



**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 BELMONT GABBS
MANHATTAN AND RAILROAD VALLEY
AS THE BOARD OF TRUSTEES FOR THE PAHRUMP POOL DISTRICT**

101 Radar Road, Tonopah, NV 89048

April 6, 2021

10:00 a.m.

Pursuant to the State of Nevada Governor's Guidance for COVID-19 safety measures, Nye County Board of Commissioners will hold public meetings with limited in-person capacity while continuing to follow social distancing to slow the spread of COVID-19. Public attendance will be on a first-come, first-served basis. Masks/face coverings are required at all times.

Nye County's vulnerable population, those sheltering in place or members of the public in excess of the capacity limit can participate by calling 1-888-585-9008 and entering conference room number 255-432-824.

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.

Public Comment during the Commission Meeting on April 6, 2021 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 will be taken during individual action items but before the Commission takes action on the item. 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.

NOTE: All items are approximate except for bid openings, public hearings, and any other items agendized 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 April 6, 2021 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.**

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

April 6, 2021

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

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 Melissa Godfrey at (775) 482-8191

WEBSITE: www.nyecounty.net

The Nye County Board of Commissioners may take a short break every 1 ½ hours.

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. [Presentation](#) by the Director of Emergency Management regarding the status of the COVID-19 outbreak.
3. **Commissioners'/Manager's Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)**
4. **Approval of the Agenda for April 6, 2021 (Non-action item)**
5. **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)**
6. **For Possible Action – Emergency Items**
7. [For Possible Action](#) – Discussion and deliberation regarding meeting minutes from the [February 18, 2021](#) and [March 2, 2021](#) joint regular meetings 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.

TIMED ITEMS

8. **10:00 a.m.** – [Presentation](#) of certificates and/or plaques to two employees honored for their years of service.
9. **10:00 a.m.** – [Presentation](#) from Best in the Desert Racing Association regarding the Rocky Mountain World Hare and Hound Championship on May 21-23, 2021.
10. **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 Pahrump Balloon Festival to be held April 29, 2021 through May 2, 2021, at Ian Deutch Park located at 1600 Honeysuckle Street, Pahrump, NV.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

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11. **10:00 a.m.** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation to adopt, amend and adopt, or reject Nye County Bill No. 2021-01: A Bill proposing to amend Nye County Code Title 17, titled Comprehensive Land Use Planning and Zoning, by adding Chapter 17.12, titled Craft Distillery, Brewery, Brew Pub, Cidery, Meadery and Winery Zoning Requirements, to establish the zoning, land use and development requirements applicable to distilleries, micro-distilleries, cidery, microbreweries, brew pubs, meaderies and wineries within Nye County, including those areas within the Pahrump Regional Planning District; 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 to: 1) Ratify a Collective Bargaining Agreement (CBA) Extension Agreement for the Nye County Law Enforcement Association (NCLEA) Agreement which expired on June 30, 2020; and 2) Set a new expiration date of June 30, 2021, to include the reporting of the fiscal impact of a one-time ratification bonus, of an additional twenty hours of annual leave.
13. **10:00 a.m.** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation on the notice of intention to authorize one or more installment purchase agreements by Nye County, NV for the purpose of financing the cost of building projects for energy conservation.
14. **10:00 a.m.** – [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No: 2021-08: A Resolution authorizing installment-purchase agreements for the purpose of financing the cost of building projects for energy conservation; directing the County Comptroller to forward materials to the Department of Taxation of the State of Nevada and the Debt Management Commission of Nye County, authorizing the County Comptroller to execute the County’s installment-purchase agreements evidencing such financing, and providing the effective date hereof.

SITTING AS THE NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS

15. [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

LIQUOR

16. [For Possible Action](#) – Discussion and deliberation to approve a Retail Liquor License for Shenanigans Pub, LLC., located at 1330 E. Calvada Blvd., Pahrump, NV. Brooke Brubaker – Applicant.
17. [For Possible Action](#) – Discussion and deliberation to approve a Package Liquor License for Pahrump Investment, LLC. dba Pahrump Circle K, located at 40 E. Basin Ave., Pahrump, NV. Mehendra Patel and Iqbal Hussein – Owners/Applicants.

SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

18. [For Possible Action](#) – Discussion and deliberation to appoint one member to the Pahrump Arena Advisory Committee due to one expiring term from the following list of applicants: Steve Pastorelli.
19. [For Possible Action](#) – Discussion and deliberation to approve a request from the Pahrump Park and Recreation Advisory Committee for: 1) An amount not to exceed \$15,000.00 for the Pahrump Movies in the Park event; 2) Approve, amend and approve, or reject an agreement with Entertainment Concepts to provide services for presenting the movies for the event; 3) Execute the agreement; and 4) Fund from 25223 Pahrump Room Tax 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.

- 20. [For Possible Action](#) – Approval of Assessor’s Office Change Requests to allow the Nye County Assessor to process and:
 - 1) Issue an amended tax bill in the amount of \$47.43 to JIPH Land, LLC, owner of a 1985 Rosewood 10’x32’ manufactured home located at 271 S. Slater Cir., Pahrump, NV, Personal Property Account Number MH011130.
 - 2) Issue an amended tax bill in the amount of \$10,916.74 to Terry Fisher, owner of 2128 N. Mojave Rd., Amargosa Valley, NV, Assessor’s Parcel Number 019-041-17.
 - 3) Issue an amended tax bill in the amount of \$1,458.39 to Next Gen Farms, LLC owner of 5256 W. Amargosa Farm Rd., Amargosa Valley, NV, Assessor’s Parcel Number 019-041-18.
- 21. [For Possible Action](#) – Approval to adopt Nye County Resolution No. 2021-09: A Resolution Directing the Levy of a Special Assessment on All Taxable Property Situated Within the Confines of the Pahrump Valley Groundwater Basin for Fiscal Year 2021-2022.
- 22. [For Possible Action](#) – Approval to adopt Nye County Resolution No. 2021-10: A Resolution Directing the Levy of a Special Assessment on Each Water User Situated Within the Confines of the Groundwater Basins Within Nye County for Fiscal Year 2021-2022.
- 23. [For Possible Action](#) – Approval to: 1) Accept a SubAward Amendment #1 for CARES Act increase in monies to the Community Service Block Grant (CSBG) in the amount to \$117,508.00 for total grant award of \$161,968.00, along with Assurances. There is no County match required; 2) Execute the SubAward Amendment #1; and 3) Fund from 10340 Grants.

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 nominate Joni Eastley and Trish Rippie to the Rural Nevada Development Corporation’s (RNDC) Board of Directors.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

April 6, 2021

31. [For Possible Action](#) – Discussion and deliberation to consider formatting all resolutions adopted by the Board of County Commissioner to be signed by all Commissioners.
32. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No: 2021-11: A Resolution to Call on the State Legislature to End the State of Emergency for the COVID-19 Pandemic.
33. [For Possible Action](#) – Discussion and deliberation to: 1) Fully reopen Nye County to 100% occupancy; 2) Based on CDC guidelines, recommend not mandate mask wearing in Nye County. Nye County will not violate a Citizen's Constitutional right if wearing a mask is against their religion or they are exempt per the Governors Directives; and 3) Direct the County Manager to fully reopen all County, Town offices under our control and purview, and leave to any localities not under our control or purview to their respectful Board's discretion.

CLERK

34. [For Possible Action](#) – Discussion and deliberation to appoint one member to the Northern Nye County Hospital District Board of Trustees due to one resignation from the following list of applicants: Horace H. Carlyle and Samantha Parke-Faga.
35. [For Possible Action](#) – Discussion and deliberation to appoint one member to the Railroad Valley Advisory Board due to one vacancy from the following list of applicants: Brenna Rogne.

PUBLIC ADMINISTRATOR

36. [Presentation](#) regarding the quarterly report from the Public Administrator on deceased person cases that are open, closed, pending, NCPA Creditor Claims, non-cases or cases that have been turned over to family.

SHERIFF

37. [For Possible Action](#) – Discussion and deliberation to: 1) Discuss the Consumer Price Index (CPI) Amendment to the Food Services Partnership Agreement with Summit Food Services, LLC; 2) Approve, amend and approve, or reject the Amendment for a 3% CPI Increase; 3) Execute the agreement; and 4) Fund from 10236 Nye County Jail Fund.

COUNTY MANAGER

38. [For Possible Action](#) – Discussion and deliberation to ratify the County Manager's selection of Lorinda Wichman as Natural Resources Director.
39. [For Possible Action](#) – Discussion and deliberation to: 1) Approve, amend and approve or reject a lease agreement with Cypress Holdings (Nevada), LTD for a portion of property located at the Tonopah Airport for the purpose of construction, improvement, operation and maintenance of a metals milling operation and all incidental, related and associated activities, including, but not limited to, the transportation, storage and repose of materials for and products of metals milling and processing. The initial term of the Agreement is five years, with an option to renew for up to two consecutive periods of five years; 2) Execute the lease agreement; and 3) Deposit revenues into Fund 10209 Airport.

FINANCE

40. [For Possible Action](#) – Discussion and deliberation to fund previously approved contracts with Marquis Aurbach Coffing from the Nye County General Contingency Fund not to exceed \$50,000.00.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

April 6, 2021

41. [For Possible Action](#) – Discussion and deliberation regarding an appeal request from ACC Enterprises, LLC. pursuant to the Dispute Process within the Nye County COVID Relief Program and Policy to allow their application to be considered in the review process of the Nye County COVID Relief Program and Policy: Small Business Grant Program due to the employee count exceeding thirty employees, a stipulation of the parameters.
42. [For Possible Action](#) – Discussion and deliberation to: 1) Review and approve, amend and approve, or deny an application from Tails of Nye County, Inc. under the Nye County COVID Relief Program and Policy: Public Assistance Administered by Non-Profits, Not-For-Profits, and Charities in the amount of \$30,000.00.
43. [For Possible Action](#) – Presentation, discussion, deliberation and possible amendment of the 2021 Nye County COVID Relief Program and Policy to provide financial assistance to the public, small businesses, non-profits, and government agencies located within Nye County affected by the COVID-19 Pandemic health emergency.

HEALTH & HUMAN SERVICES

44. [For Possible Action](#) – Discussion and deliberation to reauthorize the District Attorney’s Office to assist the Nye County Public Guardian’s Office on all present and future cases pursuant to NRS 253.215.

INFORMATION TECHNOLOGY

45. [For Possible Action](#) – Discussion and deliberation to: 1) Approve, amend and approve, or reject Amendment #3 with Commnet of Nevada, LLC. to lease ground space for a new tower and to transfer the ownership of the existing tower to Nye County; 2) Execute the agreement; and 3) Continue to deposit revenues to 10291 County Owned Building Fund.

PLANNING

46. [For Possible Action](#) – Discussion and deliberation to: 1) Approve, amend and approve, or reject a Letter of Agreement with Holistic Engineering and Land Management (HELM) for topographic data in support of scoping and performing the Pahrump Phase I Risk Mapping Assessment and Planning (MAP) Program; 2) Execute the Letter of Agreement; and 3) Approval to waive the GIS Program Fees.

PUBLIC WORKS

47. [For Possible Action](#) – Discussion and deliberation to accept an offer of dedication for road right-of-way being a 40.00 foot right-of-way dedication for East Basin Avenue and a 30.00 foot Right-of-way dedication for East Wilson Road along the North and South sides of Assessor’s Parcel Number 035-311-02 from Mrkulic Investments, LLC, and designate as a “General County Road” (accepting maintenance) for the purpose of future road improvements when Nye County improves East Basin Avenue and East Wilson Road fronting the property located at 700 East Wilson Road, Pahrump, NV, Assessor’s Parcel Number 035-311-02.
48. [For Possible Action](#) – Discussion and deliberation to accept a Restrictive Covenant Running with the Land agreement between Nye County and AG Construction Inc./Andrew Grasso, for the property located at 1980 E. Ambush Street, Pahrump, NV, Assessor’s Parcel Number 042-151-16, for the purpose of future road improvements to be paid for by the property owner.
49. [For Possible Action](#) – Discussion and deliberation to approve, amend and approve or reject the Agreement for Sidewalk Repair with Marc Wayne Light to repair a damaged section of sidewalk as part of the sidewalk repair project on Main Street in Tonopah, affronting 117 N. Main Street, Tonopah, NV Assessor’s Parcel No. 008-136-06.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

April 6, 2021

- 50. 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)**
- 51. Commissioners’/Manager’s Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)**
- 52. ADJOURN**

Pursuant to the State of Nevada Governor’s Guidance for COVID-19 safety measures, Nye County Board of Commissioners will hold public meetings with limited in-person capacity while continuing to follow social distancing to slow the spread of COVID-19. Public attendance will be on a first-come, first-served basis. Masks/facial coverings are required at all times.

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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 teleconference 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 775-482-8191.