

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 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; Samantha Tackett, Administrative Manager; Marla Zlotek, Chief Deputy District Attorney; Bradley Richardson, Deputy District Attorney

Not Present: Sharon Wehrly, Sheriff

1. Pledge of Allegiance

The Pledge was recited.

2. Approval of the Agenda for February 5, 2019 (Non-action item)

Tim Sutton said items 5, 8, 12-13, 16-18 and 22-23 could be removed from the agenda. Items 8, 12 and 13 would be moved to the special meeting on February 12, 2019.

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).

Pat Minshall from Amargosa Valley referred to a statement Commissioner Wichman made at an October meeting about Amargosa Valley not getting the marijuana tax funds collected there because of the lack of Sheriff's services. Commissioner Wichman failed to mention that Amargosa Valley residents paid taxes for those benefits, but Nye County was not able to provide that service for them. Ms. Minshall understood the Board was working on a budget for fiscal year 2019/2020 and she asked them to look at the Sheriff's Office starting salaries as she was told new hires stayed a few months and then moved to Las Vegas or the surrounding areas where they could make more money.

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.

Ski Censke provided an update on the upcoming auction. It would be held in chambers on Saturday at 11:00 a.m. with the preview starting tomorrow. They had 112 registered bidders and currently had in the neighborhood of \$50,000.00 in pre-bids before the auction had even started.

John Bosta asked if the back-up for items 12 and 13 had been made available for people to review as he was concerned about not being able to analyze it.

Commissioner Koenig explained the back-up would be available on-line before the special meeting next week.

Bradley Berthold spoke of the County's lack of a commemorative memorial to its once sizable Asian community. He said during its formative years Nye County was home to a small but economically very important Asian population which faced severe discrimination and violence. He felt the County owed visitors and residents a full accounting of its past and that a memorial would go a long way to righting a past wrong.

4. For Possible Action – Discussion and deliberation of the minutes of the joint meetings 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 regular meeting on January 7, 2019.

Commissioner Wichman thought corrections were needed on page 7 under item 27, however, a discussion with her during a recess later in the meeting revealed no corrections were necessary.

Commissioner Wichman made a motion to approve; seconded by Commissioner Blundo; 5 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 wanted to let people know he had submitted issues to Planning that he had been made aware of.

Commissioner Wichman addressed the marijuana tax issue in Amargosa Valley. She said the fees attached to a medical marijuana license were to pay for the cost of providing services. In order for Amargosa Valley to collect those fees they needed to provide the services they said the County did not provide enough of. While that may change in the new legislation, Commissioner Wichman said right now the County was following the direction of the Department of Taxation (DTAX) and would continue to do so until that rule changed.

TIMED ITEMS

7. 10:00 – For Possible Action – Presentation by the Chief Health Officer of the Southern Nevada Health District regarding opioids and public health prevention and discussion and deliberation to approve a Letter of Support for the Southern Nevada Health District's Syringe Vending Machine initiative.

Dr. Joe Iser discussed the harm reduction vending project in rural Nevada. They had two or three machines in southern Nevada and thought it was time to expand to rural Nevada to help prevent the spread of infectious diseases by re-using used needles. He explained the vending machines increased opportunities to access products and services, reduced costs of operating brick and mortar locations, and reduced stigma. The vending machines currently held syringe kits, safe sex kits, wound care kits, sharps container kits, and sharps recovery/disposal. Dr. Iser said their funding came primarily from the HIV grant and other private donors. Their proposal was the letter in the back-up that would allow them to work with Nye County's coalition and continue this work.

Commissioner Blundo wondered what Dr. Iser was doing regarding prevention and re-education for drug use.

Dr. Iser said a person on staff did a lot of prevention activities and they also did a lot of education related to this. He said he would be happy to expand that out to Nye.

Commissioner Blundo was concerned about the cost to the County and if this was enabling.

Dr. Iser said there was no cost and he did not think this was enabling, although that was what a lot of people thought. All of the studies showed that did not happen.

Commissioner Blundo noted Dr. Iser spoke of education, but this was a machine that provided the syringes for drug users which was enabling to him.

7. 10:00 -- For Possible Action – Presentation by the Chief Health Officer of the Southern Nevada Health District regarding opioids and public health prevention and discussion and deliberation to approve a Letter of Support for the Southern Nevada Health District's Syringe Vending Machine initiative-Cont'd.

Dr. Iser clarified this was to prevent the spread of disease, but it also gave them a place to go to if they wanted assistance. They would encourage people to get into treatment centers in Las Vegas.

Commissioner Wichman said the fact that they did share needles was the only reason she believed this was not considered enabling.

Commissioner Strickland asked when the opioid overdose antidotes would be in the machines.

Dr. Iser did not believe it would be very long.

Commissioner Strickland made a motion to approve and sign the letter of support for the Southern Nevada Health District Syringe Vending Machine Initiative; seconded by Commissioner Wichman; 5 yeas.

Dr. Iser then discussed the rural health project. They had been working with Dr. Capurro and were developing another budget. He and Dr. Capurro would meet with Richard Whitley, the Director of Health and Human Services, to talk about implementing that.

Commissioner Koenig mentioned Amargosa Valley was excluded from that.

Dr. Iser said they would go anywhere the County told them to go, but more costs meant more difficulty in funding. He discussed AB97, which would fund public health programs and priorities. The proposal said \$5.00 per capita, but it required a community health assessment and community health improvement plan. Counties without health departments had difficulty doing that. Dr. Iser said he would be happy to work with the County on that so if the bill passed Nye could get some of the funding. Lastly, Dr. Iser said he had a survey which had been sent to the Commissioners for another program to provide additional services.

8. 10:15 – For Possible Action – Discussion and deliberation to approve the audits of fiscal year 2017-2018 for Nye County and all component units of Nye County conducted by Daniel McArthur, LTD.

This item was removed from the agenda.

9. 10:30 – For Possible Action – Public Hearing on results of Public Works identification and determination of improved roads and streets maintained by Nye County as of December 31, 2018 for the purposes of compliance with Nevada Revised Statutes Chapter 365.550 Paragraph 8 regarding Proceeds of Tax Levied pursuant to NRS 365.180; and other matters properly related thereto.

Commissioner Koenig opened and closed the public hearing.

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

SITTING AS THE NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS

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

11. General road report by Public Works Director.

Public Works Director Tim Dahl said they were doing their best to get the snow cleared.

Commissioner Cox said she had received complaints about water running across Blagg where the big fence was and filling people's yards.

Mr. Dahl advised there was a contractor currently working on the ditch on the west side of Blagg north of Atkinson as a result of a previously approved subdivision map which had been taken over by new owners. They were trying to complete the improvements on Blagg and in the end it would all drain down Atkinson.

Commissioner Strickland asked why Homestead was being dug up and steel was being put down.

Mr. Dahl explained Great Basin was doing some materials testing on the damage from the water line break which they would finish up tonight. Once they had the core drills there would be some idea of what it was going to take to repair that area and move it forward.

Commissioner Blundo asked Tim Sutton if he had heard back from Great Basin.

Mr. Sutton said yes and they were more than happy to come. They had suggested a pre-meeting first which was already set up.

Mr. Dahl then addressed Commissioner Koenig's e-mail about Cordova. He said it was very difficult to get in there when it was wet. It was not a street the County owned, however, to get a fire truck, ambulance or the Sheriff in there it was necessary to "butter up" that road a little, especially those two areas that were ponding. He said the crew would get in there when it dried up.

11. General road report by Public Works Director-Cont'd.

Commissioner Blundo asked when the pothole machine was coming down.

Mr. Dahl said it was decided since the machine was only set up for one truck right now in the north that currently had a sander and snow plow to hold off until the weather conditions did not have snow in the forecast. He was going to try for next week and would let Commissioner Blundo know as soon as he looked at the forecast.

Commissioner Blundo said every time it rained there was a lake on the south side of Blagg and Highway 372. That road was not going to last and he asked if the drainage needed to be looked at.

Mr. Dahl said he would look into it.

Commissioner Blundo also mentioned the visibility issues at the left turn from Highway 372 north onto Highway 160.

Mr. Dahl advised he called the NDOT maintenance supervisor in Pahrump. She was going to see what could be done and he would follow up.

Commissioner Strickland wondered if the County could ask NDOT to make that a double turn lane traveling east.

Mr. Dahl said that had come up in the past and he had asked the NDOT safety coordinator to look at that intersection as well as Calvada at Highway 160. They would make some adjustments to the yield line turning south onto Calvada, but Mr. Dahl had not heard back on the safety evaluation of Highway 160 and Homestead and would follow up on that as well.

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 to approve the audits of fiscal year 2017-2018 for the Town of Pahrump conducted by Daniel McArthur, LTD.

This item was removed from the agenda.

AS THE BOARD OF TRUSTEES FOR THE PAHRUMP POOL DISTRICT

13. For Possible Action – Discussion and deliberation to approve the audits of fiscal year 2017-2018 for the Pahrump Pool District conducted by Daniel McArthur, LTD.

This item was removed from the agenda.

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.

14. For Possible Action – Approval of Assessor’s Office Change Request to allow the Nye County Treasurer to process and:

- 1) Remove all taxes, special assessments and penalties from Assessor’s Parcel Number 000-158-41, a possessory interest held in the Nye County Treasurer’s Trust.**
- 2) Issue an amended tax bill in the amount of \$196,958.35 to Tonopah Solar Energy, LLC for Assessor’s Parcel Number 612-141-01.**

Commissioner Wichman made a motion to approve items 14-15; seconded by Commissioner Blundo; 5 yeas.

15. For Possible Action – Approval to: 1) Accept the State Criminal Alien Assistance Program (SCAAP) FY17 award in the amount of \$437.00 to fund correctional operations and; 2) Fund from 10101 General Fund. There is no County match required.

Commissioner Wichman made a motion to approve items 14-15; seconded by Commissioner Blundo; 5 yeas.

BOARD OF COMMISSIONERS

16. 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.

17. 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.

18. 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.

19. For Possible Action – Discussion and deliberation to move the date of the first Nye County Board of County Commissioners meeting from Tuesday, March 5th to an agreeable date when the quorum is present.

Commissioner Wichman made a motion to move the meeting to March 11, 2019; seconded by Commissioner Blundo; 5 yeas.

CLERK

20. For Possible Action – Discussion and deliberation to appoint one member to the Beatty General Improvement District pursuant to NRS 318.095 due to no candidates filing to run for election and a vacancy not being filled this past year.

Commissioner Wichman made a motion to reappoint Amina Anderson; seconded by Commissioner Blundo.

Commissioner Wichman apologized to Ms. Anderson as she did not see her application in the back-up before.

The motion to reappoint Amina Anderson passed with 5 yeas.

TREASURER

21. Treasurer's Report.

Treasurer John Prudhont discussed the meeting he had yesterday with Dan McArthur, Savannah Rucker, Commissioners Koenig and Blundo, and Tim Sutton. In that meeting Mr. McArthur indicated he had the reports completed and the County would get those soon, inclusive of fiscal year ending June, 2018. He also advised he would get Mr. Prudhont a copy of the 2018 bank reconciliation reports in the coming days so Mr. Prudhont would have the starting numbers to work on reports. Mr. McArthur would also provide an Excel spread sheet his staff used to do those reports for Mr. Prudhont's use. Mr. Prudhont's plan was to get those reports up to date and to work on weekends as well, which his office had done for the last two weeks. Mr. McArthur also volunteered to help with training. Mr. Prudhont was scheduled to meet with Commissioner Koenig and

21. Treasurer's Report-Cont'd.

Mrs. Rucker on February 28, 2019, to discuss the plan to present to DTAX on what remained to be done. He had also been working on implementing policies as issues were determined.

Commissioner Wichman suggested in his next report that Mr. Prudhont tell the Board what the plan was for phasing out the AS400.

Mr. Prudhont advised DevNet was coming out this week for the first roll out.

TIMED ITEMS

10. 11:00 – For Possible Action – Public Hearing, discussion and deliberation to: 1) Adopt, amend and adopt, or reject Nye County Bill No. 2019-01: A Bill proposing to amend Nye County Code Section 15.17.060, Minimum Standards for Manufactured Homes; and providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto; and 2) Set an effective date.

Commissioner Koenig opened the public hearing.

Erika Gerling from Beatty read a letter from the Beatty Town Board into the record. They supported the change from the original draft to change approval by the Board of County Commissioners to the Planning Director, but they did not support the change in language that removed the requirement for the individual to work with the local government. She said they would like the language modified to return the requirement of local government review and comment prior to the Director of Planning granting the waiver before this bill was passed by the Board.

Planning Director Brett Waggoner asked Mrs. Gerling if Carrie was able to get her the amended copy that did not make it into the back-up that addressed the concerns in that letter.

Mrs. Gerling said yes, except for one thing. Paragraph B.1. said "shall require approval of a waiver application" and then it said "when applicable all waiver applications would require." She thought "when applicable" should be taken out because if all waivers would require a letter then it was always applicable.

Commissioner Wichman noted it had to say "when applicable" because some of those areas did not have an advisory board or an elected board.

Gerald Schulte felt the ordinance was going to impede affordable housing. He agreed with what had been done in Pahrump, but felt other areas needed the freedom to place low-cost housing.

**10. 11:00 – For Possible Action – Public Hearing, discussion and deliberation to:
1) Adopt, amend and adopt, or reject Nye County Bill No. 2019-01-Cont'd.**

Shawn Jablonski was concerned with the impact this could have on rural areas with the addition of permitting, planning and soils reports. The rural areas did not justify the extra costs and she was opposed to the imposition of extra expenses for buyers.

John Bosta said he did not see any of the changes suggested by Amargosa Valley in the bill. He also did not think this bill fit the rural areas.

Ed Goedhardt, Amargosa Valley resident and business owner as well as the outreach for the Amargosa Business Coalition, which employed over 80% of the private sector jobs in Amargosa Valley, said the coalition was in strong opposition to the implementation of the changes in this ordinance. There was inadequate outreach soliciting input with no public meetings held. He urged the Board to table this until they had the ability to communicate the many flaws in the changes to the ordinance. Mr. Goedhardt felt the bill discriminated against those who had the least amount of money and those who were looking for affordable housing with the least options.

Tina Trenner said there were people who were disabled or had been unemployed for a long time who needed a place to live. She felt some of the intrusive government needed to be gotten rid of.

Commissioner Koenig closed the public hearing.

Commissioner Wichman asked Mr. Waggoner if he made contact with all of the outlying communities that would be affected by this.

Mr. Waggoner said yes. It was circulated on two different occasions requesting comment from all outlying towns. Comments were received from Tonopah, Gabbs, Amargosa and Beatty. Some of those comments were addressed and another draft was re-circulated with a letter that explained where the bill was coming from. In the draft they tried to leave as much out of it as far as the concerns of the local government mandating anything and tried to put it in the hands of the towns. One thing Mr. Waggoner was hearing, and either people did not understand or had not read the waiver portion, was that other than the pre-HUD manufactured home or mobile home, if the town had no issue with something being installed in their town the County had no issue either. However, a bill was needed per NRS and this was the most lenient bill he could draft.

Commissioner Blundo referred to NRS 278.02095 which stated the manufactured home must be permanently affixed and manufactured within six years immediately preceding the date it was affixed. The proposed ordinance said it shall be manufactured within 20 years immediately preceding the date it was affixed to the lot. When people asked for less government Commissioner Blundo wondered if they wanted six years or 20 years. He said what was in front of the Board was less restrictive and it was very clear the

**10. 11:00 – For Possible Action – Public Hearing, discussion and deliberation to:
1) Adopt, amend and adopt, or reject Nye County Bill No. 2019-01-Cont'd.**

communities would have an opportunity to address concerns before it came to the Board.

Commissioner Strickland said she was having trouble with this and could not vote for it.

Commissioner Koenig asked for two things to be added if there was a motion to approve. He wanted to add at the end of section 15.17.060.A., "unless the placement occurred prior to February 1, 2019" so everything was grandfathered.

Mr. Waggoner advised there were some concerns in past public comment when this came through for Title 17. People did not understand this was for new installations only, however, if someone were to move the manufactured home to another parcel it would have to abide by the new Code if adopted.

The second change Commissioner Koenig requested was on page 2 where it said more than 20 years old shall require approval of a waiver application by the Planning Director. Commissioner Koenig wanted to add after that, "All waiver applications will require a letter from the applicable town boards both elected and advisory making a recommendation of either approval, approval with conditions or denial to the Planning Director prior to the Planning Director making a decision on the waiver application," which would give the town boards an opportunity to give input.

Commissioner Cox had a problem with the 20 years as homes aged differently and she would like to see that removed. She said she could not vote on it as long as it had that age limit. She also had a problem with the size restriction.

Commissioner Koenig advised the size restriction was removed.

Commissioner Cox felt the towns should be allowed to write their own ordinances as they knew what was best for their area and what the residents wanted. She also still saw the 1,200 square foot requirement in the general summary.

Commissioner Strickland wondered if the size had to be addressed.

Bradley Richardson advised the ordinance controlled and a minimum square footage did not need to be addressed as one was not mandated in the ordinance.

Commissioner Koenig asked to add a fourth paragraph in Section 15.17.060.A. stating there was no minimum square footage necessary in this ordinance.

Commissioner Cox then questioned the need for an age restriction.

**10. 11:00 – For Possible Action – Public Hearing, discussion and deliberation to:
1) Adopt, amend and adopt, or reject Nye County Bill No. 2019-01-Cont'd.**

Mr. Waggoner explained the 20 years was put in as a guideline and was picked to allow a lot of leniency, but standards had changed so much over the years that was kind of the middle of the road. He reminded Commissioner Cox it was a guideline and could be addressed as part of a waiver.

Commissioner Wichman said this bill would resolve an issue that had occurred on both ends of the County where some people had manufactured houses that were not livable and no longer approved in their counties so they brought them into Nye County, ran a garden hose and dropped cord from the neighbor's house, moved in and paid rent. The State was requiring the County to solve some of those problems as they were a health and safety issue for the public.

Commissioner Blundo made a motion to adopt and amend with the following changes: add "unless the placement occurred prior to February 1, 2019" to section A; change section, B.1. to read "The installation of any manufactured home more than 20 years old on the date which it is affixed to the residential lot shall require approval of a waiver application by the Planning Director. All waiver applications will require a letter from the applicable town boards, both elected and advisory, making a recommendation of either approval, approval with conditions or denial to the Planning Director prior to the Planning Director making a decision on the waiver application;" and add a paragraph 4 stating no minimum square foot requirements, with an effective date of February 25, 2019; seconded by Commissioner Wichman; 3 yeas. Commissioners Cox and Strickland voted nay.

COUNTY MANAGER

22. For Possible Action – Discussion and deliberation to approve a Settlement Agreement between Nye County and the Nye County Management Employees Association (NCMEA) to allow the modification of the Collective Bargaining Agreement (CBA) for the purpose of adding and removing certain positions or classifications.

This item was removed from the agenda.

23. For Possible Action – Discussion and deliberation to accept the donation of various buildings, memorabilia, fixtures and other property from the current owners of Bonnie Springs Ranch.

This item was removed from the agenda.

24. For Possible Action – Discussion and deliberation to: 1) approve the Program Funding request from the Pahrump Valley Jr. High and High School Rodeo Club in the amount of \$5,000.00 for the purpose of purchasing liability insurance and cash prize payouts for winning participants for the rodeo event planned for February 22, 23 and 24, 2019; 2) approve waiving the arena use fees at the McCullough Arena for the event in the amount of \$150.00; 3) approve waiving the Pahrump Valley Fire and Rescue Service staging fees for the event in the amount of \$1,500.00; and 4) fund from Nye County Donations Department.

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

Commissioner Wichman asked for a friendly amendment to the motion. The item said to fund from the Nye County Donations Department, but since this was a Pahrump issue she would like to fund it from something similar from Pahrump.

Savannah Rucker advised there was no donations department set up for Pahrump, but she could do an ending fund balance augment for FY19 to set that up.

Commissioner Strickland amended her motion to approve and fund from Pahrump funding similar to the County Donations Department; Commissioner Wichman amended her second.

Commissioner Blundo asked what kind of fundraising they had done and how much money they had raised.

Buddy Krebs said they had done a lot since they started last year such as car washes and a raffle. This year they were getting donations from the town for the rodeo program and banners and they had about \$5,000.00 in the bank. They were also selling rodeo tickets every weekend and raffling off an A/R and a shotgun.

Commissioner Blundo wondered if this could be funded out of tourism.

Mrs. Rucker said the tourism director had approved the initial donation so she would have to be contacted about that.

The motion to approve and fund from Pahrump funding similar to the County Donations Department passed with 5 yeas.

FINANCE

25. Presentation and discussion regarding the budget status through December 2018 for Nye County and all sub-entities for Fiscal 2019.

Savannah Rucker reviewed the Nye County budget to actual for the general fund, general fund departments and all funds the Board governed and approved budgets for.

25. Presentation and discussion regarding the budget status through December 2018 for Nye County and all sub-entities for Fiscal 2019-Cont'd.

The revenue detail report through December 31, 2018, showed revenues were falling short from last fiscal year. Consolidated tax (CTAX) was down about \$1.2 million from last fiscal year primarily due to the recreational marijuana sales starting at the beginning of last fiscal year. Those numbers had not caught up yet and Mrs. Rucker was not sure they would. For this fiscal year CTAX was expected to fall slightly short of budget based on projections, however, the other revenues generated by the general fund were going to meet and exceed revenue budgets. She then discussed the reasons for every department showing red. Overall the general fund was looking to finish the fiscal year at 96.7% spent and Mrs. Rucker would bring forward augments to rectify issues the department heads had no control over.

26. For Possible Action – Presentation regarding Other Post-Employment Benefits (OPEB) and FY18 OPEB report for Nye County and sub-entities.

Savannah Rucker explained OPEB was the employee retiree health coverage and there was no requirement to pre-fund it. For the County there were currently 215 retired employees and 355 active employees entitled to benefits. The Town of Pahrump had four current retirees and two active employees entitled to benefits. Mrs. Rucker said those numbers were crucial because as positions were added to the County that liability moving forward would increase. The County's total OPEB liability in FY18 was \$64,989,933.00 and Pahrump's was \$817,140.00. Those numbers had not been planned for in the past and she was bringing it to the Board's attention to start planning for it in the future. Some ideas to handle the liability were to negotiate changes in contracts, future planning for OPEB policy and pre-funding, and that requests for future positions include pre-funding costs for future retirees. She would also like to bring forward an OPEB policy.

Tim Sutton added that several CBAs were up for renewal now and this would be brought to the table.

John Bosta said this was the first time he had heard about this amount of money and thought it was outrageous.

27. For Possible Action – Presentation, discussion and deliberation to: 1) determine that excess Nye County vehicles are no longer required for public use; and 2) determine it is in the best interest of Nye County to dispose of excess vehicles by auction through Enterprise.

Commissioner Wichman made a motion based on staff recommendation that vehicles and/or personal property were no longer required for public use and believed it was in the best interest of the County to dispose of through auction or other means with all resulting proceeds deposited into 10401, County Capital; seconded by Commissioner Blundo.

27. For Possible Action – Presentation, discussion and deliberation to: 1) determine that excess Nye County vehicles are no longer required for public use; and 2) determine it is in the best interest of Nye County to dispose of excess vehicles by auction through Enterprise-Cont'd.

Commissioner Blundo asked that that Ski Censke's business be considered for auctions as he would rather keep that business local. Additionally, someone asked him if any of the vehicles listed would be served under the Auxiliary and he wondered if the Sheriff had to sign off on any of the vehicles that came out her fleet.

Savannah Rucker explained this program was going to be a one for one replacement, so if a vehicle needed to be removed from the fleet one was put in its place.

The motion based on staff recommendation that vehicles and/or personal property were no longer required for public use and believed it was in the best interest of the County to dispose of through auction or other means with all resulting proceeds deposited into 10401, County Capital, passed with 5 yeas.

28. For Possible Action – Discussion and deliberation regarding RFQ 2018-17 – Engineering Services for Gabbs Sewer Line Replacement: 1) Accept Fee Schedule as submitted by Farr West Engineering; 2) Execute the contract; and 3) Fund from 10340 Grant Fund.

Commissioner Wichman asked if there was a not to exceed portion of this.

Tim Dahl explained this was part of the RFQ process to seek professionals to recommend an engineering firm best for the project. He could not talk about fees associated with their services until that selection was made, however, the fee schedule would be based on the grant funding.

Savannah Rucker added this project was to assess the system. The State Revolving Fund and grant funds would be utilized and refinancing the bond on the system was going to be looked at. She also did not see a not to exceed limit on this, but the grant would limit it.

Commissioner Wichman made a motion to approve accepting the fee schedule, executing the contract, and funding from 10340, Grant Funds; seconded by Commissioner Blundo; 5 yeas.

H/R AND RISK MANAGEMENT

29. For Possible Action – Discussion and deliberation to modify and increase funding sources to supplement a grant funded Deputy District Attorney (DDA) position to allow the employee to be paid at the existing DDA grade.

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

Commissioner Wichman asked what the source was or if there was a way to augment.

Savannah Rucker said yes and the new District Attorney was also making some changes in his office so it may be able to be absorbed.

The motion to approve passed with 5 yeas.

PLANNING/BUILDING/CODE COMPLIANCE

30. 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. 2019-04: A Bill proposing to amend Nye County Code 17.06 relating to the Zoning and Special Use Permit requirements for Marijuana Establishments; 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 March 11, 2019, at 11:00 a.m. in Tonopah; seconded by Commissioner Wichman.

John Bosta thought the Board was splitting AB422 and AB487 by doing half of it as zoning with special use permits for marijuana and then taxing marijuana.

Commissioner Koenig told Mr. Bosta he was off the agenda item and may comment on the date only.

Tim Sutton said the time should be 10:00 a.m.

Commissioner Blundo amended his motion to set the date, time and location as March 11, 2019, at 10:00 a.m. in Tonopah; Commissioner Wichman amended her second; 5 yeas.

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

31. GENERAL PUBLIC COMMENT (second)

Pat Minshall commented on Commissioner Wichman's statement regarding Amargosa Valley possibly getting the marijuana taxes if it provided its own police force. She found it interesting that Nye was collecting the tax and not providing Sheriff's deputy coverage.

Dwight Lilly said the eastbound lane on Thousandaire between Vicki Ann and Homestead was literally gone from all the potholes and thought the County should put some sort of flashing light down there or change the speed limit because it was that bad. Additionally, the other night when the wind was blowing tractors were plowing a field at the same corner and blowing dust to the point it made it difficult to drive. Mr. Lilly said they needed to be told about the dust regulations.

John Bosta said a man was on Mr. Lilly's radio show that purchased property next to the landfill. The man stated the landfill had no permeable barrier installed and the groundwater was not monitored. Mr. Bosta pointed out the EPA required permeable barriers and monitoring at landfills, but NDEP told this gentleman that neither the State nor the federal government required liners on landfills. Mr. Bosta asked if the County had approved the landfill with no liner and no monitoring of the groundwater. If so, the Board should reconsider the landfill as it might be doing tremendous damage to the sole drinking water basin.

Siobhan Smith said she was at the animal shelter and although they kept it clean and tidy, the place was falling down around them. She knew there were a lot of financial problems right now in the County, but the shelter took in animals from all over the County and she suggested adding a little on the tax bills.

Dave Stevens wondered if he could get a pension for living in Pahrump.

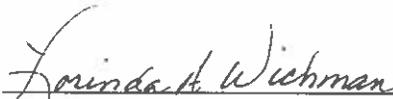
32. ADJOURN

Commissioner Koenig adjourned the meeting.

APPROVED this 3-11-19 day

ATTEST:

Of _____, 2019.



Chair



Nye County Clerk / Deputy