



**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

July 21, 2020

10:00 a.m.

Pursuant to the State of Nevada Governor's Guidance for Phase 2 Reopening of the Nevada United: Roadmap to Recovery, the Nye County Board of Commissioners will hold public meetings with no more than 50 people in total while continuing to follow social distancing and the Roadmap to Recovery to slow the spread of COVID-19. Board members, staff, members of the public and members of the press are included in the 50-person count. Public attendance will be on a first-come, first-served basis. Temperature screenings will be conducted prior to entering the meeting.

Nye County's vulnerable population, those sheltering in place or members of the public in excess of the gathering limit of 50 people can participate 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 July 21, 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 agendaized 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 July 21, 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.**

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](http://www.usda.gov/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

July 21, 2020

Pursuant to NRS 241.020, the Agenda for the Commission Meeting has been posted at the following locations. Tonopah Convention Center, 301 Brougner Avenue, Tonopah, NV; U.S. Post Office, 201 Erie Main St., Tonopah, NV; Commissioners' Meeting Room, 101 Radar Road, Tonopah, NV; District Court, 101 Radar Road, Tonopah, NV; Commissioners' Chambers, 2100 E. Walt Williams Drive, Pahrump, NV

Additional Posting Locations: Amargosa Valley Community Center, 821 E. Amargosa Farm Rd., Amargosa Valley, NV; Beatty Community Center, 100 South A Ave., Beatty, NV; Gabbs Town Hall, 503 Brucite St., Gabbs, NV; Round Mountain Community Center, 650 Civic Dr., Round Mountain, NV

Support documentation for the items on the agenda, provided to the Nye County Board of Commissioners is available to members of the public at the County Manager's Office (101 Radar Road, Tonopah, Nevada & 2100 E. Walt Williams Drive, Pahrump, Nevada) and on the County's website, or by calling Melissa Godfrey at (775) 482-8191

WEBSITE: www.nyecounty.net

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

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 July 21, 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 [May 19, 2020](#) and [June 16, 2020](#) joint regular meetings and [June 19, 2020](#) joint teleconference 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. – [Presentation](#) by Holly Gatzke with the University of Nevada Cooperative Extension regarding the Agricultural Extension program in Nye County.**
- 10. 10:00 a.m. – [For Possible Action](#) – Community Development Block Grant (CDBG) Public Meeting: 1) Overview of the Community Development Block Grant (CDBG) program; 2) Summary of Past Performance by Nye County with CDBG funding since 1982; and 3) Invite public to provide project ideas, and input on past or potential projects.**

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

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11. **10:00 a.m.** – [For Possible Action](#) – **Hearing to Show Cause**, discussion and deliberation pursuant to Nye County Code 17.04.860 to: 1) Determine if unhealthful nuisance conditions exist at 5908 E. Badlands Lane, Pahrump, NV, and 2) If a nuisance does exist, whether the nuisance should be abated or removed, or 3) Determine that there is no nuisance. Assessor’s Parcel Number 046-011-13, Property Owner – Mosley, Jorja Faye Shrouder Trust.
12. **10:00 a.m.** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation on ZC-2020-000046: A request for a (Conforming) Zone Change application to change 0.5 acres from the General Commercial (GC) zone to the Commercial Manufacturing (CM) zone located at 1360 E. Basin Avenue, Pahrump, NV, to allow an indoor shooting range and retail store. Assessor’s Parcel Number 035-232-14, 1360 LLC – Property Owner, Kalif Gordon, 2nd Amendment Guns – Applicant.
13. **10:00 a.m.** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation on ET-2020-000035: An application for an Extension of Time of Special Use Permit SU-2018-000055 (Cultivation) and SU-2018-000056 (Production) for a marijuana establishment (under construction) located at 750 E. Betty Avenue, Pahrump, NV. Assessor’s Parcel Number 038-024-01, Item 9 Properties – Property Owner, Item 9 Labs – Applicant.
14. **10:00 a.m.** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation on ET-2020-000036: An application for an Extension of Time of Special Use Permit SU-2018-000057 (Dispensary/Retail Store), proposed to be located at 1205 S. Loop Road, Pahrump, NV. Assessor’s Parcel Number 035-381-35, Floyd’s Construction Inc. – Property Owner, Green Life Productions, LLC – Applicant.
15. **10:00 a.m.** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation to adopt, amend and adopt, or reject 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.
16. **10:00 a.m.** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation to adopt, amend and adopt, or reject 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.
17. **10:00 a.m.** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation to adopt, amend and adopt, or reject Nye County Bill No. 2020-12: A Bill proposing to amend Nye County Code Title 17, Comprehensive Land Use Planning and Zoning, by amending Section 17.04.770 entitled Signage Requirements; and providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto.
18. **10:00 a.m.** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation to adopt, amend and adopt, or reject Nye County Bill No. 2020-13: A Bill proposing to approve a Development Agreement between Nye County and Cedar Trees, LLC, for the North Canyon Homes Subdivision; and providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

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19. **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

20. [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

21. **10:00 a.m.** – [For Possible Action](#) – **Hearing to Show Cause**, discussion and deliberation to: 1) Consider reinstating Liquor Licenses that are suspended due to nonpayment of license renewal fees pursuant to Nye County Code 55.04.330(A) from the following list of licensees: CVS Pharmacy #8789, CW Nevada, LLC., El Valle Restaurant, Escapees Co-Op of Nevada, MJG Jupiter Enterprises, LLC., R and H Market, Raley’s #120, Round Mountain Golf Course, Rubalcaba's Taco Shop, Tonopah Shell, Tonopah Texaco Truck and Auto Plaza; or 2) Allow additional time to pay delinquent renewal fees.
22. [For Possible Corrective Action](#) – Discussion and deliberation to ratify the meeting of 3 members of the Licensing and Liquor Board (quorum pursuant to NCC 5.04.040) on July 7, 2020 with JEH, LLC., Nevada Wine Cellars, Inc. dba, Pahrump Valley Winery and ratify the action of examining and accepting documentation from JEH, LLC., Nevada Wine Cellars, Inc. dba, Pahrump Valley Winery on July 7, 2020.
23. [For Possible Corrective Action](#) – Discussion and deliberation to ratify the action taken by Licensing and Liquor Board Chair, Debra Strickland during a meeting of 3 members of the Licensing and Liquor Board (quorum pursuant to NCC 5.04.040) on July 7, 2020 with JEH, LLC., Nevada Wine Cellars, Inc. dba, Pahrump Valley Winery regarding extending the application document submission deadline for JEH, LLC., Nevada Wine Cellars, Inc. dba, Pahrump Valley Winery, John Hobbs – Owner/Applicant.
24. [For Possible Action](#) – Discussion and deliberation regarding future suspension reinstatement procedures and direction to staff to commence code amendment procedures within Nye County Code Chapter 5.04 Article V Licenses, Suspensions, and Revocation.

SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

25. **10:00 a.m.** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation to: 1) Adopt, amend and adopt, or reject Pahrump Town Bill No. 2020-01 titled Motor Vehicles, Chapter 72.020, titled speed limit imposed by changing the speed limits in the area of Honeysuckle Park/Ian Deutch Park, and providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto; and 2) Set an effective date.
26. [For Possible Action](#) – Discussion and deliberation of verbal activity reports provided by Town of Pahrump Committees: Pahrump Arena Advisory Committee, Nuclear Waste and Environmental Advisory Committee, Pahrump Parks and Recreation Advisory Committee, Pahrump Public Lands Advisory Committee, Pahrump Tourism Advisory Committee, or Pahrump Veterans Memorial Advisory Committee, and direction from the Board regarding the verbal activity reports.

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SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWNS OF BEATTY, BELMONT, GABBS, MANHATTAN, AND RAILROAD VALLEY

BEATTY

27. [For Possible Action](#) – Discussion and deliberation to: 1) Approve a onetime donation of \$5,000.00 to the Nye County Senior Nutrition Program for the Beatty Senior Center to offset the operating deficit for the fiscal year ending on September 30, 2020; and 2) Fund from Fund 24101 Beatty Town.

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.

28. [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.
29. [For Possible Action](#) – Approval to set the date and location for the second Board of Commissioners meeting in October for Tuesday, October 20, 2020 in Pahrump, Nevada.
30. [For Possible Action](#) – Approval of Affidavit of Mailing of Delinquent Notices per NRS 361.5648.
31. [For Possible Action](#) – Approval of Return of Sale and Affidavits of Publication per NRS 361.595 for the Nye County Trust Property Auctions held on June 1, 2020, June 2, 2020 and June 3, 2020.
32. [For Possible Action](#) – Approval of a grant extension for the Community Development Block Grant for the Beatty Airport Fueling Station (G19005) for 6 months. The extension will move the grant end date from March 31, 2020 to September 30, 2020.
33. [For Possible Action](#) – Approval to: 1) Accept the grant agreement for the FFY20 Services-Training-Officers-Prosecutors (STOP) Grant from the Nevada Office of the Attorney General in the amount of \$66,417.00 with a match amount of \$22,139.00 for the purpose of hiring a specialized prosecutor; 2) Execute the grant agreement; and 3) Fund \$66,417.00 from 10340 Grants and \$22,139.00 from 10101 General.
34. [For Possible Action](#) – Approval to: 1) Accept a Notice of SubAward for CARES Act Monies to the Community Service Block Grant (CSBG) in the amount to \$44,460.00, along with Assurances. There is no County match required; 2) Execute the SubAward; and 3) Fund from 10340 Grants.

BOARD OF COMMISSIONERS

35. For Possible Action – Closure of meeting, pursuant to NRS 241.015(3)(b)(2) for purposes of conferring with legal counsel regarding potential or current litigation.
36. Closed meeting, pursuant to NRS 241.015(3)(b)(2) for purposes of conferring with legal counsel regarding potential or current litigation.
37. For Possible Action – Discussion and deliberation on conference with legal counsel regarding potential or current litigation presented in closed meeting.
38. 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.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

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39. 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.
40. For Possible Action – Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.
41. [For Possible Action](#) – Discussion and deliberation to consider Neal Jones's request to rescind, repeal, cancel, void and/or nullify Nye County Resolutions 2020-16: A Resolution Directing the Transfer of Nye County Treasurer Trust Property Into Nye County Ownership for Public Purposes and 2013-17: A Resolution Directing the Transfer of Nye County Treasurer Trust Property Into Town of Belmont Ownership for Public Purposes.

CLERK

42. [For Possible Action](#) – Discussion and deliberation to appoint two members to the Amargosa Valley Town Board due to two resignations from the following list of applicants: John Bosta and Richard Claessens.

RECORDER

43. [Report](#) of projected expenditures of money in the Recorder's Technology Fund to be used in the 2020-2021 Fiscal Year.

TREASURER

44. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2020-23: A Resolution Directing the Levy of the Tax Rate Required for Fiscal Year 2020-2021.

COUNTY MANAGER

45. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2020-24: A Resolution of the Board of Commissioners of Nye County, Nevada Providing for the Transfer of the County's 2020 Private Activity Bond Volume Cap to the Nevada Rural Housing Authority and Other Matters Related Thereto.
46. [For Possible Action](#) – Discussion and deliberation regarding a Memorandum of Understanding (MOU) between Nye County and the Nye County Management Employees Association (NCMEA) regarding employee concessions.
47. [For Possible Action](#) – Discussion and deliberation regarding a Memorandum of Understanding (MOU) between Nye County and the Nye County Management Employees Association – Criminal Deputy District Attorneys (NCMEA-CDDAs) regarding employee concessions.
48. [For Possible Action](#) – Discussion and deliberation to: 1) Determine that an excess Nye County vehicle is no longer required for public use; and 2) Determine it is in the best interest of Nye County to dispose of the excess vehicle through salvage with any resulting funds deposited into Fund 10401 or 10402 Capital Projects based on Comptroller determination upon receipt of the funds.

FINANCE

49. [For Possible Action](#) – Discussion and deliberation to ratify the County Manager's acceptance of the No-cost Extension for the FFY19 Violence Against Women Act (VAWA) STOP Grant. The extension will move the grant end date from June 30, 2020 to September 30, 2020. This will allow the District Attorney's Office more time to hire a specialized prosecutor.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

July 21, 2020

- 50. [For Possible Action](#) – Discussion and deliberation to: 1.) Discuss the allocation of Cares Act funding issued to Nye County in the amount of \$8,496,059.00 between Nye County eligible expenditures and programs to be issued to sub-entities, small businesses, and constituents within Nye County, 2) Discuss the CARES Act funding program goals and guidelines, and 3) Provide direction to staff to bring forward a policy for CARES Act funding including the funding allocation, program goals, and program guidelines. [Additional Backup](#)
- 51. [For Possible Action](#) – Presentation and direction to staff regarding the current and future financial condition of Nye County as related to the COVID-19 outbreak. [Additional Backup](#)
- 52. [For Possible Action](#) – Discussion and deliberation regarding the budget status through June 2020 for Nye County and all sub-entities for Fiscal Year 2020.

PLANNING/BUILDING/CODE COMPLIANCE

- 53. [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.
- 54. **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)**
- 55. **Commissioners’/Manager’s Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)**
- 56. **ADJOURN**

Pursuant to the State of Nevada Governor’s Guidance for Phase 2 Reopening of the Nevada United: Roadmap to Recovery, the Nye County Board of Commissioners will hold public meetings with no more than 50 people in total while continuing to follow social distancing and the Roadmap to Recovery to slow the spread of COVID-19. Board members, staff, members of the public and, members of the press are included in the 50-person count. Public attendance will be on a first-come, first-served basis. Temperature screenings will be conducted prior to entering the meeting.

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