

Pursuant to NRS a joint meeting of the Nye County Board of Commissioners, Nye County Board of Highway Commissioners, Nye County Licensing and Liquor Board, 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, was held at 10:00 a.m. in the Commissioners' Chambers, 101 Radar Road, Tonopah, Nevada 89049.

John Koenig, Chair
Debra Strickland, Vice-Chair
Lorinda Wichman, Commissioner
Donna Cox, Commissioner
Leo Blundo, Commissioner
Sandra L. Merlino, Ex-Officio Clerk of the Board
Chris Arabia, District Attorney
Sharon Wehrly, Sheriff
Tim Sutton, County Manager

Also present: Lorina Dellinger, Assistant County Manager; Kelly Sidman, Deputy Clerk; Savannah Rucker, Comptroller; Samantha Tackett, Administrative Manager; Marla Zlotek, Chief Deputy District Attorney

Not Present: Sharon Wehrly, Sheriff

1. Pledge of Allegiance

The Pledge was recited.

2. Approval of the Agenda for May 7, 2019 (Non-action item)

Tim Sutton said items 5 and 30 could be removed from the agenda. Item 30 would be heard at the May 10, 2019, meeting.

3. GENERAL PUBLIC COMMENT (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).

John Bosta said the Comptroller's Office was created on July 1, 2004, to replace the County Auditor. The County Auditor was supposed to make a written report each month to the Commissioners just like the Treasurer. The Comptroller was to do all of the duties of the Auditor, but the Comptroller had not been making a written report each month to the Board. That report was supposed to be an audit on the Treasurer's balance for that month. Mr. Bosta felt if the Commissioners held the Treasurer to his report then the Comptroller should also be held to her report.

3. GENERAL PUBLIC COMMENT (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)-Cont'd.

Richard Goldstein was appearing on behalf of the DAV in Pahrump. May 10-11, 2019, would be the semi-annual Forget Me Not campaign. They would be at Tractor Supply, Walgreens, Smith's, Wal-Mart and Albertsons handing out flowers.

Diane Southworth advised she was no longer on the executive board for the Democratic Party and her opinions were her own. She talked about the petition for the late-term abortions and said she looked up some information in the State. She said abortions up to 24 weeks are without question, and after that there were certain things that had to be gone through. Ms. Southworth wanted people to understand women did not carry a baby for six or eight months and then decide they did not want it and aborted it. If people wanted to stop abortions then education was needed along with good birth control.

Treasurer John Prudhont said the southern Treasurer trust property sale would be tomorrow in Commission chambers and 269 properties would be auctioned. Registration would be at 8:00 a.m. and the auction would start at 9:00 a.m.

Tim Coward, field manager for Tonopah BLM, introduced Earl Numinen, Mr. Coward's replacement as he was retiring in three weeks. Mr. Numinen advised May was Nevada Wildfire Awareness month and he had a sample proclamation for the Commissioners along with a poster. He shared some tips to prevent fire to homes such as keeping areas around the building clear, management of landscaping, fuel breaks, evacuation practice, and good access for community responders.

Tynia Dickson from Sassy Trainer reminded the Commissioners they provided funding for veterans to receive service dogs. She invited them to the graduation this Thursday at 4:00 p.m. at Sanders Winery.

4. For Possible Action – Discussion and deliberation of the minutes of the joint meeting 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 regular meeting on April 2, 2019.

Commissioner Wichman made a motion to approve; seconded by Commissioner Strickland; 5 yeas.

SITTING AS THE BOARD OF COUNTY COMMISSIONERS

5. For Possible Action - Emergency Items

This item was removed from the agenda.

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

Commissioner Blundo advised the music palooza would be at the high school gym on May 13, 2019, at 6:00 p.m., and admission was free. The high school would also have the end of year concert on May 18, 2019, at noon at the Pahrump Valley High School courtyard with a fee of \$7.00 for adults, \$5.00 for students, and children under five were free. Commissioner Blundo also brought to the Board's attention the issue with the Bob Ruud Center. He would like the County/Town Manager to look at that and get it addressed so the craft fair event could be held over the weekend.

Commissioner Cox said Auto Zone was hiring and they paid pretty well so anyone looking for a job should go apply.

Commissioner Strickland said this weekend an event took place for the Trojan Park dedication for the honor students from Pahrump Valley High School. The park was located on school property behind Starbucks and that was where people could play frisbee golf.

Public Information Officer Arnold Knightly reminded everyone the household hazardous waste collection event in Pahrump would be on Saturday, May 18, 2019, from 7:00 a.m. to 4:00 p.m. at the landfill on Mesquite. He also mentioned on Thursday, May 9, 2019, Health and Human Services was putting on Nye County's first annual Tonopah career fair at the Tonopah High School where people could meet employers from local and surrounding areas. The first session would be from 9:00 a.m. to 11:00 a.m. and the second session would be from 12:00 p.m. to 2:00 p.m. Lastly, Mr. Knightly said sign-ups for the swim lessons in Pahrump would begin May 27, 2019, and information could be found on www.pahrumpnv.org.

Regarding the responsibilities of the Treasurer's Office and the Comptroller's Office, Savannah Rucker explained NRS 354.280 described the contents of the monthly statement required of the Treasurer, including keeping a complete record of the source of the amount of all receipts, apportionments to, payments from, and balances in all funds. It further described the bank reconciliations that were the responsibility of the Treasurer's Office. Mrs. Rucker explained her office was required by NRS 251.170(5) to audit all books and records of any fund or department of the County and report the findings to the Board. She said she did that on a monthly basis and wanted to clarify that for the Board and the constituents.

6. Commissioners'/Manager's Comments (This item limited to announcements or topics/issues proposed for future workshops/agendas)-Cont'd.

Fire Chief Scott Lewis said he received the ISO public projection survey conducted earlier this year on the Pahrump Valley Fire Rescue, which reduced the ISO rating from 4.4Y to a 3.3Y. The evaluation was done every five years and this was the third time in a row their rating had been reduced. It should reduce property insurance rates for the community. He explained ISO was the Insurance Service Organization, a third party vendor that rated fire protection. In turn insurance companies utilized that information to determine underwriting for particular risks and increasing the values on the properties.

Commissioner Cox asked if those benefits applied to just the people in Pahrump or all of Nye County.

Fire Chief Lewis explained ISO would do each of the communities, but this particular evaluation pertained to Pahrump only. The brothels were included in the report because Pahrump Valley Fire Rescue was the primary response agency for the brothels.

Jim Petell noted the managers' information was presented after public comment and wondered how he was to comment on it.

Commissioner Strickland said he could speak during the second public comment period.

SITTING AS THE NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS

Commissioner Blundo assumed the Chair of the Board of Highway Commissioners.

12. General road report by Public Works Director.

Commissioner Cox asked where the durapatcher was right now as there were bad holes on the corner of Ranger and Deerskin.

Public Works Director Tim Dahl said it was in Tonopah currently.

Commissioner Strickland asked how repairs were made on chip seal.

Mr. Dahl said typically they had been using cold mix on the majority of the chip seal roads; however, the durapatcher would be a huge benefit to tie those patches into the surface better than putting cold mix in.

Commissioner Koenig asked Mr. Dahl when he thought he would have the new durapatcher.

12. General road report by Public Works Director-Cont'd.

Mr. Dahl said he had initiated an agenda item for the next RTC meeting on May 22, 2019, but he had not found one yet to piggyback off of another contract.

Commissioner Blundo said he would bring an item to the Board for the durapatcher as well.

Mr. Dahl talked about the road maintenance requests available on-line. Anyone could go to Public Works at www.nyecounty.net and fill out a request. He asked the public to please be as specific as possible about the location. Contact information was not required, but it was helpful to have if there were questions about the area. Encroachment permits were also available on-line.

SITTING AS THE BOARD OF COUNTY COMMISSIONERS

Commissioner Koenig assumed the Chair of the Board of County Commissioners.

PUBLIC WORKS

37. For Possible Action – Discussion and deliberation regarding approval to: 1) Enter into a contract with Atkins North America, Inc. to provide Construction Management services to Replace Airport Access Gate at the Beatty Airport – Task 6 of the 2019 Airport Capital Improvement Plan (ACIP) project for \$7,650.00; 2) Execute the contract; and 3) Fund \$7,172.00 from 10340 Grants and \$478.00 from 10402 Special Capital Projects.

Commissioner Wichman made a motion to 1) enter into a contract with Atkins, 2) execute the contract, and 3) fund from sources as listed on the agenda; seconded by Commissioner Strickland.

Commissioner Blundo wondered if the motion should be made pending approval of an FAA grant. He asked if the grant did not come through if the County paid for it out of the general fund.

Tim Dahl said the grant offers had already been provided.

Marla Zlotek added there had been agenda items in the past where it was contingent upon approval and signage authority to the County Manager. If stated as such then it would be assumed for this agenda item that the grants had been approved and accepted and the money was there.

Commissioner Cox said this item was to replace airport access gates at the Beatty Airport and went to Atkins, but item 38 was also to replace access gates and went to Tiberti. She asked where the gates were.

37. For Possible Action – Discussion and deliberation regarding approval to: 1) Enter into a contract with Atkins North America, Inc. to provide Construction Management services to Replace Airport Access Gate at the Beatty Airport – Task 6 of the 2019 Airport Capital Improvement Plan (ACIP) project for \$7,650.00; 2) Execute the contract; and 3) Fund \$7,172.00 from 10340 Grants and \$478.00 from 10402 Special Capital Projects-Cont'd.

Commissioner Wichman explained Atkins was the construction manager and Tiberti was the one putting up the gates. A representative from Nye County was required to represent the owners and that was what Atkins did for the County.

The motion to 1) enter into a contract with Atkins, 2) execute the contract, and 3) fund from sources as listed on the agenda passed with 5 yeas.

38. For Possible Action – Discussion and deliberation regarding approval to: 1) Award Bid 2019-05 to The Tiberti Fence Company in the amount of \$40,219.00 for the Beatty Airport Replace Airport Access Gate; 2) Fund \$37,705.00 from 10340 Grants and \$2,514.00 from 10402 Special Capital Projects; and 3) Authorize the County Manager to execute the grant award when it is received from the FAA.

Commissioner Wichman made a motion to 1) award the bid to Tiberti Fence, 2) fund from the sources listed, and 3) authorize the County Manager to execute the grant award; seconded by Commissioner Strickland; 5 yeas.

39. For Possible Action – Discussion and deliberation regarding approval to: 1) Enter into a contract with Atkins North America, Inc. to provide Construction Management services for the Rehabilitation of the Airport Pavements at the Beatty Airport – Task 7 of the 2019 Airport Capital Improvement Plan (ACIP) project for \$76,750.00; 2) Execute the contract; and 3) Fund \$71,953.00 from 10340 Grants and \$4,797.00 from 10402 Special Capital Projects.

Commissioner Wichman made a motion to enter into a contract with Atkins, approve the funding as outlined, and execute the contract; seconded by Commissioner Blundo.

Honey Strozzi from Finance noted task 2 had been included on the approval and should not have been as that was approved in May, 2018. She asked the Board to exclude that from the approval.

Commissioner Wichman amended her motion to enter into a contract with Atkins, removing task 2, approve the funding as outlined, and execute the contract; Commissioner Blundo amended his second; 5 yeas.

40. For Possible Action – Discussion and deliberation regarding approval to: 1) Award Bid 2019-06 to Qualcon Contractors, Inc. in the amount of \$610,393.75 for the Beatty Airport Rehabilitate Airport Pavements; 2) Fund \$572,244.00 from 10340 Grants and \$38,149.75 from 10402 Special Capital Projects; and 3) Authorize the County Manager to execute the grant award when it is received from the FAA.

Commissioner Wichman made a motion to award the bid to Qualcon Contractors, fund from the designated funding accounts, and authorize the County Manager to execute the grant award; seconded by Commissioner Strickland.

Commissioner Cox commented the County spent an awful lot of money on the Beatty Airport and this was a big FAA grant. She asked Tim Dahl to explain why the Beatty airport was so valuable to the County that all this money had been put into it.

Mr. Dahl stated all of the airports were supported by the FAA to continue to make them safer for the pilots that flew in and out. The County continued to welcome FAA's input in its airports to allow them to grow into hopefully something that could have many more hangars and getting fuel out there would help the Beatty Airport grow. He said it was one of the few airports in that corridor so every aircraft that went east to west had to fly through that corridor and it was a great opportunity to provide services to pilots for emergencies. Mr. Dahl explained this project would rehab the surface put on several years ago.

The motion to award the bid to Qualcon Contractors, fund from the designated funding accounts, and authorize the County Manager to execute the grant award, passed with 5 yeas.

PUBLIC PETITIONER

41. For Possible Action – Discussion and deliberation regarding Nye County Proclamation No. P2019-04: A Proclamation Recognizing May 2019 as Nevada Wildfire Awareness Month.

Commissioner Blundo made a motion to recognize May, 2019, as Nevada Wildfire Awareness Month, Nye County Proclamation No. P2019-04; seconded by Commissioner Strickland.

Commissioner Koenig read the proclamation into the record.

DEM Director Scott Lewis felt the proclamation was timely and appropriate. He advised Nye County was in the red zone for wildfires this season and they were exercising all cautions throughout the County.

The motion to recognize May, 2019, as Nevada Wildfire Awareness Month, Nye County Proclamation No. P2019-04, passed with 5 yeas.

TIMED ITEMS

10. 10:15 – Treasurer's Report.

John Prudhont said he had submitted reports to the County Commissioners through December, 2019 [sic]. He brought to the Board's attention the letter from the Department of Taxation (DTAX). DTAX was requiring proof of submittal and acceptance by the Commissioners of the monthly bank reconciliation and monthly Treasurer's report.

Commissioner Wichman made a motion to accept the reports noting they were through February, 2019; seconded by Commissioner Strickland; 5 yeas.

Mr. Prudhont then gave a report on the trust property sale in northern Nye County. There were five properties with 30 bidders. Minimum bids were received on the properties in the amount of \$10,120.00, so those properties would now be producing taxes for the next roll. As far as overbids, the total amount received in bids was \$81,213.95, and per NRS the first \$300.00 of those bids went into the general fund as well as 10% of the next \$100,000.00.

Commissioner Blundo asked if the money going into the general fund from the sale affected the final balance.

Savannah Rucker said yes. She would need to look at what was projected and what was received when all sales were completed.

8. 10:00 – Presentation from Gemfield Resources regarding an update on the status of the Gemfield Project.

Ginger Peppard, the U.S. Environmental Permitting Manager with the Elko Mine Group representing Gemfield Resources, explained the project was a proposed open pit mine located in Esmeralda County. The life of the mine was approximately 15 years, 12 years of which would be in operation. There would be a year of construction to start and three years of post-closure. In addition to building the mine site there were a number of items that needed to be relocated, like U.S. 95, two fiber optic lines a water line owned by Esmeralda County, and a power line associated with NV Energy. In total there would be 370 contractors during construction, 150 full-time employees during operations, and they expected to produce 6,000 ounces of gold through the life of the project. There was approximately \$200 million of capital anticipated to be spent.

Ms. Peppard said the project originally started in July, 2013, when a plan of operation was submitted. Elko Mining acquired it in 2015 and anticipated having the record of decision and all associated right-of-way grants in July, 2019. The new highway and utilities would be constructed and installed prior to decommissioning the old ones, which would minimize traffic delays and downtime of any services.

9. 10:00 – For Possible Action – Public Hearing, discussion and deliberation to approve or deny renaming Ambrosini Rd to 5 Mile Big Wash Rd pursuant to Nye County Code 15.25.120. Assessor Parcel Number 013-111-07. Jana M. McElroy – Owner.

Commissioner Koenig opened and closed the public hearing.

Commissioner Wichman made a motion to approve renaming Ambrosini Road to 5 Mile Big Wash Road; seconded by Commissioner Strickland.

Commissioner Blundo wanted the applicant to understand there may be some conflicts with getting mail and things of that nature.

Byron Foster from the Assessor's Office advised that per the postal code there could not be a "5" in front and they would never be able to receive mail there, which was why in the back-up he offered some other suggestions. However, people could have separate mailing addresses and physical addresses.

The motion to approve renaming Ambrosini Road to 5 Mile Big Wash Road passed with 5 yeas.

11. 10:45 – For Possible Action – Public Hearing, discussion and deliberation to issue an Outdoor Festival License to the Pahrump Valley Chamber of Commerce for the Fall Festival to be held September 26-29, 2019, at Petrack Park located at 150 N. Highway 160, Pahrump, Nevada.

Commissioner Blundo disclosed his fiancée was the interim executive director of the Pahrump Valley Chamber of Commerce and he would recuse himself.

Commissioner Blundo was not present

Commissioner Koenig opened and closed the public hearing.

Commissioner Wichman made a motion to approve; seconded by Commissioner Strickland; 4 yeas.

SITTING AS THE NYE COUNTY LICENSING AND LIQUOR BOARD

Commissioner Strickland assumed the Chair of the Licensing and Liquor Board.

LIQUOR

13. For Possible Action – Discussion and deliberation to approve a 90-day Temporary Retail Liquor License for Johnny’s Taco Shop, LLC located at 1330 S. Highway 160, Pahrump, NV. Victor A. Zepeda and Juan Ramirez – Owners/Applicants.

Commissioner Blundo disclosed Mr. Ramirez was a tenant where his business was a tenant, but in no way would voting on this item impact his business or decision and it had no financial impact on him.

Commissioner Wichman made a motion to approve; seconded by Commissioner Koenig.

Samantha Tackett advised Detective Chris Sehnert said the cursory checked out. Additionally, this was not only contingent on their full background being completed but they also needed their fire inspection and certificate of occupancy, which they were on the list for.

The motion to approve passed with 5 yeas.

Commissioner Koenig assumed the Chair of the Board of County Commissioners.

SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

14. For Possible Action – Discussion and deliberation concerning a request to set a date, time, and location for a Public Hearing on the Fiscal Year 2019-2020 tentative budget for the Town of Pahrump.

Commissioner Blundo made a motion to set the public hearing for 10:00 a.m. at the May 29, 2019, meeting; seconded by Commissioner Strickland; 5 yeas.

6. Commissioners'/Manager's Comments (This item limited to announcements or topics/issues proposed for future workshops/agendas)-Reopened.

Commissioner Strickland advised the Southside Trail Head opened on Sunday for public and personal use. There would also be a valley-wide yard sale May 17-19, 2019.

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

BEATTY

15. For Possible Action – Discussion and deliberation concerning a request to set a date, time, and location for a Public Hearing on the Fiscal Year 2019-2020 tentative budget for the Town of Beatty.

Commissioner Wichman made a motion to set the date and time for 10:00 a.m. on May 29, 2019; seconded by Commissioner Blundo; 5 yeas.

GABBS

16. For Possible Action – Discussion and deliberation concerning a request to set a date, time, and location for a Public Hearing on the Fiscal Year 2019-2020 tentative budget for the Town of Gabbs.

Commissioner Wichman made a motion to set the date and time for 10:00 a.m. on May 29, 2019; seconded by Commissioner Blundo; 5 yeas.

MANHATTAN

17. For Possible Action – Discussion and deliberation concerning a request to set a date, time, and location for a Public Hearing on the Fiscal Year 2019-2020 tentative budget for the Town of Manhattan.

Commissioner Wichman made a motion to set the date and time for 10:00 a.m. on May 29, 2019; seconded by Commissioner Blundo; 5 yeas.

AS THE BOARD OF TRUSTEES FOR THE PAHRUMP POOL DISTRICT

18. For Possible Action – Discussion and deliberation concerning a request to set a date, time, and location for a Public Hearing on the Fiscal Year 2019-2020 tentative budget for the Pahrump Pool District.

Commissioner Wichman made a motion to set the date and time for 10:00 a.m. on May 29, 2019; seconded by Commissioner Blundo; 5 yeas.

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.

19. For Possible Action – Approval of Assessor’s Office Change Requests to allow the Nye County Assessor to process and:

- 1) Remove all taxes, penalties and interest totaling \$585.98 from account number OG-000142 belonging to Nola Grace Ptasynski, and deactivate account.**
- 2) Remove all taxes, penalties and interest totaling \$2,005.42 from account number OG-000263 belonging to Harry Ptasynski and deactivate account.**

Commissioner Wichman made a motion to approve items 19-22; seconded by Commissioner Blundo; 5 yeas.

20. For Possible Action – Approval to accept Amendment No. 1 to the Community Services Block Grant (CSBG) from the State of Nevada, Department of Health and Human Services that increases the grant amount by \$45,844.00 and extends the grant period to September 30, 2019. This grant is administered out of Fund 10340 Grants and there is no County match required.

Commissioner Wichman made a motion to approve items 19-22; seconded by Commissioner Blundo; 5 yeas.

21. For Possible Action – Approval to accept Amendment No. 1 to the Interlocal Agreement from the Nevada Housing Division Welfare Set-Aside Program that increases the amount by \$4,578.00, which includes additional monies to the current contract. This agreement is administered out of Fund 10340 Grants and there is no County match required

Commissioner Wichman made a motion to approve items 19-22; seconded by Commissioner Blundo; 5 yeas.

22. For Possible Action – Approval to: 1) Accept the Substance Abuse and Mental Health Services Administration (SAMHSA) award for the Fifth Judicial District Specialty Courts in the amount of \$2,000,000.00 to fund Drug Court Operations; and 2) Fund from 10340 Grants. There is no County match required.

Commissioner Wichman made a motion to approve items 19-22; seconded by Commissioner Blundo; 5 yeas.

CLERK

26. For Possible Action – Discussion and deliberation to appoint one member to the Pahrump Library Board due to one resignation.

Commissioner Strickland made a motion to appoint John Pawlak; seconded by Commissioner Cox; 5 yeas.

27. For Possible Action – Discussion and deliberation to appoint one member to the Beatty Town Advisory Board due to one resignation.

Commissioner Wichman made a motion to appoint Rob Shirley; seconded by Commissioner Strickland.

Commissioner Wichman thanked Crystal Taylor for all the years of support she had given the community

The motion to appoint Rob Shirley passed with 5 yeas.

28. For Possible Action – Discussion and deliberation regarding approval of an Interlocal Contract between Nye County and the Secretary of State for the purpose of utilizing the Security Operating Center services from the Center for Internet Security, Inc. for election network monitoring, dissemination of cyber threat warnings and vulnerability and mitigation.

Commissioner Wichman made a motion to approve; seconded by Commissioner Strickland.

Commissioner Blundo wondered if this was really needed as the County had approved many contracts increasing its cyber security and internet services.

Sam Merlino explained the Secretary of State had already reimbursed the 17 counties for this. It was a network monitoring intrusion system in real time so the County's IT would be notified in real time if there were any attempts at intrusion. She said this was for voter registration and elections, not just a County or State thing. It was a United States thing and was very important. She added the system was purchased before the Secretary of State approved reimbursement.

The motion to approve passed with 5 yeas.

DISTRICT ATTORNEY

29. For Possible Action – Discussion and deliberation to rescind the directive from the Board of County Commissioners on November 3, 2015, agenda item 21 for the District Attorney to bring legal proceedings for the abatement of the nuisance located at 701 Third Street, Gabbs, Nevada. Assessor Parcel Number 001-191-20. Property Owner – William Venter.

Commissioner Wichman asked if any contact was made with anyone in Gabbs that could look at the property for the District Attorney.

Marla Zlotek said she spoke with the complainant in great detail yesterday. She advised if the complainant would like to submit another complaint to the Clerk's Office in the future she would. Numerous people in Gabbs were coming up with creative ideas to address the nuisance. Additionally, it was going into its second year of non-payment of taxes.

Commissioner Wichman made a motion to approve; seconded by Commissioner Strickland; 5 yeas.

30. For Possible Action – Discussion and deliberation regarding: 1) retaining counsel to be selected by the District Attorney as counsel for handling of civil litigation in case Nye County Management Employees Association v Nye County, Case 2019-007, State of Nevada, Local Government Employee-Management Relations Board; 2) authorize District Attorney to execute contract for counsel legal services; and 3) fund from Contingency.

This item was removed from the agenda.

SHERIFF

31. For Possible Action – Discussion and deliberation to issue a Display Fireworks Event Permit to the Town of Tonopah to do an Aerial Display for their annual Fourth of July Event on Thursday, July 4, 2019. This event is being held at the Joe Friel Sports Complex in Tonopah, NV. Jennifer Mills – Applicant.

Commissioner Wichman made a motion to approve; seconded by Commissioner Strickland; 5 yeas.

32. For Possible Action – Discussion and deliberation to: 1) Approve to participate in the Overdose Detection Mapping Application Program (ODMAP) for the purpose of allowing first responders to report fatal and non-fatal overdose incidents to a secure map to be utilized for tracking and quantifying overdose data; and 2) Delegate one-time authority to the Sheriff or her designee to complete the online agreement that includes signing on the County’s behalf.

Commissioner Wichman asked if this had anything to do with the opioid lawsuit.

Tim Sutton said no, but it was in response to the opioid crisis.

Commissioner Wichman made a motion to approve the application program and delegate one-time authority to the Sheriff or her designee to sign; seconded by Commissioner Strickland.

Commissioner Cox was concerned about the invasion of people’s privacy and that this may end up costing the County a lot of money to administer. She thought the County was overstepping its bound by allowing the Sheriff’s Office to do it.

Commissioner Wichman believed this was just to collect numbers, not personal information.

Mr. Sutton said that was correct. He explained this was an on-line tracking portal so any time someone overdosed that data would be input without identifying information about the individual which would allow tracking of areas where opioid overdoses were prevalent.

Chris Arabia thought Commissioner Cox raised valid concerns, however, these kinds of decisions needed to be balanced. He thought under the circumstances based on the lack of personal information being attached and considering what was at stake he did not think the County was on thin ice legally so there was no problem with this proposal.

Commissioner Strickland said there was a possibility this would identify areas that were blight properties or a lesser area and label those areas not desirable.

Commissioner Koenig said it could also identify a building in a neighborhood or a neighborhood the Sheriff’s Office should patrol more frequently.

Commissioner Cox said all of the information just talked about was already available for tracking and she did not see any benefit for this.

Scott Lewis cautioned the Board to not place this in a box. He said this was not a socioeconomic class issue. When locations were referenced the thought was about influxes so opioid antagonists could be distributed to appropriate response agencies. It was not specific to houses but more geographical locations.

32. For Possible Action – Discussion and deliberation to: 1) Approve to participate in the Overdose Detection Mapping Application Program (ODMAP) for the purpose of allowing first responders to report fatal and non-fatal overdose incidents to a secure map to be utilized for tracking and quantifying overdose data; and 2) Delegate one-time authority to the Sheriff or her designee to complete the online agreement that includes signing on the County’s behalf- Cont’d.

Detective Chris Sehnert added the program was funded through the Attorney General's Office and sponsored by the High Intensity Drug Trafficking Association. All 17 Nevada counties were on board. He said it was another tool to fight the opioid crisis as a whole. He suggested that the next time the Attorney General's Office provided updates and classes that the Commissioners attend to learn the impact

The motion to approve the application program and delegate one-time authority to the Sheriff or her designee to sign passed with 4 yeas. Commissioner Cox voted nay.

COUNTY MANAGER

33. For Possible Action – Discussion and deliberation to approve an Airport Lease Agreement with MM Development for the purpose of occupancy of a hangar for private, non-commercial aircraft located at the Beatty Airport that is within Section 25, Township 19 North, Range 26 East of the Mount Diablo Meridian, Nye County, NV.

Commissioner Wichman made a motion to approve; seconded by Commissioner Blundo.

Vernon Evans, the legal representative of MM Construction, mentioned an amendment to section 36 sent on Friday that he was not sure the Board had.

Commissioner Wichman said if it was not in the back-up and the Commissioners had not had an opportunity to review it there was nothing they could vote on. She said she could withdraw her motion or Mr. Evans could accept it as it is and put forth an amendment at the next meeting.

Mr. Evans said he would go that route.

Lorina Dellinger advised Mr. Evans did submit the amendment, which was then submitted to the District Attorney's Office for review. The requested change was just to allow the lease to be assignable by the tenant upon notification to the County, but the County did not have the right to approve or deny that and it was not the practice with the County's leases.

33. For Possible Action – Discussion and deliberation to approve an Airport Lease Agreement with MM Development for the purpose of occupancy of a hangar for private, non-commercial aircraft located at the Beatty Airport that is within Section 25, Township 19 North, Range 26 East of the Mount Diablo Meridian, Nye County, NV-Cont'd.

Marla Zlotek added their office received an email at 4:57 p.m. on Friday and had looked into the proposed change for section 36. Section 19 of the lease in the back-up as written addressed the issue of assignment.

Commissioner Wichman confirmed with Mr. Evans that he still wanted this lease agreement to go forward.

The motion to approve passed with 5 yeas.

FINANCE

34. For Possible Action – Discussion and deliberation concerning a request to set a date, time, and location for a Public Hearing on the Fiscal Year 2019-2020 tentative budget for Nye County.

Commissioner Blundo made a motion to set the date and time for 10:00 a.m. at the May 29, 2019, meeting for the hearing for the Nye County tentative budget for Fiscal Year 2019-2020; seconded by Commissioner Wichman; 5 yeas.

35. For Possible Action – Discussion and deliberation to: 1) determine that excess Nye County vehicles are no longer required for public use; and 2) determine it is in the best interest of Nye County to dispose of through auction or other means with all resulting proceeds deposited to 10401 – County Capital Fund.

Commissioner Blundo made a motion to determine excess County vehicles were no longer required for public use and it was in the best interest of Nye County and the public to dispose of through auction or other means with all resulting proceeds deposited into 10401, County Capital Fund; seconded by Commissioner Strickland.

Commissioner Blundo asked why the funds were going into capital improvement if the vehicles were purchased out of the general fund.

Savannah Rucker explained because fund 10401 was the fund that was funding the replacement vehicles through Enterprise and supporting the debt service payment on the new vehicles.

The motion to determine excess County vehicles were no longer required for public use and it was in the best interest of Nye County and the public to dispose of through

35. For Possible Action – Discussion and deliberation to: 1) determine that excess Nye County vehicles are no longer required for public use; and 2) determine it is in the best interest of Nye County to dispose of through auction or other means with all resulting proceeds deposited to 10401 – County Capital Fund-Cont'd.

auction or other means with all resulting proceeds deposited into 10401, County Capital Fund, passed with 5 yeas.

PLANNING/BUILDING/CODE COMPLIANCE

36. For Possible Action – Discussion and deliberation to consider the Business Impact Statement prepared for Nye County Bill No. 2019-05: A Bill proposing to amend Nye County Code Title 5, Business Licensing and Regulations, Chapter 5.32 entitled Marijuana and Medical Marijuana Establishments.

Commissioner Wichman made a motion to approve; seconded by Commissioner Cox.

Commissioner Blundo asked why these were not included in a timely manner when these items were continued previously. He understood these were to be done when those items were heard.

Planning Director Brett Waggoner stated they were done in a timely manner per NRS. The intention was to ask for the item to be continued to this meeting when it was on the agenda last time so these could be considered and accepted prior to the Board hearing that bill.

The motion to approve passed with 5 yeas.

TIMED ITEMS

7. 10:00 – Presentation from the University of Nevada Cooperative Extension to introduce the New Northern Area Director, Holly Gatzke and the new Extension Educator for Nye County.

Holly Gatzke introduced herself as the new northern area director for the Cooperative Extension. She also introduced Jacob Halloway, the new Extension educator. Ms. Gatzke said they just wanted to introduce themselves and thanked the Commissioners for the support to the Cooperative Extension.

Commissioner Koenig asked who would travel to Pahrump occasionally, to which Mr. Halloway responded he would.

Commissioner Strickland suggested Mr. Halloway introduce himself to staff and other town boards so he could build relationships.

7. 10:00 – Presentation from the University of Nevada Cooperative Extension to introduce the New Northern Area Director, Holly Gatzke and the new Extension Educator for Nye County-Cont'd.

Mr. Halloway said he traveled to Round Mountain last weekend with a craft fair and a 4-H table. His plan was to try and serve as much of the County as possible. He asked if there were meetings to please reach out to him because he did not know when they all were and he would do his best to attend every meeting possible. He said his office was in the old courthouse in the annex and people were more than welcome to stop by. Mr. Halloway wanted to start finding individuals in the community who would be interested in serving on a non-formal advisory committee to help him direct Extension services. He also pointed out he was not fully on board yet with everything with the university so he would be out of the office a little bit, but he would try to have hours of 8:00 a.m. to 5:00 p.m.

Ms. Gatzke said the hope was to start moving forward as of July to introduce some of the new staff and got some concepts of where to go.

Commissioner Wichman told Mr. Halloway that Friday at 10:00 a.m. there would be a Tonopah Conservation District meeting.

Commissioner Strickland suggested Mr. Halloway attend the job fair on May 9, 2019.

BOARD OF COMMISSIONERS

23. 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.

Commissioner Wichman made a motion to go into closed session; seconded by Commissioner Strickland; 5 yeas.

24. 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.

The Board was in a closed meeting.

25. For Possible Action – Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.

There was no action taken.

42. GENERAL PUBLIC COMMENT (second)

John Bosta said NRS 251.030(3) stated the Auditor was required to report to the Board at each regular meeting the condition of each fund in the treasury. NRS 251.170 contained language stating the County Comptroller shall perform all duties required of the County Auditor under this chapter or any other applicable law of the State including County ordinances. Mr. Bosta said the Comptroller was to do all of the duties of the Auditor, including making make a written report each month, but she was not reporting what was in the Treasurer's funds.


Chris Spross advised around the week of April 15, 2019, he submitted a claim to the Planning Department regarding what he perceived to be an aggregate mining operation in violation of the zoning ordinances, which was confirmed by Planning. He was told he would receive updates as to the progress, but he had not heard from the Planning Department. Mr. Spross said he had legal counsel prepare a letter to submit to the Planning Director. He asked the Board to take immediate action and issue a cease and desist until the property was in full compliance with zoning ordinances and other documentation required to run that operation.


Commissioner Koenig recommended Mr. Spross send a copy of his letter to each Commissioner.

43. ADJOURN

Commissioner Koenig adjourned the meeting.

APPROVED this 4th day ATTEST:
Of June, 2019.


Chair


Nye County Clerk / Deputy