



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

2100 E. Walt Williams Drive, Pahrump, NV 89048

April 20, 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/facial 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.

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 April 20, 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.**

Public Comment during the Commission Meeting on April 20, 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 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.

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 20, 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 20, 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 [March 16, 2021](#) joint regular meeting and [March 24, 2021](#) joint teleconference of the Nye County Board of Commissioners, Board of Highway Commissioners, Nye County Licensing and Liquor Board, Nye County Board of Health, the Governing Body of the Unincorporated Town of Pahrump, the Governing Body of the Unincorporated Towns of Beatty, Gabbs, Manhattan, and Railroad Valley, and the Board of Trustees for the Pahrump Pool District.

SITTING AS THE BOARD OF COUNTY COMMISSIONERS

TIMED ITEMS

8. **10:00 a.m.** – [Presentation](#) of certificates and/or plaques to eight employees honored for their years of service
9. **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.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

April 20, 2021

10. **10:00 a.m.** – [For Possible Action](#) – **Public Hearing**, discussion, and deliberation to issue an Outdoor Festival License to the Pahrump Disability Outreach Program for the Pumpkin Days event to be held October 22-24, 2021, at Ian Deutch Park located at 1600 Honeysuckle Street, Pahrump, NV.
11. **10:00 a.m.** – [For Possible Action](#):
 - a. For Possible Action – **Public Hearing**, discussion, and deliberation on MP-2021-000016: A Minor Master Plan Amendment application to change 4.79 acres from the Rural Density Residential (RDR) land use designation to the Community Development Area (CDA) land use designation, located at 170, 200, 230 & 260 E. Basin Avenue, Pahrump, NV, Assessor’s Parcel Numbers 035-561-22 through 035-561-25. Dave Walnum – Property Owner. Western Trade Constructions – Applicant/Agent.
 - b. For Possible Action – **Public Hearing**, discussion, and deliberation on ZC-2021-000057: A Zone Change application to change 4.79 acres from the Rural Homestead (RH-4.5) zone to the General Commercial (GC) zone, located at 170, 200, 230 & 260 E. Basin Avenue, Pahrump, NV, Assessor’s. Parcel Numbers 035-561-22 through 035-561-25. Dave Walnum – Property Owner. Western Trade Constructions – Applicant/Agent.
12. **10:00 a.m.** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation on ZC-2021-000058: An application for a (Conforming) Zone Change to change 1.2 acres from Neighborhood Commercial (NC) to General Commercial (GC), to allow a hotel, located at 2401 S. Homestead Road, Pahrump, NV, Assessor’s Parcel Number 042-391-17. Square Trade Holdings – Property Owners. Derrick Takara – Applicant/Agent.
13. **10:00 a.m.** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation on SU-2020-000070: An application for a Special Use Permit to allow a marijuana 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.
14. **10:00 a.m.** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation on ET-2021-000040 to set the period of the extension for the extension of time granted at the March 16, 2021, BoCC meeting for Special Use Permits SU-2019-000060 and SU-2020-000068 to allow marijuana cultivation and production located at 1620 W. Charleston Park Avenue, Pahrump, NV, Assessor’s Parcel Number 036-601-57. CC Condos LLC. – Property Owner. Nye Natural Medicinal Solutions, LLC. / Pejman Bady, Managing Partner – Applicant.

SITTING AS THE NYE COUNTY LICENSING AND LIQUOR BOARD

LIQUOR

15. [For Possible Action](#) – Discussion and deliberation to approve a Retail Liquor License for Best Bet Products, Inc., dba The Grill Room, located at 5001 Club House Drive, Pahrump, NV. Shawn Holmes and Louis Sposato – Applicants.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

April 20, 2021

SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

16. [For Possible Action](#) – Discussion and deliberation regarding verbal or written activity reports provided by Town of Pahrump Committees: Pahrump Arena Advisory Committee, Nuclear Waste and Environmental Advisory Committee, Pahrump Off Highway Vehicle Park Advisory Committee, Pahrump Parks and Recreation Advisory Committee, Pahrump Public Lands Advisory Committee, Pahrump Tourism Advisory Committee, or Pahrump Veterans Memorial Advisory Committee, and direction from the Board regarding the verbal activity reports.
17. [For Possible Action](#) – Discussion and deliberation regarding a request to set a date, time, and location for a Public Hearing to formally adopt the Fiscal Year 2021-2022 final budget for the Town of Pahrump.
18. [For Possible Action](#) – Discussion and deliberation to appoint two members to the Pahrump Parks and Recreation Advisory Committee due to two vacancies from the following list of applicants: Eugene Frank and Vanessa Simmons.
19. [For Possible Action](#) – Discussion and deliberation to: 1) Approve, amend and approve or reject the agreement with Musco Sports Lighting for the purpose of the purchase and installation of Sports Lighting for the Town of Pahrump Arena utilizing the Interlocal Purchasing Cooperative Agreement with Sourcewell. There is no funding associated with this agreement.
20. [For Possible Action](#) – Discussion and deliberation to: 1) Approve, amend and approve or reject the Memorandum of Understanding between the Town of Pahrump and the Pahrump Valley Model Aviators for use of flying radio-controlled airplanes at the Pahrump Valley Fairgrounds; and 2) Execute the agreement. There are no costs associated with this agreement.

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

BEATTY

21. [For Possible Action](#) – Discussion and deliberation regarding a request to set a date, time, and location for a Public Hearing to formally adopt the Fiscal Year 2021-2022 final budget for the Town of Beatty.
22. [For Possible Action](#) – Discussion and deliberation to: 1) Accept a grant from the State of Nevada, Commission on Tourism for the Town of Beatty in the amount of \$3,748.00 with a required match amount of \$3,748.00 to be used to continue the social media campaign promoting Beatty as open for visitors; 2) Execute the award documents; and 3) Fund from 24220 Beatty Room Tax.

GABBS

23. [For Possible Action](#) – Discussion and deliberation regarding a request to set a date, time, and location for a Public Hearing to formally adopt the Fiscal Year 2021-2022 final budget for the Town of Gabbs.

MANHATTAN

24. [For Possible Action](#) – Discussion and deliberation regarding a request to set a date, time, and location for a Public Hearing to formally adopt the Fiscal Year 2021-2022 final budget for the Town of Manhattan.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

April 20, 2021

AS THE BOARD OF TRUSTEES FOR THE PAHRUMP POOL DISTRICT

25. [For Possible Action](#) – Discussion and deliberation regarding a request to set a date, time, and location for a Public Hearing to formally adopt the Fiscal Year 2021-2022 final budget for the Pahrump Pool District.

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.

26. [For Possible Action](#) – Approval of the Elected Official Collection Report regarding fees collected from elected county departments for services rendered by or provided to county citizens.
27. [For Possible Action](#) – Approval to set the date and location for the second Board of Commissioners meeting in July for Tuesday, July 20, 2021 in Pahrump, NV.
28. [For Possible Action](#) – Approval to: 1) Accept the SFY 2021 Notice of Sub-Award (NOSA) from the Nevada Aging and Disability Services Division (ADSD) in the amount of \$7,955.00 to provide commodity food funding for congregate and homebound nutrition services at the Tonopah Senior Center, as well as homebound services in Beatty, Nye County; 2) Execute the Sub-Award; and 3) Fund \$7,955.00 from 10281 Senior Nutrition.

BOARD OF COMMISSIONERS

29. 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.
30. Closed meeting, pursuant to NRS 241.015(3)(b)(2) for purposes of conferring with legal counsel regarding potential or current litigation.
31. For Possible Action – Discussion and deliberation on conference with legal counsel regarding potential or current litigation presented in closed meeting.
32. 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.
33. 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.
34. For Possible Action – Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.
35. [For Possible Action](#) – Discussion and deliberation to approve, amend and approve or reject one contract for Public Defender Services from the following list of applicants: Nadine Morton, Jherna Shahani and Pitaro & Fumo, CHTD.
36. [For Possible Action](#) – Discussion and deliberation to consider formatting all resolutions adopted by the Board of County Commissioner to be signed by all Commissioners.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

April 20, 2021

37. [Presentation](#) by Darryl Lackey regarding a proposed project idea to address homelessness in Pahrump.

CLERK

38. [For Possible Action](#) – Discussion and deliberation to appoint one member to the Amargosa Valley Town Board due to one resignation from the following list of applicants: John D. Denilofs and Wesley B. Jensen.
39. [For Possible Action](#) – Discussion and deliberation to appoint two members to the Beatty Library District due to two resignations from the following list of applicants: Frank Suchy.
40. [For Possible Action](#) – Discussion and deliberation to appoint one member to the Pahrump Library Board due to one resignation from the following list of applicants: Brenda Gibbons, Patricia Henderson, Daniel Kleis, John Pawlak and Joanne Valenti.

SHERIFF

41. [For Possible Action](#) – Discussion and deliberation regarding: 1) A request for an additional full-time permanent position for the Nye County Sheriff's Office-Finance Department, position titled Financial Assistant II; 2) Fund 60% from Nye County General Fund 10101, 40% from Nye County Jail Fund 10236; and 3) Make the effective fill date for the position May 1, 2021.

COUNTY MANAGER

42. [For Possible Action](#) – Discussion and deliberation to approve, amend and approve or reject the Nye County Mitigation and Enforcement Plan.

FINANCE

43. [For Possible Action](#) – Discussion and deliberation regarding a request to set a date, time, and location for a Public Hearing to formally adopt the Fiscal Year 2021-2022 final budget for Nye County.
44. [For Possible Action](#) – Discussion and deliberation regarding the budget status for February 2021 for Nye County and all sub-entities for Fiscal Year 2021.
45. [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.
46. [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.
47. [For Possible Action](#) – Discussion and deliberation to: 1) Review and approve, amend and approve, or deny an application from Faith for Action under the Nye County COVID Relief Program and Policy: Public Assistance Administered by Non-Profits, Not-For-Profits, and Charities in the amount of \$113,576.88.
48. [For Possible Action](#) – Discussion and deliberation to: 1) Review and approve, amend and approve, or deny an application from Nevada Rural Counties RSVP Program, 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 \$11,732.00.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

April 20, 2021

49. [For Possible Action](#) – Discussion and deliberation to: 1) Review and approve, amend and approve, or deny an application from RCBLV Our Lady of the Valley Roman Catholic Church under the Nye County COVID Relief Program and Policy: Public Assistance Administered by Non-Profits, Not-For-Profits, and Charities in the amount of \$45,000.00.
50. [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.
51. [For Possible Action](#) – Discussion and deliberation to: 1) Review and approve, amend and approve, or deny an application from the Northern Nye County Hospital District under the Nye County COVID Relief Program and Policy: Sub-entity Program in the amount of \$738,683.14.
52. [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

53. [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.

PLANNING/BUILDING/CODE COMPLIANCE

54. [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 in the amount of \$4,000.00.

PUBLIC WORKS

55. [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.
56. [For Possible Action](#) – Discussion and deliberation to: 1) Determine that a public purpose may be served by the acquisition of the real property more particularly described as Assessor’s Parcel Nos. 018-243-05, 019-551-17, 028-125-03, 029-661-05, 029-668-06, 029-675-02, 030-291-22, 030-301-09, 030-312-09, 030-312-12, 030-312-15, 035-263-08, 045-243-29, 047-131-05; 2) Consider the application made to the Board of County Commissioners by Nye County Public Works for permission to acquire the real property described as Assessor’s Parcel Nos. 018-243-05, 019-551-17, 028-125-03, 029-661-05, 029-668-06, 029-675-02, 030-291-22, 030-301-09, 030-312-09, 030-312-12, 030-312-15, 035-263-08, 045-243-29, 047-131-05; 3) Adopt, amend and adopt, or reject Nye County Resolution No.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

April 20, 2021

2021-12: A Resolution Directing the Transfer of Nye County Treasurer Trust Property into Nye County Ownership for Public Purposes; and 4) Fund \$9,443.39 in delinquent tax amounts from 10205 – Road Fund.

PUBLIC PETITIONER

- 57. [For Possible Action](#) – Discussion and deliberation regarding Nye County Proclamation No. P2021-03: A Proclamation in support of May – October 2021 as Nevada Wildfire Awareness Campaign.
- 58. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt or reject Nye County Resolution No. 2021-13: A Resolution Making Nye County a Bill of Rights Sanctuary.
- 59. **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).**
- 60. **Commissioners'/Manager's Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)**
- 61. **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.

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

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.