



**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**

**101 Radar Road, Tonopah, NV 89049**

**August 4, 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](http://www.NyeCounty.net)**

**Public Comment** during the Commission Meeting on August 4, 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 August 4, 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](#) 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](mailto:program.intake@usda.gov)

# NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

August 4, 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](http://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. **Ex-Parte Communications and Conflict of Interest Disclosure Statements**
3. [Presentation](#) by the Director of Emergency Management regarding the status of the COVID-19 outbreak.
4. **Commissioners'/Manager's Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)**
5. **Approval of the Agenda for August 4, 2020 (Non-action item)**
6. **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)**
7. **For Possible Action - Emergency Items**
8. [For Possible Action](#) – Discussion and deliberation regarding meeting minutes from the [June 24, 2020](#) and [June 30, 2020](#) joint teleconferences 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](#) – 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.
10. **10:00 a.m. – [For Possible Action](#) – Public Hearing**, discussion and deliberation to adopt, amend and adopt, or reject Nye County Bill No. 2020-09: A Bill proposing to amend Nye County Code Title 5, Business Licensing and Regulations, Chapter 5.32 entitled Marijuana Establishments; and providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto.

**NYE COUNTY BOARD OF COMMISSIONERS AGENDA**

**ITEM # SUBJECT**

**August 4, 2020**

- 11. **10:00 a.m.** – [For Possible Action](#) – **Public Hearing**, discussion, and deliberation to issue an Outdoor Festival License to the Pahrump Valley Chamber of Commerce for the Balloon Festival to be held March 25-27, 2021, at Petrack Park located at 150 Highway 160, Pahrump, Nevada.
- 12. **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**

- 13. [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 GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP**

- 14. [For Possible Action](#) – Discussion and deliberation to appoint two members to the Pahrump Tourism Advisory Committee due to two resignations from the following list of applicants: Vicki Gladsjo and Deanna O’Donnell.
- 15. [For Possible Action](#) – Discussion and deliberation regarding Town of Pahrump Proclamation No. P2020-02: A Proclamation Recognizing August 7, 2020 as Purple Heart Day in the Town of Pahrump.
- 16. [For Possible Action](#) – Discussion and deliberation to accept a grant extension from the Land and Water Conservation Fund Grant for the Kellogg Park Phase 1 Project. Grant Extension #2 grants a twelve-month extension through June 30, 2021, to allow for completion of the project.
- 17. [For Possible Action](#) – Discussion, deliberation and direction – to staff to determine if the 2020 Fall Festival will be moving forward.

**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.**

- 18. [For Possible Action](#) – Approval to: 1) Accept the SFY 2021 Notice of Subaward (NOSA) from the Nevada Aging and Disability Services Division (ADSD) in the amount of \$57,874.00 to provide senior transportation services in Beatty, Gabbs, Smoky Valley and Tonopah in Nye County, as well as long-distance medical transportation providing non-emergency medical rides to larger cities; and 2) Execute the Subaward. Matching funds of \$8,681.00 are budgeted by our contract with Medical Transportation Management, Inc. (MTM) and by the Nevada Department of Transportation (NDOT) Section 5311 Fuel Grant.
- 19. [For Possible Action](#) – Approval to: 1) Accept the Amendment to the FY 2018 Emergency Solutions Grant – Homeless Prevention award that reduces the grant amount from \$10,000.00 to \$9,868.00. The \$132.00 budget modification has been reallocated to another agency that is able to expend funds due to COVID-19; 2) Execute the Amendment; and 3) Fund from 10340 Grants. There is no County match required.

**NYE COUNTY BOARD OF COMMISSIONERS AGENDA**

**ITEM # SUBJECT**

**August 4, 2020**

- 20. [For Possible Action](#) – Approval to: 1) Accept the Emergency Management Performance Grant Program, COVID-19 Supplemental (EMPG-S) through the Nevada Department of Public Safety in the amount of \$24,901.00 with a match amount of \$24,901.00 to be used to purchase roadside communication equipment for the Department of Emergency Management needed due to COVID-19; 2) Delegate a one-time authority to Finance to accept the award in the ZoomGrants Portal as it is an online acceptance process; and 3) Fund \$24,901.00 from 10340 Grants and \$24,901.00 from 10402 Capital.
- 21. [For Possible Action](#) – Approval to: 1) Accept the State Emergency Response Commission (SERC) Operations, Planning, Training, & Equipment (OPTE) grant through the Nevada Department of Public Safety in the amount of \$29,000.00 to be used to administer the grant, cover the cost of training and purchase a multi-gas detector and shower shelter for the Department of Emergency Management; 2) Delegate a one-time authority to Scott Lewis due to the requirement by SERC to be signed by the chair of the LEPC; and 3) Fund \$29,000.00 from 10340 Grants.
- 22. [Report](#) by the Director of Human Resources on vacant positions within departments in Nye County.

**BOARD OF COMMISSIONERS**

- 23. 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.
- 24. Closed meeting, pursuant to NRS 241.015(3)(b)(2) for purposes of conferring with legal counsel regarding potential or current litigation.
- 25. For Possible Action – Discussion and deliberation on conference with legal counsel regarding potential or current litigation presented in closed meeting.
- 26. 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.
- 27. 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.
- 28. For Possible Action – Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.
- 29. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2020-25: A Resolution by the Nye County Board of Commissioners Requesting that the Governor of the State of Nevada, the Attorney General of the State of Nevada, and the Secretary of State of the State of Nevada Will Ensure that the Citizen's Ability to Vote In Person at the 2020 General Election is Maintained with Minimal Restrictions to Prevent the Spread of COVID-19.
- 30. [For Possible Action](#) – Discussion and deliberation to select the liaison option for Commissioner Blundo on the Nevada Site Specific Advisory Board as appointed to the liaison position by the Board of Commissioners on January 22, 2020.

**SHERIFF**

- 31. [For Possible Action](#) – Discussion and deliberation regarding a renewal of a Wholesale/Retail Fireworks permit for Outlaw Pyrotechnics Inc. located at 2280 W. Betty Ave., Pahrump, NV. Applicant – David Bernard.

## NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

August 4, 2020

### DISTRICT COURT

32. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2020-26: A Resolution Authorizing Nye County to Establish a 5<sup>th</sup> Judicial Court Checking Account through Nevada State Bank.

### COUNTY MANAGER

33. [For Possible Action](#) – Discussion and deliberation regarding Bill Draft Requests (BDRs) Nye County can submit for the 2021 Legislative Session.

### EQUIPMENT SERVICES

34. [For Possible Action](#) – Discussion and to: 1) Determine that excess Nye County vehicles and equipment are no longer required for public use; and 2) Determine it is in the best interest of Nye County to dispose of through auction or other means with all resulting proceeds deposited into Fund 10401 or 10402 Capital Projects based on Comptroller determination upon receipt of the funds.

### FINANCE

35. [For Possible Action](#) – Discussion and deliberation to: 1) Adopt, amend and adopt, or reject Nye County Resolution No. 2020-27: A Resolution to Collapse the Nye County Renewable Energy Fund (10255); and 2) Adopt, amend and adopt, or reject budget transfer within functions of Fund 10255 Nye County Renewable Energy Fund to complete collapse of the fund.
36. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject the Nye County Cares Act Policy up to and including Addendum C. The remaining Addendums are application forms that are being developed by the department.
37. [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.

### INFORMATION TECHNOLOGY

38. [For Possible Action](#) – Discussion and deliberation to enter into a Communications Use Lease with the United States Department of Agriculture, Forest Service for Nye County to utilize a Private Mobile Radio Service Communications Facility located at the Sheep Canyon Communication Site. There is a fee waiver in place for this agreement so there will be no cost for this agreement.

### PUBLIC WORKS

39. [For Possible Action](#) – Discussion, deliberation, and direction to staff to consider the roads that are scheduled for chip seal repair or overlay as approved by the Regional Transportation Commission (RTC), and to initiate a bid package for the repair and overlay project.

### PUBLIC PETITIONER

40. [For Possible Action](#) – Discussion and deliberation regarding Nye County Proclamation No. P2020-06: A Proclamation Recognizing August 7, 2020 as Purple Heart Day in Nye County.
41. [For Possible Action](#) – Discussion and deliberation regarding a request from Constance Allison to modify the action taken by the Board of Commissioners on Item 10 at their June 16, 2020 Meeting regarding Appeal Application AP-2020-000025 where the board affirmed the decision of the Pahrump Regional Planning Commission (PRPC) to deny the Conditional Use Permit (CUP) CU-2020-000092, and deny Waiver WV-2020-000109. Both regarding the illegal RV Park located at 1060 E. Second Street, Pahrump, NV, Assessor's Parcel Number 035-308-02.

**NYE COUNTY BOARD OF COMMISSIONERS AGENDA**

**ITEM # SUBJECT**

**August 4, 2020**

- 42. 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)**
- 43. Commissioners'/Manager's Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)**
- 44. 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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