

EUREKA COUNTY BOARD OF COMMISSIONERS

September 5, 2023

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)
2. Pledge of Allegiance.

The Board of County Commissioners met pursuant to law on September 5, 2023. Present were Chairman Rich McKay, Vice Chair Michael Sharkozy, Commissioner Marty Plaskett, District Attorney Ted Beutel, Clerk Recorder Kathy Bowling, and Deputy Clerk 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.

The Human Resources item was removed from the agenda per request. The parcel maps for Nevada Gold Mines, under the Planning Commission, were tabled until further notice. Commissioner Sharkozy motioned to approve the agenda as amended; Commissioner Plaskett seconded the motion; motion carried 3-0.

PUBLIC COMMENT

1. Public comment and discussion. *Notice: No action may be taken on a matter raised under this item until the matter has been specifically included on an agenda as an item upon which action will be taken. Public 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 McKay opened the floor for public comments.

Assessor (and Webmaster) Michael Mears announced that the new County website was launched approximately two weeks earlier, and transfer of data and information will be ongoing for a time. To avoid moving obsolete information onto the new site, Mr. Mears is reaching out to businesses within the County and inviting them to complete an online form.

Undersheriff Tyler Thomas asked for a moment of silence for police officer Anthony Francone, who was recently killed in the line of duty, explaining that Officer Francone served both Eureka and Crescent Valley early in his law enforcement career.

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)

No agenda items were requested at this time, but Chairman McKay reminded everyone that a public hearing to consider changes to the Personnel Policy is scheduled for September 19th during the regular Commission meeting.

APPROVAL OF MINUTES

1. Approval of minutes for the following meetings: January 19, 2023 budget meeting; May 1, 2023 budget meeting; May 18, 2023 regular meeting; May 19, 2023 budget meeting; and August 1, 2023 regular meeting. (For Possible Action)

Several sets of minutes were presented for approval. Deputy Clerk Jackie Berg thanked the ladies from the Comptroller's office, who generously provided assistance in tackling the backlog of meeting minutes.

Commissioner Sharkozy motioned to approve the following minutes: January 19, 2023 budget meeting; May 1, 2023 budget meeting; May 18, 2023 regular meeting; May 19, 2023 budget meeting; and August 1, 2023 regular meeting. Commissioner Plaskett seconded the motion. Motion carried 3-0.

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)

Payment of Expenditures: Expenditures were presented by Comptroller Kim Todd, who noted that an invoice from William Bee Ririe exceeded the six-month limit and required specific action.

Commissioner Sharkozy motioned to approve expenditures in the amount of \$3,511,061.58 for accounts payable including the \$359.00 payment to William Bee Ririe, \$460,548.28 for payroll and benefit related expenses (including employee paid deductions), and a pass-through payment of \$866.66 to the Nevada Department of Taxation for a grand total of \$3,972,476.52. Commissioner Plaskett seconded the motion. Motion carried 3-0.

2. Review Fund Balance Report. (Discussion)

The Board reviewed a report on current fund balances.

3. Discuss, approve, or deny a credit limit increase on the County purchasing card issued to Kim Todd, in the amount of \$2,376.00 (\$3,376.00 total) in order to pay FCC fines for the Television District. (For Possible Action)

Ms. Todd explained that the Television District incurred substantial fines for failure to renew FCC licenses. The initial fines totaled tens of thousands of dollars, but District Attorney Beutel was able to negotiate a substantial reduction. An increase to the credit limit on Ms. Todd's purchasing card will allow her to pay the fines on behalf of the Television District.

Commissioner Plaskett motioned to authorize a credit limit increase, in the amount of \$2,376.00, on the credit card issued to Kim Todd to allow for payment of FCC fines incurred by the Eureka County Television District. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

4. Discuss, approve, or deny ratifying an emergency credit limit increase on the County purchasing card issued to David Jones, in the amount of \$1,600.00 (\$2,100.00 total), in order to make an emergency repair on Road Department equipment. (For Possible Action)

Commissioner Plaskett motioned to ratify the emergency credit limit increase of \$1,600.00 on the County purchasing card issued to David Jones for emergency equipment repairs. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

COMMISSIONERS

1. Discuss, approve, or deny signing settlement and release forms to allow Eureka County to participate in the Teva, Ltd. And Walgreens Co. opioid settlement funds as part of the One Nevada Agreement on Allocation of Opioid Recoveries. (For Possible Action)

District Attorney Ted Beutel presented documents for approval and signature for two additional pharmaceutical companies that had reached a settlement agreement as part of the State's lawsuit concerning the opioid epidemic.

Commissioner Plaskett motioned to approve signing settlement and release forms to allow Eureka County's participation in the Teva, Ltd. and Walgreens Co. opioid settlement funds as part of the One Nevada Agreement on Allocation of Opioid Recoveries. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

2. Discuss, approve, or deny clinical services contract with William Bee Ririe Hospital & Rural Health Clinic for Fiscal Year 2023-2024, for an amount not to exceed \$633,000.00, and authorize the Chairman to sign the contract outside of the meeting. (For Possible Action)

Chairman McKay has had an ongoing dialogue with Matt Walker, CEO of William Bee Ririe Hospital, in order to identify services, schedules, costs, and other aspects of the clinical services contract for operation of the medical clinics in Eureka and Crescent Valley. He felt an equitable proposal had been reached and recommended contract approval.

Commissioner Sharkozy motioned to approve the clinical services contract with William Bee Ririe Hospital & Rural Health Clinic for Fiscal Year 2024, for an amount not to exceed \$633,000.00, and authorized the Chairman to sign the contract outside of the meeting. Commissioner Plaskett seconded the motion. Motion carried 3-0.

3. Discuss, approve, or deny accepting the resignation of Irma Davila from the Medical Clinics Advisory Committee effective September 1, 2023. (For Possible Action)

The Board received a letter of resignation from Irma Davila, who, in recent years, has served as Chair of the Medical Clinics Advisory Committee. Chairman McKay said Ms. Davila has been great to work with on the Committee, but has recently taken on additional work duties.

Commissioner Plaskett motioned to accept the resignation of Irma Davila from the Medical Clinics Advisory Committee effective September 1, 2023. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

4. Discuss, approve, or deny the request from Professor Charles Langston, Center for Earthquake Research & Information, University of Memphis, to allow him and his students to conduct field work at the Eureka Airport, including deployment of seismic stations and infrasound microphones, conduction of refraction experiments, and monitoring capsule re-entry of NASA's OSIRIS-Rex spacecraft. *Note: Professor Langston is coordinating with Sandia National Laboratories, previously granted authorization to conduct field work at the Eureka Airport during this event.* (For Possible Action)

The Board received another request to conduct field work at the Eureka Airport related to the September 24th re-entry of NASA's OSIRIS-REx spacecraft. The request came from Charles Langston, professor at University of Memphis, who has coordinated his request with Sandia National Laboratories.

Commissioner Plaskett motioned to approve the request from Professor Charles Langston and students of the Center for Earthquake Research & Information in Memphis to conduct field work at the Eureka Airport related to the September 24th spacecraft re-entry. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

IT DEPARTMENT

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

IT Director Misty Rowley reported on IT projects and activities, which included projects at the Sheriff's Office, hardware installations in several departments, ongoing collaboration on election cyber security, consultation with the auditors on subscription-based contracts, incorporation of the new County logo, development of content and distribution of the newsletter, and mailing postcards promoting the new website and business portal.

2. Discuss, approve, or deny authorizing the IT Department to purchase software, associated peripherals, and installation services from Syber Networks, in an amount not to exceed \$12,000.00, for an upgraded network security firewall along with a three-year security suite license, to be paid with monies budgeted for capital outlay (010-018-55010-000) in the Technology Support budget. (For Possible Action)

Commissioner Plaskett motioned to approve purchase of software, peripherals, and installation services from Syber Networks for an upgraded network security firewall and three-year security suite license for an amount not to exceed \$12,000.00 to be paid with monies budgeted for capital outlay in the Technology Support budget. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

3. Discuss, approve, or deny the following: **(a)** Invoice #300 from Syber Networks, LLC, for purchase of a BCDR (Business Continuity & Disaster Recovery) appliance to backup Eureka County servers and data, for an amount not to exceed \$4,747.50 utilizing funds budgeted for capital outlay (010-018-55010-000) in the Technology Support budget; and **(b)** renewal of the IT services and support contract with Syber Networks, LLC, for an additional three-year period at a monthly rate of \$1,625.00 (\$19,500.00 annually) to be paid with monies budgeted for contract services (010-018-53010-058) in the Technology Support budget. (For Possible Action)

Ms. Rowley requested approval for purchase of a disaster recovery appliance. She informed that service rates with Syber Networks are going to increase, but there is an offer to extend the current rates if the County agrees to a three-year renewal.

Commissioner Sharkozy motioned to (a) authorize purchase of a disaster recovery appliance from Syber Networks for an amount not to exceed \$4,747.50 utilizing monies budgeted for capital outlay in the Technology Support budget; and (b) a three-year extension of the IT services and support contract with Syber Networks at a monthly rate of \$1,625.00 (\$19,500.00 annually) utilizing monies budgeted for contract services in the Technology Support budget. Commissioner Plaskett seconded the motion. Motion carried 3-0.

4. Discuss, approve, or deny Quote #198996 from Quest Media & Supplies for end point detection and response software and services in an amount not to exceed \$30,979.92, to be paid with monies budgeted for contract services (010-018-53010-058) in the Technology Support budget, and authorize the IT Director to sign the quote outside of the meeting. (For Possible Action)

Ms. Rowley recommended purchase of CrowdStrike® end point detection and response software. The State of Nevada is purchasing this platform for its executive branch agencies based on recommendation from the committee tasked with reviewing products and vendors.

Commissioner Plaskett motioned to approve the quote from Quest Media & Supplies for the recommended end point detection and response software and services for an amount not to exceed \$30,979.95 to be paid with monies budgeted for contract services in the Technology Support budget, and authorized the IT Director to sign the quote outside of the meeting. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

HEALTH INSURANCE ADVISORY COMMITTEE

1. Review recommendations from the Health Insurance Advisory Committee relating to insurance plans and premiums for benefited employees and retirees for Calendar Year 2024. (Discussion)

Jayne Halpin, Chair of the Health Insurance Advisory Committee, said the Committee recently met with contracted insurance broker, LP Insurance Services, to review plan options for Calendar Year 2024. Prominence Health Plans originally proposed a 14% premium increase, but LP Insurance was able to get that down to 5%.

The Committee recommended continuing with the same medical plans from Prominence (two Point of Service plans with different deductibles, and one high-deductible Health Savings Account plan). For dental, vision, and life insurance plans, the Committee recommended continuing with Kansas City Life.

2. Discuss, approve, or deny selecting medical, dental, vision, and life insurance plans for Calendar Year 2024, including designation of the sponsored medical plan, and authorize signing of all related documents and agreements outside of the meeting. (For Possible Action)

Commissioner Sharkozy motioned to approve Prominence POS \$500, POS \$2000, and HD Core \$3000 medical plans and Kansas City Life dental, vision, and life insurance plans for Eureka County employees and retirees for Calendar Year 2024, and authorized the Chairman to sign agreements outside of the meeting. Commissioner Plaskett seconded the motion. Motion carried 3-0.

3. Discuss, approve, or deny setting base premium rates and affirming dependent subsidies for Calendar Year 2024 (based on the sponsored medical plan, Eureka County pays 100% of insurance premiums for benefited employees and 70% of insurance premiums for qualifying dependents). (For Possible Action)

Employees may select from the three medical plans offered, but the base premium rates paid by the County are calculated on the sponsored plan.

Commissioner Plaskett motioned to select Prominence POS \$500 as the sponsored plan and affirmed that Eureka County will pay 100% of premiums for covered employees and 70% of dependent premiums; Commissioner Sharkozy seconded the motion. Motion carried 3-0.

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| 4. Discuss, approve, or deny setting retiree health insurance premium subsidy rates for Calendar Year 2024 for Eureka County retirees hired prior to July 1, 2009.(For Possible Action) |
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Mr. Halpin explained that the County has sunsetted the retiree insurance premium subsidy, but existing retirees who remain on the County’s group insurance or Medicare enrolled retirees who meet the criteria outlined in Personnel Policy 7.5 (Retiree Health Insurance Premium Fund) are eligible for this benefit. There are a handful of eligible employees (hired before July 1, 2009) who will also benefit from the subsidy upon retirement.

Commissioner Plaskett motioned to continue with the retiree health insurance subsidy for employees and retirees hired before July 1, 2009; Commissioner Sharkozy seconded the motion; motion carried 3-0.

KINROSS BALD MOUNTAIN

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| 1. Update on activities at Bald Mountain Mine including status of permitting for the Juniper Project expansion. (Discussion) |
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Representatives of Kinross Bald Mountain Mine introduced themselves – Dale Thompson, Operations Manager; Matt Miller, Community Relations Professional; and Stephanie Hallinan, Environmental Superintendent.

Along with a slide presentation, the group gave a brief history of the Bald Mountain Mine and described the present-day operation. Kinross is committed to corporate responsibility and community involvement. Over 50% of Bald Mountain’s economic output remains in the local region. The mine provides socioeconomic benefits to nearby communities in the form of wages and benefits, public taxes, and use of local vendors, businesses, and services.

A map of the Bald Mountain property showed different areas of development, including the Juniper Project which will have a surface disturbance of nearly 4,000 acres. This project is expected to extend the mine life by 11 years, which will provide job security to 600 employees.

Notice of Availability of the Draft Environmental Impact Statement for the Juniper Project was published in the Federal Register August 18th, which kicked off the 45-day public comment period through October 5, 2023. The Record of Decision is expected by the end of 2024, but Kinross is working hard to accelerate that timeline.

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| 1. Discuss, approve, or deny a request for statement of support from Eureka County for the Juniper Project and “mining done right.” (For Possible Action) |
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Commissioner Plaskett motioned to send a letter of support for the Juniper Project during the open public comment period; Commissioner Sharkozy seconded the motion; motion carried 3-0.

SHERIFF

1. Discuss, approve, or deny waiver of the following Personnel Policies under the Catastrophic Leave Program: **(a)** Policy 6.3.1.2.a. which limits the amount (to 20 hours) and limits the times per year (to once) that an employee may donate to the catastrophic leave program; and **(b)** Policy 6.3.1.2.c. which limits the amount of time an employee may draw from the individual catastrophic leave donations to 120 hours per event. *If approved, this waiver is for an individual employee for a specific event and is not a blanket waiver of policy. All donations are strictly voluntary and must still meet the other guidelines set forth in the policy.* (For Possible Action)

Undersheriff Tyler Thomas explained that an employee is in need of sick time and other employees wish to donate, but policy limits donations to once per year and no more than 20 hours.

After some discussion, the Board indicated it was willing to waive certain restrictions in the policy. Comptroller Kim Todd explained that the Board has increased the donation amount in the past as long as employees retain 120 sick leave hours for personal use as stated in policy.

Commissioner Plaskett motioned to waive certain restrictions in the catastrophic leave policy to allow employees to donate more than once per year up to a cumulative total of 160 hours per donating employee as long as 120 hours are retained for personal use, and also authorized the employee to draw in excess of the 120 hours per event. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

It was noted that all donations are voluntary and this waiver of policy was tied to a specific individual for a specific event and was not a blanket waiver of policy.

2. Discuss, approve, or deny a credit limit increase on the County purchasing card issued to Allison Flanagan, in the amount of \$650.00 (\$1,150.00 total), to cover expenses that will be incurred in December related to training in Las Vegas. (For Possible Action)

Commissioner Plaskett motioned to approve a temporary credit limit increase on the County purchasing card issued to Allison Flanagan in the amount of \$650.00 (\$1,150.00 total) to cover expenses that will be incurred in December related to training in Las Vegas. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

PLANNING COMMISSION

1. Discuss, approve, or deny a parcel map for Howard Hill Sr. and Kathy Hill, APN 007-250-28, for division of property in Diamond Valley, as approved by the Planning Commission on August 30, 2023. (For Possible Action)

Commissioner Plaskett motioned to approve a parcel map for Howard Hill Sr. and Kathy Hill for division of property in Diamond Valley (APN 007-250-28), as approved by the Planning Commission on August 30, 2023. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

2. Discuss, approve, or deny a parcel map for Mark and Amy Damele, APN 007-330-33, for division of property in Diamond Valley, as approved by the Planning Commission on August 30, 2023. (For Possible Action)

Commissioner Plaskett motioned to approve a parcel map for Mark and Amy Damele for division of property in Diamond Valley (APN 007-330-33), as approved by the Planning Commission on August 30, 2023. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

ROAD DEPARTMENT

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

Assistant Public Works Director Raymond Hodson reported on Road Department activities. The heavy rainstorms have been keeping operators busy. Crews in both the north and the south have been blading roads, repairing washouts, and addressing culverts and cattle guards as needed.

The weeds are prolific this year, so an operator is running the mower in Diamond Valley, and has completed the Airport and Third Street area. The Road Department assisted with two events in August – the County Fair and the High School Rodeo, and Mr. Hodson reported there were no issues with either event.

PUBLIC WORKS

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

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

Road & Utility Project – Eureka: The utility portion of Phase 1 in the Eureka townsite is virtually complete. The heavy rains have delayed the road work and it will take the contractor, Sierra Nevada Construction (SNC), a couple days to get back on schedule. Fortunately, much of the excavated material was offsite being processed. In areas of town under construction, the open channels actually helped divert water away from yards and driveways. Other areas of town and the southern portion of the County didn't fare as well and will require cleanup and repairs.

SNC is sharing equipment and manpower between the Eureka Town project and flood repairs on Eagle Street in Diamond Valley. The asphalt on Eagle Street has been milled and pulverized and it is ready to be repaved. For Eureka, application of CTB (cement-treated base) will begin September 11th and surface paving will start on September 18th.

Road & Utility Project – Crescent Valley: There were some project delays in Crescent Valley due to materials not meeting specifications, but the cape seal road surfacing treatment is now underway.

Crescent Valley Municipal Water Tank: Painting (interior and exterior) of the municipal water tank in Crescent Valley is complete. The tank will be placed back online as soon as the staff gauge is installed and the tank is disinfected (expected within the week).

Devil's Gate Mainline Extension: The Devil's Gate mainline extension should be finished within the week.

Flu Vaccines: Mr. Rowley is working with the Central Nevada Health District to set up dates and locations to dispense seasonal flu shots. They are tentatively looking at the week of October 23rd for both Eureka and Crescent Valley.

Eureka Airport: The first Public Advisory Committee for the Eureka Airport is scheduled for September 21st. The meeting will provide opportunity for public input on the Airport Layout Plan Update & Narrative There is a pre-meeting with the FAA on September 14th to bring everyone up to date since there are new people on the team.

Local Emergency Planning Committee: In August, LEPC met at the Eureka Fairgrounds to conduct training with the three-line decontamination tent, which was purchased with the annual State Emergency Response Commission (SERC) grant.

Surplus Equipment Auction: Mr. Rowley is working with TNT Auction to facilitate an online surplus equipment auction possibly in November. He should have an updated equipment list by month end.

Chairman McKay asked about the possibility of doing a local auction. Mr. Rowley said he's willing to look into the option, but noted that TNT recommends online auctions for smaller jurisdictions who don't have a large inventory of surplus, because they usually generate more revenue than a local auction.

Division of Emergency Management: The Nevada Division of Emergency Management (DEM) will be in Eureka on September 6th. It's part of a staff outreach tour to visit counties that fall within the corridor for viewing the annular solar eclipse on October 14th. The solar eclipse in 2017 showed that these events can draw numerous people, which can have a huge impact on local resources – such as fuel and food – particularly in rural areas.

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| <p>2. Discuss, approve, or deny: (a) purchasing one 2023 Model 567 Dump Truck from Peterbilt Truck Parts & Equipment, utilizing Sourcewell Contract 060920, for an amount not to exceed \$246,855.00 to be paid with funds budgeted for capital outlay (020-106-55010-000) in the Road Department budget, and (b) authorizing out-of-state travel for Public Works staff to travel to Salt Lake City, Utah, for pickup. (For Possible Action)</p> |
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Mr. Rowley explained that the equipment fleet is down to one operational 10-wheel dump truck. He requested approval to move forward with purchase of a new dump truck, including authorization for staff to travel to Utah for pickup.

Commissioner Sharkozy motioned to approve purchase of one 2023 Model 567 dump truck from Peterbilt Truck Parts & Equipment under Sourcewell Contract 060920, for an amount not to exceed \$246,855.00 to be paid with funds budgeted for capital outlay in the Road Department budget, including authorization for out-of-state travel to Salt Lake City to pick up the truck. Commissioner Plaskett seconded the motion. Motion carried 3-0.

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| <p>3. Discuss, approve, or deny: (a) purchasing one 2023 Ranco 40 ft. 21 Cubic Yard Lead Belly Dump Trailer from Peterbilt Truck Parts & Equipment, for an amount not to exceed \$60,050.00 to be paid with funds budgeted for capital outlay (020-106-55010-000) in the Road Department budget, and (b) authorizing out-of-state travel for Public Works staff to travel to Lamar, Colorado, for pick up. (For Possible Action)</p> |
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Mr. Rowley explained that the dump trailers in the current equipment fleet are 30 years old, have been heavily used through the years, and are beginning to have excessive downtime for maintenance and repairs.

Commissioner Plaskett motioned to approve purchase of one 2023 Ranco 40 ft. lead belly dump trailer from Peterbilt Truck Parts & Equipment, for an amount not to exceed \$60,050.00 to be paid with funds budgeted for capital outlay in the Road Department budget, and authorized out-of-state travel for Public Works staff to travel to Lamar, Colorado, for pick up. Commissioner Sharkozy seconded the motion. Motion carried 3-0.

4. Discuss, approve, or deny: **(a)** purchasing one 2023 Ranco 24 ft. 14 Cubic Yard Pup Belly Dump Trailer from Peterbilt Truck Parts & Equipment, for an amount not to exceed \$59,450.00 to be paid with funds budgeted for capital outlay (020-106-55010-000) in the Road Department budget, and **(b)** authorizing out-of-state travel for Public Works staff to travel to Lamar, Colorado, for pickup. (For Possible Action)

Commissioner Sharkozy motioned to approve purchase of one 2023 Ranco 24 ft. pup belly dump trailer from Peterbilt Truck Parts & Equipment, for an amount not to exceed \$59,450.00 to be paid with funds budgeted for capital outlay in the Road Department budget, and authorized out-of-state travel for Public Works staff to travel to Lamar, Colorado, for pick up. Commissioner Plaskett seconded the motion. Motion carried 3-0.

5. Discuss, approve, or deny a request to waive Landfill fees through the month of September 2023, for disposal of demolition waste resulting from destruction of the EZ Stop building (recently destroyed by fire) located at 291 North Main Street in Eureka. (For Possible Action)

Public Works received a request from the owner of EZ Stop to waive landfill fees for disposal of materials from demolition of the EZ Stop building (recently destroyed by fire). Mr. Rowley explained that the owner recognizes that October has free dump days, but would like to move forward sooner to take advantage of the construction season.

Commissioner Sharkozy motioned to approve waiving landfill fees for the month of September, to allow disposal of demolition waste resulting from destruction of the EZ Stop building at 291 North Main Street in Eureka. Commissioner Plaskett seconded the motion. Motion carried 3-0.

NATURAL RESOURCES

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

Natural Resources Manager Jake Tibbitts reported on recent activities and meetings.

WOTUS: On August 29th, the US Environmental Protection Agency and US Army Corps of Engineers issued a final rule amending definition of Waters of the United States (WOTUS). The intent of the amendment was to conform with a Supreme Court decision issued earlier in the year in the Sackett v. EPA case. Mr. Tibbitts said the amendment aligned closely with the court ruling, which he felt was a positive result.

Sage Grouse Issues: Mr. Tibbitts reported he has invested a lot of time in the sage grouse planning effort. The focus is on the habitat maps, because many of the areas depicted on the maps as sage grouse habitat are erroneous and other areas are questionable. Nevada Association of Counties is taking the lead on a concerted effort by impacted counties through this planning process, along with Jeremy Drew of Resource Concepts Inc., who is consultant to several of the involved counties.

Ormat Geothermal Project: Mr. Tibbitts attended a cooperating agency meeting with the BLM the previous week regarding preparation of an Environmental Assessment on Ormat's proposed geothermal project near Crescent Valley.

Mule Deer Enhancement Committee: On August 30th, Mr. Tibbitts participated in a Mule Deer Enhancement meeting (Area 14) where the committee approved a funding proposal to the Mule Deer Enhancement Program Oversight Committee (Nevada Department of Wildlife).

Agri-Solar Study: The Diamond Valley Agrivoltaics (Agri-Solar) Study is underway, and the Langdon Group, who has been hired to facilitate the study, will be in Eureka the week of September 18th to conduct interviews with Diamond Valley residents, companies interested in solar development in the area, and Kevin Robison of Mt. Wheeler Power. The visit will conclude with a community meeting on September 21st at the Opera House. Eureka County and Eureka Conservation District have both contributed funding for the study.

Upcoming Meetings: Nevada Division of Water Resources is holding a Conjunctive Management Workshop on September 6th to continue hearing proposals for conflict resolution related to waters in the Humboldt River region.

State Senator Ira Hansen has scheduled a debate in Elko on September 7th with Scott Beckstead, an Oregon-based attorney and wild horse advocate.

Mr. Tibbitts is a member of the State Water Plan Stakeholder Advisory Group, which will meet on September 11th to discuss issues relevant to the Division of Water Resources' update of the State Water Plan.

Other meetings include the Natural Resources Advisory Commission on September 13th, the County Advisory Board to Manage Wildlife on September 14th, and the Humboldt River Basin Water Authority on September 15th.

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| 2. Discuss and consider commenting on 2023 BLM Battle Mountain District Oil & Gas Lease Sale Environmental Assessment (EA). (For Possible Action) |
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Mr. Tibbitts prepared a letter concerning the 2023 Battle Mountain District Oil & Gas Lease Sale Environmental Assessment that was recently issued by the BLM. The letter points out that the BLM, *again*, failed to include Eureka County in internal scoping and development of the EA. The letter addresses potential impacts that any projects on public lands in the County could have, and concludes by encouraging a positive working relationship between the County and the BLM.

Commissioner Plaskett motioned to send the letter to the BLM regarding the 2023 Battle Mountain District Oil & Gas Lease Sale Environmental Assessment; Commissioner Sharkozy seconded the motion; motion carried 3-0.

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| 3. Discuss and consider providing scoping comments to BLM Battle Mountain District for consideration in preparation of Environmental Impact Statement (EIS) for Nevada Gold Mines Robertson Mine Project. (For Possible Action) |
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Eureka County is a cooperating agency on the Environmental Impact Statement for Nevada Gold Mines' Robertson Mine Project. Mr. Tibbitts prepared a letter addressing the specific concerns

Eureka County has on any mining project including those related to water, wildlife, noxious weeds, vegetation, socioeconomics, grazing, roads, and hazardous materials.

Commissioner Plaskett motioned to approve providing scoping comments to the BLM Battle Mountain District for consideration in preparing the Environmental Impact Statement for the Robertson Mine Project; Commissioner Sharkozy seconded the motion; motion carried 3-0.

CORRESPONDENCE

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

Correspondence was received from: Television District; Local Emergency Planning Committee; Planning Commission; Lions Club District #46; Central Nevada Regional Water Authority; Humboldt River Basin Water Authority; Nevadaworks; Nevada Assoc. of Counties (2); A Safer Nevada Political Action Committee; Nevada Water Resources Assoc. (3); Nevada Dept. of Taxation; UNR CABNR newsletter; Senator Ira Hansen; US Dept. of the Interior, BLM (4); US Fish & Wildlife Service; US Forest Service; Pipeline Assoc. for Public Awareness; US Senator Jacky Rosen; National Assoc. of Social Workers; and National Assoc. of Counties.

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

There were no reports from the Board.

PUBLIC COMMENT

1. Public comment and discussion. *Notice: No action may be taken on a matter raised under this item until the matter has been specifically included on an agenda as an item upon which action will be taken. Public 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 McKay called for public comments; there were 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)

No additional agenda items were identified.

ADJOURNMENT

1. Adjournment of meeting. (For Possible Action)

Commissioner Sharkozy motioned to adjourn; Commissioner Plaskett seconded, and the meeting was adjourned at 12:06 p.m.

Approved by vote of the Board this 5th day of December, 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 September 5, 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