



**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
November 16, 2020
10:00 a.m.**

Pursuant to the State of Nevada Governor's Guidance for COVID-19 safety measures, Nye County Board of Commissioners will hold public meetings with limited in-person capacity while continuing to follow social distancing to slow the spread of COVID-19. Public attendance will be on a first-come, first-served basis. Masks/facial coverings are required at all times.

Nye County's vulnerable population, those sheltering in place or members of the public in excess of the capacity limit can participate by calling 1-602-610-2062 and entering access code 187965.

Please provide your first and last name when prompted.

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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 November 16, 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 November 16, 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

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

November 16, 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 November 16, 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**

TIMED ITEMS

8. **10:00 a.m. – [Presentation](#)** of certificates and/or plaques to fifteen employees honored for their years of service.
9. **10:00 a.m. – [For Possible Action](#)** – Discussion and deliberation on appeal (pursuant to Nye County Code Title 6, Animals, Section 6.40.010) of the Nye County Sheriff's Office's classification of Vicious or Dangerous Animal (pursuant to Nye County code Title 6, Animals, Section 6.20.030) located at 1060 E. Jet Place, Pahrump, NV. Paul and Allene Gundersen – Appellants.
10. **10:00 a.m. – [For Possible Action](#) – Continued Public Hearing**, discussion and deliberation to adopt, amend and adopt or reject Nye County Resolution No. 2020-32: A Resolution Authorizing a Medium-Term Obligation for the Purposes of Constructing an Animal Shelter.
11. **10:00 a.m. – [For Possible Action](#) – Public Hearing**, discussion and deliberation to adopt, amend and adopt, or reject Nye County Bill No. 2020-15: 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.

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- 12. **10:00 a.m.** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation on Nye County Bill No. 2020-16: A Bill Proposing to Amend Nye County Code Title 2 Titled Administration and Personnel, Chapter 2.84 Titled Nye County Peace Officer Advisory Review Board, Setting Forth Its Powers and Duties; Providing for the Severability, Constitutionality and Effective Date Thereof, and other matters properly relating thereto.
- 13. **10:00 a.m.** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation on Nye County Bill No. 2020-17: A Bill proposing to enter into a Second Development Agreement Extension and Amendment between Nye County and L.I. Development, LLC and Pahrump Utility Company, Inc., for the Indian Road Subdivision; and Providing for the Severability, Constitutionality and Effective Date Thereof, and other matters properly relating thereto.
- 14. **10:00 a.m.** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation on ZC-2020-000047: An application for a Conforming Zone Change, proposing to change the zoning from Special Plan of Development (SPD) to General Commercial (GC) on approximately 2.5 acres to facilitate the development of a gas station & convenience market on property generally located at the southwest corner of Clubhouse Drive and Mountain Falls Parkway, property address 4960 E. Manse Road, Pahrump, NV, Assessor’s Parcel Number 045-031-19. Mountain Falls, LLC – Property Owner, Taney Engineering – Applicant, Shannon Cooper – Agent.
- 15. **10:00 a.m.** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation on SU-2020-000069: An application for a Special Use Permit to allow a marijuana establishment (cultivation), located at 5101 S. Oakridge Avenue, Pahrump, NV, Assessor’s Parcel Number 044-521-41. Oakridge Enterprises, LLC – Property Owner, Farhad Delrahim, Oakridge Enterprises, LLC – Manager, Moosa Kohanim, Green Cross of America, LLC – Applicant.
- 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.

SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

- 18. [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.
- 19. [For Possible Action](#) – Discussion and deliberation to appoint six members and one alternate to the Pahrump Veterans Memorial Advisory Committee due to six expiring terms and one resignation from the following list of applicants: Beverly Baker, Gregory Cardarelli, Bruce Cox, Jerry Hashimura, Carl Jones, Alice Lubbers, Peter Nicastro, Cles Saunders, Jannis Saunders and Eddie Williams, Jr.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

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- 20. [For Possible Action](#) – Discussion and deliberation to: 1) Discuss the bid proposals received; 2) Award Bid 2020-07 – Kellogg Park Phase III – Concrete to Morales Construction, Inc. in the amount of \$143,296.44; 3) Approve, amend and approve, or reject the contract; and 4) Fund from 25223 Town of Pahrump Parks Fund; or 5) Reject bid; and 6) Provide direction to staff on how to proceed with the project.
- 21. [For Possible Action](#) – Discussion and deliberation to: 1) Direct Pahrump Valley Fire Rescue Service (PVFRS) ambulance service to be the primary 911 response and transport service in Pahrump, utilizing OptimuMedicine via mutual aid as back up; 2) Direct and Authorize Nye County Sheriff’s Office (NCSO) Dispatch to dispatch PVFRS to be the primary 911 response in Pahrump, utilizing mutual aid as required; and 3) Direct and authorize NCSO Dispatch to dispatch OptimuMedicine as the primary interfacility transfer ambulance service (ALS, BLS, and CCT levels of care), utilizing PVFRS via mutual aid as back up.

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 of Assessor’s Office Change Requests to allow the Nye County Treasurer to process and:
 - 1) Issue an amended tax bill in the amount of \$899.78 to Daniel Sweeney, owner of 97 Smoky Valley Blvd., Hadley, NV, Assessor’s Parcel Number 006-201-41.
 - 2) Issue an amended tax bill in the amount of \$51.91 to Barry L. & Janet D. Baszile, owners of T12S R46E S4 & S5 & S8 & S9 P#46196 S#2576 Water Loo, Assessor’s Parcel Number 000-000-16.
- 24. [For Possible Action](#) – Approval to set the date and location for the second Board of Commissioners meeting in February for Wednesday, February 17, 2021 in Pahrump, Nevada.
- 25. [For Possible Action](#) – Approval to:1) Accept the FY20 Bulletproof Vest Partnership Grant Award from the U.S. Department of Justice in the amount of \$20,969.18 with a match amount of \$20,969.18 to provide bulletproof vests to the Nye County Sheriff’s Office; and 2) Fund \$20,969.18 from 10340 Grants and \$20,969.18 from 10101 General Fund.

BOARD OF COMMISSIONERS

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

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

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29. 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.
30. 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.
31. For Possible Action – Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.

CLERK

32. [For Possible Action](#) – Pursuant to NRS 293.387 (1), Canvass of the returns of the General Election held on November 3, 2020.

DISTRICT ATTORNEY

33. [For Possible Action](#) – Discussion and deliberation regarding: 1) Retaining Attorney Nick D. Crosby of the law firm Marquis Aurbach Coffing as counsel for handling of civil litigation in case Nye County Law Enforcement Association v Nye County, Case 2020-025, filed November 3, 2020, State of Nevada, Local Government Employee-Management Relations Board; and 2) Authorize District Attorney, Chris Arabia to execute contract for counsel legal services.

COUNTY MANAGER

34. [For Possible Action](#) – Discussion and deliberation to appoint the Director of Health & Human Services as ex-officio of Nye County Public Guardian.

FINANCE

35. [For Possible Action](#) – Presentation, discussion and deliberation regarding the budget transfer between functions and departments in the Nye County General Fund 10101.
36. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2020-37: A Resolution Directing the Dissolution of the Petty Cash Fund for the Nye County Pahrump Juvenile Probation Office.
37. [For Possible Action](#) – Discussion and deliberation regarding the budget status for September and October 2020 for Nye County and all sub-entities for Fiscal Year 2021.
38. [For Possible Action](#) – Presentation, discussion and possible amendment of the Nye County CARES Act Policy.
39. [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

40. [For Possible Action](#) – Discussion and deliberation to: 1) Approve, amend and approve or reject Amendment #2 with Commnet of Nevada, LLC to replace Exhibit “B” of the lease increasing rent by \$100.00 per month for an additional dish location on the tower; 2) Execute the amendment; and 3) Continue to deposit revenue to Fund 10291 County Owned Buildings.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

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41. [For Possible Action](#) – Discussion and deliberation to: 1) Approve, amend and approve or reject a Communications Facility Lease with the Nevada Department of Transportation (NDOT) for the purpose to locate, maintain, and operate communications equipment at the Nye County communications site located in Amargosa Valley, NV; and 2) Execute the agreement. There is no cost to Nye County for this Lease.

PLANNING

42. [For Possible Action](#) – Discussion and deliberation regarding approval of a Cooperating Technical Partnership Agreement between Nye County and the Federal Emergency Management Agency (FEMA). The Cooperating Technical Partnership Program allows partnerships between FEMA and counties that have the interest and capabilities to become more active participants in the FEMA flood hazard mapping program. This partnership Agreement will benefit Nye County Communities by: ensuring better flood risk identification through the development of reliable and up-to-date flood maps; allow opportunities to apply for federal funding as managed by FEMA on priority projects as determined by the County by pooling resources, and provides data for local permitting and planning that can become the basis for the National Flood Insurance Program maps, facilitating more efficient floodplain management.
43. [For Possible Action](#):
- a. [For Possible Action](#) – Discussion and deliberation on FM-2020-000013: Approval of a Unit 1 Final Map application for a subdivision containing 60 single-family residential lots and eleven common element lots on approximately 17.06 acres (gross) of a portion of Parcel 2 of File Number 798502 located within the Mountain Falls Master Planned Community, further known as Planning Area 2, situated within Sections 3 & 4, T21S, R54E. Assessor’s Parcel Number 046-251-02. Taney Engineering – Agent, Taylor Morrison – Applicant/Owner.
 - b. [For Possible Action](#) – Discussion and deliberation on IA-2020-000020: Approval of a Subdivision Improvement Maintenance and Warranty Agreement related to the Unit 1 Final Subdivision Map of Mountain Falls for Planning Area 2, on approximately 17.06 acres (gross). Assessor’s Parcel Number 046-251-02. Taney Engineering – Agent, Taylor Morrison – Applicant/Owner.
44. [For Possible Action](#):
- a. [For Possible Action](#) – Discussion and deliberation on FM-2020-000014: Approval of a Unit 2 Final Map application for a subdivision containing 30 single-family residential lots and six common element lots on approximately 5.79 acres (gross) of a portion of Parcel 2 of File Number 798502 located within the Mountain Falls Master Planned Community, further known as Planning Area 2, situated within Sections 3 & 4, T21S, R54E. Assessor’s Parcel Number 046-251-02. Taney Engineering – Agent, Taylor Morrison – Applicant/Owner.
 - b. [For Possible Action](#) – Discussion and deliberation on IA-2020-000021: Approval of a Subdivision Improvement Maintenance and Warranty Agreement related to the Unit 2 Final Subdivision Map of Mountain Falls for Planning Area 2, on approximately 5.79 acres (gross). Assessor’s Parcel Number 046-251-02. Taney Engineering – Agent, Taylor Morrison – Applicant/Owner.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

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PUBLIC WORKS

45. [For Possible Action](#) – Discussion and deliberation to: 1) Discuss the bid proposals received; 2) Award Bid 2020-09 – RTC Chip Seal to American Pavement Systems, Inc. in the amount of \$497,980.00, Wulfenstein Construction Co. in the amount of \$665,677.54, or Intermountain Slurry Seal, Inc. in the amount of \$857,768.00; 3) Approve, amend and approve, or reject the contract; and 4) Fund from 10205 Road Fund; or 5) Reject bid; and 6) Provide direction to staff on how to proceed with the project.
46. **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)**
47. **Commissioners’/Manager’s Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)**
48. **ADJOURN**

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