

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; Michelle Nelson, Deputy District Attorney

Not Present: Chris Arabia, District Attorney

Sheriff Wehrly was not present at this time.

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

The Pledge was recited.

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

Commissioner Strickland stated she was a sitting County Commissioner and owner of Strickland Construction, T&M Group Realty and Lakeside Storage. They brokered in water rights, drilled wells and installed septic tanks. She did not see any conflict of interest on the agenda today. She also disclosed her husband was a certified hemp grower.

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

Emergency Management Director Scott Lewis said there was an upward trajectory of COVID in the County, mostly in Pahrump. There were now 338 cases in Pahrump, 14 in Amargosa, eight in Beatty, 14 in Tonopah, and three in Smoky Valley for a total of 377 cases. Seven of those were antibody tests so the total count was actually 370. Eight cases were transferred to Clark County through the tracing as they were not

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

County residents. Chief Lewis said there were nine deaths in the County and he anticipated the death rate would continue to rise as several citizens remained in serious condition. Additionally, the age category was concerning as cases now involved children.

Commissioner Blundo asked Chief Lewis to explain the criteria surrounding the testing and the risk of losing things if the testing was not done.

Chief Lewis explained the testing served several purposes. It provided a baseline of where the County was with the number of citizens as well as ratios and percentages of the overall population to those coming back positive. Now it was also determining who was still COVID positive. If the County stopped doing the testing that baseline would be lost as well as some ability for State reimbursement.

Commissioner Cox said a lot of people had been testing positive for up to 45 days and thought something was being overlooked. The fact was that anybody who had a flu shot in the last ten years was going to test positive so maybe the positives only had to do with that fact.

Commissioner Koenig commented he had a flu shot last year and tested negative twice for COVID.

Commissioner Cox thought that needed to be brought to the attention of the group and the people who came to get tested should be surveyed as to whether they had a flu shot and when to see if that was true.

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

Commissioner Koenig said he wanted to get on the phone this afternoon with Chief Scott Lewis, the County Manager and Caleb Cage, the Governor's COVID person, to discuss the differences between Gabbs, Nye County, Pahrump, Nye County, Tonopah, Nye County, etc. Last week when the Governor spoke Commissioner Koenig was happy when he started talking about differences between zip codes. If bars were shut down in Pahrump and a bar was opened in Gabbs no one hopefully was going to drive from Pahrump to Gabbs to have a beer. Commissioner Koenig thought the Governor would expand on that yesterday but he did not even mention it so Commissioner Koenig wanted to have that conversation with Mr. Cage.

Commissioner Blundo said he was disappointed with the Legislature with the severe push to increase mining taxes, the removal of the component that the County got net proceeds, and with the signing in of mail-in ballots for the general election. He felt the Legislature had failed and the people of Nevada deserved better.

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

Commissioner Wichman said there were three vacancies on the Hospital District Board and asked for that to be advertised. Regarding the mining tax, she said not only was the Legislature suggesting removal of the net proceeds that came to the County, but they were also imparting a gross proceeds tax. From her experience in mining that would reduce all of the services and supplies used by the mining companies because they would have to reduce what they were able to spend of their gross in order to pay additional taxes. Many small mining operations would leave as that would be more than their net profit.

Commissioner Strickland encouraged people to reach out to their assemblymen and the Governor as that would be devastating to Nye County. She then advised OHV advisory board applications were out to see if there was an interest in forming an advisory board. She had also been working on a shooting range with Commissioner Blundo, Sheriff Wehrly, Assistant County Manager Lorina Dellinger, staff and directors of the different organizations in the County. More information would come for the one in Pahrump and the ones in Beatty and Tonopah needed help also.

Commissioner Koenig advised he just found out the call with Caleb Cage was on for this afternoon. Regarding the mining, he felt Assemblyman Gregory Hafen was probably more upset than the Commissioners were.

Tim Sutton said during his presentation at the last meeting regarding the community center, he wanted to make it clear that it was presented as a County specific project. He acknowledged the group of hard working, dedicated people outside of the County who participated in the formation of that.

**5. Approval of the Agenda for August 4, 2020 (Non-action item)**

Tim Sutton said items 7, 19, and 23-28 could be removed from the agenda.

**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)**

Harley Kulkin felt the information available about COVID did not seem to be pertinent. He asked Chief Scott Lewis if he was keeping documentation of how many people tested positive and how many of those had symptoms, what those symptoms were, the recovery time, and how the public could find out about that.

Commissioner Koenig told Mr. Kulkin Chief Lewis would talk to him separately about that.

**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)-Cont'd.**

Mary Kerner, the CEO for Rural Nevada Development Corporation (RNDC), said she e-mailed information to the Commissioners last week about RNDC and what they had done in the County. The second page of that was the economic impact contribution RNDC had made. The housing economic impact was \$17.8 million, small business lending dollars were \$3.3 million, and business counseling was just over \$5 million, for a total of just under \$26.3 million since 1992. They also received \$3 million for disaster recovery from EDA for all the rural areas. Ms. Kerner asked everyone to share the fact they were here and had money to help small businesses.

Pat Minshall, an Amargosa Town Board member as well as the town's representative to LEPC, said the first LEPC meeting was on February 5, 2020. At that time there were 12 confirmed cases of COVID in the United States, but Chief Scott Lewis was already taking it very seriously and working on getting PPE into the County as well as everything else that would be available. Ms. Minshall also agreed with what several Commissioners said about the bars. There were two small bars in Amargosa and she believed if they were allowed to open up with social distancing and 50% capacity it would be safe.

Herman Lewis asked the Board to reconsider putting a racquet ball court in the middle of the community center as that space could be used for trade shows, expos and other events where everyone could meet. He spoke about COVID and how the death numbers were not accurate as well as how masks were useless. As to voting, Mr. Lewis heard someone had received an application for her dead father and felt the Clerk needed to get on her job.

Sam Merlino advised her office did not send out voter applications.

Leah Aldridge stated this Saturday she received a voter registration form addressed to Altha Aldridge, her father, who spent his whole life in Magnolia, Arkansas, and passed away in 2002. She wondered how many other people were getting registration forms for deceased people and felt if this election continued it would be the most corrupt election in the State.

Mrs. Merlino explained there were many groups sending out voter registrations and absent ballot requests. She asked people to contact her office before assuming they were doing anything illegal or fraudulent to find out if it her office was sending out anything. She would also like copies of what was being sent out so she could warn the public to watch for them. Mrs. Merlino told Ms. Aldridge she would appreciate a copy of what she received so she could maybe find out where it came from.

Reverend Darrell James Lackey said over two years ago he was invited to a backroom meeting about solving the homeless problem. His idea was to invite people to build

**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)-Cont'd.**

their own homes on vacant properties that were not bringing in tax money. He then talked about rain recovery and solar power and said everything he had been doing for the last two years had been sabotaged.

Helene Williams said Ms. Aldridge's situation was very pointed to the concerns everyone had with the voting issue. She then mentioned the delay between the phone and the computer and how anyone who called into the meeting would be behind the agenda item.

Doug Campbell, owner of Balloons Over Pahrump, said he wanted to establish distancing between himself and the other balloon company in town which was creating issues with some of the residents. He said the money his company generated in the County stayed in the County while the other balloon company's money left the County. Also, Mr. Campbell's company was abiding by the complaints, but the other balloon company was not.

Ammie Nelson said she attended the water board meeting last month where Jeff Fontaine gave a rundown on AB30, AB51 and AB62 which did not pass. She felt it would be a devastating blow if they ever passed because they included pipelines to divert County water to other counties, particularly Clark. Ms. Nelson also spoke on the fact the County was paying an additional \$50,000.00 to the water board for a private attorney because the County's District Attorney did not answer in a timely manner. She was not happy as a taxpayer and felt they should utilize the District Attorney.

Melissa Blundo said there would be a protest rally against the all mail-in ballots at Highway 372 and Highway 160 from 5:00 p.m. to 7:00 p.m. As to the requirement to wear masks, she reminded everyone that their medical reason for not wearing one did not have to be disclosed per HIPPA. Mrs. Blundo invited people who were interested to join her No Mask Nevada Pact.

**7. For Possible Action - Emergency Items**

This item was removed from the agenda.

## SITTING AS THE BOARD OF COUNTY COMMISSIONERS

### COUNTY MANAGER

#### **33. For Possible Action – Discussion and deliberation regarding Bill Draft Requests (BDRs) Nye County can submit for the 2021 Legislative Session.**

Lorina Dellinger said the back-up showed past legislation previous Boards had discussed and was just for information, not a recommendation.

Commissioner Blundo said he would like to add repealing the commerce tax to the list for consideration.

Commissioner Cox said she had been an advocate for quite some time to eliminate the County employee unions. She felt the union was hurting the County moneywise and believed the Board would consider the needs of the employees just as much or more than the union did.

Commissioner Wichman encouraged everyone to support NACO's BDR that would do the constitutional change to the tax structure so the taxes would not be reduced more than 3% per year.

Mark Fiorentino, the County's lobbyist, suggested the Board try to focus on things that were unique to Nye County as there would be plenty of opportunities to address the other issues in other vehicles and other arenas. The tort liability cap may or may not be discussed, but there would be discussion around tort liability in the next session so he would not waste the County's one BDR on that. Mr. Fiorentino felt the same way about the hemp regulations as there would be numerous bills introduced related to hemp.

Commissioner Blundo asked that a summary of each item be provided for the August 18, 2020, meeting. He would also like to talk about required professional development of public body members as a potential BDR.

Commissioner Cox said she would like to look at splitting the County into two parts.

Tim Bohannon said he felt the Commissioners were significantly underpaid and would like to see that corrected in the future.

**8. For Possible Action – Discussion and deliberation regarding meeting minutes from the June 24, 2020 and June 30, 2020 joint teleconferences of the Nye County Board of Commissioners, Board of Highway Commissioners, Nye County Licensing and Liquor Board, Nye County Board of Health, the Governing Body of the Unincorporated Town of Pahrump, the Governing Body of the Unincorporated Towns of Beatty, Belmont, Gabbs, Manhattan, and Railroad Valley, and the Board of Trustees for the Pahrump Pool District.**

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

**TIMED ITEMS**

**9. 10:00 a.m. – For Possible Action – Hearing to Show Cause, discussion and deliberation pursuant to Nye County Code 17.04.860 to: 1) Determine if unhealthful nuisance conditions exist at 5908 E. Badlands Lane, Pahrump, NV, and 2) If a nuisance does exist, whether the nuisance should be abated or removed, or 3) Determine that there is no nuisance. Assessor's Parcel Number 046-011-13, Property Owner – Mosley, Jorja Faye Shrouder Trust.**

Commissioner Koenig opened the show cause hearing.

Code Compliance Officer Amanda Marshall advised on May 13, 2020, the property was noticed for an unhealthful condition. The matter was heard on June 2, 2020, to schedule a show cause with an inspection on June 1, 2020. On July 20, 2020, it was continued to this date and an inspection was done yesterday. Ms. Marshall then corrected the record on the documents submitted. In the third paragraph on page 21 where it said on June 6, 2020, should read on August 3, 2020. An inspection was completed on July 20, 2020, and the summary of that was included in the back-up with pictures of the conditions of the home. Ms. Marshall attempted to contact the property owner yesterday at her home, which was unsuccessful. The conditions on the outside of the home did not appear to be remediated and appeared to be worse on the right side of the property. The front of the property had more buckets in front of the spigot and the left side had been covered with a blue tarp. The garage door was open and it looked to be filled with belongings.

Jorja Mosley, the property owner, advised her property was being foreclosed on today by the HOA for the amount of \$3,000.00, \$900.00 of which was HOA fees and the rest was attorney fees. The house was paid for.

Commissioner Blundo asked what she was doing to remedy the situation at the home.

Ms. Mosley explained she was in the backyard day in and day out, but she recently injured her foot and was unable to walk at this time.

**9. 10:00 a.m. – For Possible Action – Hearing to Show Cause, discussion and deliberation pursuant to Nye County Code 17.04.860 to: 1) Determine if unhealthful nuisance conditions exist at 5908 E. Badlands Lane, Pahrump, NV, and 2) If a nuisance does exist, whether the nuisance should be abated or removed, or 3) Determine that there is no nuisance. Assessor's Parcel Number 046-011-13, Property Owner – Mosley, Jorja Faye Shrouder Trust-Cont'd.**

Commissioner Strickland felt the problem would be the HOA's if they foreclosed on the property. She asked if another show cause hearing could be done in 30 days to see what the title looked like.

Commissioner Koenig wondered if this could be continued to see what the court did today.

Michelle Nelson said it could, but she had searched and could not find a record of the foreclosure.

Ms. Marshall advised document #93706 was recorded against the property for default for delinquent assessment liens.

Ms. Mosley stated the paperwork from Cow County Title showed the house was being foreclosed today.

Commissioner Blundo made a motion to continue this item to the September Pahrump meeting; seconded by Commissioner Strickland.

Ms. Marshall asked for a provision that it would not be continued again.

Commissioner Blundo explained that would be decided by the Board at that time considering the facts.

The motion to continue this item to the September Pahrump meeting passed with 5 yeas.

**10. 10:00 a.m. – For Possible Action – Public Hearing, discussion and deliberation to adopt, amend and adopt, or reject 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.**

Commissioner Koenig opened the public hearing.

Sarah Chapman from NCCA asked that the second amended version of Bill No. 2020-09 be amended and adopted with the one change requested in their letter in the back-up as well as one additional change on page 5. She asked that the length of time in D

**10. 10:00 a.m. – For Possible Action – Public Hearing, discussion and deliberation to adopt, amend and adopt, or reject Nye County Bill No. 2020-09-Cont'd.**

and F remain at 30 days instead of changing to 14. Also, on page 11 Ms. Chapman felt the additions of items 4 and 5 might make more sense under 5.32.080.A. instead of 5.32.080.B.

Commissioner Koenig closed the public hearing.

Commissioner Blundo made a motion to amend and adopt the second amended version of Nye County Bill No. 2020-09 with the changes on page 5 under D and F to remain at 30, including the changes in the back-up with regard to a letter to NCCA, and on page 11 the additions of items 4 and 5 would make more logical sense under 5.32.080.A. instead of 5.32.080.B., with an effective date of August 24, 2020; seconded by Commissioner Strickland.

Planning Director Brett Waggoner explained the change from 30 to 14 days was made at the request of the NCCA. There were changes made to Nevada State law as well and he wanted to recommend one more addition to section 5.32.080 on page 10 of 14 under renewal procedure. There was some language added to the State law that he would add in a section B which would read if a person or entity failed to renew its license by the expiration date then the licensee shall cease operations until the license was renewed. If the person or entity failed to renew the license within 90 days of the expiration date then the license shall be deemed voluntarily surrendered.

Commissioner Blundo said since there was a motion and second to go with what was presented he would rather move forward with this and revisit that at another time if necessary.

Commissioners Koenig and Strickland agreed with Commissioner Blundo.

Mr. Waggoner reminded the Board if the fees and renewals were delinquent 90 days that would trigger a show cause hearing.

The motion to amend and adopt the second amended version of Nye County Bill No. 2020-09 with the changes on page 5 under D and F to remain at 30, including the changes in the back-up with regard to a letter to the NCCA, and on page 11 the additions of items 4 and 5 would make more logical sense under 5.32.080.A. instead of 5.32.080.B., with an effective date of August 24, 2020, passed with 5 yeas.

**11. 10:00 a.m. – For Possible Action – Public Hearing, discussion, and deliberation to issue an Outdoor Festival License to the Pahrump Valley Chamber of Commerce for the Balloon Festival to be held March 25-27, 2021, at Petrack Park located at 150 Highway 160, Pahrump, Nevada.**

Jenny Sartin, CEO for the Pahrump Valley Chamber of Commerce, was present.

**11. 10:00 a.m. – For Possible Action – Public Hearing, discussion, and deliberation to issue an Outdoor Festival License to the Pahrump Valley Chamber of Commerce for the Balloon Festival to be held March 25-27, 2021, at Petrack Park located at 150 Highway 160, Pahrump, Nevada-Cont'd.**

Commissioner Blundo asked if the Chamber had a plan in place if COVID-19 was still an issue.

Commissioner Koenig mentioned Sturgis was still going on in South Dakota with 35,000 motorcyclists.

Ms. Sartin said they had moved it out a few months with the hope they would be ready to move forward at that time. If not, they would come back and ask to push it out further because they were determined to move forward and have this event for the community.

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

**12. 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 June, 2020, Treasurer's report and bank reconciliation report was in the back-up.

**SITTING AS THE NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS**

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

**13. For Possible Action – Discussion and deliberation regarding General Road Report by Public Works Director on General Road Maintenance, Gravel Road Maintenance, Asphalt Patching, Weed Mowing and direction regarding public work projects.**

Public works Director Tim Dahl advised the contractor who was to do the improvements to SR160 and Homestead and SR160 and Highway 372 was still waiting on the manufacture of the software and he would keep the Board updated. He then pointed out maintenance requests were now on the road report and said the crews continued to do weed mowing, pothole patching and using the durapatcher oil.

Commissioner Cox said she was not sure who was responsible, but the parking lot at the County complex on Basin had a lot of big cracks that she thought needed to be filled in.

**13. 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.**

Mr. Dahl said he had been working with William Allen, the B&G Director, to schedule fixing those.

Commissioner Wichman asked for an update on the Lewis Road issue in Amargosa.

Mr. Dahl said a call was received from one of the neighboring property owners. They wanted to put a fence around their property and asked his team for help understanding the right-of-way boundaries on Vasser. In helping them understand that it was discovered there were a lot of trees within a County dedicated and accepted right-of-way on Vasser, Brushwood and Lewis. They were now trying to identify where the right-of-way boundaries were so discussions could be held with the property owners to come up with an amicable solution.

Commissioner Wichman asked to be kept updated as it moved forward.

Commissioner Blundo said he would like to see the durapatcher in use and encouraged the public to use the on-line reporting for road issues.

Pat Minshall from the Amargosa Town Board asked Mr. Dahl about Anvil and Powerline. She thought at the last meeting that would be started in August.

Mr. Dahl advised the notice to proceed had been provided to the contractor who could start anytime between today and ten days from now. He heard they would start next Monday.

Regarding the Pahrump courthouse parking lot, Judge Gus Sullivan said about four or five years ago he paid to repair the Beatty parking lot out of his AA fees because he was told by the previous manager there was no money. It was getting back to the same condition and he asked for the Commissioners' support to ask Mr. Dahl to also look at the Beatty courthouse. Judge Sullivan added that Tonopah needed to be maintained frequently as well.

Commissioner Koenig said the other day when he was in Amargosa for the town board meeting he went down Anvil and turned left on Powerline not realizing a little further down it was all ripped up. There was a sign by Anvil on Powerline warning that it was tore up, but Commissioner Koenig thought it was placed too early if someone was coming down Anvil turning left and that the sign needed to be moved further down.

**SITTING AS THE BOARD OF COUNTY COMMISSIONERS**

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

## **PUBLIC WORKS**

### **39. For Possible Action – Discussion, deliberation, and direction to staff to consider the roads that are scheduled for chip seal repair or overlay as approved by the Regional Transportation Commission (RTC), and to initiate a bid package for the repair and overlay project.**

Commissioner Koenig said several months ago he brought up a request from Harvey Kulkin to do Linda and the Board agreed to do that. At the last RTC meeting there was a list and Linda was not on it. Commissioner Koenig brought it up and the Director said it would cost so much, but the RTC said it did not care and it was added to the list. Now he had an agenda item where it was not on the list again. The Director told him yesterday that there was no right-of-way, but Commissioner Koenig said he learned there were no rights-of-way for a lot of roads and Linda needed to be on the list.

Tim Dahl said if that was the case he would make it happen. He explained three property owners would have to dedicate some property and then he could have a right-of-way to legally get on or he had to submit an SF299 application to the BLM to have right-of-way on their portion of the property to go up there and do anything. Mr. Dahl added he was trying to satisfy many more people by utilizing the budget the RTC provided the best he could.

Commissioner Koenig commented that objection should have been brought up earlier.

Mr. Dahl said he did not get that support from the other RTC members. He also did not believe the low water crossings would hold the chip seal, but if it was the Board's wish he would remove other roads or go back to the RTC for more funding.

Commissioner Koenig stated the discussion at the RTC was to do it, not remove other roads, and he did not understand what changed. He also pointed out the agenda item was theoretically wrong as the list attached was not approved by the RTC and he was not sure there was an option to amend it.

Michelle Nelson agreed that it could not be amended based on this agenda item and suggested bringing it back.

Commissioner Strickland made a motion to review the RTC minutes to be sure Linda was on the list and bring this back on August 18, 2020; seconded by Commissioner Blundo.

Harley Kulkin said he bought the property where he lived 25 years ago and 15 years ago he asked Dave Fanning what he had to do to get Roadrunner done, which was on BLM land just like Linda. He felt no one would say anything if Linda was chip sealed just the way it was. As to flooding, he said Roadrunner flooded and the chip seal did not move. There was also a dust problem and the road needed to be done to reduce that.

**39. For Possible Action – Discussion, deliberation, and direction to staff to consider the roads that are scheduled for chip seal repair or overlay as approved by the Regional Transportation Commission (RTC), and to initiate a bid package for the repair and overlay project.**

The motion to review the RTC minutes to be sure Linda was on the list and bring this back on August 18, 2020, passed with 5 yeas.

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

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

**14. For Possible Action – Discussion and deliberation to appoint two members to the Pahrump Tourism Advisory Committee due to two resignations from the following list of applicants: Vicki Gladsjo and Deanna O'Donnell.**

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

Ammie Nelson felt Deanna O'Donnell would be a good representative for Pahrump and Nye County.

The motion to approve passed with 5 yeas.

**15. For Possible Action – Discussion and deliberation regarding Town of Pahrump Proclamation No. P2020-02: A Proclamation Recognizing August 7, 2020 as Purple Heart Day in the Town of Pahrump.**

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

Commissioner Koenig made a motion to approve Town of Pahrump Proclamation No. P2020-02; seconded by Commissioner Blundo; 5 yeas.

**SITTING AS THE BOARD OF COUNTY COMMISSIONERS**

**PUBLIC PETITIONER**

**40. For Possible Action – Discussion and deliberation regarding Nye County Proclamation No. P2020-06: A Proclamation Recognizing August 7, 2020 as Purple Heart Day in Nye County.**

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

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

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

**16. For Possible Action – Discussion and deliberation to accept a grant extension from the Land and Water Conservation Fund Grant for the Kellogg Park Phase 1 Project. Grant Extension #2 grants a twelve-month extension through June 30, 2021, to allow for completion of the project.**

Commissioner Strickland made a motion to extend the grant; seconded by Commissioner Wichman.

Michelle Nelson asked that the language to accept the grant extension as shown on the agenda item be used in the motion.

Commissioner Strickland withdrew her motion; Commissioner Wichman withdrew her second.

Commissioner Strickland made a motion to accept the grant extension; seconded by Commissioner Wichman.

Commissioner Wichman asked staff to get all the money they could out of this fund for any project. If not, there was \$900 million a year every year to buy and turn lands into public lands. Nye County did not have enough land to let that happen.

The motion to accept the grant extension passed with 5 yeas.

**17. For Possible Action – Discussion, deliberation and direction to staff to determine if the 2020 Fall Festival will be moving forward.**

Commissioner Koenig stated he had discussions with the staff who was going to run this year's fall festival. They felt they should put this off to 2021 and have one of the biggest fall festivals Pahrump had ever seen.

Commissioner Cox said she was not sure the reasoning behind them not wanting to do this and she did not think it was any different than the balloon festival.

Commissioner Koenig pointed out the balloon festival was in March 2021, but the fall festival would be next month.

Commissioner Cox felt most people would be cautious and she supported holding the fall festival. If staff did not want to do it then volunteers should be found and she volunteered.

Commissioner Strickland explained Jimmy Martinez's comments were as a Pahrumpian he wanted it, but as an employee he did not. She asked him if there was any way to call it off at the last minute without committing to contracts that would cost money.

**17. For Possible Action – Discussion, deliberation and direction to staff to determine if the 2020 Fall Festival will be moving forward-Cont'd.**

Mr. Martinez said at this point no. He clarified it was not that staff did not want to do it. The concern was if contracts were entered into and it was cancelled later the County would lose money that could not be gotten back.

Commissioner Strickland asked for the contract value of the rodeo and the carnival.

Mr. Martinez explained the cost came in at the end as far as the carnival. The rodeo was \$25,000.00, the State's contract was \$12,000.00, and the parade route with NDOT was \$1,700.00.

Commissioner Cox suggested just doing the rodeo with social distancing set up, maybe a barbecue, 4-H for the kids, and things of that nature like the festival used to be.

Commissioner Wichman commented that if it was the Town of Gabbs wanting to put on their fall festival she would not have a problem at all, but it was not.

Commissioner Strickland mentioned Beatty Days was cancelled and Commissioner Koenig said Tonopah had called off Jim Butler Days.

Commissioner Strickland talked about how hard it would be to clean up in between and after all activities, especially the bathrooms.

Ammie Nelson said to let the carnival come in and require them to do every other seat and then clean it when it was done. She also felt it should be left up to the people who lived in Pahrump if they wanted to go and how they wanted to behave.

Reverend Darrell James Lackey offered his services to help make the festival happen.

Herman Lewis said the Commissioners would be setting a powerful example against mainstream media and the lies about COVID-19. He felt people were smart enough to protect themselves through their own research.

Dave Stevens disagreed with spending money on the fall festival.

Pat Minshall said she knew a lot of people did not take it seriously, but a number of people in groups getting together that were not social distancing or wearing masks got ill later and passed the disease along. She said the town cancelled Amargosa Days because of this and the high school could not open because of this.

Fire Chief Scott Lewis said from a public official standpoint he did not think the necessary precautions could be taken to satisfy the safety requirements. He felt the assistance from the State and federal governments would also be jeopardized if decisions were made that did not fall in line with the guidelines.

**17. For Possible Action – Discussion, deliberation and direction to staff to determine if the 2020 Fall Festival will be moving forward-Cont'd.**

Commissioner Strickland made a motion to direct staff to continue working on a fall festival for 2021 and not to pursue 2020; seconded by Commissioner Wichman; 4 yeas. Commissioner Cox voted nay.

**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.**

**18. For Possible Action – Approval to: 1) Accept the SFY 2021 Notice of Subaward (NOSA) from the Nevada Aging and Disability Services Division (ADSD) in the amount of \$57,874.00 to provide senior transportation services in Beatty, Gabbs, Smoky Valley and Tonopah in Nye County, as well as long-distance medical transportation providing non-emergency medical rides to larger cities; and 2) Execute the Subaward. Matching funds of \$8,681.00 are budgeted by our contract with Medical Transportation Management, Inc. (MTM) and by the Nevada Department of Transportation (NDOT) Section 5311 Fuel Grant.**

Commissioner Blundo made a motion to approve items 18 and 20-21; seconded by Commissioner Strickland; 5 yeas.

**19. For Possible Action – Approval to: 1) Accept the Amendment to the FY 2018 Emergency Solutions Grant – Homeless Prevention award that reduces the grant amount from \$10,000.00 to \$9,868.00. The \$132.00 budget modification has been reallocated to another agency that is able to expend funds due to COVID-19; 2) Execute the Amendment; and 3) Fund from 10340 Grants. There is no County match required.**

This item was removed from the agenda.

**20. For Possible Action – Approval to: 1) Accept the Emergency Management Performance Grant Program, COVID-19 Supplemental (EMPG-S) through the Nevada Department of Public Safety in the amount of \$24,901.00 with a match amount of \$24,901.00 to be used to purchase roadside communication equipment for the Department of Emergency Management needed due to COVID-19; 2) Delegate a one-time authority to Finance to accept the award in the ZoomGrants Portal as it is an online acceptance process; and 3) Fund \$24,901.00 from 10340 Grants and \$24,901.00 from 10402 Capital.**

Commissioner Blundo made a motion to approve items 18 and 20-21; seconded by Commissioner Strickland; 5 yeas.

**21. For Possible Action – Approval to: 1) Accept the State Emergency Response Commission (SERC) Operations, Planning, Training, & Equipment (OPTE) grant through the Nevada Department of Public Safety in the amount of \$29,000.00 to be used to administer the grant, cover the cost of training and purchase a multi-gas detector and shower shelter for the Department of Emergency Management; 2) Delegate a one-time authority to Scott Lewis due to the requirement by SERC to be signed by the chair of the LEPC; and 3) Fund \$29,000.00 from 10340 Grants.**

Commissioner Blundo made a motion to approve items 18 and 20-21; seconded by Commissioner Strickland; 5 yeas.

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

The report was in the back-up.

#### **BOARD OF COMMISSIONERS**

**23. For Possible Action – Closure of meeting, pursuant to NRS 241.015(3)(b)(2) for purposes of conferring with legal counsel regarding potential or current litigation.**

This item was removed from the agenda.

**24. Closed meeting, pursuant to NRS 241.015(3)(b)(2) for purposes of conferring with legal counsel regarding potential or current litigation.**

This item was removed from the agenda.

**25. For Possible Action – Discussion and deliberation on conference with legal counsel regarding potential or current litigation presented in closed meeting.**

This item was removed from the agenda.

**26. 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.

**27. 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.

**28. 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.

**29. For Possible Action – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2020-25: A Resolution by the Nye County Board of Commissioners Requesting that the Governor of the State of Nevada, the Attorney General of the State of Nevada, and the Secretary of State of the State of Nevada Will Ensure that the Citizen's Ability to Vote In Person at the 2020 General Election is Maintained with Minimal Restrictions to Prevent the Spread of COVID-19.**

Commissioner Blundo said he asked for this item because he believed in the ability of the public to vote in person. This was something he wanted to send up and knew some of the neighboring counties had done it as well.

Commissioner Blundo made a motion to adopt Nye County Resolution No. 2020-25; seconded by Commissioner Strickland.

Commissioner Cox said she did not like the language that the Nye County Board of County Commissioners was “requesting” the Governor as she hated asking the Governor if they could do their job. She suggested informing the Governor instead.

Sam Merlino stated it was her job to put on the elections, not the Board’s choice, and unfortunately the Governor made his decision and she would have to follow that decision. She said her intent right now was to have polling places where individuals could vote by machine, but the Clerks had not gone through the bill well enough to know exactly what they could and could not do. Mrs. Merlino explained all active voters would receive a ballot in the mail. Those who did not wish to vote that ballot could turn it into the office and vote on a regular voting machine. She also wanted to make sure the Board understood she would need additional people to clean machines between every voter as well as everything else. She would order shields for between the workers and

**29. For Possible Action – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2020-25-Cont'd.**

the voters. Mrs. Merlino said it would not be easy on her office, but she was asking for the Commissioners' support and assistance to get through it.

Melissa Blundo thanked Mrs. Merlino for sharing the intent to keep the polls open and she volunteered to help. She then mentioned the lines at the DMV and said if people could stand in that line they could stand in line to vote at the polls.

Herman Lewis felt the Commissioners had their hands tied and that mainstream media was lying to the population.

Commissioner Blundo asked Mrs. Merlino to advise the Board of any challenges she had during the election cycle.

The motion to adopt Nye County Resolution No. 2020-25 passed with 4 yeas. Commissioner Wichman voted nay.

**30. For Possible Action – Discussion and deliberation to select the liaison option for Commissioner Blundo on the Nevada Site Specific Advisory Board as appointed to the liaison position by the Board of Commissioners on January 22, 2020.**

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

Helene Williams said she tried to get in on the last discussion and that was the problem she talked about earlier.

The motion to approve passed with 4 yeas. Commissioner Blundo abstained.

**SHERIFF**

**31. For Possible Action – Discussion and deliberation regarding a renewal of a Wholesale/Retail Fireworks permit for Outlaw Pyrotechnics Inc. located at 2280 W. Betty Ave., Pahrump, NV. Applicant – David Bernard.**

Sheriff Wehrly was present.

Commissioner Blundo asked why this fireworks renewal was different than the others approved last month.

Sheriff Wehrly explained because he chose not to renew his license and was shut down several days before the 4<sup>th</sup> of July because he did not have a license.

**31. For Possible Action – Discussion and deliberation regarding a renewal of a Wholesale/Retail Fireworks permit for Outlaw Pyrotechnics Inc. located at 2280 W. Betty Ave., Pahrump, NV. Applicant – David Bernard-Cont’d.**

Commissioner Strickland made a motion to renew the wholesale/retail fireworks permit for Outlaw Pyrotechnics; seconded by Commissioner Wichman.

Commissioner Cox asked if this was this being done out of a residential property or if they were in a commercial zone and if they had the proper permits.

Brett Waggoner said it was residential property and he would have to look into the permits because he did not know when the business started at that location.

Reverend Darrell James Lackey said he was on the property and while there were Quonset huts full of fireworks he did not see any issues.

The motion to renew the wholesale/retail fireworks permit for Outlaw Pyrotechnics passed with 5 yeas.

**DISTRICT COURT**

**32. For Possible Action – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2020-26: A Resolution Authorizing Nye County to Establish a 5th Judicial Court Checking Account through Nevada State Bank.**

Grants Administrator Samantha Kramer explained the bank account was to allow draw downs on a grant. Once that was done it would be put into the Nye County fund.

Commissioner Strickland made a motion to adopt Resolution No. 2020-26; seconded by Commissioner Blundo; 5 yeas.

**EQUIPMENT SERVICES**

**34. For Possible Action – Discussion and to: 1) Determine that excess Nye County vehicles and equipment are no longer required for public use; and 2) Determine it is in the best interest of Nye County to dispose of through auction or other means with all resulting proceeds deposited into Fund 10401 or 10402 Capital Projects based on Comptroller determination upon receipt of the funds.**

Commissioner Blundo made a motion to determine that excess Nye County vehicles and equipment were no longer required for public use and it was in the best interest of Nye County and the public to dispose of through auction or other means with funds deposited into fund 10401 or 10402 depending on Comptroller determination upon receipt of the funds; seconded by Commissioner Strickland.

**34. For Possible Action – Discussion and to: 1) Determine that excess Nye County vehicles and equipment are no longer required for public use; and 2) Determine it is in the best interest of Nye County to dispose of through auction or other means with all resulting proceeds deposited into Fund 10401 or 10402 Capital Projects based on Comptroller determination upon receipt of the funds- Cont'd.**

Commissioner Cox asked what the other means would be and who determined the value of the equipment.

Savannah Rucker said if it did not sell at auction it would probably go to salvage. She was not sure who determined the values and thought it was just an estimate based on past auction levels.

Sheriff Wehrly added they went through most all of the vehicles and equipment and if they could use it in another area it did not go to auction.

The motion to determine that excess Nye County vehicles and equipment were no longer required for public use and it was in the best interest of Nye County and the public to dispose of through auction or other means with funds deposited into fund 10401 or 10402 depending on Comptroller determination upon receipt of the funds passed with 5 years.

**PUBLIC PETITIONER**

**41. For Possible Action – Discussion and deliberation regarding a request from Constance Allison to modify the action taken by the Board of Commissioners on Item 10 at their June 16, 2020 Meeting regarding Appeal Application AP-2020-000025 where the board affirmed the decision of the Pahrump Regional Planning Commission (PRPC) to deny the Conditional Use Permit (CUP) CU-2020-000092, and deny Waiver WV-2020-000109. Both regarding the illegal RV Park located at 1060 E. Second Street, Pahrump, NV, Assessor's Parcel Number 035-308-02.**

Commissioner Koenig said he did not personally remember setting a date when the residents had to be out. All the Board did was decide they could not continue as an RV park.

Commissioner Strickland said she remembered there was an appeal process to be made in a certain period of time, which was not being made anyway. There was no date.

Michelle Nelson said that was correct. She had two conversations with Ms. Allison's attorney, Tom Gibson, and she understood his request was to be given 60 additional days to vacate the residents from the trailer park. She also understood Brett Waggoner was looking to start enforcing the order. Unfortunately, the way the agenda was written it did not give the Board the authority to extend a date or set a date it never set. Mr.

**41. For Possible Action – Discussion and deliberation regarding a request from Constance Allison to modify the action taken by the Board of Commissioners on Item 10 at their June 16, 2020 Meeting regarding Appeal Application AP-2020-000025 where the board affirmed the decision of the Pahrump Regional Planning Commission (PRPC) to deny the Conditional Use Permit (CUP) CU-2020-000092, and deny Waiver WV-2020-000109. Both regarding the illegal RV Park located at 1060 E. Second Street, Pahrump, NV, Assessor’s Parcel Number 035-308-02-Cont’d.**

Gibson was aware that it could not be reconsidered under this item. Her recommendation was to bring a new action item if the Board would like to entertain a specific date or any extension of that date. Ms. Nelson also spoke with Mr. Waggoner who agreed to forego enforcement until these matters could be resolved.

There was no action was taken on this item.

## **FINANCE**

**35. For Possible Action – Discussion and deliberation to: 1) Adopt, amend and adopt, or reject Nye County Resolution No. 2020-27: A Resolution to Collapse the Nye County Renewable Energy Fund (10255); and 2) Adopt, amend and adopt, or reject budget transfer within functions of Fund 10255 Nye County Renewable Energy Fund to complete collapse of the fund.**

Commissioner Blundo made a motion to adopt Resolution No. 2020-27 as well as the budget transfer within functions of Fund 10255, Nye County Renewable Energy Fund, to complete the collapse of the fund; seconded by Commissioner Wichman; 5 yeas.

**36. For Possible Action – Discussion and deliberation to adopt, amend and adopt, or reject the Nye County Cares Act Policy up to and including Addendum C. The remaining Addendums are application forms that are being developed by the department.**

Samantha Kramer provided an overview of the policy and said the County would work with NACO to administer it. Page 8 was Addendum A, the Coronavirus Relief Fund terms and conditions for local governments issued by the State of Nevada which went over pages 9-25. Addendum B was the Coronavirus Relief Fund guidance for state, territorial and tribal governments for pages 27-50, and Addendum C was the funding allocation plan.

Commissioner Koenig asked about pages 9-25 as he did not have them.

Commissioner Wichman said she did not read pages 9-25, but she received a call from Commissioner Lister from Lincoln County. Their board was extremely concerned with signing that due to the language in there that left it open for the Governor to change

**36. For Possible Action – Discussion and deliberation to adopt, amend and adopt, or reject the Nye County Cares Act Policy up to and including Addendum C. The remaining Addendums are application forms that are being developed by the department-Cont'd.**

anything he wanted to, but without the signatures on that agreement the County would not get the money. She asked if staff had read through that.

Savannah Rucker explained she called Commissioner Lister over lunch and he specifically identified paragraph 8 on the Coronavirus Relief Fund Eligibility Certification, which was not included in the policy the Board had. His concern was the fact that the County must comply with the Governor's directive to receive the funding. She said that document was not included, but copies could be provided to the Board.

Commissioner Wichman said if Mrs. Rucker had read through it and was fine with it then she was fine with that.

Commissioner Koenig asked if he signed this document if he was agreeing to the part he had not seen yet.

Tim Sutton explained the document being discussed was the application submitted to the State. He signed that and did not see it any differently than a grant application which bound the County to certain laws the County had to abide by anyway. If that was a concern it could be brought back, but Mr. Sutton was concerned about the timeline.

Commissioner Koenig said he would like to see it.

Mr. Sutton said there would be an update on every agenda moving forward so the Board could see the numbers and reallocate as necessary.

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

Ammie Nelson thought the Board should sign this and just be careful where the money was disbursed so large corporations did not take money from small businesses.

The motion to adopt passed with 5 yeas.

**37. 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 as of last week unemployment claims were on the rise for a second straight week and it was expected to rise to 1.45 million. It was also the 19<sup>th</sup> straight week in which the initial claims totaled at least one million and the second straight week they rose after declining for 15 straight weeks. U.S. Weekly identified the second quarter gross domestic profit plunged at a historic 32.9%, which was not as bad as the 34.7% decline they had expected, but it was the closest decline to the mid-1920s

**37. 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.**

and the Great Depression era. As of July 31, 2020, 30 million unemployed Americans did not receive benefits. \$6.2 billion was the total unemployment funding provided by the State and feds to Nevada since the onset of COVID, the same amount provided between 2009 and 2012 in total.

Commissioner Wichman was not present.

Mrs. Rucker said law lawmakers were discussing extending unemployment from six to eleven weeks and she did not know where the funding would come from for that. She would provide an update in a couple of weeks and would have CTAX numbers through May at that time as well.

**INFORMATION TECHNOLOGY**

**38. For Possible Action – Discussion and deliberation to enter into a Communications Use Lease with the United States Department of Agriculture, Forest Service for Nye County to utilize a Private Mobile Radio Service Communications Facility located at the Sheep Canyon Communication Site. There is a fee waiver in place for this agreement so there will be no cost for this agreement.**

Commissioner Blundo made a motion to enter into a communications use lease with USDA Forest Service for Nye County to utilize a Private Mobile Radio Service Communications Facility located at the Sheep Canyon Communication Site; seconded by Commissioner Strickland; 4 yeas.

**42. 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 cloud seeding was brought up at the last meeting of the water board. The man who was responsible for it reminded everyone the equipment was still sitting there. The County invested a lot of money to get that program going and it was extremely successful. She pointed out that since the cloud seeding program ceased this area has been declared a drought area by the Governor. Ms. Nelson thought it might benefit the County to fund the program or have a BDR to have the State fund it.

Commissioner Strickland said the money would come from the water board. There was no action taken on that item and it should come back to them.

Melissa Blundo thanked the Board for picking August 7, 2020, as Purple Heart Day as it was her grandfather's birthday, who was a Purple Heart recipient. She then asked if the

**42. 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.**

State was now allowing physicians to prescribe hydroxychloroquine, zinc, etc., to treat the virus.

Chief Scott Lewis understood those things could be prescribed but not related to COVID specifically that he was aware of.

Herman Lewis thanked water board member Helene Williams for catching that the by-laws for the water board were not showing as well as Oz Wichman for putting them on-line quickly. Mr. Lewis asked the Commissioners to remind callers and viewers throughout the meeting that they should not rely on Granicus as it was not in synch with the teleconference call-in line to stop the frustration.

**36. For Possible Action – Discussion and deliberation to adopt, amend and adopt, or reject the Nye County Cares Act Policy up to and including Addendum C. The remaining Addendums are application forms that are being developed by the department-Reopened.**

Commissioner Strickland said when this was brought to the Commission originally the small business working capital numbers were \$5,000.00, \$10,000.00 and \$15,000.00 based on the number of employees. The numbers were now \$3,000.00, \$7,500.00 and \$10,000.00 and she asked why they changed.

Samantha Kramer explained the decision was made to do lower amounts to help more businesses but changing that could be discussed.

Commissioner Strickland wondered if the current numbers were extrapolated how much money would be spent if all applicants applied.

Commissioner Blundo said at the \$3,000.00/\$7,500.00/\$10,000.00 limits given the number of businesses listed in the back-up it would be \$1.398 million for the first item, \$1.402 million for the second, and \$97,000.00 for a grand total of \$3.77 million.

Commissioner Strickland thought the \$5,000.00/\$10,000.00/\$15,000.00 numbers were reflective, but she was not sure about business with 20-49 employees as it was not even defined.

Ms. Kramer explained that was a decision made by the Board to keep it up to 19, but that could be changed.

Commissioner Blundo asked if the cap could be removed and just be 10+ to encompass anyone else.

**36. For Possible Action – Discussion and deliberation to adopt, amend and adopt, or reject the Nye County Cares Act Policy up to and including Addendum C. The remaining Addendums are application forms that are being developed by the department-Reopened-Cont'd.**

Ms. Kramer said it could, but she warned about the potential of a company with 500+ employees applying.

Savannah Rucker explained when the numbers were changed less businesses were impacted. The thought process when the document was generated was to scale the dollars back, help define small businesses as 19 employees or less, and help more businesses. The Board could modify that schedule as well as the definition of small business and approve the policy in that manner. Additionally, Mrs. Rucker said this was one of many programs they planned on providing to small businesses.

Commissioner Blundo asked Commissioner Strickland if she would like to see the \$250,000.00 and \$25,000.00 out of contingency moved into working capital to reflect \$750,000.00, and employees for small businesses would remain the same but with limits of \$5,000.00/\$10,000.00/\$15,000.00.

Commissioner Strickland said she would like the limits to be \$5,000.00/\$7,500.00/\$10,000.00.

Commissioner Strickland made a motion to change the working capital for 0-4 to \$5,000.00, for 5-9 to \$10,000.00, for 10-19 to \$15,000.00, and move \$250,000.00 out of PPE as well as \$25,000.00 from contingency to working capital for small businesses.

Michelle Nelson advised since the Board acted on the previous motion it would need to be rescinded first.

Commissioner Koenig suggested \$1,000.00 per employee because he felt it was fairer.

Mrs. Rucker advised with an average of ten employees per business that could be substantial.

Commissioner Strickland made a motion to rescind the prior motion; seconded by Commissioner Blundo; 4 yeas.

Commissioner Strickland disclosed that she had small businesses and may or may not put in for this particular grant.

Commissioner Blundo disclosed he held a Nye County privilege liquor license and was a small business owner in the community for the last 30 years.

**36. For Possible Action – Discussion and deliberation to adopt, amend and adopt, or reject the Nye County Cares Act Policy up to and including Addendum C. The remaining Addendums are application forms that are being developed by the department-Reopened-Cont'd.**

Commissioner Blundo made a motion to amend and adopt changing it to \$5,000.00/\$10,000.00/\$15,000.00 with changes to the funding mechanism of \$250,000.00 and \$25,000.00 going from PPE to working capital; seconded by Commissioner Strickland; 4 yeas.

**42. 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)-Reopened.**

Herman Lewis asked if there was a chance the Commissioners could get together with the community and Greg Hafen about the community center and building it to house between 1,000 to 3,000 people for events. He also thought the racquetball courts should be on the outside.

Commissioner Koenig pointed out the walls moved and the courts could be covered with something different to make it look like a meeting room.

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

Regarding the community center, Commissioner Cox thought the County had been shorted \$5 million from VEA as it was going on another parcel instead of the one donated by VEA. She felt the County should be given title to that property for sale by the County and the money could be used for the community center or VEA could cut the County a check for \$5 million. She asked staff to look into that.

Sam Merlino advised she had received a copy of the voter registration form Leah Aldridge had received for her father. She reminded the public they would get a lot of mail from the political parties and other groups that were not from her office. This particular item said it was not official election mail from the State, a County Clerk or a City Clerk. If anyone had any questions they should call her office. Mrs. Merlino added that voter registrations were only sent from her office upon request.

Commissioner Blundo thanked Commissioner-Elect Dick Gardner for being in Tonopah as well as Commissioner-Elect Frank Carbone for coming to the meetings.

Commissioner Cox referred to a statement made by the Sheriff at the last meeting that under the guidelines of the Governor if a person could not wear a mask because of a health issue they were not required to have a medical card to go with it. She asked if that had changed.

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

Sheriff Wehrly said that was federal law and had not changed.

Commissioner Cox said a person told her that they got trespassed by Smith's today for not wearing a mask. Both Smith's and the deputy were demanding to know the reason and the deputy told them they needed to carry a medical document about a medical reason.

Sheriff Wehrly said she would talk to the deputy as that was incorrect. As far as the store, the Governor's mandate was directed through OSHA and was designed to give sanctions against the entity through OSHA. She said it was the same thing as a business not having to let a customer in to do business with them unless that person had a shirt, shoes, etc. The business had the right to trespass people to protect themselves as well as their license and to avoid OSHA sanctions.

**44. ADJOURN**

Commissioner Koenig adjourned the meeting.

APPROVED this 6<sup>th</sup> day ATTEST:

Of October, 2020.

Louinda A. Wickman 10-6-20  
Chair

Yvonne K. Sedman  
Nye County Clerk / Deputy