



**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  
September 8, 2021  
10:00 a.m.**

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

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

**The teleconference is also viewable at [www.NyeCounty.net](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 September 8, 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 September 8, 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. **Decorum** during the meeting must be upheld pursuant to the BOCC Rules of Procedure sections 7.5.3 and 7.5.4 whereby no person in the audience shall engage in disorderly conduct such as hand clapping, stamping of feet, whistling, using profane language, yelling, and similar demonstrations, which conduct disturbs the peace and good order of the meeting. Any person who becomes disruptive or interferes with the orderly business of the Board may be removed from the Board Chambers or other meeting room for the remainder of the meeting.

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](mailto:program.intake@usda.gov)

# NYE COUNTY BOARD OF COMMISSIONERS AGENDA

**ITEM # SUBJECT**

**September 8, 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](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 775-482-8192 prior to the meeting.

- 1. Pledge of Allegiance**
- 2. Commissioners'/Manager's Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)**
- 3. Approval of the Agenda for September 8, 2021 (Non-action item)**
- 4. GENERAL PUBLIC COMMENT (up to three-minute time limit per person.) Action will not be taken on the matters considered during this period until specifically included on an agenda as an action item (first).**
- 5. For Possible Action – Emergency Items**
- 6. [For Possible Action](#) – Discussion and deliberation regarding meeting minutes from the August 3, and August 4, 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**

- 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**, discussion, and deliberation to issue an Outdoor Festival License to the Beatty Chamber of Commerce for the Beatty Days Festival 2021 to be held October 29-31, 2021, at Cottonwood Park located at 300 W. Amargosa Street, Beatty, NV.**
- 9. 10:00 a.m. – [For Possible Action](#) – 3<sup>rd</sup> Community Development Block Grant (CDBG) Public Meeting: 1) Presentation of potential projects; and 2) Invite the public to participate by providing ideas, comments and suggestions concerning the proposed projects.**

# NYE COUNTY BOARD OF COMMISSIONERS AGENDA

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## SITTING AS THE NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS

10. [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

11. [For Possible Action](#) – Discussion and deliberation to approve a Retail Liquor License for 5280 Mexican Grub, LLC., dba 5280 Mexican Grub & Pub located at 2450 W. Mesquite Ave., Pahrump, NV, Sonny and Nicole Chavez – Applicants.

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

12. [For Possible Action](#) – Discussion and deliberation to appoint one member to the Pahrump Veterans Memorial Advisory Committee due to one alternate vacancy from the following list of applicants: Peter Nicastro, and Eddie Williams Jr.
13. [For Possible Action](#) – Discussion and deliberation to approve the Pahrump Ambulance Fund 25520 bad debt expense write-offs for uncollectible accounts receivable incurred during the period of April 1, 2017 to June 30, 2017, Quarter 4 of FY17, totaling \$20,121.85.
14. [For Possible Action](#) – Discussion and deliberation regarding a request to waive the Petrack Park use fees totaling \$400.00 for four days for the non-profit Pahrump Social Powwow being held November 18 through 21, 2021.

## 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.**

15. [For Possible Action](#) – Approval of Assessor’s Office Change Requests to allow the Nye County Treasurer/Assessor to process and:
- 1) Issue an amended tax bill in the amount of \$0.00 to Nye County Commissioners, owners of 0 N. Irving St., Beatty, NV, Assessor’s Parcel Number 018-341-01.
  - 2) Issue an amended tax bill in the amount of \$47.45 to William Pelkey, owner of 501 N. Irving St., Beatty, NV, Assessor’s Parcel Number 018-341-02.
  - 3) Issue an amended tax bill in the amount of \$0.00 to Dianna Nye, owner of Personal Property Account MH000571 located at 114 Lower Rhines Ct., Tonopah, NV.
  - 4) Issue an amended tax bill in the amount of \$411.46 to Jack & Donna Crooks, owners of 90 S. Bristle Cone, Pahrump, NV, Assessor’s Parcel Number 035-641-02.
  - 5) Issue an amended tax bill in the amount of \$884.27 to Wayne & Nannette Fretwell, owners of 5261 N. Genoa Ave. Pahrump, NV, Assessor’s Parcel Number 029-031-23.
  - 6) Issue an amended tax bill in the amount of \$4,035.91 to Terry & Robin Caggiano, owners of 6661 S. Vicki Ann Rd. Pahrump, NV, Assessor’s Parcel Number 044-611-21.
  - 7) Issue an amended tax bill in the amount of \$1,719.55 to Kevin & Julie Ritchie, owners of 41 E. Hickory St. Pahrump, NV, Assessor’s Parcel Number 040-472-13.

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- 8) Issue an amended tax bill in the amount of \$0.00 to Rancho Vista Unit #3 Water Association, owner of 141 N. Sierra Vista Cir. E. Pahrump, NV, Assessor's Parcel Number 036-061-50.
- 9) Issue an amended tax bill in the amount of \$502.35 to Timothy Diple, owner of 1190 W. Sierra Vista Cir. S. Pahrump, NV, Assessor's Parcel Number 036-062-11.
- 10) Issue an amended tax bill in the amount of \$1,899.04 to Lori Maye, owner of 1621 S. Highland Ave. Pahrump, NV, Assessor's Parcel Number 038-651-07.
- 11) Issue an amended tax bill in the amount of \$48.60 to James Malinski, owner of 3320 N. Blagg Rd. Pahrump, NV, Assessor's Parcel Number 029-642-13.
- 12) Issue an amended tax bill in the amount of \$2,041.20 to Franklin Huntsman, owner of 4460 E. Ashley Ave. Pahrump, NV, Assessor's Parcel Number 045-331-16.

16. [For Possible Action](#) – Approval to: 1) Accept the FY 2022 Agreement to use the Affordable Housing Welfare Set-Aside Program in the amount of \$18,830.70 from Nevada Housing Division for Affordable Housing Trust Funds Program to offer rental/utility/security deposit assistance to eligible clients at-risk of becoming homeless. Monies to be expended between July 1, 2021, and June 30, 2024. There is no County match required; 2) Execute the Agreement; and 3) Fund from the 10340 Grants.
17. [For Possible Action](#) – Approval of the quarterly update report for major construction projects within Nye County that includes the Animal Shelter, One Stop Shop and Siemens projects.

### BOARD OF COMMISSIONERS

18. 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.
19. Closed meeting, pursuant to NRS 241.015(3)(b)(2) for purposes of conferring with legal counsel regarding potential or current litigation.
20. For Possible Action – Discussion and deliberation on conference with legal counsel regarding potential or current litigation presented in closed meeting.
21. 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.
22. 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.
23. For Possible Action – Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.

### CLERK

24. [For Possible Action](#) – Discussion and deliberation to appoint one member to the Pahrump Library Board due to one resignation from the following is a list of applicants: Alan R. Michels and John Pawlak.

## NYE COUNTY BOARD OF COMMISSIONERS AGENDA

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### DISTRICT ATTORNEY

25. [For Possible Action](#) – Discussion and deliberation to: 1) Accept the Mallinckrodt PLC. bankruptcy plan in the bankruptcy case of Mallinckrodt PLC, et al Case No. 20-12522 (JTD) (U.S. Bankruptcy Court for the District of Delaware.); or 2) Reject the bankruptcy plan; or 3) Abstain from voting on the Mallinckrodt bankruptcy plan.

### SHERIFF

26. [For Possible Action](#) – Discussion and deliberation to approve, amend and approve or reject the agreement with FARO Technologies, Inc. to join the contract with the General Services Administration (GSA) for the future purchase of Crime Scene Equipment and Software.
27. [For Possible Action](#) – Discussion and deliberation to: 1) Ratify the Sheriff’s acceptance of the Memorandum of Understanding (MOU) with the Nye County School District, for the purpose of receiving funding for two School Resource Officers to be placed in schools throughout Nye County; and 2) Fund \$172,818.02 from 10340 Grants.
28. [For Possible Action](#) – Discussion and deliberation to reject Bid No. 2020-11/PWP-NY-2021-181 Pahrump Jail Front Office and Padded Cell Construction to complete the rejection process to rebid.
29. [For Possible Action](#) – Discussion and deliberation to: 1) Discuss the responses received from the solicitation of Bid No. 2021-07/PWP-NY-2021-513 – Pahrump Jail Booking; 2) Award the contract to Top Rank Builders Inc. in the amount of \$649,735.00; 3) Approve, amend and approve or reject the contract with selected bidder; 4) Fund \$153,770.00 from 10340 Grants and \$495,965.00 at the determination of the Comptroller; or 5) Reject bid and provide direction to staff on how to proceed with the project.
30. [For Possible Action](#) – Discussion and deliberation to issue an Aerial Display Fireworks Event Permit to Zambelli Fireworks for an Aerial display at the opening day of the Fall Festival on Thursday September 23, 2021. This event is being held at Petrack Park at 150 NV-160 in Pahrump, NV. Applicant John O’Brien.

### JUSTICE(S) OF THE PEACE

31. [For Possible Action](#) – Discussion and deliberation to: 1) Discuss the bid proposal received for Bid No. 2021-04 Tonopah Justice Court Tenant Improvements; 2) Award Bid No. 2021-04 to Reyman Brothers Construction, Inc. in the amount of \$321,772.96; 3) Approve, amend and approve or reject the contract with selected bidder; 4) Fund \$51,674.44 from 10244 JP Court Collection, \$91,234.84 from 10246 JP Facility Assessment, \$32,177.30 from 10245 JP Court Fines, and \$146,686.38 at the determination of the Comptroller; or 5) Reject bids and provide direction to staff on how to proceed with the project.

### COUNTY MANAGER

32. [For Possible Action](#) – Discussion and deliberation regarding approval to send a letter of thanks to Senator Catherine Cortez Masto for her work to fully fund the Payments In Lieu of Taxes (PILT) during the Senate Committee on Appropriations.

### FINANCE

33. [For Possible Action](#) – Presentation, discussion, deliberation and possible amendment of the Nye County CARES Act Policy.

## NYE COUNTY BOARD OF COMMISSIONERS AGENDA

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34. [For Possible Action](#) – Presentation, discussion, deliberation and possible amendment of the 2021 Nye County COVID Relief Program and Policy.
35. [For Possible Action](#) – Discussion and deliberation to: 1) Review and approve, amend and approve, or deny an application from Cotillion for Success Educational Program under the Nye County COVID Relief Program and Policy: Public Assistance Administered by Non-Profits, Not-For-Profits, and Charities in the amount of \$260,000.00.
36. [For Possible Action](#) – Discussion and deliberation regarding: 1) The request for two additional full-time positions for the Nye County Finance Department, position titled Grants-Financial Analyst for the purpose of administering ARPA programs while funding is available; 2) Fund 100% from Nye County Grants Fund 10340; and 3) Make the effective fill date for the position September 27, 2021.
37. [For Possible Action](#) – Discussion and deliberation to fund previously approved contracts with the law firm Marquis Aurbach Coffing to provide outside legal counsel on personnel matters from the Nye County General Contingency Fund not to exceed \$25,000.00.
38. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject budget transfer of appropriations between departments within Nye County General Fund 10101, General Government Function.

### PUBLIC WORKS

39. [For Possible Action](#) – Discussion and deliberation to: 1) Determine that 3 motor graders are no longer required for public use; 2) Determine it is the best interest to sell the motor graders back to Cashman Equipment pursuant the Purchase and Buyback Agreement approved in 2014; and 3) Deposit the proceeds of the sale into fund 10205 Roads.
40. [For Possible Action](#) – Discussion and deliberation to: 1) Approve, amend and approve, or reject a contract with Cashman Equipment to utilize Sourcewell Contract #032119 for the purpose of the purchase of three current model articulated diesel-powered tandem drive motor graders, Caterpillar 150-15; 2) Approve the purchase from Cashman Equipment Company in the amount of \$963,142.95; 3) Execute the Contract; and 4) Fund from 10205 Roads.

### PUBLIC PETITIONER

41. [For Possible Action](#) – Discussion and deliberation regarding the appointment of representatives from Nye County to the Central Nevada Regional Water Authority (CNRWA) including recommendation by the Nye County Water District Governing Board for reappointment of: Midge Carver, Joni Eastley, and Commissioner Debra Strickland.
42. [For Possible Action](#) – Discussion and deliberation to: 1) Appoint one member to the Nye County Water District (NCWD) Governing Board Area 1 (Currant Creek / Smoky Valley) due to an expiring term, one applicant: Chris Jim; and 2) To appoint one member to the Nye County Water District (NCWD) Governing Board Area 3 (Beatty / Amargosa Valley) due to an expiring term, from the following applicants: Bill DeWitt, Mark Uttech, and James Weeks.
43. **GENERAL PUBLIC COMMENT (up to three-minute time limit per person.) Action will not be taken on the matters considered during this period until specifically included on an agenda as an action item (SECOND).**

## NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

September 8, 2021

44. Commissioners'/Manager's Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)

45. ADJOURN

### **Nye County Board of County Commissioners Meeting Participation Information:**

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

### **Notes:**

- The meeting is viewable at [http://nyecounty.granicus.com/ViewPublisher.php?view\\_id=4](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