkozy motioned to approve the agenda as amended; Commissioner McKay seconded the motion; motion carried 3-0.

## PUBLIC COMMENT

Chairman Goicoechea opened the floor for public comments.

Sergeant Miles Umina with the Eureka County Sheriff's Office believes that there is currently a divide and lack of communication between the Sheriff's Office and District Attorney's Office. Sergeant Umina believes that this is a disservice to the citizens of Eureka County and he would like the County to bring in an outside mediator to help come up with a resolution.

Sheriff Jesse Watts wanted to remind the Board that he brought in a written complaint about the District Attorney on June 19<sup>th</sup>, 2020 regarding the problem that Sergeant Umina discussed.

There were no further comments from the public.

## APPROVAL OF MINUTES

August 5, 2022: Commissioner Sharkozy motioned to approve minutes of the August 5, 2022 meeting; Commissioner McKay seconded the motion; motion carried 3-0.

## COMPTROLLER

Payment of Expenditures: Expenditures were presented for approval by Comptroller Kim Todd. Commissioner Sharkozy motioned to approve expenditures in the amount of \$831,790.88 for accounts payable, \$542,455.69 for payroll and benefit related expenses and pass-through payments of \$153.85 to the Nevada Department of Taxation for room taxes; \$214,149.56 to the Nevada State Controller for School Taxes; \$7,248.36 to the Nevada State Controller for General Taxes; \$47,300.00 to the Nevada Division of Minerals; and \$132.80 to the Washoe County Crime Lab; For a total pass-through amount of \$268,975.30; for a grand total of \$1,374,246.57. Commissioner McKay seconded the motion. Motion carried 3-0.

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

## COMMISSIONERS

K9: Commissioner Sharkozy motioned to approve adopting a resolution to donate and retire Gara, K9 Unit police dog, to former Eureka County Deputy Sheriff Nicholas Collins upon the Deputy's resignation. Commissioner McKay seconded the motion. Motion carried 3-0.

Department of Motor Vehicles: Commissioner Sharkozy motioned that any money received by the Animal Appreciation license plate would go to the Commissioners budget for use in the spay and neuter program. The fund was created by the Commission. Commissioner McKay seconded the motion. Motion carried 3-0.

Licensing Board Ordinance: Commissioner McKay motioned to propose an ordinance to make The Board of County Commissioners the licensing Board for all purposes in Eureka County pursuant to NRS 244.335 and NRS 244.352. Commissioner Sharkozy seconded the motion. Motion carried. 3-0.

Local Assistance and Tribal Consistency Funds: Discussion with Treasurer Pernecia Johnson, Public Works Director Jeb Rowley, and the Board on how best to allocate the first portion of the Local Assistance and Tribal Consistency Fund. Commissioner McKay motioned to put the \$570,900.00, the first portion of the Local Assistance and Tribal Consistency Fund, into budget 042 for use on the water system. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

## **IT DEPARTMENT**

IT Update: IT Director Misty Rowley reported on IT projects and activities. IT staff has been gathering information and requirements to meet the deadline for the grant submission for the USDA Grant. IT replaced UPS at the airport and attended a FirstNet NetCloud training.

Quest Technologies: Quest is working on completing the installation of the conduit in the annex.

Starlink: IT installed a new Starlink in Crescent Valley and speed test showed improved connectivity. IT also updated firmware on the WebEx bars.

County Equipment: IT set up a new printer and scanner in Crescent Valley Townhall, a new printer in dispatch, and a new workstation for the Clerk Recorders Office.

Affirming Net Neutrality and USDA Reconnect Program: Commissioner Sharkozy motioned to approve the resolution affirming Net Neutrality and the USDA Reconnect Program funding opportunity, a required step as part of Eureka County's application for the grant. Commissioner McKay seconded the motion. Motion carried 3-0.

Credit Limit Increase: IT requested Commissioner Sharkozy motioned to approve a onetime credit limit increase in the amount of \$6,649.33 on the County credit card issued to Jessica Santoyo in order to pay the annual Monday.com subscription fee. Commissioner McKay seconded the motion. Motion carried 3-0.

## **HUMAN RESOURCES**

Credit Limit Increase: Commissioner Sharkozy motioned to approve a onetime credit limit increase on the County credit card issued to Heidi Whimple in the amount of \$3,800 to purchase holiday appreciation items for employees. Commissioner McKay seconded the motion. Motion carried 3-0.

## **SHERIFF**

Dooley Enterprises: Commissioner Sharkozy motioned to approve payment to Dooley Enterprises, Inc. for ammunition for a total amount not to exceed \$7,092.54 to be paid utilizing monies budgeted for range expenses from the Sheriff's budget. Commissioner McKay seconded the motion. Motion carried 3-0.

Out-of-State Travel: Commissioner McKay motioned to approve ratifying out-of-state travel for Sheriff Jesse Watts. Sheriff Watts traveled from Las Vegas to Utah and passed through Arizona on October 26<sup>th</sup> in order to have WSE program the radio in a patrol vehicle. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Credit Limit Increase: Commissioner McKay motioned to approve permanent credit limit increases to \$1,000 from \$500 for Cheryl Morrison and Maureen Garner. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

### **MEDICAL CLINICS ADVISORY COMMITTEE**

Medical Clinics Update: Medical Clinic Advisory Committee Chair Irma Davila gave an update on MCAC's October 11<sup>th</sup>, 2022 meeting in Crescent Valley. The meeting was an opportunity for the community members of Crescent Valley to have a dialog about the clinic and review quarterly items. The members of the committee toured the facility. The clinic is open three days a week from 8 a.m.-5 p.m. with telemedicine available. There was discussion regarding lack of communication with what can and can not be done during an appointment. Chairman McKay believes that William Bee Ririe does not do a good job advertising what services are offered for both Eureka and Crescent Valley. Ms. Davila suggested that MCAC start holding William Bee Ririe more accountable and instead of quarterly meetings start having monthly meetings again.

Chairman Sharkozy inquired about Veterans being seen at the clinic. Veterans currently have to go to approved clinics by the Veterans Administration, and if not approved they are not allowed to be seen. Chairman Goicoechea commented that William Bee Ririe was trying to pursue the Rural Health Clinic Designation status. Ms. Davila noted that they have gotten that status. William Bee Ririe will be reimbursing Eureka County half of the money and the other half will go to Ely. The committee is still waiting to hear back from William Bee Ririe if the total amount is from strictly Eureka or a combination of Eureka and Ely. For the next MCAC meeting Ms. Davila will add the question regarding the Veterans.

Open Community Member Seat: At the quarterly meeting, the Committee reviewed two letters of interest (Miles Umina and Lisa Clark) concerning the open community member seat. The individual selected will serve the remainder of the two-year term thru December 3, 2022. The Committee recommended Miles Umina.

Commissioner McKay motioned to approve Miles Umina to be on the Medical Clinics Advisory Committee. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Crescent Valley Clinic RFP: An RFP was submitted by Nik Hirshi with Primary Choice with a bid amount of \$264,200. Ms. Davila requested the Board create a subcommittee for assistance with making a decision for the Crescent Valley Proposal. Ms. Davila suggested that Nona Kellerman, Jackie Berg, JJ Goicoechea, and herself be on that subcommittee.

Commissioner Sharkozy made a motion to establish a subcommittee in the MCAC to work with William Bee Ririe and Nik Hirshi on negotiating a contract to provide services for Crescent Valley. Commissioner McKay seconded the motion. Motion carried 3-0.

Weekend On-Call Services: The committee recommended to the Board that they make the decision to deplete the weekend on-call services. Commissioner Sharkozy motioned to extend the weekend on-call services for 90 days to give the Board time to evaluate the cost effectiveness of the weekend on-call services. Commissioner McKay seconded the motion. Motion carried 3-0.

### **CRESCENT VALLEY PARADE OF LIGHTS**

Donation: Commissioner Sharkozy motioned to approve a \$500.00 donation from the North End Activity Fund to purchase gift cards and prizes for the Parade of Lights event scheduled in Crescent Valley on December 10<sup>th</sup>, and to issue the check to Jeremy Rice. Commissioner McKay seconded the motion. Motion carried 3-0.

### **VETERAN OF FOREIGN WARS POST 8194**

VFW Memorial Park: Commander for Post 8194 Doug Dickover informed the Board that the meter was still valid and the VFW no longer needed a waiver.

## **ROAD DEPARTMENT**

Report on Activities: Raymond Hodson, Assistant Public Works Director, reported on Road Department activities. Two blades are working to get the Sadler Road done and a blade is working on 101 towards Daniel Venturacci's road. The North End crew is working on Maggie Creek Road and in the Cortez Pit making gravel. Mr. Hodson would like an item be put on a future agenda item regarding the fairgrounds.

## **PUBLIC WORKS**

Public Works Update: Public Works Director Jeb Rowley reported on projects and activities.

Covid and Flu Vaccine Update: There will be a COVID booster clinic offered by Catholic Charities. The COVID clinic will be November 9<sup>th</sup>, 2022 at the Eureka Opera House. Also scheduled will be a free COVID and Flu clinic on the November 14<sup>th</sup> in Eureka and November 15<sup>th</sup> in Crescent Valley.

Commissioner McKay made a motion to approve waiving facility fees for Catholic Charities to host a free COVID clinic at the Eureka Opera House. Commissioner Sharkozy seconded the motion. Chairman Goicoechea abstained from voting. Motion carried 2-0.

Eighth Street: Jayme Halpin has been working with radio projects.

Sheriff's Office: Several projects that will be involving dispatch.

Siren Programming: The new system requires additional programming and a Windows update. A manual program is supposed to be able to work for the time change.

Court House: Public Works is still working on coordinating repairs in the Court House around existing operations.

Clinic & Senior Center: There has been heating issues at the clinic and part of the system is offline due to not having correct parts yet. Fire Panel gave an ETA of 6 to 12 weeks for the panels to upgrade the fire system at the Senior Center and the Eureka Clinic.

Hiring Freeze Waiver: Jeb Rowley informed the Board that the Lead Operator at the landfill will be retiring at the end of January. Mr. Rowley requested the Hiring Freeze Waiver be placed on the November 18<sup>th</sup> agenda.

## **NATURAL RESOURCES**

Report on Activities: Natural Resources Manager Jake Tibbitts reported on recent activities. Mr. Tibbitts met with Chris Moreno from the Department of Agriculture and Stephanie McAfee, State Climatologist on October 21<sup>st</sup> and discussed some potential programming for agricultural related drought.

Eureka Conservation District: The Eureka Conservation District had their open meeting election on November 3<sup>rd</sup>. Three seats are expiring at the end of this year. The three members that were re-nominated and re-elected are Jim Gallagher, Denise Moyle, and Carl Olsen.

Upcoming Meetings: The NRCS State Technical Advisory Committee is meeting on November 9<sup>th</sup>. Also, on November 9<sup>th</sup> the National Resource Advisory Commission will be meeting. Mr. Tibbitts will be traveling to Yerington to the State Land Use Planning Advisory Council meeting on November 10<sup>th</sup>. The NV Association of Conservation District is hosting their annual meeting in Fallon on November 15<sup>th</sup>-17<sup>th</sup>.

ORNI 15 LLC/ Ormat Nevada Inc Jersey Valley Hot Spring Project: Mr. Tibbitts informed the Board that there are two recent water applications, numbers 92124 and 92125, one is for stock water and the other is for wildlife, located in Jersey Valley which is in both Pershing County and Lander County. There have been declines in some of the hot springs in Jersey Valley. There are a lot of conflicts between water rights holders and Ormat who operates the geothermal plant in Jersey Valley. The applications are for the Joe Saval company as part of an agreement in the Environmental Assessment with the BLM. The problem that Eureka County has always had and

protested applications in the past, with these types of applications, is a private interest having wildlife water rights on lands that they don't manage, they don't own, and they have no authority over. The appropriate way to apply would be with the stock water application, number 92124 because that is the person and Nevada Water Law requires you to have an interest in the livestock to have stock water rights. The issue is with application number 92125, it is a non-certificated water right, meaning it has never been perfected. There has been a preliminary order of determination but the State Engineer has never moved forward issuing the final order of determination. After additional discussion Commissioner McKay motioned to approve protesting application 92125 contingent upon what NRAC states and conversations the Natural Resource Manager and Commissioners may have with interested parties between the date of this meeting and November 18, 2022, to be signed outside of the meeting. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Proposed Regulation of Nevada Board of Wildlife Commissioners LCB File No. R162-22: AB 211 was passed during the last legislative session and Eureka County was involved. When the County receives a tentative subdivision map, the County is required to forward that map to the Division of Water Resources and NDEP. NDOW wanted the ability to review subdivision maps. Based on a modification of the law, tentative maps must now be forwarded to NDOW as well. Nevada Association of Counties had an issue with the proposed regulation because they believe the regulation does not fit within the law. After additional discussion Commissioner Sharkozy motioned to approve sending a response to NDOW in regards to LCB File No. R162-22 on their proposed regulations dealing with subdivision maps. Commissioner McKay seconded the motion. Motion carried 3-0.

### **CORRESPONDENCE**

Correspondence was received from: District Attorney, NRAC, email about the GMP, County Advisory Board, McConnell Law Office, Nevada Water Resources, Nevada Division of Environment Protection and U.S. Senator Jackie Rosen.

### **PUBLIC COMMENT AND DISCUSSION**

Chairman Goicoechea called for public comments.

Laura Shivers informed the Board that she doesn't like the virtual visits at the Crescent Valley Clinic. Many community members in Crescent Valley are having issues with William Bee Ririe's billing department. Twice a month visits at the Crescent Valley clinic is not enough and she would like to see more information about the Crescent Valley Clinic being posted.

Marcial Evertsen, Sergeant with the Eureka County Sheriff's Office commented about the fighting between the Sheriff's Office, District Attorney's Office and the Commissioners and that it is bad for the moral of community members, Sheriff's Office members and other County employees. He would like to not be included in emails to the Sheriff because it is above his pay grade because he is taking care of his guys and the community.

Laura Shivers commented again that the community as a whole can feel the stress and the disconnect. It is making Crescent Valley feel like the red headed step-child of the County.

Jesse Watts, Sheriff requested that the letter from the District Attorney be placed on the next agenda in reference to the DUIs sent to the Commissioners on October 31, 2022. Request for an official agenda process be on the agenda to include streaming, filming or posting Commission Meetings for transparency. Request for a building of an organizational chart for Eureka County. Request for the "simple settlement" which was on the September 6, 2022 agenda for case number 3:22 CV 00190 AC/LB to be placed on the next agenda for discussion and ratification of the entire board.

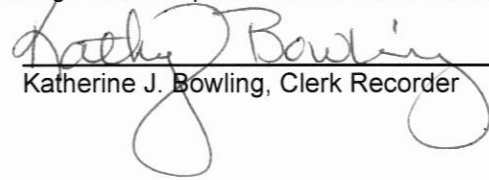
**ADJOURNMENT**

Commissioner Sharkozy motioned to adjourn the meeting; Commissioner McKay seconded the motion; the meeting was adjourned at 11:22 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.*

  
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Katherine J. Bowling, Clerk Recorder