



**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

September 15, 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. Facial coverings/masks are required at all times.

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. There is a 30 to 40 second delay between the teleconference and the meeting video.

Public Comment during the Commission Meeting on September 15, 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 September 15, 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/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

September 15, 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. **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 September 15, 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 July 28, 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. – [For Possible Action](#)** – Presentation, discussion and deliberation to: 1) Introduce critical stakeholders for the jail bond refinance project; 2) Review assumptions, refinance savings, plan for solicitation of financing bids, the timeline, and other details relating to the jail bond refinance project; and 3) Provide direction to staff to proceed with the jail bond refinance.
10. **10:00 a.m. – [For Possible Action](#) – Continued 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 there is no nuisance. Assessor's Parcel Number 046-011-13, Property Owner – Mosley, Jorja Faye Shrouder Trust.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

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11. **10:00 a.m.** – [For Possible Action](#) – **Public Hearing**, discussion, and deliberation to issue an Outdoor Festival License to the VinoJazz Foundation for Pahrump Valley Days to be held February 18-21, 2021 at Petrack Park located at 150 Highway 160, Pahrump, Nevada.
12. [For Possible Action](#) – **Continued Public Hearing**, discussion and deliberation to: 1) 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.
13. [For Possible Action](#) – **Continued Public Hearing**, discussion and deliberation to: 1) 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.
14. [For Possible Action](#) – **Continued Public Hearing**, discussion and deliberation to: 1) 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.
15. [For Possible Action](#) – **Public Hearing**, discussion and deliberation to: 1) Adopt, amend and adopt, or reject Nye County Bill No. 2020-14: A Bill Proposing to Amend Nye County Code Title 5 Titled Business Licenses and Regulations, Chapter 5.04 Titled Liquor Regulations, Section 5.04.040, Titled Meetings, by Changing the Number of Members of the Board Constituting a Quorum; and providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto.
16. **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

17. [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.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

September 15, 2020

SITTING AS THE NYE COUNTY LICENSING AND LIQUOR BOARD

LIQUOR

18. [For Possible Action](#) – Discussion and deliberation regarding approval of a Doing Business As (dba) name change for WNT, LLC. from The Office to The Phoenix, located at 1301 S. Loop Road, Pahrump NV 89048, Nicholas Moore – Owner/Applicant.

SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

19. **10:00 a.m.** – [For Possible Action](#) – Presentation, discussion and deliberation of the FY20-21 Lakeview Executive Golf Course Annual Plan.
20. [For Possible Action](#) – Presentation by ARES to review their plans to amend their original project and development agreement to add construction of a storage and energy regulation management facility located in the Town of Pahrump.
21. [For Possible Action](#) – Discussion and deliberation of 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 activity reports.

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.

22. [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.
23. [For Possible Action](#) – Approval to set the date and location for the second Board of Commissioners meeting in December for Tuesday, December 15, 2020 in Pahrump, Nevada.
24. [For Possible Action](#) – Approval to: 1) Accept the SFY 2020 Notice of Subaward (NOSA) Amendment #1 from the Nevada Aging and Disability Services Division (ADSD) for a Budget Modification from Operating Expenses to Personnel Expenses in the amount of \$13,200.00 to provide meals to seniors in Beatty and Tonopah in Nye County; 2) Execute the Subaward; and 3) Fund from 10281 Senior Nutrition. Matching funds have been met.

BOARD OF COMMISSIONERS

25. 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.
26. Closed meeting, pursuant to NRS 241.015(3)(b)(2) for purposes of conferring with legal counsel regarding potential or current litigation.
27. For Possible Action – Discussion and deliberation on conference with legal counsel regarding potential or current litigation presented in closed meeting.

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28. 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.
29. 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.
30. For Possible Action – Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.
31. [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.
32. [For Possible Action](#) – Discussion and deliberation to: 1) Conduct the annual Evaluation of the County Manager; 2) Determine whether the County Manager’s performance has been satisfactory resulting in a 5.25% step increase pursuant to the County Manager Employment Agreement; and 3) Establish goals for the coming year.

CLERK

33. [For Possible Action](#) – Discussion and deliberation to appoint one member to the Northern Nye County Hospital District due to one resignation from the following list of applicants: Nancy L. Maslach.

PUBLIC ADMINISTRATOR

34. [Presentation](#) regarding the quarterly report from the Public Administrator on deceased person cases that are open, closed, pending, NCPA Creditor Claims, non-cases or cases that have been turned over to family.

SHERIFF

35. [For Possible Action](#) – Discussion and deliberation to: 1) Ratify the Memorandum of Agreement with Nye Communities Coalition as accepted by Captain David Boruchowitz of the Nye County Sheriff’s Office for the purpose of performing Complete Compliance checks for Alcohol Retail Stores throughout Nye County; and 2) Deposit funds to 10101 General Fund.

JUSTICE(S) OF THE PEACE

36. [For Possible Action](#) – Discussion and deliberation to approve a Court Services Specialist position and determine potential funding sources to fund the position in Fiscal Year 2021.

FINANCE

37. [For Possible Action](#) – Presentation, discussion and possible amendment of the Nye County CARES Act Policy.
38. [For Possible Action](#) – Discussion and deliberation regarding the budget status through June 2020 for Nye County and all sub-entities for Fiscal Year 2020.
39. [For Possible Action](#) – Discussion and deliberation regarding the budget status for July and August 2020 for Nye County and all sub-entities for Fiscal Year 2021.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

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40. [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.

HUMAN RESOURCES

41. [For Possible Action](#) – Discussion and deliberation to adopt the Emergency Family and Medical Leave Policy.

PLANNING

42. [Presentation](#) of the quarterly report from the Planning Department regarding the status of Code Compliance cases.
43. [For Possible Action](#) – Discussion and deliberation on a request to approve a two (2) year extension of time for performance under an existing Development Agreement between Nye County and L.I. Development, LLC and Pahrump Utility Company, Inc., for property located at 5400 E. Turner Boulevard, Pahrump, NV, Assessor’s Parcel Number 045-361-01.
44. [For Possible Action](#) – Discussion and deliberation pursuant to Nye County Code Chapter 5.32 to set a date, time and location for a Show Cause Hearing to determine if there is sufficient cause to revoke the Marijuana License granted to ACC Enterprises, LLC for recreational marijuana cultivation, for the property located at 1261 E. Calvada Boulevard, Pahrump, NV, Assessor’s Parcel Number 040-041-40.
45. [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. 2020-15: A Bill proposing to approve a Development Agreement between Nye County and Pahrump Lands, LLC; 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 PETITIONER

46. [For Possible Action](#) – Discussion and deliberation regarding a request from Micah Wittenborn to waive the Waiver Application fee of \$350.00 and the \$175.00 noticing fee associated with the Waiver Application. Micah Wittenborn – Requestor/Property Owner. 3081 S. Margarita Ave., Pahrump, NV, Assessor’s Parcel Number 042-672-21.
47. [For Possible Action](#) – Discussion and deliberation regarding use of the Beatty Senior Center Building by the Beatty Seniors, Inc. 501c3, beginning Oct. 1, 2020 with use of kitchen and office equipment. And to stay under the county umbrella for building repair and fire/liability insurance. The current transportation program will remain under the control of the current Nye County Program.
48. **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)**
49. **Commissioners’/Manager’s Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)**
50. **ADJOURN**

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

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September 15, 2020

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