

December 20, 2004

STATE OF NEVADA     )  
                                      : ss  
COUNTY OF EUREKA    )

**CALL TO ORDER**

The Board of Eureka County Commissioners met pursuant to law on December 20, 2004. Present were Chairman Wayne Robinson; Vice Chairman Donna Bailey; Member David Pastorino; District Attorney Theodore Beutel; Clerk & Treasurer Frances Gale. The meeting was called to order at 9:35 a.m. by Chairman Robinson. The interactive video conference system was connected and utilized between Crescent Valley and Eureka for the entire meeting.

**APPROVAL OF AGENDA**

Commissioner Bailey moved to approve the agenda as posted. Commissioner Pastorino seconded the motion. Motion carried 3-0.

**APPROVAL OF MINUTES**

Commissioner Pastorino moved to approve the minutes of November 23, 2004. Commissioner Bailey seconded the motion. Motion carried 3-0.

Commissioner Bailey moved to approve the minutes of December 6, 2004. Commissioner Pastorino seconded the motion. Motion carried 3-0.

**PUBLIC COMMENT AND OPEN DISCUSSION**

The Chairman called for public comment. Mike Rebaleati presented written correspondence which he requested be read into the minutes. Mr. Rebaleati's letter reads as follows:

Eureka County Commissioners  
P. O. Box 677  
Eureka, NV 89316

12/20/04

Dear Board of County Commissioners:

After listening to comments made by a member of our public during your December 6, 2004 meeting regarding my work as Budget Director, I feel it is necessary to get the following items read into the minutes for public review. To begin, I want the public to know all the professional services that I continue to provide to this County for **no additional compensation**. Here are the following items.

1. PERSONNEL MANAGEMENT:
  - a. When I first started working for Eureka County, the Personnel Policy was a small document. It served its purpose for the time but by the late 1980's, this policy manual was leaving the County open to many liability issues. The lack of employment related policies also created several major conflicts within the County. With the help of Zane Miles and some outside consultant help, we rewrote the personnel policy and passed an ordinance. By 2002, this ordinance was again out of date so Ted Beutel and I rewrote this ordinance. Beller and Associates assisted us but we bore the bulk of the work. This took us over a year and I invested well over a 100 hours into this document. Many hours were worked in the evenings or on weekends. The county would probably pay over \$30,000 to have an outside personnel firm produce our current personnel document. I was not obligated by any statute or ordinance to do this work for the County.
  - b. I provide constant advice to Department Heads and employees with a variety of personnel issues. I end up being involved in all major disciplinary decisions. My goal is to help mitigate the financial loss to the County. In the beginning these issues took minimal amounts of my office time. However, these issues just keep taking more and more time. Employment issues are continually coming up. Every time I spend 3 hours helping another office, I have to make up this time to get the work done I'm being paid for. So I come in late at night, on weekends, or earlier in the morning.
  - c. I coordinate and help develop training programs for all areas of personnel management.
  - d. Employment related law suits are the most expensive and most litigated issues concerning local government. Over the past 20 years, Eureka County has had no major losses up to this point. I'm proud of this record because I know for a fact that the hours I dedicated have helped prevent many lawsuits. However, this year has been the worst that I remember in respect to adverse personnel actions. Even though these actions will be defensible, we are still being sued. The bottom line is that the County has to be very pro-active in personnel management because the legal environment in which public government operates is getting worse.
2. COMPUTERS/NETWORK/INTERNET SUPPORT
  - a. In 1983, the County used an old Burroughs computer to process payroll, accounts payable, and the tax roll. This was the extent of our computer ability. In 1985, we bought an IBM System 36 mainframe. This is also when we started buying our software programs from Advance Data Systems in Carson City. They provided computer software support for most of the Nevada counties, which over the past 20 years has saved all Nevada counties money. So after we purchased our first mainframe, I put my coveralls on and crawled under the courthouse and connected the main financial offices with Twinax cables. It was something that had to be done. There was nobody else that could do this in the area and the County couldn't afford to pay somebody from Reno to come in to do it. So I just did it. We had to scrape together enough money just to buy the computer.
  - b. This was the beginning of our network. Now we are connecting over 80 computers via fiber optics, providing a community internet service, providing network connections to Nevada Rural Health Agency, providing District Court, DMV, and Justice connections to the state, and providing

- all main offices in Crescent Valley a connection to Eureka. I've prepared a power point diagram of our network that can be reviewed by any commissioner.
- c. Who do people call when the network goes down? Who do they call when their printers don't work? When our network goes down or the email server crashes or when a department's PC is infected, my time is impacted. I want to thank the Commissioners for their support of the KandL services contract to help with the continuing computer workload. It helps us stay on top of things. However, please keep in mind I am still doing a lot in the maintenance and management of our computer system.
  - d. Over the past ten years, I've spent many nights, earlier mornings, and weekends on tech support calls with Cisco systems or rebuilding servers. Many times I get home at 4 am and then get up to be at work at 8 so I can get ready for a Commissioner's meeting. Are there any other County officials or employees doing this and not getting paid? Most of the time nobody even knows when I put in these extra hours. I do this because I know I don't have time during the regular work day and I do this so other offices can do their daily work. When I do have to perform some of these duties during the regular work week, my other work has to be made up after regular hours.
  - e. I volunteered my time to start our community internet service, and in some respects I really didn't realize the time demand this would create for me. I know most of the community appreciates my efforts in creating and maintaining this service but I really didn't understand the negative impacts this was going to have on my time.
3. RISK MANAGEMENT/SAFETY
    - a. The Board appoints me to be the Eureka County representative on the Public Agency Compensation Trust and Nevada Public Agency Insurance Pool (NPAIP) boards. Both boards have over 80 statewide members. I've been elected the chairman of the NPAIP board for over eight years. I'm proud of what we have accomplished on these two boards and how we've been able to provide Nevada public agencies with decent insurance coverage. This is the most rewarding volunteer duty I perform for the County.
  4. HEALTH INSURANCE
    - a. I'm under no obligation to perform the duties I do in researching, negotiating, and coordinating health insurance on behalf of the Board. With Tina Hubbard's help we get the job done. I absorbed this responsibility because I've always wanted our employees to have good health insurance at the best possible market price. The crisis in the health insurance business is still continuing. I will be presenting another potential health insurance problem today.
  5. AMBULANCE BILLING AND COLLECTION
    - a. Before I accepted this duty, the billing and collection of ambulance service fees were not being done correctly. It is not the fault of any of the volunteer EMS because they did a great job with the time and tools they had. Deseri Marshall and Lisa Hoehne work together in processing and collecting these bills. I'm still responsible to oversee this operation.
  6. LOCAL EMERGENCY PLANNING COMMITTEE
    - a. I've been acting as Chairman of this committee since its creation. We apply for yearly grants from the State through this committee. Our other main duty is to update our LEPC plan as needed.

All of the above items are professional services that I voluntarily provide to the County, and they are not part of the statutory duties I must perform as an elected official. I am not complaining about performing these duties but when I ask the board for help, there is justification. They all started small with a low impact on my time. Unfortunately, all of these issues just get more and more demanding.

Now let's review the Budget Director position.

Many of the Nevada counties have a County Manager. The County Manager generally manages Human Resources, Comptroller/Controller, Budget/Finance, Risk Management, etc. In Eureka County, the County Manager responsibilities are split up between the Recorder/Auditor, Public Works Director, and the District Attorney's office.

For various reasons, the majority of Nevada counties have split the Recorder/Auditor and the Clerk/Treasurer offices. Over the past 22 years that I have been involved in Eureka County's government, the topic of splitting these offices has been discussed from time to time. We discussed the possibility of splitting the Clerk/Treasurer in 2001 but there was no public appetite to bear this additional expense. It is more cost effective for a small county to keep the combined offices but these offices need to have the proper staffing size to properly perform the required duties.

The duties of a County Recorder and of a County Auditor are clearly defined in the Nevada Revised Statutes. Other Nevada County Commissions split this combined office as their county grows. The Auditor side of the Recorder/Auditor office is not an elected position. If this office is split, the Auditor/Controller/Comptroller becomes an appointed officer and the Recorder remains an elected position. If the Clerk/Treasurer was to be split, then pursuant to the NRS both offices would be elected positions.

For example, when Lander County split the Recorder/Auditor position, they had six employees to deal with. Their budget or employee size is not much bigger than ours and I've never had more than three employees. If offices are split, the expense nearly doubles. I'm not writing this letter to get into a discussion of combined offices. However, it is important to remember some of these facts when the topic of the Budget Director is discussed.

The County Auditor duties pursuant to the Nevada Revised Statutes do not include preparing the Budget for the County. The responsibility of the procuring and preparing a County Budget lies directly with the County Commissioners, not the County Auditor.

I want to remind all citizens of Eureka County that the Eureka County Commissioners paid the Budget Director separately before I took office. This dates back to the early 1980's. I had no involvement in the precedent that Eureka County set for what is being done today.

When Willis DePaoli resigned from the Budget Director position in the mid 1980's, I approached the County Commissioners to state that I thought I could do the job. I remember considerable discussion in two regularly scheduled Commissioner Meetings whether it was legal for me to do this job since I held the elected position of Recorder/Auditor. The District Attorney's office at the time advised the Board that it was. I remember asking the District Attorney, Bud Lloyd, and the Board to be confident of their decision on this issue because I wanted everything to be done publicly and correctly. This has been the basis of my tenure as the Eureka County Budget Director. This topic has been publicly discussed numerous times since then.

Every year since then, the Commissioners have reappointed me as the Budget Director. This is always done in a public meeting. The following public disclosures and review are conducted concerning the Budget Director position:

- 1) I've disclosed this arrangement to every District Attorney and assistant D.A. since Bud Lloyd gave his opinion to the Commissioners in the mid 1980's.
- 2) I've disclosed and requested every independent auditor that audits our accounts to review this arrangement.
- 3) During the Budget season, I present a comprehensive employee cost analysis worksheet to the Commissioners and the public during our special Budget meetings. My name and the budget director section are listed in every one of these public documents.
- 4) This part of the budget is documented in our Comprehensive Annual Fiscal Report and any detail budget reports.
- 5) There are time sheets signed by the Board for each of the two payments that I receive (one after the tentative budget and one after the final budget).
- 6) These payments are listed in the expenditure listing that is individually sent to many taxpayers.

The Board has the right to select any person they desire to be the Budget Director. I've demonstrated the volunteer hours that I give freely to the taxpayers of this County. I'm also willing to continue serving the Board of Commissioners as the Budget Director. However, I will not serve as the Budget Director for free. There is just too much time and responsibility involved. It is not just a matter of preparing the budget documents. I prepare budget forecasting reports, revenue projections, detailed payroll analysis, and any other financial analysis the Board asks for.

The sound financial advice that I've given the Board of Commissioners over the years has been proven with time. I've guided the County through the high income times and the low income times. I'm proud of the extensive work I've produced for this County. The County has high fund balances, the lowest tax rate in the state, and no debt because I planned it with the help and direction of the Board.

I've earned the right to be treated with dignity and honesty. I do not deserve my work for this County to be misconstrued and twisted. I will respect any direction the new Board wishes to take on the 3<sup>rd</sup> of January but I also deserve to be part of the discussion.

Regards,  
Michael Rebaleati

### **FINANCE**

Expenditures were presented for approval by Eureka County Recorder & Auditor Mike Rebaleati. Commissioner Pastorino moved to approve the County expenditures in the amount of \$185,723.46 for Payroll; \$175,277.70 for Accounts Payable; for a grand total of \$361,001.16. Commissioner Bailey seconded the motion. Motion carried 3-0.

Commissioner Pastorino moved to approve the Yucca Mountain expenditures in the amount of \$2,202.04 for Payroll; \$ 7,030.05 for Accounts Payable; for a grand total of \$9,232.09 from Yucca Mountain funding. Commissioner Bailey seconded the motion. Motion carried 3-0.

Mr. Rebaleati presented the County Auditor's report.

### **TREASURER'S REPORT**

The Treasurer's report for the month of November 2004 was presented by Deputy Clerk / Treasurer Bev Conley. The ending balance for November 2004 was \$33,404,935.69.

### **CORRESPONDENCE AND WRITTEN REPORTS**

Correspondence was received from: Don and Valaire Hull; Muckel Anderson CPA's; Nevada Division of Water Resources; Nevada Oil Patch; Alternative Service Concepts LLC; Eureka County Recorder / Auditor; University of Nevada Las Vegas; Bid 4 Assets; Eureka County District Attorney; Clint Wertz of Nevada Division of State Lands; Nevada Tax Commission; Energy Working Groups; Southern Nevada Water Authority; Eureka County Clerk & Treasurer; Gladly Goicoechea; Jim & Vera Baumann; Mt. Wheeler Power; Nevada Association of Counties; Rural Nevada Development Corporation; Apex Pest Control; Rural Nevada Planning & Natural Resources Conference; Diamond Valley Weed Control District; Nevada Department of Transportation; Lorman Education Services; Betty Krambs; Public Employees' Retirement System of Nevada; Nevada Small Business Development Center; Nevada Agricultural Foundation; Eureka County Sheriff's Office; Eureka County Public Land Advisory Commission; Nevada Association of Counties; Intertech Services Corporation; Town of Crescent Valley.

### **DEPARTMENT HEAD REPORTS** **COUNTY FACILITIES**

County Facilities Director Wally Cuchine reported that he had been on vacation and out of town for the last week. He also reported that it is his understanding that the County Christmas Party at the Eureka Opera House was successful and enjoyed by all.

The Facilities Director reported on the upcoming events that are scheduled at the Eureka Opera House.

Mr. Cuchine told the Board that the other County facilities are running smoothly; the swimming pool is running smoothly and the heating problems have been corrected, however the Eureka Opera House heating system is not working properly, but the problem is nothing serious.

### **SENIOR CENTERS**

Senior Center Site Director, Millie Oram, reported that everything is running smoothly at the Eureka Senior Center.

Adell Panning reported via video conferencing that the Fannie Komp Senior Center in Crescent Valley is also running smoothly. The last propane bill at the Fannie Komp Senior Center was substantially higher though and Ms. Panning had the propane company perform a pressure test on the propane tank and lines. No leaks were discovered.

Ms. Panning said that she plans on taking limited sick days from the senior center to help her daughter with newborn twins.

### **PUBLIC WORKS**

Public Works Director Ron Damele reported that Economic Development Assistant Luhree Riggs applied for a grant through the Nevada Commission on Tourism and received notice of a grant award in the amount of \$7500 to advertise the 2005 Eureka County Airport Community Days Event. Mr. Damele reminded the Board that after the Fly-In Event last year, they agreed to support the event again this year. It was assumed that the Board would support the event with the same amount as last year which was \$10,000 and a portion of the \$10,000 will be used to match the grant funds from the Commissioner on Tourism Grant.

The Economic Development Board suggested diversifying the advertising this year and using the funds to advertise in various magazines rather than just the RV Journal. Commissioner Bailey moved to approve the 2004 quote of \$2796.50 for advertising in the spring and summer issues of the RV Journal. Commissioner Pastorino seconded the motion. Motion carried 3-0.

Willie Riggs joined Ron Damele to discuss the Green Stripping Projects in Eureka County. Mr. Damele said that he and Willie Riggs applied for grant funding to do green stripping on the rights-of-way along County roads but before the project was completed it was snowed out. An extension was applied for and granted; but due to NDF personnel changes the extension paperwork was never generated. Mr. Damele presented the extension paperwork for the Board's approval. After the extension paperwork is signed and approved, Eureka County can then apply for the grant reimbursement. Commissioner Pastorino moved to approve and sign the extension for the Nevada Division of Forestry Grant for the Green Stripping Project Grant USDI/RFA/01/Eureka County #2. Commissioner Bailey seconded the motion. Motion carried 3-0.

Mr. Riggs reviewed the Final Report of the Eureka County Green Stripping Project 2003-2004. Also reviewed and discussed was a letter addressed to the Nevada Division of Forestry requesting reimbursement for the project. As part of the grant agreement, Eureka County had a match totaling \$11,000.00. The letter requests the reimbursement for the remaining grant funds. Commissioner Pastorino moved to approve the letter of request for reimbursement of \$50,000 from the Nevada Division of Forestry for the Green Stripping Project. Commissioner Bailey seconded the motion. Motion carried 3-0.

### **YUCCA MOUNTAIN PROJECT**

Abby Johnson reported that the printing of the Map Atlas was completed last Friday and there are now ten boxes ready for shipment to Eureka County.

Ms. Johnson also reported that Affected Units of Local Government will be getting eight million dollars in 2005 from the Department of Energy to be divided. Nye County has requested a meeting with the nine other Affected Units of Local Governments on January 7th, 2005 to discuss a renegotiation of the formula for splitting the funds among the ten affected counties. Nye County believes that it should have a larger share of the funds and Nye County also believes that the other counties should justify their programs to Nye County. Nye County is advocating that the smaller counties get a smaller guaranteed amount each year. Ms. Johnson told the Board that Nye County, as the host county is currently receiving the largest amount of DOE funding and Clark County receives the second largest funding amount.

Ms. Johnson reviewed her contract duties and requested renewal of her new proposed contract with Eureka County as the Yucca Mountain Coordinator. Ms. Johnson's contract is based on the calendar year at \$65 per hour plus expenses and a \$20,000 sub-contractor option. Commissioner Bailey moved to approve the renewal of Ms. Johnson's contract for the fiscal year 2004-05. Commissioner Pastorino seconded the motion. Motion carried 3-0.

### **DISTRICT ATTORNEY**

District Attorney Ted Beutel reported that the potential candidate that he contacted in regards to becoming the Deputy District Attorney for Eureka County has indicated to him that she is willing to leave her current position in the Nevada State Public Defenders Office to become the Eureka County Deputy District Attorney at a rate of \$60,000 per year even though it will mean a decrease in salary for her. Mr. Beutel requested authorization to hire a Deputy District Attorney. Commissioner Pastorino moved to approve the hiring of a Deputy District Attorney. Commissioner Bailey seconded the motion. Ken Benson, Commissioner Elect, commented that he protested this agenda item at the December 6, 2004 Commission Meeting and he would like clarification on whether or not there is currently a hiring freeze policy in effect in Eureka County. District Attorney Beutel explained that when he first came to Eureka County as the District Attorney, there were two funded positions, one for the elected official and one for the Deputy District Attorney. The Deputy District Attorney position was taken away when there was a downturn in the revenues for Eureka County and all budgets were cut. A Litigation Fund was then moved from the Commissioner's Budget to the District Attorney's Budget and that litigation fund has been impacted in the past by the hiring of outside legal assistance. Commissioner Pastorino commented that the increase in mining activities and the expected increase in population in Eureka County will necessitate the hiring of a Deputy District Attorney. Commissioner Pastorino also said that the augmented work load will be felt in the Sheriff's Office and the Justice Facility as well as the District Attorney's Office. Commissioner Bailey explained that the attrition policy is still in effect and the hiring freeze is in place, however when a department can prove that it needs extra help, the Board of Commissioners can approve the additional position to help alleviate the deficiency. There are, however, some positions in Eureka County that are exempt from the attrition policy and approval is not required. Mr. Beutel explained that if attrition policy and hiring freeze were not in effect and the Department Head had the money in his/her budget and had a person that he/she would like to hire, it is entirely at the Department Head's discretion.

whether or not to fill the position. Even though requesting Board approval has been inconvenient and even though revenue is not a problem, Mr. Beutel still urged the Board to continue with the policy of requiring the Department Head to appear before them to seek authorization prior to filling positions. Motion carried 3-0.

Commissioner Pastorino moved to approve the capital outlay request to update or upgrade the computer for the Deputy District Attorney not to exceed \$1,500.00. Commissioner Bailey seconded the motion. Motion carried 3-0.

#### **EUREKA COUNTY WILDLIFE ADVISORY BOARD**

Jon Hutchings, Resource Manager reviewed a letter from the Eureka County Wildlife Advisory Board reporting that three qualified applicants have express interest in filling the two existing vacancies on the Eureka County Wildlife Board. The Wildlife Board recommended that persons who have not previously served on County Boards be considered for the appointment. The interested candidates for the vacancies on the Eureka County Wildlife Board were: Chris Torres, Hollon Moll, David Stine and Matt Zietlow; noting that Mr. Zietlow later withdrew his request for consideration.

Commissioner Pastorino moved to appoint Chris Torres and David Stine to the Eureka County Wildlife Advisory Board. Commissioner Bailey seconded the motion. Motion carried 3-0.

#### **NATURAL RESOURCES**

Natural Resource Manager Jon Hutchings reported on recent activities in the Natural Resource Department and told the Board that his meeting schedule has slowed considerably during the holidays and that it has allowed for time to reorganize the office.

Mr. Hutchings reported that the Lincoln County Public Lands Act and the Interior Appropriations Bill have both been signed by the President and Mr. Hutchings feels that there may be some ramifications regionally. Mr. Hutchings said that the Lincoln County Land Act established rights-of-way for the pipeline from Las Vegas up into White Pine County. There is money set aside in an agreement between the Bureau of Land Management and the Southern Nevada Water Authority for the Environment Impact Statement of the pipeline project. Mr. Hutchings recommended that Eureka County monitor the progress of that project very closely. The Lincoln County Land Act also designated 770,000 acres of wilderness and allowed for the disposal of up to 100,000 acres of land in Lincoln County.

The Interior Appropriations Bill established sale authority of the wild horses which is being heavily protested by the wild horse advocates, but if the administration withstands the litigations, some of the horses that are not adoptable could be removed from the long term holding facilities to create extra space.

Mr. Hutchings requested approval for updating the job description for the Natural Resource Administrative Assistant. Mr. Hutchings would like to have the job description expanded to a higher level of duties for the Natural Resource Department's office. Commissioner Pastorino moved to approve the new and expanded duties of NRAA job description. Commissioner Bailey seconded the motion. Motion carried 3-0.

Mr. Hutchings reported on the Horse Canyon/Cortez Unified Exploration Project. He told the Board that the work plan in the Horse Canyon area by Cortez allowed for 50 acres of total disturbance. That level of exploration and disturbance has been completed and a request to the Bureau of Land Management has been submitted and approved to disturb an additional 200 acres. The additional 200 acres disturbance has been protested by groups including Great Basin Mine Watch, Western Shoshone Defense Council and the Te Moak Tribe. Bureau of Land Management Director, Bob Abby, must now review the decision that was made by the Elko and Battle Mountain Field Offices. The State Director has denied the stay, but the protesters can formally appeal to the IBLA. Most of the development of mining interests is located in Eureka County and the protests will have a direct impact on Eureka County.

The Public Lands Advisory Commission will meet on January 12th, 2004 and would like to invite the Board of County Commissioners to attend.

The Energy Working Group will be meeting on January 24<sup>th</sup>, 2004 regarding renewable development.

A Sustainability and Mining Forum will be held in Battle Mountain on February 23<sup>rd</sup> and 24<sup>th</sup>, 2004. The forum is supported by Placer Dome, Cortez, and Newmont Mining Companies. The main topic is how to remove the boom and bust cycles that the mining industries create and what can be done to assist the local communities that experience those cycles.

#### **SBC / CENTREX CONTRACT**

Mike Rebaleati presented the SBC/Centrex Contract for approval from January 1, 2005 through December 31, 2005 to retain the current low rate status in conjunction with the State of Nevada RFP. Commissioner Pastorino moved to approve the contract. Commissioner Bailey seconded the motion. Motion carried 3-0.

#### **SHERIFF'S OFFICE**

Sheriff Etter introduced Lieutenant Fred Thompson who gave a presentation on "CALEA" Commission on Accreditation for Law Enforcement Agencies. Lt. Thompson has been with Henderson Police Department for 21 years and was the first accreditation manager. Lt. Thompson now assesses other law enforcement agencies and programs. Lt. Thompson reviewed and explained CALEA and its standards, procedures and guidelines for the accreditation process of law enforcement agencies.

#### **RECESS FOR LUNCH**

The Board recessed for lunch between 11:47 a.m. and 1:02 p.m.

#### **AMBULANCE AND SOCIAL SERVICES**

Ambulance and Social Services Coordinator Deseri Marshall distributed an activity report.

Ms. Marshall reported that on December 7, 2004 Bill Webb, the Elko County Ambulance Director, came to Eureka for Career Day at the Eureka High School.

Eureka's top three volunteer ambulance runners for the past year were Don Bergener, Earl Overholser and Kenny Sanders. The top three volunteer ambulance runners from Crescent Valley were Dacia Sansinena, Terry Henderson and Phil Schmitz.

Ms. Marshall reported that on December 14, 2004 she met with Mike Rupe and Tim Pruitt of Cortez Gold Mine to discuss the potential impact of the increased mining operations and the potential impact that the larger

mining activities will have on the Crescent Valley Service. Ms. Marshall said that many of the EMT's are choosing to become or stay licensed with the Crescent Valley Service in order to help incase of accidents at the mine.

Dr. Stefanko, Eureka Ambulance Medical Director, will be in Eureka for a meeting with the public on January 12, 2005. Dr. Nanton and Physician Assistant, Bill Jensen, will also be in attendance. The purpose of this meeting is to answer any questions or concerns regarding the ambulance service that anyone may have.

Commissioner Pastorino moved to approve the write off of ambulance bills for patient #887 in the amount of \$72.19; patient #900 in the amount of \$66.02; and patient #855 in the amount of \$145.28. Commissioner Bailey seconded the motion. Motion carried 3-0.

#### **PUBLIC HEARING**

Notice was given that the Board of Eureka County Commissioners would hold this public hearing on December 20, 2004 at 1:10 p.m. (local time) in the Eureka County Commissioner's chambers in the County Courthouse at 10 South Main Street in Eureka, Nevada.

The reason for said hearings is to invite public comments and consider:

- (1) Application 71454 filed with the State Engineer. Application 71454 was filed to change the point of diversion and place of use of a portion of Permit 18570, Certificate 6055,
- (2) Temporary Application 71644-T filed with the State Engineer. Temporary application 71644-T was filed to change the point of diversion and place of use of a portion of Permit 24664, Certificate 7293,
- (3) Temporary Application 71588-T filed with the State Engineer. Temporary application 71488-T was filed to change the point of diversion and place of use of a portion of Permit 18570, Certificate 6055.

Jon Hutchings referenced NRS 533.363 (4) regarding the aforementioned applications. The Victoria Resources has already been approved by the State Water Engineer. The temporary permit is to cross the County Border and has already been approved which is only good for a year.

Chairman Robinson called for public comment and there was none. Commissioner Pastorino moved to direct the Natural Resources Manager and the District Attorney to write a letter to the State Water Engineer. Commissioner Bailey seconded the motion. Motion carried 3-0.

#### **EMPLOYEE HEALTH INSURANCE COVERAGE**

Mike Rebaleati informed the Board that a large portion of the members of the Nevada League of Cities Insurance Pool is leaving because Lyon County is leaving the Nevada League of Cities Insurance Pool. Lyon County is a very large portion of the pool and they went out on their own to a plan created for them by St. Mary's. Mr. Rebaleati told the Board that it may be a topic that will have to be addressed for the Eureka County employees in the near future.

#### **DEPARTMENT HEAD EVALUATIONS**

Commissioner Bailey reported that the Department Head evaluation that she performed is completed. Chairman Robinson reported that he has completed the Department Head evaluations assigned to him. Commissioner Pastorino reported that one of the two Department Head evaluations that he was assigned is not complete because the employee was gone. Commissioner Pastorino moved to approve the evaluations that have been completed. Commissioner Bailey seconded the motion. Motion carried 3-0.

#### **COMMISSIONERS**

There was no Commissioner update report.

Mr. Rebaleati reported that he would like to schedule a Department Head Meeting for Jan 11, 2005 from 10:00 A.M. to 12:00 noon.

#### **COMPREHENSIVE ANNUAL FISCAL REPORT**

Jerri Norton of Kafoury, Armstrong & Co. appeared before the Board and explained the responsibilities and duties of the external auditors. Ms. Norton told the Board that they, as a Board, are acting in the capacity as the Audit Committee for Eureka County and that it is the responsibility of the external auditor to report the findings of the annual audit to them. Ms. Norton said that there are good people in Eureka and that all of the County Offices and staff were very cooperative and helpful during the auditing procedures.

Ms. Norton reviewed portions of the External Audit of the Comprehensive Annual Financial Report for Eureka County for the year ending June 30, 2004, as prepared by Eureka County Auditor Mike Rebaleati.

Also discussed and contained within the audit are recommendations that may improve the County's accounting and administrative systems.

Commissioner Pastorino moved to approve and accept the Comprehensive Annual Financial Report for the County of Eureka as presented by the external auditors, Kafoury, Armstrong & Co. Commissioner Bailey seconded the motion. Motion carried 3-0.

Commissioner Pastorino moved to approve the renewal of the contract with Kafoury, Armstrong & Co. as the external auditors for Eureka County for the next fiscal year. Commissioner Bailey seconded the motion. Motion carried 3-0.

#### **PUBLIC COMMENT AND OPEN DISCUSSION**

The Chairman called for public comment and there was none.

#### **ADJOURNMENT**

At 2:34p.m. Commissioner Bailey moved to adjourn. Commissioner Pastorino seconded the motion. Motion carried 3-0.

Approved this 3<sup>rd</sup> day of January, 2005.

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Chairman

Attest \_\_\_\_\_

Frances Gale, Clerk