



**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 AS THE BOARD OF TRUSTEES FOR THE PAHRUMP POOL DISTRICT**

101 Radar Road, Tonopah, NV 89049

November 2, 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.NyeCountyNV.gov 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 November 2, 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 November 2, 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.

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

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

November 2, 2021

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 Administration at (775) 482-8192

WEBSITE: www.nyecountynv.gov

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. Commissioners'/Manager's Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)**
- 3. Approval of the Agenda for November 2, 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 September 21, 2021, and October 5, 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, and Manhattan, 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. – [Presentations](#) regarding the first quarter of Fiscal Year 2022 for Nye County Extension / 4-H by Misha Allen, Extension Educator.**
- 9. 10:00 a.m. – [Presentation](#) to introduce the Tonopah Lithium Claims (TLC) Project by Mike Kobler and Debra Struhsacker with American Lithium Corp./Tonopah Lithium Corp.**
- 10. 10:00 a.m. – [For Possible Action](#) – **Public Hearing**, discussion and deliberation on ETSU-21-82: An application to amend Special Use Permit SU-2021-000072 by expanding the allowable area of marijuana cultivation and production, located at 2215 E. Anvil Road, Amargosa Valley, NV. Assessor's Parcel Number 019-181-02. Farm Road, LLC. – Property Owner. Adam R. Fulton, Esq., agent for MJ Distributing C202, LLC., and MJ Distributing P133, LLC. – Agent/Applicant**

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

November 2, 2021

SITTING AS THE NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS

11. [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.

BOARD OF COMMISSIONERS

12. 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.
13. Closed meeting, pursuant to NRS 241.015(3)(b)(2) for purposes of conferring with legal counsel regarding potential or current litigation.
14. For Possible Action – Discussion and deliberation on conference with legal counsel regarding potential or current litigation presented in closed meeting.
15. 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.
16. 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.
17. For Possible Action – Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.
18. [For Possible Action](#) – Discussion and deliberation to recall the following members of the Nye County Water District Governing Board, each individually and independently, creating 7 separate votes from the following list of members: 1) Area 1 – Chris Jim; 2) Area 2 – Joe Westerlund; 3) Area 3 – James C. Weeks; 4) Area 4 – Position 1, Helene Williams; 5) Area 4 – Position 2, William Knecht; 6) Area 4 – Position 3, Dennis Gaddy; 7) At Large – David Hall.
19. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2021-38: A Resolution of intent to sell county-owned property at auction, specifically identified as 1501 & 1503 E. Calvada Blvd, Assessor’s Parcel Number 042-041-35, located in Section 23 & 26, Township 20 South, Range 53 East, F#173521 P.1B 3.83 Acres Calvada Valley Unit 3, more commonly known as Pahrum Medical Center.

TREASURER

20. [For Possible Action](#) – Discussion and deliberation to approve an unbudgeted Deputy Treasurer – Trust Property position in the Treasurer’s Office to be funded by 10101 General Fund.

JUSTICE(S) OF THE PEACE

21. [For Possible Action](#) – Discussion and deliberation to: 1) Approve, amend and approve, or reject the Sales Contract & Agreement between Justice AV Solutions (JAVS) and Nye County for the purchase of Audio/Video Upgrades in the Nye County Tonopah Justice Court in the amount of \$82,469.38; 2) Execute the Agreement; and 3) Fund \$82,469.38 from 10340 Grants and \$6,080.95 from 10245 JP Court Fines.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

November 2, 2021

COUNTY MANAGER

22. [For Possible Action](#) – Discussion and deliberation to adopt, amend, or reject the Nye County Resolution No. 2021-37: A Resolution Establishing a Nye County Records Management Policy.
23. [For Possible Action](#) – Discussion, deliberation and direction to staff regarding continuing work and pursuing the construction and funding of the Amargosa Valley Science and Technology Park water pipeline at an estimated cost \$1,400,000.00 to \$3,000,000.00; or 2) Discontinue work on the pipeline.

PUBLIC WORKS

24. [For Possible Action](#) – Discussion and deliberation to 1) Approve, amend and approve, or reject a contract with Navistar, Inc. dba International Truck to utilize Sourcewell Contract #060920 for the purpose of the purchase of a current model International water truck; 2) Approve the purchase of an International water truck from Navistar, Inc. in the amount of \$152,458.11; and 3) Fund from 10205 Roads.

PUBLIC PETITIONER

25. [For Possible Action](#) – Discussion and deliberation to submit a request to the Board of Dental Examiners of Nevada to waive the requirements to practice Dental Hygiene in rural Nye County in which dental or dental hygiene are underserved to allow Patricia Scharf to obtain a Restricted Geographical License to practice dental hygiene in Nye County.
26. [For Possible Action](#) – Discussion and deliberation regarding Nye County Proclamation No. P2021-06: A Proclamation recognizing November 2021 as National American Indian Heritage Month.
27. **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).**
28. **Commissioners'/Manager's Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)**
29. **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 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