

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, Gabbs, and Manhattan, and the Board of Trustees for the Pahrump Pool District, was held at 10:00 a.m. in the Commissioners' Chambers, 101 Radar Road, Tonopah, Nevada 89049.

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

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

Not Present: Donna Cox, Commissioner; Sharon Wehrly, Sheriff

1. Pledge of Allegiance

The Pledge was recited.

2. Approve of the Agenda for October 12, 2021 (Non-action item).

Tim Sutton said items 4 and 6-11 could be removed from the agenda.

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

Commissioner Strickland commented on the snow on the mountain, which was a good indication of what the year would look like, and cloud seeding was the number one reason for that as far as she was concerned. The snow last year did not come until January. She advised that under the American Rescue Plan there was a request from the well owners' association to finance cloud seeding for ten years.

12. 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.

Commissioner Strickland said she did not see a first public comment period. She would like to work within the normal parameters and opened item 12 now.

12. 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-Cont'd.

Marla Zlotek explained general public comment could be had at the beginning and the end of the meeting, and for each item if the Board wanted, or it could all be at the end only, but it must be held on each individual item. For a teleconference that was changed, but it was at the procedural discretion of the Board.

There was no public comment.

4. For Possible Action – Emergency Items.

This item was removed from the agenda.

5. For Possible Action – Discussion and deliberation to appoint two (2) members to the Nye County Redistricting Advisory Committee from the following list: One (1) Member from the Round Mountain Town Board: Applicant Nicole Silberschlag, and Nye County Clerk Sam Merlino.

Commissioner Blundo stated there was a little bit of concern that maybe the Open Meeting Law (OML) had been breached since he spoke with Commissioner Jabbour and then he spoke with Commissioner Strickland on the meeting about two separate topics. He wanted to ensure the OML had not been violated.

Marla Zlotek advised based on the facts as presented it would not be.

Commissioner Jabbour made a motion to appoint the two members to the Nye County Redistricting Advisory Committee from the following list: Round Town Board Member Nicole Silberschlag and Nye County Clerk Sam Merlino; seconded by Commissioner Carbone.

C.J. Stevens said she attended the last meeting for this item and was appalled at the way it was handled. She e-mailed both Commissioners Strickland and Cox about her concerns and had received no satisfactory result.

Ms. Zlotek stated comments needed to be addressed to the two appointees. If Ms. Stevens had comments regarding an action from the last meeting Ms. Zlotek recommended holding it for general public comment as the action today was regarding these two specific members.

Pat Minshall said she asked at the last meeting that it be re-advertised. She believed if it had not been for her John Bosta would not have known about the item and the only reason she knew was because Arnold Knightly sent out the information.

5. For Possible Action – Discussion and deliberation to appoint two (2) members to the Nye County Redistricting Advisory Committee from the following list: One (1) Member from the Round Mountain Town Board: Applicant Nicole Silberschlag, and Nye County Clerk Sam Merlino-Cont'd.

Commissioner Strickland reminded everyone they needed to focus on these two appointees and she would reopen general public comment.

Carolene Logue asked about the nomination of the Nye County Clerk. She knew Mrs. Merlino was very qualified in the knowledge needed, but she was a paid elected official. Ms. Logue asked for clarification as to whether Mrs. Merlino would be a volunteer or a paid elected person. If she was being paid, Ms. Logue suggested Mrs. Merlino become a consultant instead of a volunteer.

Nicole Silberschlag said she was a member of Round Mountain Town Board and the town board voted unanimously for her to apply for this position. She said she was very involved in her community. She was sad to hear the committee went from eleven to seven because she felt like sometimes the smaller communities did not get the voice they deserved, and it was disheartening when people stepped up and were not selected. Ms. Silberschlag said she would appreciate the opportunity to be on the committee.

Commissioner Blundo asked her how she planned to have that voice on the redistricting committee.

Ms. Silberschlag said her plan was to listen, really go into the details, and do her best to help. She felt she had a little bit of a different view living in a smaller community versus living in Pahrump with so many different districts.

Commissioner Blundo explained that at the last meeting the choice to not appoint was not a negative reflection on anyone who had applied. The thought was just to make it a small, manageable board.

Mrs. Merlino said she was very happy to be part of the committee because it affected everything she did for elections. Whether she was in an advisory capacity or a member she had to be part of it one way or the other.

Commissioner Blundo asked her how she planned to overcome OML if members of the Board of County Commissioners needed to discuss or get information from her because if she was on the committee she could not talk to everyone on the Board because of OML.

Mrs. Merlino said she really did not have an answer for that. The Commissioners were not involved until the committee made a decision and brought a bill before the Board. If the District Attorney believed that would be a violation of the OML she would step back. Mrs. Merlino explained in most counties, especially the smaller counties, it was the

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Clerk's job to do the redistricting and most Clerks were doing it themselves with staff and no committees involved. She would do what the Board thought was best.

Lorina Dellinger said she took that into consideration as she was aware that was a concern. She explained she would be the point of contact for any information that came from the committee members outside of the meeting just as Admin was for the Board of County Commissioners. They could blind copy the committee members, or it could wait until the next meeting and be included as back-up.

Commissioner Carbone wondered why the committee could not be something similar to an ad hoc. There would be a lot of communication and he wanted to make sure there were no issues.

Mrs. Dellinger explained it could have been an ad hoc and that was an option, but if the Board of County Commissioners decided to appoint the members, which they did, then it was no longer an ad hoc.

The motion to appoint the two members to the Nye County Redistricting Advisory Committee from the following list: Round Town Board Member Nicole Silberschlag and Nye County Clerk Sam Merlino passed with 4 yeas.

SITTING AS THE BOARD OF COUNTY COMMISSIONERS

BOARD OF COMMISSIONERS

6. 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.

7. 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.

8. 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.

9. 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.

10. 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.

11. 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.

12. 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-Reopened.

Referring to Carolene Logue’s question as to whether the Clerk was a flat fee or a professional, Commissioner Strickland stated her understanding that the Clerk was an elected and the Commissioners were salary.

Lorina Dellinger stated no member was compensated for sitting on this committee.

C.J. Stevens said at the last meeting she watched Commissioner Blundo railroad through his agenda of narrowing the committee down to seven and appoint his pre-determined slate. That slate consisted of five Republicans, one Democrat, and one Non-Partisan. With Commissioner Blundo’s political aspirations of seeking a political office at the national level it did not surprise Ms. Steven he would overload the committee with Republicans. She said the act of gerrymandering started at the bottom and the Commission just proliferated it. This committee started at eleven, was pared down to seven by Commissioner Blundo, and now it was nine. The new determination to add Mrs. Merlino and the Round Mountain applicant would now form a committee of seven Republicans, one Democrat, and one Non-Partisan. Ms. Stevens stated during this time of discord between the main two political parties in this county the redistricting should be handled very carefully so as not to appear to be favoring one party over the other.

Joe Burdzinski thought he could speak for the other appointees in stating they were taking it very seriously and political gerrymandering was unacceptable. The members had ethics as well as beliefs in this country and the way the political system worked. Mr. Burdzinski felt this committee with its membership would do a fair and equitable job for Nye County.

12. 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-Reopened-Cont'd.

Pat Minshall said she would like this to be readvertised for the two members from outside of the Pahrump valley.

Nancy Boyce expressed her concern with citizens not having the opportunity to choose, vet or ascertain the backgrounds, political experience, and the intentions of a proposed redistricting committee member as both parties had their own agenda. Ms. Boyce urged the Chair to let the citizens have a chance to talk to individual applicants as well as have a part in saying how many members should be on the committee.

Kathy Smith said she agreed with the commenters and was also appalled at the way Commissioner Blundo railroaded his choice for the committee through the Commission. Ms. Smith said the voting districts were the basis of every political decision made in this country and to have it so heavily weighted in favor of a conservative hand in the decision making was unfair and not right.

Melissa Blundo said she knew the members on the committee and knew they were fair and ethical people who would do a great job. She reminded everyone it was done by numbers and every district had to be within 10% in numbers so she was not sure it could be gerrymandered. Her concern was more about the State Legislature, which would control State districts as well as assembly, senate and congressional districts. She then advised there would be a service on October 23, 2021, from 1:00 p.m. to 4:00 p.m. at the Pahrump Community Church for Dr. Craig.

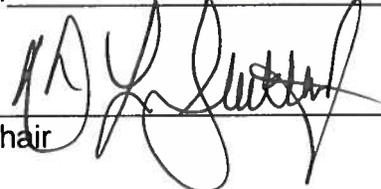
13. ADJOURN

Commissioner Strickland adjourned the meeting.

APPROVED this 16th day

ATTEST:

Of November, 2021.


Chair


Nye County Clerk / Deputy