

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; Michelle Nelson, Deputy District Attorney

Not Present: Chris Arabia, District Attorney

1. Pledge of Allegiance

The Pledge was recited.

2. Approval of the Agenda for February 19, 2020 (Non-action item)

Tim Sutton said items 5, 11, 25-27, and 50 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).

Louis DeCanio commented on Governor Sisolak's attempt to take away Second Amendment rights. He thanked the Commissioners and the Sheriff for not allowing these illegal and un-American procedures to be enforced on the residents of Nye County.

Bob Hammond, senior chapter service officer for DAV Chapter 15 in Pahrump, advised their annual report showed that last year almost 1,200 veterans were visited in the hospital and of those they processed 391 disability claims.

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.

Diane Southworth thanked the Commissioners for the County and Town certificates for her friend Desiderio Trujillo. She also thanked Dr. Waters for getting the DAV involved as well as the VFW. Her outreach update included safe talk training; an affordable housing committee meeting today; adult mental health first aid training; a free youth mental health first aid course; and an upcoming peer recovery support specialist training course. The outreach meetings were on the second Wednesday of the month at the Methodist Church.

Susan Carderelli said she attended a meeting of the Pahrump Republican Women's Group where a man spoke regarding women who needed help and were contemplating abortion. Commissioner Blundo responded by saying he might be able to get the annex building. Although DAV had a lease with the town he said it was nothing but a men's club and did nothing anyway. Ms. Carderelli stated women and family members were part of it also and up until last night her husband was a commander. They did a lot to support the community, especially the veterans in need. To say the DAV did nothing insulted over 5,000 service veterans and constituents who paid the price and continued to pay the price daily to allow people to do what they do.

Joann Newcomb, senior vice commander of DAV Chapter 15, added there were a lot of women veterans who did a lot in the community. She had personally donated over \$150.00 in water and over 500 hours of volunteer time.

Richard Goldstein said he no longer believed Commissioner Blundo was a friend of the veterans after his comments. Mr. Goldstein felt Commissioner Blundo was using this office as a steppingstone for the office he was running for now. He stated the veterans and some members of District IV were demanding his resignation.

Rich Buchart said there would be a pro-Constitution/pro-Bill of Rights/pro-Second Amendment rally at the corner of Highways 160 and 372 at 11:30 a.m. on Saturday.

Jennifer Zimmerman, appearing on behalf of fightfornevada.com and the effort to recall Governor Sisolak, said they would have petitions all over Nye County. She had a calendar of where they would be until the end of the month and they were trying to nail down the dates in March. Ms. Zimmerman also thanked the library for not enforcing the no firearms policy.

Tom Waters talked about the veterans' handbook that all veterans should have. He had had several copies with him if anyone wanted one. He commented he was disappointed to hear Ms. Carderelli's comments.

Melissa Blundo, the first vice president of the Pahrump Republican Women's Group, said she was at the meeting talked about and believed Commissioner Blundo was

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.

misunderstood. He never talked about getting the annex. He was comparing the DAV having a town building for a \$1.00 a year as an organization for one part of the community and he wanted to help the First Choice Pregnancy Center get into another part of a town building for a \$1.00 a year since they provided services to a different part of the community. Mrs. Blundo encouraged other people present today who were at that meeting to ask questions if they had any.

4. For Possible Action – Discussion and deliberation regarding meeting minutes from the December 17, 2019 joint regular meeting and December 20, 2019 and December 31, 2019 joint teleconferences 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; 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

Commissioner Strickland said it was a great weekend for the Republican party with President Trump in Las Vegas, the parade on Sunday, and the Lincoln Day dinner Saturday night. The parade was called the Make America Great Again parade, which was the first of its kind and would be duplicated in other places.

Commissioner Blundo gave a shout out to Hypnotic Comics for their new location on Frontage Road as well as to Pahrump Valley Disposal who helped with a missed pick-up. He advised the Valley Electric Association District 1 meeting would be at 5:00 p.m. on March 19, 2020, which was everyone south of Highway 372. There were also openings on the NSAB (test site advisory board).

Purchasing and Contracts Administrator Danielle McKee provided an animal shelter update. Plans were in process for the design and they were currently procuring the steel. She was waiting for quotes on that including engineering of the building. Once

6. Commissioners'/Manager's Comments-Cont'd.

the engineering was received a bid would go out to install the plumbing and engineering for the pad. From there the bid would go out to lay the concrete and erect the building.

Commissioner Blundo stated he supported the veterans and his votes reflected that. He offered to speak with everyone outside of the meeting.

SHERIFF

32. For Possible Action – Discussion and deliberation to adopt, amend and adopt or reject Nye County Resolution No. 2020-07: A Resolution Enacting the Schedule of Fees Required for the Ankle Monitoring Program.

Commissioner Blundo asked if this would be affordable for the people here.

Captain David Boruchowitz said he did not look at that. He looked at the cost to Nye County. If it was the desire of the Commissioners to subsidize this program to help people afford it that would be a different discussion for him. The fees were calculated by working with the company to estimate the cost of damage to equipment, staff time, and monitoring expenses paid to the company.

Commissioner Blundo said he was worried about discriminating against the poor.

Captain Boruchowitz advised the company said in several jurisdictions the entity did subsidize. He said he could bring back something from the company as to what other jurisdictions subsidized.

Commissioner Koenig recommended approving this and having that conversation later.

Commissioner Blundo made a motion to adopt; seconded by Commissioner Strickland; 5 yeas.

33. For Possible Action – Discussion and deliberation to: 1) Approve the Memorandum of Understanding (MOU) with the Nevada School Districts and Sheriff's Offices for the purpose of collaborating together to apply for the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance STOP School Violence Grant Program (BJA STOP); and 2) Execute the MOU.

Commissioner Strickland made a motion to approve and execute the MOU; seconded by Commissioner Blundo; 5 yeas.

TIMED ITEMS

7. 10:00 a.m. – For Possible Action – Public Hearing, discussion and deliberation on AP-2020-000023: An Appeal of the Pahrump Regional Planning Commission’s denial of the following applications:

7a. CU-2019-000089: A Conditional Use Permit application to allow an Off-Premise Sign for Desert Signs, LLC. to be located on property at 961 E. Nevada Hwy 372, Pahrump, NV, Assessor’s Parcel Number 035-345-06. Desert Signs, LLC. – Property Owner, Ronnie Murphy – Applicant/Agent.

7b. WV-2019-000104: An application for Waivers from Nye County Code 17.04.770, Signage Requirements, to allow an Off-Premise Sign to be located on property at 961 E. Nevada Hwy 372, Pahrump, NV with the following waivers of standards: 1) leading edge of the sign located within 15-feet of a property line where 25-feet is required; 2) Sign size allowance up to 672 square feet where 300 square feet is the maximum; and 3) Sign located within 500 feet of a residential zone boundary. Assessor’s Parcel Number 035-345-06. Desert Signs, LLC. – Property Owner, Ronnie Murphy – Applicant/Agent.

Commissioner Koenig opened and closed the public hearing.

Commissioner Strickland made a motion to approve the CUP for the off-premise sign.

Marla Zlotek advised this was an appeal and per Nye County Code 17 the motion would be to either uphold the RPC decision, reverse it or modify it.

Commissioner Strickland amended her motion to reverse the decision by the RPC regarding CU-2019-000089 for the conditional use permit for an off-premise sign and additionally reverse the finding from the RPC on WV-2019-00104 in relation to 1) the leading edge, 2) the sign size, and 3) the sign location; seconded by Commissioner Wichman; 5 yeas.

8. 10:00 a.m. – For Possible Action – Public Hearing, discussion and deliberation on AP-2020-000024: An Appeal of the Pahrump Regional Planning Commission’s denial of the following application: CU-2019-000088: An application for a Conditional Use Permit to allow a Commercial Kennel for the breeding, boarding and training of security guard dogs (Russian Caucasian Shepherd dogs, also known as Caucasian Ovcharka) on property zoned Rural Estates (RE-2), located at 2790 E. Camellia Street, Pahrump, NV further known as Homestead Gardens, Lot 8, Block 2, Section 36, Township 21 South, Range 53 East, Assessor’s Parcel Number 044-811-08. Vasili Platunov / Est-Alfa K-9 Security Service, LLC. – Property Owner / Applicant (Appellant).

Commissioner Koenig opened the public hearing.

8. 10:00 a.m. – For Possible Action – Public Hearing, discussion and deliberation on AP-2020-000024: An Appeal of the Pahrump Regional Planning Commission's denial of the following application: CU-2019-000088-Cont'd.

Virginia Main reviewed the five-year timeline of the ongoing problem with this large, unpermitted commercial kennel. It was now February 19, 2020, and the owner of the commercial dog kennel had disregarded the laws for five years and did what he wanted without consequences. Ms. Main was concerned with the impact the dog waste would have on the groundwater. She was trying to sell her property, but she had lost value and asked what the neighbors had to do to find peace and tranquility. She asked the Board to consider all current and future residents over one person who had no respect for his neighbors or the law. The original permit should be rescinded with no more extensions.

Eileen Michaels said the owner should get rid of the dogs or move somewhere where the dogs made more sense. The smell was horrible, the barking was excessive, and no one was doing anything.

Kim Ruefer stated everything said was true. She had letters from people who lived miles away who could hear and smell the dogs. She said she would like to have her neighborhood back.

Michael Williams said he was one of the neighbors affected by the stench and noise. He liked to ride his bicycle around that neighborhood and had come across large dogs outside the fence so he no longer rode there.

Paula Glidden asked the Board to take action today with a quick timeline. She complained about the noise and the smell and said people could not sell their homes in the area.

Deborah Gaylord-Thomas said the Board should not reverse it but rather modify it. She suggested giving him three months with weekly Animal Control checks and revoke the three-month extension if clean, sanitary and humane conditions were not maintained.

Sam Jones did not know anything about the dogs and kennels other than what he had heard, but he felt the Commission should reverse everything the RPC did because of Agenda 21.

Bob Kocher said he came today in support of people who had to work and could not attend.

Richard Goldstein said it was time to put this issue to bed as the owner was not going to obey the rules. Mr. Goldstein commented the property was not fit for dogs either.

Commissioner Koenig closed the public hearing.

8. 10:00 a.m. – For Possible Action – Public Hearing, discussion and deliberation on AP-2020-000024: An Appeal of the Pahrump Regional Planning Commission’s denial of the following application: CU-2019-000088-Cont’d.

Thomas Gibson, the appellant’s attorney, advised there had been a substantial change in circumstances since the matter was before the planning commission. He now had the contracts that he did not have for the planning commission along with a letter of explanation from a lobbyist working with them to get the contract with Homeland Security. Mr. Gibson also had a letter of intent to purchase all of Mr. Platinov’s dogs for \$8 million, but it would take six months to a year to move them out. He asked the Board to look at those documents before a decision was made.

Commissioner Wichman stated her understanding that in an appeal the Board could only hear what was presented to the RPC.

Marla Zlotek stated that was correct. She said Mr. Gibson had the burden to show where there was an error in the record before the RPC to support the denial.

Mr. Gibson explained they could not get their hands on the contracts at the time they were before the planning commission. He reiterated there was a substantial change of circumstances and said in a court of law the court could consider matters outside of the record if it was a means for justice.

Commissioner Koenig said five years ago he was at Mr. Platinov’s place and he had 30 dogs. The dogs started barking and drowned out the conversation. There were 200 dogs out there now and it was blatant disregard for everything.

Mr. Gibson said Mr. Platinov had a CUP which they believed he did not need. The record was not clear as to when exactly things were passed and when they went into effect. Mr. Platinov bought his property in 2007 and the zoning was changed six months later. Mr. Gibson thought he was probably grandfathered in.

Commissioner Koenig said as soon as he got to 200 dogs the grandfather went away.

Commissioner Wichman asked Mr. Gibson if he was trying to tell the Board the RPC did not follow the procedures they were supposed to when they denied this application.

Mr. Gibson clarified he was saying if the planning commission had the contracts he had in his possession it would have changed some of their positions as one of the commissioners told him later to just bring him a contract.

Commissioner Wichman did not feel the RPC did anything wrong and their procedure was proper when they denied the application.

Commissioner Wichman made a motion to affirm the decision of the RPC based on the same findings; seconded by Commissioner Strickland.

8. 10:00 a.m. – For Possible Action – Public Hearing, discussion and deliberation on AP-2020-000024: An Appeal of the Pahrump Regional Planning Commission’s denial of the following application: CU-2019-000088-Cont’d.

Commissioner Blundo said he was torn on this item. He heard the public’s frustration, but he personally had an issue with the government doing away with one’s personal property.

Commissioner Cox was also torn. Everyone should have a right to use their property in a way they saw fit, but at the same time the Board could not impose things on neighbors that were depreciating the value of their property and could be a health hazard. She said if she went along with this she did not want to see the dogs collected tomorrow by Animal Control as she would like to give him a small amount of time.

The motion to affirm the decision of the RPC based on the same findings passed with 5 yeas.

9. 10:00 a.m. – For Possible Action – Public Hearing, discussion and deliberation on ZC-2019-000043: A request for a (Conforming) Zone Change from the Rural Estates (RE-1) Zone to the Rural Homestead (RH-4.5) Zone, for 4.83 acres (gross) located at 5731 S. Malibou Avenue, Pahrump, NV, Assessor’s Parcel Number 045-101-25. The Elkhorn Trust – Donald W. Charleboix, Jr. and Patricia R. Charleboix, Trustees – Property Owner / Applicant.

Commissioner Koenig opened and closed the public hearing.

Commissioner Strickland made a motion to approve ZC-2019-000043 based on the RPC’s recommendation and staff findings and subject to all conditions as outlined in the staff report; seconded by Commissioner Wichman.

Jason Cooper from CivilWise Services was present on behalf of the applicant.

Commissioner Blundo stated his frustration with hemp. He said this was spot zoning and there were none of the public controls that they had to maintain zero smell.

Commissioner Wichman pointed out this was a conforming zone change request.

Mr. Cooper explained it would mostly be for honey production.

The motion to approve ZC-2019-000043 based on the RPC’s recommendation and staff findings and subject to all conditions as outlined in the staff report passed with 5 yeas.

10. 10:00 a.m. – For Possible Action – Public Hearing, discussion and deliberation to: 1) Adopt, amend and adopt, or reject 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) Set an effective date.

Commissioner Blundo made a motion to adopt Nye County Bill No. 2020-02 effective March 1, 2020; seconded by Commissioner Strickland.

Commissioner Koenig opened and closed the public hearing.

Commissioner Wichman asked if the changes she had discussed with Planning Director Brett Waggoner were incorporated into the document.

Mr. Waggoner said they were not because the draft was already in the back-up. However, based on that discussion he was going to now propose simpler definitions.

Commissioner Strickland withdrew her second.

Commissioner Blundo withdrew his motion.

Mr. Waggoner said he recommended changing the definition of subsistence farming to “subsistence agriculture is farming for household use” and “commercial agriculture is production of crops for sale.”

Commissioner Koenig asked if the tomatoes he grew in his back yard to sell at the farmers market were crops for sale.

Mr. Waggoner said the intent of the definitions was to conform to the changes made to the Code and he thought the intent was there. He also thought that still left some room if there was a complaint.

Commissioner Blundo was concerned with having a Code with no definitions as well as trying to address one thing and affecting others.

Commissioner Blundo made a motion to amend and adopt Nye County Bill No. 2020-02 with the language stated by the Planning Director with an effective date of March 1, 2020; seconded by Commissioner Strickland.

Commissioner Cox asked if the changes were complaint driven and if so what the actual complaint was.

Mr. Waggoner explained a bill was adopted about a month ago that had these terms in it and now the definitions were being adopted.

10. 10:00 a.m. – For Possible Action – Public Hearing, discussion and deliberation to: 1) Adopt, amend and adopt, or reject Nye County Bill No. 2020-02-Cont'd.

Commissioner Cox thought it was a complaint from people growing hemp on their properties and she wondered why tomatoes were being included. She asked why it could not be stated this applied to hemp only.

Mr. Waggoner said because the County could not discriminate against any crop.

The motion to amend and adopt Nye County Bill No. 2020-02 with the language stated by the Planning Director with an effective date of March 1, 2020, passed with 3 yeas. Commissioners Koenig and Cox voted nay.

SITTING AS THE NYE COUNTY LICENSING AND LIQUOR BOARD

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

LIQUOR

13. For Possible Action – Discussion and deliberation to approve a 90-day Temporary Retail Liquor License for Cousin Curt's Rock & Rodeo located at 52700 Nevada Highway 376, Round Mountain, NV, Curtis Hatcher – Owner/Applicant.

Detective Jose Parra said he had nothing to add.

Samantha Tackett advised there were a few more things to tie up with the application, which was why she recommended a temporary.

Commissioner Blundo made a motion to approve a 90-day temporary retail liquor license; seconded by Commissioner Wichman; 5 yeas.

14. For Possible Action – Discussion and deliberation to approve a 90-day Temporary Retail Liquor License for Desert Cane, LLC. located at 921 S. Nevada Highway 160, #406, Pahrump, NV, Thomas Dahlman – Owner/Applicant.

Joe Coppedge and Thomas Dahlman were present.

Samantha Tackett said there were still a few things to button up.

Commissioner Koenig made a motion to approve a 90-day temporary liquor license for Desert Cane, LLC; seconded by Commissioner Blundo; 5 yeas.

15. For possible Action – Discussion and deliberation to approve a 90-day Temporary Beer and Wine License for Seattle Fish and Chips, LLC. located at 2050 Nevada Highway 160, Pahrump, NV, Guy and Marla Vallee – Owners/Applicants.

Commissioner Koenig made a motion to approve a 90-day temporary wine and beer liquor license for Seattle Fish and Chips, LLC; seconded by Commissioner Blundo; 5 yeas.

SITTING AS THE NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS

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

12. 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.

Public Works Director Tim Dahl advised work had been initiated on Leslie to Irene. Once that was done a similar project would start on Blagg from Simkins to Harris Farm.

Commissioner Cox asked if Public Works took care of the lights from Highway 160 to the Eye as six of them were not working and who took care of the big sign out front as it had not been working either. She also mentioned the light at the corner of Dandelion and Unicorn kept going on and off and sometimes was not on at all.

Mr. Dahl said the lights on Highway 160 were always taken care of by Buildings and Grounds, but he would take a look at them. Administration took care of the big sign out front, and the light on Dandelion and Unicorn was a yard light they had installed at various intersections to help with lighting at intersections without lighting projects. Mr. Dahl said he would have Valley Electric take a look since they serviced them.

Commissioner Wichman asked about the street number issues in Amargosa and whether it was an issue of getting the signs made or if Mr. Dahl did not have the addresses.

Mr. Dahl said he would have to follow up. The last time they had ordered all the sign planks and could make new signs, but he was not sure if there were issues with the Assessor's Office and the assignment of those addresses.

SITTING AS THE BOARD OF COUNTY COMMISSIONERS

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

PUBLIC WORKS

48. For Possible Action – Presentation, discussion and deliberation regarding the all-way stop analysis for the Mt. Charleston Drive and Sycamore Avenue intersection.

Tim Dahl explained this was for the Board to either accept recommendations from the consultant or direct staff to change that to add the four-way stop or pave streets or both.

Bob Sattler said he hoped the stop sign would be approved to slow the people down. He had not seen any law enforcement in the area in months and school buses were also speeding in the area.

Emergency Services Director Scott Lewis said he observed the intersection and did not think a stop sign was an answer. He felt enforcement was the issue in that area, but he had no reported accidents of frequency occurring there.

Mr. Dahl believed the consultant's assessment of the need for a four-way stop there or not was accurate. He said a significant amount of data was collected by the counters set out and both excessive speeds and really low speeds showed across the counters. For a two-week period the average truck speed through there was 34.4 miles and a car was 37.4 mph. Mr. Dahl feared looking into the speeds through there any more than already done would trigger a recommendation from the consultant to make it a higher speed limit. He also was not confident in the report as it showed a top speed of 116.7 mph and also a low speed of 4 mph.

Commissioner Blundo said he had parked in the area to observe what happened and thought people pushed it. He would like to see enforcement in the area and asked Mr. Dahl if he had any other suggestions to calm the traffic.

Mr. Dahl said he relied on the consultant to provide ideas, who suggested additional signs, speed burn downs on the pavement itself, and placing speed trailers for a week at a time. At no time did the consultant recommend speed bumps or stop signs. Mr. Dahl said he really did not have any other recommendations.

Commissioner Wichman said the speed limit trailers that flash the speed seemed to slow traffic down quite a bit. She asked if that was the same observation of the consultant or Mr. Dahl.

Mr. Dahl said he could not speak for himself because he never watched to see if they were slowing down. He believed the consultant's recommendation came from industry standards that it should do just that.

Commissioner Wichman suggested getting one for that area.

48. For Possible Action – Presentation, discussion and deliberation regarding the all-way stop analysis for the Mt. Charleston Drive and Sycamore Avenue intersection-Cont'd.

Commissioner Koenig asked to increase the patrol frequency as he never saw them anymore.

Commissioner Blundo said the Sheriff's Office advised him they would have a car there.

Mr. Sattler said he agreed and disagreed. There was a stop sign on Sycamore, but there was no traffic on Sycamore. The problem was most of the incidents happened between 7:15 a.m. to about 8:00 a.m. There was sporadic speeding between 9:00 a.m. and 1:00 p.m., and when school was out the speeders were back.

49. For Possible Action – Discussion, deliberation, and direction to staff to: 1) Consider adopting W. Quail Run Road, N. Cabo Street, and W. Blosser Ranch Road as county-maintained roads; and 2) Direct staff to draft a resolution for accepting the offers of dedication in accordance with NRS 278.390.

Tim Dahl explained this item was to accept by resolution what was once rejected as well as the cost for building the road to the standard every other road was built to. He cautioned the Board that the cost did not include a paved portion he believed was necessary through a major wash on Quail Run.

Mark Kampf, a Quail Run resident, said the road was just dirt and any time traffic was on it the dust was unbelievable. He said the residents had done what they could to try to maintain the flow of the water, which in itself created a lot of damage when the water got pretty high. Mr. Kampf believed it was a safety concern for any vehicles to come down there and a dust control issue as well.

Bernie Cusimano described the condition of the road and how the neighbors worked together to maintain egress and ingress. He said he appreciated what the Board was doing.

Commissioner Blundo made a motion to adopt W. Quail Run Road, N. Cabo Street, and W. Blosser Ranch Road as County-maintained roads and direct staff to draft a resolution for accepting the offers of dedication in accordance with NRS 278.390; seconded by Commissioner Strickland; 5 yeas.

SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

17. 10:00 a.m. – For Possible Action – Public Hearing, discussion, deliberation and possible action pursuant to Pahrump Town Code Section 12-21 to: 1) Determine if allowing OptimuMedicine, a private ambulance service, to furnish service in the Town of Pahrump is in the best interest of the citizens of the town; and 2) Grant OptimuMedicine permission to furnish an ambulance service in the Town of Pahrump.

Commissioner Koenig opened the public hearing.

Commissioner Strickland made a motion to continue this item to after lunch to accept the additional back-up.

Commissioner Strickland withdrew her motion.

Commissioner Blundo made a motion to accept additional back-up; seconded by Commissioner Strickland; 5 yeas.

Commissioner Blundo made a motion to continue the public hearing until after lunch; seconded by Commissioner Strickland; 5 yeas.

The Board was in recess until 1:45 p.m.

Bill Dolan said he knew many people who worked for OptimuMedicine and he respected what they did for critical care transport (CCT). He understood there were some in the community dead set against them coming in and he asked why as they would transport patients that needed a higher level of acuity care, which was only available in the community via flight. With the local ambulances tied up in Las Vegas for four hours or more he felt this CCT was needed in the community.

Sam Jones said he had been in Pahrump for 32 years and there had only been one ambulance service. Another ambulance service was needed and Mr. Jones thought OptimuMedicine should be given a chance.

Bradley Skilling said helicopters were the only critical care service in town. In October there was a series of letters in the newspaper about the exorbitant prices of Mercy Air and a patient was upset there was no other choice. Mr. Skilling thought everyone should feel lucky that OptimuMedicine was willing to provide critical care ground transport.

Richard Goldstein asked if this company came in how many units would they provide, what their charges would be, what kind of medical personnel they had, and what level of service they would provide as there was nothing in the back-up about that.

Commissioner Koenig closed the public hearing.

17. 10:00 a.m. – For Possible Action – Public Hearing, discussion, deliberation and possible action pursuant to Pahrump Town Code Section 12-21 to: 1) Determine if allowing OptimuMedicine, a private ambulance service, to furnish service in the Town of Pahrump is in the best interest of the citizens of the town; and 2) Grant OptimuMedicine permission to furnish an ambulance service in the Town of Pahrump-Cont'd.

Devin Eisma, appearing on behalf of OptimuMedicine, said it was a unique self-funded company started by a group of clinicians. They started the business to make a difference in something they believed in and thought this was one of the areas they could be of most use. There were a lot of patients that required flight, but there were also patients that would benefit from a critical care ambulance. The cost was 10% less than the charge for a flight. Mr. Eisma said their goal was to provide critical care transport to supplement what was in the community for medical services as Pahrump continued to grow.

Commissioner Strickland said looking at the figures in the additional back-up it appeared four ambulances were tied up for a transport.

Fire Chief Scott Lewis explained the crews worked 24 hours so over the course of a year there were usually five ambulances in service. Additionally, interfacility transfers were not the same as 911. They were scheduled events. He said if CCT was something the Board wanted to explore the existing service could be bolstered to do that.

Commissioner Strickland asked for the length of time from the dispatch to the point of delivery back to the bay.

Chief Lewis said it was between 30 and 45 minutes on the transfer and then drive time. It depended on the hospital and time of day, which was why they tried to utilize other services. The total time was about three hours.

Commissioner Blundo said the goal here was to bolster the medical services and bring more to the community. He believed this could be a first step in alleviating some of the stresses at the fire department with the ambulance service. He referred to Chief Lewis' statement that it was a scheduled event for any transfer from the hospital to Las Vegas. He asked if a patient waited for an ambulance and how that would negatively affect the fire rescue service.

Chief Lewis said if a patient was in the hospital and Desert View arranged for a transport, the majority of the transfers that occurred were advanced EMT, and then paramedics, which was ALS basically for cardiac monitoring. As to the impact to the fire rescue service, Chief Lewis said they worked hand in glove together and that was where the challenge was.

17. 10:00 a.m. – For Possible Action – Public Hearing, discussion, deliberation and possible action pursuant to Pahrump Town Code Section 12-21 to: 1) Determine if allowing OptimuMedicine, a private ambulance service, to furnish service in the Town of Pahrump is in the best interest of the citizens of the town; and 2) Grant OptimuMedicine permission to furnish an ambulance service in the Town of Pahrump-Cont'd.

Commissioner Blundo found it troubling that an EMT/firefighter was being sent into Las Vegas when their primary responsibility was to provide services to the taxpayers in Pahrump.

Chief Lewis advised the taxpayers were not paying for that or the ambulance service. The billable charges shown in the additional back-up were to be paid by the patients, not the taxpayers.

Commissioner Blundo asked how many ambulances were in Las Vegas at any given time, to which Chief Lewis responded it varied.

Savannah Rucker explained her spreadsheet to the Commissioners, which showed the type and number of calls, the billed charges, the regular payments received by either insurance or the patient, and then the percentage of annual revenue those dollar figures represented. It also showed the accounts sent to collections.

Commissioner Strickland commented that money had been consistently written off. She asked if OptimuMedicine worked within those parameters as to what was sent to collection versus write-offs.

Mr. Eisma said it was a unique enterprise where they provided a service and did not know how much they would get paid. They could make good estimates and form models off of that. They currently worked with all major insurances and billed Medicaid and Medicare. Mr. Eisma stated they had been operating for about 18 months doing their own transports and had not sent a patient to collection.

Commissioner Wichman asked why the proper procedure was not being followed, which was to conduct a needs assessment and then request proposals through Purchasing.

Commissioner Koenig explained it was not going out to bid because there was no cost to the County.

Commissioner Blundo added the way it was written they had to come before the Board and have this conversation. The Board then had to find it was in the best interest of the citizens and grant a license. The County was not procuring the service.

Commissioner Blundo and Chief Lewis discussed whether or not taxpayer dollars were supporting the Pahrump Fire and Rescue Service. Commissioner Blundo then asked if the private company would try to take over EMS.

17. 10:00 a.m. – For Possible Action – Public Hearing, discussion, deliberation and possible action pursuant to Pahrump Town Code Section 12-21 to: 1) Determine if allowing OptimuMedicine, a private ambulance service, to furnish service in the Town of Pahrump is in the best interest of the citizens of the town; and 2) Grant OptimuMedicine permission to furnish an ambulance service in the Town of Pahrump-Cont'd.

Mr. Eisma said no. They wanted to supplement the resources already here.

Commissioner Blundo asked if there would be a loss of revenue by giving up interfacility transports, to which Chief Lewis responded yes.

Commissioner Blundo asked if there would be a loss of service to the patient whether a third party was used or Chief Lewis' crew.

Chief Lewis said there could be. They had more resources available than OptimuMedicine was able to provide to the community.

Mr. Eisma said their plan was to start slowly.

Commissioner Cox said she wished she had an option when her husband had his medical episode. She felt freedom of choice was needed and since Pahrump was growing the services needed to expand. She believed this would be best for everyone.

Commissioner Blundo made a motion to determine that OptimuMedicine, a private ambulance service, may furnish an ambulance service in the Town of Pahrump as it was in the best interests of the town, at no cost to the County or town; 3 years. Commissioners Koenig and Wichman voted nay.

Commissioner Koenig said he voted nay because he was still waiting for the needs study and he wanted to see what other companies had to offer and now he could, which was Commissioner Wichman's reason as well.

SITTING AS THE NYE COUNTY BOARD OF HEALTH

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

Henry Melton began his presentation by providing information on the coronavirus. He said the exposure in the County was considered low by the CDC at this time and there were no reported cases. He discussed the needs assessment including demographics, income and education, and emergency department visits among other things. The areas of concern identified in Nye County were access to health care; employment and income; poverty and housing; vaping/smoking; texting and driving; low vaccination rates; and low health insurance rates. Mr. Melton said the County needed to develop a

16. Presentation by Nye County Public Health Officer, Henry Melton regarding the Nevada State Health Needs Assessment-Cont'd.

priority readiness program; a timeline and procedures to address areas of concern; and pursue all available public health funding targeted for Nye County.

18. 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.

Mike Zaman from PLAC said at their meeting on Tuesday they voted to move to the cemetery. Most of their work involved the trails around Pahrump and accessibility, especially for tourists and RV'ers. They worked extensively with the BLM because of the issues of being locked out. The racetrack had caused a little concern as well since it pushed up against the mountain which involved the turtles and Clark County. They also dealt with the Clean Up Pahrump organization and were still working on the shooting range. They also voted to keep the same officers as last year.

Commissioner Strickland advised the Pahrump Arena Advisory Committee voted to purchase the watering truck.

19. For Possible Action – Discussion and deliberation regarding a fee waiver request to waive Pahrump Valley Fire Rescue standby 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 \$1,500.00.

Commissioner Strickland made a motion to waive the standby fees for the Pahrump Fire Rescue for the rodeos to be held this weekend; seconded by Commissioner Cox; 5 yeas.

20. 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.

Commissioner Blundo made a motion to accept option 4; seconded by Commissioner Strickland.

Commissioner Cox suggested shaping it like Nye County.

Commissioner Strickland said she liked the shape of the State because Nye was branding itself as Nevada.

20. 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-Cont’d.

Priscilla Lane commented Pahrump had more to offer than the gun site and the racetrack. There were all kinds of Indian signs and history in the hills.

The motion to accept option 4 passed with 5 yeas.

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.

21. 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 Wichman made a motion to approve items 21-24; seconded by Commissioner Strickland; 5 yeas.

22. For Possible Action – Approval to set the date and location for the second Board of Commissioners meeting in May for Tuesday, May 19, 2020 in Pahrump, Nevada.

Commissioner Wichman made a motion to approve items 21-24; seconded by Commissioner Strickland; 5 yeas.

23. For Possible Action – Approval to adopt Nye County Resolution No. 2020-04: A Resolution Directing the Levy of a Special Assessment on All Taxable Property Situated Within the Confines of the Pahrump Valley Groundwater Basin for Fiscal Year 2020-2021.

Commissioner Wichman made a motion to approve items 21-24; seconded by Commissioner Strickland; 5 yeas.

24. For Possible Action – Approval to adopt Nye County Resolution No. 2020-05: A Resolution Directing the Levy of a Special Assessment on Each Water User Situated Within the Confines of the Groundwater Basins Within Nye County for Fiscal Year 2020-2021.

Commissioner Wichman made a motion to approve items 21-24; seconded by Commissioner Strickland; 5 yeas.

BOARD OF COMMISSIONERS

25. 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.

26. 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.

27. For Possible Action – Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.25-27 removed

This item was removed from the agenda.

FINANCE

37. For Possible Action – Discussion and deliberation to: 1) Award Bid 2019-21 Pahrump Janitorial Services to AtoZ Environmental Services, LLC. in the amount of \$150,862.00 for the purpose of providing Janitorial Services to the Pahrump County Offices Located in Pahrump, NV; 2) Execute the contract; and 3) Fund \$150,318.90 from 10101 General Fund and \$543.10 from 10340 Grants Fund.

Commissioner Blundo stated his concern with the procurement timeline.

Purchasing and Contracts Administrator Danielle McKee reviewed the timeline. beginning with advertisement and e-mailing of the bid through the mandatory pre-response meeting, which Harry Baut from Synergy Plus did not attend. Mr. Baut asked if he had options to submit a bid and Ms. McKee said unfortunately there were no other options as the pre-response meeting was mandatory. In response to Commissioner Blundo’s questions about the generally accepted procurement procedure, she explained State law required seven days from the date the bid was posted to the date they were opened.

37. For Possible Action – Discussion and deliberation to: 1) Award Bid 2019-21 Pahrump Janitorial Services to AtoZ Environmental Services, LLC. in the amount of \$150,862.00 for the purpose of providing Janitorial Services to the Pahrump County Offices Located in Pahrump, NV; 2) Execute the contract; and 3) Fund \$150,318.90 from 10101 General Fund and \$543.10 from 10340 Grants Fund-Cont'd.

Commissioner Blundo asked if all bidders were afforded the seven day window as he believed one of the bidders was treated differently and only given a two-day business notice.

Mrs. McKee explained anyone who showed up at the mandatory pre-bid meeting could have submitted a bid. She was not obligated to e-mail the bid documents to any bidder unless they submitted a confirmation notice, which was included in the bid documents. By law she had to post it to the Web site and run it in the newspaper, but she e-mailed anyone who reached out to her expressing interest.

Mr. Baut, president and CEO of Synergy Plus, said he provided a bid on February 5, 2020, and had a timeline which he wanted to provide for the back-up, which Commissioner Wichman did not want to accept.

Mr. Baut read his timeline into the record. He recommended either re-doing the bid or awarding it to his company as it was the lowest.

Commissioner Cox asked why the walk through was mandatory.

Ms. McKee explained the County and the department determined whether a bid required a mandatory walk through. Due to the nature of the janitorial bid mandatory walk throughs were done so the bidders could have a visual representation of the building they were cleaning as well as an idea of how many bathrooms, trash cans, etc. Changes to the walk through or a separate walk through were not allowed as that would give preferential treatment to certain bidders. It also did not have to be the owner or president of the bidding company at the pre-response meeting. It could be a friend or an employee.

Commissioner Cox noted the County did not have to accept the lowest bid, just the lowest responsive.

Commissioner Wichman said it did not have to be the lowest bid, but it had to be the responsive bid and if this gentleman was not able to follow the timeline that by definition meant he was a non-responsive bid. Changing something at this point was not fair to the others that bid and were responsive.

Commissioner Cox said she was looking for something in writing that stated this was absolutely mandatory and nothing else could be done unless the mandatory walk through was done.

37. For Possible Action – Discussion and deliberation to: 1) Award Bid 2019-21 Pahrump Janitorial Services to AtoZ Environmental Services, LLC. in the amount of \$150,862.00 for the purpose of providing Janitorial Services to the Pahrump County Offices Located in Pahrump, NV; 2) Execute the contract; and 3) Fund \$150,318.90 from 10101 General Fund and \$543.10 from 10340 Grants Fund- Cont'd.

Mrs. McKee referred Commissioner Cox to section 5 of the bid document.

Commissioner Strickland made a motion to 1) award Bid No. 2019-21, Pahrump Janitorial Services, to AtoZ Environmental Services in the amount stated, 2) execute the contract, and 3) fund from 10101, General Fund, and 10410, Grants; seconded by Commissioner Wichman.

Commissioner Cox said she was still looking for the law that required a mandatory walk through. She wondered if it was some kind of policy approved by the Board or if it was something staff decided to do.

Mrs. McKee stated it was based on what the scope of work was and if the department head felt it was something that should be mandatory.

The motion to 1) award Bid No. 2019-21, Pahrump Janitorial Services, to AtoZ Environmental Services in the amount stated, 2) execute the contract, and 3) fund from 10101, General Fund, and 10410, Grants, passed with 3 yeas; Commissioners Cox and Blundo voted nay.

BOARD OF COMMISSIONERS

29. For Possible Action – Discussion and deliberation to adopt, amend and adopt or reject Nye County Resolution No. 2020-06: A Resolution Recognizing President Trump's Accomplishments While in Office.

Commissioner Blundo made a motion to adopt Resolution No. 2020-06; seconded by Commissioner Strickland.

Commissioner Blundo reviewed the changes made to the resolution.

Samantha Tackett advised the agenda item language contained the posted version of the resolution. The Board needed to differentiate between the two and the title of the resolution that the Board wanted to adopt should be read into the record.

Marla Zlotek said the agenda item posted that contained the resolution verbatim was not consistent and did not exactly match the back-up. She said it could be amended on the record and then adopted.

Commissioner Strickland withdrew her second.

29. For Possible Action – Discussion and deliberation to adopt, amend and adopt or reject Nye County Resolution No. 2020-06: A Resolution Recognizing President Trump’s Accomplishments While in Office-Cont’d.

Commissioner Blundo amended his motion to amend and adopt a resolution citing and recognizing the accomplishments of Donald J. Trump while in office; seconded by Commissioner Strickland.

Katherine Smith said she read the posted version of this resolution and had issues with several statements such as the jobs created, substantial income increases for households, and the elimination of manufacturing regulations.

Pat Minshall understood the Board was a non-partisan group and asked why a partisan position was being taken on this.

Leah Aldridge talked about the Affordable Care Act. President Obama said people could keep their doctor or their plan, which was a lie. Also, under President Obama she had a little side business which went from being a nice business to a hobby. Under President Trump her business increased about 358%. As far as Ms. Aldridge was concerned President Trump was the greatest president in her lifetime.

Caroline Logue said there were many reasons why this resolution was incorrect and should be voted down, the first one being the Board was supposed to be a bi-partisan board supportive of all citizens in the community. It seemed inappropriate for this Board to rubber stamp a resolution which served no purpose for this County other than to gratify the ego of a president. Considering Commissioner Blundo’s ongoing campaign for federal office Ms. Logue said this resolution seemed to be nothing but a blatant attempt to use this Board to curry favor with potential supporters of his bid for higher office and had no business on an agenda for a community council.

Commissioner Wichman felt that by doing such a resolution this Board was disassociating itself with the Independents, the Libertarians and everyone who may disagree with it. She said she was elected to do the business of the County for the people of Nye County and this was not a part of the business of the County Commissioners in her opinion. Although she agreed with much of what is in the resolution, Commissioner Wichman said she would abstain from voting as it was not what she was voted into office to do.

The motion to amend and adopt a resolution citing and recognizing the accomplishments of Donald J. Trump while in office passed with 3 yeas; Commissioners Wichman and Cox abstained.

30. For Possible Action – Discussion and deliberation regarding updating Nye County’s position on the uses of Yucca Mountain.

Commissioner Blundo said while the County was not changing its position, given some recent comments he believed the County should be open minded to looking at solutions for Yucca Mountain. He knew the County was interested in looking at jobs, the local economy and the infrastructure, and he wanted to have that conversation.

Darrell Lacy, Director of the Nuclear Waste Office, said the County had four resolutions over the years and multiple letters with the most recent done in 2012. That letter asked the Blue Ribbon Commission to enter into negotiations with the County to see if a reason could be found to consent to the repository. The County had consistently said it wanted the licensing finished and a determination from the NRC if it was safe. The County had always wanted to be actively involved and constructive in looking at a resolution. The design for the repository was a retrievable repository, meaning the spent fuel could be removed for other opportunities. Mr. Lacy felt the County was open to other related nuclear activities like reprocessing small modular reactors, interim storage, and medical isotope production. The key issue to moving forward with this, and the State’s opposition, was there had never been a true discussion on benefits and mitigation. No one from the federal government had ever come to Nevada to offer other benefits or other types of funding investments to help get the State to say it was consenting to this. Mr. Lacy thought those were the types of things the federal government could do if they wanted to take a different approach to Yucca Mountain.

Commissioner Blundo said one of the challenges was the County did not get funding and there was a bottleneck with the NRC. The Yucca Mountain waste issue had come to a standstill and he believed in the future the DOE would reach out to find another location and get input. Commissioner Blundo wanted to see a resolution that Nye County was ready to negotiate.

Commissioner Blundo made a motion to have staff bring back a resolution; seconded by Commissioner Wichman

Commissioner Wichman asked to have the other nine resolutions from the other counties included when this resolution was brought back.

Commissioner Blundo amended his motion to have staff bring back a resolution along with the other nine resolutions from the other counties; Commissioner Wichman amended her second; 5 years.

31. For Possible Action – Discussion and deliberation regarding: 1) Amending the existing Lease Agreement with First Choice Pregnancy to identify preferred space and square footage for the lease to better fit the needs of the Lessee; or 2) Direct staff to work with First Choice Pregnancy to start the lease development process over by conducting a walk-through to identify space that better suits the Lessee’s needs.

Commissioner Blundo said he had been informed there were difficulties with the space requirements approved by the Board and what the facility actually had to offer. He asked for this to come back to either figure out the spacing or start the process over.

Commissioner Koenig said he had received a phone call thanking him and expressing how happy they were with the space they had and the money. He did not understand why it was brought back.

Commissioner Wichman said she made the motion on this item before and she specifically remembered directing staff to figure out what space they needed and that criteria would match that space. She did not understand why this was back either and asked if the space had been identified.

Buildings and Grounds Director William Allen said yes. He explained the original mistake was his assumption that the building was smaller than it was, so the two sides of the building were separated to define approximately the space originally asked for.

Commissioner Koenig asked if that was not good now.

Nancy Erwin from First Choice Pregnancy Center said the space of 2,000 square feet was approved last month with a walk through two days after that with the understanding that the first building looked at was divided between First Choice Pregnancy Center and WIC Health and Human Services. The opposite sides of the building were discussed and she found out a week later she was not getting that building anymore. A couple weeks went by and Danielle McKee told her they made a mistake and it was 5,000 square feet. Ms. Erwin said she had not seen how it was divided but just knew they were going to lose some space. There were two lobbies that took space away and the hallways were wide resulting in a loss of more square footage.

Commissioner Koenig asked what happened with the original floor plan.

Mrs. McKee explained that was in the urgent care portion of the building which Health and Human Services said they could fit into. The back building was then presented to First Choice Pregnancy Center, which was estimated at 2,700 square feet with the back offices being cut for storage for Health and Human Services and to make the front portion of the building closer to the 2,000 square foot mark. When Mr. Allen went out there he calculated the entire building at 5,000 square feet while the area first discussed with First Choice was about 4,100 square feet. He then calculated the hallways and

31. For Possible Action – Discussion and deliberation regarding: 1) Amending the existing Lease Agreement with First Choice Pregnancy to identify preferred space and square footage for the lease to better fit the needs of the Lessee; or 2) Direct staff to work with First Choice Pregnancy to start the lease development process over by conducting a walk-through to identify space that better suits the Lessee's needs-Cont'd.

lobbies and once those were deleted from the square footage the offices were closer to the 2,000 square foot point for the entire building.

Commissioner Blundo asked how long the process would be to just start over.

Commissioner Koenig wondered why it could not just go back to the original plan and the front building.

Mrs. McKee felt the confusion was that the 2,000 square feet for \$1,000.00 per month was enough for First Choice, but they were then told it would be in the back building assuming the total building with the exception of the three offices would be closer to 2,000 square feet. Once measured it was 4,100 square feet and giving them 2,000 square feet would be great except that included the lobby and the hallways which took up a good chunk of that 2,000 square feet.

Commissioner Wichman asked Ms. Erwin if the 2,800 square feet just identified with the hallway, the offices and the lobby was the area she wanted, to which Mrs. Erwin responded yes.

Commissioner Wichman made a motion that that the area just identified with the offices, hallway and lobby, whatever square footage it was, with the exception of the offices for storage for Health and Human Services, be provided to them at the original agreed amount, \$1,000.00 a month; seconded by Commissioner Strickland.

Lisa Madsen from First Choice said she was excited to get this new building as they could expand the services they provided to the community.

Marla Zlotek asked that the motion include to amend the lease to reflect the preferred space as stated.

Commissioner Strickland withdrew her second.

Commissioner Wichman restated her motion to amend the lease to reflect the identified preferred space as stated to better fit the needs of the lessee; seconded by Commissioner Strickland.

Deborah Gaylord-Thomas said in light of the broad range of services that First Choice provided and their potential to do even more for the community, to her that seemed very

31. For Possible Action – Discussion and deliberation regarding: 1) Amending the existing Lease Agreement with First Choice Pregnancy to identify preferred space and square footage for the lease to better fit the needs of the Lessee; or 2) Direct staff to work with First Choice Pregnancy to start the lease development process over by conducting a walk-through to identify space that better suits the Lessee’s needs-Cont’d.

comparable to what DAV did and thought the Board should consider renting space to them for \$1.00 a year.

The motion to amend the lease to reflect the identified preferred space as stated to better fit the needs of the lessee passed with 5 years.

BOARD OF COMMISSIONERS

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

Lorina Dellinger said this document reflected the items in the motion from the January 22, 2020, meeting, including Commissioner’s correspondence and other communications.

Commissioner Strickland suggested having some sort of budget set for each Commissioner.

Commissioner Koenig said he was concerned with bulk mailing and who would pay for it.

Mrs. Dellinger said that could be a line item within the Commissioners’ budget.

Commissioner Koenig thought each Commissioner should have their own budget for this type of thing tied to their liaison position.

Mrs. Dellinger explained that in the past expenditures for the Commissioners had been tracked with a project stream so attaching an amount to it would not be problem. Also, Section 10.4 required correspondence to be sent to the County Manager as well so it could be tracked.

Commissioner Blundo said there would be an item in the future to address Commissioner Koenig’s concerns.

Pat Minshall referred to page 5, Section 5.1.7.3, which stated all other elected officials of the County shall file items using the prescribed format for the agenda with the County Manager and asked if that included elected town board members.

Commissioner Strickland said that was for an elected official with the County.

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

Commissioner Blundo made a motion to amend and approve the revisions of the Board of County Commissioners Rules of Procedures, including the County seal; seconded by Commissioner Strickland; 5 yeas.

COUNTY MANAGER

34. For Possible Action – Discussion and deliberation regarding proposed revisions to the Pahrump Commissioners Chambers Usage Policy.

Commissioner Blundo made a motion to approve the proposed revisions to the Pahrump Commission Chambers Usage Policy; seconded by Commissioner Wichman; 5 yeas.

35. For Possible Action – Discussion and deliberation regarding Nye County Proclamation No. P2020-04: A Proclamation Declaring the 2020 Census a Matter of Civic Responsibility.

Commissioner Blundo made a motion to approve Proclamation No. P2020-04, a proclamation declaring the 2020 census a matter of civic responsibility; seconded by Commissioner Strickland.

Public Information Officer Arnold Knightly said he brought this forward to raise awareness and announced the important dates.

The motion to approve Proclamation No. P2020-04, a proclamation declaring the 2020 census a matter of civic responsibility, passed with 5 yeas.

PUBLIC PETITIONER

51. For Possible Action – Discussion and deliberation to consider mandated spay and neuter for dogs and cats and amending Nye County Code 20, Nye County Code 6, and Nye County Code 8, if applicable.

Jason Mann felt the animal population in Pahrump was out of control and there was only one way to cure that, which was to reduce pet homelessness via spay/neuter. He thanked the Board for having this on the agenda.

Deborah Gaylord-Thomas said she came from California where some cities and counties had mandatory spay/neuter ordinances passed. The problem they were having was it did not reduce the number of shelter animals. Additionally, studies had shown early spay/neuter causes health issues like incontinence. Mandatory spay/neuter ordinances were both expensive to enforce and places that had them had

51. For Possible Action – Discussion and deliberation to consider mandated spay and neuter for dogs and cats and amending Nye County Code 20, Nye County Code 6, and Nye County Code 8, if applicable-Cont'd.

seen a reduction in dog registration fees. Ms. Gaylord-Thomas did not think this would be good for the County.

Beth Rupp said she was in favor of this.

Jane Carbone said she agreed with spay and neuter, but she did not see how making it mandatory was going to work.

Leah Aldridge, vice president of Desert Haven Animal Society, said she was all for spay and neuter, but she did not agree with this as it was the government telling people what they could do with their private property. She also questioned its enforceability.

Priscilla Lane thought it was a good idea to have animals spayed and neutered because there was a problem but enforcing it would be difficult. She asked if people who could not afford to have it done would be fined or have their animals taken away.

Commissioner Cox read a letter into the record from Cynthia Knapp stating her disagreement with government intervention with mandatory spay/neuter. Commissioner Cox said she agreed with spay/neuter in certain circumstances, but this would not stop anyone from selling animals or being criminals. The animals were private property and it was unconstitutional for the Board to tell people they had to do something. She said she could not support this.

Commissioner Blundo advised he also had a couple of letters sent to him that did not support this particular item.

There was no action taken on this item.

H/R AND RISK MANAGEMENT

44. For Possible Action – Discussion and deliberation to approve filling a Payroll Administrator prior to realizing the accrual payouts and six-week waiting period.

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

COUNTY MANAGER

36. For Possible Action – Discussion and deliberation regarding approval of the U.S. Census Bureau’s Census Boundary identifications and associated maps for Nye County.

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

FINANCE

38. For Possible Action – Presentation on the history of Nye County’s property tax rate by district and fund, and discussion, deliberation and direction to staff regarding the FY21 property tax rate for all entities the Board of County Commissioner’s governs.

Savannah Rucker said there had been a question as to whether Belmont had a tax rate and at no time in history did it. The bulk of the presentation was showing the tax rates, the maps, the overlay of how those taxing districts fell on top of each, and to put some of the tax rates in the County up to the limit of 3.66. She advised she needed a property tax allocation for FY21 as it was due to DTAX no later than February 24, 2020. She mentioned the net effect to the taxpayers would be zero dollars as this was just moving the tax rate around within the funds the Board governed. The preliminary recommendation to reallocate the County general fund tax rates was to assign a new rate to the airport fund as it was unable to sustain itself; increase tax rates for funds 10230, 10285 and 10481; and potentially reduce tax rates for the general fund, the museum fund, health and human services fund, and the County capital fund.

Commissioner Strickland made a motion to amend the property tax rate until the final budget hearing and final budget approval; seconded by Commissioner Blundo; 5 yeas.

PLANNING/BUILDING/CODE COMPLIANCE

46. 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.

Mark Fiorentino, representing William Lyon Homes, said staff recommended approval and to the best of his knowledge there was no opposition. The conditions were acceptable and he asked the Board to make a motion to approve.

46. For Possible Action – Discussion and deliberation on TM-2019-000020-Cont'd.

Commissioner Wichman made a motion to approve with the conditions stated by staff and agreed to by Mr. Fiorentino; seconded by Commissioner Strickland; 4 yeas. Commissioner Koenig voted nay.

FINANCE

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

Savannah Rucker reviewed the revenues noting property taxes started to catch up to the projections in January. The overall projection was that revenues would meet and slightly exceed budget in FY20. She then discussed the departments that were showing 50% or more of budget spent at this point.

40. For Possible Action – Discussion and deliberation regarding the budget status through Q2-FY20 and future projections for the Nye County Jail Fund-10236.

Savannah Rucker said this was a better projection than what she presented last time. While December, 2019, ended with a negative ending fund balance of \$124,000.00, January was positive at \$475.00, February was projected positive \$134,000.00, and March and June were projected to end with a deficit ending fund balance. She would like to see if that actually came to fruition in March and if it did she would bring an item to the Board to deal with it.

41. For Possible Action – Discussion and deliberation to adopt, amend and adopt, or reject budget transfer of appropriations between functions within Nye County General Fund (10101), General Government (10) function to Transfers function (97).

Savannah Rucker explained this item was to move the funding out of the general fund into the risk management fund to pay bills from the risk management fund.

Commissioner Blundo made a motion to adopt budget transfer appropriations between functions within Nye County; seconded by Commissioner Strickland; 5 yeas.

42. For Possible Action – Discussion and deliberation to augment the Nye County Buildings and Grounds FY20 budget from Nye County General Fund Contingency for an unbudgeted service contract for tree trimming and removal totaling \$19,300.00.

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

42. For Possible Action – Discussion and deliberation to augment the Nye County Buildings and Grounds FY20 budget from Nye County General Fund Contingency for an unbudgeted service contract for tree trimming and removal totaling \$19,300.00-Cont'd.

Pat Minshall, Amargosa Town Board member, wondered if having the Forestry Department take care of this had been looked into as they had removed trees from the cemetery and park in Amargosa for a substantially lower price than a contractor.

William Allen said the Forestry Department did look into it and this project was beyond their scope.

The motion to approve passed with 5 yeas.

43. For Possible Action – Discussion and deliberation regarding options for earmarking or segregating Ishani Ridge bond monies released to Nye County pursuant to the Ishani Ridge development agreement.

Savannah Rucker said there were three options. Option 1 was just the PETT fund for the jail bond payment to be put in a separate project in the County capital project fund. Option 2 was to create a sub-fund of the capital fund, not a legally separate fund for audit purposes and for DTAX, however, in the GL it would be separate reporting. Option 3 was to create a completely new legal fund for capital developer bond proceeds, which would require a resolution, would be audited separately, etc.

Commissioner Strickland made a motion to keep the money in Capital Fund 10401 and give it a project number for tracking; seconded by Commissioner Wichman.

Mrs. Rucker said she would bring an augment to the Board to legally spend the money in this fiscal year.

The motion to keep the money in Capital Fund 10401 and give it a project number for tracking passed with 5 yeas.

PLANNING/BUILDING/CODE COMPLIANCE

45. Presentation of the Preliminary Revised Flood Insurance Study (FIS) and the Flood Insurance Rate Map (FIRM) Panels (8840, 8845, 8905, 8910) for the area of the Pahrump community known as Peak Springs Fan. The pending revised FIS and attendant mapping are the minimum area of applicability of the Flood Damage Prevention Chapter and may be supplemented by studies for other areas which allow implementation of this chapter and which will have an effective date of 03/06/2020.

Cheryl Beeman from Planning said this project began in 2010. The maps would be effective March 6, 2020, for this area. A public open house was held for training for

45. Presentation of the Preliminary Revised Flood Insurance Study (FIS) and the Flood Insurance Rate Map (FIRM) Panels (8840, 8845, 8905, 8910) for the area of the Pahrump community known as Peak Springs Fan-Cont'd.

realtors, insurance agents and mortgage brokers. The public hearing was extremely well attended and quite a bit of public comment had been received.

47. 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 said she wanted this to be put on another agenda. She had several concerns and she was still reading it. She would like to read more on it and talk to staff.

Commissioner Wichman made a motion to continue this to the next meeting in Tonopah; seconded by Commissioner Strickland; 4 yeas. Commissioner Blundo voted nay.

PUBLIC WORKS

50. For Possible Action – Discussion and deliberation to: 1) Adopt, amend and adopt, or reject the Pahrump Valley Speed Limit Study; and 2) Direct staff to create a bill amending Pahrump Town Ordinance No. 14 (3/6/1981), Ordinance No. 4 (5/14/1971), and Amendment dated 9/28/2004, to revise and restate the Town's regulations regarding traffic and vehicles and other matters properly relating thereto.

This item was removed from the agenda.

52. GENERAL PUBLIC COMMENT (second)

Dann Weeks said there were some scary items on the agenda today, including Nye County outlawing tomatoes. He did not believe that matter would pass constitutional muster and felt the Commissioners would find themselves in court.

53. Commissioners'/Manager's Comments

Commissioner Cox asked Tim Sutton for an update on the sign for the community center.

Mr. Sutton said he did not have an update but would get one for her.

53. Commissioners'/Manager's Comments-Cont'd.

Commissioner Blundo said he wanted to meet with Mr. Sutton regarding communication with Board members. Members could not speak to each other, but staff could talk to them so if items were changing behind the scenes that should be communicated before the meeting, not during it.

54. ADJOURN

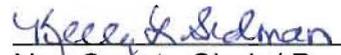
Commissioner Koenig adjourned the meeting.

APPROVED this 7th day
Of April, 2019.

ATTEST:



Chair



Nye County Clerk / Deputy