



**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
May 18, 2021
10:00 a.m.**

Pursuant to the State of Nevada Governor's Guidance for COVID-19 safety measures, 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 May 18, 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 May 18, 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

May 18, 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) 482-8192

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 775-482-8192 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 May 18, 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**

SITTING AS THE BOARD OF COUNTY COMMISSIONERS

TIMED ITEMS

- 7. 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.
- 8. 10:00 a.m. – [For Possible Action](#) – Public Hearing** on the Fiscal Year 2021-2022 Final Budget for Nye County; and discussion and deliberation to adopt, or amend and adopt the Final Budget for Nye County for Fiscal Year 2021-2022.
- 9. 10:00 a.m. – [For Possible Action](#) – Continued 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.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

May 18, 2021

- 10. 10:00 a.m. – [For Possible Action](#) – Public Hearing**, discussion, and deliberation on ZC-2020-000054: An application for a (Conforming) Zone Change to change 10.4 acres from Light Industrial (LI) to Heavy Industrial (HI), to allow an excavating gravel pit, located at 3320 E. Commerce Street, Pahrump, NV. Assessor Parcel Number 027-461-53. Daniel & Dawn Murphy – Property Owners. David A. Richards, Civilwise Services, Inc. – Applicant/Agent.
- 11. 10:00 a.m. – [For Possible Action](#)** – 4th Community Development Block Grant Coronavirus (CDBG-CV) Public Meeting: 1) Discuss eligible projects based on CDBG decisions; and 2) Prioritize applications for submittal. CDBG has determined the following Nye County 2021 CDBG-CV Applications as eligible and would like us to prioritize the following projects:
- Nye DEM Emergency Generators for Various Locations – \$328,680.00
 - Amargosa Seniors, Inc. Commodities Distribution Building Renovation – \$45,000.00
 - Town of Tonopah Convention Center Generator Project – \$150,000.00

SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

- 12. 10:00 a.m. – [For Possible Action](#) – Public Hearing** on the Fiscal Year 2021-2022 final budget for the Town of Pahrump; and discussion and deliberation to adopt, or amend and adopt the Final Budget for the Town of Pahrump for Fiscal Year 2021-2022.
- 13. [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.
- 14. [For Possible Action](#)** – Discussion and deliberation to: 1) Discuss the bid proposals received for Bid 2021-01 Kellogg Park Phase V – Dog Park; 2) Award Bid 2021-01 Kellogg Park Phase V – Dog Park to Morales Construction in the amount of \$294,975.00; 3) Approve, amend and approve or reject the contract with selected bidder; 4) Fund from 25401 General Fund Capital Project Fund; or 5) Reject bids and provide direction to staff on how to proceed with the project.
- 15. [For Possible Action](#)** – Discussion and deliberation regarding Town of Pahrump Proclamation No. P2021-02: A Proclamation Recognizing October 3, 2021 As Soroptimist International Pahrump Valley Day in the Town of Pahrump, Nye County, Nevada.
- 16. [For Possible Action](#)** – Discussion, deliberation, and direction to staff on whether or not to offer the Lakeview Executive Golf Course for sale.

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

BEATTY

- 17. 10:00 a.m. – [For Possible Action](#) – Public Hearing** on the Fiscal Year 2021-2022 Final Budget for the Town of Beatty; and discussion and deliberation to adopt, or amend and adopt the Final Budget for the Town of Beatty for Fiscal Year 2021-2022.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

May 18, 2021

GABBS

18. 10:00 a.m. – [For Possible Action](#) – **Public Hearing** on the Fiscal Year 2021-2022 Final Budget for the Town of Gabbs; and discussion and deliberation to adopt, or amend and adopt the Final Budget for the Town of Gabbs for Fiscal Year 2021-2022.

MANHATTAN

19. 10:00 a.m. – [For Possible Action](#) – **Public Hearing** on the Fiscal Year 2021-2022 Final Budget for the Town of Manhattan; and discussion and deliberation to adopt, or amend and adopt the Final Budget for the Town of Manhattan for Fiscal Year 2021-2022.

AS THE BOARD OF TRUSTEES FOR THE PAHRUMP POOL DISTRICT

20. 10:00 a.m. – [For Possible Action](#) – **Public Hearing** on the Fiscal Year 2021-2022 Final Budget for the Pahrump Pool District; and discussion and deliberation to adopt, or amend and adopt the Final Budget for the Pahrump Pool District for Fiscal Year 2021-2022.

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.

21. [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.
22. [For Possible Action](#) – Approval to set the date and location for the second Board of Commissioners meeting in August for Tuesday, August 17, 2021 in Pahrump, NV.

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.
24. Closed meeting, pursuant to NRS 241.015(3)(b)(2) for purposes of conferring with legal counsel regarding potential or current litigation.
25. For Possible Action – Discussion and deliberation on conference with legal counsel regarding potential or current litigation presented in closed meeting.
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.
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.
28. For Possible Action – Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.
29. [For Possible Action](#) – Discussion and deliberation regarding Nye County Proclamation No. P2021-04: A Proclamation Recognizing October 3, 2021 As Soroptimist International Pahrump Valley Day in Nye County, Nevada.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

May 18, 2021

CLERK

30. [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.
31. [For Possible Action](#) – Discussion and deliberation to appoint two members to the Pahrump Regional Planning Commission due to one resignation and one expiring term from the following list of applicants: Robert Adams, Walt Grudzinski, Elizabeth Lee, Gina Meredith, Joel Oscarson and Keith Scott.

DISTRICT ATTORNEY

32. [For Possible Action](#) – Discussion and deliberation regarding: 1) Retaining counsel to be selected by the District Attorney to research the merits of a potential lawsuit to challenge the statewide mask mandate; 2) Authorize District Attorney to execute contract for legal services in an amount not to exceed \$5,000.00; and 3) Fund from Contingency.

SHERIFF

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

JUSTICE(S) OF THE PEACE

34. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2021-14: A Resolution To Name The Courthouse Within The Ian Deutch Government Complex As The Gerald “Bear” Smith Courthouse In Honor Of Bailiff Gerald “Bear” Smith.

COUNTY MANAGER

35. [For Possible Action](#) – Discussion, deliberation, and direction to staff regarding the face covering guidelines.

FINANCE

36. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2021-15: A Resolution to Augment and Amend the 2020-2021 Budget of Nye County, State of Nevada.
Fund 10254 Building Department Fund in the amount of \$450,000.00.
37. [For Possible Action](#) – Discussion and deliberation regarding the budget status for March 2021 for Nye County and all sub-entities for Fiscal Year 2021.
38. [For Possible Action](#) – Discussion and deliberation to: 1) Discuss an appeal on the eligibility of the application from Our Lady of the Valley Roman Catholic Church under the CDBG-CV Program; 2) Approve, amend and approve, or deny submitting a letter on the sponsored applicants behalf as the grantee to the Governor’s Office of Economic Development for the CDBG-CV Program.
39. [For Possible Action](#) – Discussion and deliberation to discuss an appeal to allow an application from B and C Printing Inc. to be accepted under the Nye County COVID Relief Program and Policy: Small Business Grant Program due to a revoked State Business License.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

May 18, 2021

40. [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.

NATURAL RESOURCES

41. [For Possible Action](#) – Discussion and deliberation regarding approval for Lorinda Wichman to apply for a position on the Mojave Great Basin Resource Advisory Council based on the request from the Bureau of Land Management (BLM) for nominations to complete their Resource Advisory Council.

PUBLIC WORKS

42. [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.
43. [For Possible Action](#) – Discussion and deliberation to accept a Restrictive Covenant Running with the Land agreement between Nye County and Coyote Sunrise Ranch LLC., for the property located at 610 S. Buol Rd., Pahrump, NV, Assessor’s Parcel Number 035-352-09, for the purpose of future road improvements to be paid for by the property owner.
44. [For Possible Action](#) – Discussion and deliberation to: 1) Discuss the bid proposals received for Bid 2021-02 – Tonopah Sidewalk Repair; 2) Award Bid 2021-02 – Tonopah Sidewalk Repair to American Southwest Electric in the amount of \$233,085.00 or Morales Construction, Inc. in the amount of \$477,842.00; 3) Approve, amend and approve or reject the contract with selected bidder; 4) Fund from 10205 Roads; or 5) Reject bids and provide direction to staff on how to proceed with the project.
45. **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).**
46. **Commissioners'/Manager's Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)**
47. **ADJOURN**

Pursuant to the State of Nevada Governor’s Guidance for COVID-19 safety measures, 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.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

May 18, 2021

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 775-482-8192.