

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; 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; Sharon Wehrly, Sheriff

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)

Commissioner Blundo mentioned the HR5717 letter he would like to get before the Board. He would also draft and bring to the Board another letter to send regarding Yucca Mountain. He then announced that Golden Gaming had something in the works for the high school seniors and asked everyone to support the local businesses.

Commissioner Koenig said he was on the COVID-19 task force and the numbers were weird right now. He would find out later today what the numbers really were and said social distancing seemed to be working.

Sam Merlino advised her Pahrump office was now closed as well. The judge put out an order this morning and all work was being diverted to Tonopah so she was bringing her Tonopah staff back full-time. Everyone was at least six feet apart. On Friday she sent the current voter file to the vendor to process the mail-in ballots. If someone updated their address right now, the ballot would be sent to the address on file and then returned

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

by the post office at which time a new ballot would be issued. If someone changed their party right now their ballot would have to be cancelled and another one sent. The ballots would go out in the next week or so and Mrs. Merlino asked the voters to let her office know of any changes so they could reissue the correct ballot style. Since this was a mail-in election Mrs. Merlino asked if she could use the Commission chambers in Tonopah to process the ballots so she could live stream the process for people at home to watch to alleviate some of the fears of voter fraud. That process would start the Wednesday prior to Election Day.

Treasurer John Prudhont said he had received quite a few questions and requests regarding the on-line payments people made and the convenience fee. He explained the convenience fee was not charged by the Treasurer's Department but rather the third-party vendor providing the credit card service. There was a drop box on the side of the building people could use if they did not want to pay the convenience fee, but he asked people not to drop off cash to ensure the payment was applied properly.

Assessor Sheree Stringer said her office was also closed, but she was working with IT to possibly have computers set up at homes for the appraisers to continue to work. They were still processing new construction, reappraisals, etc., and if anyone needed to get in touch with her they could call (775) 209-5104.

3. Presentation by the Director of Emergency Management regarding the status of the COVID-19 outbreak.

Emergency Management Director Scott Lewis advised there were 29 confirmed cases in the County, not the 32 that had been reported because three of those had to be re-tested. There were zero deaths, but two citizens were on ventilators in Las Vegas hospitals. There were two recoveries and Chief Lewis expected that list to grow very quickly in the next 24 hours after the process of clearing individuals had been completed. There were 632 tests done and the testing continued with confirmed contact and/or people who were symptomatic. There were just under 4,000 confirmed cases with 163 deaths in the State. The most effective precaution and proven preventative model was social distancing and Chief Lewis urged people to use extreme caution, masks, and PPE as well as social distancing. Information was available at nyecounty.net and the COVID-19 hotline number was (775) 751-4333. He said the recovery plan was following the federal and state plan to re-open. He commented that while Georgia was opening its economy, the scientists and many others were concerned about the method being used and that would be the template for what happened across the country.

4. Approval of the Agenda for April 21, 2020 (Non-action item)

Tim Sutton said item 19 could be removed from the agenda.

5. 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).

Dwight Lilly talked about the coronavirus testing and felt the number of infections was way off. The County was testing about 1% of the population, which did not give a true number. He said he and some of his friends experienced what could have been coronavirus symptoms in September and he felt it may have been in the United States longer than thought. As to mail-in voting, Mr. Lilly said he expected to see an injunction to stop that and wondered if Mrs. Merlino could address what her provisions would be if that was challenged.

Treasurer John Prudhont advised his office sent out delinquent letters and was getting a lot of response on those. He advised he was trying to rotate the crew in the office so there was only one person in at a time, which would affect their response time. He asked the community to be patient for those who received a delinquent notice due to a third-party payer issue.

TIMED ITEMS

6. 10:00 a.m. – For Possible Action – Public Hearing, discussion and deliberation on ZC-2019-000042: A (Conforming) Zone Change application to change 5.00 acres from the Village Residential (VR-20) zone to the Rural Homestead Residential (RH-4.5) zone, located at 351 W. Bunarch Road, Pahrump, NV, Assessor's Parcel Number 029-642-19, further known as T19S, R53E, S28, Lot 6, Blagg Road Estates, NHF, LLC – Property Owner, Alex De Jong – Applicant.

Commissioner Koenig opened and closed the public hearing.

Commissioner Strickland made a motion to approve the conforming zone change; seconded by Commissioner Wichman.

Commissioner Cox wondered why there was no back-up for the item.

Planning Director Brett Waggoner said he did not know why the back-up was not included as it was sent in. He explained this was heard by the RPC at their last meeting in March and they recommended approval. It was a five-acre parcel zoned VR-20 and the applicant wanted to do indoor cultivation on approximately an acre of the property. They did not at this point plan to use the entire five acres, but they applied for the zone change for it all.

Commissioner Cox pointed out there were no maps to look at and no information about complaints from the neighbors. She thought this should be brought back in the proper form.

6. 10:00 a.m. – For Possible Action – Public Hearing, discussion and deliberation on ZC-2019-000042-Cont'd.

Commissioner Blundo asked if it was a special condition for approval that it was an indoor grow.

Mr. Waggoner said no, mainly because that kind of special condition was not on a zone change. The only conditions that could be placed would be to protect the health and safety of the community and this would not jeopardize that. As to letters of protest, he advised none were received.

Commissioner Strickland withdrew her motion and asked that it be brought back with complete back-up.

Commissioner Wichman withdrew her second.

Samantha Tackett advised there was back-up, but it was not included when the agenda was posted. She said she could distribute it during this call and maybe the Commissioners could come back to it later.

Commissioner Koenig asked if there was any reason this could not wait for another week or two, to which Mr. Waggoner replied not really.

Commissioner Strickland made a motion to continue this item to the May 5, 2020, meeting; seconded by Commissioner Blundo; 5 yeas.

7. 10:00 a.m. – For Possible Action – Public Hearing, discussion and deliberation on ZC-2019-000044: A (Conforming) Zone Change application to change three contiguous parcels containing a total of 7.14 acres from the Village Residential (VR-20) zone to the Rural Estates Residential (RE-1) zone, located at 1370, 1441 and 1351 N. Appaloosa Lane, Pahrump, NV, Assessor's Parcel Numbers 036-031-33, 036-031-34 and 036-031-35, Calineva Farms, LLC / John Roundy and Lucille Harker – Property Owners/Applicants.

Commissioner Koenig opened and closed the public hearing.

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

Brett Waggoner advised no complaints from the neighbors had been received and the applicant had an ag well which serviced all three parcels.

The motion to approve passed with 5 yeas.

8. 10:00 a.m. – For Possible Action – Public Hearing, discussion and deliberation on SU-2020-000068: An application for a Special Use Permit Change of Location to allow an existing marijuana establishment (cultivation facility) located at 301 S. Oxbow Avenue, Unit 13, Pahrump, NV, to relocate to 1620 W. Charleston Park Avenue, Pahrump, NV, Assessor’s Parcel Number 036-601-57, CC Condos, LLC – Property Owner, Nye Natural Medicinal Solutions, LLC dba NuVeda / Pejman Bady – Applicant.

Commissioner Koenig opened and closed the public hearing.

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

Commissioner Blundo said he spoke to Dr. Bady about his concerns with moving the cultivation facility from the previous location as the previous location ended up in receivership. Commissioner Blundo said he could support moving this forward after that discussion.

The motion to approve passed with 5 yeas.

9. 10:00 a.m. – For Possible Action – Public Hearing, discussion and deliberation to: 1) Adopt, amend and adopt, or reject Nye County Bill No. 2020-07: 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) Set an effective date.

Commissioner Koenig opened the public hearing.

Dwight Lilly stated his objection to this item going forward and asked the Commissioners to reject the application. There were severe water issues in Pahrump that had not been addressed and it had been the position in recent times to reject new developments until something was done as far as the water.

Kenneth Murphy described the project and felt it was an ideal place for young families and retirees who did not want the responsibility of maintaining property. As to the water, he said he had purchased two-thirds of the water for the entire tract which had been transferred to the utility company and there were additional water rights available for him to purchase. This would also be the only subdivision in town with sidewalks.

Commissioner Blundo asked if there was an HOA for this property.

Mr. Murphy said that was correct. That way streets would be maintained by the people in the subdivision itself unless the County chose to adopt them. The HOA would also handle issues between neighbors.

9. 10:00 a.m. – For Possible Action – Public Hearing, discussion and deliberation to: 1) Adopt, amend and adopt, or reject Nye County Bill No. 2020-07-Cont'd.

Commissioner Wichman said she received various communications supporting this so she would also.

Commissioner Strickland said she was not in opposition to Mr. Murphy or his idea, but she was in opposition because of the water problem. There were paper water rights here, but no water to support it. The County had been threatened by the Division of Water Resources with having meters put on the wells and SB95 could be triggered just by the Board approving this development agreement. While there were existing development agreements that had to be lived with, the Board could stop the further development and parceling in the valley. She said she could not support this.

Commissioner Blundo asked Mr. Murphy if he had been approved for this development at one point.

Mr. Murphy said he was approved twice by the County, but when it was approved the economy dropped off in 2007 and 2008 and just picked up a few years ago, which was why they had to come back and include an HOA. The water rights were also already allocated to the company which had jurisdiction.

Commissioner Blundo advised the last time this came to the Board the applicant did not have an opportunity to speak. He had also received many letters in support of it.

Commissioner Strickland wondered how many subdivisions this would set a precedent for that had expired development agreements if this was allowed to go forward. She also wondered how many had expired.

Mr. Waggoner said to his knowledge this particular subdivision did not have a development agreement when approved the first time. The development agreement was required now due to a Code amendment.

Commissioner Koenig stated that until the water problem was figured out he could not agree with subdivision after subdivision, especially 67 units on 15 acres.

Commissioner Cox said she had more of a problem with the size of the lots as people she had talked with wanted half an acre or more.

Mr. Murphy said the lots were approximately one-fifth of an acre.

Commissioner Cox suggested Mr. Murphy bring this back with larger sized lots to avoid such a crunch on the water and said she could not support it with the size of the lots right now.

9. 10:00 a.m. – For Possible Action – Public Hearing, discussion and deliberation to: 1) Adopt, amend and adopt, or reject Nye County Bill No. 2020-07-Cont'd.

Commissioner Koenig said he received an e-mail from a Mr. Valencia who was in favor of the subdivision project.

Commissioner Cox said she also received several e-mails in support of it, some of which were from companies that she thought would probably work on the project. She felt an advisory board made up of the general public should be established so they could get information out to the public about these types of items and provide a recommendation.

Mr. Murphy asked if the Commission would accept a map with quarter acre lots.

Commissioner Cox said she would compromise to a third of an acre, but she would still prefer half an acre.

Commissioner Strickland pointed out that would still trigger SB95 and set a precedence for other development agreements that had expired.

Commissioner Strickland made a motion to reject Nye County Bill No. 2020-07; seconded by Commissioner Cox; 3 yeas. Commissioners Wichman and Blundo voted nay.

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. 2020-08: 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) Set an effective date.

Commissioner Koenig opened the public hearing.

John Bosta said calling for public comment before a motion and a second was made was improper.

Dawn Murphy addressed the trenching of 100 feet in length or more. She said contractors had a hard time now with Code Compliance and that would make it even more difficult for the contractors doing trenches every day. She suggested making it 300 feet and if doing more a dust permit would be required.

Dwight Lilly felt contractors in the valley thought the dust control law was just a nuisance. He said the reason there were dust control regulations was because the EPA found the County exceeded the healthy standard of air quality. Mr. Lilly would like any type of construction to adhere to the dust control law.

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. 2020-08-Cont'd.

Commissioner Strickland disclosed she was a general contractor and did pull dust control permits, but she did not see a reason to recuse herself.

Commissioner Blundo made a motion to amend and adopt Nye County Bill No. 2020-08 changing item E to read 330 feet and 550 feet; seconded by Commissioner Strickland.

Commissioner Cox talked about road work and making it a requirement for that as well.

Commissioner Strickland was not present.

The motion to amend and adopt Nye County Bill No. 2020-08 changing item E to read 330 feet and 550 feet passed with 4 yeas.

Commissioner Strickland was present.

Commissioner Blundo made a motion to set the effective date as May 11, 2020; seconded by Commissioner Cox; 5 yeas.

11. 10:15 a.m. – For Possible Action – Discussion and deliberation regarding the Treasurer's Report by Nye County Treasurer on bank reconciliation, Department of Taxation recommendations, and the balance in each county, state and special fund, together with a statement of all money on deposit, outstanding checks against that money and cash on hand pursuant to NRS 354.280.

Treasurer John Prudhont said the February, 2020, bank reconciliation and Treasurer's report were in the back-up. Regarding having funds to operate due to COVID-19, he said the bank reconciliation report showed a little over \$100 million in the Wells Fargo account. Mr. Prudhont further advised he was keeping \$7 million to \$10 million available in liquid in case a month came up short and he was investing the rest of the funds.

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 said they were still processing encroachment permits as they could be submitted electronically. They were also focusing on addressing the

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.-Cont'd.

potholes, although the spray patcher was not up and running as he could not get oil yet. They would begin mowing and cleaning the ditches at the intersections as well.

Commissioner Wichman said she had received suggestions regarding the Belmont Road that if the County could not fix it then have it bladed around the worst areas so they could get the cattle trucks in and out.

Mr. Dahl did not think it was conceivable to make detours around some of those places, but he would try to get it better.

Commissioner Wichman asked if there was any chance of getting funding to get that road done in the near future.

Mr. Dahl advised he had already put in for NFLAP funding for the entire road. He had not done the bills grant with Lee Bonner yet, but that was something he would look into as well.

Commissioner Blundo said he received a call from the Pahrump Senior Center about a pothole and asked to have it filled.

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

SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

13. 10:00 a.m. – For Possible Action – Public Hearing, discussion and deliberation to adopt, amend and adopt, or reject Town of Pahrump Resolution No. 2020-02: A Resolution to Augment and Amend the 2019-2020 Budget of the Town of Pahrump, County of Nye, State of Nevada – Fund 25101 Town of Pahrump General Fund in the amount of \$1,684,500.00.

Commissioner Koenig opened the public hearing.

John Bosta asked if this was the marijuana money from the restricted account and if so when was the account unrestricted as AB533 would not take effect until June, 2020. He thought if this was marijuana money it needed more detail.

Commissioner Koenig closed the public hearing.

Savannah Rucker explained when the budget for Pahrump was generated for this fiscal year an ending fund balance was anticipated based on certain capital projects being

13. 10:00 a.m. – For Possible Action – Public Hearing, discussion and deliberation to adopt, amend and adopt, or reject Town of Pahrump Resolution No. 2020-02-Cont'd.

completed in FY19. This item was asking the Board to approve the augment for the beginning fund balance for previously unbudgeted funds that had become available.

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

Commissioner Cox asked if this was marijuana money, to which Mrs. Rucker responded no.

The motion to adopt passed with 5 yeas.

14. For Possible Action – Discussion and deliberation to adopt, amend and adopt, or reject Town of Pahrump Resolution No. 2020-03: A Resolution to Augment and Amend the 2019-2020 Budget of the Town of Pahrump, County of Nye, State of Nevada – Fund 25225 Pahrump Airport Room Tax Fund in the amount of \$11,860.00.

Savannah Rucker said the Board approved transfers out of this fund as the fund was no longer necessary. The transfers were completed, however, while those transfers were happening and the Treasurer was catching up with the bank reconciliations and allocation of investment income this \$11,000.00 was posted. The resolution was just to clean the fund up.

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

Commissioner Cox asked if the fund no longer existed then the room tax would no longer be paid for the Pahrump airport.

Mrs. Rucker said the Board took action to distribute the percentage of the room tax collected for this fund and redistribute it to other room tax funds. As soon as this resolution was approved and the transfer was completed she would be able to present an item to the Board to collapse this fund. Half of the money would go to tourism and the other half would go to the Lakeview Golf Course.

The motion to adopt passed with 5 yeas.

15. For Possible Action – Discussion and deliberation regarding Town of Pahrump Proclamation No. P2020-01: A Proclamation Designating the Town of Pahrump as an Off-Highway Vehicle (OHV) Friendly Community.

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

15. For Possible Action – Discussion and deliberation regarding Town of Pahrump Proclamation No. P2020-01-Cont’d.

Commissioner Blundo said he received a lot of complaints about OHVs on the dirt. He wanted it clear that this proclamation of support did not support people doing that. This was about tourism and the trails.

The motion to approve passed with 5 yeas.

SITTING AS THE BOARD OF COUNTY COMMISSIONERS

BOARD OF COMMISSIONERS

16. For Possible Action – Closure of meeting, pursuant to NRS 288.220 for purposes of conferring with the County’s management representatives regarding labor negotiations, issues and other personnel matters.

This item was removed from the agenda.

17. Closed meeting, pursuant to NRS 288.220 for purposes of conferring with the County’s management representatives regarding labor negotiations, issues and other personnel matters.

This item was removed from the agenda.

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

This item was removed from the agenda.

19. For Possible Action – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution 2020-08: A Resolution Declaring the Non-Support of the BLM’s Round-Up of Wild Horses and Burros by Helicopter in Nye County, Nevada.

This item was removed from the agenda.

DISTRICT ATTORNEY

20. For Possible Action – Discussion and deliberation regarding the tentative FY 2021 and FY 2022 budget for the Nye County Child Support Division.

Commissioner Blundo made a motion to support moving forward; seconded by Commissioner Strickland.

20. For Possible Action – Discussion and deliberation regarding the tentative FY 2021 and FY 2022 budget for the Nye County Child Support Division-Cont'd.

Savannah Rucker said this particular department fell under the District Attorney's Office and there was a contract with the State where they pay 56% of the department expenditures. That was what this budget was for. She looked at it and it looked good.

The motion to support moving forward passed with 5 yeas.

FINANCE

21. For Possible Action – Discussion and deliberation regarding RFQ # 2020-03 – Qualified Environmental Professional to: 1) Accept the response from BEC Environmental; and 2) Provide direction to staff to enter into fee negotiations. This project is to be funded from Fund 10340 Grants, using the Grant Award for the Brownfields Revolving Loan Fund Grant.

Commissioner Blundo made a motion to accept the response, direct staff to enter into fee negotiations, and fund from 10340, Grants; seconded by Commissioner Strickland; 5 yeas.

22. For Possible Action – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution 2020-14: A Resolution to Create a Fund Entitled Tonopah Museum Fund, 10215.

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

Savannah Rucker said this resolution would set up the fund, but it would not put dollars in it. She would bring agenda items forward during May to deal with the funding portion of it.

Dwight Lilly did not think a fund should be set up for museums. He felt the residents in Tonopah should set up their own committee and fund their own museum.

Commissioner Koenig commented the museum in Tonopah was a County museum.

The motion to approve passed with 5 yeas.

23. For Possible Action – Discussion and deliberation to adopt a Non-discrimination Notice and a Limited English Proficiency (LEP) Policy for the purpose of fulfilling a requirement of the SAKI (Sexual Assault Kit Initiative) grant.

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

24. 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.

Savannah Rucker said in the back-up was a tentative schedule along with a CTAX projection. At the budget workshop scheduled for May 11, 2020, she would have items to approve the PSST for all Sheriff and fire funds as well as the CIP plans and the debt management plan. The tentative budget would also be discussed followed by the FY21 budget discussion, including the approval or not for new positions. No other increases would be heard for FY21. She would also discuss position freezing as well as the FY21 projected shortfall. That meeting would set the tone and generate the budget document to be heard on May 29, 2020, for final approval. Mrs. Rucker said during FY21 she would like to have quarterly meetings to discuss the budget, compare actual to projections, and ask the Board to take action to resolve any budget issues.

Regarding the position freeze, Commissioner Koenig would like to have a review of that in January, 2021. He was also hoping the May 29, 2020, meeting could be held in Chambers.

Commissioner Blundo referred to his prior comments about cuts and felt that the belt needed to be tightened now to alleviate the potential problems in the future.

Dwight Lilly agreed with Commissioner Blundo's comments. He said the County constantly budgeted to the last penny and there was no sufficient rainy day fund. Cuts would have to be made as he did not see the economy coming back any time soon.

Mrs. Rucker then reviewed the CTAX comparison. She was projecting a loss of 12.5% in March, 38.2% in April, 23.3% in May, and 14% in June for an overall deficit from revenues received to budget of \$1.009 million. While the Applied Analysis projection was less, she said she would rather pinch more pennies and freeze more positions this year instead of anticipating more money would come in than actually did.

PLANNING/BUILDING/CODE COMPLIANCE

25. For Possible Action – Discussion and deliberation on MM-2020-000087 and RM-2020-000065: A request to approve a Change of Location of Medical and Recreational Marijuana Establishment Licenses (cultivation) for Nye Natural Medicinal Solutions, LLC, dba NuVeda, from 9680 S. Oakridge Avenue to 1620 W. Charleston Park Avenue, Pahrump, NV, Assessor's Parcel Number 036-601-57, CC Condos, LLC – Property Owner, Pejman Bady / Nye Natural Medicinal Solutions – Applicant.

Commissioner Blundo made a motion to approve the change of locations of medical and recreational marijuana establishment licenses for Nye Natural Medicinal Solutions, LLC, dba NuVeda; seconded by Commissioner Strickland; 5 yeas.

**26. 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)**

John Bosta stated his understanding that if a Commissioner made a motion on an item and there was no second then the item died. If there was a second then the discussion, deliberation and public comment took place followed by the vote. Mr. Bosta said if that was not the process he would appreciate it if the Board would ask the Attorney General to clarify the proper process.

Dwight Lilly said he was disappointed by the position taken by Commissioners Blundo and Wichman regarding proposed developments. He knew they had a right to their vote, but when one was an elected official they had to do what was best for the overall needs of the community. He then suggested having the IT Department look into using Zoom for County meetings.

Ed Goedhart said there was no advance warning given about burning. He collected a lot of debris and had several large piles that he would not be able to burn until the end of May. He commented it would only take one person with a matchbook to cause a fire and take houses with it.

Commissioner Strickland said she was going to ask staff to look into exempting agricultural burning.

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

Public Information Officer Arnold Knightly congratulated the County departments that were 100% counted in the census, but said Nye was still behind the State and national averages. Additionally, the Governor would hold a press conference at 5:00 p.m. tonight on YouTube. He would be joined by a team of experts to lay out the State criteria to begin reopening.

Chief Scott Lewis advised the burn moratorium was put in place a few weeks early for Pahrump only. He did not have the authority to do that in Amargosa.

Tim Sutton thanked the Commissioners and the general public for tolerating the technological conditions everything was operating under right now. He told Mr. Lilly that the last School Board meeting had to be cancelled as Zoom was not working so all platforms seemed to have glitches.

Regarding the vote on Ken Murphy's item and Mr. Lilly's concern about the water, Commissioner Cox told Mr. Lilly she was the one who suggested Mr. Murphy come back with larger lots and she did vote with Commissioners Koenig and Strickland.

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

Commissioner Strickland asked Chief Lewis to look at an exemption for agricultural burning. She then directed staff to weigh the differences between a fee waiver for credit card charges versus personnel costs for processing the checks and cash. Regarding Dwight Lilly's comments, she explained the museum tax on the tax bill was simply a museum tax which was now being divided between Tonopah and Pahrump. As to his comments regarding a rainy day fund, the Treasurer said he set aside \$7 million to \$10 million just for a rainy day fund and there was \$100 million in investments so Commissioner Strickland thought the County was okay.

Commissioner Blundo expressed his frustration with the State being shut down.

Commissioner Koenig advised that on agenda items there was a motion and a second then it was opened for public comment. The difference on public hearing items was the public got to talk first.

Brett Waggoner said changes were made in the Building Department yesterday due to COVID-19. Just as a precaution the Building Department was no longer staffed and would not be for at least two weeks. They were able to schedule and conduct inspections and the only thing on hold for the time being was the issuance of new permits and plan reviews.

Commissioner Strickland advised the last two septic tank permits she pulled she sent them to staff at the Building Department who then they called her to charge a credit card so she never walked into the building. She did not understand why that was not continuing and asked Mr. Waggoner to consider that moving forward.

Mr. Waggoner explained that was something they were trying to work toward, but the system they used was not accessible remotely.

28. ADJOURN

Commissioner Koenig adjourned the meeting.

APPROVED this 19th day

ATTEST:

Of May, 2018.


Chair


Nye County Clerk / Deputy