

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 Commissioners' Chambers, 101 Radar Road, Tonopah, Nevada 89049.

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; Savannah Rucker, Comptroller; Marla Zlotek, Chief Deputy District Attorney; Bradley Richardson, Deputy District Attorney

Commissioner Wichman was not present at this time.

1. Pledge of Allegiance

The Pledge was recited.

2. Approval of the Agenda for February 4, 2020 (Non-action item)

Tim Sutton said items 5 and 17-19 could be removed from the agenda. Items 7, 12 and 15 would be moved to the special meeting on February 12, 2020. Item 23 would be moved to either the February 12 or 19, 2020, meeting.

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).

There was none.

4. For Possible Action – Discussion and deliberation regarding meeting minutes from the December 3, 2019 joint regular meeting 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.

Commissioner Strickland made a motion to approve; seconded by Commissioner Blundo; 4 yeas.

SITTING AS THE BOARD OF COUNTY COMMISSIONERS

5. For Possible Action - Emergency Items

This item was removed from the agenda.

6. Commissioners'/Manager's Comments (This item limited to announcements or topics/issues proposed for future workshops/agendas)

Commissioner Blundo said he took a trip to Washington, D.C., to work on ECA and lobby for public lands.

Commissioner Koenig said on February 28, 2020, there would be Open Meeting Law training in the Commission chambers.

Sam Merlino advised that automatic voter registration through the Department of Motor Vehicles (DMV) had started. Since January 1, 2020, 1,025 individuals showed up at DMV, of which only 272 were new. The rest were people updating something who were already registered. Mrs. Merlino explained each time an individual went to DMV a voter card was produced so her office had sent out 1,025 voter cards since January 1, 2020. Separate notices were also sent during that time due to missing information. She thanked the Board for allowing her the extra person this last year to handle all of the changes.

TIMED ITEMS

7. 10:00 a.m. – For Possible Action – Discussion and deliberation to approve the audits of fiscal year 2018-2019 for Nye County and all component units of Nye County conducted by Daniel McArthur, LTD.

This item was moved to the February 12, 2020, special meeting.

SITTING AS THE NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS

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

9. 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 works projects.

Public Works Director Tim Dahl said the report was changed to include numbers for on-line submissions.

Commissioner Cox referred to the prior discussion about the drainage ditch at the corner of Dandelion and Mount Charleston. Orange cones had been put around it, but it looked like it would warrant putting a drainage tunnel or pipe in there. She asked if that was a possibility.

Mr. Dahl said that was something he could definitely look into.

Commissioner Cox said Wilson Street was getting worse and asked if there was any funding to repair it.

Mr. Dahl advised Wilson had been on the capital improvement list for years and years and there just had not been enough funding. It had now moved closer to the top of the list as other projects were completed. Some of the Ishani Ridge funds could also be used.

Commissioner Koenig asked if the speed limit signs ordinance was still in the District Attorney's Office.

Mr. Dahl said yes. He spoke to Bradley Richardson today and they would have a meeting tomorrow to make sure that was moving forward.

Commissioner Koenig said he had received a request about Fort Churchill, which was not a County maintained road, but it was getting pretty bad and he wondered if it could be bladed again.

Commissioner Blundo said a gentleman submitted a request yesterday for the Charleston Park/Barney area. He had also called the office a few times and Commissioner Blundo asked Mr. Dahl to follow up on that.

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

SITTING AS THE BOARD OF COUNTY COMMISSIONERS

TIMED ITEMS

7. 10:00 a.m. – For Possible Action – Discussion and deliberation to approve the audits of fiscal year 2018-2019 for Nye County and all component units of Nye County conducted by Daniel McArthur, LTD.

This item was moved to the February 12, 2020, meeting.

8. 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 said December was in the back-up and his office was up to date as far as the reports. As to the meeting with the CLGF last week, he thanked Commissioner Koenig for actually saying something positive about what had been done this last year in the Treasurer’s Office because no one else in the meeting did. He also had a great meeting yesterday with Dan McArthur and it looked like the Treasurer’s Office was very close to being completely on track as to where it should have been 13 years ago.

SITTING AS THE NYE COUNTY LICENSING AND LIQUOR BOARD

Commissioner Strickland assumed the Chair of the Licensing and Liquor Board.

GAMING

10. For Possible Action – Discussion and deliberation regarding adding Sartini Gaming, LLC. Manager Sean Higgins to the following Gaming licenses held by Sartini Gaming, LLC.: Cardivan, LLC., Market Gaming, LLC., Corral Country Coin, LLC., Golden Pahrump Nugget, LLC., Golden Pahrump Town, LLC., Golden Pahrump Lakeside, LLC., ETT, LLC., Sean Higgins – Applicant.

Commissioner Blundo said the applicant was unable to make the meeting, but the general manager was here.

Commissioner Blundo made a motion to approve adding Sean Higgins to all the named licenses on the agenda; seconded by Commissioner Koenig; 5 years.

LIQUOR

11. For Possible Action – Discussion and deliberation regarding issuing a Retail Liquor License for Roadhouse 95 located at 100 E. Main Street, Beatty, NV, Jacob Serrano – Owner/Applicant.

Commissioner Koenig made a motion to issue the retail license to Roadhouse 95; seconded by Commissioner Blundo.

Jacob Serrano, the applicant, was present.

The motion to issue the retail liquor license to Roadhouse 95 passed with 5 yeas.

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

SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

12. 10:00 a.m. – For Possible Action – Discussion and deliberation to approve the audits of fiscal year 2018-2019 for Town of Pahrump conducted by Daniel McArthur, LTD.

This item was moved to the February 12, 2020, special meeting.

13. For Possible Action – Discussion and deliberation regarding a fee waiver request to waive Pahrump arena use fees for the Pahrump Valley High and Junior High School Rodeo Club for rodeo events to be held during the Pahrump Balloon Festival on February 21, 22 and 23, 2020 in the amount of \$2,140.00.

Commissioner Strickland made a motion to approve the fee waiver request for the arena use fees as stated; seconded by Commissioner Cox.

Buddy Krebs thanked the Board for considering this. He said there would be a cutting and shooting tournament at Front Site on February 21, 2020, and February 22-23, 2020, would be the full-fledged high school rodeo. He hoped to see the Commissioners there.

Commissioner Blundo asked Mr. Krebs to send an e-mail to the Commissioners with the information.

Commissioner Strickland commented the Pahrump Arena Advisory Committee had endorsed this fee waiver.

The motion to approve the fee waiver request for the arena use fees as stated passed with 4 yeas.

14. For Possible Action – Discussion and deliberation to: 1) Authorize an Invitation to Bid for Town of Pahrump Arena Lighting per the recommendation of the Pahrump Arena Advisory Committee and fund from Fund 25225, Arena Room Tax Fund; or 2) Direction to staff on an alternate path forward.

Commissioner Strickland made a motion to authorize an invitation to bid for the lighting, fund from 25225, and the bid was to be reviewed by the arena committee before it went out.

Commissioner Blundo said he would entertain seconding the motion without the review by the arena committee as that was not the process used.

Commissioner Strickland withdrew her motion.

Commissioner Blundo made a motion to authorize the invitation to bid for the Pahrump Town arena lighting per the recommendation of the Pahrump Arena Advisory Committee and fund from 25225; seconded by Commissioner Strickland.

Commissioner Strickland said she would work with staff to make sure the arena committee had the opportunity to look at it.

Commissioner Wichman was present.

Purchasing and Contracts Administrator Danielle McKee said the correct fund was actually 25224. She explained the arena room tax fund originally had the lighting budgeted, but during last year's budget cycle they changed it to put a shade cover over the arena. The cost of that was too high and they were now asking for installation of the lighting.

Commissioner Strickland withdrew her second.

Commissioner Blundo withdrew his motion.

Commissioner Strickland made a motion to authorize an invitation to bid for the arena lighting and fund it out of 25224; seconded by Commissioner Blundo; 5 years.

AS THE BOARD OF TRUSTEES FOR THE PAHRUMP POOL DISTRICT

15. 10:00 a.m. – For Possible Action – Discussion and deliberation to approve the audits of fiscal year 2018-2019 for the Pahrump Pool District conducted by Daniel McArthur, LTD.

This item was moved to the February 12, 2020, special meeting.

SITTING AS THE BOARD OF COUNTY COMMISSIONERS

ASSESSOR

16. For Possible Action – Discussion and deliberation regarding an Assessor’s Office Change Request to allow the Nye County Treasurer to process and remove all taxes owing on a possessory interest identified as Assessor’s Parcel Number 000-002-01, a Possessory Lot in Rhyolite currently held in the Treasurer’s Trust.

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

BOARD OF COMMISSIONERS

17. 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.

18. 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.

19. 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.

DISTRICT ATTORNEY

20. For Possible Action – Discussion and deliberation to direct the Nye County Treasurer to deposit bond monies from the Ishani Ridge development bond into Fund 10401 Capital Projects.

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

Commissioner Blundo did not think the motion was broad enough as it was just to approve and did not direct where the money went. He said he would like to see the money segregated until certain things were confirmed before the money was spent and asked for a modification of the motion.

Savannah Rucker explained in capital fund 10401 she was able to segregate dollars and bring projects forward to the Board to approve.

20. For Possible Action – Discussion and deliberation to direct the Nye County Treasurer to deposit bond monies from the Ishani Ridge development bond into Fund 10401 Capital Projects-Cont'd.

Commissioner Wichman said her motion stood, and Commissioner Strickland said her second stood.

Chris Arabia advised his office was researching how to spend the money and would have the questions answered soon. He said the motion was proper.

Bradley Richardson asked that the motion to be consistent with the agenda item to ask the Treasurer's Office to deposit the funds.

Commissioner Wichman restated her motion to direct staff to direct the Treasurer to deposit the funds into 10401; Commissioner Strickland restated her second.

Michael Lach commended the Commission and everyone who had something to do with getting this done. Regarding the suggestion to use the money for Wilson Road, Mr. Lach pointed out by virtue of the definition a completion bond was used to complete a project and that was what the money should be used for.

Brandon Stavros from Homes by Apollo said they owned 57 lots in Ishani Ridge and combined with Mr. Lach they were over 50% of the subdivision. He said they were very excited to begin construction and remove this blight.

Commissioner Cox was concerned about the money being put in the capital projects fund. She would like to see it earmarked to finish this project.

Mrs. Rucker explained within the financial system there was the ability to set up a project and receive revenue in the capital project fund and then segregate those funds so they were not used without direct Board approval and oversight.

Commissioner Cox asked that the motion be amended to specify this money went into that fund and would be disbursed only to finish this project.

Commissioner Strickland directed staff to come back with an agenda item earmarking this money to a fund outside of the capital improvements fund.

The motion to direct staff to direct the Treasurer to deposit the funds into 10401 passed with 5 yeas.

SHERIFF

21. For Possible Action – Discussion and deliberation to: 1) Enter into a Monitoring and Associated Services Agreement with Track Group, Inc. for the purpose of an ankle monitoring system for inmates; 2) Execute the agreement with the pricing schedule as attached; and 3) Deposit funds to 10236 Jail Fund.

Commissioner Blundo made a motion to 1) enter into a monitoring and associated services agreement with Track Group, Inc., for the purpose of an ankle monitoring system for inmates, 2) execute the agreement with the pricing schedule as attached, and 3) deposit funds into 10236, Jail Fund; seconded by Commissioner Cox.

Captain David Boruchowitz advised one of the other things the Commissioners needed to do per statute was agree to the fee schedule proposed. Per NRS this would allow the Sheriff to implement a program to alleviate crowding in the jail. The proposal was to use this company to provide that equipment and do the monitoring. The fees and revenues requested would augment the jail budget for the staff to run this program.

Sheriff Wehrly added they came up with this program after listening to the Commissioners' requests to find other ways to remove people from the jail but keep them basically incarcerated because it seemed to fit the bill.

Commissioner Blundo thanked the Sheriff's Office for bringing this forward.

Commissioner Koenig said he had a discussion with the District Attorney and that Captain Boruchowitz was correct about the NRS. The District Attorney did not believe the agenda item covered that and the District Attorney's opinion was to bring this back at a future meeting with the correct wording.

Chris Arabia said he felt it would be cleaner to put it on the next meeting in Pahrump and have the wording fixed unless there was a time limit he was not aware of.

Captain Boruchowitz asked that the Board stick with this agenda item specific to the agreement as the fee schedule attached to it was correct. The fee schedule that would need to be voted on separately was what the Sheriff's Office would charge the public to recuperate the costs. Approval of the contract today would allow them to start ordering equipment and begin training. The other fee schedule would be brought back at a different meeting.

Marla Zlotek said this was approval of the document and the pricing schedule contained in the back-up. She cautioned the Board to be very careful interchanging fees and pricing. If this was only approving the contract and pricing schedule irrespective of a separate fee schedule then the contract could be approved with the pricing schedule and a separate agenda item brought back regarding fees.

21. For Possible Action – Discussion and deliberation to: 1) Enter into a Monitoring and Associated Services Agreement with Track Group, Inc. for the purpose of an ankle monitoring system for inmates; 2) Execute the agreement with the pricing schedule as attached; and 3) Deposit funds to 10236 Jail Fund-Cont'd.

Justice of the Peace Kent Jaspersen felt this was an answer to the overcrowding condition in the jail and would benefit both the Sheriff's Office and the court system.

The motion to 1) enter into a monitoring and associated services agreement with Track Group, Inc., for the purpose of an ankle monitoring system for inmates, 2) execute the agreement with the pricing schedule as attached, and 3) deposit funds into 10236, Jail Fund, passed with 5 yeas.

22. For Possible Action – Discussion and deliberation regarding approval of letters urging U.S. Senators to co-sponsor and support S. 2626 and S. 2628 and urging U.S. House members to introduce legislation that would restore pre-trial detainee access to federal health benefits.

Captain David Boruchowitz said they had been battling with this issue for years. When someone went into the detention center they lost federal health benefits and ultimately that put the burden on the County. He had been working with some nationwide organizations to make that change and was just asking for the Board's support to those political bodies.

Commissioner Koenig commented this affected the veterans as well because if they were incarcerated they lost their health benefits.

Commissioner Blundo made a motion to approve letters urging U.S. Senators to co-sponsor and support S. 2626 and S. 2628; seconded by Commissioner Cox.

Commissioner Strickland thought the motion needed to be expanded on. The back-up also said U.S. House Members and she asked Commissioner Blundo to either withdraw or restate his motion.

Commissioner Cox withdrew her second.

Commissioner Blundo withdrew his motion.

Commissioner Strickland made a motion to direct staff to draft and send a letter urging U.S. Senators to support S. 2626 and S. 2628 and draft and send a letter urging U.S. House members to introduce legislation and take similar action; seconded by Commissioner Cox.

Commissioner Strickland said she just wanted to address the U.S. House members also.

22. For Possible Action – Discussion and deliberation regarding approval of letters urging U.S. Senators to co-sponsor and support S. 2626 and S. 2628 and urging U.S. House members to introduce legislation that would restore pre-trial detainee access to federal health benefits-Cont'd.

Marla Zlotek advised the motion as stated was off the agenda item.

Commissioner Strickland withdrew her motion.

Commissioner Cox withdrew her second.

Commissioner Blundo made a motion to approve letters urging U.S. Senators to co-sponsor and support S. 2626 and S. 2628 and urging U.S. House members to introduce legislation that would restore pre-trial detainee access to federal health benefits; seconded by Commissioner Cox.

Commissioner Blundo pointed out to staff there were a few letters missing.

Sheriff Wehrly said she started pushing on the legislators when she went to Washington, D.C., a couple of years ago. Most were not aware that people lost their benefits when they went to jail.

Commissioner Wichman said this had already gained the support of the National NACO, Nevada NACO, and the Sheriff's Association.

Commissioner Blundo said he wanted all Commissioners to sign the letter as well as the Sheriff.

The motion to approve letters urging U.S. Senators to co-sponsor and support S. 2626 and S. 2628 and urging U.S. House members to introduce legislation that would restore pre-trial detainee access to federal health benefits passed with 5 yeas.

FINANCE

23. For Possible Action – Discussion and deliberation regarding the Corrective Action Letter for the Annual Audit Report for Fiscal Year ending June 30, 2019 to be submitted to the Nevada Department of Taxation.

This item was removed from the agenda.

24. For Possible Action – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2020-02: A Resolution to Create a Fund Entitled Nye County Risk Management Fund, 10607.

Commissioner Strickland made a motion to adopt Nye County Resolution No. 2020-02 creating fund 10607; seconded by Commissioner Wichman; 5 yeas.

25. For Possible Action – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2020-03: A Resolution to Augment and Amend the 2019-2020 Budget of Nye County, State of Nevada: Fund 10607 Risk Management Fund in the amount of \$2,193,748.00.

Commissioner Strickland made a motion to adopt Nye County Resolution No. 2020-03, a resolution to augment and amend the 2019-2020 budget of Nye County; seconded by Commissioner Wichman; 5 yeas.

26. GENERAL PUBLIC COMMENT (second)

Michael Lach addressed an issue people who wanted to start small businesses were running into, which was having to get a conditional use permit to open a business in a general commercial zone that already had the same type of business in it. This would set the person back 90 to 120 days to get the business open. Mr. Lach's idea was to add the existing businesses in general commercial zoning to the list of permissive zoning to avoid that delay and streamline the Planning Office.

27. Commissioners'/Manager's Comments (This item limited to announcements or topics/issues proposed for future workshops/agendas)

Commissioner Wichman said during the NACO meeting last week the call-in system and the link between Carson City and Las Vegas was not working. She advised that everything on the agenda that was published passed unanimously and there were some appointments made. The minutes from that meeting should come out in the next week.

Commissioner Strickland talked about the FEMA workshop. There were over 2,000 homes and parcels taken out of the FEMA flood map and 800 put in that were not there before. She urged homeowners to make sure they were not put into that FEMA map, but if they were they could buy their insurance at a lesser rate before March 6, 2020.

Sam Merlino said the Secretary of State's Office reminded her to remind the public that neither the Clerk Office's nor the Secretary of State had anything to do with the upcoming caucuses.

28. ADJOURN

Commissioner Koenig adjourned the meeting.

APPROVED this 3rd day ATTEST:
Of April, 2019.

John J.
Chair

Sherry L. Sidman
Nye County Clerk / Deputy