

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

Not Present: Chris Arabia, District Attorney

Commissioner Wichman was present via telephone.

1. Pledge of Allegiance

The Pledge was recited.

2. Roll Call

Roll call was taken.

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

DEM Director Scott Lewis said there were now 39 cases in the County, an increase of four cases in the past week. Nye was currently first in COVID-19 cases in rural Nevada and fourth in the State. There were still 21 cases open and 18 were in a recovered status with more expected to be recovered by the end of the week. There were zero deaths and while some were still hospitalized, none were on ventilators any longer. There had been 1,300 tests completed and testing would continue this week in Pahrump for confirmed contacts and people with symptoms. There were 5,594 confirmed cases in the State with 267 deaths and 47,884 tests completed. Chief Lewis said recovery was the key word and DEM was closely monitoring State models for

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

reopening. DEM continued to provide PPE as well as contact tracing for all confirmed COVID cases. The most effective precaution remained social distancing.

Commissioner Blundo asked if there was a plan to have antibody tests as he had been asked about that.

Chief Lewis explained the plan at this point was to start the antibody testing with the emergency responders first to get a baseline and then expand that model as much as possible based on the supply provided.

Commissioner Blundo asked if all medical services and stakeholders were being utilized, to which Chief Lewis responded yes.

Commissioner Blundo thanked everyone who had stepped up to the plate during these trying times and said he hoped the County could reopen soon.

Tim Sutton said the Governor's press conference introduced the phased approach, but before the rurals could get to Phase I criteria for readiness to go had to be submitted. That report contained the County's testing numbers, protocol, hospital capacity, and other items like that as well as what testing protocols would continue so that it could be safely monitored, how any spikes would be contained, and how the County would respond in the event it did reopen.

Commissioner Koenig advised the Board and the public that last week he was invited to be part of a phone call with the Governor and the rest of the rurals because the Governor wanted to talk to the rurals before his 5:00 p.m. press conference. The Governor stressed that the 17 counties would reopen as one and that if one county did not get its report in the rest of the counties would be delayed. Commissioner Koenig told the Governor he was ready to open Nye County and did not see any reason why he could not open the northern part of the County right now as well as the rurals in the County with no cases and reopen Pahrump with some restrictions. That did not go over well, but Commissioner Koenig was pushing to reopen because it was not fair the big box stores had to be used instead of the businesses of the people who lived here which might be lost in the end.

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

Commissioner Cox asked to remove item 21 from the agenda. She then advised she spoke with Tim Sutton and through him e-mails had been sent to Senator Pete Goicoechea, who was working on reopening. Senator Goicoechea asked where the County wanted to start and she said small businesses. Commissioner Cox also wanted to reopen the County and felt the Governor had overstepped his bounds and was a

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

threat to everyone's constitutional rights. She asked the Chairman to bring something the Board could act on to reopen.

Commissioner Strickland stated she was a Nye County Commissioner and owner of Strickland Construction, T&M Group Realty and Lakeside Storage. She was also a licensed well driller, contractor, home setter, septic system contractor and a realtor that brokered water rights. She had been doing that for 26 years. Commissioner Strickland saw no item on the agenda, but said she had to disclose that every time. She agreed with the other Commissioners that there was an opportunity here to stand up. She asked Mr. Sutton to work with the Chairman and then have an in-depth discussion on May 19, 2020, to see if the County could have a soft opening, including the arena. Commissioner Strickland then advised there would be a Pahrump Parks and Recreation Advisory Committee meeting on May 7, 2020.

Sam Merlino advised the ballots were mailed out and if someone had not received theirs by the end of the week to call her office. There were a lot of address changes so some of the ballots were undeliverable. Both the Pahrump and Tonopah Clerk's Offices were accepting voted ballots if someone was uncomfortable putting them in the mail. However, someone may only turn in their ballot or a family member's, no one else's. If it was for a family member, the person dropping it off had to complete an affidavit in case there were questions later. Additionally, Mrs. Merlino said there would be no election machines available during early voting or on Election Day. The ballot received in the mail was the official ballot.

Chief Scott Lewis advised the Board an approximate 300-foot communication tower had been vandalized to the point where it collapsed earlier this morning. The area was secured and the Sheriff's Office was investigating. While the potential was not known, Chief Lewis said he anticipated a number of communication issues to be impacted and would provide information as it developed.

Tim Sutton announced Stacy Smith from Nye Communities Coalition was honored as Nevada Hero of the Day by the State.

5. Approval of the Agenda for May 5, 2020 (Non-action item)

Tim Sutton said items 9, 16-18, and 21 could be removed from the agenda and item 23 needed to be continued as there as an error.

6. 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. (FIRST)

Rob Craven, regional coordinator for the Nevada Census, said currently there was a 38.9% self-respond rate and the State average was 66%. He explained a lot of the funding received due to the COVID-19 crisis would be based on the census numbers. The population in Pahrump had grown quite a bit so a complete count was needed to get as much federal funding dollars as possible.

Dwight Lilly felt the COVID-19 situation had been mismanaged by the State. He asked the Commissioners to stand up and take control of Nye County and wanted the Sheriff to enforce his constitutional rights to conduct business and his personal affairs the same way Wal-Mart and Home Depot were. He then talked about the campaign signs in rights-of-way. He said the person who wanted to get votes might want to consider what they were doing there. Mr. Lilly was also very concerned about the item on the last agenda having to do with a development in the north end and whether or not there was proper disclosure of a conflict of interest with that item. He asked the Commissioners to be sure to disclose any type of relationship with a person putting a development in so the public knew what was going on. He felt the idea of having water used for future developments was absurd until a new source of water was found.

Chris Wilcox with Hero Business Solutions addressed COVID-19 and the State. He said outside of the regular stimulus options available through the SBA they had extensive experience in the financing sector in addition to merchant processing. They had helped small businesses during this time by providing mobile payments, contactless payments, on-line payments, and virtual terminals for phone orders in addition to being able to eliminate monthly processing fees. They had also had success auditing electrical and business phone company bills for the businesses that were trying to reopen. They had private investor funds where they had been able to provide funding to small businesses and had access to equipment financing and leasing.

Joe Burdzinski recommended having business owners and private citizens develop a plan on reopening. He said social distancing worked, but Nye was rural and its requirements were different.

Commissioner Cox thought Dwight Lilly was referring to her signs as she received a complaint today. Those signs were 60 feet away from the stop sign and 10 feet away from the pavement per County requirements. If someone had a problem with one of them they should let her know. She warned people removing or damaging the signs was illegal and said she was allowed to put signs in the County rights-of-way.

7. For Possible Action – Discussion and deliberation regarding meeting minutes from the April 3, 2020 joint teleconference 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 Wichman made a motion to approve; seconded by Commissioner Strickland; 5 yeas.

TIMED ITEMS

8. 10:00 a.m. – For Possible Action – Public Hearing, discussion and deliberation on results of Public Works identification and determination of improved roads and streets maintained by Nye County as of December 31, 2019 for the purposes of compliance with Nevada Revised Statutes Chapter 365.550 Paragraph 8 regarding Proceeds of Tax Levied pursuant to NRS 365.180; and other matters properly related thereto.

Commissioner Koenig opened and closed the public hearing.

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

9. 10:00 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.

This item was removed from the agenda.

SITTING AS THE NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS

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

10. 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 there had been some delays in a couple things they were trying to get accomplished, one being SR160 and Homestead where they were trying to improve the amount of traffic getting through the light by changing software and adding a blinking yellow light. There were some delays in manufacturing

10. 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.

of software and supplies. It was unknown exactly when those would be received, but it was expected in the next 60 days and Mr. Dahl would keep the Board updated. Spray patcher oil was being manufactured, but there was a lack of staff to produce it. He had a quote and was going to order 7,000 gallons for each of the north and south parts of the County. Mr. Dahl also just learned there was a glitch at the Beatty airport fueling station. The contractor would take a look at that in the morning so the station was down at this time.

Commissioner Koenig said for years he had been pleading with NDOT to put blinking barrel signs on SR160 like they had in Las Vegas. He noticed a few weeks ago driving towards Johnnie that those signs were there and he thanked NDOT for doing that.

SITTING AS THE NYE COUNTY LICENSING AND LIQUOR BOARD

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

GAMING

11. For Possible Action – Discussion and deliberation regarding approval of a Gaming License for Sartini Gaming, LLC., dba Golden Route Operations, LLC. for leased space for slot machines within Cousin Curt's Rock and Rodeo bar, located at 52700 Nevada Highway 376, Round Mountain, NV. Blake Sartini – Applicant.

Undersheriff Michael Eisenloffel said he conducted the investigation and found nothing that would negatively impact approval of the license.

Commissioner Wichman made a motion to approve the gaming license for Sartini Gaming; seconded by Commissioner Koenig; 5 yeas.

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

SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

12. For Possible Action – Discussion and deliberation to clarify the actions taken at the February 19, 2020 Board of County Commissioners Meeting whereby the Board determined that allowing OptimuMedicine providing service to the Town of Pahrump is in the best interest of the town and granted OptimuMedicine permission to furnish an ambulance service in the Town of Pahrump.

Commissioner Koenig said during the prior discussion on this item he had commented that it was fairly clear that what they were looking for was to be critical care transport

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(CCT). Thinking back on it he did not have a problem with that, however, the motion made allowed them to run an ambulance service in Pahrump and that had been considered by at least one department to mean they could do 911, etc. Commissioner Koenig did not believe that was the intent which was why he asked for this to be brought back to determine the real intent.

Commissioner Strickland said she had extensive conversations with the applicant and thought it was for CCT.

Commissioner Blundo explained when he crafted the item he read the Code, which required finding it was in the best interest to give them permission to operate with no restrictions. He thought there was an inherent benefit with the crisis right now and the vote was to have a resource available if there was an emergency. Commissioner Blundo stated his goal was to bring in more medical services and he wondered why the Board was trying to hinder those efforts.

Commissioner Koenig said as discussed previously the ambulance service was funded by the runs it made. The more runs taken away from it and given to someone else meant less money to fund it. If the County continued down that road sooner or later Pahrump people would be put out of work in favor of Clark County people and Commissioner Koenig said he could not do that.

Commissioner Blundo said he understood the majority of people who worked with Pahrump Valley Fire and Rescue (PVFRS) came out of Las Vegas. There was also the issue of trying to minimize the effect of them going to Las Vegas.

As far as jobs going or coming from Las Vegas and money circulating, Commissioner Cox said OptimuMedicine was bringing money to Pahrump because they had a license here as well as an office. As to the best interest of the people, that was her intention. While they may not be needed today, the town was growing and they may be needed tomorrow. Commissioner Cox said she knew there was a need because she was aware of patients being doubled up in the ambulance and had witnessed people at the hospital being asked to wait for treatment.

Commissioner Blundo asked Chief Scott Lewis if he had engaged OptimuMedicine.

Chief Lewis explained the COVID-19 had actually reduced EMS responses significantly. The number of inter-facility transports and 911 calls were dropping like rocks and Clark County was talking massive layoffs. He said he had been at every single meeting and heard all presentations and this had never been anything but CCT. He said PVFRS had

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not been engaged in the dialogue as far as the operations. It was forced down their throat without their knowledge, which to Chief Lewis was inexcusable as there were plans in place for any contingency called mutual aid. He reminded the Board the applicant repeated over and over again that they were not here to replace or supplement PVFRS. To find that was not the case was a betrayal and simply could not be tolerated for a business model that did not exist. Chief Lewis felt this was simply a vendor that wanted to take market share away from a helicopter service and now it had mushroomed into this.

Commissioner Cox said she did not quite understand why this was being discussed. If they wanted to take a chance on doing a business the Board just gave them permission to do so.

Commissioner Koenig explained in the original hearing everything was about CCT and he had no problem giving permission to do CCT. The problem was now dispatch wanted to use them for normal 911 calls, which took money away from the town's ambulance service that was self-supported. If that money kept getting taken away then pretty soon they could not self-support and employees would be let go.

Commissioner Cox asked if there was a contract with Desert View Hospital stating they could only use PVFRS to transport and they could not call OptimuMedicine.

Chief Lewis said that was the argument he had from the beginning. The contract stated PVFRS would provide the ambulance services, however, in the event PVFRS could not provide the needed level of service they could utilize another service. He said none of this needed to be done as it was already in practice.

Commissioner Strickland said from the presentation she thought those who wanted to go to the VA hospital could be transported directly by OptimuMedicine. She had since learned that was not true so she had misinformation about that.

Chief Lewis said there had been a lot of misinformation. He stated operations were his responsibility. Whether or not the Board wanted the company to continue providing the service for critical care was up to the Board and something Desert View would have to work out.

Commissioner Cox had heard there were issues with people wanting to go to specific hospitals. She asked Chief Lewis if they ever took people to the VA hospital or UMC in Clark County or did they only use the valley hospitals.

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Chief Lewis said they went wherever the doctor told them to take the patient.

John Bosta described how after three days in Desert View his wife was put in an ambulance with another patient for transport to Las Vegas. It sounded to him like Chief Lewis was complaining because the County did something he did not want. Mr. Bosta thought the decision was made and had to be lived with.

Justin Snow, president of IAFF Local 4068, the local union representing firefighters and paramedics in Pahrump, said he was a little perplexed by what was going on. He had listened to the representations made by this for-profit service and they specifically stated they were not trying to take calls from the fire rescue service, they just wanted to supplement and help out. Now a month or so later when Desert View did not want to use them they were trying to take money from the public coffers and move it to their own for-profit service. He told the Board 50% of his people lived in Pahrump and that number went up every year.

Dwight Lilly asked what was wrong with having more options for the citizens especially since the town was growing. He said he was in favor of competition as long as the company was able to do a professional job.

Devon Eisma from OptimuMedicine said what Chief Lewis mentioned about their desire to supplement the existing services was correct. He thought he made it very clear that as a clinician owned and operated company their goal was to take care of patients. The entire genesis of this current discussion regarding the 911 service and assisting the Sheriff's Office had to do with the fact it was reported that there were calls going unanswered for 40 to 45 minutes because there was no ambulance available. He said they reluctantly agreed with the Sheriff's Office that if they needed to utilize OptimuMedicine they could. Mr. Eisma then stated he was not aware Desert View refused to call them. He had a good conversation with Susan Davila, Desert View's CEO, and their EMS director and Ms. Davila made it very clear she had absolutely no problem with another service being in town and no issue using them if that was what the patient needed for transport. Mr. Eisma advised they were going through the vendor process right now so they could be utilized by Desert View.

Chief Lewis thought that was a mistake as far as the wording. OptimuMedicine was not an approved vendor and Desert View could not utilize their services until that was remedied.

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Susan Davila stated for the record that Desert View Hospital was not unwilling to use OptimuMedicine. They had discussions and were in the process of getting that taken care of.

Tom Waters said when he spoke in February he was adamant it was something that needed to be watched and a needs assessment should be done. At this point if Mr. Eisma and Chief Lewis sat down together and worked out an agreement with Ms. Davila it would be a much better program driven from the Commissioner point of view. He asked the Board to keep an eye on this no matter how they decided to do it as services lost would not come back.

Commissioner Blundo said he would stand behind the approval of this item and asked Chief Lewis to work with OptimuMedicine. He said he was frustrated when he saw the rigs coming back from Las Vegas when they should be in town ready to respond to the town.

Commissioner Strickland made a motion that OptimuMedicine be encouraged to offer SCT and CCT services to the Town of Pahrump and directed Chief Lewis to work with them moving forward; seconded by Commissioner Cox.

Commissioner Cox said she stood by her original vote and supported the way this was starting to roll out.

Commissioner Wichman said she had gone through this entire experience in the northern part of the County already which was why her vote was a negative when this came up the first time. The conversations held today may be a step up from what was done up there since Chief Lewis had the experience, knew what took place in the north and knew what to watch for. She said her vote would remain as it was last time, but if the motion passed she hoped this conversation would feed into straightening out some of the problems that took place in the north.

The motion that OptimuMedicine be encouraged to offer SCT and CCT services to the Town of Pahrump and directing Chief Lewis to work with them moving forward passed with 3 yeas. Commissioners Wichman and Blundo voted nay.

Commissioner Blundo did not think anything was clarified and the waters were actually muddied with the encouragement rather than direction.

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.

13. For Possible Action – Approval of an Assessor’s Office Change Request to allow the Nye County Treasurer to process and issue a refund in the amount of \$168.85 to Daniel L. Marks & Tamar M. Seid, owners of Assessor’s Parcel Number 043-311-27.

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

14. For Possible Action – Approval to accept a Notice of Subaward (NOSA) from Aging and Disability Services Division (ADSD) for the Nutrition Services Incentive Program (NSIP) to provide commodity food funds for the nutrition program at the Beatty and Tonopah Senior Centers in the amount of \$7,442.00. This grant will be administered out of Fund 10281 Senior Nutrition and there is no County match required.

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

15. For Possible Action – Approval to accept Amendment #1 to the Notice of Subaward (NOSA) from Aging and Disability Services Division (ADSD) for the Nutrition Services Incentive Program (NSIP) to provide commodity food funds for the nutrition program at the Beatty and Tonopah Senior Centers in the amount of \$2,487.00. This grant will be administered out of Fund 10281 Senior Nutrition and there is no County match required.

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

BOARD OF COMMISSIONERS

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

This item was removed from the agenda.

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

This item was removed from the agenda.

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

This item was removed from the agenda.

19. For Possible Action – Discussion and deliberation regarding a request from First Choice Pregnancy Center to: 1) Lower the lease payment from \$1,000.00 per month to \$1.00 per year; or 2) Postpone the monthly lease payments for May and June due to the COVID-19 outbreak.

Nancy Erwin explained they were requesting that their rent be lowered to \$1.00 per year. They had been a community service for 24 years and had no other income other than what they received from the churches and donations.

Commissioner Strickland asked if she had paid staff.

Ms. Erwin said yes, herself and someone else, but it was not even minimum wage.

Commissioner Strickland asked if Ms. Erwin planned to utilize all 4,100 square feet or if she was sharing some of that.

Ms. Erwin said she understood the back four rooms were to be used for a storage area for Health and Human Services.

Health and Human Services Director Karyn Smith confirmed her office would utilize the back areas for storage. She believed once they all moved to the same location it would benefit the clients and make for a good partnership.

Commissioner Cox asked Ms. Erwin if they billed the State for any of the services, to which Ms. Erwin responded no as their services were all free.

Commissioner Wichman referred to the comments she made when this was heard before regarding giving someone something for \$1.00 a year and how the value they placed on it was commensurate with what they paid. She wanted staff to watch for any negligence that would cost the taxpayers money in repairs and maintenance.

Commissioner Strickland made a motion to reduce the lease payment to \$1.00 per year; seconded by Commissioner Blundo.

19. For Possible Action – Discussion and deliberation regarding a request from First Choice Pregnancy Center to: 1) Lower the lease payment from \$1,000.00 per month to \$1.00 per year; or 2) Postpone the monthly lease payments for May and June due to the COVID-19 outbreak-Cont'd.

David Dawson said he was a new board member for the center and he appreciated the Commissioners considering this motion. On behalf of all of the directors he expressed thanks.

Joe Burdzinski thanked the Board for considering this.

Commissioner Blundo thanked the Board for indulging him as he knew the item had been heard by the Board a few times.

The motion to reduce the lease payment to \$1.00 per year passed with 5 yeas.

20. For Possible Action – Discussion and deliberation to approve a letter to Governor Sisolak regarding the strategic reopening of certain public functions and businesses in Nye County.

Commissioner Blundo asked if the letter needed to be updated with the current reopening plans.

Samantha Tackett said she could update the number of cases confirmed in the letter.

Commissioner Blundo made a motion to approve the letter to Governor Sisolak regarding the County's strategic reopening with current numbers, figures, and any minor changes from discussions regarding strategic reopening, and all Commissioners were to sign it; seconded by Commissioner Strickland.

John Bosta said he appreciated the Board sending the letter and he did not understand closing of the businesses.

Commissioner Cox felt the last paragraph should be changed to read the County at this time was notifying the Governor that it was going to take a soft opening because she thought the County was in a position to do it and neither she nor the public wanted to play his game. She did not feel the County Commissioners had to ask the Governor to allow them to do this and he could respond to the letter.

Commissioner Strickland said she liked Commissioner Cox's thinking but noted everything in the letter was very strong while the closing was soft.

Commissioner Wichman also agreed with Commissioner Cox, but said people often respond to a request much better than they respond to being threatened. If the County was in a situation where it had to depend on federal money to make the County whole, she quite frankly did not think it was a good time to speak rough. She thought the

20. For Possible Action – Discussion and deliberation to approve a letter to Governor Sisolak regarding the strategic reopening of certain public functions and businesses in Nye County-Cont'd.

Commissioners should be trying to accommodate as much as they could and strongly indicate that was what they wanted to do.

Commissioner Strickland suggested letting the letter go as it was and instruct staff to prepare another letter for the May 19, 2020, meeting.

Tim Sutton said he wanted to be sure the Board was making an informed decision and wanted to put everything out there as far as potential risks or consequences. One of the leverages the Governor had was removal of the business license. Another was the denial of funding, not only the federal dollars in the Governor's control right now but also any subsequent revenues that may funnel through the Governor's Office or State departments, so the County was beholden to the State. The Governor could also utilize the National Guard. Another thing just brought up that Mr. Sutton had not been able to check into was there was an NRS under emergency situations where the Governor could remove Commissioners from office.

The motion to approve the letter to Governor Sisolak regarding the County's strategic reopening with current numbers, figures, and any minor changes from discussions regarding strategic reopening, and all Commissioners were to sign it, passed with 4 yeas. Commissioner Cox voted nay.

Joe Burdzinski said he liked the language in the letter and supported the Commissioners on reopening Nye County.

21. For Possible Action – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution 2020-08: A Resolution Opposing BLM's Round-Up of Wild Horses and Burros by Helicopter in Nye County, Nevada.

This item was removed from the agenda.

FINANCE

22. 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 general fund comparison of FY20 budget to current projections due to the COVID-19 crisis. CTAX was the primary revenue string in the current fiscal year impacted by COVID-19. It would be short \$1.087 million, which was based on the quarantine being lifted May 1, 2020, so she would have revised numbers for the Board at the budget workshop on Monday.

Commissioner Koenig asked her what her best guess was.

22. 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-Cont'd.

Mrs. Rucker said her best guess was what was currently in front of the Board, a shortfall of \$1.2 million for FY20 and a \$3.2 million shortfall for FY21 to be discussed on Monday. The bottom section of the report in the back-up was expenditures by function in the general fund. Since the last time it was presented the departments had tightened their belts except for Public Safety. The deficit currently for FY20 was \$1.23 million, meaning the ending fund balance would be used to support operations in the current fiscal year unless something happened before that point in time. Mrs. Rucker was also building that into the budget workshop and final budget hearing. The next page was the CTAX comparison of FY20 budget to COVID-19 with Applied Analysis' projections included. Mrs. Rucker updated February's line for sales tax, which was short about 6.5% of the projection or \$78,000.00 and that was built into the \$1.2 million shortfall.

Commissioner Koenig asked Mrs. Rucker where she thought most of that shortfall was coming from.

Mrs. Rucker thought it was due to big ticket items, like vehicles and appliances, not being purchased at this time. She said the largest hit was likely to be seen from April through June.

Ammie Nelson said she tried to comment on item 20 that she was in agreement and the County needed to get open again. As far as the deficit, she heard a lot of State figures and thought County figures were needed. If the County was reopened there would be no deficit to worry about, but if there was a problem with the budget then there should be a hiring freeze and no overtime. Ms. Nelson said she knew the property owners would be the ones to make up the deficit with property taxes.

Tom Waters said he had wanted to comment on item 20 also and said he really liked the letter.

PLANNING/BUILDING/CODE COMPLIANCE

23. For Possible Action – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2020-15: A Resolution Amending the Dust Control Plan Fee Schedule for the Pahrump Regional Planning District.

Commissioner Strickland made a motion to continue this item to May 19, 2020; seconded by Commissioner Blundo; 5 yeas.

24. For Possible Action – Discussion and deliberation to determine whether the Business Impact of Nye County Bill No. 2020-09: A Bill proposing to amend Nye County Code Title 5, Business Licensing and Regulations, Chapter 5.32 entitled Marijuana Establishments, 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 Blundo made a motion to determine the business impact of Bill No. 2020-09 was not likely to pose a direct or significant economic burden on a business or directly restrict the formation, operation or expansion of a business at this time; seconded by Commissioner Strickland.

John Bosta asked how this change would affect the revenue received by the unincorporated towns.

Commissioner Koenig said this did not affect revenue at all.

The motion to determine the business impact of Bill No. 2020-09 was not likely to pose a direct or significant economic burden on a business or directly restrict the formation, operation or expansion of a business at this time passed with 5 yeas.

25. 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. 2020-09: A Bill proposing to amend Nye County Code Title 5, Business Licensing and Regulations, Chapter 5.32 entitled Marijuana Establishments; and providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto; and 2) Read the title of the Bill into the record.

Commissioner Blundo made a motion to set a date and time of June 2, 2020, at 10:00 a.m. in chambers; seconded by Commissioner Strickland; 5 yeas.

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

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)

Ammie Nelson said at the bottom of the County Web site there was a survey which she was unable to print. Someone else did for her and said they used the e-mail Arnold Knightly gave them, but the e-mail came back. She asked for more time to do the survey so she could provide comments. She also wanted to know where she could hand-deliver it, who would look at it and what would be done with it.

**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)-Cont'd.**

Tim Sutton said that complaint had been received quite a bit so they would get the bugs worked out.

Dwight Lilly said a person e-mailed the survey to the Planning Department and got a response that it was rejected due to spam content. He thought the Commissioners needed to extend the comment period on the master plan as the deadline was in three days and the responses from the public would be limited since the system was not working right now.

Mr. Sutton said the goal of the survey was to get as much feedback as possible and since it looked like that was not happening it would be extended.

John Bosta thanked the Board for allowing the public to make comments during the meeting. He then asked if the County population of 45,000 as stated in the letter was the correct number as there were NRSs that applied to counties with populations of 40,000 or less different than the NRSs that applied to 40,000 or more. He also asked for instructions on how to do the census.

Commissioner Koenig told Mr. Bosta he would have Arnold Knightly e-mail him the instructions. As far as the population, he was waiting for the census to learn that and the number in the letter was an estimate.

Planning Director Brett Waggoner said that prior to COVID-19 there was a public workshop scheduled for the master plan for Pahrump on April 27, 2020. With everything shut down that had to be extended out to May 10, 2020, but that would change so the public should continue to submit their comments.

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

Commissioner Cox read NRS 414.060, powers and duties of the Governor, which stated in the event of an emergency or disaster beyond local control the Governor may assume direct operational control over all or any part of the function of emergency management in the State. She said the key words were "beyond local control" and wondered if the County was beyond local control or if the Board was still able to control what was going on in the County.

Commissioner Koenig commented the Governor could say COVID-19 was beyond the County's control because it was statewide.

Commissioner Cox thought the County had it under control and felt that eliminated the Governor's power over the Board. She did not see anything in the NRSs that would

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

allow the Governor to stop the County from doing this and felt the next letter should be much stronger.

Commissioner Wichman said she agreed with Commissioner Cox, but she was also a firm believer in attracting more with honey than vinegar. She cautioned the Board against being belligerent before taking the opportunity to see what the County could attract by being nice.

Commissioner Blundo asked the District Attorney to discuss NRS 414 with the Board as its attorney.

Commissioner Koenig said he would ask the District Attorney to address it during the COVID-19 task force meeting tomorrow and would do something with the information. There was a budget meeting next week and he had fought to keep that agenda strictly for budget items but depending on what he learned he may add something to that agenda.

Sheriff Wehrly said she would like to add Declaration of Emergency Directive 003 to the list of things to discuss.

28. ADJOURN

Commissioner Koenig adjourned the meeting.

APPROVED this 2nd day ATTEST:

Of June, 2020.

Linda A. Wichman
Chair

Geoff Bedman
Nye County Clerk / Deputy