



**JOINT MEETING OF THE
NYE COUNTY BOARD OF COMMISSIONERS
NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS
NYE COUNTY LICENSING AND LIQUOR BOARD
NYE COUNTY BOARD OF HEALTH
AS THE GOVERNING BODY OF THE UNINCORPORATED TOWN OF PAHRUMP
AS THE GOVERNING BODY OF UNINCORPORATED TOWNS OF BEATTY BELMONT GABBS
MANHATTAN AND RAILROAD VALLEY
AS THE BOARD OF TRUSTEES FOR THE PAHRUMP POOL DISTRICT
2100 E. Walt Williams Drive, Pahrump, NV 89048
May 19, 2020
10:00 a.m.**

Pursuant to the State of Nevada Executive Department Declaration of Emergency Directive 006, the Nye County Board of Commissioners will hold public meetings via teleconference.

Meetings will not be accessible from any physical location.

Public comment can be given by calling 1-602-610-2062 and entering access code 187965.

Please provide your first and last name when prompted.

If you get an error message regarding call capacity, please hang up, wait a few moments and try again.

The Chair of the Board of County Commissioners will open public comment periods by announcement.

Commenters must press 5 * on their telephone keypads to notify Administration they wish to speak.

Commenters will be called upon by name.

The teleconference is also viewable at www.NyeCounty.net

Public Comment during the Commission Meeting on May 19, 2020 will be for all matters off the agenda, and be limited to up to three minutes per person. Additionally, public comment of up to three minutes per person will be taken during individual action items but before the Commission takes action on the item. The Commission reserves the right to reduce the time allowed for public comment. The Commission may prohibit comment if the content of the comments is a topic that is not relevant to, or within the authority of, the Commission, or if the content of the comments is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive, inflammatory, irrational or amounting to personal attacks or interfering with the rights of other speakers. Persons are invited to submit comments in writing on the agenda items and/or attend and make comment on that item at the Commission meeting.

NOTE: All items are approximate except for bid openings, public hearings, and any other items agendized at a specific time. Items on the agenda without a time designation may be taken out of order. The Board may combine two or more agenda items for consideration. The Board may remove an item from the agenda or delay discussion relating to an item on the agenda at any time. Items on the agenda without a time designation may not necessarily be considered in the order in which they appear on the agenda. **NOTICE: It is anticipated that the items of business before the Board of Commissioners on May 19, 2020 will be fully completed on that date. However, should item(s) not be completed, it is possible item(s) could be carried over and be heard before the Board of Commissioners beginning at 8:30 a.m. on the next day.**

Support documentation for the items on the agenda, provided to the Nye County Board of Commissioners is available to members of the public on the County's website, www.nyecounty.net or by calling Nye County Administration at (775) 751-7075.

The Nye County Board of Commissioners may take a short break every 1 ½ hours.

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [How to File a Program Discrimination Complaint](#) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

May 19, 2020

Special Note: Any member of the public who is disabled and requires accommodation or assistance at this meeting is requested to notify the Nye County Manager's Office in writing or call 775-482-8191 prior to the meeting.

1. **Pledge of Allegiance**
2. **Roll Call**
3. **Ex-Parte Communications and Conflict of Interest Disclosure Statements**
4. [Presentation](#) by the Director of Emergency Management regarding the status of the COVID-19 outbreak.
5. **Commissioners'/Manager's Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)**
6. **Approval of the Agenda for May 19, 2020 (Non-action item)**
7. **GENERAL PUBLIC COMMENT (up to three-minute time limit per person.) Action will not be taken on the matters considered during this period until specifically included on an agenda as an action item. (FIRST)**
8. [For Possible Action](#) – Discussion and deliberation regarding meeting minutes from the April 7, 2020 joint regular meeting, April 14, 2020 joint teleconference and April 21, 2020 joint regular meeting of the Nye County Board of Commissioners, Board of Highway Commissioners, Nye County Licensing and Liquor Board, Nye County Board of Health, the Governing Body of the Unincorporated Town of Pahrump, the Governing Body of the Unincorporated Towns of Beatty, Belmont, Gabbs, Manhattan, and Railroad Valley, and the Board of Trustees for the Pahrump Pool District.

TIMED ITEMS

9. **10:00 a.m. – [For Possible Action](#) – Public Hearing**, discussion and deliberation to: 1) Hear Bid Protest submitted by NDL Group regarding request for Bid 2020-07 for replacing a beacon and tower at the Tonopah Airport; 2) Uphold or Reject the bid protest; and 3) If rejected, direct the DA office to pursue a claim against the bond in the amount equal to the expenses incurred due to the bid protest.
10. **10:00 a.m. – [For Possible Action](#) – Public Hearing**, discussion and deliberation to adopt, amend and adopt, or reject Nye County Bill No. 2020-04: A Bill proposing to amend Nye County Code Title 17, titled Comprehensive Land Use Planning and Zoning by adding Chapter 17.12, titled Craft Distillery, Brewery, Brew Pub, Cidery, Meadery and Winery Zoning Requirements, to establish the zoning, land use and development requirements applicable to distilleries, micro-distilleries, cideries, microbreweries, brew pubs, meaderies and wineries within Nye County, including those areas within the Pahrump Regional Planning District; and providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto.
11. **10:00 a.m. – [For Possible Action](#) – Public Hearing**, discussion and deliberation to adopt, amend and adopt, or reject Nye County Bill No. 2020-05: A Bill proposing to amend Nye County Code, Title 5, titled Business Licenses and Regulations, Chapter 5.04.020, titled Definitions by changing the definitions for Special Event Permit and modifying Wholesale Delivery Liquor License and Wholesale Liquor License within Nye County, including those areas within the Pahrump Regional Planning District; and providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto.

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12. **10:00 a.m.** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation to adopt, amend and adopt, or reject Nye County Bill No. 2020-06: A Bill proposing to amend Nye County Code Title 5, titled Business Licenses and Regulations, Chapter 5.04.060, titled Classes by reclassifying and defining classes of business licenses within Nye County, including those areas within the Pahrump Regional Planning District; and providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto.
13. **10:15 a.m.** – [For Possible Action](#) – Discussion and deliberation regarding the Treasurer’s Report by Nye County Treasurer on bank reconciliation, Department of Taxation recommendations, and the balance in each county, state and, special fund, together with a statement of all money on deposit, outstanding checks against that money and cash on hand pursuant to NRS 354.280.

SITTING AS THE NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS

14. [For Possible Action](#) – Discussion and deliberation regarding General Road Report by Public Works Director on General Road Maintenance, Gravel Road Maintenance, Asphalt Patching, Weed Mowing and, direction regarding public work projects.

SITTING AS THE NYE COUNTY LICENSING AND LIQUOR BOARD

LIQUOR

15. [For Possible Action](#) – Discussion and deliberation regarding issuing a Retail Liquor License for Artesian Cellars, LLC. located at 1731 S. Highway 160, Pahrump, NV, Pamela Tyler – Owner/Applicant.

SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

16. **10:00 a.m.** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation to: 1) Repeal Town of Pahrump Resolution No. 2020-02: A Resolution to Augment and Amend the 2019-2020 Budget of the Town of Pahrump; and 2) Adopt, amend and adopt, or reject Town of Pahrump Resolution No. 2020-07: A Resolution to Augment and Amend the 2019-2020 Budget of the Town of Pahrump.
17. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject Town of Pahrump Resolution No. 2020-04: A Resolution to Close the Town of Pahrump Airport Room Tax Fund (25225) and the Town of Pahrump Airport Grant Fund (25340).
18. [For Possible Action](#) – Discussion and deliberation to: 1) Repeal Town of Pahrump Resolution No. 2020-06: A Resolution Enacting the Schedule of Fees Required for the Town of Pahrump Fall Festival; and 2) Adopt, amend and adopt or reject Town of Pahrump Resolution No. 2020-08: A Resolution Enacting the Schedule of Fees Required for the Town of Pahrump Fall Festival.
19. [For Possible Action](#) – Discussion and deliberation to: 1) Approve a request from the Pahrump Park and Recreation Advisory Committee for an amount not to exceed \$15,000.00 for the Pahrump Movies in the Park event that can be funded from Fund 25223 Pahrump Room Tax Fund; and 2) Execute an agreement with Entertainment Concepts to provide services for presenting the movies for the event.
20. [For Possible Action](#) – Discussion and deliberation to: 1) Accept the State of Nevada Off-Highway Vehicles Program (NV OHV) FY20 award in the amount of \$150,000.00 with a match amount of \$127,528.00; 2) Execute the grant award; and 3) Fund \$150,000.00 from 10340 Grants Fund and the \$127,528.00 from 25414 Pahrump Room Tax Fairgrounds Fund.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

May 19, 2020

SITTING AS THE BOARD OF COUNTY COMMISSIONERS

CONSENT AGENDA ITEMS – These are items that Staff recommends for approval. The Board reserves the right to move any consent agenda item to the regular segment of the agenda should issues arise that need to be addressed. Discussion of any item from the Consent Agenda Items that needs review before a decision is made.

21. [For Possible Action](#) – Approval of the Elected Official Collection Report regarding fees collected from elected county departments for services rendered by or provided to county citizens.
22. [For Possible Action](#) – Approval to set the date and location for the second Board of Commissioners meeting in August for Tuesday, August 18, 2020 in Pahrump, Nevada.
23. [For Possible Action](#) – Approval of a grant extension for the Brownfields Revolving Loan Fund (RLF) grant (N14025) for 12 months. The extension will move the grant end date from June 30, 2020 to June 30, 2021.
24. [For Possible Action](#) – Approval of a grant extension for the SAKI (Sexual Assault Kit Initiative) for 12 months. The extension will move the grant end date from September 30, 2019 to September 30, 2020. This will allow the completion of training for officers funded by the SAKI grant.

BOARD OF COMMISSIONERS

25. For Possible Action – Closure of meeting, pursuant to NRS 288.220 for purposes of conferring with the County’s management representatives regarding labor negotiations, issues and other personnel matters.
26. Closed meeting, pursuant to NRS 288.220 for purposes of conferring with the County’s management representatives regarding labor negotiations, issues and other personnel matters.
27. For Possible Action – Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.
28. [For Possible Action](#) – Discussion and deliberation regarding approval of five (5) contracts for Public Defender Services from the following list of applicants: Ronni Boskovich, Jason Earnest, Nathan Gent, Daniel Martinez, Nadine Morton, Clark Patrick, Brent D. Percival, and Randall Pike.
29. [For Possible Action](#) – Discussion and deliberation to: 1) Determine that a public purpose may be served by the acquisition of the real property more particularly described as Assessor’s Parcel Nos. 004-277-06, T8N R44E S20 B.17 L.2 & 3 .147AC, 004-278-05, T8N R44E S20 B.15 L.5 .07AC .073AC, 004-278-06, T8N R44E S20 B.15 L.4-NW .037AC, 004-291-04, T8N R44E S20 B.1A L.1 .069AC, 004-292-01, T8N R44E S20 B.3A L.1 .069AC, 004-292-02, T8N R44E S20 B.3A L.2 .069AC, 004-292-03, T8N R44E S20 B.3A L.3, 4 & 5 .207AC, 004-292-04, T8N R44E S20 B.3A L.6 .069AC, 004-292-05, T8N R44E S20 B.3A L.7 .069AC, all located in Manhattan, NV held in trust by the Nye County Treasurer; and 2) Consider the application made to the Board of County Commissioners by Nye County for permission to acquire the real property described as Assessor’s Parcel Nos. 004-277-06, 004-278-05, 004-278-06, 004-291-04, 004-292-01, 004-292-02, 004-292-03, 004-292-04, 004-292-05.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

May 19, 2020

30. [For Possible Action](#) – Discussion and deliberation to: 1) Determine that a public purpose may be served by the acquisition of the real property more particularly described as Assessor’s Parcel Nos. 038-252-07, 670 Rain Dance Dr., Pahrump, NV, 038-252-08, 680 Rain Dance, Dr., Pahrump, NV, 038-252-09, 690 Rain Dance Dr., Pahrump, NV, and 038-252-10, 700 Rain Dance Dr., Pahrump, NV held in trust by the Nye County Treasurer; and 2) Consider the application made to the Board of County Commissioners by the Town of Pahrump for permission to acquire the real property described as Assessor’s Parcel Nos. 038-252-07, 038-252-08, 038-252-09, and 038-252-10.

CLERK

31. [For Possible Action](#) – Discussion and deliberation to appoint three members to the Pahrump Regional Planning Commission due to one expiring term from the following list of applicants: John Stavish and Walt Turner.

SHERIFF

32. [For Possible Action](#) – Discussion and deliberation to issue a Display Fireworks Event Permit to the Town of Tonopah to do an Aerial Display for their annual Fourth of July Event on Saturday July 4, 2020. This event is being held at the Joe Friel Sports Complex in Tonopah, NV. Jennifer Mills – Applicant.
33. [For Possible Action](#) – Discussion and deliberation regarding a renewal of a Wholesale/Retail Fireworks permit for Alamo Fireworks located at 2641 E. Highway 95, Amargosa Valley, NV. Patrick James – Applicant.

COUNTY MANAGER

34. [For Possible Action](#) – Discussion and deliberation to ratify the letter that has been submitted to the Bureau of Land Management for Nye County’s Comments on the Yellow Pine Solar Project Draft Environmental Impact Statement.
35. [For Possible Action](#) – Discussion and deliberation to: 1) Adopt, amend and adopt, or reject Nye County Resolution No. 2020-16: A Resolution Directing the Transfer of Nye County Treasurer Trust Property into Nye County Ownership for Public Purposes, pursuant to NRS 361.603(2); and 2) Fund from fund 27101 – Manhattan General Fund.
36. [For Possible Action](#) – Discussion and deliberation to: 1) Adopt, amend and adopt, or reject Nye County Resolution No. 2020-17: A Resolution Directing the Transfer of Nye County Treasurer Trust Property into Town of Pahrump Ownership for Public Purposes, pursuant to NRS 361.603(2); and 2) Fund from Fund 25401 – Pahrump Town General Fund.
37. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2020-18: A Resolution Directing the Transfer of Nye County Treasurer Trust Property into Town of Tonopah Ownership for Public Purposes, pursuant to NRS 361.603(2).
38. [For Possible Action](#) – Discussion and deliberation on a request from the Nevada Department of Health and Human Services, Division of Public and Behavioral Health, Rural Clinics for a waiver of rent for May in the amount of \$688.91 for leased space at 100 Frankie Street in Tonopah, NV.

FINANCE

39. [For Possible Action](#) – Discussion and deliberation related to the segregation of the Museum fund tax rate between the two County museum funds: Pahrump Museum Fund (10214) and Tonopah Museum Fund (10215).

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

May 19, 2020

PLANNING/BUILDING/CODE COMPLIANCE

40. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2020-15: A Resolution Amending the Dust Control Plan Fee Schedule for the Pahrump Regional Planning District.
41. [For Possible Action](#) – Discussion and deliberation regarding a request to: 1) Set a date, time and location for a Public Hearing on Nye County Bill No. 2020-10: A Bill proposing to amend Nye County Code Title 17, Comprehensive Land Use Planning and Zoning, by amending Chapter 17.04 entitled Pahrump Regional Planning District, relating to Section 17.04.220 RE-2 Rural Estates Residential; Section 17.04.225 RE-1 Rural Estates Residential; Section 17.04.230 SE Suburban Estates Residential and Section 17.04.465 OS Open Space, Parks, and Recreation, by removing the permissive use of commercial farming/growing of crops in those zoning districts; and providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto; and 2) Read the title of the Bill into the record.
42. [For Possible Action](#) – Discussion and deliberation regarding a request to: 1) Set a date, time and location for a Public Hearing on Nye County Bill No. 2020-11: A Bill proposing to amend Nye County Code Title 17, Comprehensive Land Use Planning and Zoning, by amending definitions of Commercial Farming, Subsistence Farming, and adding definitions for Cottage Industry, Farmers Market; and providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto; and 2) Read the title of the Bill into the record.

PUBLIC WORKS

43. [For Possible Action](#) – Discussion and deliberation to: 1) Provide direction to staff to initiate a bid package to repair a damaged section of sidewalk in Tonopah in front of Assessor’s Parcel Nos. 008-136-03, 109 N. Main St., Tonopah, NV, 008-136-04, 111 N. Main St., Tonopah, NV, 008-136-05, 113 N. Main St., Tonopah, NV, 008-136-06, 117 N. Main St., Tonopah, NV, 008-136-07, 119 N. Main St., Tonopah, NV, 008-136-08, 121 N. Main St., Tonopah, NV, 008-136-09, 123 N. Main St., Tonopah, NV; and 2) Fund from 10205 Roads.
44. [For Possible Action](#) – Discussion and deliberation for approval to submit Airport Capital Improvement Plan (ACIP) data sheets and support information to the Federal Aviation Authority (FAA) for the Beatty, Gabbs, and Tonopah Airports for Fiscal Years 2021 through 2025.
45. [For Possible Action](#) – Discussion and deliberation to: 1) Award Bid 2020-07 – Tonopah Beacon Tower Replacement to Silver Sabre Electric. The amount of the bid is \$61,236.00; 2) Execute the contract; and 3) Fund from 10340 Grants.
46. [For Possible Action](#) – Discussion and deliberation regarding approval to: 1) Enter into a contract with Atkins North America, Inc. to provide Construction Management services for Replacement of the Airport Beacon Tower and Beacon at the Tonopah Airport – Task 11 of the 2019 Airport Capital Improvement Plan (ACIP) project for \$16,020.00; 2) Execute the contract; and 3) Fund from 10340 Grants.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

May 19, 2020

PUBLIC PETITIONER

47. [For Possible Action](#) – Discussion and deliberation to: 1) Determine that a public purpose may be served by the acquisition of the real property more particularly described as Assessor’s Parcel No. 008-151-04, .23 acre of land located to the west and adjacent to 179 Booker Street, T3N R42E S35 B.15 L.6 (N 10' PORTION) .023ac, Tonopah, NV held in trust by the Nye County Treasurer; and 2) Consider the application made to the Board of County Commissioners by the Town of Tonopah for permission to acquire the real property described as Assessor’s Parcel No. 008-151-04.
48. [For Possible Action](#) – Discussion and deliberation to consider Karl Mitchell’s request for refund of the \$375.00 Nye County Code Title 17 Conditional Use Permit application and noticing fees.
49. [For Possible Action](#) – Discussion and deliberation to consider Scott Shoemaker’s request for a waiver of Nye County Code Title 6 Animal Special Conditions & Commercial Kennel Permit Fees totaling \$500.00 for REXANO’s Facility in Zuzana Kukol’s name.
50. [For Possible Action](#) – Discussion and deliberation to consider Sandra Tiffany’s request for a deferral of the Recreational Marijuana Annual Renewal fees and any applicable late fees for GWGA, LLC for 60 days.
51. **GENERAL PUBLIC COMMENT (up to three-minute time limit per person.) Action will not be taken on the matters considered during this period until specifically included on an agenda as an action item. (SECOND)**
52. **Commissioners’/Manager’s Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)**
53. **ADJOURN**

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