



**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**

**101 Radar Road, Tonopah, NV 89049**

**August 3, 2021**

**10:00 a.m.**

**Due to Flood Damage, the Pahrump Nye County Board of Commissioners Chambers is closed to the Public. The Tonopah Chambers is open. Pahrump residents can participate by calling 1-888-585-9008 and entering conference room number 255-432-824**

**Per CDC guidelines, all members of the public entering town and county buildings are required to wear face masks except the following:**

**Members of the public claiming medical exemptions or members of the public that have been vaccinated. Those who believe the guidelines above are inadequate to prevent disease transmission, Nye County's vulnerable population, or those sheltering in place 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](http://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 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 August 3, 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 August 3, 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](https://www.usda.gov/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](mailto:program.intake@usda.gov)

# NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

August 3, 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 (775) 482-8192.

**WEBSITE:** [www.nyecounty.net](http://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 August 3, 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](#) – Discussion and deliberation regarding whether to modify the mask mandate for Nye County to conform with the State of Nevada Governor's Emergency Directive 047 adoption of current CDC guidance and any subsequent guidance issued by the CDC.

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

8. [For Possible Action](#) – Discussion and deliberation regarding meeting minutes from the June 2, 2021, and June 29, 2021, joint meetings 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, Manhattan, and Railroad Valley, 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 certificate and/or plaques to one employee honored for their years of service.

10. **10:00 a.m.** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation on PM-2021-000067: A Parcel Map application for Assessor's Parcel Number 008-152-20, 136 Charles Street, Tonopah, NV. Michael L. Truesdell – Property Owners. Kevin Haskew, Surveyor – Agent/Applicant.

11. **10:00 a.m.** – [Presentation](#) by Tyson Falk with Ioneer regarding the development of the Rhyolite Lithium/Boron project.

# NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

August 3, 2021

## SITTING AS THE NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS

12. [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

13. [For Possible Action](#) – Discussion and deliberation to approve a Retail Liquor License for Del Aguila, LLC., dba Fresh Bite Food and Spirits located at 1720 E. Calvada Blvd., Pahrump, NV, Carlos Luna Cruz – Applicant.

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

14. [For Possible Action](#) – Discussion and deliberation to adopt Town of Pahrump Proclamation P2021-03: A Proclamation Recognizing August 7, 2021 as Purple Heart Day in the Town of Pahrump.
15. [For Possible Action](#) – Discussion and deliberation to: 1) Determine that an excess Pahrump Valley Fire Rescue Medic Unit, Reserve Medic 2, a 2012 Chevrolet/Wheeled Coach Ambulance VIN 1GB3C0CL3CF162446 is no longer required for public use as an ambulance; and 2) Determine it is the best interest to donate Reserve Medic 2 to Nye County Health and Human Services to serve as a mobile vaccination/examination unit.
16. [For Possible Action](#) – Discussion and deliberation to: 1) Determine that an excess Pahrump Valley Fire Rescue Truck, Rescue 15, a 1988 GMC/Saulsbury VIN 1GDP9C1J8JV603355 is no longer required for public use; and 2) Determine it is the best interest to dispose of through auction and deposit any resulting funds into 25401 General Capital Fund.
17. [For Possible Action](#) – Discussion and deliberation to: 1) Determine that an excess Pahrump Valley utility truck, Utility 2, a 1996 GMC/Chevrolet VIN 1GBJK34J5TE249943 is no longer required for public use; and 2) Determine it is the best interest to donate the utility to Nye County Vehicle Maintenance Services.

## 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 of Assessor’s Office Change Requests to allow the Nye County Treasurer to process and:
- 1) Issue an amended tax bill in the amount of \$461.47 to the Victoria Jean Lapis Revocable Trust, owner of 9600 S. Raymond St., Pahrump, NV, Assessor’s Parcel Number 041-341-02.
  - 2) Issue an amended tax bill in the amount of \$35.00 to Charlene Perry, owner of 149 Lower Smoky Valley Rd., Lower Smoky Valley, NV, Assessor’s Parcel Number 012-401-05.

## NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

August 3, 2021

19. [For Possible Action](#) – Approval to: 1) Accept the FY21 Community Development Block Grant (CDBG) Coronavirus (CV) Grant Award from the Nevada Governor’s Office of Economic Development (GOED) in the amount of \$328,680.00 for the purpose of purchasing and installing 9 emergency generators for various locations within Nye County; 2) Execute the Grant Award; and 3) Fund \$328,680 from 10340 Grants.
20. [For Possible Action](#) – Approval to: 1) Accept the FY21 Community Development Block Grant (CDBG) Coronavirus (CV) Grant Award from the Nevada Governor’s Office of Economic Development (GOED) in the amount of \$175,000.00 with a match amount of \$25,000.00 for the purpose of purchasing and installing an emergency generator at the Town of Tonopah Convention Center; 2) Execute the Grant Award; and 3) Fund \$175,000.00 from 10340 Grants and \$25,000.00 from 21101 Tonopah General.
21. [For Possible Action](#) – Approval to accept a Restrictive Covenant Running with the Land agreement between Nye County and Tinker Trust, for the property located at 3621 W. Bell Vista Ave., Pahrump, NV, Assessor’s Parcel Number 028-231-12, for the purpose of future road improvements to be paid for by the property owner.

### BOARD OF COMMISSIONERS

22. 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.
23. Closed meeting, pursuant to NRS 241.015(3)(b)(2) for purposes of conferring with legal counsel regarding potential or current litigation.
24. For Possible Action – Discussion and deliberation on conference with legal counsel regarding potential or current litigation presented in closed meeting.
25. 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.
26. 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.
27. For Possible Action – Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.

### CLERK

28. [For Possible Action](#) – Discussion and deliberation to appoint two members to the Pahrump Library Board due to two resignations from the following is a list of applicants: Kameron Mitchell.

### DISTRICT ATTORNEY

29. [For Possible Action](#) – Discussion and deliberation to 1) Accept a revised Nevada Agreement on Allocation of Opioid Recoveries; or 2) Reject a revised Nevada Agreement on Allocation of Opioid Recoveries.
30. [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

August 3, 2021

### SHERIFF

31. [For Possible Action](#) – Discussion and deliberation to: 1) Discuss the bid proposals received for Bid 2020-11 – Pahrump Jail Booking Area and Padded Cell Construction from Benchmark Contracting, Inc. dba Cobblestone Construction in the amount of \$550,176.00 and from B&H Construction, Inc. in the amount of \$528,876.00; 2) Approve, amend and approve or reject the contract B&H Construction, Inc. or Benchmark Contracting, Inc. dba Cobblestone Construction; 3) Fund from 10340 Grants, 10402 Capital; or 4) Reject bids; and 5) Provide direction to staff on how to proceed with the project.
32. [For Possible Action](#) – Discussion and deliberation to: 1) Ratify the County Manager’s acceptance of change order #3 for the FY21 Joining Forces Award from the State of Nevada Department of Public Safety in the amount of \$509.20 for the additional costs incurred for event 11; and 2) Fund \$509.20 from 10340 Grants.
33. [For Possible Action](#) – Discussion and deliberation to: 1) Determine that an excess Nye County vehicle VIN 1J4FF28S1XL675353 is no longer required for public use; and 2) Determine it is in the best interest of Nye County to dispose of the excess vehicle through a sale to Nye County Search and Rescue, Inc. for \$1.00 (one dollar) with the resulting funds deposited into Fund 10401 or 10402 Capital Projects based on Comptroller determination upon receipt of the funds.

### DISTRICT COURT

34. [For Possible Action](#) – Discussion and deliberation regarding the funding for the purpose of the Court to hire a fulltime Court Administrator position for the 5<sup>th</sup> Judicial District Court.

### COUNTY MANAGER

35. [For Possible Action](#) – Discussion and deliberation to send a letter to the Public Utilities Commission of Nevada (PUCN) regarding the SB Solar project.
36. [For Possible Action](#) – Discussion and deliberation to send a letter to the Public Utilities Commission of Nevada (PUCN) regarding the Beatty Energy project.
37. [For Possible Action](#) - Discussion and deliberation to amend the BOCC Liaison List by identifying Director of Natural Resources, Lorinda Wichman as the alternate for Commissioner Donna Cox for Nye County’s position with the QuadState Local Government Authority.

### FINANCE

38. [For Possible Action](#) – Discussion and deliberation regarding the budget status for June 2021 for Nye County and all sub-entities for fiscal 2021.
39. [For Possible Action](#) – Discussion and deliberation regarding the Debt Management Policy Statement and Capital Improvement Plan for Nye County for Fiscal Year 2021-2022 pursuant to NRS 350.013.
40. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2021-29: A Resolution authorizing the Nye County Treasurer to transfer funding from Nevada State Bank to Zion Bank.
41. [For Possible Action](#) – Presentation, discussion, deliberation, and possible amendment of the Nye County CARES Act Policy to include current project status and funding availability and direction to administer and change funding allocation between programs.

## NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

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42. [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.

### PLANNING/BUILDING/CODE COMPLIANCE

43. [For Possible Action](#):

- a. For Possible Action – Discussion and deliberation on FM-2019-000009: Approval of a Unit 5 Final Map for a subdivision containing 138 single-family residential lots 31.4 acres (gross) of a portion of Parcel 3 of File Number 908187 located within the Mountain Falls Master Planned Community, further known as Planning Area 5A, situated within Sections 5, T21S, R54E. Assessor Parcel Number 045-021-71, Pahrump, NV. Agent – Taney Engineering. Applicant – William Lyon Homes, Inc., Owner – Mountain Falls, LLC.
  - b. For Possible Action – Discussion and deliberation on IA-2020-000022: Approval of a Subdivision Improvement Maintenance and Warranty Agreement related to the Final Subdivision Map of Mountain Falls for Planning Area 5A, on approximately 31.4 acres (gross). Assessor Parcel Number 045-021-71, Pahrump, NV. Agent – Taney Engineering. Applicant – William Lyon Homes, Inc., Owner – Mountain Falls LLC.
44. [For Possible Action](#) – Discussion and deliberation to: 1) Approve, amend and approve, or reject a contract between the Department of Homeland Security/Federal Emergency Management Agency (DHS/FEMA) and Nye County for the purpose of documenting the safeguarding requirements for Personally Identifiable Information datasets shared by FEMA in support of National Flood Insurance Program (NFIP) flood mapping and related activities; and 2) Execute the agreement.
45. [For Possible Action](#) – Discussion and deliberation to approve, amend and approve or reject a Memorandum of Agreement (MOA) between Spring Mountain Raceway, LLC. and Nye County in reference to the Spring Mountain Raceway North Track Expansion project.
46. [For Possible Action](#) - Discussion, deliberation, and direction to staff regarding the abatement status of Code Compliance Case Number CC-20-000108 for the subject property, located at 5908 E. Badlands, Pahrump. Assessor Parcel Number 046-011-13. Property Owner – Moseley, Jorja Faye Shrouder Trust.
47. [For Possible Action](#) - Discussion and deliberation regarding a request to: 1) Set a date, time and location for a Public Hearing on Nye County Bill No. 2021-09: A Bill proposing to amend Nye County Code Chapter 17.06 titled “Marijuana Establishments; Zoning Requirements,” by amending Section 17.06.020, titled Definitions, and amending Section 17.06.040, titled Requirement to Obtain a Special Use Permit, to include a requirement to obtain a written letter in support of, or in opposition to, the marijuana establishment by the elected or advisory Town Board prior to submittal of a Special Use Permit application; and providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto; and 2) Read the title of the Bill into the record.

## NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

August 3, 2021

### PUBLIC WORKS

48. [For Possible Action](#) – Discussion and deliberation to: 1) Approve, amend and approve, or reject the Supplemental Lease Agreement between the U.S. Department of Transportation Federal Aviation Administration and Nye County for the purpose of leasing property located at the Tonopah Airport; 2) Execute the Lease Agreement; and 3) Deposit funds into Fund 10209 Airport.
49. [For Possible Action](#) – Discussion and deliberation to: 1) Approve, amend and approve, or reject Task No. 10 between Atkins North America, Inc. and Nye County to provide environmental services to support the improvements at the Beatty Airport; 2) Execute the Agreement; and 3) Fund \$112,500.00 from 10340 Grants and \$7,500.00 from 10402 Special Capital Projects.
50. [For Possible Action](#) – Discussion, deliberation, and approval to move forward or not with the acquisition evaluation process for possible purchase of Desert Utilities Inc., a privately owned utility company in Pahrump, NV.

### SENIOR SERVICES

51. [For Possible Action](#) – Discussion and deliberating to: 1) Ratify the County Manager’s acceptance of the FFY 2021 Notice of Subaward (NOSA) Amendment 1 from Aging and Disability Services Division (ADSD) in the amount of \$16,666.50 with a match amount of \$2,942.00 to provide congregate meals to seniors at the Tonopah Senior Center; and 2) Execute the Subaward; and 3) Fund \$16,666.50 from 10281 Senior Nutrition and \$2,942.00 from 10101 General.
52. [For Possible Action](#) – Discussion and deliberation to: 1) Ratify the County Manager’s acceptance of the FFY 2021 Notice of Subaward (NOSA) Amendment 1 from the Nevada Aging and Disability Services Division (ADSD) in the amount of \$3,386.50 to provide home-delivered meals to seniors in Beatty and Tonopah; 2) Execute the Subaward; and 3) Fund \$3,386.50 from 10281 Senior Nutrition. Match is not required.

### PUBLIC PETITIONER

53. [For Possible Action](#) - Discussion and deliberation regarding Nye County Proclamation P2021-05: A Proclamation Recognizing August 7, 2021 as Purple Heart Day in Nye County.
54. [For Possible Action](#) – Discussion and deliberation to approve a letter to the Nevada State Board of Dental Examiners (NSBDE) requesting they waive the Nevada clinical exam requirement for Dr. Brittany Oreste to gain her dental license under NRS 631.274(1)(a) in rural Nye County.
55. **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).**
56. **Commissioners'/Manager's Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)**
57. **ADJOURN**

***Due to Flood Damage, the Pahrump Nye County Board of Commissioners Chambers is closed to the Public. The Tonopah Chambers is open. Pahrump residents can participate by calling 1-888-585-9008 and entering conference room number 255-432-824***

Per CDC guidelines, all members of the public entering town and county buildings are required to wear face masks except the following:

**Individuals Claiming Medical Exemptions**

Individuals claiming a medical exemption are not required to wear a face mask. We will not be asking details about or requiring proof of medical conditions.

**Vaccinated Individuals**

Fully vaccinated individuals may enter into town or county buildings without a face mask or a face shield.

Notwithstanding the above, all individuals may or may not continue to wear masks or face coverings to protect themselves and others.

Those who believe the guidelines above are inadequate to prevent disease transmission, Nye County's vulnerable population, or those sheltering in place 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 meeting is viewable at [http://nyecounty.granicus.com/ViewPublisher.php?view\\_id=4](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](mailto:nyeadmin@co.nye.nv.us) or by calling 775-482-8192.