

JANUARY 03, 2023 MINUTES
OF THE BOARD OF EUREKA COUNTY COMMISSIONERS

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 03, 2023. Present were Chairman J.J. Goicoechea, Vice Chairman Michael Sharkozy, Commissioner Rich McKay, District Attorney Ted Beutel and County Deputy Clerk Recorder Brandy Mahoney. The meeting was called to order at 9:30 a.m. The interactive video conferencing system was connected and utilized between Crescent Valley and Eureka for the entire meeting.

Vice Chair Sharkozy called for the approval of the agenda, Commissioner McKay seconded the motion, Motion carried 3-0.

2. Pledge of Allegiance.

Chairman Goicoechea lead the Pledge of Allegiance.

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)*

Chairman Goicoechea opened the floor for public comments. There was no public comment in Crescent Valley.

In Eureka, Raymond Hodson, Road Superintendent commented on the huge snow event and wanted to let everyone know that they were working as fast as they could but that the roads were a priority. He was asking people to help each other if they could.

Jesse Watts, Eureka County Sheriff, commented that he thought the Road Department was doing a phenomenal job and that he recognized that the Road Department was working hard.

Jesse Watts also commented that the elected officials and their deputies were all about to take the Oath of Office. He conveyed that he hoped all employees could collaborate and work together to make Eureka County the best County in the State of Nevada.

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 Goicoechea made mention that the next regular BOCC meeting would be held on January 20, 2023 and a budget meeting would be held on January 19, 2023.

APPOINTMENT OF COUNTY COMMISSION OFFICERS-

1. Appoint Chairperson to the Board of Commissioners for Calendar Year 2023. **(For Possible Action)**

Commissioner McKay motioned to retain J.J. Goicoechea as Chairman for Calendar Year 2023; Commissioner Sharkozy seconded the motion. Chairman Goicoechea abstained from the vote. Motion carried 2-0.

2. Appoint Vice Chair to the Board of Commissioners for Calendar Year 2023. **(For Possible Action)**

Commissioner McKay motioned to retain Mike Sharkozy as Vice Chairman for Calendar Year 2023; Chairman Goicoechea seconded the motion; motion carried 3-0.

APPROVAL OF MINUTES-

1. Approval of draft minutes of the August 5, 2022 BOCC Meeting. **(For Possible Action)**

Commissioner Sharkozy motioned to approve the August 5, 2022 BOCC Meeting draft minutes; Commissioner McKay seconded the motion; motion carried 3-0.

COUNTY COMPTROLLER-Kim Todd, 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)**

Expenditures were presented for approval by Comptroller Kim Todd. After review, Commissioner Sharkozy motioned to approve expenditures in the amount of \$748,446.89. Chairman McKay seconded the motion; motion carried 3-0.

2. Review Fund Balance Report. **(Discussion)**

The Board reviewed the current fund balance report.

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)**

At-will positions that answer directly to the Board of County Commissioners are formally appointed each year. Commissioner Sharkozy motioned to reappoint the following positions for Calendar Year 2023: Public Works Director Jeb Rowley; Natural Resources Manager Jake Tibbitts; County Comptroller Kim Todd; Human Resources Director Heidi Whimple; EMS Director Kenny Sanders; IT Director Misty Rowley; Senior Center Program Director Millie Oram; and County Webmaster Michael Mears. Commissioner McKay seconded the motion. Motion carried 3-0.

PACE COALITION-Laura Oslund, Executive Director

1. Update by Executive Director Laura Oslund on PACE Coalition projects and activities that benefit Eureka County. **(Discussion)**

Laura Oslund, Executive Director of Pace Coalition gave an update to the Board. Included in her report was mention that Pace Coalition has provided funding for 9 years to the Eureka Juvenile Probation program. This year Pace will be providing \$12,500 for Juvenile Probation programs and also extra funding for Training programs. She also updated the Board on the Smart Recovery program that Pace sponsors. She also stated that Pace would be providing another four or five thousand dollars to the Sheriff's Office to support the Leadership Conference. She included in her report that they also support EMS and have provided over 120 nasal naloxone kits to the County. She concluded with the announcement that Shea French agreed to be on the Board for Pace Coalition.

RECESS FOR SWEARING IN OF PUBLIC OFFICERS-Honorable Judge Dobrescue presiding.

Held at 10:00 a.m. in the Eureka County Court Room, located at 10 South main Street, Eureka, Nevada.

Chairman Goicoechea called for a recess at 9:54am so that everyone could go upstairs to the Court Room to attend the Swearing in Ceremony of the Public Officers.

MEETING CALLED BACK TO ORDER-

Chairman Goicoechea called the meeting back to order at 10:28am.

SHERIFF-Jesse Watts, Sheriff

1. Discuss, approve or deny Advanced Step Hire for a Lieutenant applicant to 128/Step 26. This applicant has previous training and experience consistent with the requirements of the position and this pay is comparable for their decades of experience, training, certifications and inherent value brought to Eureka County and the Eureka County Sheriff's Office. **(For Possible Action)**

Sheriff Jesse Watts explained that this position was budgeted for a range 128 step 20 but the position had been vacant for 6 months so there would be no impact on the budget hiring at the range 128 step 26. Heidi Whimple, Human Resources Director confirmed that there was only one applicant. Chairman Goicoechea felt that it was warranted because of other advanced step hires that had been recently approved by the board and the 6 months of savings from the position being vacant. Commissioner McKay made a motion to approve the Advanced Step Hire for a Lieutenant applicant at Range 128 Step 26. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

JUVENILE PROBATION- Stephen Zimmerman, Juvenile Probation Officer

1. Discuss, approve or deny a one-time credit increase, in the amount of \$4,000.00, on the County credit card issued to Stephen Zimmerman in order to purchase lift tickets, rentals and meals for the annual ski trip on January 21, 2023. **(For Possible Action)**

Juvenile Probation Officer, Stephen Zimmerman came before the Board to request the one-time credit increase and that they were not spending the night. He stated that he had

about 20 kids signed up to go. Commissioner McKay motioned to approve the one-time credit increase, in the amount of \$4,000.00, on the Credit card issued to Stephen Zimmerman to purchase lift tickets, rentals and meals for the annual high school ski trip. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

HUMAN RESOURCES-Heidi Whimple, Human Resource Director

1. Discuss, approve or deny the following position descriptions:

- a. Human Resources Director (**For Possible Action**)
- b. Comptroller (**For Possible Action**)

Heidi Whimple, Human Resources Director, came before the Board to ask for approval for the updated Human Resources Director and Comptroller position descriptions. She explained that it was a goal to update the job descriptions every two years and the only changes that were made were under the areas of education and experience. Commissioner McKay asked her to describe the changes made. Ms. Whimple stated that for the Human Resources Director (a) it was added that a requirement for the position be a Bachelor's Degree or equivalent from an accredited college or university with two years of professional experience, 5 years of professional experience or a Master's degree. For the Comptroller's position description (b) it would require a Bachelor's Degree or emphasis in a financial related field with two years of professional experience, 5 years of professional experience or a Master's degree. She went on to further explain that this was something she was trying to implement into all appointed job descriptions and eventually in all County positions.

Commissioner Sharkozy made a motion to approve both position descriptions. Commissioner McKay seconded the motion. Motion carried 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. (**For Possible Action**)
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. (**For Possible Action**)

The Board reviewed a comprehensive worksheet listing members on all County committees and boards, non-county committees and boards and liaisons appointed to various groups or representing specific issues. After review the following motions were made:

Per request of Jake Tibbitts to correct an error on the term of his seat as the Conservation District Representative a motion was made by Chairman Goicoechea to appoint Jake Tibbitts the County appointed representative of the Eureka County Conservation District for 2023. The motion was seconded by Commissioner McKay. Motion carried 3-0.

Commissioner Sharkozy made the motion to reappoint Jim Ithurralde to the County Board of Equalization. The motion was seconded by Commissioner McKay. The motion carried 3-0.

Commissioner McKay motioned to appoint Jayme Halpin to the County Wildlife Board for a 3-year term. Chairman Goicoechea seconded the motion. Motion carried 3-0.

Commissioner McKay made a motion to reappoint Vickie Buchanan to the Diamond Valley Rodent Control District Board for a 3-year term. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Commissioner Sharkozy made the motion to reappoint both Chanlee Auch and Lynn Conley to a 4-year term on the Fair Board. Commissioner McKay seconded the motion. Motion carried 3-0.

Commissioner Sharkozy made a motion to approve Jaymie Halpin, Marcial Evertsen and Tina Hubbard on the Health Insurance Advisory Committee for another two-year term. The motion was seconded by Commissioner McKay. Motion carried 3-0.

Commissioner Sharkozy made a motion to approve Jackie Berg, Nona Kellerman and Arnold Pena to the Medical Clinic Advisory Board, with the vacant position held by a public taxpayer to be filled at a later date. Commissioner McKay seconded the motion. Motion carried 3-0.

Commissioner McKay made a motion to appoint Carl Olsen to the mining seat and to reappoint Paul Etzler for a 4-year term on the Natural Resources Advisory Committee. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

Commissioner Sharkozy made the motion to fill the recent vacant Seat, previously held by Joe Luby, on the Natural Resources Advisory Committee with Jim Evans. This seat would expire in 2025. Commissioner McKay seconded the motion. Motion carried 3-0.

Commissioner Sharkozy made the motion to approve Jim Evans and Craig Benson for a 4-Year term on the Planning Commission with the vacant County At Large seat to be filled at a later date. Commissioner McKay seconded the motion. Motion carried 3-0.

Commissioner Sharkozy made the motion to approve Darlene Moody and Commissioner Rich McKay for a 2-year term on the Recreation Board with the vacant seat to be filled at a later date. Commissioner McKay seconded the motion. Motion carried 3-0.

Commissioner Sharkozy made the motion to appoint Commissioner Rich McKay to the Regional Transportation commission for a 2-year term. Chairman Goicoechea seconded the motion. Motion carried 3-0.

Commissioner Sharkozy made the motion to appoint Cindi Culver, Tressa Pitman and Kay Holloway to the Senior Center Advisory Board for a 3-year term. Commissioner McKay seconded the motion. Motion carried 3-0.

The following is the updated Boards and Committees:

COUNTY BOARDS & COMMITTEES

Board of Equalization-4 Year Term

Jim Gallagher / Business Seat/ 2024 Re-Appoint Date
Jim Ithurralde / Business or Elected Official Seat / 2027 Re-Appoint Date
Ralph Cuda / Business Seat / 2027 Re-Appoint Date

County Advisory Board to Manage Wildlife-3 Year Term

Jim Evans / Sportsman Seat / 2024 Re-Appoint Date
Trent Gordon / Public Interest Seat/ 2024 Re-Appoint Date
Jayme Halpin/ Sportsman Seat / 2026 Re-Appoint Date

County Board of Health- 2 Year Term

J.J. Goicoechea / County Health Officer Seat /2025 Re-Appoint Date
Kenny Sanders / Deputy County Health Officer Seat /2025 Re-Appoint Date
Jesse Watts / County Seat /2025 Re-Appoint Date
Michael Sharkozy / County Seat /2025 Re-Appoint Date

Rich McKay / County Seat / 2025 Re-Appoint Date

Diamond Valley Rodent Control District-3 Year Term

Vickie Buchanan / Agriculture Seat / 2026 Re-Appoint Date

Jim Gallagher / Agriculture Seat / 2024 Re-Appoint Date

Lloyd Morrison / Agriculture Seat / 2024 Re-Appoint Date

Fair Board (District #15 Agriculture Board)-4 Year Term

Lynn Conley / County At Large Seat / 2027 Re-Appoint Date

Mindy Filippini / County At Large Seat / 2025 Re-Appoint Date

Darla Baumann / County At Large Seat / 2025 Re-Appoint Date

Sierra Knudsen / County At Large Seat / 2026 Re-Appoint Date

Holli Else / County At Large Seat / 2026 Re-Appoint Date

Dorothy Rowley / County At Large Seat / 2024 Re-Appoint Date

Michaella Enzenberger/ County At Large Seat / 2027 Re-Appoint Date

Chanlie Auch / County At Large Seat / 2027 Re-Appoint Date

Health Insurance Advisory Committee-2 Year Term

Michaella Enzenberger / Courthouse Seat / 2024 Re-Appoint Date

VACANT / Public Taxpayer Seat / 2025 Re-Appoint Date

Alexandra Vink / North-End Employee Seat / 2024 Re-Appoint Date

Kim Todd / Annex Seat / 2024 Re-Appoint Date

Marcial Evertsen / Sheriff's Office Seat / 2025 Re-Appoint Date

Tina Hubbard / Retiree Seat / 2025 Re-Appoint Date

Roger Hubbard / Alternate / 2024 Re-Appoint Date

Local Emergency Planning Committee-1 Year Term

Pete Goicoechea / State Elected Official Seat / 2024 Re-Appoint Date

Jesse Watts / Law Enforcement Seat / 2024 Re-Appoint Date

Mike Sharkozy / Local Elected Official / 2024 Re-Appoint Date

Jeb Rowley / Civil Defense, Emergency Management Seat/ 2024 Re-Appoint Date

Jayne Halpin / Firefighting Seat / 2024 Re-Appoint Date

Kenny Sanders / First Aid Seat / 2024 Re-Appoint Date

Shealene French / Health Seat / 2024 Re-Appoint Date

Michael Mears / Community Group; Broadcast or Print Media; Alternate-Local Elected Official/2024 Re-Appoint Date

Dennis Gordon / Local Environmental, EPCRA Facility Seat / 2024 Re-Appoint Date

John Schweble Jr. / Transportation Seat / 2024 Re-Appoint Date

Roger Hubbard / Alternate-Firefighting Seat / 2024 Re-Appoint Date

Raymond Hodson / Alternate-Transportation Seat / 2024 Re-Appoint Date

Clara Bundy / Alternate-Broadcast or Print Media Seat/ 2024 Re-Appoint Date

Medical Clinics Advisory Committee-2 Year Term

Irma Davila / County Employee Seat / 2024 Re-Appoint Date

Shealene French / Clinic User Seat / 2024 Re-Appoint Date

Jackie Berg /County Employee Seat / 2025 Re-Appoint Date

Nona Kellerman /Crescent Valley Resident Seat / 2025 Re-Appoint Date

Arnold Pena / Community Member Seat / 2025 Re-Appoint Date
VACANT / Community Member Seat / 2025 Re-Appoint Date
Jim Ithurralde / Community Member Seat / 2024 Re-Appoint Date
Rich McKay / Commissioner Liaison /2024 Re-Appoint Date

Natural Resources Advisory Commission-4 Year Term

Jim Baumann / Ranching Seat / 2024 Re-Appoint Date
Jim Evans / Wildlife Seat / 2025 Re-Appoint Date
Ken Conley / Farming Seat / 2024 Re-Appoint Date
Jerry Todd / Farming Seat / 2025 Re-Appoint Date
Paul Etzler / Recreation Seat /2027 Re-Appoint Date
Carl Olsen / Mining Seat / 2027 Re-Appoint Date
Carl Slagowski / Ranching Seat / 2025 Re-Appoint Date
Chad Bliss / Wildlife Seat / 2025 Re-Appoint Date
Gary McCuin / Business Seat / 2024 Re-Appoint Date

Planning Commission-4 Year Term

Philip Brown / Commissioner District #2 Seat / 2024 Re-Appoint Date
Russell Conley / Commissioner District #2 Seat / 2025 Re-Appoint Date
Jim Evans / Commissioner District #1 Seat / 2027 Re-Appoint Date
Craig Benson / Commissioner District #1 Seat / 2027 Re-Appoint Date
Robin Hicks / Commissioner District #2 Seat / 2026 Re-Appoint Date
Jim Ithurralde / Commissioner District #1Seat / 2026 Re-Appoint Date
Sasha Meyers / County At Large Seat (Alternate) / 2024 Re-Appoint Date
Vacant / County At Large Seat (Alternate) / 2026 Re-Appoint Date

Recreation Board-4 Year Term

VACANT / Motel/Hotel Seat / 2024 Re-Appoint Date
Darlene Moody / Motel/Hotel Seat/ 2027 Re-Appoint Date
Robin Hicks / Commercial Interest Seat / 2025 Re-Appoint Date
Rich McKay / Commissioner Seat / 2027 Re-Appoint Date
Elmer Porter / County At Large Seat / 2025 Re-Appoint Date

Regional Transportation Commission-2 Year Term

Rich McKay / Commissioner Seat / 2025 Re-Appoint Date
Michael Sharkozy / Commissioner Seat / 2024 Re-Appoint Date
Philip Brown / Resident Largest Town Seat / 2024 Re-Appoint Date

Senior Center Advisory Board- 3 Year Term

Cindi Culver / Southern County Seat/ 2026 Re-Appoint Date
Barbara Dugan / Northern County Seat/ 2025 Re-Appoint Date
Robin Evans / Non-Senior South County Seat / 2025 Re-Appoint Date
Tressa Pitman / Northern County Seat / 2026 Re-Appoint Date
Kay L. Holloway / County At Large Seat / 2026 Re-Appoint Date
Michael Sharkozy / Commissioner Seat / 2025 Re-Appoint Date
Tracey Mellard / Non-Senior North County Seat/ 2025 Re-Appoint Date
Joy Snowden / Southern County Seat / 2025 Re-Appoint Date

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. **(For Possible Actions)**

The Board reviewed a comprehensive worksheet listing Eureka County Representatives to Non-County Boards and Groups. Mike Sharkozy motioned to approve ALL with no change in members in one motion. Commissioner McKay seconded the Motion. Motion carried 3-0.

NON-COUNTY BOARDS & COMMITTEES

Boulder Valley Monitoring Plan

Mike Sharkozy / Liaison
Jake Tibbitts / Liaison

Central Nevada Regional Water Authority

J.J. Goicoechea / Commissioner / Member
Jim Gallagher / Farming / Member
Fred Etchegaray / Farming / Member
Jake Tibbitts / Alternate-Eureka County
Rich McKay / Alternate-Commissioner

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

J.J. Goicoechea / Commissioner / Member
Carl Slagowski / Eureka County / Member
Sabrina Reed / Eureka County / Member
Jake Tibbitts / Eureka County / Alternate

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

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

Nevada Local Justice Reinvestment Coordinating Council

Dorothy Rowley / Eureka County / Member

LIAISONS - VARIOUS GROUPS / ISSUES

Census Issues

Michael Mears

Crescent Valley VFD

Mike Sharkozy

Eureka VFD

J.J. Goicoechea

NDF & Rural VFDs

J.J. Goicoechea

Legislative Representatives

J.J. Goicoechea

Michael Mears

Jake Tibbitts

Jesse Watts

Natural Resources

J.J. Goicoechea

NV Department of Taxation

Michael Mears

Mt. Hope 3M Plan Water Adv. Comm.

J.J. Goicoechea / Eureka County

Nevada Association of Counties

J.J. Goicoechea / Eureka County / Member
Rich McKay / Eureka Co / Alternate

Nevada Pinyon-Juniper Partnership

Jake Tibbitts / Eureka County / Member

Nevada POOL/PACT Board

Rich McKay / Eureka County / Member

Ted Beutel / Eureka County / Alternate

Heidi Whimple / Eureka County / Alternate

Nevada Project Heartbeat

Shealene French / Eureka Co / Member

Kenny Sanders / Eureka Co / Alternate

Nevadaworks

Mike Sharkozy / Eureka County / Member

Rich McKay / Eureka County / Alternate

Northeastern Nevada Regional Dev. Auth.

Rich McKay / Commissioner / Member

Ruby Hill Community Adv. Committee

Rich McKay / Commissioner / Member

Water Protest Filings

J.J. Goicoechea

Water Rights

Ted Beutel

Jeb Rowley

TREASURER– Pernecia Johnson, 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)**

The Commissioners reviewed the list of tax delinquent properties provided to them by Treasurer Johnson. She let them know that there were 15 delinquent properties but anticipated 4 to come off the list. She stated that all taxpayers had a deadline of April 17, 2023 to pay on the accounts and be removed from the list before the sale on April 20, 2023.

2. Review and approve Eureka County’s acquisition of any of the tax delinquent parcels pursuant to NRS 361.603. **(For Possible Action)**

Chairman Goicoechea asked Public Works director Jeb Rowley if the County had any interest in any of the properties on the delinquent tax list. Mr. Rowley stated that the County was in fact interested in Parcel number 007-320-04. Treasurer Johnson provided the commissioners with the Title Search for property 007-320-04.

Commissioner McKay made a motion to move forward with the Tax Sale on April 20, 2023 for any of the delinquent properties still on the list with the exception of property 007-320-04 where the County would exercise its option to obtain said property. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

ROAD DEPARTMENT – Raymond Hodson, Assistant Public Works Director-Roads

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

Ray Hodson, Assistant Public Works Director, reported on Road Department activities.

Southern crews mainly working on snow removal. North end crew has been doing some snow removal. Water and Billings crew has been working on the Crescent Valley Firehouse bathroom rebuild.

Commissioner McKay commended Mr. Hodson and his crews for all the work they had been doing to remove the snow. He asked Mr. Hodson if he could explain the method, he and his crews use to determine what streets get plowed and in what order. Mr. Hodson explained that they use a grid map and that certain areas are assigned to certain crews.

PUBLIC WORKS – Jeb Rowley, Public Works Director

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

Jeb Rowley, Public Works Director, reported on Public Works projects and activities. Mr. Rowley has been working on end of the year reporting. A LEPC meeting is scheduled for January 10th.

All Departments have set aside regular duties to help with snow removal. He has been working on gathering information for future Capital Outlay projects for the new Fiscal Year, especially for the Airport project.

The Company that set the pressure blast for Well #1 will be coming out in the following week with an update to come from them later on.

Radiators in the Court House are fully plumbed but still no water flowing yet.

State DM has a supply of Tamiflu and will be coordinating with William B. Ririe and the pharmacy on how to distribute.

There was a structure fire out in Crescent Valley that Crescent Valley and Beowawe VFD responded to.

NATURAL RESOURCES – Jake Tibbitts, Natural Resources Manager

1. Report on current and emerging natural resource issues affecting Eureka County. **(Discussion)**

Jake Tibbitts, Natural Resources Manager reported the following:

Gibellini Project administrative final EIS has been sent to all cooperating agencies but still a couple months out for the project to be finally approved and can move forward.

The final Rule for the Waters for the United States under the Clean Water Act came out which clarifies what waters are waters of the United States. For the waters that are out of the control of the States, this rule gives Federal Control over those waters. This Rule will affect the Humboldt River and all tributaries of the Humboldt. This Rule could impact mining operations.

NRAC is back on schedule to meet January 11, 2023; the Nevada Gold Mines Community Development Committee will be meeting on January 12, 2023; the N6 Grazing Board will also be holding their annual meeting in Eureka on January 12, 2023; The Central Nevada Regional Water Authority will be meeting January 13, 2023; The Extension Advisory Council will meet on January 17, 2023; the State Division of Water Resources is kicking off their State water planning process and will be having a Stake Holder Advisory Group meeting on January 18, 2023; The County Wildlife Board will meet on January 19, 2023.

2. 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)**

Commissioner McKay motions to approve the annual notices to be drafted by Jake Tibbitts and for the Chairman to be able to sign the notices outside of the meeting. Commissioner Sharkozy seconds the motion. Motion Carried 3-0.

CORRESPONDENCE-

1. Review correspondence and place requests for action items on the next agenda. **(Discussion)**
None
2. Commissioner reports on pertinent correspondence or other matters. **(Discussion)**
None

COMMISSIONERS-

1. Discuss, approve or deny settlement agreement with Ormat Technologies and Joe Saval Co., LLC regarding Eureka County's protest of water rights application 92125 and subsequent application intended "to improve quality and flow of water" to Jersey Hot Spring Complex under the Jersey Valley Hot Spring Mitigation Project. **(For Possible Action)**

Debbie Leonard, Legal Counsel for Ormat Technologies was called on the phone.

Jake updated the Board about a previous Agenda item from the November 7th BOCC meeting where the Commission voted to protest Water Rights Application 92125 under the Jersey Valley Hot Spring Mitigation Project. Mr. Tibbitts met with Ormat Technologies legal counsel and Joe Saval Co., L.L.C represented by Taggart & Taggart, Ltd. and came to a settlement agreement where they would withdraw application 92125 within 5 days and file a new application using the authority in NRS 533.0243 to temporarily convert irrigation water

rights to improve the quality and flow of water at the Jersey Hot Spring complex for the full three-year duration.

Commissioner Sharkozy motioned to approve withdrawing Eureka County's protest according to the settlement agreement of water rights application 92125 and not filing a protest on the subsequent application. Commissioner McKay seconded the motion. Motion carried 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)*

None

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

ADJOURNMENT-

1. Adjournment of meeting.

Commissioner Sharkozy motioned to adjourn the meeting. Commissioner McKay seconded the motion. Motion carried 3-0 and the meeting was adjourned at 11:16am.

Approved by vote of the Board this 1st day of August, 2023.

/s/ Rich McKay

Rich McKay, 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.

/s/ Kathy Bowling

Katherine J. Bowling, Clerk Recorder