

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 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, was held at 10:00 a.m. in the Commissioner Chambers, 2100 E. Walt Williams Drive, Pahrump, Nevada 89048.

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; Samantha Tackett, Administrative Manager; Savannah Rucker, Comptroller; Marla Zlotek, Chief Deputy District Attorney; Michelle Nelson, Deputy District Attorney

Not Present: Chris Arabia, District Attorney; Sharon Wehrly, Sheriff

### **1. Pledge of Allegiance**

The Pledge was recited.

### **2. Roll Call**

Roll call was taken.

### **3. Ex Parte Communications and Conflict of Interest Disclosure Statements.**

Commissioner Strickland stated she was a sitting Nye County Commissioner and a well drilling contractor with Strickland Construction which put in septic systems and set pumps. She was also a real estate broker working in real estate which involved water rights brokering as well as the owner of Lakeside Storage.

### **4. Presentation by the Director of Emergency Management regarding the status of the COVID-19 outbreak.**

Emergency Management Director Scott Lewis said there were 100 new cases since the last meeting and 14 more reported in the last 25 minutes. The average per day had been double digits for the last week and a half with the majority of the cases in Pahrump. He said they were taking necessary precautions and getting PPE out to staff

**4. Presentation by the Director of Emergency Management regarding the status of the COVID-19 outbreak-Cont'd.**

as well as testing kits to target hotspots along with detention centers and skilled nursing facilities that were high risk factors. Chief Lewis mentioned the social feedback as to the legitimacy of the numbers. He stated they were completely legitimate and were received through a variety of sources such as Desert View Hospital, Serenity Health, and the State Epidemiologist Office. He advised the symptoms were also changing and evolving so gathering that information during the contact tracing was important.

Commissioner Cox talked about a report she read regarding flawed tests resulting in false positives. She also did not agree with having to wear masks.

Commissioner Strickland asked Chief Lewis if he thought masks were necessary for the County to stay open, to which he responded yes since the science supported it.

Commissioner Blundo mentioned the conflicting stories, notably that the Governor wanted to go to phase one and shut the State down again.

Chief Lewis said he heard that, though not directly through the State. He advised Nevada was being watched closely and there were a lot of other states that would not let Nevadans in right now. The numbers also continued to escalate, which did not help the cause. He said the only way to get through this was with teamwork.

Commissioner Koenig said his biggest concern right now was when people were safe to go out after a positive test. It started out at 20 days, the CDC then said 10, and there were cases in Pahrump where people were still positive at 19 days. He said it was disturbing to not have answers.

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

Commissioner Cox said she read an article that said COVID was in the Pahrump prison. She clarified it was not the Pahrump prison but rather Core Civic, a private corporation, and a lawsuit had been filed.

Commissioner Strickland said she was looking forward to breaking ground at the OHV track at the Pahrump fairgrounds. Also, applications were available for membership on an OHV advisory committee if there was an interest.

Commissioner Blundo said he was extremely disappointed with the legislative special session going after mining and thanked Ira Hansen for speaking out. He would like to look at Yucca Mountain as a solution because of the jobs and infrastructure it would bring. Commissioner Blundo then advised DETR was sued and the judge said retroactive payments would be made.

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

Public Works Director Tim Dahl introduced Assistant Public Works Director Thomas Bolling.

Regarding the jail, Tim Sutton advised there was a COVID outbreak in both the correctional facility and the Pahrump local jail.

Commissioner Cox asked if it was possible to get a count of how many prisoners there were in the CCA facility because in the lawsuit they stated it was way overcrowded, there was no room to separate people or maintain a six foot distance, and there were not enough tests. She also wanted to know how many ICE inmates were in the facility versus just local inmates.

Mr. Sutton said the Pahrump jail outbreak was both ICE and local inmates. He did not know how many inmates were in CCA, but about 62 were ICE inmates and 35 of those ICE inmates tested positive.

**6. Approval of the Agenda for June 16, 2020 (Non-action item)**

Tim Sutton said items 35-37 could be removed from the agenda.

**7. 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).**

Pat Minshall from Amargosa Valley advised in 2019 there were 34 deaths attributed to the flu. In the six and one-half months of 2020 there were 144,258 deaths attributed to COVID as of today. She agreed it was acting differently from the regular flu, which seemed to decrease with warm weather. COVID seemed to increase, but Ms. Minshall thought a lot of that could be people not wearing masks and getting together in large groups.

Ammie Nelson stated last Saturday the Nye County Republican Central Committee elected Chris Zimmerman as chairperson. Ms. Nelson would also like to see more attendees at the meetings.

Treasurer John Prudhont stated there was no basis for the idea the masks would stop COVID and it was an avoidance measure only.

Kalif Gordon said the only person that could be trusted was God and it was only a matter of time before the truth came out.

Jim Petell said the Sheriff's Office put a camera in his neighbor's vent pointed directly at him which had been there since June 26, 2020. He mentioned it in the Commission

**7. 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.**

meeting on July 7, 2020, but he received no response other than they were investigating his complaint he submitted on June 3, 2020. He told the Sheriff she had 24 hours to remove the camera from the vent or it was going to get ugly. Mr. Petell then expressed his appreciation for the continuance and objectivity of Pahrump Valley Disposal concerning the dump and its expansion.

Diane Southworth provided an outreach update. There was a program about dementia and living with dementia out there now and information could be found at the NyE Communities Coalition. A grant was also received for a farmer's market and they were looking for people who wanted to participate. Other items she mentioned included a nutrition class starting on July 23, 2020; Nevada Rural Housing Association's emergency assistance program; and a wrap-around event on August 22, 2020, to feed and help the homeless. Ms. Southworth said they were looking for a non-profit group to help with the homeless and would appreciate anything the town or County could do to help write grants.

Regarding COVID and masks, Melissa Blundo said TB killed someone every 21 seconds, but the world had not been shut down because of that. She thought what the Governor was doing needed to be looked at and whether this was really about safety. She also talked about her No Mask Nevada Pact.

Commissioner Blundo stated that neither he nor the County had any involvement with the No Mask Nevada Pact.

**8. For Possible Action – Discussion and deliberation regarding meeting minutes from the May 19, 2020 and June 16, 2020 joint regular meetings and June 19, 2020 joint teleconference 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.**

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

## TIMED ITEMS

### **9. 10:00 a.m. – Presentation by Holly Gatzke with the University of Nevada Cooperative Extension regarding the Agricultural Extension program in Nye County.**

Holly Gatzke discussed their proposed budget of \$334,866.00 for activities in Tonopah and Pahrump and the different programs they offered. People could call (775) 727-5532 if they wanted to participate or needed assistance.

### **10. 10:00 a.m. – For Possible Action – Community Development Block Grant (CDBG) Public Meeting: 1) Overview of the Community Development Block Grant (CDBG) program; 2) Summary of Past Performance by Nye County with CDBG funding since 1982; and 3) Invite public to provide project ideas, and input on past or potential projects.**

Grants Administrator Samantha Kramer discussed the County's past performance and the awards received through the program totaling \$4,778,401.57 from 1982 to today. The County could apply for two projects and sponsor two projects. Ms. Kramer explained the project must also meet one of the three CDBG national objectives, which were to benefit low- and moderate-income persons and households; aid in the prevention of slums or blight; and meet urgent community development needs when other sources of funding were not available. Eligible activities were affordable housing, community stabilization, public facilities and infrastructure, public services, economic development, and community planning and capacity building. Anyone with an idea should contact Ms. Kramer.

Commissioner Strickland wanted to consider moving forward on the fairgrounds' sewer disposal or wastewater, perhaps the ball fields lighting for the fairgrounds, and maybe help with the Tonopah sidewalks and street fronts project.

Ammie Nelson felt there was a dire need for a facility with bathrooms and showers for homeless people as well as a place for them to cool off.

Jim Petell felt there was a house-less problem, not a homeless problem. He suggested taking half of the \$5.5 million from VEA and making a house-less center.

John Bosta said he did not know if a Brownfields project could be considered, but there was a Brownfields project on Tamarack Street in Amargosa Valley approved for over \$1 million. When the town asked for that land the County said it had acquired it. The County cleaned up the scrap metal, but there were 50-gallon barrels leaking fluid onto the ground. Mr. Bosta said that project did not go through because the County would not release the land and suggested that it be looked at. He also suggested charging stations for electric cars in Amargosa Valley.

**11. 10:00 a.m. – For Possible Action – Hearing to Show Cause, discussion and deliberation pursuant to Nye County Code 17.04.860 to: 1) Determine if unhealthful nuisance conditions exist at 5908 E. Badlands Lane, Pahrump, NV, and 2) If a nuisance does exist, whether the nuisance should be abated or removed, or 3) Determine that there is no nuisance. Assessor's Parcel Number 046-011-13, Property Owner – Mosley, Jorja Faye Shrouder Trust.**

Commissioner Blundo made a motion to continue this item to August 4, 2020, at 10:00 a.m.; seconded by Commissioner Strickland; 5 years.

**12. 10:00 a.m. – For Possible Action – Public Hearing, discussion and deliberation on ZC-2020-000046: A request for a (Conforming) Zone Change application to change 0.5 acres from the General Commercial (GC) zone to the Commercial Manufacturing (CM) zone located at 1360 E. Basin Avenue, Pahrump, NV, to allow an indoor shooting range and retail store. Assessor's Parcel Number 035-232-14, 1360 LLC – Property Owner, Kalif Gordon, 2nd Amendment Guns – Applicant.**

Commissioner Koenig opened the public hearing.

Commissioner Strickland disclosed she was currently a state, national and world champion in the shooting sport of single action shooting and was therefore very pro-shooting.

Jim Petell felt this was a good use for this location and hoped the Board would support the item.

Kalif Gordon said they were grateful for the opportunity to bring the Second Amendment to Pahrump and the community, especially in these times.

Treasurer John Prudhont strongly endorsed the idea of this gun range being put in and asked the Board to approve it.

Commissioner Koenig closed the public hearing.

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

All Commissioners disclosed they were NRA members.

The motion to approve passed with 5 years.

**13. 10:00 a.m. – For Possible Action – Public Hearing, discussion and deliberation on ET-2020-000035: An application for an Extension of Time of Special Use Permit SU-2018-000055 (Cultivation) and SU-2018-000056 (Production) for a marijuana establishment (under construction) located at 750 E. Betty Avenue, Pahrump, NV. Assessor’s Parcel Number 038-024-01, Item 9 Properties – Property Owner, Item 9 Labs – Applicant.**

Commissioner Koenig opened and closed the public hearing.

Commissioner Blundo made a motion to approve the extension of time for the SUP; seconded by Commissioner Strickland; 5 years.

**14. 10:00 a.m. – For Possible Action – Public Hearing, discussion and deliberation on ET-2020-000036: An application for an Extension of Time of Special Use Permit SU-2018-000057 (Dispensary/Retail Store), proposed to be located at 1205 S. Loop Road, Pahrump, NV. Assessor’s Parcel Number 035-381-35, Floyd’s Construction Inc. – Property Owner, Green Life Productions, LLC – Applicant.**

Commissioner Koenig opened and closed the public hearing.

Commissioner Blundo made a motion to approve the extension of time for the SUP; seconded by Commissioner Strickland; 5 years.

**15. 10:00 a.m. – For Possible Action – Public Hearing, discussion and deliberation to adopt, amend and adopt, or reject Nye County Bill No. 2020-10: A Bill proposing to amend Nye County Code Title 17, Comprehensive Land Use Planning and Zoning, by amending Chapter 17.04 entitled Pahrump Regional Planning District, relating to Section 17.04.220 RE-2 Rural Estates Residential; Section 17.04.225 RE-1 Rural Estates Residential; Section 17.04.230 SE Suburban Estates Residential and Section 17.04.465 OS Open Space, Parks, and Recreation, by removing the permissive use of commercial farming/growing of crops in those zoning districts; and providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto.**

Commissioner Koenig opened the public hearing.

Commissioner Strickland disclosed her husband was a certified hemp grower.

Commissioner Koenig closed the public hearing.

Commissioner Blundo asked Planning Director Brett Waggoner if this item and the next one would be brought back to address the subsistence farming Code definition.

Mr. Waggoner explained this was brought back as there was some heartburn with what was adopted last time. He tried to alleviate that with the changes made and the definition would go along with this bill to understand it.

**15. 10:00 a.m. – For Possible Action – Public Hearing, discussion and deliberation to adopt, amend and adopt, or reject Nye County Bill No. 2020-10-Cont'd.**

Commissioner Blundo made a motion to adopt Nye County Bill No. 2020-10 with an effective date of August 10, 2020; seconded by Commissioner Strickland; 5 yeas.

**16. 10:00 a.m. – For Possible Action – Public Hearing, discussion and deliberation to adopt, amend and adopt, or reject Nye County Bill No. 2020-11: A Bill proposing to amend Nye County Code Title 17, Comprehensive Land Use Planning and Zoning, by amending definitions of Commercial Farming, Subsistence Farming, and adding definitions for Cottage Industry, Farmers Market; and providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto.**

Commissioner Koenig opened the public hearing.

Commissioner Strickland disclosed her husband was a certified hemp grower.

Commissioner Koenig closed the public hearing.

Commissioner Blundo confirmed with the Planning Director that changes were made to address concerns and update the definition of subsistence farming.

Commissioner Blundo made a motion to adopt Nye County Bill No. 2020-11 with an effective date of August 10, 2020; seconded by Commissioner Strickland; 5 yeas.

**17. 10:00 a.m. – For Possible Action – Public Hearing, discussion and deliberation to adopt, amend and adopt, or reject Nye County Bill No. 2020-12: A Bill proposing to amend Nye County Code Title 17, Comprehensive Land Use Planning and Zoning, by amending Section 17.04.770 entitled Signage Requirements; and providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto.**

Commissioner Koenig opened and closed the public hearing.

Commissioner Blundo made a motion to adopt Nye County Bill No. 2020-12 with an effective date of August 10, 2020; seconded by Commissioner Strickland; 5 yeas.

Commissioner Blundo asked staff to send a letter to the businesses that were affected by this.

The Board was in recess until 1:00 p.m.

Commissioner Cox was not present.

**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.**

**28. For Possible Action – Approval of the Elected Official Collection Report regarding fees collected from elected county departments for services rendered by or provided to county citizens.**

Commissioner Blundo made a motion to approve items 28-34; seconded by Commissioner Strickland; 4 yeas.

**29. For Possible Action – Approval to set the date and location for the second Board of Commissioners meeting in October for Tuesday, October 20, 2020 in Pahrump, Nevada.**

Commissioner Blundo made a motion to approve items 28-34; seconded by Commissioner Strickland; 4 yeas.

**30. For Possible Action – Approval of Affidavit of Mailing of Delinquent Notices per NRS 361.5648.**

Commissioner Blundo made a motion to approve items 28-34; seconded by Commissioner Strickland; 4 yeas.

**31. For Possible Action – Approval of Return of Sale and Affidavits of Publication per NRS 361.595 for the Nye County Trust Property Auctions held on June 1, 2020, June 2, 2020 and June 3, 2020.**

Commissioner Blundo made a motion to approve items 28-34; seconded by Commissioner Strickland; 4 yeas.

**32. For Possible Action – Approval of a grant extension for the Community Development Block Grant for the Beatty Airport Fueling Station (G19005) for 6 months. The extension will move the grant end date from March 31, 2020 to September 30, 2020.**

Commissioner Blundo made a motion to approve items 28-34; seconded by Commissioner Strickland; 4 yeas.

**33. For Possible Action – Approval to: 1) Accept the grant agreement for the FFY20 Services-Training-Officers-Prosecutors (STOP) Grant from the Nevada Office of the Attorney General in the amount of \$66,417.00 with a match amount of \$22,139.00 for the purpose of hiring a specialized prosecutor; 2) Execute the grant agreement; and 3) Fund \$66,417.00 from 10340 Grants and \$22,139.00 from 10101 General.**

Commissioner Blundo made a motion to approve items 28-34; seconded by Commissioner Strickland; 4 yeas.

**34. For Possible Action – Approval to: 1) Accept a Notice of SubAward for CARES Act Monies to the Community Service Block Grant (CSBG) in the amount to \$44,460.00, along with Assurances. There is no County match required; 2) Execute the SubAward; and 3) Fund from 10340 Grants.**

Commissioner Blundo made a motion to approve items 28-34; seconded by Commissioner Strickland; 4 yeas.

#### **COUNTY MANAGER**

**47. For Possible Action – Discussion and deliberation regarding a Memorandum of Understanding (MOU) between Nye County and the Nye County Management Employees Association – Criminal Deputy District Attorneys (NCMEA-CDDAs) regarding employee concessions.**

Commissioner Cox was present.

Deputy District Attorney Nicholas Pitaro informed the Board that never once was he contacted about this collective bargaining unit until it was finalized and had not paid dues. The rest of the Deputy District Attorneys also did not understand what was going on. There was no effort whatsoever to get their opinion of the unit and Mr. Pitaro found it offensive the first time he was approached by it was to make concessions. He said he did not know who they were or who they represented.

Commissioner Blundo said he had an e-mail talking about this subject matter. Unions had been decertified for having too few members and it did not seem to him that there was anybody in this union.

Tim Sutton explained he was approached by the union with the proposed MOU so he brought it forward to the Board, but if there was no one to represent within the collective bargaining unit then it was an easy vote. He knew there was an effort by a group of criminal deputy district attorneys who were no longer with the office to unionize and that their terminations were being challenged by the EMRB so there was a possibility some of those individuals might be reinstated. The EMRB recognized the group as a collective bargaining unit and Mr. Sutton did not know if any of the people who replaced them had any desire to be part of the union.

**47. For Possible Action – Discussion and deliberation regarding a Memorandum of Understanding (MOU) between Nye County and the Nye County Management Employees Association – Criminal Deputy District Attorneys (NCMEA-CDDAs) regarding employee concessions-Cont'd.**

Commissioner Strickland made a motion to continue this item until August 18, 2020; seconded by Commissioner Cox; 5 yeas.

**TIMED ITEMS**

**18. 10:00 a.m. – For Possible Action – Public Hearing, discussion and deliberation to adopt, amend and adopt, or reject Nye County Bill No. 2020-13: A Bill proposing to approve a Development Agreement between Nye County and Cedar Trees, LLC, for the North Canyon Homes Subdivision; and providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto.**

Commissioner Koenig opened and closed the public hearing.

Commissioner Koenig said there was no mention in the agreement of how many acres of land there was, how many homes there would be, and there was no Attachment A.

Commissioner Strickland disclosed she was a sitting Nye County Commissioner, president of Strickland Construction, and a general contractor like the applicant was.

Brett Waggoner explained Attachment A would come later when there was actually a tentative map. This was a step prior to that. As far as the description of the property, he believed it was in the agreement.

Commissioner Koenig said it did have the APNs and he had to go to the APNs to figure out how many acres it was.

Commissioner Strickland said it was 16 acres for 67 lots.

Commissioner Koenig asked if that was the same as last time.

Ken Murphy explained this designation was for 20,000 square foot lots, half acre each, with a maximum of 32 based on the roads and the final study as to how they would accommodate the property.

In response to Commissioner Koenig's question as to how to fix that, Michelle Nelson said it could be amended and adopted.

Ken Murphy said his original concept was to do smaller homes with the largest at 1,800 square feet, which would help keep the prices of the homes down. The Board did not want him to do lots that size so he decided to go to 20,000 square feet and 2,000 to

**18. 10:00 a.m. – For Possible Action – Public Hearing, discussion and deliberation to adopt, amend and adopt, or reject Nye County Bill No. 2020-13-Cont'd.**

3,000 square foot homes. The idea was to find something like what was at Artesia but smaller.

Commissioner Cox asked why the County was involved with this instead of Mr. Murphy doing it himself.

Mr. Waggoner said Mr. Murphy could do that but explained a development agreement was a benefit to both the County and the developer as it stipulated how the project would be developed and the impact fees that would be paid. Mr. Murphy did not have to continue on with the development agreement, but the money was already spent.

Commissioner Cox asked if Planning was forcing every developer to have an HOA.

Mr. Waggoner clarified that was a recommendation and they were not forcing anyone to do anything.

Commissioner Blundo asked Mr. Murphy what his thoughts were on Simkins and Highway 160 to the development.

Mr. Murphy said it needed to be improved. He advised he did not get to talk to anyone concerning contributing toward it, but he would be willing to contribute his fair share to improve that street at any time.

Commissioner Blundo wondered if the Board would like to give Mr. Murphy the latitude to develop a majority of these with half acre lots.

Commissioner Strickland advised she had seven letters in opposition to any subdividing. She said while the subdivision was proposed in the tariff area of a water district that would also be able to provide sewage treatment, Mr. Murphy was still creating 32 more houses to landscape and provide water for. She stated she had stood up for water and had been anti-subdivision for a very good reason as there were 80,000 lots out there.

Commissioner Strickland made a motion to deny; seconded by Commissioner Cox.

Mr. Murphy explained the water company said the amount of water they had to allocate for 67 lots was 1.67 acre feet. Going to half acres he was now required to allocate 1.1 acre feet, and the State mandated anything over an acre had to have 2 acre feet. Smaller lots used less water and he was trying to maximize the water usage while making smaller streets for the County to maintain. He thought it was a good thing for the County and the town.

**18. 10:00 a.m. – For Possible Action – Public Hearing, discussion and deliberation to adopt, amend and adopt, or reject Nye County Bill No. 2020-13-Cont'd.**

Commissioner Strickland asked in order to create a parcel how many acre feet had to be given up, to which Mr. Waggoner responded three per Code.

Commissioner Strickland wondered why the County would create more parcels for more water use. She felt eventually there would not be any water.

Commissioner Koenig commented that with the original 67 that would have been 44.89 acre feet and now it was only 35 acre feet, so theoretically water was actually saved by making bigger houses on bigger lots.

Commissioner Blundo said he could support the half acre lots as he did not think it would be detrimental to the community and there was a potential to get a road fixed.

Commissioner Cox said she would have liked to have a map with this.

Mr. Waggoner said it was hard to ask a developer to go through the expense of getting a map prepared when they did not even have the agreement they needed to move towards that map. This item was asking for approval to map his subdivision for 32 lots maximum. If he got that approval then this agreement would dictate what he agreed to, spell out any kind of road improvements that would come out of the traffic study, and any drainage improvements.

Commissioner Cox said she probably should not have seconded the motion to deny and withdrew her second.

The motion to deny failed for lack of a second.

Commissioner Wichman asked Mr. Murphy if he had the water he needed, to which Mr. Murphy responded he had 85% of it, which was about 24 acre feet.

Commissioner Wichman asked if Mr. Murphy would grow hemp and irrigate it or do some sort of farming with his acre feet if he did not get to develop his property.

Mr. Murphy said he would either sell it or grow something on it to make money.

Commissioner Wichman asked Mr. Waggoner which would use less water in his experience, a household or irrigated acreage.

Mr. Waggoner said definitely a development of a subdivision with houses was going to use far less than any agricultural operation.

Public Works Director Tim Dahl added that Mr. Murphy was aware of what improvements he would need to do. This would also be a document that Mr. Murphy

**18. 10:00 a.m. – For Possible Action – Public Hearing, discussion and deliberation to adopt, amend and adopt, or reject Nye County Bill No. 2020-13-Cont'd.**

would have to submit and any improvements recommended by the traffic engineer approved by Public Works would also have to be done.

Commissioner Blundo made a motion to approve the amended development agreement stating that it would be for half acre lots throughout the whole subdivision; seconded by Commissioner Wichman.

Commissioner Koenig said the phasing schedule on page 20 of the development agreement was invalid and asked if the motion could include that the total number shall not be greater than 32.

Commissioner Blundo amended his motion to approve the amended development agreement stating that it would be for half acre lots throughout the whole subdivision and the total number shall not be greater than 32; Commissioner Wichman amended her second.

Jim Petell said there would now be a nice subdivision in that area.

John Bosta spoke of the Tischner Report, which said every new subdivision was a deficit to the County of \$900.00 per year as the development agreement did not cover the cost of the subdivision. He also pointed out there was nothing in the new agreement about construction of roads and no map was presented.

Ammie Nelson said she was told the groundwater management plan only applied if there was no growth. Since that plan was approved over 500 homes had been approved in Artesia without upgrading the cost and now the County wanted to do more. Ms. Nelson lived on a fixed income and every time these homes were put in the taxes went up. She also talked about the lack of water and hoped the Board voted against it.

Treasurer John Prudhont strongly encouraged the Board to vote for Mr. Murphy's project.

Commissioner Koenig said one of his problems with this was if it was turned down Mr. Murphy could build the homes anyway and the County got nothing. If the agreement was approved then the County got some guarantees for the roads, etc.

Commissioner Strickland stated a development agreement was not required because of the VR20 zoning. All Mr. Murphy had to do was go before the RPC and get approved.

Mr. Waggoner clarified Mr. Murphy would come before this Board, but he could do a subdivision map for half acre lots and bring it back.

**18. 10:00 a.m. – For Possible Action – Public Hearing, discussion and deliberation to adopt, amend and adopt, or reject Nye County Bill No. 2020-13-Cont'd.**

Commissioner Strickland said in the alternative the Board could amend this item to not approve this development agreement but rather approve him for the parceling at half acre lots.

Marla Zlotek said that would have to come back as a separate item.

Commissioner Strickland was concerned with the other expired development agreements and asked how many there were.

Mr. Waggoner said there were at least five and clarified it was not that they had expired. For example, Pleasant Valley had 800 parcels originally in their development agreement and they only got a final map approved for 100. Since that tentative map and development agreement had expired, if someone was to come in and propose developing the rest of Pleasant Valley they would have to start over.

Commissioner Strickland said she hoped the Board was thinking about what it was doing because the applicant had the right to do 32 half acre parcels without a development agreement.

Commissioner Koenig was concerned about setting a precedent by approving this development agreement for half acre lots as none were approved in the past.

Commissioner Wichman said a development agreement was in the County's best interest as it locked the developer into helping with certain things the County would be responsible for. She did not understand what the problems were with the development agreements other than in the past there were a number of them that were open-ended with no expiration date and expiration dates had now been established on them.

The motion to approve the amended development agreement stating that it would be for half acre lots throughout the whole subdivision and the total number shall not be greater than 32 passed with 4 years. Commissioner Strickland voted nay.

**RECORDER**

**43. Report of projected expenditures of money in the Recorder's Technology Fund to be used in the 2020-2021 Fiscal Year.**

Chief Deputy Recorder Dawn Gudmunson corrected an error in the back-up. It stated 2018-2019 and it should be 2020-2021. She estimated approximately \$90,000.00 would be collected with expenditures of \$40,000.00 to preserve some of the historical records.

**43. Report of projected expenditures of money in the Recorder's Technology Fund to be used in the 2020-2021 Fiscal Year-Cont'd.**

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

**TIMED ITEMS**

**19. 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.**

Treasurer John Prudhont advised the next CLGF meeting was scheduled for August 12, 2020, at 9:00 a.m. to update them.

**SITTING AS THE NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS**

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

**20. 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.**

Public Works Director Tim Dahl said he had spoken to the head of maintenance for NDOT and she was organizing the placement of buttons and reflectors to better mark the lanes on both roundabouts on Highway 372, but she did not say when that would happen. He looked at Laughlin last week and patched some potholes. A pre-construction meeting was scheduled next week for Anvil and Powerline Road and Mr. Dahl hoped the project could start the following week. Lastly, he got some durapatcher oil so that machine would be out working soon.

Commissioner Cox asked if the Laughlin repair was temporary or if it needed to be repaved.

Mr. Dahl said there were no plans to repave it since it appeared the surface was in good shape and there were 100 other roads that were in worse condition.

Commissioner Wichman said she had a request for help on Mizpah Circle, Occidental Drive, Crescent Drive, and Desert Queen Road. The complainant said they were disasters and the roads had deteriorated away. The crews filled the holes with dirt every so often but the dirt came out, stayed on the road and caused people to skid through stop signs.

**20. For Possible Action – Discussion and deliberation regarding General Road Report by Public Works Director-Cont'd.**

Mr. Dahl said it sounded like those roads were better suited for the durapatcher rather than cold mix and there was a durapatcher in Tonopah. He said he could send up a 1,000-gallon tank of oil for the durapatcher tomorrow and get the crew started.

Commissioner Strickland asked for an update on Homestead and the highway.

Mr. Dahl advised the contractor still had not received the software and supplies to do those improvements.

Commissioner Blundo asked for the status of Cabo and Quail Run and when the chip seal program would be put out.

Mr. Dahl said Cabo and Quail Run were the next projects for his team to initiate and the chip seal program would be brought to the Board at the next meeting.

Commissioner Blundo asked if NDOT could be told about the conditions of Highway 160 by Oxbow and Wilson and Oxbow and Highway 160 on the lead up to it heading north on Highway 160 did not look good. It looked like it sunk in one area.

Mr. Dahl said they had tried to repair that tire path a couple of times. He believed NDOT was preparing an overlay project that would include repairing that section of road as well as north of Basin on Highway 160.

Jim Petell said nothing had been done on Bell Vista or Leslie and something needed to be done to Pahrump Valley Boulevard from Thousandaire to Mount Charleston. Also, the patches on Whirlwind were just patches and it was a nasty road.

Ammie Nelson thanked Mr. Dahl for fixing the pothole near the post office as well as for the update on the roundabout. She mentioned no one asked Mr. Dahl about the expenses for the roads and upkeep in the new development areas.

**SITTING AS THE NYE COUNTY LICENSING AND LIQUOR BOARD**

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

## LIQUOR

**21. 10:00 a.m. – For Possible Action – Hearing to Show Cause, discussion and deliberation to: 1) Consider reinstating Liquor Licenses that are suspended due to nonpayment of license renewal fees pursuant to Nye County Code 55.04.330(A) from the following list of licensees: CVS Pharmacy #8789, CW Nevada, LLC., El Valle Restaurant, Escapees Co-Op of Nevada, MJG Jupiter Enterprises, LLC., R and H Market, Raley's #120, Round Mountain Golf Course, Rubalcaba's Taco Shop, Tonopah Shell, Tonopah Texaco Truck and Auto Plaza; or 2) Allow additional time to pay delinquent renewal fees.**

Commissioner Strickland opened the show cause hearing and asked the licensing administrator to provide an update on the licenses.

Michelle Nelson corrected a typographical error in the agenda item. The Board was actually moving forward pursuant to 55.04.033(A) rather than 55.04.330(A).

Samantha Tackett advised all but two listed had paid. CW Nevada, LLC, had chosen not to renew their license and she believed Escapees Coop of Nevada had chosen not to renew as well due to ownership and management changes.

Commissioner Koenig made a motion to renew all licenses except Escapees and CW Nevada; seconded by Commissioner Blundo.

Commissioner Strickland closed the show cause hearing.

Commissioner Blundo disclosed he held a privilege Nye County liquor license that would not preclude him or sway his vote on the matters at hand. He asked if renew was the proper term.

Commissioner Koenig amended his motion to reinstate all licenses except Escapees and CW Nevada; Commissioner Blundo amended his second; 5 years.

**22. For Possible Corrective Action – Discussion and deliberation to ratify the meeting of 3 members of the Licensing and Liquor Board (quorum pursuant to NCC 5.04.040) on July 7, 2020 with JEH, LLC., Nevada Wine Cellars, Inc. dba, Pahrump Valley Winery and ratify the action of examining and accepting documentation from JEH, LLC., Nevada Wine Cellars, Inc. dba, Pahrump Valley Winery on July 7, 2020.**

Commissioner Koenig made a motion to ratify the meeting of three members of the Licensing and Liquor Board (quorum pursuant to NCC 5.04.040) on July 7, 2020 with JEH, LLC, Nevada Wine Cellars and ratify the action of examining and accepting documentation from them; seconded by Commissioner Wichman.

**22. For Possible Corrective Action – Discussion and deliberation to ratify the meeting of 3 members of the Licensing and Liquor Board (quorum pursuant to NCC 5.04.040) on July 7, 2020 with JEH, LLC., Nevada Wine Cellars, Inc. dba, Pahrump Valley Winery and ratify the action of examining and accepting documentation from JEH, LLC., Nevada Wine Cellars, Inc. dba, Pahrump Valley Winery on July 7, 2020-Cont'd.**

Mike Meacher, vice president of Front Site, said they surveyed their students routinely when they attended classes who all relayed positive experiences at the Pahrump Valley Winery and Symphony Restaurant. He asked the Board to expedite approval with whatever was going on with the liquor license so the establishment could be open for their students.

Commissioner Blundo said his primary concern was if the Board ratifying this action would open the County up to potential liability with everyone else who was suspended.

Marla Zlotek explained the ratification would not open it up for any other liability or preferential treatment as this was just to ratify because there was a Code that contained verbiage of a quorum that was created many years ago.

Commissioner Strickland added she found an NRS which said majority, but the Nye County Code stated for a board of six a quorum was three and no one knew.

Tim Sutton said he learned that at the time the Licensing and Liquor Board was created in 1983 the Board of County Commissioners was only comprised of three members. The Sheriff made it a four-member board so a three-member quorum would be appropriate. He thought that was never changed when the Commission went to a five-member board and the Code would be amended.

Commissioner Blundo disclosed that he held a Nye County privilege liquor license and it would not affect or impede his ability to participate in the proceedings.

The motion to ratify the meeting of three members of the Licensing and Liquor Board (quorum pursuant to NCC 5.04.040) on July 7, 2020 with JEH, LLC, Nevada Wine Cellars and ratify the action of examining and accepting documentation from them passed with 5 yeas.

**23. For Possible Corrective Action – Discussion and deliberation to ratify the action taken by Licensing and Liquor Board Chair, Debra Strickland during a meeting of 3 members of the Licensing and Liquor Board (quorum pursuant to NCC 5.04.040) on July 7, 2020 with JEH, LLC., Nevada Wine Cellars, Inc. dba, Pahrump Valley Winery regarding extending the application document submission deadline for JEH, LLC., Nevada Wine Cellars, Inc. dba, Pahrump Valley Winery, John Hobbs – Owner/Applicant.**

Commissioner Koenig made a motion to ratify the action taken by Commissioner Debra Strickland during a meeting of three members of the Liquor and Licensing Board on July 7, 2020, with Nevada Wine Cellars regarding extending the application document submission deadline; seconded by Commissioner Wichman; 5 yeas.

**24. For Possible Action – Discussion and deliberation regarding future suspension reinstatement procedures and direction to staff to commence code amendment procedures within Nye County Code Chapter 5.04 Article V Licenses, Suspensions, and Revocation.**

Commissioner Koenig directed staff to go through the chapter. He explained there were steps to take in the chapter when the Board revoked a license, but nothing when a license was suspended. His personal opinion was when they had not paid or were late and they were suspended, when they came in the next day and paid the chair and the Sheriff should be able to give them their license back instead of having them wait two weeks for a Board meeting.

Commissioner Wichman said she had some amendments she would like to make.

Commissioner Cox said she would like to see the whole Code simplified as it made it very difficult on everybody.

Commissioner Blundo disclosed he held a Nye County privilege liquor license that would not preclude him from participating in these matters. He said he had concerns with empowering the chair of the Licensing and Liquor Board to reinstate licenses, but he agreed there was ambiguity within the Code.

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

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

**25. 10:00 a.m. – For Possible Action – Public Hearing, discussion and deliberation to: 1) Adopt, amend and adopt, or reject Pahrump Town Bill No. 2020-01 titled Motor Vehicles, Chapter 72.020, titled speed limit imposed by changing the speed limits in the area of Honeysuckle Park/Ian Deutch Park, and providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto; and 2) Set an effective date.**

Commissioner Strickland made a motion to continue this item to August 18, 2020, at 10:00 a.m.; seconded by Commissioner Wichman.

Commissioner Koenig opened and closed the public hearing.

Commissioner Cox said this had been going on forever and nothing seemed to be changing. She referred to the language that stated unless otherwise provided in the ordinance the maximum allowable speed shall be 45 mph on all town roads and/or highways. She did not like the word highways as there was a 55 mph speed limit from the other side of Basin out to Mesquite and on. She would like that looked at and felt there were a few streets in town that could use the 55 mph limit.

Marla Zlotek said this public hearing was for a specific area. There was a motion to continue and she thought the conversation was drifting off the subject by discussing other streets not included in this item.

Commissioner Cox said she did not agree with continuing this, but if it was going to be continued she wanted to see that changed. She would also like to justify returning to a 45 mph speed limit on Pahrump Valley Boulevard considering it was that speed previously.

The motion to continue this item to August 18, 2020, at 10:00 a.m., passed with 5 yeas.

**26. For Possible Action – Discussion and deliberation of verbal activity reports provided by Town of Pahrump Committees: Pahrump Arena Advisory Committee, Nuclear Waste and Environmental Advisory Committee, Pahrump Parks and Recreation Advisory Committee, Pahrump Public Lands Advisory Committee, Pahrump Tourism Advisory Committee, or Pahrump Veterans Memorial Advisory Committee, and direction from the Board regarding the verbal activity reports.**

Dave Harris from the Pahrump Parks and Recreation Advisory Committee discussed their recent activities.

Commissioner Cox suggested moving this item up on the agenda so people did not have to sit at the meeting all day.

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

**BEATTY**

**27. For Possible Action – Discussion and deliberation to: 1) Approve a onetime donation of \$5,000.00 to the Nye County Senior Nutrition Program for the Beatty Senior Center to offset the operating deficit for the fiscal year ending on September 30, 2020; and 2) Fund from Fund 24101 Beatty Town.**

Commissioner Blundo made a motion to approve a one-time donation of \$5,000.00 to the Nye County Senior Nutrition Program for the Beatty Senior Center and fund from Fund 24101; seconded by Commissioner Wichman; 5 years.

**SITTING AS THE BOARD OF COUNTY COMMISSIONERS**

**BOARD OF COMMISSIONERS**

**35. 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.**

This item was removed from the agenda.

**36. Closed meeting, pursuant to NRS 241.015(3)(b)(2) for purposes of conferring with legal counsel regarding potential or current litigation.**

This item was removed from the agenda.

**37. For Possible Action – Discussion and deliberation on conference with legal counsel regarding potential or current litigation presented in closed meeting.**

This item was removed from the agenda.

**38. 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.**

This item was removed from the agenda.

**39. 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.**

This item was removed from the agenda.

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

This item was removed from the agenda.

**41. For Possible Action – Discussion and deliberation to consider Neal Jones's request to rescind, repeal, cancel, void and/or nullify Nye County Resolutions 2020-16: A Resolution Directing the Transfer of Nye County Treasurer Trust Property Into Nye County Ownership for Public Purposes and 2013-17: A Resolution Directing the Transfer of Nye County Treasurer Trust Property Into Town of Belmont Ownership for Public Purposes.**

Commissioner Blundo explained he sponsored this item since he did not feel Neal Jones had an appropriate venue to discuss this in.

Neal Jones asked that his written statement be included in the minutes [see Attachment 1]. He asked that Resolution Nos. 2020-16 and 2013-17 be rescinded as the deceptive manner in which they were passed or enacted was fraudulent. Resolution No. 2020-16 concerned the easements for roads and water lines for the Manhattan water system which had already been established by Resolution No. 2011-30. Mr. Jones felt the Board and the public were provided with false and misleading information regarding the background of the Manhattan water system, its infrastructure and previously established easements. As to Resolution No. 2013-17, which granted title to properties in Belmont to the Town of Belmont pursuant to NRS 361.603, Mr. Jones argued the Town of Belmont was not a legitimate local governmental entity and did not meet the criteria listed in NRS 361.603 to be considered one. As such, it could not legally acquire title to the properties. He also pointed out the delinquent taxes on the parcels had never been paid.

Commissioner Cox said this concerned her as she believed Mr. Jones was right in many of the things he said unless someone could prove different. She thought the District Attorney should take a look at it and provide an opinion. If it was a conflict for the District Attorney to do it then they could ask the Attorney General's Office for an opinion. She would like a motion made to that effect.

Michelle Nelson advised at this point the agenda item was to rescind, repeal, cancel, void or nullify. There was no direction in the item to refer it to the District Attorney's Office. She suggested the Commissioners continue this item and then contact the District Attorney's Office to look into it.

Commissioner Cox made a motion to incorporate all of the suggestions made by the Deputy District Attorney and have this item held until September 15, 2020, so the District Attorney's Office could look into it; seconded by Commissioner Blundo.

**41. For Possible Action – Discussion and deliberation to consider Neal Jones’s request to rescind, repeal, cancel, void and/or nullify Nye County Resolutions 2020-16: A Resolution Directing the Transfer of Nye County Treasurer Trust Property Into Nye County Ownership for Public Purposes and 2013-17: A Resolution Directing the Transfer of Nye County Treasurer Trust Property Into Town of Belmont Ownership for Public Purposes-Cont’d.**

John Bosta encouraged the Board to vote for this item as Mr. Jones presented a lot of documentation and demonstrated that this was something the Board should take a look at.

Janice Berard asked that her statement be included in the minutes [see Attachment 2]. She felt some Commissioners had purposely ignored the facts that Mr. Jones had presented and some had shown minimal respect or understanding for the rule of law. She believed others were falsely influenced and deliberately misled by some of their very own colleagues. Ms. Berard urged the majority of the Board to support Mr. Jones by rescinding the two resolutions and not postpone the decision.

Ammie Nelson said she had heard some of the information that Mr. Jones brought forward and the issues were documented, yet he was treated as if he did not know what he was talking about. According to the back-up this was something he was involved in and in her opinion the Board should vote yes.

The motion to incorporate all of the suggestions made by the Deputy District Attorney and have this item held until September 15, 2020, so the District Attorney’s Office could look into it passed with 4 yeas. Commissioner Wichman voted nay.

Commissioner Wichman said no resolution was put on the agenda without it going through the District Attorney’s Office. She thought continuing this item and giving the District Attorney time to go through it was a waste of staff time.

Marla Zlotek said she was involved in the Manhattan sewer line project and there were at least two banker boxes or more of documents that would have to be reviewed, which were also reviewed when the Manhattan water project was going on. She said the issue here was the questions brought up by Mr. Jones and allegations without information to back-up the allegations. Ms. Zlotek stated this would be time consuming and she was not sure it could be accomplished in two months as it was a project.

**CLERK**

**42. For Possible Action – Discussion and deliberation to appoint two members to the Amargosa Valley Town Board due to two resignations from the following list of applicants: John Bosta and Richard Claessens.**

Commissioner Blundo said he wanted to open it up for more applicants.

**42. For Possible Action – Discussion and deliberation to appoint two members to the Amargosa Valley Town Board due to two resignations from the following list of applicants: John Bosta and Richard Claessens-Cont'd.**

Sam Merlino advised this was the second publication.

Commissioner Wichman said there were several counties and many town advisory boards in the State which operated with a three-man board. Given the lack of phone calls and complaints she assumed this three-man board was doing a good job. She suggested having the town board revisit what established the five-man board and see if they were willing to operate with a three-man board instead.

Commissioner Koenig said his problem was there was an election coming up and each one of these people wanted to get elected. Putting anyone on the Board gave them an unfair advantage.

Pat Minshall from the Amargosa Valley Town Board said they had been operating for the past four months with three people and were doing very well. Barring complications she felt they could continue the way they were. Ms. Minshall agreed to look into amending the document that required a five-man board.

Janice Berard asked that her statement be included in the minutes [see Attachment 3]. She referred to the statement made on May 19, 2020, by Commissioner Wichman that she was reluctant to appoint the two qualified applicants because she did not want to remove someone as she had done in the past. Ms. Berard believed that comment and the actions made that date toward John Bosta were discriminatory and based on a personal dislike rather than the qualifications of him as an applicant. She felt it was time for some to set their personal beefs and discrimination aside and allow Mr. Bosta to take a seat on the Amargosa Town Board.

Neal Jones stated the Amargosa Valley Town Board had by-laws that said they had to have five people on their board so that was what they should have. He felt the applicants had met every criteria placed on them by this Board twice now and each time no one else wanted to do it.

Herman Lewis said he supported Mr. Jones, but Mr. Bosta had criminal charges pending. Mr. Lewis suggested having those charges resolved and then moving forward as they were serious charges.

Commissioner Cox said both people appeared to be qualified and were the only ones that came forward in the last four months to put their names in. She did not believe it would behoove the Board to not appoint Mr. Bosta because charges were pending. If it became a three-man board in the future the Board would have to vote on that and if that was the case then all advisory boards should be reduced to three people.

Commissioner Cox made a motion to approve John Bosta and Richard Claessens.

**42. For Possible Action – Discussion and deliberation to appoint two members to the Amargosa Valley Town Board due to two resignations from the following list of applicants: John Bosta and Richard Claessens-Cont'd.**

The motion failed for lack of second.

The item failed for lack of a motion.

Commissioner Wichman clarified the Board would not approve the changes to the town's by-laws as they had their own town board.

**TREASURER**

**44. For Possible Action – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2020-23: A Resolution Directing the Levy of the Tax Rate Required for Fiscal Year 2020-2021.**

Treasurer John Prudhont said the tax rates were approved by the Department of Taxation.

Commissioner Wichman made a motion to adopt Resolution No. 2020-23; seconded by Commissioner Strickland; 5 yeas.

**COUNTY MANAGER**

**45. For Possible Action – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2020-24: A Resolution of the Board of Commissioners of Nye County, Nevada Providing for the Transfer of the County's 2020 Private Activity Bond Volume Cap to the Nevada Rural Housing Authority and Other Matters Related Thereto.**

Commissioner Wichman made a motion to adopt Resolution No. 2020-24; seconded by Commissioner Strickland.

Diane Arvizo from the Nevada Rural Housing Authority provided an update on the agency and the programs they offered.

The motion to adopt Resolution No. 2020-24 passed with 5 yeas.

**46. For Possible Action – Discussion and deliberation regarding a Memorandum of Understanding (MOU) between Nye County and the Nye County Management Employees Association (NCMEA) regarding employee concessions.**

Tim Sutton explained this was a unit that had been established for some time. The association had agreed to requested concessions in the form of furlough days.

**46. For Possible Action – Discussion and deliberation regarding a Memorandum of Understanding (MOU) between Nye County and the Nye County Management Employees Association (NCMEA) regarding employee concessions-Cont'd.**

Commissioner Blundo said section 3 stated the County agreed to not layoff, cut positions, freeze step advancements or demote any employee within the NCMEA bargaining unit other than as a disciplinary action as allowed for the in the current NCMEA collective bargaining agreement during the first quarter of FY21. He wanted to know what happened to the MOU if the County got in better fiscal shape.

Mr. Sutton said even if the furloughs did not need to be taken the County would still be bound by those restrictions on terminations.

Commissioner Blundo referred to section 2 which stated when the County revenues recovered to FY20 levels all concessions shall be retroactively reimbursed. He asked what the employees were conceding if they would be reimbursed.

Mr. Sutton said that was the big if. If the County was able to repay then it should repay them. He also did not think it was unreasonable for them to request no layoffs if they were coming to the table with concessions.

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

Ammie Nelson did not think this was something that could even be projected at this time.

The motion to approve the MOU passed with 4 yeas. Commissioner Blundo voted nay.

Mr. Sutton expressed his appreciation to the management union for coming to the table and offering the concessions.

**48. For Possible Action – Discussion and deliberation to: 1) Determine that an excess Nye County vehicle is no longer required for public use; and 2) Determine it is in the best interest of Nye County to dispose of the excess vehicle through salvage with any resulting funds deposited into Fund 10401 or 10402 Capital Projects based on Comptroller determination upon receipt of the funds.**

Commissioner Blundo made a motion to determine an excess Nye County vehicle was no longer required for public use and it was in the best interest of Nye County and the public to dispose of the vehicle through salvage with any resulting funds deposited into Fund 10401 or 10402, Capital Projects, based on Comptroller determination upon receipt of funds; seconded by Commissioner Strickland; 5 yeas.

## FINANCE

**49. For Possible Action – Discussion and deliberation to ratify the County Manager’s acceptance of the No-cost Extension for the FFY19 Violence Against Women Act (VAWA) STOP Grant. The extension will move the grant end date from June 30, 2020 to September 30, 2020. This will allow the District Attorney’s Office more time to hire a specialized prosecutor.**

Commissioner Blundo made a motion to ratify; seconded by Commissioner Wichman; 5 yeas.

**50. For Possible Action – Discussion and deliberation to: 1.) Discuss the allocation of Cares Act funding issued to Nye County in the amount of \$8,496,059.00 between Nye County eligible expenditures and programs to be issued to sub-entities, small businesses, and constituents within Nye County, 2) Discuss the CARES Act funding program goals and guidelines, and 3) Provide direction to staff to bring forward a policy for CARES Act funding including the funding allocation, program goals, and program guidelines.**

Savannah Rucker explained there was no back-up for the item as they were modifying the presentation as recently as this morning based on revised direction and understanding of the CARES Act, but she now had the presentation if the Board wanted to accept it.

Commissioner Strickland made a motion to accept additional back-up; seconded by Commissioner Blundo; 5 yeas.

Grants Administrator Samantha Kramer gave a presentation on the CARES Act funding request, guidelines and funding allocation plan.

Mrs. Rucker said they needed direction on the funding allocation plan. Since the next Board meeting was on August 4, 2020, the State would receive a draft policy on August 1, 2020, and then the Board approved policy.

Commissioner Koenig said he liked a lot of this, but he wondered how he would figure out who to give what.

Mrs. Rucker said she had received guidance on how to apply the programs, which would all be forwarded to the Board with the policies.

Commissioner Blundo said he would like it to be easily executable for the applicants and for staff because of the reporting requirements.

Tim Bohannon warned the Commissioners to be prepared for more compliance enforcement that the funds received were used as intended by the law.

**50. For Possible Action – Discussion and deliberation to: 1.) Discuss the allocation of Cares Act funding issued to Nye County in the amount of \$8,496,059.00 between Nye County eligible expenditures and programs to be issued to sub-entities, small businesses, and constituents within Nye County, 2) Discuss the CARES Act funding program goals and guidelines, and 3) Provide direction to staff to bring forward a policy for CARES Act funding including the funding allocation, program goals, and program guidelines-Cont'd.**

Herman Lewis felt this needed oversight and there should be a citizen review board for it.

Kathy McKenna, executive director for the Nevada Outreach Training Organization, spoke concerning some of the services they offered, one of which was dealing with utility and rental assistance. She said they also did case management and tried to look at the clients' situation to put them on a track so they were not back in the same situation when the crisis was over.

**51. 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.**

Savannah Rucker said her presentation was not in the back-up because she completed it this morning.

Commissioner Wichman made a motion to accept additional back-up; seconded by Commissioner Blundo; 5 yeas.

Savannah Rucker reviewed the FY20 budget to COVID-19 comparison as well as the CTAX comparison. She anticipated CTAX to fall short \$568,000.00 from budget, but it could be better or it could be worse. Mrs. Rucker mentioned an article she read identifying Great Depression levels of unemployment in some cities and in June Nevada was 15%. Unemployment benefits were running out on state and federal levels and Nevada unemployment was about to run dry with seven weeks of funding left.

Herman Lewis felt worse times were coming after the election.

Treasurer John Prudhont said there were some items sitting in Finance for approval which would add to the numbers, one of which was the apportionments for June of over \$800,000.00. In addition to that there was the excess proceeds from last year's sale of around \$600,000 so there was over \$1 million to be added for FY20 to offset some of the budget deficit. He added funds would be realized for June in July and August as well.

## RECORDER

### **43. Report of projected expenditures of money in the Recorder's Technology Fund to be used in the 2020-2021 Fiscal Year-Reopened.**

Michelle Nelson asked to have this item re-addressed as there was a motion and a vote taken, but it was a non-action item.

Commissioner Wichman made a motion to rescind her motion; seconded by Commissioner Blundo; 5 yeas.

## FINANCE

### **52. For Possible Action – Discussion and deliberation regarding the budget status through June 2020 for Nye County and all sub-entities for Fiscal Year 2020.**

Savannah Rucker advised all departments were coming in within budget even after the adjustments approved on June 30, 2020.

## PLANNING/BUILDING/CODE COMPLIANCE

### **53. For Possible Action – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2020-15: A Resolution Amending the Dust Control Plan Fee Schedule for the Pahrump Regional Planning District.**

Commissioner Strickland made a motion to adopt Resolution No 2020-15; seconded by Commissioner Wichman; 5 yeas.

### **54. 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)**

John Bosta said he could not find the titles in the Code on-line until he clicked on the three blue bars and he wanted to let the public know.

Ammie Nelson talked about hemp growing and felt the Commissioners should apply the same strict conditions for marijuana grow houses and dispensaries to hemp growers to reduce the use of water. She also did not agree with having the chairperson of the Liquor and Licensing Board assign liquor licenses to businesses and thought leaving it up to the Sheriff was a better avenue.

Herman Lewis thanked Fire Chief Scott Lewis for walking his property with him and coming up with a genius fire suppression system which was affordable and effective.

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

Regarding item 26 and the discussion and deliberation for verbal activity reports from the advisory boards, Commissioner Strickland suggested written reports could be provided so the Board could be kept informed as not everyone could attend the meetings.

Tim Sutton said Samantha Tackett had sent an e-mail to the advisory boards advising them of just that. He then told the Board there had been about 100 fraudulent unemployment claims with the State in the name of Nye County employees. He said it was not an oversight or mistake on behalf of the County's Human Resources but rather on the State's end.

**56. ADJOURN**

Commissioner Koenig adjourned the meeting.

APPROVED this 1<sup>st</sup> day

ATTEST:

Of September, 2020.

  
Chair

  
Nye County Clerk / Deputy

STATEMENT FOR AGENDA ITEM # 41 AT JULY 21, 2020  
NYE COUNTY BoCC MEETING

I ask that this statement be included as part of the minutes of this meeting.

I am here to ask that these county resolutions, 2020-16 and 2013-17, be rescinded.

My opinion is, the intent of the resolutions is good, but the deceptive manner in which they were passed or enacted, is fraudulent.

We may have a difference of opinion, which is what we are here to discuss, openly and civilly. As I try to do, I intend to support my opinion with facts. That background documentation has been provided to you with this agenda item.

**NYE COUNTY RESOLUTION 2020-16**

With respect to Nye County resolution 2020-16;

- Easements for the roads and water lines for the Manhattan Water System were already established in Nye County Resolution 2011-30. This resolution traded properties worth over \$100,000 with Manhattan landowner Mr. Robert Bottom for these easements. This information was not shared with the BoCC at the May 19, 2020 meeting in order to pass Resolution 2020-16.
- The water lines and access roads for the Manhattan Water System were then run through and over properties that were not covered by these easements. Properties that were not owned by Mr. Bottom and the County did not have the legal right to cross or access. This information was not shared with the BoCC in order to pass Resolution 2020-16.
- Why did the County not follow the easements in which they established for these roads and infrastructure for the Manhattan Water System? This information was not shared with the BoCC in order to pass Resolution 2020-16.
- To pass Resolution 2020-16, the BoCC, and the public, were told that these nine parcels would become “tax producing properties” after the easements were obtained and established. According to the email correspondences between Commissioner Wichman and Nye County Administration there are conflicts with the BLM or other issues on eight of the nine parcels covered by the Resolution thus putting clouds on the titles of those parcels. This information was not shared with the BoCC in order to pass Resolution 2020-16.
- For these parcels to become “tax producing parcels” does Nye County intend to sell them and fail to disclose this information on these conflicts and clouds when the properties are sold to some unsuspecting person or persons? This information is known by the County and they would have a legal responsibility to disclose this information. If not, what is the fallout against the County when it is later established that the County concealed this information?
- The BoCC, and the public, were provided with false and misleading information regarding the background on the Manhattan Water System, its infrastructure and previously established easements. This was done to persuade the BoCC to pass Resolution 2020-16.

I ask that Resolution 2020-16 be rescinded.

The County should rework the resolution to clearly establish the facts surrounding the Manhattan Water System, its supporting infrastructure and associated easements. Bring these facts to light, clean up the issues surrounding the Manhattan Water System. If that entails the county obtaining and possibly retaining title to these properties, for public purposes, thus not being “tax producing properties”, so be it. Write the resolution in that manner and follow the legal path to do so.

Providing false and misleading information to the BoCC and to the public is not the way to clean up this situation.

### NYE COUNTY RESOLUTION 2013-17

With respect to Nye County Resolution 2013-17;

- This resolution was passed using NRS 361.603 as its basis or justification. This law is written for local governments and the Nevada System of Higher Education to be able to obtain title to properties held in trust by the treasurer of the county in which they are located.
- This resolution granted title to properties in Belmont to the Town of Belmont even though the Town of Belmont does not meet the criteria to be considered either a local government or is it part of the Nevada System of Higher Education.
- The written, stated policy of Nye County, at the time this resolution was passed, was that if a local government wished to obtain title to tax delinquent properties, that local government must pay the delinquent taxes and must clearly state the public purposes that these properties would serve, if acquired. This never occurred.
- Nye County claims to have no information related to who constitutes the Town of Belmont or who a contact person would be for this entity. That was until I sent a certified letter to the address listed for the Town of Belmont on the parcels they own. After that letter was received, Nye County then decided that County Manager, Mr. Sutton was the contact person for this entity, an entity that the county still has not been able to establish who it consists of, even though this entity is allowed to own property, at no cost to them and tax-free.
- The facts show that the Belmont Town Advisory Board, not the Town of Belmont, was the entity that arranged to acquire title to these properties, allegedly holding a teleconference meeting on April 24, 2013, to discuss this. This is two months past the county's stated deadline to acquire these properties. The Belmont Town Advisory Board, like the Town of Belmont, is not a legitimate local governmental entity and does not meet the criteria listed in NRS to be considered as such, therefore they could not, legally, acquire title to these properties.
  - 1) There are no records of the alleged meeting of April 24, 2013 on the County's website of the meetings of the Belmont Town Advisory Board.
  - 2) Responding to a public records request, on June 3, 2020, Nye County provided a file (13.04.06 Belmont Minutes.pdf) that shows that the meeting minutes for this alleged meeting were initially provided to the county, via email, on April 16, 2013. This is eight days BEFORE the meeting allegedly occurred. This did not seem to bother the county.
- The facts show that Nye County actually paid the delinquent taxes on these properties, stating that these properties were "retained by the county", in June of 2014. The county could not produce any evidence that this was ever approved by the BoCC.
- As has been repeatedly provided in the past, Nye County has stated, in writing, in response to a public records request, that the Belmont Town Advisory Board is a separate governmental entity, not overseen by Nye County. If they are a separate governmental entity, not overseen by the county, why would the county allow them to arrange to acquire title to properties under the name of a different entity and then have the county pay for those properties?
- Nye County has failed to produce any documentation to support the actions taken in Resolution 2013-17.

I ask that Resolution 2013-17 be rescinded.

The Town of Belmont and the Belmont Town Advisory Board are not a one-in-the-same entity. The Belmont Town Advisory Board seems to have a sense of entitlement that they can make improvements to property they do not own, never had to pay for and do not have the financial capabilities to fund.

The county seems to embolden the sense of entitlement for Belmont and is creating a troubling legacy for Belmont.

The properties in question were to have been auctioned off in 2013.

At the tax delinquent property auction of 2013, when the Town of Belmont acquired these properties for the public good, Janice and I also purchased parcels.

Most of the other members of the Belmont community only attended this auction to watch and observe, not to participate.

We did not need the parcels.

We did not need the added expense of these parcels.

But we spent our hard-earned money for the primary reason to help keep the town as it was when we came out there 20 some years ago.

Why can't the Town of Belmont and the Belmont Town Advisory Board step up and do the same? Simple answer: they are not legitimate governmental entities and do not have the legal ability to own property. So why do they?

If they wish to own these properties, the Town of Belmont and the Belmont Town Advisory Board should take on the responsibilities of becoming legitimate governmental entities and all the issues and trappings that come along with being as such.

They should be responsible for their actions and expenditures just as all other proper entities are. That is their responsibility.

Many are dissatisfied with me because I bring these issues out and do this publicly.

Likely, there is a difference of opinion between you and me on this subject.

I wish to have transparency, honesty and accountability in government, while it seems others do not.

I have not asked for any actions to be taken that do not conform to the rule of law, only that the rule of law be followed and adhered to by all parties.

Therefore, I ask that you rescind these resolutions, 2020-16 and 2013-17, because that is the right thing to do.

Respectfully,

Neal Jones

Nye County taxpayer

[njones14791@gmail.com](mailto:njones14791@gmail.com)

1 **NYE COUNTY RESOLUTION NO. 2011-30**

2  
3 **A RESOLUTION AUTHORIZING THE EXCHANGE OF NYE COUNTY PROPERTY FOR**  
4 **PRIVATE PROPERTY IN ORDER TO ACQUIRE PUBLIC ROAD AND UTILITY EASEMENTS IN**  
5 **THE TOWN OF MANHATTAN.**

6           WHEREAS, in accordance with NRS 244.276 (purchase, sale or exchange of property with  
7 owners abutting road or flood control facility to adjust road or flood facility ...), the Nye County Board  
8 of County Commissioners at its May 3, 2011 meeting reviewed a proposal made by Nye County Public  
9 Works, whereas Mr. Robert M. Bottom, owner of lands impacted by the Manhattan Water Project, Phase  
10 2, located within the Town of Manhattan, Nye County, Nevada, would convey Public Road and Utility  
11 Easements to Nye County, in exchange for Nye County owned properties in the Town of Manhattan, the  
12 parcels described as: Lots 8 through 10, Block D, also known as Assessor's Parcel No. 04-224-07, being  
13 0.220 acres more or less, Lot 6, Block 27, also known as Assessor's Parcel No. 04-262-04, being 0.073  
14 acres more or less, Lot 4, Block 27, also known as Assessor's Parcel No. 04-262.06, being 0.073 acres  
15 more or less, Lot 11, Block 27, also known as Assessor's Parcel No. 04-262-10, being 0.058 acres more  
16 or less, Lot 1, Block 17, also known as Assessor's Parcel No. 04-277-07, being 0.073 acres more or less,  
17 Lot 9, Block 15, also known as Assessor's Parcel No. 04-278-01, being 0.073 acres more or less, Lot 3,  
18 Block 18, also known as Assessor's Parcel No. 04-331-07, being 0.073 acres of land more or less, Lots 1  
19 through 6, Block 16, also known as Assessor's Parcel No. 04-332-03, being 0.407 acres of land more or  
20 less, Lot 10, Block 20, also known as Assessor's Parcel No. 04-336-01,, being 0.073 acres of land more  
21 or less, all as shown on the Record of Survey of the Town of Manhattan, recorded in the Office of the  
22 Nye County Recorder as File Map No. 200147, Nye County, Nevada, and Lot 7 and 8, Block 4, also  
23 known as Assessor's Parcel No. 04-276-03, being 0.147 acres of land more or less, as shown on The  
24 Jackson Addition, recorded in the Office of the Nye County Recorder as File Map No. 1385, Nye  
25 County, Nevada. In the Town of Belmont, the parcel being described as the Southwest 10.00 feet of Lot  
24, All of Lots 25 and 26 and the Northeast 18.00 feet of Lot 27, Block 1, also known as Assessor's

1 Parcel No. 04-535-23, being 0.311 acres as shown on the Record of Survey of the Revised Town of  
2 Belmont recorded in the Office of the Nye County Recorder as File Map No. 288445, Nye County,  
3 Nevada. In Shoshone Estates Subdivision, the parcel being described as Lot 23, also known as  
4 Assessor's Parcel No. 10-394-03, being 0.71 acres of land more or less, as shown on Shoshone Estates  
5 Subdivision, recorded in the Office of the Nye County Recorder as File Map No. 125991, Nye County,  
6 Nevada. In the Town of Tonopah, a parcel described as Parcel 1, as shown on the Lot Line Adjustment,  
7 recorded as File Map No. 80209 and SAVE AND EXCEPT that portion as described in Deed recorded  
8 as Document No. 327925, both being recorded in the Office of the Nye County Recorder, Nye County,  
9 Nevada, also known as Assessor's Parcel No. 08-021-12, being 1.92 acres of land more or less; and;

10 WHEREAS, the Board finds that this proposed exchange would be in the best public interest in  
11 the future development in the Town of Manhattan and will require Public Road and Utility Easements in  
12 order to provide access and water utilities; and

13 WHEREAS, the Board finds that the value of the property to be received by each party is  
14 equitable; and

15 WHEREAS, the property obtained by the County will be used for a public purpose.

16 NOW THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of the County of  
17 Nye, State of Nevada, that exchange conveyances be recorded effecting the above described exchange of  
18 properties whose legal descriptions are as follows:

19 **Nye County to Robert M. Bottom, Trustee, Bottom Family Trust and Bottom Family Trust:**

20 In the Town of Manhattan

21 Lots 3 through 5, Block D, also known as Assessor's Parcel No. 04-224-02, being 0.220 acres more or  
22 less, Lots 8 through 10, Block D, also known as Assessor's Parcel No. 04-224-07, being 0.220 acres  
23 more or less, Lot 6, Block 27, also known as Assessor's Parcel No. 04-226-04, being 0.073 acres more  
24 or less, Lot 4, Block 27, also known as Assessor's Parcel No. 04-226.06, being 0.073 acres more or less,  
25 Lot 11, Block 27, also known as Assessor's Parcel No. 04-226-10, being 0.058 acres more or less, Lot 1,  
Block 17, also known as Assessor's Parcel No. 04-277-07, being 0.073 acres more or less, Lot 9, Block  
15, also known as Assessor's Parcel No. 04-278-01, being 0.073 acres more or less, Lot 3, Block 18,  
also known as Assessor's Parcel No. 04-331-07, being 0.073 acres of land more or less, Lots 1 through  
6, Block 16, also known as Assessor's Parcel No. 04-332-03, being 0.407 acres of land more or less,

1 Lot 10, Block 20, also known as Assessor's Parcel No. 04-336-01., being 0.073 acres of land more or  
2 less, all as shown on the Record of Survey of the Town of Manhattan, recorded in the Office of the Nye  
3 County Recorder as File Map No. 200147, Nye County, Nevada, and Lot 7 and 8, Block 4, also known  
4 as Assessor's Parcel No. 04-276-03, being 0.147 acres of land more or less, as shown on The Jackson  
Addition, recorded in the Office of the Nye County Recorder as File Map No. 1385, Nye County,  
Nevada.

5 In the Town of Belmont

6 Lot 1, also known as Assessor's Parcel No. 05-581-09, being 2.66 acres of land as shown on the Parcel  
7 Map recorded in the Office of the Nye County Recorder as File Map No. 98702, Nye County, Nevada,  
8 Part of Lot 24, All of Lots 25 and 26 and Part of Lot 27, Block 1, also known as Assessor's Parcel No.  
9 04-535-23, being 0.311 acres as shown on the Record of Survey recorded in the Office of the Nye  
10 County Recorder as File Map No. 288445, Nye County, Nevada.

11 In Shoshone Estates Subdivision

12 Lot 23, also known as Assessor's Parcel No. 10-394-03, being 0.71 acres of land more or less, as shown  
13 on Shoshone Estates Subdivision, recorded in the Office of the Nye County Recorder as File Map No.  
14 125991, Nye County, Nevada.

15 In the Town of Tonopah

16 Parcel 1, also known as Assessors' Parcel No. 08-021-12, being 1.92 acres of land more or less, as  
17 shown on the Lot Line Adjustment, recorded in the Office of the Nye County Recorder as File Map No.  
18 80209, SAVE AND EXCEPT that portion of Parcel 1 being described in deed recorded in the Office of  
19 the Nye County Recorder as Document 327925, Nye County, Nevada.

20 **Robert M. Bottom, Trustee, Bottom Family Trust and Bottom Family Trust to Nye County:**

21 The Real Property located in the Town of Manhattan, described by metes and bounds as follows:

22 **PUBLIC ROAD AND UTILITY EASEMENT No. 1**

23 BEING situated in Section 20, Township 8 North, Range 44 East, MDB&M, and as shown on the  
24 Record of Survey recorded as File Map No. 200147, of the Official Records in the Office of the Nye  
25 County Recorder, Nye County, Nevada, the centerline of a 15.00 foot Public Road Right-of-Way and  
Utility Easement being described by Metes and Bounds as follows:

COMMENCING at the West  $\frac{1}{4}$  corner of said Section 20, Township 8 North, Range 44 East;

THENCE North 44 degrees 53 minutes 23 seconds East, a distance of 895.12 feet to the POINT OF  
BEGINNING;

THENCE South 30 degrees 00 minutes 50 seconds West, a distance of 34.05 feet;

THENCE South 09 degrees 58 minutes 51 seconds West, a distance of 67.34 feet to the terminus of the  
Public Road and Utility Easement, said terminus being North 48 degrees 14 minutes 33 seconds East,

1 808.38 feet from the above mentioned West ¼ corner of Section 20, and containing 1,521 square feet or  
2 0.035 acres of land more or less.

3 BASIS OF BEARING: North 72 degrees 32 minutes 40 seconds West  
4 Being the centerline of Main Street per the above mentioned Record of Survey.

4 **PUBLIC ROAD AND UTILITY EASEMENT No. 2**

5 BEING situated in Section 20, Township 8 North, Range 44 East, MDB&M, and being a portion of the  
6 Town of Manhattan, as shown on the Record of Survey recorded as File Map No. 200147, of the  
7 Official Records in the Office of the Nye County Recorder, Nye County, Nevada, the centerline of a  
8 15.00 foot Public Road and Utility Easement being described by Metes and Bounds as follows:

8 COMMENCING at the West ¼ corner of said Section 20, Township 8 North, Range 44 East;

9 THENCE North 48 degrees 51 minutes 14 seconds East, a distance of 796.02 feet to the POINT OF  
10 BEGINNING;

11 THENCE South 17 degrees 03 minutes 26 seconds West, a distance of 88.86 feet;

12 THENCE South 09 degrees 45 minutes 34 seconds West, a distance of 11.25 feet to the terminus of the  
13 Public Road and Utility Easement, said terminus being North 53 degrees 11 minutes 08 seconds East,  
14 713.81 feet from the above mentioned West ¼ corner of Section 20, and containing 1,502 square feet or  
15 0.034 acres of land more or less.

15 BASIS OF BEARING: North 72 degrees 32 minutes 40 seconds West  
16 Being the centerline of Main Street per the above mentioned Record of Survey.

16 **PUBLIC ROAD AND UTILITY EASEMENT No. 3**

17 BEING situated in Section 20, Township 8 North, Range 44 East, MDB&M, and as shown on the  
18 Record of Survey recorded as File Map No. 200147, of the Official Records in the Office of the Nye  
19 County Recorder, Nye County, Nevada, the 15.00 foot Public Road and Utility Easement being  
20 described by Metes and Bounds as follows:

20 COMMENCING at the West ¼ corner of said Section 20, Township 8 North, Range 44 East;

21 THENCE North 57 degrees 01 minutes 19 seconds East, a distance of 657.87 feet to the POINT OF  
22 BEGINNING;

23 THENCE South 04 degrees 55 minutes 16 seconds East, a distance of 90.03 feet;

24 THENCE South 04 degrees 24 minutes 43 seconds West, a distance of 22.04 feet to the North Right-of-  
25 Way line of Euclid Avenue, (a 50.0 foot Right-of-Way) as shown on the above mentioned Record of  
Survey;

1 THENCE South 85 degrees 04 minutes 44 seconds West, along the North line of said Euclid Avenue, a  
2 distance of 15.20 feet;

3 THENCE North 04 degrees 24 minutes 43 seconds East, departing the North line of said Euclid Avenue,  
4 a distance of 109.08 feet;

5 THENCE North 09 degrees 45 minutes 34 seconds East, a distance of 4.28 feet to the POINT OF  
6 BEGINNING, and containing 1,032 square feet or 0.024 acres of land, more or less.

7 BASIS OF BEARING: North 72 degrees 32 minutes 40 seconds West  
8 Being the centerline of Main Street per the above mentioned Record of Survey.

9 **PUBLIC ROAD AND UTILITY EASEMENT No. 4**

10 BEING situated in Section 20, Township 8 North, Range 44 East, being a portion of the Carson Patented  
11 Mining Claim, Mineral Survey No. 2613, the Jackson Patented Mining Claim, Mineral Survey No. 2914  
12 and the Pine Nut Patented Mining Claim, Mineral Survey No. 2915, and a portion of the real property  
13 shown on the Record of Survey recorded as File Map No. 200147, of the Official Records in the Office  
14 of the Nye County Recorder, Nye County, Nevada, the centerline of a 15.00 foot Public Road and  
15 Utility Easement being described by Metes and Bounds as follows:

16 COMMENCING at the West ¼ corner of said Section 20, Township 8 North, Range 44 East;

17 THENCE North 60 degrees 32 minutes 22 seconds East, 941.46 feet to the POINT OF BEGINNING;

18 THENCE South 29 degrees 59 minutes 07 seconds East, a distance of 11.07 feet;

19 THENCE South 65 degrees 52 minutes 31 seconds East, a distance of 132.09 feet;

20 THENCE South 52 degrees 04 minutes 56 seconds East, a distance of 36.81 feet;

21 THENCE South 17 degrees 25 minutes 34 seconds East, a distance of 75.80 feet;

22 THENCE South 26 degrees 03 minutes 33 seconds East, a distance of 88.84 feet;

23 THENCE South 41 degrees 25 minutes 28 seconds East, a distance of 118.24 feet;

24 THENCE South 48 degrees 05 minutes 09 seconds East, a distance of 111.13 feet;

25 THENCE South 63 degrees 01 minutes 10 seconds East, a distance of 37.34 feet to the beginning of a  
curve to the left, whose center bears North 26 degrees 58 minutes 50 seconds East, having a radius of  
30.00 feet, and a delta of 114 degrees 01 minutes 31 seconds;

THENCE along said curve to the left, an arc length of 59.70 feet, a chord bearing of North 59 degrees  
58 minutes 05 seconds East and a chord length of 50.33 feet;

1 THENCE North 02 degrees 57 minutes 20 seconds East, a distance of 53.22 feet;  
2 THENCE North 05 degrees 56 minutes 19 seconds West, a distance of 217.55 feet;  
3 THENCE North 04 degrees 55 minutes 10 seconds West, a distance of 30.43 feet to the beginning of a  
4 curve to the right, whose center bears North 85 degrees 04 minutes 50 seconds East, having a radius of  
5 50.00 feet and a delta of 90 degrees 54 minutes 23 seconds:  
6 THENCE along said curve to the right having an arc length of 79.33 feet, a chord bearing of North 40  
7 degrees 32 minutes 02 seconds East and a chord length of 71.27 feet;  
8 THENCE North 85 degrees 59 minutes 13 seconds East, a distance of 62.21 feet;  
9 THENCE North 17 degrees 27 minutes 20 seconds East, a distance of 152.71 feet to the terminus of the  
10 15.00 foot Public Road and Utility Easement and said point being North 67 degrees 47 minutes 28  
11 seconds East, a distance of 1,518.84 feet from the above mentioned West ¼ corner of Section 20, and  
12 containing 18,956 square feet or 0.435 acres of land more or less.  
13  
14 BASIS OF BEARING: North 72 degrees 32 minutes 40 seconds West  
15 Being the centerline of Main Street per the above mentioned Record of Survey.

16 **PUBLIC ROAD AND UTILIT EASEMENT No. 5**

17 BEING situated in Section 20, Township 8 North, Range 44 East, being a portion of the Dexter No. 8  
18 Patented Mining Claim, Mineral Survey No. 2602, the Carson Patented Mining Claim, Mineral Survey  
19 No. 2613, the Jackson Patented Mining Claim, Mineral Survey No. 2914 and the Pinenut Patented  
20 Mining Claim, Mineral Survey No. 2915, and being part of the real property shown on the Record of  
21 Survey recorded as File Map No. 200147, of the Official Records in the Office of the Nye County  
22 Recorder, Nye County, Nevada, the centerline of a 15.00 foot Public Road and Utility Easement being  
23 described by Metes and Bounds as follows:

24 COMMENCING at the West ¼ corner of said Section 20, Township 8 North, Range 44 East:  
25 THENCE North 87 degrees 25 minutes 16 seconds East, a distance of 1,198.86 feet to the POINT OF  
BEGINNING;  
THENCE South 00 degrees 57 minutes 29 seconds East, a distance of 54.81 feet;  
THENCE South 13 degrees 13 minutes 45 seconds East, a distance of 54.91 feet;  
THENCE South 23 degrees 26 minutes 05 seconds East, a distance of 48.66 feet;  
THENCE South 30 degrees 00 minutes 41 seconds East, a distance of 52.66 feet;  
THENCE South 35 degrees 54 minutes 25 seconds East, a distance of 72.78 feet;

1 THENCE South 56 degrees 20 minutes 30 seconds East, a distance of 43.06 feet;

2 THENCE North 82 degrees 07 minutes 45 seconds East, a distance of 65.75 feet, to the beginning of a  
3 curve to the left, whose center bears North 07 degrees 52 minutes 15 seconds West, having a radius of  
30.00 feet and a delta of 77 degrees 52 minutes 50 seconds;

4 THENCE along said curve to the left, an arc length of 40.78 feet, a chord bearing of North 43 degrees  
5 11 minutes 21 seconds East and a chord length of 37.71 feet;

6 THENCE North 04 degrees 14 minutes 56 seconds East, a distance of 49.75 feet;

7 THENCE North 32 degrees 02 minutes 03 seconds East, a distance of 49.60 feet;

8 THENCE North 44 degrees 21 minutes 20 seconds East, a distance of 113.99 feet to the beginning of a  
9 curve to the right, whose center bears South 45 degrees 38 minutes 40 seconds East, having a radius of  
150.00 feet and a delta of 90 degrees 42 minutes 00 seconds;

10 THENCE along said curve to the right, an arc length of 237.45 feet, a chord bearing of North 89 degrees  
11 42 minutes 20 seconds East and a chord length of 213.42 feet;

12 THENCE South 44 degrees 56 minutes 40 seconds East, a distance of 40.86 feet;

13 THENCE South 39 degrees 33 minutes 34 seconds East, a distance of 26.75 feet to the terminus of the  
14 15 foot Public Road and Utility Easement, said terminus being in the North line of the following  
described Public Road and Utility Easement No. 6, and said terminus being South 87 degrees 53 minutes  
15 22 seconds East, 1,796.51 feet from the above mentioned West 1/4 corner of the above mentioned  
Section 20 and containing 14,251 square feet or 0.327 acres of land more or less.

16 BASIS OF BEARING: North 72 degrees 32 minutes 40 seconds West,  
17 Being the centerline of Main Street per the above mentioned Record of Survey.

18 **PUBLIC ROAD AND UTILITY EASEMENT No. 6**

19 BEING situated in Section 20, Township 8 North, Range 44 East, being a portion of the Dexter No. 8  
20 Patented Mining Claim, Mineral Survey No. 2602, the Jackson Patented Mining Claim, Mineral Survey  
21 No. 2914, Town of Manhattan, Nye County, Nevada, being a Public Road and Utility Easement and said  
Public Road and Utility Easement being described by Metes and Bounds as follows:

22 COMMENCING at the West 1/4 corner of Section 20, Township 8 N, Range 44 E;

23 THENCE South 87 degrees 44 minutes 46 seconds East, a distance of 1,682.17 feet to the POINT OF  
BEGINNING;

24 THENCE North 90 degrees 00 minutes 00 seconds East, a distance of 146.01 feet;

25 THENCE South 00 degrees 00 minutes 00 seconds East, a distance of 268.63 feet;

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THENCE South 90 degrees 00 minutes 00 seconds West, a distance of 146.01 feet;

THENCE North 00 degrees 00 minutes 00 seconds West, a distance of 268.63 feet to the POINT OF BEGINNING and containing 39,222 square feet or 0.90 acres of land more or less.

BASIS OF BEARING: North 72 degrees 32 minutes 40 seconds West  
Being the centerline of Main Street per the Record of Survey recorded as File Map No. 200147

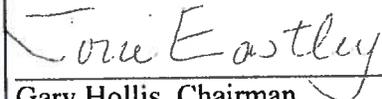
Said Public Road and Utility Easements are shown in the attached Exhibit "A" attached hereto.

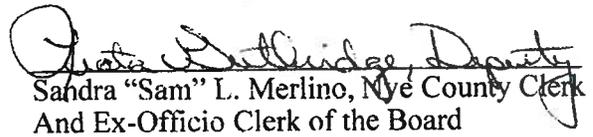
IT IS FURTHER RESOLVED that a copy of this resolution be attached to each conveyance document upon recordation of each exchange conveyance.

APPROVED this 3<sup>rd</sup> day of May, 2011.

NYE COUNTY BOARD OF  
COUNTY COMMISSIONERS:

ATTEST:

  
\_\_\_\_\_  
Gary Hollis, Chairman

  
Sandra "Sam" L. Merlino, Nye County Clerk  
And Ex-Officio Clerk of the Board

///  
///

APN 04-224-07  
APN 04-262-04  
APN 04-262-06  
APN 04-262-10  
APN 04-277-07  
APN 04-278-01  
APN 04-331-07  
APN 04-332-03  
APN 04-336-01  
APN 04-276-03  
APN 04-535-23  
APN 10-394-03  
APN 08-021-12

**Recording Requested By:**  
Nye County Board of Commissioners

**When Recorded Return to:**  
Nye County Public Works  
P.O. Box 887  
Tonopah, Nv 89049

#### PROPERTY EXCHANGE DEED

This exchange deed, MADE THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2011, by and between Robert M. Bottom, Trustee for Bottom Family Trust and Bottom Family Trust, (herein referred to as Grantor), and the Board of County Commissioners of the County of Nye, State of Nevada (hereinafter referred to as Grantee),

#### WITNESSETH:

WHEREAS, GRANTOR agreed to an exchange of property with GRANTEE, for the express purpose of establishment of Public Road and Utility Easements, in exchange for Real Property, more specifically described as:

**In the Town of Manhattan:**

Lots 8 through 10, Block D, also known as Assessors Parcel No. 04-224-07, being 0.220 acres more or less, Lot 6, Block 27, also known as Assessors Parcel No. 04-262-04, being 0.073 acres more or less, Lot 4, Block 27, also known as Assessors Parcel No. 04-262.06, being 0.073 acres more or less, Lot 11, Block 27, also known as Assessors Parcel No. 04-262-10, being 0.058 acres more or less, Lot 1, Block 17, also known as Assessors Parcel No. 04-277-07, being 0.073 acres more or less, Lot 9, Block 15, also known as Assessors Parcel No. 04-278-01, being 0.073 acres more or less, Lot 3, Block 18, also known as Assessors Parcel No. 04-331-07, being 0.073 acres of land more or less, Lots 1 through 6, Block 16, also known as Assessors Parcel No. 04-332-03, being 0.407 acres of land more or less, Lot 10, Block 20, also known as Assessors Parcel No. 04-336-01,, being 0.073 acres of land more or less, all as shown on the Record of Survey of the Town of Manhattan, recorded in the Office of the Nye County Recorder as File Map No. 200147, Nye County, Nevada, and Lot 7 and 8, Block 4, also known as Assessors Parcel No. 04-276-03, being 0.147 acres of land more or less, as shown on The Jackson Addition, recorded in the Office of the Nye County Recorder as File Map No. 1385, Nye County, Nevada.

**In the Town of Belmont:**

The Southwest 10.00 feet of Lot 24, All of Lots 25 and 26 and the Northeast 18.00 feet of Lot 27, Block 1, also known as Assessors Parcel No. 04-535-23, being 0.311 acres as shown on the Record of Survey of the Revised Town of Belmont recorded in the Office of the Nye County Recorder as File Map No. 288445, Nye County, Nevada.

In Shoshone Estates Subdivision:

Lot 23, also known as Assessors Parcel No. 10-394-03, being 0.71 acres of land more or less, as shown on Shoshone Estates Subdivision, recorded in the Office of the Nye County Recorder as File Map No. 125991, Nye County, Nevada.

In the Town of Tonopah:

Parcel 1, also known as Assessors Parcel No. 08-021-12, being 2.14 acres of land more or less, as shown on the Line Adjustment, recorded in the Office of the Nye County Recorder as File Map No. 80209, Nye County, Nevada.

**IN EXCHANGE FOR Public Road and Utility Easements located in the Town of Manhattan, described by metes and bounds as follows:**

**PUBLIC ROAD AND UTILITY EASEMENT No. 1**

BEING situated in Section 20, Township 8 North, Range 44 East, MDB&M, and as shown on the Record of Survey recorded as File Map No. 200147, of the Official Records in the Office of the Nye County Recorder, Nye County, Nevada, the centerline of a 15.00 foot Public Road and Utility Easement being described by Metes and Bounds as follows:

COMMENCING at the West ¼ corner of said Section 20, Township 8 North, Range 44 East;

THENCE North 44 degrees 53 minutes 23 seconds East, a distance of 895.12 feet to the POINT OF BEGINNING;

THENCE South 30 degrees 00 minutes 50 seconds West, a distance of 34.05 feet;

THENCE South 09 degrees 58 minutes 51 seconds West, a distance of 67.34 feet to the terminus of the Public Road and Utility Easement, said terminus being North 48 degrees 14 minutes 33 seconds East, 808.38 feet from the above mentioned West ¼ corner of Section 20, and containing 1,521 square feet or 0.035 acres of land more or less.

BASIS OF BEARING: North 72 degrees 32 minutes 40 seconds West  
Being the centerline of Main Street per the above mentioned Record of Survey.

**PUBLIC ROAD AND UTILITY EASEMENT No. 2**

BEING situated in Section 20, Township 8 North, Range 44 East, MDB&M, and being a portion of the Town of Manhattan, as shown on the Record of Survey recorded as File Map No. 200147, of the Official Records in the Office of the Nye County Recorder, Nye County, Nevada, the centerline of a 15.00 foot Public Road and Utility Easement being described by Metes and Bounds as follows:

COMMENCING at the West ¼ corner of said Section 20, Township 8 North, Range 44 East;

THENCE North 48 degrees 51 minutes 14 seconds East, a distance of 796.02 feet to the POINT OF BEGINNING;

THENCE South 17 degrees 03 minutes 26 seconds West, a distance of 88.86 feet;

THENCE South 09 degrees 45 minutes 34 seconds West, a distance of 11.25 feet to the terminus of the Public Road and Utility Easement, said terminus being North 53 degrees 11 minutes 08 seconds East,

713.81 feet from the above mentioned West ¼ corner of Section 20, and containing 1,502 square feet or 0.034 acres of land more or less.

**BASIS OF BEARING:** North 72 degrees 32 minutes 40 seconds West  
Being the centerline of Main Street per the above mentioned Record of Survey.

**PUBLIC ROAD AND UTILITY EASEMENT No. 3**

BEING situated in Section 20, Township 8 North, Range 44 East, MDB&M, and as shown on the Record of Survey recorded as File Map No. 200147, of the Official Records in the Office of the Nye County Recorder, Nye County, Nevada, the 15.00 foot Public Road and Utility Easement being described by Metes and Bounds as follows:

COMMENCING at the West ¼ corner of said Section 20, Township 8 North, Range 44 East;

THENCE North 57 degrees 01 minutes 19 seconds East, a distance of 657.87 feet to the POINT OF BEGINNING;

THENCE South 04 degrees 55 minutes 16 seconds East, a distance of 90.03 feet;

THENCE South 04 degrees 24 minutes 43 seconds West, a distance of 22.04 feet to the North Right-of-Way line of Euclid Avenue, (a 50.0 foot Right-of-Way) as shown on the above mentioned Record of Survey;

THENCE South 85 degrees 04 minutes 44 seconds West, along the North line of said Euclid Avenue, a distance of 15.20 feet;

THENCE North 04 degrees 24 minutes 43 seconds East, departing the North line of said Euclid Avenue, a distance of 109.08 feet;

THENCE North 09 degrees 45 minutes 34 seconds East, a distance of 4.28 feet to the POINT OF BEGINNING, and containing 1,032 square feet or 0.024 acres of land, more or less.

**BASIS OF BEARING:** North 72 degrees 32 minutes 40 seconds West  
Being the centerline of Main Street per the above mentioned Record of Survey.

**PUBLIC ROAD AND UTILITY EASEMENT No. 4**

BEING situated in Section 20, Township 8 North, Range 44 East, being a portion of the Carson Patented Mining Claim, Mineral Survey No. 2613, the Jackson Patented Mining Claim, Mineral Survey No. 2914 and the Pine Nut Patented Mining Claim, Mineral Survey No. 2915, and a portion of the real property shown on the Record of Survey recorded as File Map No. 200147, of the Official Records in the Office of the Nye County Recorder, Nye County, Nevada, the centerline of a 15.00 foot Public Road and Utility Easement being described by Metes and Bounds as follows:

COMMENCING at the West ¼ corner of said Section 20, Township 8 North, Range 44 East;

THENCE North 60 degrees 32 minutes 22 seconds East, 941.46 feet to the POINT OF BEGINNING;

THENCE South 29 degrees 59 minutes 07 seconds East, a distance of 11.07 feet;

THENCE South 65 degrees 52 minutes 31 seconds East, a distance of 132.09 feet;

THENCE South 52 degrees 04 minutes 56 seconds East, a distance of 36.81 feet;

THENCE South 17 degrees 25 minutes 34 seconds East, a distance of 75.80 feet;

THENCE South 26 degrees 03 minutes 33 seconds East, a distance of 88.84 feet;

THENCE South 41 degrees 25 minutes 28 seconds East, a distance of 118.24 feet;

THENCE South 48 degrees 05 minutes 09 seconds East, a distance of 111.13 feet;

THENCE South 63 degrees 01 minutes 10 seconds East, a distance of 37.34 feet to the beginning of a curve to the left, whose center bears North 26 degrees 58 minutes 50 seconds East, having a radius of 30.00 feet, and a delta of 114 degrees 01 minutes 31 seconds;

THENCE along said curve to the left, an arc length of 59.70 feet, a chord bearing of North 59 degrees 58 minutes 05 seconds East and a chord length of 50.33 feet;

THENCE North 02 degrees 57 minutes 20 seconds East, a distance of 53.22 feet;

THENCE North 05 degrees 56 minutes 19 seconds West, a distance of 217.55 feet;

THENCE North 04 degrees 55 minutes 10 seconds West, a distance of 30.43 feet to the beginning of a curve to the right, whose center bears North 85 degrees 04 minutes 50 seconds East, having a radius of 50.00 feet and a delta of 90 degrees 54 minutes 23 seconds;

THENCE along said curve to the right having an arc length of 79.33 feet, a chord bearing of North 40 degrees 32 minutes 02 seconds East and a chord length of 71.27 feet;

THENCE North 85 degrees 59 minutes 13 seconds East, a distance of 62.21 feet;

THENCE North 17 degrees 27 minutes 20 seconds East, a distance of 152.71 feet to the terminus of the 15.00 foot Public Road and Utility Easement and said point being North 67 degrees 47 minutes 28 seconds East, a distance of 1,518.84 feet from the above mentioned West  $\frac{1}{4}$  corner of Section 20, and containing 18,956 square feet or 0.435 acres of land more or less.

**BASIS OF BEARING:** North 72 degrees 32 minutes 40 seconds West  
Being the centerline of Main Street per the above mentioned Record of Survey.

#### **PUBLIC ROAD AND UTILIT EASEMENT No. 5**

BEING situated in Section 20, Township 8 North, Range 44 East, being a portion of the Dexter No. 8 Patented Mining Claim, Mineral Survey No. 2602, the Carson Patented Mining Claim, Mineral Survey No. 2613, the Jackson Patented Mining Claim, Mineral Survey No. 2914 and the Pinenut Patented Mining Claim, Mineral Survey No. 2915, and being part of the real property shown on the Record of Survey recorded as File Map No. 200147, of the Official Records in the Office of the Nye County Recorder, Nye County, Nevada, the centerline of a 15.00 foot Public Road and Utility Easement being described by Metes and Bounds as follows:

COMMENCING at the West  $\frac{1}{4}$  corner of said Section 20, Township 8 North, Range 44 East:

THENCE North 87 degrees 25 minutes 16 seconds East, a distance of 1,198.86 feet to the POINT OF BEGINNING;

THENCE South 00 degrees 57 minutes 29 seconds East, a distance of 54.81 feet;

THENCE South 13 degrees 13 minutes 45 seconds East, a distance of 54.91 feet;

THENCE South 23 degrees 26 minutes 05 seconds East, a distance of 48.66 feet;

THENCE South 30 degrees 00 minutes 41 seconds East, a distance of 52.66 feet;

THENCE South 35 degrees 54 minutes 25 seconds East, a distance of 72.78 feet;

THENCE South 56 degrees 20 minutes 30 seconds East, a distance of 43.06 feet;

THENCE North 82 degrees 07 minutes 45 seconds East, a distance of 65.75 feet, to the beginning of a curve to the left, whose center bears North 07 degrees 52 minutes 15 seconds West, having a radius of 30.00 feet and a delta of 77 degrees 52 minutes 50 seconds;

THENCE along said curve to the left, an arc length of 40.78 feet, a chord bearing of North 43 degrees 11 minutes 21 seconds East and a chord length of 37.71 feet;

THENCE North 04 degrees 14 minutes 56 seconds East, a distance of 49.75 feet;

THENCE North 32 degrees 02 minutes 03 seconds East, a distance of 49.60 feet;

THENCE North 44 degrees 21 minutes 20 seconds East, a distance of 113.99 feet to the beginning of a curve to the right, whose center bears South 45 degrees 38 minutes 40 seconds East, having a radius of 150.00 feet and a delta of 90 degrees 42 minutes 00 seconds;

THENCE along said curve to the right, an arc length of 237.45 feet, a chord bearing of North 89 degrees 42 minutes 20 seconds East and a chord length of 213.42 feet;

THENCE South 44 degrees 56 minutes 40 seconds East, a distance of 40.86 feet;

THENCE South 39 degrees 33 minutes 34 seconds East, a distance of 26.75 feet to the terminus of the 15 foot Public Road and Utility Easement, said terminus being in the North line of the following described Public Road and Utility Easement No. 6, and said terminus being South 87 degrees 53 minutes 22 seconds East, 1,796.51 feet from the above mentioned West 1/4 corner of the above mentioned Section 20 and containing 14,251 square feet or 0.327 acres of land more or less.

**BASIS OF BEARING:** North 72 degrees 32 minutes 40 seconds West,  
Being the centerline of Main Street per the above mentioned Record of Survey.

**PUBLIC ROAD AND UTILITY EASEMENT No. 6**

BEING situated in Section 20, Township 8 North, Range 44 East, being a portion of the Dexter No. 8 Patented Mining Claim, Mineral Survey No. 2602, the Jackson Patented Mining Claim, Mineral Survey No. 2914, Town of Manhattan, Nye County, Nevada, being a Public Road and Utility Easement and said Public Road and Utility Easement being described by Metes and Bounds as follows:

COMMENCING at the West 1/4 corner of Section 20, Township 8 N, Range 44 E;

THENCE South 87 degrees 44 minutes 46 seconds East, a distance of 1,682.17 feet to the POINT OF BEGINNING;

THENCE North 90 degrees 00 minutes 00 seconds East, a distance of 146.01 feet;

THENCE South 00 degrees 00 minutes 00 seconds East, a distance of 268.63 feet;

THENCE South 90 degrees 00 minutes 00 seconds West, a distance of 146.01 feet;

THENCE North 00 degrees 00 minutes 00 seconds West, a distance of 268.63 feet to the POINT OF BEGINNING and containing 39,222 square feet or 0.90 acres of land more or less.

BASIS OF BEARING: North 72 degrees 32 minutes 40 seconds West  
Being the centerline of Main Street per the Record of Survey recorded as File Map No. 200147

These descriptions based on a actual  
on the ground survey made by me in  
April, 2011

TO HAVE AND TO HOLD the granted premises together with all rights and appurtenances thereunto belonging or in anywise appertaining to the said GRANTEE, its heirs and assigns forever, subject, however, to any existing public utility easements.

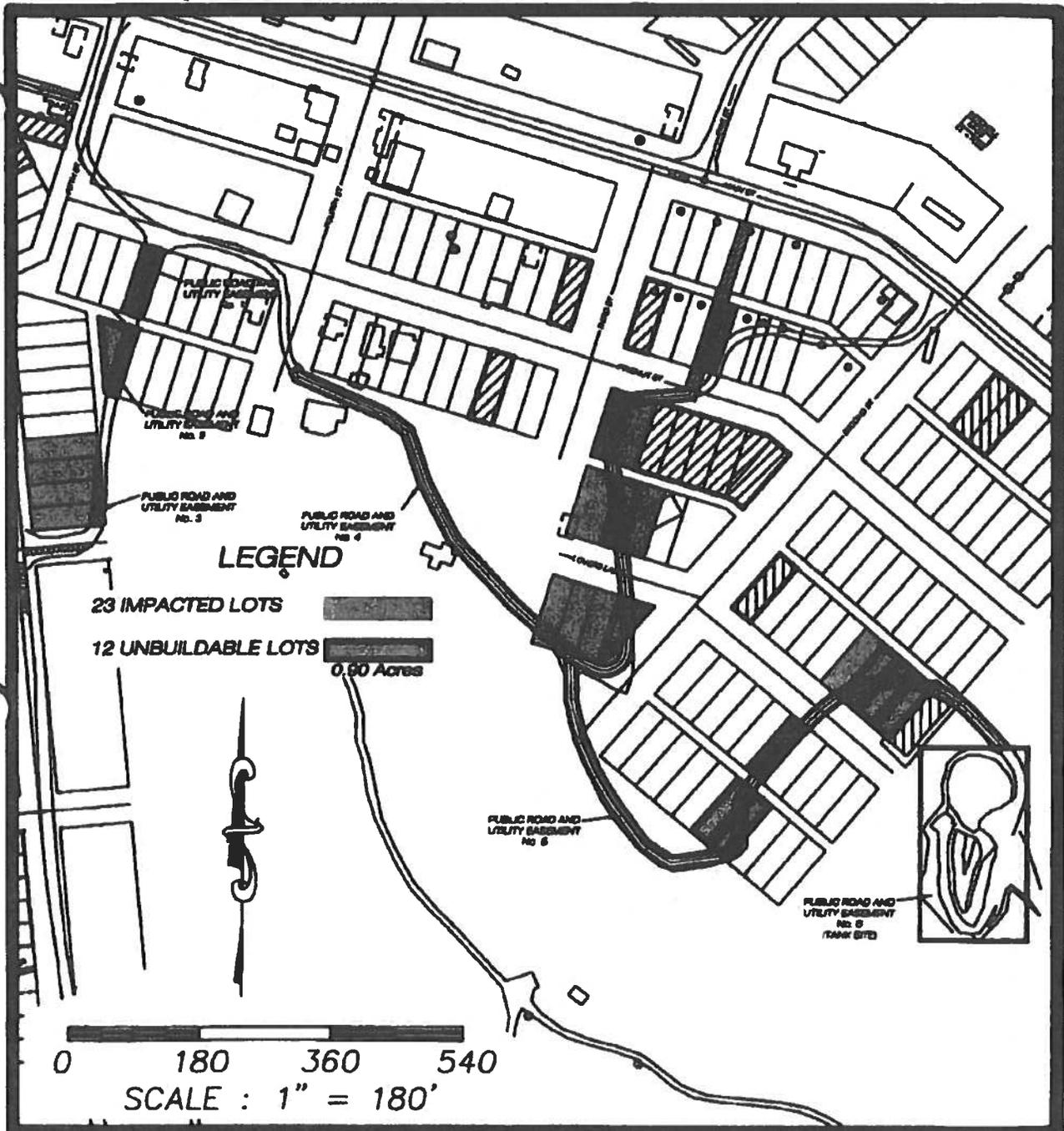
IN WITNESS WHEREOF, the GRANTOR has caused these presents to be executed on the day and year first above written.

\_\_\_\_\_  
Robert M. Bottom, Trustee for Bottom Family Trust  
P.O. Box 89  
Manhattan, Nevada 89022

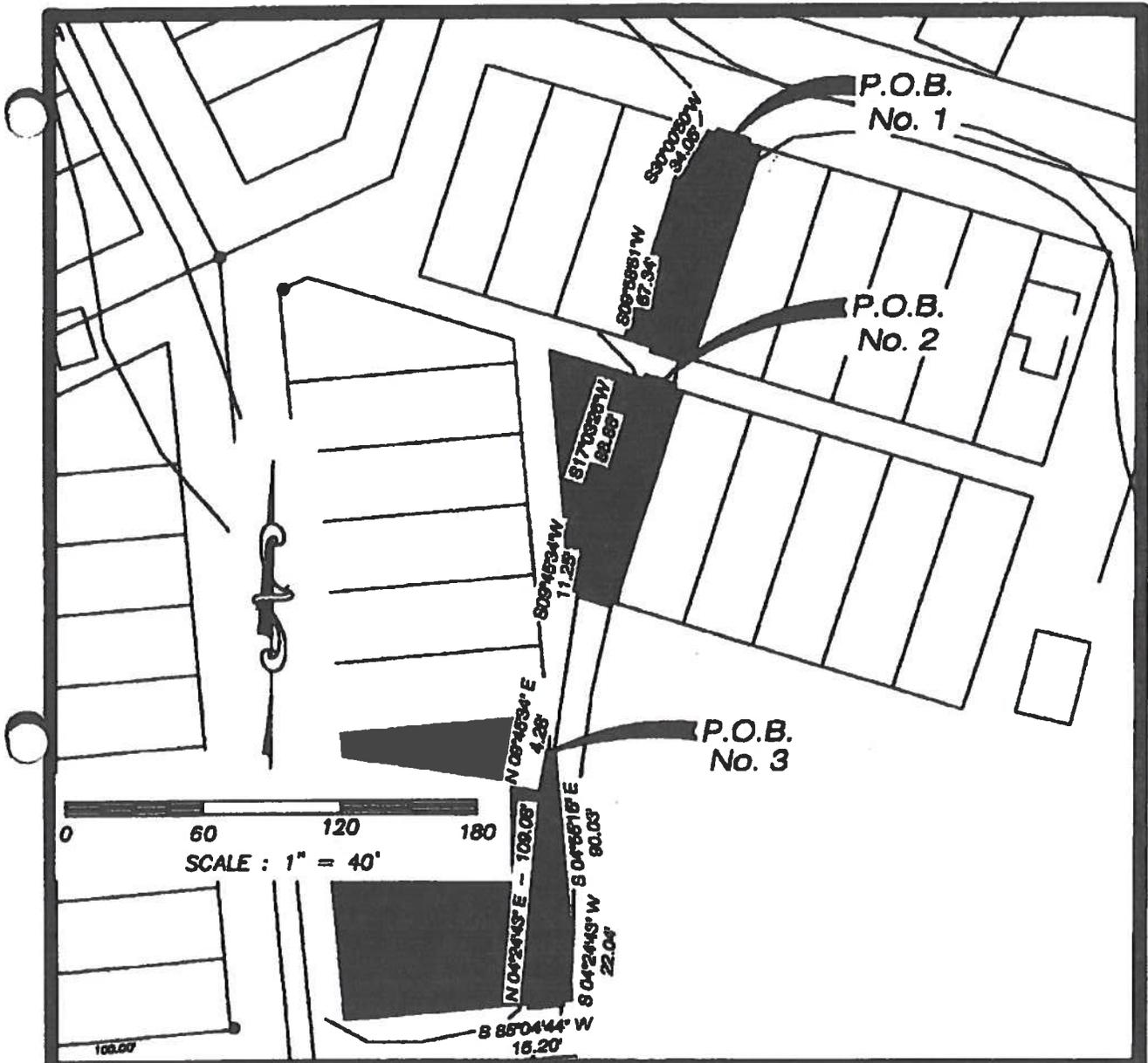
STATE OF NEVADA     }  
                                  } SS.  
COUNTY OF NYE     }

On the \_\_\_\_\_ day of \_\_\_\_\_, 2011  
Before me the undersigned, a Notary Public in and for the county and state aforesaid, personally appeared Robert M. Bottom, Trustee for Bottom Family Trust, known to me to be the person named in and who executed the within and foregoing instrument and he acknowledged to me that he executed the same freely and voluntarily and for the uses and purposes therein mentioned.

\_\_\_\_\_  
Notary Public



**LOCATION MAP FOR  
PUBLIC ROAD AND  
UTILITY EASEMENTS  
No. 1, 2, 3, 4, 5 AND 6**



**EXHIBIT SHOWING  
15' PUBLIC ROAD AND  
UTILITY EASEMENTS  
No. 1, 2 AND 3**





APN 04-224-07  
APN 04-262-04  
APN 04-262-06  
APN 04-262-10  
APN 04-277-07  
APN 04-278-01  
APN 04-331-07  
APN 04-332-03  
APN 04-336-01  
APN 04-276-03  
APN 04-535-23  
APN 10-394-03  
APN 08-021-12

**Recording Requested By:**  
Nye County Board of Commissioners

**When Recorded Return to:**  
Nye County Public Works  
P.O. Box 887  
Tonopah, Nv 89049

**Grantee**  
Bottom Family Trust  
P.O. Box 89  
Manhattan, Nv. 89022

#### PROPERTY EXCHANGE DEED

This exchange deed, MADE THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2011, by and between the Board of County Commissioners of the County of Nye, State of Nevada (hereinafter referred to as Grantor), and Robert M. Bottom, Trustee for Bottom Family Trust and Bottom Family Trust (herein referred to as Grantee),

#### WITNESSETH:

WHEREAS, GRANTOR agreed to an exchange of property with GRANTEE, for the express purpose of establishment of public road and utility easements located within the Town of Manhattan, Nevada, more specifically described as:

#### **PUBLIC ROAD AND UTILITY EASEMENT No. 1**

BEING situated in Section 20, Township 8 North, Range 44 East, MDB&M, and as shown on the Record of Survey recorded as File Map No. 200147, of the Official Records in the Office of the Nye County Recorder, Nye County, Nevada, the centerline of a 15.00 foot Public Road and Utility Easement being described by Metes and Bounds as follows:

COMMENCING at the West ¼ corner of said Section 20, Township 8 North, Range 44 East;

THENCE North 44 degrees 53 minutes 23 seconds East, a distance of 895.12 feet to the POINT OF BEGINNING;

THENCE South 30 degrees 00 minutes 50 seconds West, a distance of 34.05 feet;

THENCE South 09 degrees 58 minutes 51 seconds West, a distance of 67.34 feet to the terminus of the Public Road and Utility Easement, said terminus being North 48 degrees 14 minutes 33 seconds East,

808.38 feet from the above mentioned West ¼ corner of Section 20, and containing 1,521 square feet or 0.035 acres of land more or less.

**BASIS OF BEARING:** North 72 degrees 32 minutes 40 seconds West  
Being the centerline of Main Street per the above mentioned Record of Survey.

**PUBLIC ROAD AND UTILITY EASEMENT No. 2**

BEING situated in Section 20, Township 8 North, Range 44 East, MDB&M, and being a portion of the Town of Manhattan, as shown on the Record of Survey recorded as File Map No. 200147, of the Official Records in the Office of the Nye County Recorder, Nye County, Nevada, the centerline of a 15.00 foot Public Road and Utility Easement being described by Metes and Bounds as follows:

COMMENCING at the West ¼ corner of said Section 20, Township 8 North, Range 44 East;

THENCE North 48 degrees 51 minutes 14 seconds East, a distance of 796.02 feet to the POINT OF BEGINNING;

THENCE South 17 degrees 03 minutes 26 seconds West, a distance of 88.86 feet;

THENCE South 09 degrees 45 minutes 34 seconds West, a distance of 11.25 feet to the terminus of the Public Road and Utility Easement, said terminus being North 53 degrees 11 minutes 08 seconds East, 713.81 feet from the above mentioned West ¼ corner of Section 20, and containing 1,502 square feet or 0.034 acres of land more or less.

**BASIS OF BEARING:** North 72 degrees 32 minutes 40 seconds West  
Being the centerline of Main Street per the above mentioned Record of Survey.

**PUBLIC ROAD AND UTILITY EASEMENT No. 3**

BEING situated in Section 20, Township 8 North, Range 44 East, MDB&M, and as shown on the Record of Survey recorded as File Map No. 200147, of the Official Records in the Office of the Nye County Recorder, Nye County, Nevada, the 15.00 foot Public Road and Utility Easement being described by Metes and Bounds as follows:

COMMENCING at the West ¼ corner of said Section 20, Township 8 North, Range 44 East;

THENCE North 57 degrees 01 minutes 19 seconds East, a distance of 657.87 feet to the POINT OF BEGINNING;

THENCE South 04 degrees 55 minutes 16 seconds East, a distance of 90.03 feet;

THENCE South 04 degrees 24 minutes 43 seconds West, a distance of 22.04 feet to the North Right-of-Way line of Euclid Avenue, (a 50.0 foot Right-of-Way) as shown on the above mentioned Record of Survey;

THENCE South 85 degrees 04 minutes 44 seconds West, along the North line of said Euclid Avenue, a distance of 15.20 feet;

THENCE North 04 degrees 24 minutes 43 seconds East, departing the North line of said Euclid Avenue, a distance of 109.08 feet;

THENCE North 09 degrees 45 minutes 34 seconds East, a distance of 4.28 feet to the POINT OF BEGINNING, and containing 1,032 square feet or 0.024 acres of land, more or less.

**BASIS OF BEARING:** North 72 degrees 32 minutes 40 seconds West  
Being the centerline of Main Street per the above mentioned Record of Survey.

**PUBLIC ROAD AND UTILITY EASEMENT No. 4**

**BEING** situated in Section 20, Township 8 North, Range 44 East, being a portion of the Carson Patented Mining Claim, Mineral Survey No. 2613, the Jackson Patented Mining Claim, Mineral Survey No. 2914 and the Pine Nut Patented Mining Claim, Mineral Survey No. 2915, and a portion of the real property shown on the Record of Survey recorded as File Map No. 200147, of the Official Records in the Office of the Nye County Recorder, Nye County, Nevada, the centerline of a 15.00 foot Public Road and Utility Easement being described by Metes and Bounds as follows:

**COMMENCING** at the West  $\frac{1}{4}$  corner of said Section 20, Township 8 North, Range 44 East;

**THENCE** North 60 degrees 32 minutes 22 seconds East, 941.46 feet to the **POINT OF BEGINNING**;

**THENCE** South 29 degrees 59 minutes 07 seconds East, a distance of 11.07 feet;

**THENCE** South 65 degrees 52 minutes 31 seconds East, a distance of 132.09 feet;

**THENCE** South 52 degrees 04 minutes 56 seconds East, a distance of 36.81 feet;

**THENCE** South 17 degrees 25 minutes 34 seconds East, a distance of 75.80 feet;

**THENCE** South 26 degrees 03 minutes 33 seconds East, a distance of 88.84 feet;

**THENCE** South 41 degrees 25 minutes 28 seconds East, a distance of 118.24 feet;

**THENCE** South 48 degrees 05 minutes 09 seconds East, a distance of 111.13 feet;

**THENCE** South 63 degrees 01 minutes 10 seconds East, a distance of 37.34 feet to the beginning of a curve to the left, whose center bears North 26 degrees 58 minutes 50 seconds East, having a radius of 30.00 feet, and a delta of 114 degrees 01 minutes 31 seconds;

**THENCE** along said curve to the left, an arc length of 59.70 feet, a chord bearing of North 59 degrees 58 minutes 05 seconds East and a chord length of 50.33 feet;

**THENCE** North 02 degrees 57 minutes 20 seconds East, a distance of 53.22 feet;

**THENCE** North 05 degrees 56 minutes 19 seconds West, a distance of 217.55 feet;

**THENCE** North 04 degrees 55 minutes 10 seconds West, a distance of 30.43 feet to the beginning of a curve to the right, whose center bears North 85 degrees 04 minutes 50 seconds East, having a radius of 50.00 feet and a delta of 90 degrees 54 minutes 23 seconds;

**THENCE** along said curve to the right having an arc length of 79.33 feet, a chord bearing of North 40 degrees 32 minutes 02 seconds East and a chord length of 71.27 feet;

**THENCE** North 85 degrees 59 minutes 13 seconds East, a distance of 62.21 feet;

**THENCE** North 17 degrees 27 minutes 20 seconds East, a distance of 152.71 feet to the terminus of the 15.00 foot Public Road and Utility Easement and said point being North 67 degrees 47 minutes 28 seconds

East, a distance of 1,518.84 feet from the above mentioned West ¼ corner of Section 20, and containing 18,956 square feet or 0.435 acres of land more or less.

**BASIS OF BEARING:** North 72 degrees 32 minutes 40 seconds West  
Being the centerline of Main Street per the above mentioned Record of Survey.

**PUBLIC ROAD AND UTILIT EASEMENT No. 5**

BEING situated in Section 20, Township 8 North, Range 44 East, being a portion of the Dexter No. 8 Patented Mining Claim, Mineral Survey No. 2602, the Carson Patented Mining Claim, Mineral Survey No. 2613, the Jackson Patented Mining Claim, Mineral Survey No. 2914 and the Pinenut Patented Mining Claim, Mineral Survey No. 2915, and being part of the real property shown on the Record of Survey recorded as File Map No. 200147, of the Official Records in the Office of the Nye County Recorder, Nye County, Nevada, the centerline of a 15.00 foot Public Road and Utility Easement being described by Metes and Bounds as follows:

COMMENCING at the West ¼ corner of said Section 20, Township 8 North, Range 44 East:

THENCE North 87 degrees 25 minutes 16 seconds East, a distance of 1,198.86 feet to the POINT OF BEGINNING;

THENCE South 00 degrees 57 minutes 29 seconds East, a distance of 54.81 feet;

THENCE South 13 degrees 13 minutes 45 seconds East, a distance of 54.91 feet;

THENCE South 23 degrees 26 minutes 05 seconds East, a distance of 48.66 feet;

THENCE South 30 degrees 00 minutes 41 seconds East, a distance of 52.66 feet;

THENCE South 35 degrees 54 minutes 25 seconds East, a distance of 72.78 feet;

THENCE South 56 degrees 20 minutes 30 seconds East, a distance of 43.06 feet;

THENCE North 82 degrees 07 minutes 45 seconds East, a distance of 65.75 feet, to the beginning of a curve to the left, whose center bears North 07 degrees 52 minutes 15 seconds West, having a radius of 30.00 feet and a delta of 77 degrees 52 minutes 50 seconds;

THENCE along said curve to the left, an arc length of 40.78 feet, a chord bearing of North 43 degrees 11 minutes 21 seconds East and a chord length of 37.71 feet;

THENCE North 04 degrees 14 minutes 56 seconds East, a distance of 49.75 feet;

THENCE North 32 degrees 02 minutes 03 seconds East, a distance of 49.60 feet;

THENCE North 44 degrees 21 minutes 20 seconds East, a distance of 113.99 feet to the beginning of a curve to the right, whose center bears South 45 degrees 38 minutes 40 seconds East, having a radius of 150.00 feet and a delta of 90 degrees 42 minutes 00 seconds;

THENCE along said curve to the right, an arc length of 237.45 feet, a chord bearing of North 89 degrees 42 minutes 20 seconds East and a chord length of 213.42 feet;

THENCE South 44 degrees 56 minutes 40 seconds East, a distance of 40.86 feet;

THENCE South 39 degrees 33 minutes 34 seconds East, a distance of 26.75 feet to the terminus of the 15 foot Public Road and Utility Easement, said terminus being in the North line of the following described

Public Road and Utility Easement No. 6, and said terminus being South 87 degrees 53 minutes 22 seconds East, 1,796.51 feet from the above mentioned West 1/4 corner of the above mentioned Section 20 and containing 14,251 square feet or 0.327 acres of land more or less.

**BASIS OF BEARING:** North 72 degrees 32 minutes 40 seconds West,  
Being the centerline of Main Street per the above mentioned Record of Survey.

**PUBLIC ROAD AND UTILITY EASEMENT No. 6**

BEING situated in Section 20, Township 8 North, Range 44 East, being a portion of the Dexter No. 8 Patented Mining Claim, Mineral Survey No. 2602, the Jackson Patented Mining Claim, Mineral Survey No. 2914, Town of Manhattan, Nye County, Nevada, being a Public Road and Utility Easement and said Public Road and Utility Easement being described by Metes and Bounds as follows:

COMMENCING at the West ¼ corner of Section 20, Township 8 N, Range 44 E;

THENCE South 87 degrees 44 minutes 46 seconds East, a distance of 1,682.17 feet to the POINT OF BEGINNING;

THENCE North 90 degrees 00 minutes 00 seconds East, a distance of 146.01 feet;

THENCE South 00 degrees 00 minutes 00 seconds East, a distance of 268.63 feet;

THENCE South 90 degrees 00 minutes 00 seconds West, a distance of 146.01 feet;

THENCE North 00 degrees 00 minutes 00 seconds West, a distance of 268.63 feet to the POINT OF BEGINNING and containing 39,222 square feet or 0.90 acres of land more or less.

**BASIS OF BEARING:** North 72 degrees 32 minutes 40 seconds West  
Being the centerline of Main Street per the Record of Survey recorded as File Map No. 200147

**IN EXCHANGE FOR** the Real Property described as follows:

**In the Town of Manhattan:**

Lots 8 through 10, Block D, also known as Assessors Parcel No. 04-224-07, being 0.220 acres more or less, Lot 6, Block 27, also known as Assessors Parcel No. 04-262-04, being 0.073 acres more or less, Lot 4, Block 27, also known as Assessors Parcel No. 04-262-06, being 0.073 acres more or less, Lot 11, Block 27, also known as Assessors Parcel No. 04-262-10, being 0.058 acres more or less, Lot 1, Block 17, also known as Assessors Parcel No. 04-277-07, being 0.073 acres more or less, Lot 9, Block 15, also known as Assessors Parcel No. 04-278-01, being 0.073 acres more or less, Lot 3, Block 18, also known as Assessors Parcel No. 04-331-07, being 0.073 acres of land more or less, Lots 1 through 6, Block 16, also known as Assessors Parcel No. 04-332-03, being 0.407 acres of land more or less, Lot 10, Block 20, also known as Assessors Parcel No. 04-336-01,, being 0.073 acres of land more or less, all as shown on the Record of Survey of the Town of Manhattan, recorded in the Office of the Nye County Recorder as File Map No. 200147, Nye County, Nevada, and Lot 7 and 8, Block 4, also known as Assessors Parcel No. 04-276-03, being 0.147 acres of land more or less, as shown on The Jackson Addition, recorded in the Office of the Nye County Recorder as File Map No. 1385, Nye County, Nevada.

**In the Town of Belmont:**

The Southwest 10.00 feet of Lot 24, All of Lots 25 and 26 and the Northeast 18.00 feet of Lot 27, Block 1, also known as Assessors Parcel No. 04-535-23, being 0.311 acres as shown on the Record of Survey of the Revised Town of Belmont recorded in the Office of the Nye County Recorder as File Map No. 288445, Nye County, Nevada.

**In Shoshone Estates Subdivision:**

Lot 23, also known as Assessors Parcel No. 10-394-03, being 0.71 acres of land more or less, as shown on Shoshone Estates Subdivision, recorded in the Office of the Nye County Recorder as File Map No. 125991, Nye County, Nevada.

In the Town of Tonopah:

Parcel 1, also known as Assessors Parcel No. 08-021-12, being 2.14 acres of land more or less, as shown on the Line Adjustment, recorded in the Office of the Nye County Recorder as File Map No. 80209, Nye County, Nevada.

These descriptions based on an actual  
on the ground survey made by me in  
April, 2011

TO HAVE AND TO HOLD the granted premises together with all rights and appurtenances thereunto belonging or in anywise appertaining to the said GRANTEE, its heirs and assigns forever, subject, however, to any existing public utility easements.

IN WITNESS WHEREOF, the GRANTOR has caused these presents to be executed on the day and year first above written.

\_\_\_\_\_  
Gary Hollis, Chair  
Nye County Board of Commissioners

STATE OF NEVADA            }  
  } SS.  
COUNTY OF NYE            }

On the \_\_\_\_\_ day of \_\_\_\_\_, 2011

Before me the undersigned, a Notary Public in and for the county and state aforesaid, personally appeared \_\_\_\_\_, known to me to be the person named in and who executed the within and foregoing instrument and he acknowledged to me that he executed the same freely and voluntarily and for the uses and purposes therein mentioned.

\_\_\_\_\_  
Notary Public

**STATE OF NEVADA  
DECLARATION OF VALUE FORM**

1. Assessor Parcel Number(s)  
 a) 04-224-07, 04-262-04, 04-262-06, 04-262-10  
 b) 04-277-07, 04-278-01, 04-331-07, 04-332-03  
 c) 04-336-01, 04-276-03, 04-535-23, 10-394-03  
 d) 08-021-12

2. Type of Property:  
 a)  Vacant Land      b)  Single Fam. Res.  
 c)  Condo/Twnhse      d)  2-4 Plex  
 e)  Apt. Bldg      f)  Comm'l/Ind'l  
 g)  Agricultural      h)  Mobile Home  
 Other APN 10-394-03 has an uninhabitable structure

FOR RECORDER'S OPTIONAL USE ONLY	
Book: _____	Page: _____
Date of Recording: _____	
Notes: _____	

3. Total Value/Sales Price of Property \$ 101,182.00  
 Deed in Lieu of Foreclosure Only (value of property) ( \_\_\_\_\_ )  
 Transfer Tax Value: \$ \_\_\_\_\_  
 Real Property Transfer Tax Due \$ 394.61

4. **If Exemption Claimed:**  
 a. Transfer Tax Exemption per NRS 375.090, Section \_\_\_\_\_  
 b. Explain Reason for Exemption: \_\_\_\_\_

5. Partial Interest: Percentage being transferred: 100 %  
 The undersigned declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the parties agree that disallowance of any claimed exemption, or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month. Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.

Signature \_\_\_\_\_ Capacity \_\_\_\_\_  
 Signature \_\_\_\_\_ Capacity \_\_\_\_\_

**SELLER (GRANTOR) INFORMATION**  
**(REQUIRED)**  
 Print Name: Nye County Board of Commissioners  
 Address: 101 Radar Road  
 City: Tonopah  
 State: Nevada Zip: 89049

**BUYER (GRANTEE) INFORMATION**  
**(REQUIRED)**  
 Print Name: Bottom Family Trust  
 Address: PO Box 89  
 City: Manhattan  
 State: Nevada Zip: 89022

**COMPANY/PERSON REQUESTING RECORDING (required if not seller or buyer)**  
 Print Name: Nye County Public Works Escrow #: \_\_\_\_\_  
 Address: PO Box 887  
 City: Tonopah State: Nevada Zip: 89049

**BOCC PUBLIC COMMENT STATEMENT Agenda Item # 41 JULY 21, 2020**

I request that this statement be entered into the minutes of this meeting. I will provide a copy to the County Clerk today.

This is not the first time Mr. Jones has bravely stood before the BOCC to expose the questionable manner in which issues have been handled in northern Nye County. His efforts have not been as successful as they should be despite his meticulous, thorough documentation and well prepared statements. Some Commissioners have purposely ignored the facts that Mr. Jones has presented and have shown minimal respect or understanding for the rule of law. Others I believe were falsely influenced and deliberately misled by some of their very own colleagues or so called Nye County 'experts'. Thus votes were cast based on false information, spin, personal opinion rather than facts, deception and in some instances outright lies. Hardly a way in which the County should ethically and legally conduct its business and maintain the respect of the public they serve.

As property owners in Belmont, Mr. Jones and I have seen principle compromised by those who represent us. We have seen the health and safety of the community set aside to protect the guilty. Personal responsibility and accountability shrugged off. Laws allowed to be broken by those with the 'right' connections. Deceit and deception taking preference over ethics and integrity. Individuals in power making their own rules rather than following the ones that the rest are expected to follow. Decent people's lives and dreams destroyed because they challenged the status quo. Individuals rewarded for doing the dirty work of those in power. Friends abandoning friends because they were afraid or wanted to be on the winning side...no matter how disingenuous that side was. And the one that personally offends me the most - blaming the messenger for simply telling the truth.

I am sure most listening get my drift, especially those who have followed Mr. Jones' journey.

Wouldn't it be much easier to be honest, transparent and govern with integrity rather than trying to devise clever ways to bend the rules? Wouldn't it be better to admit there is a problem rather than trying to hide it, or make half-baked attempts to fix it just to create the illusion that everything is okay? Wouldn't just following the laws in the first place be far wiser than getting caught manipulating the situation and then being forced into damage control mode? Why not be truthful with your colleagues and the public you serve, rather than misleading them. Why not take the ethical approach and thus save the BOCC and Nye County government from embarrassment and agenda items that are forced to be revisited. And perhaps save the County from potential and expensive lawsuits that rob funds away from productive projects that might positively benefit the citizens of Nye County.

So I urge the majority of the BOCC to please support Mr. Jones by rescinding the two resolutions that are presented to you today, not postpone the decision and acknowledge that they have not been handled honestly, ethically or correctly.

Thank you.

Janice Berard

Email: [jbnjreno@aol.com](mailto:jbnjreno@aol.com)

**BOCC PUBLIC COMMENT STATEMENT Agenda Item # 42 JULY 21, 2020**

I request that this statement be entered into the minutes of this meeting. I will provide a copy to the County Clerk today.

At the May 19, 2020 BOCC meeting it was explained by a Commissioner that she was reluctant to appoint the two qualified applicants to the *Armargosa Town Board*, because she did not want to remove "someone" like she had done in the past.

I assume that this "someone" was Mr. John Bosta who was not "removed" but simply was not "reinstated" when his term expired on the infamous *Nye County Water Board*.

It is my belief that the comments and actions made at the May 19<sup>th</sup> meeting towards Mr. Bosta are discriminatory and based on a great personal dislike, rather than the qualifications of him as an applicant.

The appointment of this position should not be based on personal conflicts that each other carry or a popularity contest. It should be based on the qualifications of the applicant, their commitment to the job and most importantly their desire to practice accountable and ethical government that represents the community. I certainly believe Mr. Bosta fits that bill.

Perhaps the real issue here is one that I mentioned earlier when commenting on Agenda Item #41, in regards to the rule of law. As most know, Mr. Bosta is a stickler for it. Those who he battles.....not so much. So perhaps that is the real reason why appointing Mr. Bosta is so difficult for some on the BOCC.

Mr. Bosta was instrumental in creating the *Armargosa Town Board* in the first place. His advocacy in 2011 allowed the *Board* to make its own decisions, rather than having their decisions made for them by the BOCC. This was a major improvement giving Armargosa its own independence.

To enhance that independence, Mr. Bosta fought to have Armargosa's marijuana funds owned and held in the Town's coffers, rather than in the Nye County general fund. Something that I believe the residents of Armargosa should have been extremely appreciative of, despite his efforts being sabotaged by the very people who do not want him getting appointed today.

Mr. Bosta is aware of the issues in his community and cares about its future. He is a knowledgeable, intelligent, hardworking individual, who is willing to take on a job that is not always appreciated.

So perhaps it is time for some to set their personal beefs and discrimination aside and allow Mr. Bosta to take a seat on the *Armargosa Town Board*.

If the townspeople decide they no longer want Mr. Bosta on the *Board*, then they can vote him out, since he is on the November 2020 ballot. In the long run it is their well-earned independent right to determine who they want to represent them.

Thank you.

Janice Berard

Email: [jbnjreno@aol.com](mailto:jbnjreno@aol.com)