

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 Wichman was not present at this time

### **1. Pledge of Allegiance**

The Pledge was recited.

### **2. Roll Call**

Roll call was taken.

### **3. Ex-Parte Communications and Conflict of Interest Disclosure Statements**

Commissioner Strickland stated she was a sitting Nye County Commissioner and owner of Strickland Construction, T&M Group Realty and Lakeside Storage. She had been a licensed well drilling, pump setting and septic system contractor as well as a realtor and broker of water rights and other properties for 26 years.

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

Emergency Management Director Scott Lewis stated the County had experienced a significant increase in COVID cases over the last couple of days. There were now 151 cases, 134 of which were in Pahrump. At least 2,500 tests had been completed and testing continued. He was working closely with the State epidemiology office and while there should be a significant increase in recovered cases, that office was focusing on the new cases at this point. Chief Lewis said the virus was still out there and he asked the public to be extremely cautious and follow the necessary protocols like washing hands, physical distancing and wearing masks.

Commissioner Cox asked who was paying for the PPE.

Chief Lewis said there were some in stock, but the majority of requests for PPE had been via resource requests through the State and federal government, most of which came at no cost. The Nevada masks were also provided at no cost.

Commissioner Blundo asked for updates in the future regarding the school system and what they were going to do to address the situation.

Commissioner Cox said she received a Facebook item this morning from a woman who talked about how bad masks really were for people. Children that were healthy should not have masks on as they killed the immune systems and Commissioner Cox asked parents to consider that with their children.

Commissioner Strickland commented there were individuals who had respiratory issues and could not wear a mask. She had seen, heard and been witness to outbursts from individuals who were wearing masks demanding someone else did. She said it was her personal choice to wear one, but she had friends and family members who could not. She asked everyone to take care of themselves and make their own choices.

Commissioner Blundo said he was not involved with the pact about masks that his wife was involved with.

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

Fire Chief Scott Lewis talked about the fires over the weekend. There were 27 working brush fires within 90 minutes. Every call was managed timely and efficiently and there was no significant damage.

Commissioner Blundo asked Chief Lewis to send the Commissioners the numbers for Thursday through Sunday. He talked about the aerals and fireworks being shot off at odd hours outside of the parameters of the Code and wanted to have a conversation

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

with staff about that. Commissioner Blundo then recognized former Commissioner Frank Carbone who was in the audience.

Commissioner Strickland said Tim Sutton was on the cover of Pahrump Life Magazine.

**6. Approval of the Agenda for July 7, 2020 (Non-action item)**

There were no changes to the agenda.

**7. 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)**

Pat Minshall stated the short time a person was asked to wear a mask would not interfere with the immune system. They were not to be worn all day, only when out seeing other people, and they were worn to not only protect other people but to protect the wearer as well. Just because someone did not have symptoms did not mean they did not have the disease.

Sheriff Wehrly gave kudos to her volunteers and staff who helped make the Fourth of July work.

Jim Petell said he filed a complaint with the Sheriff's Office on June 3, 2020. Captain Boruchowitz said two weeks ago it was under investigation, but Mr. Petell had not heard anything about it. He then advised on Thursday he noticed there was a camera on his neighbor's house focused on him 24/7 and he took offense to that. When he mentioned it to a deputy he was told the Sheriff's Office put it up.

Erika Gerling congratulated the Beatty volunteer fire department for the wonderful job they did with the fireworks display this year. She also mentioned that Mike Harmon, the station superintendent, was celebrating 10 years with the town.

Ammie Nelson talked about striping on the highways and how the markings on the roundabout could barely be seen. She was curious how often the striping was done and if they could find something more permanent.

Commissioner Wichman was present.

Tim Sutton advised Public Works Director Tim Dahl just told him he would contact the State about that issue.

William Garlough said he agreed with Commissioner Cox about the masks. After about ten minutes of wearing it his oxygen level dropped 10 to 15 points.

**7. 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)-Cont'd.**

Captain David Boruchowitz said the Sheriff asked him to let Mr. Petell know they were still working on his complaint, but there were a lot of other issues going on and it was being prioritized appropriately based on the other disasters in the community.

Treasurer John Prudhont read a letter received from the Secretary of the Interior regarding payment in lieu of taxes (PILT) which stated the Department of the Interior issued payments on June 29, 2020. The County received \$3,416,712.00 for 2020. Mr. Prudhont said wanted to let the Board know about that as budgets were being talked about. The budget was all an estimate and in this case the estimate was \$300,000.00 low.

Regarding masks, Sheriff Wehrly thought everyone was a little confused. She explained that was the Governor's directive 24, section 7 of which outlined the many instances where the directive did not apply.

Herman Lewis expressed his appreciation to each of the Commissioners, the Sheriff, Captain Boruchowitz, District Attorney Chris Arabia, Deputy District Attorney Bradley Richardson, and Treasurer John Prudhont for all the hard work they did.

Diane Southworth talked about the rioters and looters and how they were not what the protestors were about. She believed 95% of the protesters were good, peace loving people who just wanted to state their particular point of view. The other 5% out there looting and rioting probably did not care and should be arrested and prosecuted. She also agreed people should wear masks.

John O'Brien thanked everyone who made the fireworks show a success. He reminded the Board they needed to look at an RFP for the following year with Zambelli or any other bidder as there had been no contract for the past year or two. He also mentioned that because of the encroachment of buildings and people squatting on the property it was getting more difficult to shoot safely and work needed to be done to fix that.

Richard Goldstein thanked Mr. O'Brien for the fireworks as well as Deanna O'Donnell from KPVM who filmed it. He said someone needed to look at Red Apple Fireworks and their storage of containers as they had three times more storage containers than they were supposed to and a 53-foot tractor trailer full of fireworks was parked on the highway.

**8. For Possible Action – Discussion and deliberation regarding meeting minutes from the May 29, 2020 joint teleconference and June 2, 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 Wichman made a motion to approve; seconded by Commissioner Blundo; 5 yeas.

**TIMED ITEMS**

**9. 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 advised the May, 2020 report, was in the back-up and his office was up to date.

**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 Anvil Road and Powerline Road were being prepared for pavement. Work was being done on the low water crossings to make sure they would drain properly. The crew had been mowing weeds as much as possible primarily in Pahrump and trimming trees. Work continued on the four-way stop evaluations at Thousandaire and Homestead and Charleston Park and Barney. Mr. Dahl had no update on the materials for the upgrades to either Highway 372 and Highway 160, Highway 160 and Homestead, or for the crosswalk at Postal. In Tonopah the crews were spraying weeds growing in the cracks at the Tonopah Airport and then would fill in the cracks with the durapatcher. Mr. Dahl said he would also contact NDOT about the striping to see if something else could be done.

Commissioner Cox said Laughlin between Manse and Gamebird as well as another street right next to it were in horrendous shape with huge potholes. She then said someone complained about the crosswalk at Calvada and Highway 160 which had

**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.**

either no light or a very tiny light on it and how the Sheriff had been giving a lot of tickets there.

Mr. Dahl explained that crosswalk would be the same as the crosswalk at Postal Road. It would be high visibility with LED flashing yellow lights that were activated when someone pushed the button. He said he could mention to NDOT that it may help the traffic and public to know there was someone in the crosswalk by addressing those lights.

Commissioner Wichman told Mr. Dahl the test strips done in east Belmont were almost gone and asked him to look at it again.

Commissioner Koenig asked when the speed limits on Pahrump Valley Boulevard would be on an agenda again as he would like to get it done before he left office. Regarding the crosswalk on Highway 160, he said in his opinion those were not high visibility lights. They were tiny little things way up high and if someone was concentrating on the road they were out of the line of sight. Commissioner Koenig also said he drove Belmont Road and took videos of it and it was horrible.

Commissioner Blundo announced that he, Commissioner Koenig and Tim Carlo from the RTC were moving forward with the chip seal program. He encouraged the public to use the road report form on-line and asked Mr. Dahl to provide the Commissioners with a comprehensive list of the road issues that had been submitted.

Ammie Nelson said she brought up the Calvada crosswalk light a couple of years ago and felt having a warning before the crosswalk would help people to see. She said the Charleston Park and Barney intersection was horrible and she was glad to hear there were thoughts about a four-way stop there.

Jim Petell said Leslie was falling apart because of the trucks that traveled it, Bell Vista was a safety hazard and needed to be redone, and Whirlwind had about two blocks of potholes that needed to be addressed.

Commissioner Cox said Whirlwind was the other road she was talking about earlier near Laughlin.

Mr. Dahl advised Whirlwind was on the chip seal list presented to the RTC last week so he hoped to have that included in the upcoming chip seal. He would also look at Laughlin if it was not on the list.

**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.**

Richard Goldstein said the street in front of the cemetery and library was horrible and Whitney Road was starting to get really ragged again behind the arena.

John Bosta said that an individual at the last Amargosa planning committee meeting mentioned that Powerline and Anvil was in the center of Amargosa and the center of rural towns always had four-way stops.

**9. 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-Reopened.**

This item was reopened for public comment and there was none.

**SITTING AS THE NYE COUNTY LICENSING AND LIQUOR BOARD**

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

**LIQUOR**

**11. For Possible Action – Presentation regarding Liquor License fees collected for Fiscal Years 2020 and 2021, and discussion and deliberation to consider the renewal of licenses for Fiscal Year 2021 pursuant to Nye County Code 5.04.190(B)(1).**

Bradley Richardson disclosed at the request of Brian Hardy, outside counsel for Nye County, that a civil complaint was filed June 29, 2020, in the Fifth Judicial Court, Department 1, against Nye County sitting as the Nye County Licensing and Liquor Board, against the Licensing and Liquor Board, and against Commissioner Blundo. Shortly after the filing of that complaint there was a temporary restraining order issued by Judge Wanker on the basis that the application for renewal of John Hobbs, the plaintiff, might expire before this matter could be heard. Judge Wanker dissolved the restraining order Monday, but Attorney Hardy advised that Commissioner Blundo should recuse himself on his own liquor license renewal application. After that matter was taken care of Commissioner Blundo could vote on other applications, including Mr. Hobbs' application.

Commissioner Strickland opened only number 62 in the back-up regarding The Hole In The Wall, LLC.

**11. For Possible Action – Presentation regarding Liquor License fees collected for Fiscal Years 2020 and 2021, and discussion and deliberation to consider the renewal of licenses for Fiscal Year 2021 pursuant to Nye County Code 5.04.190(B)(1)-Cont'd.**

Commissioner Blundo disclosed he was a privilege liquor license holder in Nye County. His business, The Whole In The Wall Group/Carmelo's Bistro, holds that license and since he had a pecuniary interest and members of the public felt he may be influenced he would recuse himself.

Commissioner Blundo was not present.

Commissioner Koenig made a motion to renew the license for The Hole In The Wall dba Carmelo's Bistro; seconded by Commissioner Wichman.

Herman Lewis supported the renewal.

Cheryl Wagner said she worked at the Pahrump Valley Winery and had heard rumors Carmelo's was serving wine when no one was supposed to sell liquor or wine. She placed a to go order and asked if she could have wine with her meal. The server came out to deliver her food and another server came out with six or eight Styrofoam cups of wine. Ms. Wagner did not think it was fair other people could get away with selling it when it was not permissible.

Melissa Blundo stated she was the general manager of Carmelo's Bistro and did all of the purchasing for the restaurant. She advised they did not purchase Styrofoam cups and there were none in the restaurant.

The motion to renew the license for The Hole In The Wall dba Carmelo's Bistro passed with 5 yeas.

Commissioner Blundo was present.

Commissioner Koenig made a motion to renew the licenses for items 1-61 and 63-121; seconded by Commissioner Wichman.

Commissioner Blundo disclosed he held a privilege liquor license and recused himself from voting on his own license as he had a pecuniary interest in that license, but he would participate in the rest of the licenses.

The motion to renew the licenses for items 1-61 and 63-121 passed with 6 yeas.

Samantha Tackett advised 6-7, 12-17, the Nugget properties and licenses, including The Hideaway, 20-21, 25 and 28 had all paid as of this morning.

**11. For Possible Action – Presentation regarding Liquor License fees collected for Fiscal Years 2020 and 2021, and discussion and deliberation to consider the renewal of licenses for Fiscal Year 2021 pursuant to Nye County Code 5.04.190(B)(1)-Cont'd.**

Commissioner Koenig made a motion to approve all as read; seconded by Commissioner Blundo; 6 yeas.

Commissioner Blundo said he wanted to pull item 27, CW Nevada, LLC, and have it come back as a separate item as they were in receivership and it was a marijuana license, not liquor.

Commissioner Strickland wondered why it had to come back as it expired on June 30, 2020.

Commissioner Blundo made a motion to suspend the license for item 27 pending a hearing; seconded by Commissioner Cox; 6 yeas.

Commissioner Strickland noted the past due licensees on the list and said she was looking for a motion.

Mrs. Tackett identified those licenses as items 1-5, 8-11, 18-19, 22-24, 26-27, 29 and 30-32.

Commissioner Blundo asked staff to break it up into two categories, one where gaming was involved and one with no gaming, as he wanted to do gaming separately.

Mrs. Tackett identified the licenses with gaming attached as items 1 and 2.

Commissioner Wichman asked if there was a possibility the individuals were relying on the Governor's statement that there would be no suspension of licenses during the COVID shut down.

Tim Sutton said the only applicable directive was no licenses could be revoked if those applicants were prohibited from reapplying due to restrictions or access to County departments, which had not been the case.

Mrs. Tackett explained when the department sent out the renewal notices for the first quarter of FY21 they identified the fees were due and offered payment plans for those who were struggling to pay the fourth quarter of FY20 and the first quarter of FY21. She had also personally contacted each licensee who was past due. Only item 1 had an issue with making payment due to the COVID impact.

Commissioner Blundo made a motion to suspend the licenses for items 1 and 2; seconded by Commissioner Koenig.

**11. For Possible Action – Presentation regarding Liquor License fees collected for Fiscal Years 2020 and 2021, and discussion and deliberation to consider the renewal of licenses for Fiscal Year 2021 pursuant to Nye County Code 5.04.190(B)(1)-Cont'd.**

Kathy Trout asked for the list of numbers and Commissioner Strickland referred her to the public table with the agenda back-up.

The motion to suspend the licenses for items 1 and 2 passed with 6 yeas.

Commissioner Blundo made a motion to suspend the remaining non-gaming liquor licenses that had not been paid; seconded by Commissioner Koenig.

Commissioner Blundo amended his motion to suspend the remaining non-gaming liquor licenses that had not been paid excluding item 32; Commissioner Koenig amended his second; 6 yeas.

Commissioner Blundo made a motion to suspend the license of Nevada Wine Cellars, Inc., for lack of payment; seconded by Commissioner Koenig.

Commissioner Blundo disclosed he held a privilege liquor license in Nye County and he would participate and vote on these matters.

Kathy Trout from the Nevada Wine Cellars said everything was paid and asked for ten minutes to get a copy of the check. She also said Mrs. Tackett never contacted her.

Mrs. Tackett advised Nevada Wine Cellars had not made a payment since they paid for all of FY20 in 2019. The first quarter of FY21 remained unpaid. She said she did not call Ms. Trout because of the lawsuit that was filed. She added that this was a conditional license approved by the Board in June, 2019, based upon completion of the application process.

Ms. Trout said the judge found it was issued as a permanent license, not a conditional one.

Sheriff Wehrly said on May 15, 2020, it was agreed that they would provide six months of bank statements for all accounts personally held by John E. Hobbs. They were also asked to provide the 2017 and 2018 tax returns.

Ms. Trout stated the Sheriff had the 2017 tax returns and she had completed the application many times.

Commissioner Blundo said in court it was stated they withdrew the motion and there was no ruling.

**11. For Possible Action – Presentation regarding Liquor License fees collected for Fiscal Years 2020 and 2021, and discussion and deliberation to consider the renewal of licenses for Fiscal Year 2021 pursuant to Nye County Code 5.04.190(B)(1)-Cont'd.**

Ms. Trout pointed out it was also stated in front of the judge that the Board would issue the license today and now it was not being done.

Mr. Richardson understood there was no such ruling on an application itself and that was not before the judge yesterday.

Commissioner Blundo said he dissented against it, but last year the Board gave Ms. Trout an opportunity to operate and be a good steward of the privilege liquor license. There were conditions that needed to be met, which were not met in a timely manner. He said the Board needed to treat all licenses fairly and felt luxuries and courtesies had been extended to Ms. Trout that had not been afforded any other licensee. Commissioner Blundo then asked the Sheriff if Ms. Trout and Vanessa Ruiz held Sheriff's cards, to which the Sheriff responded no.

Commissioner Blundo asked Ms. Trout if she served liquor at the Winery, to which she responded at the tasting bar but not in the restaurant.

Commissioner Blundo asked if a denial for renewal meant they had to reapply and come before the Board in six months.

Commissioner Strickland explained they could not make an application for six months if it was revoked. A suspension would allow the applicant to get things done.

Sheriff Wehrly said they did not have a complete licensing application because question 8 on page 3 was incomplete.

Ms. Trout stated it was delivered to Mrs. Tackett and signed for.

Sheriff Wehrly said a blank page 3 was given to the attorney for Mr. Hobbs for completion. The current fictitious firm name certificate was also still in the previous owner's name. She said those two things right there needed to be completed.

Ms. Trout stated both documents were delivered to Mrs. Tackett and signed for.

Cheryl Wagner felt the Board should allow Ms. Trout to get the records.

Commissioner Wichman called for the question.

Commissioner Cox said she had wanted to ask some questions to see if some things could be cleared up right now.

**11. For Possible Action – Presentation regarding Liquor License fees collected for Fiscal Years 2020 and 2021, and discussion and deliberation to consider the renewal of licenses for Fiscal Year 2021 pursuant to Nye County Code 5.04.190(B)(1)-Cont'd.**

Commissioner Wichman asked if Commissioner Blundo would consider a friendly amendment to his motion to ask that the documentation get to the Sheriff and payment gets to the licensing department before 5:00 p.m. today.

Commissioner Blundo said Ms. Trout had disrespected the previous Board's vote and the Board had just suspended all the other licenses, but now Commissioner Wichman was suggesting they be treated separately. He said his motion stood.

Jessica Miralli, a current employee at the Pahrump Valley Winery, said Ms. Trout had honestly been by the rules with the employees and when everything was shut down Ms. Trout kept everyone employed. Ms. Miralli hoped the arguing stopped as it was not worth it to anyone right now.

Commissioner Blundo amended his motion to give the Winery until 5:00 p.m. today to get the information in, a completed application and the fees paid, otherwise the suspension would continue and the Sheriff would be ordered to remove the license; Commissioner Koenig amended his second.

Curtis Engle, an employee of the Pahrump Valley Winery, said he had never seen anything run more smoothly and by the book then the company he worked for now.

Erika Gerling asked if the licenses considered before that were suspended would get the deadline as well.

Commissioner Strickland said since that item was already heard she would say no.

Sheriff Wehrly read a portion of the letter sent to Nevada Wine Cellars dated May 15, 2020, which was the actual agreement with Mr. Hobbs' attorney. The letter said his permanent retail license was conditionally approved on June 18, 2019, contingent upon the Sheriff approving the background report. That report was still in progress and could not move forward until submission and review of the items listed. Should Mr. Hobbs fail to submit those on or before 5:00 p.m. on June 30, 2020, the Nye County Liquor and Licensing Board by an order to show cause could vote to suspend operations pursuant to Nye County Code Sections 5.4.260 through 5.4.330.

Bill Denier, a former Pershing County commissioner, asked the Commissioners to not take into consideration their feelings and play by the rules.

Jennifer Simmons spoke against the Winery have a permanent liquor license. She gave several examples of what she considered corruption and negligence on behalf of the current owners.

**11. For Possible Action – Presentation regarding Liquor License fees collected for Fiscal Years 2020 and 2021, and discussion and deliberation to consider the renewal of licenses for Fiscal Year 2021 pursuant to Nye County Code 5.04.190(B)(1)-Cont'd.**

Mrs. Tackett stated for the record that as of the mail run yesterday payment had not been received. Additionally, none of the information requested in the May 15, 2020, letter had been received and she had not signed for anything.

Ammie Nelson agreed that everyone had to follow the same rules.

Jim Petell felt the State was going to be shut down again and everybody was going to lose their jobs. He said he was disgusted by this fiasco.

John Bosta asked how the public would know the decision at 5:00 p.m.

Patricia Garlough said she was not sure of the relationship between John Hobbs and Kathy Trout, but felt if he was a smart man he would have someone else run the place. Ms. Trout may hold the record of employees that had gone through there and when they did leave she made up untrue stories about them slandering them. Ms. Garlough wanted the Board to be aware of Ms. Trout's integrity.

Herman Lewis said he would like to see the Winery continue on, but if they did not have the paperwork in place then they should lose it.

William Garlough said he was in gaming for 23 years and anybody serving liquor or handling food had to have a Sheriff's card in Nye County. For them to ignore that fact was the same as ignoring the application for the liquor license.

The motion to give the Winery until 5:00 p.m. today to get the information in, a completed application and the fees paid, otherwise the suspension would continue and the Sheriff would remove the license passed with 6 years.

Commissioner Blundo made a motion that all licenses suspended would have the same courtesy to have until 5:00 p.m. today to get the information turned in, even if electronically, or payment; seconded by Commissioner Wichman; 6 years.

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

**8. For Possible Action – Discussion and deliberation regarding meeting minutes from the May 29, 2020 joint teleconference and June 2, 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.**

This item was reopened for public comment and there was none.

The Board was in recess until 2:30 p.m.

Commissioner Cox was not present.

**SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP**

**12. For Possible Action – Discussion and deliberation to: 1) Accept the Community Development Block Grant (CDBG) FY20 award in the amount of \$500,000.00 with a match amount of \$12,737.91 to plan and construct a water and well system at the Pahrump Fairgrounds; 2) Execute the grant award documents; and 3) Fund \$500,000.00 from 10340 Grants and \$12,737.91 from 25414 Pahrump Room Tax Fairgrounds.**

Commissioner Blundo made a motion to 1) accept the CDBG grant for FY20 in the award amount of \$500,000.00 with a match amount of \$12,737.91 to construct a well and water system at the Pahrump Fairgrounds, 2) execute the grant award documents, and 3) fund \$500,000.00 from 10340 Grants and \$12,737.91 from 25414 Pahrump Room Tax Fairgrounds; seconded by Commissioner Strickland.

Tim Bohannon from the Nevada Standardbred Association congratulated the County for getting the grant. He hoped it was expandable or had a capability for additional activities at the fairground. He said their goal was to have 500 horses on-site.

Commissioner Cox was present.

The motion to 1) accept the CDBG grant for FY20 in the award amount of \$500,000.00 with a match amount of \$12,737.91 to construct a well and water system at the Pahrump Fairgrounds, 2) execute the grant award documents, and 3) fund \$500,000.00 from 10340 Grants and \$12,737.91 from 25414 Pahrump Room Tax Fairgrounds passed with 5 yeas.

**13. For Possible Action – Discussion and deliberation to: 1) Accept the Community Development Block Grant (CDBG) FY20 award in the amount of \$50,000.00 with a match amount of \$4,722.34 to conduct an environmental assessment of the entire Pahrump Fairgrounds; 2) Execute the grant award documents; and 3) Fund \$50,000.00 from 10340 Grants and \$4,722.34 from 25414 Pahrump Room Tax Fairgrounds.**

Commissioner Blundo made a motion to 1) accept the CDBG grant for FY20 in the award amount of \$50,000.00 with a match amount of \$4,722.34 to conduct an environmental assessment of the entire Pahrump Fairgrounds, 2) execute the grant award documents, and 3) Fund \$50,000.00 from 10340 Grants and \$4,722.34 from 25414 Pahrump Room Tax Fairgrounds; seconded by Commissioner Strickland; 5 yeas.

### **SITTING AS THE BOARD OF COUNTY COMMISSIONERS**

#### **ASSESSOR**

**14. For Possible Action – Discussion and deliberation regarding an Assessor's Office Change Request to allow the Nye County Treasurer to process and issue an amended tax bill in the amount of \$7,032.72 to Marcee L. Jensen & Scott C. Madsen, owners of Assessor's Parcel Number 013-771-06, 32775 Nevada Highway 318, Lund, NV 89317.**

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

Commissioner Wichman asked if the Assessor's Office had been in discussion with Ms. Jensen and Mr. Madsen about this.

Assessor Sheree Stringer explained when this property was split many years ago the land value was brought over as \$16.00, which was discovered when the new owners took it over. Everything was recalculated with abatement, which Ms. Jensen and Mr. Madsen received, and a letter was also sent to the new owner letting them know.

Commissioner Blundo was concerned about punishing someone for something they did not cause and wondered if the property could just be assessed for the back taxes now instead of going back three years.

Mrs. Stringer said that would go against the NRS.

Bradley Richardson added it was by law and he would be concerned with setting a precedent Countywide.

Commissioner Blundo withdrew his motion.

**14. For Possible Action – Discussion and deliberation regarding an Assessor’s Office Change Request to allow the Nye County Treasurer to process and issue an amended tax bill in the amount of \$7,032.72 to Marcee L. Jensen & Scott C. Madsen, owners of Assessor’s Parcel Number 013-771-06, 32775 Nevada Highway 318, Lund, NV 89317-Cont’d.**

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

Commissioner Cox asked if the property was bought at auction.

Commissioner Wichman said no. The former owners put it up for sale and through word of mouth the new owners bought it. Mrs. Stringer did what she needed to do by contacting the new owners so they were aware of it. There was enough time to make the adjustments and as long as Mrs. Stringer and the Treasurer were willing to work with them it would be cleared up.

Commissioner Blundo asked the Board if they would eliminate one year.

Commissioner Wichman said she would love to, however, every person who had property set for the auction block would come in and ask for the same thing.

The motion to approve passed with 4 yeas. Commissioner Cox voted nay.

**BOARD OF COMMISSIONERS**

**15. 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.**

Commissioner Koenig removed this item from.

**16. 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.**

Commissioner Koenig removed this item from the agenda.

**17. For Possible Action – Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.15-17 removed**

Commissioner Koenig removed this item from the agenda.

## CLERK

### **18. Presentation of projected expenditures of the money in the Clerk's Technology fund to be used in Fiscal Year 2020-2021.**

Sam Merlino said she had no plans at this time to spend the money and would use it as a contingency if something came up like a piece of equipment breaking and things of that nature.

## FINANCE

### **19. 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.**

Grants Administrator Samantha Kramer said there was a total of \$8,496,059.00 in CARES Act funding. She had reached out to local organizations and was waiting to hear back from them. She was looking into programs such as rental and mortgage assistance for families and individuals impacted by COVID-19 as well as rental assistance and PPE reimbursement for small businesses. Ms. Kramer said she would bring forward an agenda item on July 21, 2020, to discuss the funding allocation between Nye County and the sub-entities. She asked the Commissioners if there was anything specific they wanted to see for that funding allocation.

Commissioner Strickland said she was concerned with the mortgage issues and if it could be used by owners of tenant property that would be amazing.

Commissioner Blundo asked if a business grant for Nye County could be considered.

Ms. Kramer said possibly and she would speak with NACO for help administering the grants to small businesses.

Kathy McKenna from the Nevada Outreach Training Organization told the Commission they received funding for COVID-19 to help with utilities and housing. They were also awarded \$15,000.00 from Kinross Gold Round Mountain to be used solely for COVID-19. She asked the Commissioners to send people to them for help.

Tim Bohannon, president of Nevada Standardbred Association and a small business owner, said they had the fortune of getting EIDL for both the non-profit and for-profit businesses. He encouraged the Commissioners to get publicity out on this.

Erika Gerling suggested contacting other companies about GOED as it was an easy application and a quick turnaround to get money to the people who really needed it.

## **PUBLIC PETITIONER**

### **25. For Possible Action – Discussion and deliberation regarding a Program Funding Application from the Nevada Outreach Training Organization (NOTO) in the amount of \$15,000.00 for Fiscal Year 2021 to provide aid to qualified veterans and spouses of deceased Veterans, including housing, medical, rehabilitative, educational and employment services, and review of the Fiscal Year 2020 Program Completion Report.**

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

Kathy McKenna thanked the Board for considering this. She said the County had a large veteran population and this money was crucial to a lot of them.

Samantha Tackett asked that the motion be amended to identify the funding.

Commissioner Blundo amended his motion to approve and fund from the Veterans Department Fund 10210; Commissioner Strickland amended her second; 5 years.

## **HUMAN RESOURCES**

### **20. Report by the Director of Human Resources on vacant positions within departments in Nye County.**

Human Resources Manager Danelle Shamrell said the list provided was accurate at the time it was created as it was a living document. She pointed out there were seven deputy positions that were being held in abeyance until academy. They were designated as deputy academy and were not put in a regular position until they passed academy.

Commissioner Cox asked how those positions were funded while they were in school.

Mrs. Shamrell said right now they were general fund positions, but that could change depending on where they went.

Commissioner Cox asked if the JAG funds went into the general fund.

Savannah Rucker explained any grants the County received typically flowed through the grants fund and would be funded from 10340.

Tim Sutton asked if this report could be on the consent agenda in the future and all Commissioners agreed it could be.

## INFORMATION TECHNOLOGY

**21. For Possible Action – Discussion and deliberation to: 1) Enter into a Lease Agreement with the United States Department of the Interior, National Park Service (USDOI, NPS) Death Valley National Park (DEVA) to allow the National Park Service to install, remove, replace, modify, maintain and operate three microwave dishes and associated hardware at the Nye County West Side Tower in Pahrump; 2) USDOI, NPS will pay Nye County \$600.00 per month for the first year and a 3% rent increase annually for the term of the contract; 3) Deposit funds to 10101 General Fund.**

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

**22. For Possible Action – Discussion and deliberation to: 1) Enter into a contract with AT&T to receive the same long-distance rates as the State of Nevada. The State of Nevada's Long-Distance Contract with AT&T is for \$0.00 per minute. There is no cost to Nye County; and 2) Authorize Brady Adams, Nye County Information Technology Director, to add/change additional telephone lines to this long-distance rate as needed.**

IT Director Brad Adams advised the actual rate was indicated in the lower section of the agenda item as \$0.0180 per minute.

In response to Commissioner Blundo's concern about this item being properly agendaized as the incorrect rate was reflected, Bradley Richardson believed the Board could amend it and go forward.

Commissioner Wichman made a motion to enter into the contract with AT&T for long distance rates that were the same as the State of Nevada and authorize Brady Adams to change additional telephone lines for long distance as needed; seconded by Commissioner Strickland.

Herman Lewis pointed out the agenda form said zero and if he did not see the back-up he would think it was zero so the agenda was wrong.

Mr. Richardson advised that as long as the back-up had the correct rate the Board was okay.

The motion to enter into the contract with AT&T for long distance rates that were the same as the State of Nevada and authorize Brady Adams to change additional telephone lines for long distance as needed passed with 5 years.

## **PUBLIC WORKS**

### **23. For Possible Action – Discussion and deliberation to approve the proposed Fiscal Year 2020-2021 Regional Transportation Commission (RTC) budgets.**

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

## **PUBLIC PETITIONER**

### **24. For Possible Action – Discussion and deliberation to appoint five members to the Nye County Water District (NCWD) Governing board due to four expiring terms and one retired vacancy from the following list of applicants by district: One resident from the area in Nye County known as Tonopah, Manhattan, Belmont, Area 2, term expires June 30, 2022, Applicant: Joseph Westerlund. One resident from the area of Nye County known as Pahrump, Area 4, Position 1, term expires June 30, 2022, Applicants: Dan Schinhofen, Helene Williams. One resident from the area of Nye County known as Pahrump, Area 4, Position 2, term expires June 30, 2022, Applicants: William Knecht, Dan Schinhofen, Helene Williams. One resident from the area of Nye County known as Pahrump, Area 4, Position 3, Term expires June 30, 2022, Applicants: Dennis Gaddy Sr., Dan Schinhofen, Helene Williams. One resident in Nye County known as At Large from any area other than Pahrump, Term expires June 30, 2022, Applicant: Dave Hall.**

Commissioner Strickland made a motion to appoint for Nye County Tonopah, Joseph Westerlund; for Nye County known as Pahrump Area 4, Position 1, Helene Williams; for Pahrump Area 4, Position 2, William Knecht; for Pahrump Area 4, Position 3, Dennis Gaddy; and for the At-Large position, David Hall; seconded by Commissioner Cox.

Commissioner Blundo said he would like to support some of the names in the back-up, but he did not recall seeing it advertised and would like to provide an opportunity for other applicants to put their names in. He would also like to entertain the Board of County Commissioners sitting on this board as elected individuals considering some of the public statements and sentiment. After the Commissioners had made some decisions as to the direction it could go back to appointed positions.

Commissioner Koenig said the problem with that was if someone wanted to object to a decision made there was no one to come back to. Right now, if someone did not like what the water board did it could be appealed to the Commission.

Commissioner Cox said they could appeal to the courts and she thought there should be an advisory board.

Commissioner Wichman reviewed the history of the water board. She said the individuals who had served on this Board had a long history in water issues and had learned everything they needed to so they could sit on the board and do a good job

**24. For Possible Action – Discussion and deliberation to appoint five members to the Nye County Water District (NCWD) Governing board due to four expiring terms and one retired vacancy-Cont'd.**

without everything coming back to the Commission. If the Commissioners were put back into the position of listening to all of the water rights and issues that go on in 42 basins, not in one, there would be no one representing anything other than Pahrump with the exception of one individual, Dick Gardner out of Beatty who could not possibly cover the other 41 basins. Commissioner Wichman said she understood the frustrations, but she did not think it would be prudent to remove the board or replace it with the Commission.

Bradley Richardson advised there was no automatic appeal from the Board of County Commissioners' final determination on an appeal of a decision of the water board.

Commissioner Strickland said she was the advisor to the water board and attended their meeting. She was of the same ilk that more controls were needed for the water board, but she was not seeing that. She did not feel it was in the best interest of the people for the Commissioners to sit on the water board.

Herman Lewis said the problem was there were seven people on the water board that did not make up well owners in Basin 162. The past history had shown the dysfunction in the water board. He felt Helene Williams was extremely qualified to be on the board.

John Bosta said the Commissioners had lost sight of the original legislation and recommended they go back and review the bill that formed the water district.

Ammie Nelson described the difficulty she had trying to get an application for the water board. She said she would like the opportunity to fill out an application and a resume as she was just as qualified as anyone else and felt she would be an asset to the board. She would like to see the item brought back on another day. As to the applications received, Ms. Nelson pointed out Mr. Westerlund sent an application on the letterhead of the water board he was part of which to her was a conflict of interest. She also did not think Dan Schinhofen would be a good choice because of his past bias.

Janice Berard said she liked the idea of tabling this, especially if there was still a quorum on the water board, to open the application process again.

Kenny Bent said he considered the water board an extremely dysfunctional board and said there had always been an agenda. He trusted the Commissioners and thought that would be best for the community. He hoped the Board tabled this item.

Leah Aldridge said she read the back-up and what stood out was the application from Helene Williams. She felt the Board would be doing a great disservice by not putting her on the water board.

**24. For Possible Action – Discussion and deliberation to appoint five members to the Nye County Water District (NCWD) Governing board due to four expiring terms and one retired vacancy-Cont'd.**

Helene Williams said she saw this advertised in the newspaper. She called the office at the water board, but because of the virus they were closed and she had to leave a message. Christel got back to her in a couple of days and e-mailed her an application, which Ms. Williams mailed back. She felt everyone had an opportunity to make an application to the water board, but she would respect the Board's decision.

Commissioner Cox said this was an opportunity to take another look at this board. She believed there needed to be an advisory board to sort everything out for the Commission and the Commission would have the final say. She would also like to put this item on hold to have it advertised more fully or come back with some other issues to perhaps look at the Commissioners actually taking over the positions. Commissioner Cox withdrew her second.

Commissioner Wichman seconded the motion to appoint for Nye County Tonopah, Joseph Westerlund; for Nye County known as Pahrump Area 4, Position 1, Helene Williams; for Pahrump Area 4, Position 2, William Knecht; for Pahrump Area 4, Position 3, Dennis Gaddy; and for the At-Large position, David Hall.

Commissioner Blundo expressed his concern with several of the applications being on the same pre-formed letter and the applicants just signing their names as to him it was too coordinated. He wanted to see fresh faces, not because he was just trying to turn boards over but because he thought people had information and should be given a shot to be a part of the boards. Given the fact that someone in the audience wanted to apply he asked Commissioner Strickland how critical it was to make these appointments today.

Commissioner Strickland explained there would no longer be a water board as all terms had expired. The water board's next meeting was on July 27, 2020, at 9:00 a.m., so that meeting would not take place and it would affect August as well. She said she was confident there was good oversight now with the water board and they could move forward during the years.

Commissioner Wichman was glad Commissioner Strickland saw what she saw. She noted people were being put on an advisory board today who were not elected and did not get paid.

The motion to appoint for Nye County Tonopah, Joseph Westerlund; for Nye County known as Pahrump Area 4, Position 1, Helene Williams; for Pahrump Area 4, Position 2, William Knecht; for Pahrump Area 4, Position 3, Dennis Gaddy; and for the At-Large position, David Hall, passed with 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)**

Herman Lewis described his experience attending his first water board meeting. He thought there had not been a lot of transparency and there needed to be new blood going forward.

John Bosta said during the last agenda item Commissioner Wichman said the members of the board were unpaid. When he was on the board the members were paid \$80.00 for each meeting as well as transportation costs.

Leah Aldridge thought the woman who came in asking for a privilege license was absolutely horrible and that Commissioners Blundo and Strickland handled themselves with great professionalism.

Regarding giving everyone until 5:00 p.m. to pay their fees, Erika Gerling asked if someone would be available to collect them and if the Commissioners would stay in chambers until 5:00 p.m. to take the vote on the last issue.

Commissioner Koenig explained the office was open and the Commissioners did not have to be present for that.

Ammie Nelson said the applications should be available on-line and she wondered why the board positions were not posted on Facebook.

In response to Ms. Nelson, Public Information Officer Arnold Knightly said the water district positions were posted on the Facebook page and shared by the Nye County Republican Facebook page. He added there were also links on the front page of the County Web site to road reports to file concerns and other general concerns. He said they worked hard to get the message out on things.

Janice Berard also mentioned the water board members received a stipend of \$80.00 per meeting.

Helene Williams said the Planning Department's Web site had a survey the planning department did, but she did not think a lot of people found access to it. She asked how many had filled it out and if there had not been a lot she would like to see it go back out.

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

Commissioner Blundo thanked staff for the birthday card.

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

Addressing John O'Brien's comment about there not being an RFP and how they were not under contract, Tim Sutton said the Board did approve both an RFP process and a contract for Zambelli Fireworks which had three one-year extensions.

Planning Director Brett Waggoner said as of right now there had been 61 responses to the on-line survey in addition to the 50 received before it was on the Web site. The closing date for the survey was July 31, 2020.

**28. ADJOURN**

Commissioner Koenig adjourned the meeting.

APPROVED this 18<sup>th</sup> day ATTEST:

Of August, 2020.

Linda A. Wichman 8-18-20 Hecky L. Sidman  
Chair Nye County Clerk / Deputy