



# Elko County Board of Commissioners

Nannini Administration Building  
540 Court Street, Suite 101, Elko, Nevada 89801  
Phone: 775-738-5398, Fax: 775-753-8535

[www.elkocountynv.net](http://www.elkocountynv.net)

## COMMISSIONERS

Delmo Andreozzi  
Wilde Brough  
Cliff Eklund  
Jon Karr  
Rex Steninger

## COUNTY MANAGER

Amanda Osborne  
EXECUTIVE ASSISTANT  
Michele Petty  
DEPUTY CLERK  
Michele Merkley

## PUBLIC MEETING NOTICE

**The Elko County Board of Commissioners, County of Elko, State of Nevada, will meet on Wednesday, June 2, 2021, in the Nannini Administration Building, Suite 102, 540 Court Street, Elko, Nevada 89801 at 1:30 PM Pacific Time Zone**

Attached with this Notice is the Agenda for said meeting of the Board.

This Notice is posted pursuant to NRS 241 as amended by the 2019 Legislature and is to be posted at the following places no later than three full working days before the meeting:

ELKO COUNTY MANAGER'S OFFICE

ELKO COUNTY COURTHOUSE

ELKO COUNTY LIBRARY

ELKO CITY HALL

ELKO COUNTY WEBSITE: [www.elkocountynv.net](http://www.elkocountynv.net)

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**AMANDA OSBORNE**  
Elko County Manager

## **WELCOME TO AN ELKO COUNTY BOARD OR COMMISSION MEETING!**

We are pleased you are interested in a meeting of one of Elko County's Boards or Commissions. Below is some basic information about our meetings and procedures for you to participate in your government.

### **AGENDAS**

The agenda is available on the Elko County website at [www.elkocountynv.net](http://www.elkocountynv.net). Hard copies are made available at the meeting, upon request at the County Manager's Office or posted as per NRS 241. Meetings are broadcast live from our website, under the Meetings tab on the home page of the website and then under Agendas, Videos, etc. You can also click the Watch Our Meetings tab on the right side of the home page. Videos of the meeting are available within 24 hours of the end of the meeting. Minutes, when finalized and approved by the Board/Commission, are also posted to that page.

### **PUBLIC COMMENT**

The public's participation in our meetings is valued and appreciated. The Board/Commission can only take action on items that are listed on an agenda properly posted prior to the meeting. During Comments by the General Public, speakers may address matters not listed on the agenda. The Open Meeting Law does not expressly prohibit responses to public comment by the Commissioners, but no deliberation on a matter can be considered without notice to the public. Public comment will also be called for on all agenda items marked For Possible Action.

If you are planning to speak during the meeting, please sign the sign-in-sheet at the back of the meeting room. This helps our recording clerk get the correct spelling of your name. When comments are called for, please approach the podium and state your name and who you represent.

If submitting comments or information on an agenda item, please submit to the County Manager's Office as soon as possible in order to provide opportunity for Board/Commission members to review and to avoid possible delays in a decision if not all information is presented previous to the start of a meeting. If information is presented at the meeting, you need to provide at least 10 copies, making sure to submit a copy to the recording secretary for the official public record. All information submitted becomes part of the public record and is added to the backup information for that agenda item on our website with 24 hours of the adjournment of the meeting.

Another avenue for making comments on agenda items, especially if you can't make a meeting, is our e-Comment system. If you open the agenda under the process described above, you will find a link by the agenda called e-Comment. Click on the link and follow the directions to register to comment and you are set to comment on specific agenda items. Please note that the e-comment period for a specific agenda closes 24 hours before the start of the meeting to allow those comments to be transmitted to our Board/Commission members and recording staff. Those reports are also uploaded to our agenda on the website.

### **CONSENT AGENDA**

Items listed under the Consent Agenda are considered to be routine in nature and are normally approved by one motion without extensive discussion. If a Board/Commission member wishes to comment or discuss a particular item, that item can be removed from the consent agenda and considered as a separate action during the meeting.



**ELKO COUNTY BOARD OF COMMISSIONERS COUNTY  
OF ELKO, STATE OF NEVADA MEETING THE NANNINI  
ADMINISTRATION BUILDING, SUITE 102, 540 COURT  
STREET, ELKO, NEVADA 89801.**

**1:30 PM Pacific Time Zone**

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**Wednesday, June 2, 2021**

**IN ACCORDANCE WITH NRS 241, THE COMMISSION MAY: (I) CHANGE THE ORDER OF THE AGENDA, (II) COMBINE TWO OR MORE AGENDA ITEMS FOR CONSIDERATION, (III) REMOVE AN ITEM FROM THE AGENDA OR DELAY DISCUSSION RELATING TO AN ITEM ON THE AGENDA AT ANY TIME, (IV) AND IF THE AGENDA IS NOT COMPLETED, RECESS THE MEETING AND CONTINUE ON ANOTHER SPECIFIED DATE AND TIME. THE PUBLIC CAN COMMENT ON ANY AGENDA ITEM BY BEING ACKNOWLEDGED BY THE CHAIR WHILE THE COMMISSION CONSIDERS THAT AGENDA ITEM.**

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**POSTING**

Members of the Elko County Board of Commissioners also serve as the Elko County Liquor Board, Elko County Road Commission, Jackpot, Jarbidge, Montello and Mountain City Town Advisory Boards, and the Elko County Health Board and during this meeting may convene as any of those boards as indicated on this posted agenda.

We encourage the public to participate in the meeting by attending in person, watching it on Zoom or our live broadcast, by submitting comments through our e-Comment system on our website under meeting which you can comment up to 60 minutes before the start of the meeting or by emailing your comment to [mpetty@elkocountynv.net](mailto:mpetty@elkocountynv.net) and we will get them on the record. If you need special accommodations to receive a copy of the agenda or comment, please contact the County Manager's Office at 775-738-5398.

**DUE TO COVID-19 AND UPON DIRECTIVES FROM THE GOVERNOR STILL IN EFFECT, THE POSTING REGULATIONS HAVE TEMPORARILY CHANGED.**

This agenda is posted pursuant to NRS 241 as amended by the 2019 Legislature and was posted at the following locations no later than May 28, 2021: ELKO COUNTY MANAGER'S OFFICE, ELKO COUNTY COURTHOUSE, STATE OF NEVADA WEBSITE AND THE ELKO COUNTY WEBSITE ([www.elkocountynv.net](http://www.elkocountynv.net)).

## **Join Our Zoom Meeting**

\*Please mute your computer if you are watching the broadcast as well as listening as it will cause problems. Thanks!

**Link To:** <https://zoom.us/j/96329356838?pwd=LzFqcXJQRtIHZjJoSXc5SEwxZnp4Zz09>  
Meeting ID: 963 2935 6838  
Passcode: 098516

**Dial In:** +1 669 900 6833  
Meeting ID: 963 2935 6838  
Passcode: 098516

## **PROCEDURE**

Please sign in at the back of the hearing room if you plan on speaking during the meeting and remember to state your name for the record at the podium before making your statement.

PLEASE TURN OFF YOUR CELL PHONES OR PLACE IN MANNER MODE

## **REQUEST FOR AGENDA INFORMATION**

The public may acquire this agenda and supporting materials, pursuant to NRS 241 by contacting Michele Petty, Executive Assistant, at (775) 738-5398 or via e-mail to [mpetty@elkocountynv.net](mailto:mpetty@elkocountynv.net). Materials are available from the Elko County Manager's Office, Nannini Administration Building, 540 Court Street, Suite 101, Elko, Nevada 89801 or on the Elko County website at [www.elkocountynv.net](http://www.elkocountynv.net).

### **A. CALL TO ORDER**

### **B. PLEDGE OF ALLEGIANCE**

### **C. COMMENTS BY THE GENERAL PUBLIC**

Pursuant to NRS 241 this time is devoted to comments by the general public, if any, and discussion of those comments. No action may be taken upon a matter raised under this item on the agenda until the matter itself has been specifically included on a successive agenda and identified to be an action item.

NON-ACTION

## **D. CONSTITUTIONAL SHERIFFS AND PEACE OFFICERS ASSOCIATION**

- D.1 Discussion and consideration of approval of Resolution No. 2021-19 which resolves to join the Constitutional Sheriffs and Peace Officers Association and approval of the expenditure of \$2,500 to join.

Lander County was the first county in the nation to join the organization whose purpose is to take back control of the country by following the powers of Article I, Section 8 of the U.S. Constitution and Bill of Rights.

FOR POSSIBLE ACTION

[Resolution.pdf](#)

[JoinCSPOA.docx](#)

[DRAFT Resolution No. 2021-19 A Resolution to Join the Constitutional Sheriffs and Peace Officers Association.pdf](#)

[Letter of Support for Joining the Constitutional Sheriff's and Peace Officers Association - Ingram.pdf](#)

- D.2 Discussion and consideration to approve Resolution No. 2021-20 creating an Elko County Agency Fund for Constitutional Sheriffs and Peace Officers Association donations related to the patriotic rally planned for Elko County.

FOR POSSIBLE ACTION

[DRAFT Resolution No. 2021-20 CSPOA Agency Fund.pdf](#)

## **E. ELKO COUNTY DISTRICT ATTORNEY'S OFFICE**

- E.1 Discussion and consideration to approve Cooperation and Indemnity Agreement between Elko County and Ruby Vista Ranch, LLC.

Ruby Vista Ranch approached Elko County to sponsor an application for an earmark on behalf of Ruby Vista Ranch for Federal money that will be used to help construct infrastructure for the Ruby Vista Ranch development.

Commissioners and staff had concerns regarding the liability to Elko County, if Elko County agreed to sponsor the application. As such, Commissioners directed the District Attorney's Office to work with Ruby Vista Ranch on a Indemnification Agreement.

The agreement provides for Elko County's indemnification as well as a guarantee that Elko County may terminate its participation and agreement at any time.

FOR POSSIBLE ACTION

[Ruby Vista Ranch - Elko County Indemnity Agreement.pdf](#)

## **F. ELKO COUNTY EMERGENCY MANAGEMENT**

- F.1 Discussion and consideration to approve Resolution No. 2021-18, which approves and adopts the Elko County Multi-Jurisdictional Hazard Mitigation Plan of 2019.

The plan was adopted by the Board of Commissioners on March 4, 2020 and a resolution confirming that adoption is required.

FOR POSSIBLE ACTION

[NO 2021-18 Hazard Mitigation Plan Update 2019.pdf](#)

## G. BOARD OF COUNTY HIGHWAY COMMISSIONERS

- G.1 Pursuant to Notice 14-2021, discussion and consideration to award Metropolis Roadbed Stabilization & Chip Seal Project, PWP-EL 2021-079, to the lowest responsive/responsible bidder based on the bid review and tabulation results.

Phase I project is 5 miles long or may include an alternate option of Phase I and Phase II for a total of 10 miles in length.

Elko County Road Department recommends that the bid be awarded to MKD Construction, Inc. for the alternate option of 10 miles in the amount of \$1,377,777.00.

Sealed bids were opened on May 27, 2021. Two bids were received by Elko County Road Department; MKD Construction, Inc. for \$1,377,777.00 and Sierra Nevada Construction, Inc. in the amount of \$1,559,007.00. \$1,500,000 in funds available in the infrastructure tax allocation.

FOR POSSIBLE ACTION

[NO 14-2021 Metropolis Roadbed Stabilization Project - Notice to Bid.pdf](#)

[MetropolisRoadbedStablize\\_AwardRecommend\\_20210527.pdf](#)

[Roads Department recommendation for Metropolis Road.pdf](#)

## H. ELKO COUNTY LIBRARY BOARD OF TRUSTEES

- H.1 Report and review of Board of Trustees activities and minutes including issues related to the operation of the County Library.

NON-ACTION

## I. ELKO COUNTY PLANNING AND ZONING

- I.1 Discussion and consideration of Application 21-6000-001, Solmax Geosynthetics, LLC, requesting a variance to allow for operating 24 hours a day, 7 days a week in "Zone 1, Item 2" of the Northeastern Nevada Regional Railport Land Use Master Plan for the manufacturing of geo-membrane.

APPLICATION: An application submitted by Solmax Geosynthetics, LLC, requesting a variance to allow for operating 24 hours a day, 7 days a week in "Zone 1, Item 2" of the

Northeastern Nevada Regional Railport Land Use Master Plan for the manufacturing of geo-membrane.

LOCATION: APN 006-320-042, Parcel 2 of that Parcel Map prepared for Port of Elko, LLC, filed in the office of the County Recorder of Elko County, Nevada on February 19, 2014 as file No. 683705. Located in Section 10, Township 35 North, Range 56 East, M.D.B. & M. Physical address: 8904 E. Idaho Street, Elko NV.

APPLICANT: Solmax Geosynthetics, LLC

OWNER: Port of Elko, LLC

FOR POSSIBLE ACTION

[21-6000-0001, VAR From Master Plan\\_Solmax\\_Staff Report.pdf](#)

[Northeastern Nevada Regional RailportIndustrial AreaLand Use Master.pdf](#)

[ECPC May 20, 2021 Minutes Draft Solmax.pdf](#)

## **J. ELKO COUNTY HUMAN RESOURCES**

- J.1 Review and consideration of approval of the Elko County Employees' Association (ECEA), Supervisor Unit, labor agreement for one year from July 1, 2020 to June 30, 2021.

FOR POSSIBLE ACTION

[Financial Impact Statement for General and Supervisor's Bargaining Units.pdf](#)

[ECEA Supervisor Unit Labor Agreement - FY 2021 \(CLEAN\).pdf](#)

[ECEA Supervisor Unit Labor Agreement - FY 2021 \(TRACKED CHANGES\).pdf](#)

- J.2 Review and consideration of the approval of the Elko County Employees' Association (ECEA), General Unit, labor agreement for one year, from July 1, 2020 to June 30, 2021.

FOR POSSIBLE ACTION

[Financial Impact Statement for General and Supervisor's Bargaining Units.pdf](#)

[ECEA General Unit Labor Agreement - FY 2021 \(CLEAN\).pdf](#)

[ECEA General Unit Labor Agreement - FY 2021 \(TRACKED CHANGES VERSION\).pdf](#)

## **K. ELKO COUNTY COUNTY MANAGER**

- K.1 Review, consideration, and possible approval of a Settlement Agreement and Release of Claims with Zach Woster, Chad Woster, and Mercedes Woster based on a November 10, 2019 vehicle accident.

On November 10, 2019, Zach Woster sustained injuries when the vehicle he was driving collided with a fire truck driven by Robert Lino at the corner of Fifth and Idaho Streets. Mr. Lino, a volunteer firefighter with the City of Elko Fire Department, was responding to a call at the time of the collision. The fire truck was owned by the Nevada Division of Forestry and provided to the County and the City by means of interlocal agreements. The

vehicle driven by Zach Woster was owned by his parents, Chad and Mercedes Woster.

No lawsuit has been filed in relation to the collision. As a result of settlement discussions, Zach, Chad and Mercedes Woster have agreed to release their potential claims in exchange for \$150,000, to be apportioned between the City and the County. Elko County's portion is \$10,000.

FOR POSSIBLE ACTION

[Woster Settlement Agreement.pdf](#)

## **L. LEGISLATION**

L.1 Update on the 81st (2021) Nevada Legislative Session which began on February 1, 2021.

FOR POSSIBLE ACTION

[Legislative Report - Issue 17.pdf](#)

[Legislative Report - Issue 18.pdf](#)

[AB495 - Enrolled Verison - Mining Tax.pdf](#)

L.2 Discussion and review of any federal legislative bills that the Commissioners may want to address or comment on the bills and the effects to Elko County.

FOR POSSIBLE ACTION

## **M. COMMISSION MEETING CALENDAR**

FOR POSSIBLE ACTION

M.1 **Wednesday, June 16, 2021** - County Commission Meeting - Wells & Jackpot - 7:30 a.m.

M.2 **Wednesday, July 7 and 8, 2021** - County Commission Meeting - Elko - 1:30 p.m.

M.3 **Wednesday, July 21, 2021** - County Commission Meeting - Elko - 1:30 p.m.

## **N. CONSENT AGENDA**

All matters listed under the consent agenda are considered routine, and may be acted upon by the Board of County Commissioners with one action, without extensive discussion. Any member of the Board or any citizen may request that an item be taken from the consent agenda, discussed and acted upon separately during this meeting.

FOR POSSIBLE ACTION

N.1 Presentation and review of claims for approval which are available for public review at the Elko County Manager's Office.



- N.2 Approval of Minutes  
[DRAFT Minutes Board of Commissioners May 19, 2021.pdf](#)

**O. COMMISSION AND COMMITTEE REPORTS**

O.1 WILDE BROUGH, DISTRICT 1 COMMISSIONER

Wells, West Wendover, Jackpot, Montello, Owyhee, Mountain. City and Jarbidge Liaison, Central Nevada Regional Water Authority (CNRWA), Humboldt River Basin Water Authority, USFS / BLM Liaison, Shoshone-Paiute Tribes of Duck Valley Liaison, State Lands Use Advisory Commission (SLUPAC), NACO Public Lands and Natural Resources Subcommittee.

O.2 DELMO ANDREOZZI, DISTRICT 2 COMMISSIONER

Nevada Association of Counties (NACO) Board, Highway Board Clerk, Auditorium Authority Board (ECVA), Hospital Board, Museum Board, Regional Transportation Commission (RTC), Railport Committee.

O.3 JON KARR, DISTRICT 3 COMMISSIONER

Commission Chair, Recreation Board, Railport Committee, Elko Senior Activity Programs Board, Veteran's Affairs, Fire District Committee, Nevada Department of Transportation (NDOT) Liaison, Elko City Liaison, School District Liaison / CIS – Communities in Schools, California Trails Center Board Liaison, Northeastern Nevada Stewardship Group, Northeastern Nevada Regional Development Authority (NNRDA).

O.4 CLIFF EKLUND, DISTRICT 4 COMMISSIONER

Commission Vice-Chair, Highway Board Chair, Regional Transportation Commission (RTC), Carlin, Midas, & Tuscarora Liaison, Juvenile Department Liaison / China Spring Advisory Committee, Library Board of Trustees Liaison, Nevadaworks, Debt Management Commission, Sheriff Department Liaison / LEPC Liaison, Debt Management Commission.

O.5 REX STENINGER, DISTRICT 5 COMMISSIONER

Spring Creek Association Liaison, National Association of Counties Western Interstate Region Board (NACo WIR), Natural Resource Management Advisory Commission Liaison, Fire District Committee, Elko County Conservation Districts Liaison, Wildlife Chair / Wildlife Advisory Board / Nevada Division of Wildlife Liaison, Humboldt River Basin Water Authority, Central Nevada Regional Water Authority, NNRDA Alternate,

USFS/BLM Liaison, Alt.

**P. COUNTY COMMISSIONERS AND COUNTY STAFF COMMENTS**

This time is devoted to comments by County Commissioners and/or County Staff for general information or update purposes. No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on a successive agenda and identified to be an action item.

NON-ACTION

**Q. COMMENTS BY THE GENERAL PUBLIC**

Pursuant to NRS 241 this time is devoted to comments by the general public, if any, and discussion of those comments. No action may be taken upon a matter raised under this item on the agenda until the matter itself has been specifically included on a successive agenda and identified to be an action item.

NON-ACTION

**R. ADJOURNMENT**

**E-COMMENT AND POSTING CERTIFICATE**

Posting Certificate

[Posting Certificate Commissioners Meeting June 2, 2021.pdf](#)

eComment Report

[eComment Report Board of Commissioners Meeting June 2, 2021.pdf](#)

**NOTICE TO PERSONS WITH DISABILITIES**

Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify the Board of County Commissioners, County of Elko, in writing at 540 Court Street, Suite 101, Elko, Nevada 89801, by e-mail at [mpetty@elkocountynv.net](mailto:mpetty@elkocountynv.net) or by calling (775) 738-5398.

**ELKO COUNTY IS AN EQUAL OPPORTUNITY PROVIDER AND EMPLOYER.**



# Elko County Board of Commissioners

540 Court Street, Suite 101, Elko, Nevada 89801

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**Commissioner:**

Delmo Andreozzi  
Wilde Brough  
Cliff Eklund  
Jon Karr  
Rex Steninger

**Elko County Manager**

Amanda Osborne

**Executive Assistant**

Michele Petty

**Deputy Clerk**

Michele Merkley

STATE OF NEVADA )  
COUNTY OF ELKO ) ss.

The Board of Elko County Commissioners met in regular session on Wednesday, June 2, 2021, at 1:30 p.m., at the Nannini Administration Building, Suite 102, 540 Court Street, Elko, NV 89801.

There were present: County Commissioners

Delmo Andreozzi  
Wilde Brough  
Cliff Eklund, Vice Chair  
Jon Karr, Chairman  
Rex Steninger  
Amanda Osborne  
Cash Minor  
Curtis Moore  
Rand Greenberg  
Michele Merkley

County Manager  
CFO/Asst. County Mgr.  
Natural Resources Director  
Deputy District Attorney  
Deputy County Clerk

**A) CALL TO ORDER**

Chairman Karr called the meeting to order at 1:30 p.m. All Commissioners were present.

**B) PLEDGE OF ALLEGIANCE**

Curtis Moore led the Pledge of Allegiance.

**C) COMMENTS BY THE GENERAL PUBLIC**

Lee Hoffman, Elko resident, advised he objected to putting his race and origin on the sign-in sheet.

Amanda Osborne advised they are required to have that data available pursuant to Title 6 if people so choose to fill it out.

**D) CONSTITUTIONAL SHERIFFS AND PEACE OFFICERS ASSOCIATION**

D.1 Discussion and consideration of approval of Resolution No. 2021-19 which resolves to join the Constitutional Sheriffs and Peace Officers Association and approval of the expenditure of \$2,500 to join. Lander County was the first county in the nation to join the organization whose

purpose is to take back control of the country by following the powers of Article I, Section 8 of the U.S. Constitution and Bill of Rights.

Sheriff Aitor Narvaiza advised they had a rally in Battle Mountain and he was impressed Elko had made this happen so fast. He advised this resolution was rewarding and uplifting and it made his job easier to have the support of the Commission. He thanked the Commission.

Commissioner Steninger thanked Lander County for getting this started and stated they hope to have a rally in Elko on the 20<sup>th</sup>. He read an email into the record and stated historically, all the great societies have floundered after 240 years and that is where we are right now. He advised this was a small step in the right direction. He stated they are charged with keeping a republic intact and the country was in decline. He stated the CSPOA's mission was to retake the country one Sheriff at a time and we are fortunate to have great Sheriff's in this area. He stated they took an oath of office to uphold the Constitution and that is what this resolution is about.

**MOTION: Commissioner Steninger moved to adopt the resolution. Commissioner Eklund seconded the motion.**

Commissioner Eklund advised 3 Sheriffs stood up at the rally and stated they would not enforce unconstitutional laws. He stated it was appropriate to pass this resolution and support the Sheriffs that stand up for our rights.

Sheriff Narvaiza advised he had taken an oath to become a US citizen, an oath to become a Sheriff's deputy, and an oath as the Sheriff and it meant a lot to stand in front of everyone to protect the Constitution.

Bert Ramos, Lander County Manager, advised government started locally and thanked the Commission for joining them. He advised the Constitution has stood for 240 years and it has worked well. He advised Lander County would support them in any way possible. He stated Lander County has created an account to cover citation fees if a business is cited for not following the mandates. He advised he had received an outpouring of support from around the world since their rally.

Eureka County Sheriff Jessie Watts advised he was proud to stand next to Sheriff Narvaiza. He read an excerpt into the record from a letter he wrote to the Eureka County Commission. He thanked the Commission for protecting their rights.

Debbie Pawalek, Elko County resident, addressed the board and thanked the Commission and the other elected officials. She stated the Founding Fathers put this document in place to protect their freedoms and liberties. She stated this was about the right to choose.

Gregory Martin, Elko County resident, advised he took an oath to defend the Constitution and the Country when he signed up for the military and it gives him pride and honor to stand before them and support the decisions today.

Commissioner Andreozzi commended Commissioner Steninger on his statement.

Commissioner Brough advised he had attended the Lander County rally also and was wanted to do that in Elko County also. He stated this County had good Commissioners and County Manager and hoped that the rest of the US would follow suit.

Chairman Karr agreed with the other Commissioner's statements.

Commissioner Andrezzi thanked the servicemen and women who paid the ultimate sacrifice.

**The motion passed unanimously.**

- D.2 Discussion and consideration to approve Resolution No. 2021-20 creating an Elko County Agency Fund for Constitutional Sheriffs and Peace Officers Association donations related to the patriotic rally planned for Elko County.

Commissioner Steninger advised it cost Lander County about \$12,500 for the stage and sound system at their rally. He didn't think it was appropriate to use taxpayer monies for that so donations were a good option.

Sheriff Narvaiza, Sheriff Watts, and others donated to the cause.

**MOTION: Commissioner Steninger moved to approve. Commissioner Brough seconded the motion.**

Lee Hoffman asked about the fund created to cover businesses during COVID. He stated his contribution from that fund could be transferred to this fund.

Commissioner Steninger advised he would look into the status of that fund.

**The motion passed unanimously.**

## **E) ELKO COUNTY DISTRICT ATTORNEY'S OFFICE**

- E.1 Discussion and consideration to approve Cooperation and Indemnity Agreement between Elko County and Ruby Vista Ranch, LLC. Ruby Vista Ranch approached Elko County to sponsor an application for an earmark on behalf of Ruby Vista Ranch for Federal money that will be used to help construct infrastructure for the Ruby Vista Ranch development. Commissioners and staff had concerns regarding the liability to Elko County, if Elko County agreed to sponsor the application. As such, Commissioners directed the District Attorney's Office to work with Ruby Vista Ranch on an Indemnification Agreement. The agreement provides for Elko County's indemnification as well as a guarantee that Elko County may terminate its participation and agreement at any time.

Rand Greenburg, District Attorney's Office, advised this was the approval of the agreement regarding the earmark they are sponsoring.

**MOTION: Commissioner Steninger moved to approve. Commissioner Brough seconded the motion.**

Commissioner Andreozzi advised he would not vote in favor of this as he believed anything that required an indemnification clause was probably a bad idea.

**Commissioner Steninger, Commissioner Brough, and Chairman Karr voted aye. Commissioner Andreozzi and Commissioner Eklund voted nay. The motion passed by majority vote.**

## **F) ELKO COUNTY EMERGENCY MANAGEMENT**

F.1 Discussion and consideration to approve Resolution No. 2021-18, which approves and adopts the Elko County Multi-Jurisdictional Hazard Mitigation Plan of 2019. The plan was adopted by the Board of Commissioners on March 4, 2020, and a resolution confirming that adoption is required.

Chief Matt Petersen advised the plan had been approved in 2019 but FEMA wanted an official resolution.

**MOTION: Commissioner Brough moved to approve. Commissioner Eklund seconded the motion. The motion passed unanimously.**

## **G) BOARD OF COUNTY HIGHWAY COMMISSIONERS**

G.1 Pursuant to Notice 14-2021, discussion and consideration to award Metropolis Roadbed Stabilization & Chip Seal Project, PWP-EL 2021-079, to the lowest responsive/responsible bidder based on the bid review and tabulation results. Phase I project is 5 miles long or may include an alternate option of Phase I and Phase II for a total of 10 miles in length. Elko County Road Department recommends that the bid be awarded to MKD Construction, Inc. for the alternate option of 10 miles in the amount of \$1,377,777.00. Sealed bids were opened on May 27, 2021. Two bids were received by Elko County Road Department; MKD Construction, Inc. for \$1,377,777.00 and Sierra Nevada Construction, Inc. in the amount of \$1,559,007.00. \$1,500,000 in funds available in the infrastructure tax allocation.

Dennis Price, Roads Superintendent, recommended awarding the 10-mile project bid to MDK Construction.

**MOTION: Commissioner Brough moved to approve. Commissioner Eklund seconded the motion. The motion passed unanimously.**

Commissioner Andreozzi thanked the contractors for working with them and stated this would be a significant improvement.

Commissioner Brough advised the residents of Metropolis were very happy about this.

Commissioner Steninger thanked Gary Isaman for being a gentleman and being accepting of the confusion.

**The motion passed unanimously.**

## **H) ELKO COUNTY LIBRARY BOARD OF TRUSTEES**

H.1 Report and review of Board of Trustees activities and minutes including issues related to the operation of the County Library.

This agenda item was tabled.

## **I) ELKO COUNTY PLANNING AND ZONING**

I.1 Discussion and consideration of Application 21-6000-001, Solmax Geosynthetics, LLC, requesting a variance to allow for operating 24 hours a day, 7 days a week in "Zone 1, Item 2" of the Northeastern Nevada Regional Railport Land Use Master Plan for the manufacturing of geomembrane. APPLICATION: An application submitted by Solmax Geosynthetics, LLC, requesting a variance to allow for operating 24 hours a day, 7 days a week in "Zone 1, Item 2" of the Northeastern Nevada Regional Railport Land Use Master Plan for the manufacturing of geomembrane. LOCATION: APN 006-320-042, Parcel 2 of that Parcel Map prepared for Port of Elko, LLC, filed in the office of the County Recorder of Elko County, Nevada on February 19, 2014, as file No. 683705. Located in Section 10, Township 35 North, Range 56 East, M.D.B. & M. Physical address: 8904 E. Idaho Street, Elko NV. APPLICANT: Solmax Geosynthetics, LLC. OWNER: Port of Elko, LLC

Corey Rice, Senior Planner, advised this was a variance to a master plan rather than a County code. This would allow them to operate 24/7. He stated the Planning Commission passed this unanimously with staff's recommendations and conditions.

Commissioner Eklund asked about noise pollution and lighting.

Mr. Rice advised a similar facility had been tested and was at 63 decibels 200 feet from the plant and the freeway is considerably farther away than that. His conditions include that during normal operations 80 decibels is the maximum at the right of way at 180. They will also have to turn their lights away from any adjacent properties or roadways.

Commissioner Eklund asked about the traffic during the night.

Mr. Rice advised Solmax has stated they would have 4-5 trucks per day and the majority of deliveries would be done during daylight hours. He advised he would be re-writing this master plan.

**MOTION: Commissioner Andreozzi moved to approve subject to Mr. Rice's recommendations and conditions. Commissioner Steninger seconded the motion.**

Commissioner Brough asked if there had been any objections.

Mr. Rice advised there was one individual with concerns but he believed those were addressed after the staff report was read.

Commissioner Andreozzi advised this would bring in a new industry to the area.

Mr. Rice advised this material is used in mining as well as other industries throughout the country.

Commissioner Eklund was happy to see businesses coming in that had clients throughout the West and thanked Mr. Rice for the effort put into this.

**The motion passed unanimously.**

## **J) ELKO COUNTY HUMAN RESOURCES**

J.1 Review and consideration of approval of the Elko County Employees' Association (ECEA), Supervisor Unit, labor agreement for one year from July 1, 2020, to June 30, 2021.

Mrs. Osborne advised the only changes were the effective dates and a 2% increase.

**MOTION: Commissioner Andreozzi moved to approve. Commissioner Eklund seconded the motion. The motion passed unanimously.**

J.2 Review and consideration of the approval of the Elko County Employees' Association (ECEA), General Unit, labor agreement for one year, from July 1, 2020, to June 30, 2021.

Mrs. Osborne advised this was the same agreement but it covered a different classification of employees.

**MOTION: Commissioner Andreozzi moved to approve. Commissioner Eklund seconded the motion. The motion passed unanimously.**

## **K) ELKO COUNTY MANAGER**

K.1 Review, consideration, and possible approval of a Settlement Agreement and Release of Claims with Zach Woster, Chad Woster, and Mercedes Woster based on a November 10, 2019 vehicle accident. On November 10, 2019, Zach Woster sustained injuries when the vehicle he was driving collided with a fire truck driven by Robert Lino at the corner of Fifth and Idaho Streets. Mr. Lino, a volunteer firefighter with the City of Elko Fire Department, was responding to a call at the time of the collision. The fire truck was owned by the Nevada Division of Forestry and provided to the County and the City by means of interlocal agreements. The vehicle driven by



Zach Woster was owned by his parents, Chad and Mercedes Woster. No lawsuit has been filed in relation to the collision. As a result of settlement discussions, Zach, Chad and Mercedes Woster have agreed to release their potential claims in exchange for \$150,000, to be apportioned between the City and the County. Elko County's portion is \$10,000.

Mrs. Osborne advised POOLPACT was the liability insurance for the County and the City. The County's portion of the payout is \$10,000.

Chairman Karr asked if volunteers could be personally accountable.

Mr. Greenburg advised there could be immunity depending on the individual circumstances.

**MOTION: Commissioner Brough moved to approve the agreement. Commissioner Steninger seconded the motion. The motion passed unanimously.**

## **L) LEGISLATION**

### **L.1 Update on the 81st (2021) Nevada Legislative Session which began on February 1, 2021.**

Commissioner Steninger asked about the public defender bill.

Mrs. Osborne advised it was modified to 48 hours and approved. They are looking at 6-7 days of court.

Commissioner Steninger advised at NACO they were assured that the mining tax would not affect net proceeds but he didn't see how it could not.

Cash Minor advised it would not impact net proceeds that come to the county level, it is more of a commerce tax.

Commissioner Eklund stated if it adds to the operational cost it reduced the net.

Mr. Minor did not see where the commerce tax was allowed as a deduction against net proceeds.

Chairman Karr stated he believed the money would go towards education but would go towards the general fund and the net to schools would remain the same.

Mr. Minor advised the bill mandates that the 75 cent operating fee that is collected locally will now go to the state education fund, not the school district.

### **L.2 Discussion and review of any federal legislative bills that the Commissioners may want to address or comment on the bills and the effects on Elko County.**

Chairman Karr advised he had deep concerns about the voting bill including no ID requirements and taxpayer money being used to fund re-electing legislators. He would like to write a letter opposing that. He stated Senator Cortez Masto's rural representative would be in Elko next week.

**MOTION: Commissioner Steninger moved to send a letter in opposition directed to Senator Cortez Masto. Commissioner Eklund seconded the motion.**

Harold Wissell thanked the board for paying attention to the details on this and opposing it.

**The motion passed unanimously.**

Lee Hoffman advised Senator Goicoechea tried to get others to hold out on voting on the mining tax in order to get a concession to get a nonpartisan commission to redistrict, and they got no concessions from the democrats. That means they will be in complete control of redistricting and it's likely that will have a severe impact on rural Nevada. He believed Nevada would become a single-party state.

#### **M) COMMISSION MEETING CALENDAR**

- M.1 Wednesday, June 16, 2021 - County Commission Meeting - Wells & Jackpot - 7:30 a.m.
- M.2 Wednesday, July 7 and 8, 2021 - County Commission Meeting - Elko - 1:30 p.m.
- M.3 Wednesday, July 21, 2021 - County Commission Meeting - Elko - 1:30 p.m.

Mrs. Osborne advised there will be a fire board meeting before the travel meeting on June 16<sup>th</sup>.

**MOTION: Commissioner Steninger moved to approve. Commissioner Brough seconded the motion. The motion passed unanimously.**

#### **N) CONSENT AGENDA**

- N.1 Presentation and review of claims for approval which are available for public review at the Elko County Manager's Office.
- N.2 Approval of Minutes from May 19, 2021.

**MOTION: Commissioner Steninger moved to approve. Commissioner Eklund seconded the motion. The motion passed unanimously.**

#### **O) COMMISSION AND COMMITTEE REPORTS**

##### **O.1 WILDE BROUGH, DISTRICT 1 COMMISSIONER**

Wells, West Wendover, Jackpot, Montello, Owyhee, Mountain. City and Jarbidge Liaison, Central Nevada Regional Water Authority (CNRWA), Humboldt River Basin Water Authority, USFS / BLM Liaison, Shoshone-Paiute Tribes of Duck Valley Liaison, State Lands Use Advisory Commission (SLUPAC), NACO Public Lands and Natural Resources Subcommittee.

Commissioner Brough had nothing to report.

##### **O.2 DELMO ANDREOZZI, DISTRICT 2 COMMISSIONER**

Nevada Association of Counties (NACO) Board, Highway Board Clerk, Auditorium Authority Board (ECVA), Hospital Board, Museum Board, Regional Transportation Commission (RTC), Railport Committee.

Commissioner Andreozzi stated the ECVA was preparing for the Mining Expo. He stated as they move forward several things might need to be amended on the agreement for the earmarked grant.

**O.3 JON KARR, DISTRICT 3 COMMISSIONER**

Commission Chair, Recreation Board, Railport Committee, Elko Senior Activity Programs Board, Veteran's Affairs, Fire District Committee, Nevada Department of Transportation (NDOT) Liaison, Elko City Liaison, School District Liaison / CIS – Communities in Schools, California Trails Center Board Liaison, Northeastern Nevada Stewardship Group, Northeastern Nevada Regional Development Authority (NNRDA).

Chairman Karr advised the Senior Center is open.

**O.4 CLIFF EKLUND, DISTRICT 4 COMMISSIONER**

Commission Vice-Chair, Highway Board Chair, Regional Transportation Commission (RTC), Carlin, Midas, & Tuscarora Liaison, Juvenile Department Liaison / China Spring Advisory Committee, Library Board of Trustees Liaison, Nevadaworks, Debt Management Commission, Sheriff Department Liaison / LEPC Liaison, Debt Management Commission.

Commissioner Eklund advised he and Commissioner Steninger had attended the Memorial Day service at the cemetery and there was a great turnout.

**O.5 REX STENINGER, DISTRICT 5 COMMISSIONER**

Spring Creek Association Liaison, National Association of Counties Western Interstate Region Board (NACO WIR), Natural Resource Management Advisory Commission Liaison, Fire District Committee, Elko County Conservation Districts Liaison, Wildlife Chair / Wildlife Advisory Board / Nevada Division of Wildlife Liaison, Humboldt River Basin Water Authority, Central Nevada Regional Water Authority, NNRDA Alternate, USFS/BLM Liaison, Alt.

Commissioner Steninger advised he had attended the WIR meeting and they mainly listened to national representatives on zoom. He stated most people are against the 30x30 but they want to stay involved and help define it. He stated they are working on the passing lanes on US93.

**P) COUNTY COMMISSIONERS AND COUNTY STAFF COMMENTS**

Mr. Greenburg advised because they didn't pass the resolutions, he was unsure where the mining tax litigation appeal was going. He has spoken to attorneys for the other counties and they think there might still be a cause of action. The attorneys for the mine would like to have a meeting soon.

Mrs. Osborne advised she had only received goal-setting information from 1 Commissioner and would like to have feedback from the others.

**Q) COMMENTS BY THE GENERAL PUBLIC**

There were no public comments.

**R) ADJOURNMENT**

There being no further business to come before the Board, Chairman Karr adjourned the meeting.

APPROVED,

JON KARR, Chairman

ATTEST:

MICHELE MERKLEY, Deputy Clerk

GM201I06

ELKO COUNTY  
Accounts Payable Transaction

3/04/22  
15:55:22

Group number . . . . . : 1300 REINSTATE CHECK GRP  
Accounting period . . . . : 12/2021 mm/yyyy  
Posting date . . . . . : 06/29/2021 mm/dd/yyyy  
  
Transaction date . . . . . : 06/29/2021 mm/dd/yyyy  
Invoice number . . . . . : BOCC 6/2/2021  
Account number . . . . . : 1-1000-511.41-04 DUES  
Project number . . . . . :  
Amount . . . . . : 2,500.00  
Liquidated amount . . . . : .00  
Discount amount . . . . . : .00  
Retainage amount . . . . . : .00  
Net transaction amount . . : 2,500.00  
Voucher number . . . . . : 316235  
PO number . . . . . :  
Vendor number . . . . . : 11114 CSPOA  
Description 1 . . . . . : CSPOA LIFETIME MEMBERSHIP  
Description 2 . . . . . :  
Transaction type code . . . :

F3=Exit F12=Cancel F15=Group Inquiry

F24=More keys

GM201I07

ELKO COUNTY  
Accounts Payable Transaction

3/04/22  
15:55:36

Group number . . . . . : 1300 REINSTATE CHECK GRP  
Accounting period . . . . . : 12/2021 mm/yyyy  
Posting date . . . . . : 06/29/2021 mm/dd/yyyy

Disbursement Information:

Bank code . . . . . : 00  
Payment number . . . . . : 309375 Returned / cleared. CHECK  
Payment date . . . . . : 06/29/2021  
Disbursement period . . . . . : 12/2021 mm/yyyy  
Disbursement status . . . . . : Paid / Disbursed.  
Due date . . . . . : 06/29/2021  
Disbursement number . . . . . : 35  
Discount Due Date . . . . . : 00/00/0000  
Always take discount Flag:

Press Enter to continue

F3=Exit F12=Cancel F15=Group Inquiry

F20=Imaging

## Cash Minor

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**From:** Amanda Osborne  
**Sent:** Thursday, June 3, 2021 8:58 AM  
**To:** Cash Minor; Susan Paprocki; Michele Petty  
**Subject:** CSPOA Membership Check

**Subject:** Re: CSPOA Resolution

Check should go to:  
CSPOA  
PO Box 567  
Higley, AZ 85236

Rex

Amanda Osborne  
Elko County Manager  
☎ Office: 775.748.0204  
☎ Fax: 775.753.8535  
✉ Email: [aosborne@elkocountynv.net](mailto:aosborne@elkocountynv.net)

