

Pursuant to NRS a joint meeting of the Nye County Board of Commissioners, Nye County Board of Highway Commissioners, Nye County Licensing and Liquor Board, the 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, was held at 10:00 a.m. in the Commissioner Chambers, 2100 E. Walt Williams Drive, Pahrump, Nevada 89048.

John Koenig, Chair  
Debra Strickland, Vice-Chair  
Lorinda Wichman, Commissioner  
Donna Cox, Commissioner  
Leo Blundo, Commissioner  
Sandra L. Merlino, Ex-Officio Clerk of the Board  
Chris Arabia, District Attorney  
Sharon Wehrly, Sheriff  
Tim Sutton, County Manager

Also Present: Lorina Dellinger, Assistant County Manager; Kelly Sidman, Deputy Clerk; Samantha Tackett, Administrative Manager; Marla Zlotek, Chief Deputy District Attorney; Bradley Richardson, Deputy District Attorney

Not Present: Chris Arabia, District Attorney; Sharon Wehrly, Sheriff

### **1. Pledge of Allegiance**

The Pledge was recited.

### **2. Approval of the Agenda for January 22, 2019 (Non-action item)**

Tim Sutton said items 4 and 26-28 could be removed from the agenda.

### **3. GENERAL PUBLIC COMMENT (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).**

Tom Waters, chairman of the Pahrump prostate cancer support group, said the group met the fourth Thursday of every month from 6:00 p.m. to 7:00 p.m. at Desert View Hospital in the downstairs training room and the next meeting would be tomorrow.

Diane Southworth said the Democratic early caucuses would be on February 15, 2020, from 10:00 a.m. to 6:00 p.m. and on February 18, 2020, from 8:00 a.m. to 8:00 p.m. She then advised that her good friend Desiderio Trujillo would be 100 years old on February 16, 2020. He was a World War II veteran with four Bronze Stars. There

**3. GENERAL PUBLIC COMMENT (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)-Cont'd.**

would be a get together for him on February 15, 2020, and Ms. Southworth hoped the Town of Pahrump could do a certificate or proclamation to recognize him for his service and love of country.

John Pawlak said there was a large amount of waste oil placed near Wal-Mart which he assumed was for the used motor oil program, but that was not the place for it. He said people should visit the Nye County Web site under the Road Department to find out about the program and where it should be disposed of.

Kim Wanker said there was a rumor that 110 checks at \$1,000.00 a piece were paid out when the NCLEA did not have the contract negotiated on time. If that was the case she wanted to know where the money came from as she had a statutorily mandated position in her department that she was told there was no money for.

Stormy Ingersoll, the 4-H coordinator for southern Nye County, invited the Commissioners and the community to the third annual robotics gala Friday from 6:00 p.m. to 9:00 p.m. at the Bob Ruud Community Center.

Savannah Zimmerman said she recently joined 4-H and learned the property it sat on was owned by the University of Nevada. As a strong proponent of the Second Amendment she was writing a letter to the university president to ask for an exemption. She asked if the Board would be willing to write a letter of recommendation on her behalf to allow her to carry her firearm on the property.

**SITTING AS THE BOARD OF COUNTY COMMISSIONERS**

**4. For Possible Action - Emergency Items**

This item was removed from the agenda.

**5. Commissioners'/Manager's Comments**

Commissioner Strickland said the Nye County Republican Central Committee would be in Beatty at the Happy Burro on Saturday at 2:00 p.m.

Sheriff Wehrly was present.

Commissioner Blundo said he would like to draft a resolution and a letter of support to the President so he knew the County's stand on issues. He also wanted a status report on the Storm Area 51 cost recovery along with a resolution and a letter of support for Lincoln County.

**5. Commissioners'/Manager's Comments-Cont'd.**

Lorina Dellinger advised the Northern Nye County Hospital District completed all conditions imposed by the Board as a result of the request to transfer property so the deed would be recorded and it would be officially theirs.

Public Information Officer Arnold Knightly said the U.S. Census was 69 days away on April 1, 2020. They were in Pahrump this week doing job fairs to be census takers. Today they were at the NyE Communities Coalition from 10:00 a.m. to 3:00 p.m. and would be back Friday from 12:00 p.m. to 3:00 p.m. On Thursday they would be at the Pahrump Library from 10:20 a.m. to 3:50 p.m. and then back again on Saturday from 10:00 a.m. to 4:30 p.m. People could also apply on-line. Mr. Knightly then reminded everyone that on Monday, January 27, 2020, blasting would return at the hump between Pahrump and Las Vegas so the roads would be closed from 11:45 a.m. to 1:45 p.m.

**TIMED ITEMS**

**6. 10:00 a.m. – Presentation of certificates and/or plaques to four employees honored for their years of service.**

Certificates and/or plaques were presented to the following County employees for their years of service:

5 Years:       Melissa Mevis; John Tolle III  
15 Years:      Rachel Aldana  
25 Years:      Nancy Kearns

**8. 10:00 a.m. – For Possible Action – Public Hearing, discussion, and deliberation to issue an Outdoor Festival License to the VinoJazz Foundation for the VinoJazz event to be held May 8-10, 2020, at Petrack Park located at 150 Highway 160, Pahrump, Nevada.**

Commissioner Koenig opened the public hearing.

Tiffany Dubin and Hunter DeMaris were present.

Ms. Dubin described the event and felt it was a major opportunity for financial gain to the local businesses and the arts and humanities in the community.

Mr. DeMaris said the intent was to be an annual ongoing event and he asked the Board to consider a proclamation. Any money raised would go to arts and humanities in the schools and other organizations.

Commissioner Koenig closed the public hearing.

**8. 10:00 a.m. – For Possible Action – Public Hearing, discussion, and deliberation to issue an Outdoor Festival License to the VinoJazz Foundation for the VinoJazz event to be held May 8-10, 2020, at Petrack Park located at 150 Highway 160, Pahrump, Nevada-Cont'd.**

Commissioner Strickland asked how this would impact the liquor licensing and if temporary permits for each individual booth would be needed.

Samantha Tackett said she would prefer that each vendor got their seller's permit through the Town of Pahrump and then make application with the licensing department for their 72-hour permit.

Commissioner Strickland said she had a conversation with Douglas Dubin and he was concerned about fencing.

Ms. Dubin explained there would be wristbands and it would be up to each individual vendor to verify identification. Every vendor would ask for a driver's license and proof of payment to do the wine tasting. The Web site also stated that it was mandatory to bring a driver's license and get a wristband to do the tasting.

Commissioner Strickland asked if there was a maximum amount of tasting an individual could do.

Mr. DeMaris said as in most wine tastings people would be on their own, but there would be law enforcement present.

Ms. Dubin added the portions were minute and there would be restrictions. Each vendor would make the wristbands and there were less than ten tastings per wristband.

Commissioner Blundo had questions about the set up and the points of entry and egress. The applicant explained there was a map of the entire event on VinoJazz.com.

Commissioner Blundo made a motion to approve the VinoJazz event; seconded by Commissioner Strickland; 5 yeas.

## PLANNING/BUILDING/CODE COMPLIANCE

**40. For Possible Action – Discussion and deliberation on TM-2019-000020: A Tentative Subdivision Map application, creating 90 residential lots and 14 common element lots on approximately 13.01 acres net, on property zoned Specific Plan (SP) and located within the Mountain Falls Master Planned Community for an overall project density of 6.9 dwelling units/acre, aka: Planning Area 2, Assessor’s Parcel Number 046-251-02. William Lyon Homes Inc. – Property Owner. Taney Engineering – Applicant.**

Commissioner Strickland made a motion to continue this item to the February 19, 2020, meeting to allow proper consideration of the tentative map review and comments from all State agencies that were requested to comment; seconded by Commissioner Blundo; 5 years.

## FINANCE

**37. For Possible Action – Discussion, deliberation and direction to staff to determine if the Animal Shelter Services contract with Desert Haven Animal Society (DHAS) should be extended upon the current expiration date of June 30, 2020, for at least an additional three years per the current contract terms or Provide direction to staff to go out to bid for Animal Shelter Services.**

Commissioner Strickland assumed the Chair of the Board of County Commissioners.

Commissioner Koenig stated he would run for re-election this year and at least one of his opponents and his wife were deeply involved in the shelter so he would abstain.

Commissioner Koenig was not present.

Commissioner Wichman made a motion to amend the agreement to be a one-year agreement and pass; seconded by Commissioner Blundo.

Leah Aldridge from Desert Haven Animal Society said they agreed with that motion.

The motion to amend the agreement to be a one-year agreement and pass passed with 4 years.

Commissioner Koenig was present and assumed the Chair of the Board of County Commissioners.

## TIMED ITEMS

### **7. 10:00 a.m. – Presentation by Tiffany Gamero regarding an update on the Department of Energy’s Environmental Management Program at the Nevada National Security Site.**

Tiffany Gamero said the Nevada National Security Site was the nation’s designated location for the nuclear testing program. There were 928 tests done between 1951 and 1992. EM Nevada was a tenant on the site responsible for environmental corrective actions from the nuclear testing activities. EM Nevada had completed 99% of the corrective actions. They continued to work extensively to address groundwater contamination and disposed more than 50 million feet of cubic waste safely since 1961. Ms. Gamero discussed the regulatory requirements that govern EM Nevada’s work as well as some projects EM Nevada had been involved with. Now that all of their sites on the Nevada Test Range and the Tonopah Test Range were closed and completed the stewardship of those would be transferred to the DOE Office of Legacy Management by September, 2020. Ms. Gamero then talked about their groundwater program, the waste disposal facilities, waste transportation, and the Emergency Preparedness Working Group.

Ms. Gamero said EM Nevada was committed to reaching out and engaging stakeholders on their activities. They held an open house in Beatty to discuss the groundwater program in October. Every other month or so they held intergovernmental liaison meetings as well as Nevada Site specific advisory board meetings. They were looking for people to sit on that board from Pahrump and the surrounding areas. The recruitment would start in February and the appointments would hopefully occur on March 1, 2020, and last for two years.

Commissioner Blundo directed staff to coordinate with the neighboring counties to ask EM Nevada for more money for emergency preparedness.

Darrell Lacy, Natural Resource Director, said he would like to have discussions with them about future opportunities for economic growth. One of his priorities was the demolition of the rocket test facility, which he believed had the world’s largest hot cell. Mr. Lacy would like to ask them to consider that for future economic development rather than tearing it down.

### **9. 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.**

Treasurer John Prudhont stated his office was up to date and felt like they were prepared for the CLGF meeting on January 28, 2020. The only piece he was concerned about due to past CLGF meetings was he had requested from Kelly Langley

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months ago to be put into the distribution chain of the information she would give to the CLGF. He left a message yesterday for her manager asking for access to that information to ensure it was complete.

Commissioner Strickland wondered if a request from the Commission level would make a difference.

Tim Sutton said he was not aware of the correspondence with Ms. Langley and he would follow up.

**SITTING AS THE NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS**

Commissioner Blundo assumed the Chair of the Board of Highway Commissioners.

**10. 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.**

Commissioner Koenig said he received a request from a constituent to chip seal a two-mile section on Linda.

Public Works Director Tim Dahl advised from Highway 160 to Linda was chip sealed. He believed the gentleman wanted it chip sealed from Linda to his place.

Commissioner Blundo said SB48 was discussed at the RTC. There would be workshops held and it would come to the Board in the near future. He then asked about the speed ordinances.

Mr. Dahl said those were in the District Attorney’s Office for review.

Commissioner Koenig believed right now it said 35 mph and there was not a resolution to make it 35 mph because it should have been 45 mph based on the signs coming in.

Mr. Dahl clarified Pahrump Valley Boulevard from Highway 372 to Calvada was 45 mph. There was an accident at Mount Charleston and Pahrump Valley Boulevard which caused the Board to ask the Public Works Director at that time to reduce it to 35 mph and it had been that way for 10 years. There was no resolution, just direction from the Board.

**10. 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-Cont'd.**

Commissioner Koenig said he gave the direction so he did not understand why he needed a resolution.

Tim Sutton said a couple months ago while addressing this scenario the Board outlined a process by which speed limits would be changed. He believed the request for a resolution was in response to the process the Board approved.

Mr. Dahl advised his crew was working on some pavement preservation projects in Pahrump including Leslie from Basin to Irene and Blagg Road from Simkins to Harris Farm. As to Anvil and Power Line, he was trying to get confirmation that they were done with their construction activities. Those roads would then be prepared for the improvements the solar project paid to have done. The chip seal program would be initiated and the Sycamore four-way stop would be on the next Pahrump meeting agenda. The Beatty fueling station at the Beatty Airport was coming along pretty well and they expected the actual 12,000 gallon fuel tank next Tuesday. He then updated Commissioner Blundo on the culverts in Beatty.

John Bosta said at the last Amargosa Town Board meeting the issue came up about Farm Road and Anvil. He asked Mr. Dahl to update what would happen on Farm Road and Mecca Road as well as the regulations the solar company had to abide by as it had affected the entire road from Highway 160 to Power Line. He asked if it would be repaired and if so when. Mr. Bosta also wondered when the roads in Amargosa would be reconstructed to be brought to the level of the roads in Pahrump.

Mr. Dahl said he would attend this Thursday's Amargosa Town Board meeting to talk about another item. He would be happy to bring that subject up and answer any questions they may have.

Commissioner Koenig assumed the Chair of the Board of County Commissioners.

**SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP**

**12. 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**

John Pawlak, chair of the former Pahrump Nuclear Waste and Environmental Advisory Committee, said it was the will of the other members to change the name and he

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believed it should be put on the agenda for the Commissioners to formally accept. They wanted the name changed to the Pahrump Environmental Management Advisory Committee.

Commissioner Blundo said he would like an e-mail sent to the chairs of the Pahrump committees suggesting they could submit a summary to be included in the back-up.

Michael Zaman, chairman of Pahrump Public Lands Advisory Committee, said they were working on the shooting park at Bell Vista as well as some trailheads.

Commissioner Strickland added they had also been working with the guzzlers and making sure those were in good shape as well as the fall traps. Additionally, the Pahrump Arena Advisory Committee decided to move forward to determine costs for replacing lighting at the arena.

Commissioner Blundo said Workforce Connections would start having meetings. As to the INSA board, one of their recommendations moving forward would be to support the counties in the EM-1.

**13. For Possible Action – Discussion and deliberation regarding a request to waive the Bob Ruud Community Center and Petrack Park fees totaling \$500.00 for four days for the non-profit Wild West Extravaganza.**

Commissioner Strickland made a motion to waive the fees; seconded by Commissioner Cox.

Commissioner Blundo said last year when this item came up he had made a motion to have it paid out of the tourism funds and did not remember the decision.

Tim Sutton advised that funding source was not appropriate for that endeavor.

Commissioner Strickland explained she made her motion because the Pahrump Arena Advisory Committee had already approved this waiver and they were put in place to make those decisions.

Arlette Ledbetter said this was discussed last year and she thought the consensus was the Town of Pahrump would be paying the Town of Pahrump. The marketing fund was primarily used for marketing and generating revenue.

**13. For Possible Action – Discussion and deliberation regarding a request to waive the Bob Ruud Community Center and Petrack Park fees totaling \$500.00 for four days for the non-profit Wild West Extravaganza-Cont'd.**

Jim Hannah, representing the Wild West Extravaganza, said they would appreciate having the park fees waived.

The motion to waive the fees passed with 5 yeas.

The Board was in recess until 1:30 p.m.

**SITTING AS THE NYE COUNTY BOARD OF HEALTH**

**11. Presentation by Nye County Public Health Officer, Henry Melton regarding the Nevada State Health Needs Assessment.**

Henry Melton explained the Nye County public health assessment was designed to share where the County was in relation to the other Nevada counties and to assess the health status of the citizens in each county. He reviewed the scope of the assessment, the methodology, data sources, and the various county designations. He discussed the County's profile and demographics. The raw data from the survey indicated the top priorities in Nye County were access to healthcare, behavioral health, housing/poverty, and employment/income/job training. Things on the horizon included NDOT's RFPs for inner-city bus service for the counties and the Southern Nevada Health District's RFPs for mobile medical clinics.

Commissioner Wichman suggested he make this presentation to the NNCHD as well.

**SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP**

**14. For Possible Action – Discussion and deliberation to consider selecting a design to replace the signage for “Welcome to Pahrump” and “Thank You for Visiting” at four entry and exit locations of Pahrump located at Hwy 160 North and South, Hwy 372 and Bell Vista.**

Arlette Ledbetter asked that this item be moved to the next meeting as the back-up was incorrect.

Commissioner Wichman made a motion to move this item to the February 19, 2020, meeting; seconded by Commissioner Blundo; 5 yeas.

**15. For Possible Action – Discussion and deliberation to appoint three members to the Pahrump Nuclear Waste and Environmental Advisory Committee due to two expiring terms and one resignation from the following list of applicants: Robert Adams, Dale Griffith, and Dan Schinhofen.**

Commissioner Wichman made a motion to appoint Robert Adams, Dale Griffin and Dan Schinhofen; seconded by Commissioner Strickland; 5 years.

**16. For Possible Action – Discussion and deliberation to appoint two members to the Pahrump Public Lands Advisory Committee due to two expired terms from the following list of applicants: Robert Adams and Rick Tretter.**

Commissioner Strickland made a motion to reappoint Robert Adams and Rick Tretter; seconded by Commissioner Blundo; 5 years.

**17. For Possible Action – Discussion and deliberation regarding RFQ: 2019-02 – Fourth of July Fireworks Show: 1) Execute the Contract with Zambelli Fireworks; and 2) Fund from 25101 General.**

Commissioner Blundo made a motion to execute the contract with Zambelli Fireworks and fund from 25101; seconded by Commissioner Strickland; 5 years.

**18. For Possible Action – Discussion and deliberation regarding approval of a letter to .Gov Domain Registration for the purpose of purchasing the PahrumpNV.gov second-level domain name in the amount of \$400.00 annually. This will be funded from Fund 25101 General Fund, IT Department.**

Commissioner Wichman made a motion to approve; seconded by Commissioner Strickland; 5 years.

**SITTING AS THE BOARD OF COUNTY COMMISSIONERS**

**INFORMATION TECHNOLOGY**

**39. For Possible Action – Discussion and deliberation regarding approval of a letter to .Gov Domain Registration for the purpose of purchasing the NyeCountyNV.gov second-level domain name in the amount of \$400.00 annually. This will be funded from Fund 10101 General Fund, IT Department.**

Commissioner Wichman made a motion to approve; seconded by Commissioner Strickland; 5 years.

**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.**

Commissioner Blundo asked to have item 19 pulled from the consent agenda for discussion.

**20. For Possible Action – Approval to set the date and location for the second Board of Commissioners meeting in April for Tuesday, April 21, 2020, in Pahrump, Nevada.**

Commissioner Wichman made a motion to approve items 20-25; seconded by Commissioner Strickland; 5 yeas.

**21. For Possible Action – Approval to accept a Notice of Grant Award from the State of Nevada, Department of Health and Human Services for the Community Services Block Grant (CSBG) along with assurances to provide assistance for Nye County’s very low to low-income population in the amount of \$120,884.00. This grant will be administered out of Fund 10340 Grants and there is no County match required.**

Commissioner Wichman made a motion to approve items 20-25; seconded by Commissioner Strickland; 5 yeas.

**22. For Possible Action – Approval of a Grant Extension for the Community Development Block Grant (CDBG) Beatty Airport Fueling Station. Grant Extension #1 grants a three-month extension through March 30, 2020, to allow for completion of the construction and installation of the fueling station, final draw requests and closeout per the grant requirements.**

Commissioner Wichman made a motion to approve items 20-25; seconded by Commissioner Strickland; 5 yeas.

**23. For Possible Action – Approval to: 1) Accept the State Criminal Alien Assistance Program (SCAAP) FY19 award in the amount of \$3,867.00. There is no match required; 2) Delegate a one-time authority to Finance to accept the award in the SCAAP Financial System as it is an online acceptance process; and 3) Deposit funds to 10101 General Fund, once received.**

Commissioner Wichman made a motion to approve items 20-25; seconded by Commissioner Strickland; 5 yeas.

**24. For Possible Action – Approval to: 1) Accept the State of Nevada Emergency Response Commission’s (SERC) FY20 United We Stand (UWS) grant in the amount of \$29,676.00 to provide Portable Radios with Hardware Accessories to Nye County Emergency Management. Nye County Department of Emergency Management (DEM) will assist the Nye County Local Emergency Planning Committee (LEPC) in managing this grant; 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 from 10340 Grants. There is no match required.**

Commissioner Wichman made a motion to approve items 20-25; seconded by Commissioner Strickland; 5 yeas.

**25. For Possible Action – Approval to: 1) Accept the grant award from the Administrative Office of the Courts (AOC) in the amount of \$4,424.00 with a match amount of \$1,895.70 for purchase and installation of JAVS Recorder 8 upgrade for the Tonopah Justice Court; 2) Fund grant portion from 10340 Grants and match portion from Fund 10246 JP Facility Assessment; and 3) Delegate a one-time signing authority to Judge Jennifer Klapper due to the requirement by the AOC to be signed by an employee of the Tonopah Justice Court.**

Commissioner Wichman made a motion to approve items 20-25; seconded by Commissioner Strickland; 5 yeas.

Commissioner Blundo said he spoke with Judge Klapper on this item. He thanked her and her staff for the hard work.

**19. 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.**

Commissioner Blundo made a motion to approve; seconded by Commissioner Wichman.

Commissioner Blundo said he received a question from a constituent regarding traffic tickets. If someone got a traffic ticket on Highway 160 the person asked where the money went and how much stayed in Nye County versus how much went to the State.

The motion to approve passed with 5 yeas.

## **BOARD OF COMMISSIONERS**

**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.**

This item was removed from the agenda.

**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.**

This item was removed from the agenda.

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

This item was removed from the agenda.

**30. For Possible Action – Discussion and deliberation to approve, amend and approve, or reject the revisions of the BOCC Rules of Procedure.**

Commissioner Koenig commented that one of the changes was made to the length of time for election of chair and vice chair, which did not apply to the present sitting chair and vice-chair.

Commissioner Blundo was confused on the liaisons. He wondered why a Commissioner may be appointed and then removed as chair as the Board approved those positions. He also questioned including language that a Commissioner liaison was not delegated to act on behalf of the Board as he thought if the Board had an established position the Commissioner would advocate for it.

Commissioner Wichman said it had always been the Chairman's prerogative to name those liaisons and remove when needed. It was just on the agenda to ratify the Chairman's assignments. If it had to become a Board decision rather than an acceptance it would take the entire Board to change it. She was concerned that having to vote on it every time someone had to change their liaison position to make a meeting would make it too cumbersome and unworkable.

Commissioner Blundo suggested pulling this item to figure out better language. He stated his concern about item 11 as the Board's position may have been in favor of something but as an individually elected Commissioner he voted opposite. He felt that was a First Amendment issue.

Commissioner Wichman said it had always been that if the Board voted 3-2 on something the job of a Commissioner was to uphold what the Board voted to do. A Commissioner may not agree, but they did not speak out against the Board's decision.

Regarding item 12, Commissioner Correspondence and Communication, Commissioner Blundo said he was told he could not send a thank you letter because he could not use Board letterhead. He wondered why each Commissioner could not have district letterhead or postcards. His intent was to be able to communicate with his constituents.

**30. For Possible Action – Discussion and deliberation to approve, amend and approve, or reject the revisions of the BOCC Rules of Procedure-Cont'd.**

Commissioner Wichman mentioned the need to track the correspondence per NRS records retention, which Commissioner Blundo questioned.

Tim Sutton explained the policy had been to make sure the messages sent by the Board in any form were uniform as the danger in that was mixed messages were sent to constituents, stakeholders, and legislators. The legislators were afraid to advocate on the Board's behalf because they did not want to take the heat when the Board was not unified on a particular issue.

Lorina Dellinger added there was a retention schedule for correspondence from any elected official or public employee.

Commissioner Koenig's point of view was if it went out on Nye County letterhead it should come from the Board. If it went out on an individual Commissioner's district letterhead it was that Commissioner's opinion.

Commissioner Blundo asked to have the language in the document changed to reflect that. He then asked for clarification on page 9, where it read "controversial and do not deviate from past Board direction or policy, however, any Commissioner, the County Manager, or the County's counsel/designee" with the word "attorney" stricken. He wanted to know why that was changed.

Marla Zlotek thought it was clear that County counsel was the District Attorney or the County's counsel's designee, which could be a Deputy District Attorney.

On page 4, Commissioner Blundo referred to 5.1.1 which now had a line stating that the Chairman could override an agenda item with one additional Commissioner. He asked for the intent of that.

Commissioner Koenig said lacking an explanation make it go away.

Regarding 5.2.44 on page 8, Commissioner Koenig wanted to add Staff Comments to Commissioners'/Manager's Comments so it was clear that the staff could make comments also.

Mr. Sutton asked if Commissioner Koenig also wanted elected officials.

Commissioner Koenig said to add Elected Officials/Staff.

Commissioner Cox said NRS stated if the room could not accommodate the people present then the meeting could not be held and thought that needed to be added.

Mrs. Dellinger explained that language was removed during the last legislative session.

**30. For Possible Action – Discussion and deliberation to approve, amend and approve, or reject the revisions of the BOCC Rules of Procedure-Cont'd.**

In 4.4.12 Commissioner Cox said a period was needed where the sentence ended “declaring the meeting adjourned.” She then referred to the language about negative motions not being generally allowed and a motion should be framed in a positive manner. She did not understand that as it did not follow Robert’s Rules.

Commissioner Blundo asked if that language could be stricken.

Ms. Zlotek said the Board could change it, but she explained the reason for a negative motion would be action must be taken and a positive statement with a vote took that action. Instead of a negative motion the Board could take no action and the matter would die.

The Commissioners agreed to take that out.

Commissioner Cox felt 7.6.1 put restrictions on freedom of speech. She wanted the language “any person making irrelevant, repetitious, slanderous, offensive, inflammatory, irrational remarks or amounting to personal attacks or interfering with the right of other speakers shall be considered willfully disruptive” taken out as it restricted what a person could say and did not comply with the NRS. She discussed a federal case in Illinois where it was decided that a person speaking could not have their microphone turned off if the governing body did not like what was being said.

Commissioner Koenig pointed out that page 70 of the Open Meeting Law stated the exact same language.

Commissioner Wichman said she agreed with Commissioner Cox, but she would like to keep it in the policy as it was written by the Attorney General and was in the Open Meeting Law Manual.

Commissioner Blundo made a motion to have staff make the revisions discussed, leave 7.6.1 alone, remove 10, 11 and the negative motions, and bring it back at the next Pahrump meeting; seconded by Commissioner Wichman.

John Bosta said it was recommended that a governmental body not adopt Robert’s Rules because giving a person the public chair allowed them the right to talk with no interruptions.

Dwight Lilly stated his concern with the 15-minute public comment time limit as there had been past Chairmen that had prevented the public from exercising their First Amendment rights.

Regarding the approval of individual letterhead, Mr. Sutton asked the Commissioners to think about the additional costs that would entail. Also, he assumed with use of

**30. For Possible Action – Discussion and deliberation to approve, amend and approve, or reject the revisions of the BOCC Rules of Procedure-Cont’d.**

letterhead the obligation would still be on the individual Commissioners to draft their letters themselves.

The motion to have staff make the revisions discussed, leave 7.6.1 alone, remove 10, 11 and the negative motions, and bring it back at the next Pahrump meeting, passed with 5 yeas.

**HEALTH & HUMAN SERVICES**

**38. For Possible Action – Discussion and deliberation regarding a Funding Agreement between NyE Communities Coalition and Health and Human Services to provide funding in the amount of \$94,855.00 for a caseworker and services to the community through the FASTT/MOST Program. This agreement will be funded through Project g20003.**

Commissioner Blundo made a motion to approve; seconded by Commissioner Wichman; 5 yeas.

**FINANCE**

**35. For Possible Action – Presentation, discussion and direction to staff regarding Nye County POOL/PACT policy costs, cost sharing, and the establishment of a risk management fund for Nye County and all sub-entities.**

Savannah Rucker explained the County utilized POOL/PACT for insurance for property, casualty and spills. The County insured multiple entities under its umbrella policy with the general fund absorbing 98% of the policy cost as well as 100% of the maintenance deductibles. The policy premium cost had steadily increased from \$640,000.00 in FY14 to \$982,000.00 in FY20. The maintenance deductibles had also steadily increased and were a significant burden to the Nye County general fund. Mrs. Rucker said policy costs were out of control and a discussion about cost sharing needed to occur. A risk assessment was needed as well to start mitigating the costs. Her recommendations were to cost share with the insured entities and calculate cost sharing for applicable funds as a percentage of budgeted revenues less operating transfers. She said her early research found that 3.25% of budgeted revenues in cost sharing funds in FY20 should support the insurance policy and maintenance deductibles in this current fiscal year.

Commissioner Koenig asked why he would burden an entity with this that never had a claim and was not causing the premium increase.

Mrs. Rucker said because they could have a claim which was why there was insurance.

**35. For Possible Action – Presentation, discussion and direction to staff regarding Nye County POOL/PACT policy costs, cost sharing, and the establishment of a risk management fund for Nye County and all sub-entities-Cont'd.**

Commissioner Koenig felt there had to be some way to spread it out so the entities causing the biggest problem paid the biggest part of it.

Mrs. Rucker said that could be looked into but separating those assets could be extremely challenging and could take a year to figure out. Using the 3.25% calculation of FY20 budgeted revenues would generate \$1.7 million which she anticipated would cover the policy and maintenance deductibles. She asked the Board if they wanted her to bring forward a resolution to set up the risk management fund to pay this bill and receive the contributions from the insured.

Commissioner Strickland made a motion to bring back a resolution; seconded by Commissioner Blundo.

Dwight Lilly wondered why the insurance rate went up so much and thought something was being withheld from the public as to why the rates were so high.

As to parsing out the Nye covered funds, John Prudhont felt if this was done based on the argument that the insurance would be spread out according to each of the individual funds that received income from the County then the Treasurer's Office would pay about 95% of that. He thought maybe there was a different way to approach this based on that fact.

The motion to bring back a resolution passed with 5 yeas.

Mrs. Rucker asked for direction to staff on how to share this information with the affected entities.

Commissioner Koenig suggested presenting the same information at the town board meetings.

Commissioner Wichman said alternatively, since a lot of them met at night, Mrs. Rucker could reach out to them and their chairmen to make sure she had their attention and provide an opportunity to meet with her to discuss some alternatives.

Lorina Dellinger said a few meetings ago the Board approved moving forward with interlocal agreements with the entities the County provided services to and this could be part of that checklist.

Mrs. Rucker asked for direction to staff regarding funding of the fund. She presented 3.25% of revenues as an idea and asked if the Board had any alternatives.

**35. For Possible Action – Presentation, discussion and direction to staff regarding Nye County POOL/PACT policy costs, cost sharing, and the establishment of a risk management fund for Nye County and all sub-entities-Cont'd.**

Commissioner Strickland made a motion to round it off to 4%; seconded by Commissioner Wichman; 5 years.

Mrs. Rucker asked for direction to staff regarding funding expenses and cost sharing funds in FY20.

Commissioner Wichman made a motion to see what could be done for this year out of the funds administered by Nye County and work on the plan for FY21 at 4%; seconded by Commissioner Strickland; 5 years.

**CLERK**

**31. For Possible Action – Discussion and deliberation regarding approval to extend the Interlocal Contract between Nye County and the Secretary of State to August 31, 2021, for the purpose of utilizing the Security Operating center services from the Center for Internet Security, Inc. for election network monitoring, dissemination of cyber threat warnings and vulnerability and mitigation.**

Commissioner Wichman made a motion to approve; seconded by Commissioner Blundo; 5 years.

**BOARD OF COMMISSIONERS**

**29. For Possible Action – Discussion and deliberation regarding Commissioner Liaison / Representative positions.**

Commissioner Wichman said item 46, White Pine/Nye Resource Advisory Committee, was picked up in error. Commissioner Strickland was nominated, but it was an appointment made by the Department of Interior so this Board could not appoint.

Since that situation occurred frequently Tim Sutton asked if there was another place the Board wanted that designated so it could be tracked.

Commissioner Blundo suggested using representatives.

Commissioner Koenig felt it should be removed completely because it was never on it.

Commissioner Wichman asked if the same situation existed for items 44 and 45 which were also appointments by other entities.

**29. For Possible Action – Discussion and deliberation regarding Commissioner Liaison / Representative positions-Cont'd.**

Commissioner Koenig would like to have those on a separate list.

Commissioner Blundo made a motion to approve removing items 44-46; seconded by Commissioner Strickland.

Commissioner Cox said since she was not appointed to very much she would be willing to be secondary to anyone who needed her. She would also like to add a liaison position for the Desert Haven Animal Society and she would like to be that.

Commissioner Blundo amended his motion to remove items 44-46 and add an animal shelter liaison position; Commissioner Strickland amended her second.

Commissioner Cox was named the secondary for the Nye County Park and Recreation Board.

Commissioner Strickland noted there was no secondary for items 11 or 18.

Commissioner Koenig stated it should read all members.

Commissioner Blundo said he would like to be the alternate for LEPC as he attended that anyway.

Commissioner Cox questioned the need to have the Comptroller on the list as a liaison to POOL/PACT.

Commissioner Blundo wondered if an alternate was needed.

Savannah Rucker said she was not sure. She was a voting member and attended the conference.

Commissioner Koenig said to remove it.

Ms. Tackett said a distinct secondary needed to be identified for item 7, Tri-County Weed Group.

Commissioner Wichman said Dennis Eastley was previously named as that.

Commissioner Blundo amended his motion to approve with all changes; Commissioner Strickland amended her second.

Dwight Lilly referred to the Second Amendment issue at the library and urged the Commissioners to find out what the boards were actually doing when they became liaisons.

**29. For Possible Action – Discussion and deliberation regarding Commissioner Liaison / Representative positions-Cont'd.**

The motion to approve with all changes passed with 5 yeas.

**DISTRICT ATTORNEY**

**32. For Possible Action – Discussion and deliberation whether to accept \$3,423,862.50 payment of the bond monies obligated under a development bond provided by the developer pursuant to the Ishani Ridge development agreement and to authorize the execution of an agreement to release the bonding company from further responsibility under the development bond.**

Commissioner Wichman made a motion to accept; seconded by Commissioner Strickland.

Commissioner Blundo asked for an amendment to the motion to accept the funds and have them put in a segregated account to be discussed at the next Pahrump meeting.

Bradley Richardson advised that was outside of the agenda item and another agenda item would have to be presented.

Commissioner Wichman amended her motion to accept and execute the agreement; Commissioner Strickland amended her second; 5 yeas.

**COUNTY MANAGER**

**33. For Possible Action – Discussion and deliberation regarding the 2021 Legislative Session and to present factors to consider in preparing an action plan including but not limited to consideration of a contract lobbyist.**

Tim Sutton said this item was part of a larger plan. He did not feel the County was well prepared for the last legislative session so this was an effort to advise the Board well in advance of the session and come up with a plan on how to communicate with the Board.

Lorina Dellinger said the back-up provided a little background on BDRs discussed and prioritized by previous Boards along with the BDR that was submitted but did not make it through legislation just to start the discussion on the BDR the Board wanted to propose.

Commissioner Blundo made a motion to move forward with an action plan and in the interest of the public to consider hiring a contract lobbyist; seconded by Commissioner Wichman.

**33. For Possible Action – Discussion and deliberation regarding the 2021 Legislative Session and to present factors to consider in preparing an action plan including but not limited to consideration of a contract lobbyist-Cont'd.**

Commissioner Strickland thought one should just be hired and a better job would be done. There were also other entities the County could work with to get BDRs through.

Commissioner Wichman withdrew her second.

Commissioner Blundo withdrew his motion.

Commissioner Strickland made a motion to contract with a lobbyist chosen by Tim Sutton; seconded by Commissioner Wichman.

Commissioner Koenig was concerned with cost.

Commissioner Strickland said it would be within the parameters of the County Manager's authority.

The motion to contract with a lobbyist chosen by Tim Sutton passed with 5 yeas.

**34. For Possible Action – Status update on the Town of Pahrump ambulance needs assessment.**

Tim Sutton said at the last meeting he gave the update that an individual from UNR offered to have the ambulance needs assessment included as part of the study they were conducting for Desert View Hospital. A request was made at the last meeting to have a meeting with three Commissioners and an interested party, Mr. Devin from Optimum Care. Those meetings were conducted yesterday and Mr. Sutton personally did not have anything that moved the needle as far as change in direction. The purpose of those meetings was for the Commissioners to meet and if they had a different direction he would go that way.

Commissioner Blundo asked about any other changes on the assessment from the last meeting.

Mr. Sutton said he received an e-mail from Dr. Packard from UNR, who said that rather than having his office do it he would farm it out to the School of Business, but it would still be UNR. Mr. Sutton did not think that was a substantial change. He did ask if that would affect the timeline and Mr. Packard had not responded yet.

Commissioner Blundo asked for any document that showed the number of patient transports performed by Pahrump Valley Fire and Rescue that originated from 360 Lola Lane as well as any document that showed time on task for the transports. He said he was trying to bring in more medical services, alleviate the burden on the taxpayer, and create a good public/private partnership. He was also thinking of the future and the

**34. For Possible Action – Status update on the Town of Pahrump ambulance needs assessment-Cont'd.**

younger generation working in the community. He asked for the procedures to have the public hearing for the Town of Pahrump and to keep this on for February for another update.

Commissioner Cox wondered if a record of flights from the last year would be helpful as well, which Commissioner Blundo felt would be good to know.

Commissioner Strickland wanted to know what the ambulance write-offs looked like for the last five years originating from Desert View Hospital.

Tim Sutton was not present.

**FINANCE**

**36. For Possible Action – Discussion and deliberation regarding the budget status through November 2019 for Nye County and all sub-entities for Fiscal Year 2020.**

Savannah Rucker reviewed the budget to actual revenue report for the County general fund through November 30, 2019, which showed revenues collected of \$12,877,423.00. There was a deficit revenue line item for licenses and permits due to the marijuana money given back to the town, but she expected to end the fiscal year with a positive in that line item. The budget status report for each of the general fund departments showed a couple of departments projecting salaries to be over budget, some of which was due to the NCMEA agreement ratification. She would bring an agenda item forward later in the fiscal year to rectify those departments as those overages were not due to anything the department did. She noted the Treasurer's Office was projected at 106% due to unbudgeted overtime.

John Prudhont explained his office ran into issues with the DevNet conversion. DevNet had offered to reimburse the overtime, but that would need to be calculated.

Mrs. Rucker discussed the overages in the District Attorney and District Court budgets. Lastly, she had spoken with staff in the Sheriff's Office about their services and supplies and had identified a bulk of the projected overage. Mrs. Rucker would meet with them again in the next couple of weeks to possibly modify her projections as she projected based on invoices being entered late. All departments in the general fund were showing under budget at this point as were all other funds except for the jail fund which she would bring an item to the Board for in February.

## PLANNING/BUILDING/CODE COMPLIANCE

**41. For Possible Action – Discussion and deliberation on PM-2019-000060: A Merger Resubdivision Parcel Map application for Assessor’s Parcel Numbers 008-431-01, 008-431-02 and 008-431-03 and a waiver from the requirements to provide contour data. Lots 1, 2 and 3 of Parcel Map #147713, a portion of the Sandgrass Patented Mineral Survey #2012, and a portion of NW ¼ of Section 35, Township 3 North, Range 42 East, within the Town of Tonopah. Michael & Karen Brennan Family Trust – Property Owners. Advanced Surveying and Professional Services, Kevin Haskew – Agent/Applicant.**

Commissioner Strickland made a motion to approve PM-2019-000060 and the request to waive contour data subject to the conditions outlined in the conditions of approval section of the report; seconded by Commissioner Blundo; 5 years.

**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. 2020-02: A Bill proposing to amend Nye County Code Title 17, Comprehensive Land Use Planning and Zoning, by adding definitions of Commercial Farming, Subsistence Farming, and Class IV Liquor Manufacturer; 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.**

Commissioner Blundo made a motion to set the date, time and location as February 19, 2020, at 10:00 a.m. in Pahrump; seconded by Commissioner Strickland; 5 years.

Commissioner Blundo read the title of the bill into the record.

**43. 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. 2020-03: A Bill proposing to amend Nye County Code Title 1 General Provisions, Adding a definition under 1.01.090 for Business Day and Day, Adding Chapter 1.02 entitled Administrative Citations and Chapter 1.03 entitled Hearing Officer, 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.**

Commissioner Wichman made a motion to set the date and time for February 19, 2020, at 10:00 a.m. in Pahrump.

Commissioner Wichman withdrew her motion.

There was no action taken on this item.

**44. For Possible Action – Discussion and deliberation regarding the quarterly report from the Planning Department on the status of Code Compliance cases.**

Brett Waggoner advised there were 209 code compliance cases closed in calendar year 2019. As of December 10, 2019, there were 12 cases open from 2017, 84 from 2018, and 106 from 2019, for a total of 202 open cases. They did have a report, which was labor intensive to come up with. His suggestion was to provide the Commissioners outside of the meeting a list of all cases in the works and if there were particular ones the Commissioners wanted to focus on or wanted more detail on they could request it.

Commissioner Blundo asked about Jim's perpetual garage sale as well as 1831 Blagg Road.

Code Compliance Officer Amanda Marshall advised Jim came into the office and got information for the town and a business application. Blagg Road was with the District Attorney.

**45. GENERAL PUBLIC COMMENT (second)**

Dwight Lilly said he had never seen signs in Pahrump regarding weight limits for trucks and wondered if there were weight restrictions on the secondary roads. He then commented that the County should eliminate about 90% of the codes and get back to being a frontier county.

**46. Commissioners'/Manager's Comments**

Commissioner Blundo said he wanted to have a workshop on SB48 and asked Savannah Rucker to work on some fiscal notes.

Sam Merlino advised her office did not receive any appeals for the Board of Equalization this year.

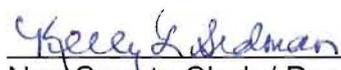
**47. ADJOURN**

Commissioner Koenig adjourned the meeting.

APPROVED this 3<sup>rd</sup> day  
of April, 2020.

ATTEST:

  
Chair

  
Nye County Clerk / Deputy