



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

**2100 E. Walt Williams Drive, Pahrump, NV 89048**

**October 20, 2020**

**10:00 a.m.**

**Pursuant to the State of Nevada Governor's Guidance for COVID-19 safety measures, Nye County Board of Commissioners will hold public meetings with limited in-person capacity while continuing to follow social distancing to slow the spread of COVID-19. Public attendance will be on a first-come, first-served basis. Masks/facial coverings are required at all times.**

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

**Please provide your first and last name when prompted.**

**If you get an error message regarding call capacity, please hang up, wait a few moments and try again.**

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

**The teleconference is also viewable at [www.NyeCounty.net](http://www.NyeCounty.net). There is a 30 to 40 second delay between the teleconference and the meeting video.**

**Public Comment** during the Commission Meeting on October 20, 2020 will be for all matters off the agenda, and be limited to up to three minutes per person. Additionally, public comment of up to three minutes per person will be taken during individual action items but before the Commission takes action on the item. The Commission reserves the right to reduce the time allowed for public comment. The Commission may prohibit comment if the content of the comments is a topic that is not relevant to, or within the authority of, the Commission, or if the content of the comments is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive, inflammatory, irrational or amounting to personal attacks or interfering with the rights of other speakers. Persons are invited to submit comments in writing on the agenda items and/or attend and make comment on that item at the Commission meeting.

**NOTE:** All items are approximate except for bid openings, public hearings, and any other items agendaized at a specific time. Items on the agenda without a time designation may be taken out of order. The Board may combine two or more agenda items for consideration. The Board may remove an item from the agenda or delay discussion relating to an item on the agenda at any time. Items on the agenda without a time designation may not necessarily be considered in the order in which they appear on the agenda. **NOTICE: It is anticipated that the items of business before the Board of Commissioners on October 20, 2020 will be fully completed on that date. However, should item(s) not be completed, it is possible item(s) could be carried over and be heard before the Board of Commissioners beginning at 8:30 a.m. on the next day.**

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

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

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

# NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

October 20, 2020

Pursuant to NRS 241.020, the Agenda for the Commission Meeting has been posted at the following locations. Tonopah Convention Center, 301 Brougner Avenue, Tonopah, NV; U.S. Post Office, 201 Erie Main St., Tonopah, NV; Commissioners' Meeting Room, 101 Radar Road, Tonopah, NV; District Court, 101 Radar Road, Tonopah, NV; Commissioners' Chambers, 2100 E. Walt Williams Drive, Pahrump, NV

Additional Posting Locations: Amargosa Valley Community Center, 821 E. Amargosa Farm Rd., Amargosa Valley, NV; Beatty Community Center, 100 South A Ave., Beatty, NV; Gabbs Town Hall, 503 Brucite St., Gabbs, NV; Round Mountain Community Center, 650 Civic Dr., Round Mountain, NV

Support documentation for the items on the agenda, provided to the Nye County Board of Commissioners is available to members of the public at the County Manager's Office (101 Radar Road, Tonopah, Nevada & 2100 E. Walt Williams Drive, Pahrump, Nevada) and on the County's website, or by calling Melissa Godfrey at (775) 482-8191

**WEBSITE:** [www.nyecounty.net](http://www.nyecounty.net)

The Nye County Board of Commissioners may take a short break every 1 ½ hours.

Special Note: Any member of the public who is disabled and requires accommodation or assistance at this meeting is requested to notify the Nye County Manager's Office in writing or call 775-482-8191 prior to the meeting.

1. **Pledge of Allegiance**
2. **Ex-Parte Communications and Conflict of Interest Disclosure Statements**
3. [Presentation](#) by the Director of Emergency Management regarding the status of the COVID-19 outbreak.
4. **Commissioners'/Manager's Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)**
5. **Approval of the Agenda for October 20, 2020 (Non-action item)**
6. **GENERAL PUBLIC COMMENT (up to three-minute time limit per person.) Action will not be taken on the matters considered during this period until specifically included on an agenda as an action item. (FIRST)**
7. **For Possible Action – Emergency Items**
8. [For Possible Action](#) – Discussion and deliberation regarding meeting minutes from the September 1, 2020 regular meeting of the Nye County Board of Commissioners, Board of Highway Commissioners, Nye County Licensing and Liquor Board, Nye County Board of Health, the Governing Body of the Unincorporated Town of Pahrump, the Governing Body of the Unincorporated Towns of Beatty, Belmont, Gabbs, Manhattan, and Railroad Valley, and the Board of Trustees for the Pahrump Pool District.

## TIMED ITEMS

9. **10:00 a.m.** – [Presentation](#) of a plaque and certificate to Cheryl Andersen for her contribution to the Pahrump Road-Commuters Report Facebook page.
10. **10:00 a.m.** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation to adopt, amend and adopt or reject Nye County Resolution No. 2020-32: A Resolution Authorizing a Medium-Term Obligation for the Purposes of Constructing an Animal Shelter.
11. **10:00 a.m.** – [For Possible Action](#) – **Continued 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, Assessor's Parcel Number 046-011-13, Property Owner – Mosley, Jorja Faye Shrouder Trust; and 2) If a nuisance does exist, whether the nuisance should be abated or removed; or 3) Determine there is no nuisance.

## NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

October 20, 2020

12. **10:00 a.m.** – [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2020-34: A Resolution to Augment and Amend the 2020-2021 Budget of Nye County, State of Nevada.
13. **10:15 a.m.** – [For Possible Action](#) – Discussion and deliberation regarding the Treasurer’s Report by Nye County Treasurer on bank reconciliation, Department of Taxation recommendations, and the balance in each county, state and, special fund, together with a statement of all money on deposit, outstanding checks against that money and cash on hand pursuant to NRS 354.280.

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

14. [For Possible Action](#) – Discussion and deliberation regarding General Road Report by Public Works Director on General Road Maintenance, Gravel Road Maintenance, Asphalt Patching, Weed Mowing and direction regarding public work projects.

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

#### **BROTHEL**

15. [For Possible Action](#) – Discussion and deliberation to waive annual or quarterly licensing fees for brothel licensees for one year for Quarters 3 and 4 of Fiscal Year 2021, and Quarters 1 and 2 of Fiscal Year 2022 (January 1, 2021 to December 31, 2021) in an approximate amount of \$92,500.00.

#### **LIQUOR**

16. [For Possible Action](#) – Discussion and deliberation regarding issuing a Retail Liquor License for Smokin J’s BBQ located at 107 W. Main Street, Beatty, NV. Jason and Jaimye Thompson – Owners/Applicants.

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

17. [For Possible Action](#) – Discussion and deliberation of 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 activity reports.
18. [For Possible Action](#) – Discussion and deliberation to: 1) Consider waiving the arena use fees at the McCullough Arena in the amount of \$2,140.00 for Pahrump Valley Jr. High and High School Rodeo Club for the rodeo event planned for February 18, 19, and 21, 2021; and 2) Consider waiving the Pahrump Valley Fire and Rescue Service staging fees for the event in the amount of \$1,500.00.
19. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject Town of Pahrump Resolution No. 2020-10: A Resolution Creating the Town of Pahrump Off Highway Vehicle Park Advisory Committee.
20. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject the Town of Pahrump Off Highway Vehicle Park Advisory Committee (OHVPAC) by-laws.

**NYE COUNTY BOARD OF COMMISSIONERS AGENDA**

**ITEM # SUBJECT**

**October 20, 2020**

**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.**

- 21. [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.
- 22. [For Possible Action](#) – Approval to set the date and location for the second Board of Commissioners meeting in January for Wednesday, January 20, 2021 in Pahrump, Nevada.
- 23. [For Possible Action](#) – Approval to: 1) Accept the FY21 Substance Abuse Primary Prevention (SAPP) Grant subaward from the NyE Communities Coalition in the amount of \$27,310.00 to provide Substance Abuse Prevention services to the community and inmates; 2) Execute the subaward documents and 3) Fund from 10340 Grants.
- 24. [For Possible Action](#) – Approval to: 1) Ratify Nye County Clerk, Sandra Merlino’s acceptance of the the FFY20 Help America Vote Act (HAVA) CARES Act Subaward from the Nevada Secretary of State in the amount of \$44,206.97 for costs to prevent, prepare for, and respond to coronavirus for the 2020 Federal election; and 2) Deposit funds into 10340 Grants.
- 25. [For Possible Action](#) – Approval to: 1) Accept the Reimbursement Request submitted to the Nevada Secretary of State for the AB4 Emergency Fund in the amount of \$61,041.00 to fund costs associated with the mail ballot process during the COVID-19 pandemic; and 2) Deposit funds into 10340 Grants.
- 26. [For Possible Action](#) – Approval to: 1) Accept the Reimbursement Requests submitted to the Nevada Secretary of the State in the amount of \$28,996.05 to fund costs associated with Voting Equipment Licensing Fees and mail ballot fees; and 2) Deposit funds into 10340 Grants.

**BOARD OF COMMISSIONERS**

- 27. 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.
- 28. Closed meeting, pursuant to NRS 241.015(3)(b)(2) for purposes of conferring with legal counsel regarding potential or current litigation.
- 29. For Possible Action – Discussion and deliberation on conference with legal counsel regarding potential or current litigation presented in closed meeting.
- 30. 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.
- 31. 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.
- 32. For Possible Action – Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.

## NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

October 20, 2020

33. [For Possible Action](#) – Discussion and deliberation to determine if an ordinance is needed to regulate hot air balloons in Nye County.
34. [For Possible Action](#) – Discussion and deliberation to: 1) Waive annual licensing fees for marijuana establishment licensees for one year (approximately \$96,250.00); and 2) Credit any late fees previously paid by a marijuana establishment licensees between March 16, 2020 and December 30, 2020 towards future license fees (approximately \$9,720.20).

### DISTRICT ATTORNEY

35. [For Possible Action](#) – Discussion and deliberation to: 1) Adopt, amend and adopt or reject Nye County Resolution No. 2020-35: A Resolution Requesting the Assistance of the Attorney General to Review Documentation/Evidence Received by the District Attorney Whereby the DA/3 DDA's Have a Conflict of Interest; pursuant to NRS 228.130; and 2) If determined appropriate, to handle the prosecution of any criminal charges.

### SHERIFF

36. [For Possible Action](#) – Discussion and deliberation to: 1) Determine Nye County Sheriff's Office K-9 Amigo is no longer required for public use; 2) Surplus K-9 Amigo due to medical issues; 3) Determine it is in the best interest of Nye County to retire and transfer ownership and medical responsibility of K-9 Amigo to Deputy John Powell pursuant to NRS 332.185; and 4) Delegate authority to the Sheriff to execute the agreement between the Nye County Sheriff's Office and Deputy John Powell for the transfer of ownership of K-9 Amigo.
37. [For Possible Action](#) – Discussion and deliberation to: 1) Determine Nye County Sheriff's Office K-9 Eddie is no longer required for public use; 2) Surplus K-9 Eddie due to medical issues; 3) Determine it is in the best interest of Nye County to retire and transfer ownership and medical responsibility of K-9 Eddie to Sergeant Jason Blackburn pursuant to NRS 332.185; and 4) Delegate authority to the Sheriff to execute the agreement between the Nye County Sheriff's Office and Jason Blackburn for the transfer of ownership of K-9 Eddie.

### FINANCE

38. [For Possible Action](#) – Presentation, discussion and deliberation regarding the budget transfer between functions and departments in the Nye County General Fund 10101.
39. [For Possible Action](#) – Discussion and deliberation regarding the budget status through June 2020 for Nye County and all sub-entities for Fiscal Year 2020.
40. [For Possible Action](#) – Discussion and deliberation regarding the budget status for August and September 2020 for Nye County and all sub-entities for Fiscal Year 2021.
41. [For Possible Action](#) – Presentation, discussion and possible amendment of the Nye County CARES Act Policy.
42. [For Possible Action](#) – Presentation and direction to staff regarding the current and future financial condition of Nye County as related to the COVID-19 outbreak.

# NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

October 20, 2020

## PLANNING

43. [For Possible Action](#) – Discussion, deliberation and direction to staff regarding setting a date for compliance by the property owner based upon the BOCC’s denial of the appeal application on June 16, 2020, which includes the removal of all recreational vehicles and tenants from the subject property, located at 1060 E. Second Street, Pahrump, NV, Assessor’s Parcel Number 035-308-02. Property Owner – Constance Allison.

## PUBLIC WORKS

44. [For Possible Action](#) – Discussion and deliberation to accept an offer of dedication for road right-of-way being the entire 40.00 foot Right-of-Way dedication for West Charleston Park Avenue, along the North side of Assessor’s Parcel Number 036-381-17 from 1989 Duesing Family Trust, and designate as a “General County Road” (accepting maintenance) for the purpose of future road improvements when Nye County improves West Charleston Park Avenue fronting the property located at 1531 West Charleston Park Avenue, Pahrump, NV, Assessor’s Parcel Number 036-381-17.
45. [For Possible Action](#) – Discussion and deliberation to accept an offer of dedication for road right-of-way being the entire 40.00 foot Right-of-Way dedication for West Charleston Park Avenue, along the North side of Assessor’s Parcel Number 036-381-18 from 1989 Duesing Family Trust, and designate as a “General County Road” (accepting maintenance) for the purpose of future road improvements when Nye County improves West Charleston Park Avenue fronting the property located at 1591 West Charleston Park Avenue, Pahrump, NV, Assessor’s Parcel Number 036-381-18.
46. [For Possible Action](#) – Discussion and deliberation to accept an offer of dedication for road right-of-way being a 40.00 foot Utility and Right-of-Way dedication for East Gamebird Road and South Pahrump Valley Boulevard and a 30.00 foot Utility and Right-of-Way dedication for East Carberry Lane along the North, East and South sides of Assessor’s Parcel Number 044-221-02 from Harris LTD, and designate as a “General County Road” (accepting maintenance) for the purpose of future road improvements when Nye County improves South Pahrump Valley Boulevard fronting the property located at 941 East Gamebird Road, Pahrump, NV, Assessor’s Parcel Number 044-221-02.
47. [For Possible Action](#) – Discussion and deliberation to accept a Restrictive Covenant Running with the Land agreement between Nye County and Pahrump Investment, LLC for the property located at 40 East Basin Avenue, Pahrump, NV, Assessor’s Parcel Number 035-561-26.
48. **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)**
49. **Commissioners’/Manager’s Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)**
50. **ADJOURN**

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