

Pursuant to NRS a joint meeting of the Nye County Board of Commissioners, Nye County Board of Highway Commissioners, Nye County Licensing and Liquor Board, the Nye County Board of Health, the Governing Body of the Unincorporated Town of Pahrump, the Governing Body of the Unincorporated Towns of Beatty, Belmont, Gabbs, Manhattan, and Railroad Valley, and the Board of Trustees for the Pahrump Pool District, was held at 10:00 a.m. in the Commissioners' Chambers, 101 Radar Road, Tonopah, Nevada 89049.

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

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

Not Present: Chris Arabia, District Attorney

Commissioner Koenig outlined how today's meeting would be conducted.

1. Pledge of Allegiance

The Pledge was recited.

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

Emergency Services Director Scott Lewis provided an update on the coronavirus situation in the County. The emergency operations center was open under partial status, which meant it was manned from 6:00 a.m. to 6:00 p.m. every day. Operational objectives had been developed, which included a comprehensive medical plan. Chief Lewis advised he was notified by the health officer prior to the meeting that there had been another confirmation bringing the total cases in Pahrump to five and seven overall in the County. There had been no deaths. He then reviewed the numerous contingency plans that had been put in place for things like treating the sick, handling the surge if it came, and providing food to people, among other things. They also now had a solid resource chain.

Commissioner Blundo said he had been told the Public Administrator's Office was not receiving equipment. He also said he would prefer more frequent updates.

Chief Lewis said they had full access to PPE and he had spoken to Ginger Stumne. As to updates, he advised all of the information was available through the Public Information Officer and asked Commissioner Blundo to let him know if he wanted it done differently.

Commissioner Blundo acknowledged the passing of Roger French and Charles Ruble.

Commissioner Cox asked if any of the Public Administrator clients had passed from the coronavirus and the information just had not been released yet.

Chief Lewis said all tested so far had been negative and there were no known deaths at this moment related to the virus.

Commissioner Strickland recognized some of the heroes at the Sheriff's Auxiliary who were working many hours to keep up with the needs of the communities.

Commissioner Wichman praised everyone for their efforts.

Commissioner Koenig commented he was part of the COVID task force and knew how many hours they were working.

Tim Sutton extended his gratitude to County staff. Regarding the information going out, he said what Chief Lewis summarized was a compilation of various reports that went out at least twice a day. Mr. Sutton knew Commissioner Blundo was on the distribution list so if there was anything he was not getting Mr. Sutton asked Commissioner Blundo to please let him know.

3. Approval of the Agenda for April 3, 2020 (Non-action item)

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

4. GENERAL PUBLIC COMMENT (up to three-minute time limit per person.) Action will not be taken on the matters considered during this period until specifically included on an agenda as an action item.

Dr. Michael Reiner-received a call from a patient 9-10 ago who presented to urgent care with a fever of 103, covid-19 u... told no routine testing was available; confused why ... not routinely offered as there is no definitive cure or treatment and no vaccines; the only thing the patient could do was go home and wait; currently in ICU in Las Vegas; does not support public testing as there is no treatment; observed the testing area in Pahrump and saw the PPE was not used properly; also heard that one of the people doing the testing went to the bathroom in a closed building ... shows a serious lack of

knowledge of the seriousness of the disease and the lack of ... if hospitals and urgent cares are not testing patients unless admitted why should the county be doing testing; Pahrump is not a hot spot; knowledge about the virus changes daily; current protocol is isolation and social distancing; testing does not change that fact;

Ammie Nelson was curious about what was being done with the jail in this situation as well as the homeless situation. She also wondered if the new ambulance service was included in the emergency plan and if there was a charge for the testing.

Marla Zlotek asked to have item 3 reopened as action was taken and it was a non-action item so the action taken needed to be undone.

3. Approval of the Agenda for April 3, 2020 (Non-action item)-Reopened.

Commissioner Strickland withdrew her second.

Commissioner Cox withdrew her motion.

There was no action taken on this item.

5. For Possible Action – Discussion and deliberation regarding meeting minutes from the January 22, 2020, joint teleconference and February 4, 2020, joint regular meeting of the Nye County Board of Commissioners, Board of Highway Commissioners, Nye County Licensing and Liquor Board, Nye County Board of Health, the Governing Body of the Unincorporated Town of Pahrump, the Governing Body of the Unincorporated Towns of Beatty, Belmont, Gabbs, Manhattan, and Railroad Valley, and the Board of Trustees for the Pahrump Pool District.

Commissioner Blundo made a motion to approve January 22, 2020 and February 4, 2020, meeting minutes; seconded by Commissioner Cox; 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.

6. For Possible Action – Approval of the Elected Official Collection Report regarding fees collected from elected county departments for services rendered by or provided to county citizens.

Commissioner Blundo made a motion to approve items 6-8; seconded by Commissioner Cox; 5 yeas.

7. For Possible Action – Approval to set the date and location for the second Board of Commissioners meeting in June for Tuesday, June 16, 2020 in Pahrump, Nevada.

Commissioner Blundo made a motion to approve items 6-8; seconded by Commissioner Cox; 5 yeas.

8. For Possible Action – Approval to accept a Notice of Subaward from the State of Nevada, Department of Health and Human Services for supplemental monies to the Community Services Block Grant (CSBG) along with assurances to provide assistance for Nye County’s very low to low-income population in the amount of \$9,155.00. This grant will be administered out of Fund 10340 Grants and there is no County match required.

Commissioner Blundo made a motion to approve items 6-8; seconded by Commissioner Cox; 5 yeas.

COUNTY MANAGER

9. For Possible Action – Discussion and deliberation to: 1) Repeal 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; and 2) Adopt, amend and adopt, or reject Nye County Resolution No. 2020-10: 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 Strickland disclosed she was a well drilling contractor who worked with the Division of Water Resources (DWR) in relation to drilling and appropriating of water rights, but she did not feel a need to recuse herself.

Samantha Tackett explained this was a resolution done on an annual basis. The previous resolution had misinformation on a few parcels which had been corrected in Resolution No. 2020-10.

Commissioner Cox asked if the rate would be \$1.08 or \$2.17.

Tim Sutton confirmed with the Assessor the correct right rate was \$2.17.

Commissioner Blundo had numerous questions about what the State Engineer was doing for the Basin 162 for this fee and wondered what they would do if the County did not assess it.

Mr. Sutton advised he had reached out to DWR and was told they would seek reimbursement of the assessment.

Commissioner Cox felt people should either show what they were doing with the money like the animal shelter was required to do or there should be an advisory board to monitor it.

Commissioner Blundo made a motion to repeal Nye County Resolution No. 2020-04 and adopt Nye County Resolution No. 2020-10; seconded by Commissioner Wichman.

Commissioner Cox asked if the motion should be amended to add that they needed to verify what the money was used for.

Commissioner Koenig said the County Manager would do that.

Mr. Sutton added he was drafting an e-mail right now.

Commissioner Blundo began to explain why he wanted separate votes when Commissioner Koenig pointed out to he did not make separate motions.

Commissioner Wichman withdrew her second.

Commissioner Blundo withdrew his motion.

Commissioner Blundo made a motion to repeal Nye County Resolution No. 2020-04; seconded by Commissioner Wichman.

Ammie Nelson said this went back to the water right owners of artesian wells who had to pay their own taxes. It was then changed to an agricultural status and they still had to pay their own taxes. Then it was changed to quasi-municipal where the public paid. Ms. Nelson said this was for the taxes the water right owners did not have to pay anymore. She asked what the State Engineer did in all those years to bring about this change and what would happen to the tax status going forward. Ms. Nelson suggested not putting this forward until some of the questions were answered.

The motion to repeal Nye County Resolution No. 2020-04 passed with 5 yeas.

Commissioner Blundo made a motion to adopt Nye County Resolution No. 2020-10; seconded by Commissioner Wichman; 4 yeas. Commissioner Blundo voted nay.

10. For Possible Action – Discussion and deliberation to ratify the Declaration of Existence of Local Emergency for the COVID-19 outbreak pursuant to Nye County Code 8.28.70.

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

Marla Zlotek asked if public comment was requested for items 5-8.

6. 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-Reopened.

7. For Possible Action – Approval to set the date and location for the second Board of Commissioners meeting in June for Tuesday, June 16, 2020 in Pahrump, Nevada-Reopened.

8. For Possible Action – Approval to accept a Notice of Subaward from the State of Nevada, Department of Health and Human Services for supplemental monies to the Community Services Block Grant (CSBG) along with assurances to provide assistance for Nye County’s very low to low-income population in the amount of \$9,155.00. This grant will be administered out of Fund 10340 Grants and there is no County match required-Reopened.

Items 6-8 were reopened for public comment and there was none.

5. For Possible Action – Discussion and deliberation regarding meeting minutes from the January 22, 2020, joint teleconference and February 4, 2020, joint regular meeting of the Nye County Board of Commissioners, Board of Highway Commissioners, Nye County Licensing and Liquor Board, Nye County Board of Health, the Governing Body of the Unincorporated Town of Pahrump, the Governing Body of the Unincorporated Towns of Beatty, Belmont, Gabbs, Manhattan, and Railroad Valley, and the Board of Trustees for the Pahrump Pool District-Reopened.

Item 5 was reopened for public comment and there was none.

EMERGENCY MANAGEMENT

11. For Possible Action – Discussion and deliberation to approve a letter requesting financial relief from the State of Nevada Department of Public Safety for financial damages incurred by Nye County during the COVID-19 outbreak.

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

FINANCE

12. For Possible Action – Presentation and direction to staff regarding the current and future financial condition of Nye County as related to the COVID-19 outbreak.

12. Savannah-assumptions made for FY20 were no longer valid, and the assumptions being made for FY21 now are ... COVID crash has affected the market ... typical economic depression run 10-15 months; markets are down 20%, fluctuating daily; a 20% loss means the economy needs to grow 20% to net zero or 21% or more to see growth in this year; not sure how quickly the rebound will be; unemployment is soaring and dependency on the government is at an all-time high; factors are changing every day and changing the assumptions for FY21 budget; within this economy three potential outcomes- return to normal, a slow recovery or a black swan event; return to normal is not likely; slow recovery is a potential outcome, but taxes would not be expected to return to normal for a number of years; black swan event would be a deep depression similar to 2008; experts recommend planning for a black swan event, but she felt to plan for a slow recovery and modify that plan if the disease continues; currently our immediate concerns are projected revenues is extremely difficult due to the market; expect a decline in CTAX, which was 39% of the total general fund budget; general fund is a good indicator of how other funds will function and perform in the future; had a surge on sales in march for food and other home goods, but that does not exceed the cost in the loss of non-essential businesses closing in mid-march; Reno finance director expects the following decline in CTAX revenues – anticipating 25% shortfall of budgeted revenues from march in CTAX alone, 50% in april, 35% in May, 25% in June, assumptions made before the Nevada state quarantine was extended through 4/30; she felt there was a good likelihood the quarantine would be extended resulting in a larger impact; she as concerned about the cash flow of the county; also concerned about the delay in property tax payments or deferred payments until people get back to work; the general fund does have a significant ending fund balance, doesn't want anyone to think the world was falling, but the county needed to react quickly to continue doing business moving forward; some long-term effects would be businesses not reopening, reducing the local economy and GDP in the state and continuing unemployment; concerned that tourism in las vegas and Nevada would lag for a significant period of time affecting numerous sources of revenue; property taxes also a concern as that was the second largest source of revenue with 36% of the total general revenue fund budget; concerned if unemployment rates stay high foreclosure rates will increase affecting property taxes; ripple effects would be decline of fuel taxes, road funds, significant fluctuation and losses potentially in investment income and market gain, which thought would impact the county for the next year or two; that drives the OPEB liability and she felt that liability would rise because of a loss or gain; could also see a 15-20% increase in health costs because of this crisis; the governor's order to stay at home has closed all county offices to the public; the declaration had caused the .. 155 of the 445 county employees utilized admin leave with pay for a portion of their pay check; the county is working to resolve issues with people working remotely and is getting the team back to work where possible; IT working tirelessly to maintain the county's operations; are now stopping all non-essential travel, hiring freeze in place, vacant positions not filled and internal promotions postponed, seeking ... management is also working to determine how to cut costs and reduce budgets to reduce the impact; ... she could not recommend any new positions for FY21 and should pull back on department budgets; concerned with revenue shortfalls in FY21 and need the budget to balance where revenue was meeting the expenditures; rough estimate for FY21 shows \$1.9 million revenue deficit; ...

...

Leo-asked all departments to cut their budget 10% moving forward; thought the hard decisions needed to be looked at now

Savannah-the figure she was quoting was for the remainder of FY20; FY21 would be different because they could start the fiscal year with those numbers

Donna-

Debra-

...

Ammie Nelson-suggested also freezing wages

HEALTH & HUMAN SERVICES

13. For Possible Action – Discussion and deliberation regarding a revised Interlocal Contract with the State of Nevada, Division of Health Care Financing and Policy (DHCFP) and Division of Welfare and Supportive Services (DWSS) to provide the administrative services necessary to implement the program of medical assistance to individuals who meet financial and medical eligibility criteria.

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

INFORMATION TECHNOLOGY

14. For Possible Action – Discussion and deliberation to ratify the Cooperative Agreement with the Nye County School District for the purpose of allowing for the exchange and sharing of non-proprietary and non-sensitive raster and vector GIS data.

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

PLANNING/BUILDING/CODE COMPLIANCE

15. 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. 2020-07: A Bill proposing to approve a Development Agreement between Nye County and Cedar Trees, LLC, for the North Canyon Homes Subdivision; 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 for April 21, 2020, at 10:00 a.m. in Pahrump chambers; seconded by Commissioner Wichman.

Commissioner Blundo believed this was before the Board previously and the applicant did not have an opportunity to testify. before the board so whatever reservations may or may not be for the ...

The motion to set the date, time, and location for April 21, 2020, at 10:00 a.m. in Pahrump chambers passed with 5 yeas.

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

16. For Possible Action – Discussion and deliberation to determine whether the Business Impact of Nye County Bill No. 2020-08: A Bill proposing to amend Nye County Code Title 15, Building and Construction, Chapter 15.28 entitled Dust Control Regulations within the Pahrump Regional Planning District, relating to Section 15.28.090 Construction Activities, and proposed amendments to the Nye County Dust Control Plan Fee Schedule, is likely to impose a direct and significant economic burden upon a business; or directly restrict the formation, operation or expansion of a business, and, if so, simplify the proposed rule or establish a different standard of compliance for businesses, in accordance with NRS 237.030 through NRS 237.150.

Commissioner Strickland disclosed for items 15 and 17 that she was president of Strickland Construction which pulled dust control permits and ... She did not see a reason to not vote on the items.

Commissioner Blundo made a motion to determine that there was a business impact in Nye County Bill No. 2020-08 and accept the business impact statements included in the back-up; seconded by Commissioner Cox.

Commissioner Strickland did not believe there was an impact.

Commissioner Blundo was concerned that if he determined there was no impact then he would not accept the statements in the back-up.

Commissioner Koenig pointed out staff recommendation was that it was not likely to impose a direct significant burden so staff was recommending there was no impact.

Commissioner Blundo noted there were letters in the back-up indicating there would be an impact. He asked if those letters would go away if it was determined to have no impact.

Planning Director Brett Waggoner said the suggestion accepted could be discussed at the time of adoption of the bill, but based on the response they received it did not appear there was an impact.

Commissioner Cox withdrew her second.

Commissioner Blundo withdrew his motion.

Commissioner Blundo made a motion to determine there was no impact in Nye County Bill No. 2020-08 but he would still accept the letters included; seconded by Commissioner Wichman.

Ken Murphy discussed his concerns with the distance requirements ...

Commissioner Koenig said that could be discussed further when the bill was heard.

The motion to determine there was no impact in Nye County Bill No. 2020-08 but the letters included in the back-up would still be accepted passed with 5 yeas.

17. 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. 2020-08: A Bill proposing to amend Nye County Code Title 15, Building and Construction, Chapter 15.28 entitled Dust Control Regulations within the Pahrump Regional Planning District, relating to Section 15.28.090 Construction Activities; 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 Strickland advised Strickland Construction did pull these permits.

Commissioner Blundo made a motion to set the date, time and location for April 21, 2020, at 10:00 a.m. in Pahrump chambers; seconded by Commissioner Cox; 5 yeas.

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

18. GENERAL PUBLIC COMMENT (up to three-minute time limit per person.) Action will not be taken on the matters considered during this period until specifically included on an agenda as an action item. (SECOND)

There was none.

2. Commissioners'/Manager's Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)-Reopened.

Commissioner Blundo mentioned the accidents on Homestead and Thousandaire. He wanted it on the record that a request was sent to Public Works to look into a four-way stop.

Commissioner Cox said the same situation existed on Barney and Charleston Park and she would like a four-way stop there as well. She then mentioned the Binion property was for sale again. She said County should have bought it when it could have for \$1 million because they now wanted \$5.5 million after they destroyed the historical value.

Commissioner Wichman gave a shout out to Clark County Commissioner Marilyn Kirkpatrick who helped to bring almost 3,000 pounds of food to the food bank in Pahrump.

19. ADJOURN

Commissioner Koenig adjourned the meeting.

APPROVED this 5th day

ATTEST:

Of May, 2020.



Chair



Nye County Clerk / Deputy