



**JOINT MEETING OF THE
NYE COUNTY BOARD OF COMMISSIONERS
NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS
NYE COUNTY LICENSING AND LIQUOR BOARD
NYE COUNTY BOARD OF HEALTH
AS THE GOVERNING BODY OF THE UNINCORPORATED TOWN OF PAHRUMP
AS THE GOVERNING BODY OF UNINCORPORATED TOWNS OF BEATTY GABBS MANHATTAN
AND AS THE BOARD OF TRUSTEES FOR THE PAHRUMP POOL DISTRICT**

101 Radar Road, Tonopah, NV 89049

January 4, 2022

10:00 a.m.

Nye County's vulnerable population, or those sheltering in place may, subject to technical difficulties, participate by calling 1-888-585-9008 and entering conference room number 255-432-824. Technical difficulties may occur before or during the meeting preventing your ability to call in.

The Chair of the Board of County Commissioners will open public comment periods by announcement. Commenters must press *9 on their telephone keypads to notify Administration they wish to speak.

The teleconference is also viewable at www.NyeCounty.net. There is a 30 to 40 second delay between the teleconference and the meeting video.

NOTE: All items are approximate except for bid openings, public hearings, and any other items agendaized at a specific time. Items on the agenda without a time designation may be taken out of order. The Board may combine two or more agenda items for consideration. The Board may remove an item from the agenda or delay discussion relating to an item on the agenda at any time. Items on the agenda without a time designation may not necessarily be considered in the order in which they appear on the agenda. **NOTICE: It is anticipated that the items of business before the Board of Commissioners on January 4, 2022 will be fully completed on that date. However, should item(s) not be completed, it is possible item(s) could be carried over and be heard before the Board of Commissioners beginning at 8:30 a.m. on the next day.**

Public Comment during the Commission Meeting on January 4, 2022 will be for all matters off the agenda, and be limited to up to three minutes per person. Additionally, public comment of up to three minutes per person may be heard during individual action items. The Commission reserves the right to reduce the time allowed for public comment. The Commission may prohibit comment if the content of the comments is a topic that is not relevant to, or within the authority of, the Commission, or if the content of the comments is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive, inflammatory, irrational or amounting to personal attacks or interfering with the rights of other speakers. Persons are invited to submit comments in writing on the agenda items and/or attend and make comment on that item at the Commission meeting. **Decorum** during the meeting must be upheld pursuant to the BOCC Rules of Procedure sections 7.5.3 and 7.5.4 whereby no person in the audience shall engage in disorderly conduct such as hand clapping, stamping of feet, whistling, using profane language, yelling, and similar demonstrations, which conduct disturbs the peace and good order of the meeting. Any person who becomes disruptive or interferes with the orderly business of the Board may be removed from the Board Chambers or other meeting room for the remainder of the meeting.

Pursuant to NRS 241.020, the Agenda for the Commission Meeting has been posted at the following locations. Tonopah Convention Center, 301 Brougner Avenue, Tonopah, NV; U.S. Post Office, 201 Erie Main St., Tonopah, NV; Commissioners' Meeting Room, 101 Radar Road, Tonopah, NV; District Court, 101 Radar Road, Tonopah, NV; Commissioners' Chambers, 2100 E. Walt Williams Drive, Pahrump, NV

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [How to File a Program Discrimination Complaint](#) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

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Additional Posting Locations: Amargosa Valley Community Center, 821 E. Amargosa Farm Rd., Amargosa Valley, NV; Beatty Community Center, 100 South A Ave., Beatty, NV; Gabbs Town Hall, 503 Brucite St., Gabbs, NV; Round Mountain Community Center, 650 Civic Dr., Round Mountain, NV

Support documentation for the items on the agenda, provided to the Nye County Board of Commissioners is available to members of the public at the County Manager's Office (101 Radar Road, Tonopah, Nevada & 2100 E. Walt Williams Drive, Pahrump, Nevada) and on the County's website, or by calling Administration at (775) 482-8192

WEBSITE: www.nyecountynv.gov

Special Note: Any member of the public who is disabled and requires accommodation or assistance at this meeting is requested to notify the Nye County Manager's Office in writing or call 775-482-8191 prior to the meeting.

- 1. Pledge of Allegiance**
- 2. Commissioners'/Manager's Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)**
- 3. Approval of the Agenda for January 4, 2022 (Non-action item)**
- 4. GENERAL PUBLIC COMMENT (up to three-minute time limit per person.) Action will not be taken on the matters considered during this period until specifically included on an agenda as an action item (first).**
5. For Possible Action – Election of Chair of the Board of Commissioners.
6. For Possible Action – Election of Vice Chair of the Board of Commissioners.
- 7. For Possible Action – Emergency Items**
8. [For Possible Action](#) – Discussion and deliberation regarding meeting minutes from the November 16, 2021, joint meeting of the Nye County Board of Commissioners, Board of Highway Commissioners, Licensing and Liquor Board, Board of Health, the Governing Body of Unincorporated Town of Pahrump, the Governing Body of the Unincorporated Towns of Beatty, Gabbs, and Manhattan, and the Board of Trustees for the Pahrump Pool District.

SITTING AS THE BOARD OF COUNTY COMMISSIONERS

TIMED ITEMS

9. **10:00 a.m.** – [Presentation](#) of a certificate to one employee honored for their years of service.
10. **10:00 a.m.** – [For Possible Action](#) – Discussion and deliberation regarding the Treasurer's Report by Nye County Treasurer on bank reconciliation 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.
11. **10:00 a.m.** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation to adopt, amend and adopt, or reject Nye County Bill No. 2021-12: A Bill proposing to repeal Nye County Ordinance 419, Establishing Changed County Commissioner Election Districts because of changes in population as reported in the year 2020 decennial census; and providing for the severability, constitutionality, and effective date thereof; and other matters properly relating thereto.
12. **10:00 a.m.** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation on ETSU-21-84: An application to allow a cannabis establishment (cultivation and production), located at 5256 W. Amargosa Farm Road, Amargosa Valley, NV. Assessor's Parcel Number 019-041-18. May Liu – Property Owner. Natural Green Goodness, LLC – Applicant.

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- 13. **10:00 a.m.** – [For Possible Action](#) – **Public Hearing**, discussion, and deliberation to issue an Outdoor Festival License to Kaedon Berry for the Monster Truck Insanity event to be held May 6 through 7, 2022, at Petrack Park, 150 Highway 160, Pahrump, NV.
- 14. **10:00 a.m.** – [Presentation](#) by Kevin Knapp with Navarro, a Contractor to the U.S. Department of Energy (DOE) Environmental Management Nevada Program, regarding “How you can represent your community on the Nevada Site Specific Advisory Board (NSSAB)”.
- 15. **10:00 a.m.** – [Presentation](#) by Misha Allen, Extension Educator regarding the Fiscal Year 2020-2021 Report for University of Reno (UNR) Extension in Nye County.

SITTING AS THE NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS

- 16. For Possible Action – Election of Chair of the Board of Highway Commissioners.
- 17. For Possible Action – Election of Vice – Chair of the Board of Highway Commissioners.
- 18. [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.

SITTING AS THE NYE COUNTY LICENSING AND LIQUOR BOARD

- 19. For Possible Action – Election of Chair of the Nye County Licensing and Liquor Board.
- 20. For Possible Action – Election of Vice – Chair of the Nye County Licensing and Liquor Board.

SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

- 21. [For Possible Action](#) – Discussion and deliberation to 1) Appoint four members to the Pahrump Public Lands Advisory Committee due to five vacancies from the following list of applicants: Robert Adams, Frank Slaghuis, Rick Tretter, and Michael Zaman; or 2) Readvertise for the appointment.

SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWNS OF BEATTY, GABBS, MANHATTAN, AND RAILROAD VALLEY

BEATTY

- 22. [For Possible Action](#) – Discussion and deliberation to: 1) Accept the State of Nevada Division of Tourism – Travel Nevada Grant Award for the Town of Beatty in the amount of \$7,497.00 for the purpose of Beatty Town Social Media Campaign with a match of \$7,497.00; and 2) Fund \$7,497.00 from 10340 Grants and fund the match amount of \$7,497.00 from 24101 Beatty General Fund.

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.

- 23. [For Possible Action](#) – Approval of the quarterly update report for major construction projects within Nye County that includes the Animal Shelter, One Stop Shop, Siemens, and the Tonopah Justice Court Remodel projects.

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BOARD OF COMMISSIONERS

24. 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.
25. Closed meeting, pursuant to NRS 241.015(3)(b)(2) for purposes of conferring with legal counsel regarding potential or current litigation.
26. For Possible Action – Discussion and deliberation on conference with legal counsel regarding potential or current litigation presented in closed meeting.
27. 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.
28. 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.
29. For Possible Action – Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.
30. [For Possible Action](#) – Discussion and deliberation to consider a request to permanently modify the Town of Pahrump Fireworks Launch Site parking lot to accommodate the Veterans of Foreign Wars Rider Group (VFWRG) motorcycle training practices by removing approximately 220 affixed cement parking blocks, removing approximately 440 pieces of rebar the parking blocks are connected to, changing the ingress and egress flow of traffic, and painting the asphalt for training purposes as proposed by Bill Carns with the VFWRG.

CLERK

31. [For Possible Action](#) – Discussion and deliberation to: 1) Ratify the Nye County Clerk, Sandra Merlino’s acceptance of the FY22 FFY2018 Help America Vote Act (HAVA) Election Security Grant Award through the Office of the Secretary of State in the amount of \$677.00 to provide funding for the purchase and installation of the imprinter on the Dominion Scanner with no match required; and 2) Fund \$677.00 from 10340 Grants Fund.
32. [For Possible Action](#) – Discussion and deliberation to: 1) Appoint one member to Railroad Valley Advisory Board due to one expiring term from the following list of applicants: Dorothy Bloom; or 2) Readvertise for the appointment.

JUSTICE(S) OF THE PEACE

33. [For Possible Action](#) – Discussion and deliberation to: 1) Accept or reject the FY22 Administrative Office of the Courts (AOC) Grant Award for the Beatty Justice Court in the amount of \$40,585.00 to provide funding for the JAVS System upgrade in Beatty Justice Court; 2) Approve, amend and approve, or reject the Sales Contract and Agreements between Justice AV Solutions (JAVS) and Nye County in the amount of \$77,941.52 for the purchase of Audio/Video Upgrades in the Nye County Beatty Justice Courtroom; 3) Execute the agreements; and 4) Fund \$40,585.00 from 10340 Grants and \$37,356.52 from 10401 Capital Projects.

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34. [For Possible Action](#) – Discussion and deliberation to: 1) Ratify County Manager, Tim Sutton’s acceptance of the FY22 Administrative Office of the Courts (AOC) “Other Federal Assistance” (Grant Award) through the Coronavirus Relief Fund (CRF) in the amount of \$1,999.00 to provide funding for the ZOOM Annual License in Pahrump Justice Court with no match required; and 2) Fund \$1,999.00 from 10340 Grants.

DISTRICT COURT

35. [For Possible Action](#) – Discussion and deliberation to: 1) Approve, amend and approve, or reject a Professional Services Agreement between Westcare Nevada Inc. and Nye County to provide counseling services, adult drug court team participation, and evaluation of the program; 2) Execute the Agreement; and 3) Fund \$1,307,660.80 from 10340 Grants.

JUVENILE PROBATION

36. [For Possible Action](#) – Discussion and deliberation to: 1) Approve, amend and approve, or reject an Interlocal Agreement between Clark County on behalf of Department of Juvenile Justice Service (DJJS) and Nye County on behalf of Nye County Juvenile Probation Department to house and detain juveniles in the amount of \$300.00 per day for each juvenile; 2) Execute the Agreement; and 3) Fund from 10230 Juvenile Probation.

FINANCE

37. [For Possible Action](#) – Discussion and deliberation to: 1) Adopt, amend and adopt, or reject Nye County Resolution No. 2022-01: A Resolution to direct the Comptroller and/or Treasurer to close the Nye County Employee Flexible Spending Account at Nevada State Bank; 2) Deposit the funds into the Nye County Deposit Account at Nevada State Bank into fund 10607 for the purpose of funding the County’s new Flexible Spending Account.
38. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject budget transfer of appropriations between functions within the Gabbs Town General Fund 23101.

PUBLIC WORKS

39. [For Possible Action](#) – Discussion and deliberation to: 1) Discuss the responses received from the solicitation of quotes for the Mount Charleston and Dandelion Guardrail Project; 2) Award the project to Nevada Barricade and Sign Co. Inc. in the amount of \$32,866.25 or Wulfenstein Construction in the amount of \$29,765.42; 3) Fund from 10205 Road; or 4) Reject bids and direct Public works to construct the guardrail in the amount of \$40,324.07.
40. [For Possible Action](#) – Discussion and deliberation to: 1) Approve the Memorandum of Agreement (MOA) dated December 7, 2021 and Funds Transfer Agreement Modification No. 001 with the Federal Highway Administration-Central Federal Lands Highway Division (FHWA-CFLHD) in the amount of \$1,790,000.00 for the reconstruction and widening of Bell Vista Avenue and Bob Ruud Memorial Highway, and to meet the matching requirements and all conditions set forth in the MOA for the Nevada Federal Lands Access Program (NV FLAP) Bell Vista and Bob Ruud Memorial Highway Grant; 2) Execute the MOA and Modification No. 001; and 3) Fund \$1,790,000.00 from 10205 Roads.

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41. [For Possible Action](#) – Discussion and deliberation to accept an offer of dedication for road right-of-way being a 40.00-foot Utility and Right-of-Way dedication for West Bell Vista Avenue and North Bannavitch Street with a 20-foot radius at the intersection as depicted on Exhibit A from Jacqui Huff and designate the new dedicated roads as “General County Road” (accepting maintenance) fronting the property located at 4031 West Bell Vista Avenue, Pahrump, NV, Assessor’s Parcel Number 027-181-01 per Nevada Revised Statute 403.170.
42. [For Possible Action](#) – Discussion and deliberation to accept an offer of dedication for road right-of-way being a 50.00-foot Utility and Right-of-Way dedication for North Leslie Street and a 30.00-foot Utility and Right-of-Way dedication for West Robin Street fronting the property located at 1970 West Robin Street, Pahrump, NV, Assessor’s Parcel Number 029-364-08 from Earl and Sharon Tatum and designate the Leslie Street dedication a “General County Road” (accepting the maintenance) and designate the West Robin Street dedication a “Minor County Road” (rejecting the maintenance) per Nevada Revised Statute 403.170.
43. **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).**
44. **Commissioners'/Manager's Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)**
45. **ADJOURN**

Nye County Board of County Commissioners Meeting Participation Information:

- Call **1-888-585-9008** and enter conference room code **255-432-824**.
- Public comment periods will be opened by announcement.
- Commenters must press *9 if they wish to speak. You will hear “the organizer sees your raised hand” when the control has been properly engaged.
- When it is your turn to give comment, you will hear “you may now speak” and must identify yourself by saying and spelling your first and last name.

Notes:

- The meeting is viewable at http://nyecounty.granicus.com/ViewPublisher.php?view_id=4 there will be a 40 second delay from the video to the call.
- Report issues to Nye County Admin at nyeadmin@co.nye.nv.us or by calling 775-482-8192