



**JOINT MEETING OF THE
NYE COUNTY BOARD OF COMMISSIONERS
NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS
NYE COUNTY LICENSING AND LIQUOR BOARD
NYE COUNTY BOARD OF HEALTH
AS THE GOVERNING BODY OF THE UNINCORPORATED TOWN OF PAHRUMP
AS THE GOVERNING BODY OF UNINCORPORATED TOWNS OF BEATTY BELMONT GABBS
MANHATTAN AND RAILROAD VALLEY
AS THE BOARD OF TRUSTEES FOR THE PAHRUMP POOL DISTRICT**

101 Radar Road, Tonopah, NV 89049

October 6, 2020

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.

Nye County's vulnerable population, those sheltering in place or members of the public in excess of the capacity limit can participate by calling 1-602-610-2062 and entering access code 187965.

Please provide your first and last name when prompted.

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The Chair of the Board of County Commissioners will open public comment periods by announcement. Commenters must press 5 * on their telephone keypads to notify Administration they wish to speak.

Commenters will be called upon by name.

The teleconference is also viewable at www.NyeCounty.net. There is a 30 to 40 second delay between the teleconference and the meeting video.

Public Comment during the Commission Meeting on October 6, 2020 will be for all matters off the agenda, and be limited to up to three minutes per person. Additionally, public comment of up to three minutes per person will be taken during individual action items but before the Commission takes action on the item. The Commission reserves the right to reduce the time allowed for public comment. The Commission may prohibit comment if the content of the comments is a topic that is not relevant to, or within the authority of, the Commission, or if the content of the comments is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive, inflammatory, irrational or amounting to personal attacks or interfering with the rights of other speakers. Persons are invited to submit comments in writing on the agenda items and/or attend and make comment on that item at the Commission meeting.

NOTE: All items are approximate except for bid openings, public hearings, and any other items agendized at a specific time. Items on the agenda without a time designation may be taken out of order. The Board may combine two or more agenda items for consideration. The Board may remove an item from the agenda or delay discussion relating to an item on the agenda at any time. Items on the agenda without a time designation may not necessarily be considered in the order in which they appear on the agenda. **NOTICE: It is anticipated that the items of business before the Board of Commissioners on October 6, 2020 will be fully completed on that date. However, should item(s) not be completed, it is possible item(s) could be carried over and be heard before the Board of Commissioners beginning at 8:30 a.m. on the next day.**

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [How to File a Program Discrimination Complaint](#) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

October 6, 2020

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. **Ex-Parte Communications and Conflict of Interest Disclosure Statements**
3. [Presentation](#) by the Director of Emergency Management regarding the status of the COVID-19 outbreak.
4. **Commissioners'/Manager's Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)**
5. **Approval of the Agenda for October 6, 2020 (Non-action item)**
6. **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)**
7. **For Possible Action - Emergency Items**
8. [For Possible Action](#) – Discussion and deliberation regarding meeting minutes from the [August 4, 2020](#) and [August 18, 2020](#) joint regular meetings of the Nye County Board of Commissioners, Board of Highway Commissioners, Nye County Licensing and Liquor Board, Nye County Board of Health, the Governing Body of the Unincorporated Town of Pahrump, the Governing Body of the Unincorporated Towns of Beatty, Belmont, Gabbs, Manhattan, and Railroad Valley, and the Board of Trustees for the Pahrump Pool District.

TIMED ITEMS

9. **10:00 a.m.** – [Presentation](#) by representatives of the Rural Desert Southwest Brownfields Coalition (RDSBC), discussion and deliberation regarding: 1) The draft Fiscal Year 2021 Environmental Protection Agency (EPA) Brownfields Coalition Assessment Grant Application that is available for public comment; 2) Recognition of commitments made by other members of the Coalition and associated stakeholder; and 3) Directing Nye County residents to the website location for reviewing the application and submitting public comment.
10. **10:00 a.m.** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation concerning Berma Gold (U.S.), Inc.'s application to use water in a county other than that in which it is appropriated or currently diverted or used.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

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11. **10:15 a.m.** – [For Possible Action](#) – Discussion and deliberation regarding the Treasurer’s Report by Nye County Treasurer on bank reconciliation, Department of Taxation recommendations, 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.

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 GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

13. [For Possible Action](#) – Discussion and deliberation to: 1) Discuss the bid proposals received; 2) Award Bid 2020-04 – Pahrump Fairgrounds Detention Basin to one of the following: Patriot Contractors, LLC in the amount of \$333,421.00, Wulfenstein Construction in the amount of \$395,968.63 or Aggregate Industries in the amount of \$689,000.00; 3) Execute the contract; and 4) Fund from 10340 Grants; or 5) Reject bids; and 6) Provide direction to staff on how to proceed with the project.

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

BEATTY

14. [For Possible Action](#) – Discussion and deliberation to: 1) Approve \$11,765.00 for the purchase of nine sets of lightweight turnouts for the Beatty Volunteer Fire Department from LN Curtis; and 2) Fund from Fund 24235 Beatty Public Safety Sales Fire.

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 to process and:
- 1) Issue an amended tax bill in the amount of \$465.44 to Stephen P. & Cynthia R. Loeck, owners of 2781 N. Morales LN., Pahrump, NV, Assessor’s Parcel Number 029-623-03.
 - 2) Issue an amended tax bill in the amount of \$1,424.78 to Maxine Brown, owner of 2101 S. Saginaw Ave., Pahrump, NV, Assessor’s Parcel Number 042-731-13.
 - 3) Issue an amended tax bill in the amount of \$1,060.82 to the Boyajian & Cooper F & R Trusts, owners of 3540 W. Nevada Hwy 372, Pahrump, NV, Assessor’s Parcel Number 027-581-27.
16. [For Possible Action](#) – Approval to: 1) Accept the No-cost Extension for the FY16 COPS Grant. The extension will move the grant end date from September 30, 2020 to December 31, 2020. This will allow the Nye County Sheriff’s Office to continue to charge 75% of payroll costs for employees covered under this grant through that time period; and 2) Execute the Extension.
17. [For Possible Action](#) – Approval to: 1) Accept the No-cost Extension for the FY18 Bulletproof Vest Partnership Grant. The extension will move the grant end date from August 31, 2020 to November 30, 2020. This will allow the Nye County Sheriff’s Office more time to receive equipment that has been ordered under the grant agreement; and 2) Execute the Extension.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

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18. [For Possible Action](#) – Approval to: 1) Accept the FY21 Office of Traffic Safety Grant Award from the Nevada Department of Public Safety in the amount of \$16,046.00 with a match amount of \$4,100.00 for the purpose of purchasing equipment which will be utilized to increase public awareness in the community; 2) Delegate one-time authority for Sheriff Wehrly to sign as the Authorizing Official on the award; and 3) Fund \$16,046.00 from 10340 Grants and \$4,100.00 from 10101 General.
19. [For Possible Action](#) – Approval to: 1) Accept the Epidemiology and Laboratory Capacity (ELC) Sub-Award from the Nevada Division of Public and Behavioral Health in the amount of \$695,229.00 to fund payroll costs associated with conducting contact tracing during the COVID-19 pandemic; 2) Execute the Sub-Award; and 3) Fund from 10340 Grants.
20. [For Possible Action](#) – Approval to: 1) Accept the FY 2019 Continuum of Care Program Grant Agreement with the United States Department of Housing and Urban Development (HUD) in the amount of \$57,542.00, to serve Nye County homeless residents with rental assistance and supportive services through intense case management. There is no County match required; 2) Execute the Grant Agreement; and 3) Fund from 10340 Grants.
21. [For Possible Action](#) – Report by the Director of Human Resources on vacant positions within departments in Nye County.

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.
28. [For Possible Action](#) – Discussion and deliberation regarding submitting to the Governor a nominee who is an elected official or other representative of the county for a position to be filled on the State Land Use Planning Advisory Council due to Commissioner Wichman’s upcoming expiration.
29. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2020-30: A Resolution Declaring Nye County a Small Business Sanctuary County.
30. [For Possible Action](#) – Discussion and deliberation to: 1) Approve, amend and approve or deny a modification to Section 8 Termination of the contract for Public Defender Services between Nye County and Brent D. Percival, Esq. P.C. by reducing 90 calendar days to 30 calendar days for revocation after notice to be effective; 2) Reimburse the County for any funds received to which the attorney is not entitled due to the termination; and 3) Execute the First Amendment to the contract.

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ITEM # SUBJECT

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CLERK

31. [For Possible Action](#) – Discussion and deliberation to appoint one member to the Regional Transportation Commission due to one resignation from the following list of applicants: Dan Schinhofen and Bill Stremmel.
32. [For Possible Action](#) – Discussion and deliberation to appoint one member to the Beatty Library District due to one vacancy from the following list of applicants: Richard K. Dunsterville.

DISTRICT ATTORNEY

33. [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. 2020-17: A Bill proposing to enter into a Second Development Agreement Extension and Amendment between Nye County and L.I. Development, LLC and Pahrump Utility Company, Inc., for the Indian Road Subdivision; providing for the severability, constitutionality and effective date thereof; and other matters related thereto; and 2) Read the title of the Bill into the record.

SHERIFF

34. [For Possible Action](#) – Discussion and deliberation to approve, amend and approve or deny an Interlocal Contract between Nye County and The State of Nevada Division of Parole and Probation for the purpose of providing office space to the Parole and Probation department at the Nye County Sheriff's office to conduct polygraph examinations. The office space is located at 1520 E. Basin Ave., Pahrump, NV in the interview room. There is no cost to Nye County for this Contract.

COUNTY MANAGER

35. [For Possible Action](#) – Discussion and deliberation to: 1) Set a date, time and location for a Public Hearing on Nye County Bill No. 2020-16: A Bill Proposing to Amend Nye County Code Title 2 Titled Administration and Personnel, Chapter 2.84 Titled Nye County Peace Officer Advisory Review Board, Setting Forth Its Powers And Duties; providing for the severability, constitutionality and effective date hereof, and other matters properly relating thereto; and 2) Read the Title of the Bill into the Record.

FINANCE

36. [For Possible Action](#) – Discussion and deliberation regarding: 1) The adoption of Nye County Ordinance No. 557: Authorizing the issuance of the “Nye County, Nevada, General Obligation (Limited Tax) Consolidated Tax Refunding Bond (Additionally Secured by Pledged Revenues), Series 2020B (Taxable)” In the combined maximum principal amount of \$18,825,000, to refund certain outstanding bonds; providing the form, terms, and conditions of the bonds and other details in connection therewith; and adopting it as if an emergency now exists. The outstanding bonds were secured to finance building the Nye County Jail; and 2) Presentation of the Request for Proposal (RFP) for the refinance.
37. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2020-31: A Resolution Adopting the Nye County Comprehensive Financial Management Policy.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

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38. [For Possible Action](#) – Discussion and deliberation to: 1) Discuss the bid proposals received; 2) Award Bid 2020-04 – Animal Shelter Construction to one of the following: Top Rank Builders in the amount of \$3,506,947.00, B & H Construction, LLC. in the amount of \$3,974,421.00, NDL Group, Inc. in the amount of \$4,553,719.70 or Facility Builders and Erectors in the amount of \$7,861,870.00 contingent upon securing financing; 3) Execute the contract; and 4) Fund from 10401 Capital Fund; or 5) Reject bids; and 6) Provide direction to staff on how to proceed with the project.
39. [For Possible Action](#) – Discussion and deliberation concerning a request to set a date, time, and location for a Public Hearing to adopt, amend and adopt or reject Nye County Resolution No. 2020-32: A Resolution Authorizing A Medium-Term Obligation for the Purposes of Constructing an Animal Shelter.
40. [For Possible Action](#) – Discussion and deliberation to augment the Nye County Pahrump Justice Court FY21 budget from Nye County General Fund Contingency for two new positions totaling \$98,304.24.
41. [For Possible Action](#) – Presentation, discussion and possible amendment of the Nye County CARES Act Policy.
42. [For Possible Action](#) – Presentation and direction to staff regarding the current and future financial condition of Nye County as related to the COVID-19 outbreak.

INFORMATION TECHNOLOGY

43. [For Possible Action](#) – Discussion and deliberation regarding: 1) A request by the Nye County 9-1-1 Advisory Committee for the Nye County Commission to send a letter to the Esmeralda County Commission for the purpose of requesting Esmeralda County to adopt an ordinance imposing a surcharge for the enhancement of the telephone system for reporting an emergency in the County pursuant to NRS 244A.7643 and NRS 244A.7645, and requesting the Esmeralda Commission to consider reimbursing the Nye County 911 fund for the cost associated with receiving 911 wireless emergency calls on behalf of Esmeralda County.
44. [For Possible Action](#) – Discussion and deliberation to: 1) Enter into a contract with Verizon Wireless for the purpose of Wireless, Data, Voice and Accessories, joining into the NASPO ValuePoint agreement MA152-1. NRS 332.195 authorizes Nye County to join or use the contracts of local government agencies with the authorization of the contractor; 2) Execute the agreement through DocuSign; and 3) Fund each service as outlined in agreement MA152-1 from the department that has requested the device or service.

PLANNING

45. [For Possible Action](#) – Discussion and deliberation regarding the status of the abatement of the public nuisance located at 5 Warrior Road, Tonopah, NV, Assessor's Parcel Number 008-291-07, Property Owner – Hubert C. Newberry.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

October 6, 2020

46. [For Possible Action](#):

- a. [For Possible Action](#) – Discussion and deliberation on RM-2020-000086: A request to approve a Change of Location for a Cannabis License (Distributor) for Nye Natural Medicinal Solutions, LLC, dba NuVeda, from 301 S. Oxbow Avenue Unit 13 to 1620 W. Charleston Park Avenue, Pahrump, NV, Assessor’s Parcel Number 036-601-57, CC Condos, LLC – Property Owner, Pejman Bady, Manager / Nye Natural Medicinal Solutions – Applicant.
- b. [For Possible Action](#) – Discussion and deliberation on RM-2020-000087: A request to approve a Change of Location for a Cannabis License (Production Facility) for Nye Natural Medicinal Solutions, LLC, dba NuVeda, from 301 S. Oxbow Avenue Unit 13 to 1620 W. Charleston Park Avenue, Pahrump, NV, Assessor’s Parcel Number 036-601-57, CC Condos, LLC – Property Owner, Pejman Bady, Manager / Nye Natural Medicinal Solutions – Applicant.

PUBLIC WORKS

- 47. [For Possible Action](#) – Discussion and deliberation to accept a Restrictive Covenant Running with the Land agreement between Nye County and Pauline K. Fujii for the property located at 3280 Bell Vista Ave., Pahrump, NV, Assessor’s Parcel Number 028-245-28, for the purpose of future road improvements to be paid for by the property owner.
- 48. [For Possible Action](#) – Discussion and deliberation to accept a Restrictive Covenant Running with the Land agreement between Nye County and 941 West Mesquite, LLC. for the property located at 941 W. Mesquite Ave., Pahrump, NV, Assessor’s Parcel Number 035-091-03, for the purpose of future road improvements to be paid for by the property owner.
- 49. [For Possible Action](#) – Discussion and deliberation to: 1) Accept an Offer of Dedication of Street/Road Right of Way for 1,708 sf from Iqbal Hussain and Mehendra S. Patel as Managers of Pahrump Investment, LLC. and designate it a General County Road for the purpose of accepting maintenance for future construction for the property located at 40 East Basin Avenue, Pahrump, NV, Assessor’s Parcel Number 035-561-26 and; 2) Accept an Offer of Dedication of Drainage Easement for 4,447 sf from Iqbal Hussain and Mehendra S. Patel as Managers of Pahrump Investment, LLC and designate it a General County Road for the purpose of accepting maintenance for a future drainage channel, for the property located at 40 East Basin Avenue, Pahrump, NV, Assessor’s Parcel Number 035-561-26.
- 50. **GENERAL PUBLIC COMMENT (up to three-minute time limit per person.) Action will not be taken on the matters considered during this period until specifically included on an agenda as an action item. (SECOND)**
- 51. **Commissioners’/Manager’s Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)**
- 52. **ADJOURN**

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