

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; Savannah Rucker, Comptroller; Samantha Tackett, Administrative Manager; Marla Zlotek, Chief Deputy District Attorney; Christi Kindel, Deputy District Attorney; Bradley Richardson, Deputy District Attorney

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

The Pledge was recited.

### **2. Approval of the Agenda for March 19, 2019 (Non-action item)**

Tim Sutton said items 5 and 8 could be removed from the agenda.

### **3. GENERAL PUBLIC COMMENT (Three-minute time limit per person.) Action will not be taken on the matters considered during this period until specifically included on an agenda as an action item (first).**

Louis DeCanio spoke about the Valley Electric rate increase which was not supposed to happen for ten years. The previous CEO resigned his position less than one year ago and now the company was experiencing a money problem which they claimed could only be solved by raising rates. He referred to the recent arrest of Angela Evans, the current CEO, for using co-op money for personal use. Since all co-op members had a right to know if the finances were being handled responsibly and legally, and the Board of Directors and the new CEO refused to answer questions, Mr. DeCanio wondered if the Board would invite the Valley Electric Association board members and CEO to a meeting to answer questions about the large amount of money that disappeared. If not, he felt a grand jury should be empanelled and the Attorney General's Office should review the findings so a fair and impartial conclusion could be achieved.

**3. GENERAL PUBLIC COMMENT (Three-minute time limit per person.) Action will not be taken on the matters considered during this period until specifically included on an agenda as an action item (first)-Cont'd.**

Dave Stevens said he approved of sending Commissioners back to Washington D.C., and would like to send a Commissioner back once a year to hear what was going on there.

Ammie Nelson said there were six Deputy Treasurers and she did not see the need for a new position with that many people available to be trained if the Treasurer was not going to be there. She pointed out there were so many positions approved by the Board resulting in augments later because of the payroll and said she would like to see a little bit of a curb put on that if not a moratorium on new hires and using the positions available.

John Bosta asked why item 8 was pulled and thought the public deserved to know the reason.

Commissioner Koenig advised an e-mail was received from the State admitting they made a mistake. The license had been given back to the people who should have it so there was no longer an issue.

Scott Troter said he was a master gardener as well as the current president and a former 4-H leader. He talked about funding for the Ag Extension which was defunded several years ago. NRS 549.010 talked about the County funding the Extension Office and the Extension Office was the government entity that made master gardeners and 4-H possible. He knew people were working in Tonopah to get someone there and he understood wanting things up there, but the population was in Pahrump. He noted the money could not be used for anything else because it was a line item.

In response to Commissioner Koenig's question, Savannah Rucker advised in the past Nye County funded \$50,000.00 and Pahrump funded \$25,000.00. She had been waiting for the Ag Extension to present to the Board what they would be doing.

Joe Burdzinski said at the last NCRCC meeting two resolutions were passed unanimously to support and thank the Board and the Sheriff for their stand on the new gun law.

Robert E. Thomas, III, read Resolutions 3-16-19A and 3-16-19B of the NCRCC into the record and presented them to the Board and the Sheriff.

Sable Marandi said on March 23, 2019, from 10:00 a.m. to 3:00 p.m. at the Valley Conference Center a forum would be held on the concept of college preparatory education, what is it and how it may be offered to all children, particularly those in rural America.

**3. GENERAL PUBLIC COMMENT (Three-minute time limit per person.) Action will not be taken on the matters considered during this period until specifically included on an agenda as an action item (first)-Cont'd.**

Diane Southworth gave an outreach update. Transportation was going great in the County; however, it was a two week wait to make an appointment for in town and three weeks to get a ride to Las Vegas, so it sounded like more was needed. As far as food security, over 9,000 people a month were getting help with food from food banks, which was a lot for the community. The Holiday Task Force event would be on April 20, 2019, at Petrack Park. More food was needed in the northern part of the County up to Tonopah. Hope In Action held an event on March 16, 2019, and they needed blankets and water jugs. Affordable housing came up with some things they want to do like educate landlords on Section 8, define affordability, create a process to allow payments to be made toward deposits, and keep rents low. The Run for Hope would be March 30, 2019, and the ice cream social was held on the third Saturday of every month from 2:00 p.m. to 3:00 p.m. for the veterans and anyone who supported the vets.

Neal Jones asked that his written statement be included in the minutes (see Attachment 1). He was concerned about the upcoming internal structural stabilization work on the Belmont Courthouse by the Friends of the Belmont Courthouse, a group that had never asked for or received permission or authorization from the County to work on that building. He had learned from responses he received from the County that there appeared to be no contractual agreements with any of the design team associated with the project or the group that was allegedly in charge of the project. Mr. Jones mentioned the \$50,000.00 of taxpayer money Commissioner Wichman arranged to be given to this group and felt it was time for the Friends of the Belmont Courthouse to make a presentation to the Board and get the proper authorization to do the work.

Robert E Thomas, III, talked about the National Drug Court Association's best practices which he had become familiar with during his career in law enforcement. The best success rates occurred when both a district attorney and a public defender were in the courtroom at the time of the hearing. He felt the crime rate could be lowered by following that practice. Now that budget season was approaching Mr. Thomas urged the Board to talk to Chris Arabia about such funding. Also, Mr. Arabia made a brief statement at an NRCC meeting about his stand on the gun law, but he had not made any kind of written statement. Mr. Thomas invited the Board to ask him what his position was and if he was willing to put out a written statement.

Tobie Fletcher, who worked with Tails of Nye County, wondered where the money from spay and neuter license plates went. She was told it was the Board that made that decision and she thought according to statute it should go to a spay/neuter program. Since Tails of Nye County was the only spay/neuter group she was wondering where the money went.

**4. For Possible Action – Discussion and deliberation of the minutes of the joint meeting of the Nye County Board of Commissioners, Board of Highway Commissioners, Nye County Licensing and Liquor Board, Nye County Board of Health, the Governing Body of the Unincorporated Town of Pahrump, the Governing Body of the Unincorporated Towns of Beatty, Belmont, Gabbs, Manhattan, and Railroad Valley, and the Board of Trustees for the Pahrump Pool District regular meeting on February 19, 2019.**

Commissioner Cox made a motion to approve; seconded by Commissioner Blundo; 4 yeas. Commissioner Wichman abstained as she was not present at the meeting.

**SITTING AS THE BOARD OF COUNTY COMMISSIONERS**

**5. For Possible Action - Emergency Items**

This item was removed from the agenda.

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

Commissioner Blundo said he had a request from the Public Administrator to move her item up and asked the Chairman to entertain that. He then discussed his meeting with Fish and Wildlife in Washington D.C. Lastly, Commissioner Blundo said he would hold a town hall type of event on March 29, 2019, at 6:00 p.m. at the Valley Electric Association conference center where he would discuss more about the Washington, D.C., trip and what he had done in his first couple of months as a County Commissioner.

Commissioner Wichman said her focus while in Washington, D.C., was on the accumulated impacts of the military withdrawals in both the southern and northern parts of the County. Last Friday she attended a meeting at the Fallon Naval Air Station and some people she had met in Washington, D.C., were there. They had already looked up some grants to work on risk assessments in northern Nye for the medical facility along with a few others things they were bringing to the table.

Commissioner Wichman said Neal Jones had made a statement at a previous meeting that she had given the Friends of the Belmont Courthouse \$20,000.00, which she argued with as she could not figure out what he was referring to. She contacted the Belmont Advisory Board members about that \$20,000.00 and they could not remember anything either. Commissioner Wichman stated she did not give them \$20,000.00. Further, the Friends of the Belmont Courthouse submitted a plan to the County and the Commissioners several years ago about what they would do to that building to alleviate liabilities the County would have with visitors, which the Board approved. The engineer on the job was Mel Green, who was referred to the Belmont Courthouse group from the State Historic Preservation Office as the only engineer in the State that had historical

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

structural experience. She assured Mr. Jones that the work was being done with the utmost care.

Tim Sutton announced the Nevada State Veterinarian quarantined the Pahrump arena facility. During an event held November 22-24, 2019, it was determined that a health issue existed for horses. The arena would be closed for the next 14 days and anyone who participated in that event should have their horse checked by a veterinarian.

**PUBLIC ADMINISTRATOR**

**22. Quarterly report from the Public Administrator.**

Public Administrator Ginger Stumne was present and the report was in the back-up.

**PUBLIC PETITIONER**

**30. For Possible Action – Discussion and deliberation to consider Karl Mitchell's request for a waiver of the \$250.00 Title 6 Special Conditions Animal Permit Fee.**

Commissioner Blundo made a motion to approve a waiver of the \$250.00 Title 6 special conditions animal permit fee; seconded by Commissioner Strickland; 4 yeas.  
Commissioner Koenig voted nay.

The Board took a brief recess.

**COUNTY MANAGER**

**23. For Possible Action – Discussion and deliberation to: 1) review the animal shelter investigation report prepared by James W. Crosby; and 2) consider terminating or continuing the lease with Desert Haven Animal Society, Inc. for leased space at the Pahrump Animal Shelter located at 1511 E. Siri Lane, Pahrump, NV 89048.**

Mr. Sutton said several meetings ago an item was put forward based on a litany of complaints received from the public and members of County staff about the operations at the shelter. The Board directed him to conduct an investigation and he hired someone independent of the County to do that. The report was in the back-up and James Crosby, the person who conducted the investigation, was on the phone.

Commissioner Blundo felt the entire report was subjective. He walked through Desert Haven yesterday and did not feel there were any animals being mistreated, abused, or in a negative environment. He referred to Mr. Crosby's recommendation to not use collapsible crates and asked what law governed that.

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Mr. Crosby said there was no law that stated that. They were fine to use for short-term maintenance of the animals, but the animals needed to be able to get out of them regularly. The best practice and standards in most shelters was to minimize or not use crates as primary containment for long periods of time. Although he did not see any dogs stacked in crates, there were photographs allegedly taken at the shelter showing them stacked multiple crates high in the past.

Commissioner Blundo asked who the prior consultant Mr. Crosby referred to was.

Mr. Crosby advised there was apparently a Mr. Jennings brought in who worked for a group called Animal Network which seemed to answer to the Maddie's Pet Project which seemed to get funding from Maddie's Fund. He was not sure that any of the staff he spoke to was really clear as to who answered to whom. Other than the written documents provided from Mr. Jennings, the statements regarding actions and so forth done during the time that party was involved with the shelter were statements made by staff he spoke to, by other people he interviewed, and by Animal Control Officers.

Commissioner Strickland made a motion to continue the lease with Desert Haven Animal Society with the caveat that she would like to see them implement suggestions made by James W. Crosby, M.S.; seconded by Commissioner Wichman.

Commissioner Wichman asked for an amendment to comply with all recommendations unless Commissioner Strickland wanted to leave some out.

Commissioner Strickland amended her motion to continue the lease with Desert Haven Animal Society for the Pahrump animal shelter with the caveat that the recommendations from James W. Crosby, M.S., be implemented in all forms as written and they were to report back to the Board in 30 days; Commissioner Wichman amended her second.

Dave Stevens said this situation had been going on for a long time and a new shelter was needed.

Ammie Nelson remembered when Suzanne Zervantian presented her proposition to the Board to take over the shelter right after 60 animals had been brought in. Ms. Nelson asked Ms. Zervantian what her future plans were if that should happen again. Ms. Zervantian answered she had been looking at property north of town and had plans within the year to relocate to that property and build a larger facility. Ms. Nelson did not understand why the same issues came up over and over again and nothing was being done to resolve them such as moving forward with a new shelter.

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Don Cox said his dog was in there for ten days about a year ago and was treated very well. The shelter was always clean and he never saw anything wrong.

Melodie Spackman volunteered at the Desert Haven Animal Society and said the volunteers cared very deeply for the animals. They put in long hours and came in on days off to make sure the animals were well cared for. Ms. Spackman said she had only seen the animals receive the care they deserve.

Joe Burdzinski went to the shelter a few weeks back. The people were very gracious, the kennels were clean and labeled, the food storage area was clean, and he was impressed with the love and care staff gave. He thought the people there did a great job and his concerns were with the repairs needed and the size of the shelter.

Debbie Butterfield said her issue was with the cleanliness and care and it seemed Mr. Crosby had addressed all that. Now that the Commissioners had decided to continue with them she wanted the Desert Haven Animal Society to build a relationship again with the public and other non-profits.

Tina Wilson said she and another shelter worker took 37 cats to the Reno SPCA so they did work with different organizations. As to the list of things that needed to be taken care of, she reminded the Board this was a very small shelter with no room for what came in and they tried their best.

Jason Mann said he started an association called Pahrump Animal Protection Association with the hope of giving a voice to those who had none. He asked the Board to set the standard for shelter reform and demand transparency to all non-profit organizations in Pahrump. He advised the association intended to propose a Responsibility of Ownership Act in 2019 with cooperation and help from Animal Control to help alleviate the out of control animal population in Pahrump. Mr. Mann also asked the Board to reinstate the animal advisory committee of Pahrump.

Bob Wannberg said he received reports every week from the community on the animals and got a lot on the shelter. What he had established was there were a lot of inadequacies there, safety issues, mismanagement in operating it, and great risk. There was evidence they were adopting out pregnant dogs and giving risky vaccinations. Mr. Wannberg had reports that animals were adopted out with no spaying, neutering, or vaccinations. He felt there was more than sufficient cause to sever the contract and it was his opinion it should be.

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Leone Jones said in her opinion the report was inadequate. The consultant referenced the past consultant, but did not interview him, which would have provided more information so she felt the report was one-sided. She also believed the shelter should be shut down as the level of angst between that group and the community was too large to overcome. Ms. Jones thought other groups should be hired to take over and if that was not possible it should be given to a group like Maddie's Fund until another group could be found. Ms. Jones also said they did not show the available animals on their Facebook page or Web site.

In response to Commissioner Strickland's question about the board, Ellen Arntz from Desert Haven Animal Society advised they now had a full board.

Tina Trenner, the Desert Haven Animal Society's newest board member, confirmed for Commissioner Strickland that she had an extensive background in starting and running low cost spay/neuter clinics and no-kill shelters. She started one in Palm Springs, California, in 1978 called Animal Samaritans as well as a low cost spay/neuter clinic. When she moved to Las Vegas in 1989 she and her husband were two of the four founders of The Animal Foundation. Mrs. Trenner pointed out the current facility was not only inadequate but in her opinion was a hazard. There was no way to maintain a clean and well run facility with that building so some of the criticism was really not their fault. She said she would like to work with the other groups who were angry to try to iron out the problems.

Commissioner Blundo asked Desert Haven to address staff reports about things that happened during the tenancy of the prior consultant, Mr. Jennings, like policies being followed irregularly, decisions being made without prior input or opinion from staff or volunteers, and how staff was told they worked for the consulting group, not Desert Haven, and were not accountable to Nye County policy, procedure, or ordinances.

Ms. Arntz stated basically Mr. Jennings came in unannounced. She received a phone call from the CEO of Maddie's Fund who told her she was sending a gentleman down to oversee Desert Haven's practices and add helpful comments and suggestions on how to better run the shelter. When she asked who would pay for him as they had extremely limited funds, the woman told her that Maddie's Fund would pay him \$10,000.00 a month for three months to do this assessment. Ms. Arntz said what he did instead was assume the role of the executive director and started to dish out orders. To her knowledge he had very little, if any, shelter experience

Commissioner Wichman asked if fulfilling the requirements was something Desert Haven would be able to do, to which Mrs. Trenner responded they would have to.



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Commissioner Blundo said he was provided an income expense report from December, 2018, and asked how Desert Haven had enough money to go \$11,000.00 in the hole in one month.

Ms. Arntz explained money came from the County and they used to get a lot of cash donations. Also, a gentleman who passed away left them in his will and they received a large amount of money which had been used to pay for veterinary bills.

Commissioner Blundo asked if that was that ever disclosed to the Board.

Ms. Arntz remembered discussing it with Mr. Sutton, but said there had been no opportunity to discuss it with the Commissioners when it was not on the agenda. Unfortunately, with all the bad press the donations they used to receive had come to a halt.

Commissioner Koenig asked that there be a standing agenda item every month for them to report back. He was also advised by the County Manager they were up to date on their reporting.

Commissioner Blundo noted a shelter manager must be hired and he wondered where that money would come from.

Ms. Arntz felt the money would come when all the hatchets were buried and they had relationships with other resources, local and out of town. They also had plans for future fundraising events and food drives.

Mrs. Trenner said in her opinion the contract needed to be renegotiated in June because if they did not have enough money things were not going to get done right.

Ms. Arntz asked Mr. Crosby for a ballpark figure of what a shelter the size of the current one would need to run efficiently, effectively and in the direction his report laid out.

Mr. Crosby said after talking with various parties, including people involved before, around \$200,000.00 to \$225,000.00 seemed to be the common figure and he assumed that included hiring a shelter manager. Even in small shelters and small animal controls he thought a competent experienced manager would probably be in the \$50,000.00 to \$60,000.00 a year range.

Regarding the motion, Mr. Sutton said there had been a lot of discussion focused on the recommendations as they pertained to Desert Haven, but there were several

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recommendations to the County. He confirmed with the Board they wanted those implemented as well. He also confirmed the first 30 day report should be on the next Pahrump meeting agenda.

Commissioner Cox asked if Mrs. Trenner was a humane society officer, to which Mrs. Trenner responded she was a sworn humane officer for the State of Nevada.

The motion to continue the lease with Desert Haven Animal Society for the Pahrump animal shelter with the caveat that the recommendations from James W. Crosby, M.S., be implemented in all forms as written and they were to report back to the Board in 30 days passed with 5 years.

The Board was in recess until 1:30 p.m.

Commissioner Cox and Lorina Dellinger were not present.

**TIMED ITEMS**

**7. 10:00 – For Possible Action – Public Hearing, discussion and deliberation to: 1) Adopt, amend and adopt, or reject Nye County Bill No. 2019-03: A Bill proposing to adopt a Development Agreement between the County of Nye and Canyon Mesa Solar, LLC, as the Developer of an 18 MW photovoltaic (PV) solar power generation plant with integrated battery storage systems including the installation of up to 80,000 PV panels on private land generally located at the Nye-Clark County line on the southern tip of the Pahrump Regional Planning District on properties addressed as; 7750 E. Weepah Avenue, 8251 E. Klondike Avenue and 14250 S. Countyline Road, all located within T22S, R54E, and Sections 25 and 26, situated off of Hidden Hills Road, west of Tecopa Road located within Nye County on the following Assessor Parcel Numbers: 047-121-06, 047-121-09, 047-121-12; providing for the severability, constitutionality and effective date thereof; and other matters properly related thereto; and 2) Set an effective date.**

Commissioner Blundo made a motion to adopt Nye County Bill No. 2019-03 with an effective date of April 8, 2019; seconded by Commissioner Strickland.

Commissioner Koenig opened and closed the public hearing.

The motion to adopt Nye County Bill No. 2019-03 with an effective date of April 8, 2019, passed with 4 years.

## FINANCE

**26. For Possible Action – Discussion and deliberation regarding Bid #2019-03 – Jail Food Services at the Nye County Detention Center, located in Pahrump, Nevada: 1) Award Bid #2019-03 – Jail Food Services to Aramark Correctional Services, LLC in the amount of \$1.40 per meal; 2) Execute the contract; and 3) Fund from 10101 General.**

Commissioner Wichman made a motion to award the bid to Aramark Correctional Services, execute the contract and fund from 10101; seconded by Commissioner Strickland.

Commissioner Blundo asked Sheriff Wehrly if County staff was currently in there, and when she said yes he asked what would happen to them.

Sheriff Wehrly said they would stay. She explained this company would provide the nutrition, food and oversight staff member and the Sheriff's Office would provide the kitchen help.

Commissioner Blundo asked what it cost the County to do the food.

Danielle McKee, Purchasing and Contracts Administrator, advised the cost of jail food for FY2018 was \$284,799.23 and \$285,011.15 for FY2017, which was strictly for purchasing food. Based on an average of 180 inmates per day the estimated amount of this contract was a little over \$275,000.00.

Lieutenant David Boruchowitz added that Aramark funded jails throughout the country and had purchasing power the Sheriff's Office did not have. They could buy the food cheaper as well as provide the things the Sheriff's Office was statutorily required to provide

Commissioner Cox was present.

The motion to award the bid to Aramark Correctional Services, execute the contract and fund from 10101 passed with 5 yeas.

Sheriff Wehrly was not present.

**8. 10:00 – For Possible Action – Discussion and deliberation to revoke, pursuant to Nye County Code Chapter 5.32, Marijuana and Medical Marijuana Licensing: 1) Medical Marijuana License MM-2018-000060; and 2) Recreational Marijuana License RM-2018-000022 located at 5101 S. Oakridge Ave. Pahrump, NV, Assessor Parcel Number 044-521-41, pursuant to Nye County Code 5.32.100(B) for failure to comply with Nye County Code 5.32.110, Transferability. Oakridge Enterprises, LLC – Property Owner. Peter Gnecco, Green Cross of America, Inc. – Licensee.**

This item was removed from the agenda.

**9. 10:45 – For Possible Action – Public Hearing discussion, and deliberation to issue an Outdoor Festival License to Blue Diamond Stake, The Church of Jesus Christ of Latter-Day Saints, for the Pioneer Celebration event to be held on July 27, 2019 at Ian Deutch Memorial Park in Pahrump, Nevada.**

Commissioner Koenig opened and closed the public hearing.

Commissioner Blundo made a motion to approve issuing an outdoor festival license to Blue Diamond Stake, Church of Jesus Christ of Latter Day Saints, for the Pioneer Celebration event to be held on July 27, 2019, at Ian Deutch Memorial Park in Pahrump, Nevada; seconded by Commissioner Strickland; 5 years.

**10. 10:45 – For Possible Action – Public Hearing discussion, and deliberation to issue an Outdoor Festival License to Round Mountain Gold Corporation for their 4th of July Annual Picnic to be held on July 4, 2019 at the Hadley Town Park in Round Mountain, Nevada.**

Commissioner Koenig opened and closed the public hearing.

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

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

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

#### **11. General road report by Public Works Director.**

Public Works Director Tim Dahl advised the durapatcher should be down in Pahrump April 3-4, 2019, and he would let the Commissioners know which road it would be used on. Also, there would be a household hazardous waste collection day in Pahrump primarily sponsored by U.S. Ecology who would provide personnel and transportation. That would be held on May 18, 2019, from 7:00 a.m. to 4:00 p.m. at the Pahrump landfill.

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

Commissioner Cox mentioned the pothole on Dandelion and Deerskin.

Commissioner Strickland pointed out how effective the Web site was.

Commissioner Koenig thought the collection event was great, but it was part of the contract they signed with the County and not out of their goodwill. He then asked about the road sign problem in Carvers.

Mr. Dahl said he would follow up on that again.

Commissioner Blundo asked Mr. Dahl to inquire of NDOT about putting holiday spirit/ Christmas type things along Highways 372 and 160.

Mr. Dahl said he sent of an e-mail this morning to ask about that, but at some point he would need a little clarification on exactly where, what and how many.

**SITTING AS THE BOARD OF COUNTY COMMISSIONERS**

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

**BOARD OF COMMISSIONERS**

**20. For Possible Action – Discussion and deliberation to direct the County Manager to sign a letter of intent to purchase the property described as 1850 E. Lockspur Ave, Pahrump, NV. Assessor Parcel Number 035-191-40 owned by Wolfgang Lettow Trustee, consisting of a 5.53-acre Light Industrial (LI) zone with 11,000 square feet of storage warehouse.**

Commissioner Strickland said she brought this item forward. She read a disclosure statement that she did not have any financial interest in nor was she representing any client affected by this agenda item. She had spoken with the District Attorney's Office and the Executive Director of the Nevada Commission on Ethics. Her intent was clear and her fiduciary duties were to the County of Nye regarding this item.

Commissioner Wichman said there was no back-up and she did not know what the purpose or intent of the item was.

Commissioner Strickland explained this was a five acre piece of property zoned light industrial near Basin Road and the Department of Motor Vehicles. She wanted to target this property for the animal shelter. Wolfgang Lettow was willing to take barter of other properties in the County that were no longer useful that he could make use of. He was also willing to carry his portion of the purchase which would enable the County to launch a large animal control facility.

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John Bosta hoped the Board would earmark this property especially for an animal care shelter, but he was curious about what value would be bartered.

Commissioner Koenig explained this was just an intent to open discussions about how much he wanted and what the County could barter for it.

Frank Carbone was not sure about the configuration of this facility today and what it would take to change it to make it a proper shelter. He asked if the Board would look at that as that would help determine the cost.

Commissioner Cox advised this was the old vitamin factory building next to the Pahrump race track on five acres with an 11,000 square foot building which was already divided into sections. It used to be called the Animal House where they sold food, boarded animals, and did clinics, so it was kind of already set up for use as an animal shelter. Commissioner Cox said she had been looking and had not come across another facility similar to this one for the \$1.25 million he was asking for.

Mr. Carbone asked the Board to be sure to include prevailing wages especially considering pending legislation that would reduce that from \$250,000.00 to \$100,000.00.

In response to Commissioner Cox's questions, Mr. Lettow said right now there was one commercial swamp cooler on the roof and set-ups for air conditioners, but there was no working air conditioning at this moment. The property had a commercial septic system, was on water from Great Basin, had three-phase 220 power, and was all fenced in. He thought it would make a great location for the animal shelter.

Commissioner Strickland noted the address was actually 1851 Greco so when this came back that needed to be corrected.

Darrell Lacy said when he was in Planning many people came to them about this building. The legal access for it was off Greco, farther to the north. What looked like a driveway was not a legal access and was across adjacent properties. It would need to be paved all the way down to Greco to the new driveway and the new driveway paved back in if developed as an animal shelter. The cost of paving was about \$1 million a mile and this would cost about \$500,000.00. Mr. Lacy cautioned the Board to be sure to do due diligence.

**20. For Possible Action – Discussion and deliberation to direct the County Manager to sign a letter of intent to purchase the property described as 1850 E. Lockspur Ave, Pahrump, NV. Assessor Parcel Number 035-191-40 owned by Wolfgang Lettow Trustee, consisting of a 5.53-acre Light Industrial (LI) zone with 11,000 square feet of storage warehouse-Cont'd.**

Commissioner Koenig wondered if it was the wrong address on the agenda if he could proceed or if it had to be re-agendized with the correct address. He asked if the address changed.

Assessor Sheree Stringer said she did not know. She only knew that Byron gave the information to Mr. Sutton before the meeting that it was the incorrect address.

Bradley Richardson advised the item was not agendized properly and the address problem should be brought back.

Mrs. Stringer reminded the Board this facility was near the race track and the animals would be in distress for a six or seven month period of time.

There was no action taken on this item. Staff was instructed to bring it back with the correct address.

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

**12. Committee Reports**

There were no Pahrump Committee reports.

Commissioner Wichman gave an update on the Tonopah Conservation District as well as the upcoming Tri-County Weed Control meeting in Ely.

Commissioner Blundo provided an update on the activities of the Pahrump Tourism Advisory Committee.

**13. For Possible Action – Discussion and deliberation to appoint one member to the Pahrump Public Lands Advisory Committee due to one vacancy.**

Commissioner Strickland made a motion to appoint Jim Hannah; seconded by Commissioner Blundo; 5 yeas.

**14. For Possible Action – Discussion and deliberation to: 1) approve a request from the Pahrump Parks and Recreation Advisory Committee for an amount not to exceed \$15,000 for the Pahrump Movies in the Park event that can be funded from Fund 25223 Pahrump Room Tax Fund; and 2) execute an agreement with Entertainment Concepts to provide services for presenting the movies for the event.**

Commissioner Blundo made a motion to approve for the amount not to exceed \$15,000.00 for the Pahrump Movies in the Park event that could be funded out of Fund 25223, Pahrump Room Tax Fund, and to execute an agreement with Entertainment Concepts to provide the services to present the movies for the event; seconded by Commissioner Cox; 5 years.

#### **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.**

**15. For Possible Action – Approval of Elected Official Collection Report.**

Commissioner Wichman made a motion to approve items 15-16; seconded by Commissioner Blundo; 5 years.

**16. For Possible Action – Approval to set the date and location for the second Board of Commissioners meeting in June for Tuesday, June 18, 2019 in Pahrump, Nevada.**

Commissioner Wichman made a motion to approve items 15-16; seconded by Commissioner Blundo; 5 years.

**21. For Possible Action – Discussion and deliberation to 1) identify existing committees, 2) identify the formation of the committee and appointment/selection of its members, and 3) direction to staff regarding dissolution of one or more committees.**

Samantha Tackett explained Assistant County Manager Lorina Dellinger recommended identifying which committees were not required to comply with the Open Meeting Law as they did not fall within the definition of a public body, meeting with the public body to discuss their operations, and if it was determined a public body was to be dissolved a resolution would be brought forward for consideration.

Commissioner Wichman made a motion to follow that recommendation; seconded by Commissioner Blundo; 5 years.



## COUNTY MANAGER

**24. For Possible Action – Discussion and deliberation to: 1) approve a bench and plaque honoring Art Bell to be placed at the Calvada Eye; 2) approve a project funding request for On the Fringe Friends of Heather Wade Facebook Group for funding in an amount not to exceed \$1,128.93 for the purpose of purchasing and installing a bench and plaque at the Calvada Eye to honor Art Bell; and 3) approve to fund from Nye County Donations Department.**

Commissioner Blundo made a motion to approve funding from the Nye County Donations Department for \$1,128.93; seconded by Commissioner Strickland.

Commissioner Cox asked how much money was in that fund.

Savannah Rucker said it was budgeted at \$100,000.00 and none had been used.

Commissioner Blundo asked to be kept abreast of the results and suggested a timeline of maybe 30 days.

Ms. Tackett advised staff was working with the group who pooled the donations. Staff had to work directly with Buildings & Grounds to order the bench and plaque, so maybe in two or three months a report could be brought back.

The motion to approve funding from the Nye County Donations Department for \$1,128.93 passed with 5 yeas.

## FINANCE

**25. For Possible Action – Presentation and discussion regarding the budget status through January 2019 for Nye County General Fund Fiscal 2019 budget projections.**

Savannah Rucker said the Board approved an augment at the last meeting that rectified all projected budget overages.

Commissioner Koenig asked about the federal state facilities.

Mrs. Rucker said that was a new department for FY19 and one of the departments she presented the Board with an augmentation for last week that rectified the budget. There was not enough time between meetings to adjust the budget figures so that would be corrected in the February report. As to the revenues associated with the general fund, Mrs. Rucker said with the turnover in the Treasurer's Office revenues for January were not posted in January. Some were posted in January and some were posted in March. She knew the Treasurer's Office was working to rectify that issue, but that was why real property taxes and other revenue streams were under from last year at the same point in time.

**25. For Possible Action – Presentation and discussion regarding the budget status through January 2019 for Nye County General Fund Fiscal 2019 budget projections-Cont'd.**

Neal Jones said on August 7, 2018, the Commissioners voted to give the Friends of the Belmont Courthouse group \$50,000.00. In response to a public records request Arnold Knightly told him that money was given, but it still showed the same \$100,000.00.

Commissioner Wichman clarified that was not a donation. It was out of the building funds.

Mrs. Rucker added when the item was heard it originally came forward to the Board as a donation, but then staff realized it was a County-owned building and the repair could be done through the capital line in that fund.

Ammie Nelson said she heard the word augmentation a lot and that took place when a position was approved by the Commissioners and the pay scale of that position was added to their budget, but it caused them to go over until the augmentation. She asked for help to understand that.

Commissioner Koenig explained an augmentation took place at several different times, like when taxes were short or when someone overspent their budget. If someone added a person to their head count that would probably put them over budget.

Mrs. Rucker said typically the department would request the position from the Board and when filled the augmentation would come forward based on the fill date of that position. She also said there were numerous reasons for augments like positions, new contracts, and circumstances outside of the department's control.

**PLANNING/BUILDING/CODE COMPLIANCE**

**27. For Possible Action – Discussion and deliberation regarding a request to: 1) accept an offer of dedication of road right-of-way for the south fifty (50) feet of Assessor Parcel Number 027-371-09 for Bell Vista Avenue public road and utility purposes, and to designate as a Major County Road accepting maintenance; and 2) accept an offer of dedication of road right-of-way for the west forty (40) feet of Assessor Parcel Number 027-371-09 for Linda Street public road and utility purposes, and to designate as a Minor County Road rejecting maintenance. County of Nye, State of Nevada – Property Owner. Nye County Public Works Department – Applicant.**

Commissioner Blundo made a motion to 1) accept an offer of dedication of road right-of-way for parcel number 027-371-09 for Bell Vista and designate that as a major County road accepting the maintenance, and 2) accept an offer of dedication of the road right-of-way for parcel number 027-371-09 for Linda Street and designate that as a minor County road rejecting maintenance; seconded by Commissioner Strickland; 5 years.

**28. For Possible Action – Discussion and deliberation regarding a request to accept an offer of dedication of road right-of-way for the north thirty (30) feet of Assessor Parcel Number 047-041-02 for Manse Road public road and utility purposes, and to designate as a Minor County Road rejecting maintenance. County of Nye, State of Nevada – Property Owner. Nye County Public Works Department – Applicant.**

Commissioner Blundo made a motion to accept the offer of dedication of road right-of-way for Assessor parcel number 047-041-02 for Manse Road and designate that as a minor County road rejecting maintenance; seconded by Commissioner Strickland; 5 years.

**PUBLIC WORKS**

**29. For Possible Action – Discussion and deliberation to approve the Town of Gabbs Water Conservation Plan as required per NRS 540.131.**

Commissioner Wichman made a motion to approve the Town of Gabbs water conservation plan; seconded by Commissioner Blundo; 5 years.

**BOARD OF COMMISSIONERS**

**17. For Possible Action – Closure of meeting, pursuant to NRS 288.220 for purposes of conferring with the County’s management representatives regarding labor negotiations, issues and other personnel matters.**

Commissioner Wichman made a motion to go into closed session; seconded by Commissioner Blundo; 5 years.

**18. Closed meeting, pursuant to NRS 288.220 for purposes of conferring with the County’s management representatives regarding labor negotiations, issues and other personnel matters.**

The Board was in a closed meeting.

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

There was no action taken.

**31. GENERAL PUBLIC COMMENT (second)**

Don Cox said the people who were here today who wanted to get control of the animal shelter threatened Commissioner Cox.

**31. GENERAL PUBLIC COMMENT (second)-Cont'd.**

Commissioner Cox said J.D. Mann said he was going to take her out and he showed up today with a gun. The people Mr. Cox referred to also accosted Tina Trenner today. Commissioner Cox was urged to report it to the Sheriff's Office.

Mr. Cox said those people should not be considered for anything.

Neal Jones explained the \$50,000.00 he was talking about was the money given to the Friends of the Belmont Courthouse. The \$20,000.00 brought up this morning was a request the people from the Belmont Town Advisory Board had made to get work done on the old County generator building. It was the meeting minutes that they had spoken to Commissioner Wichman in the past and they would need to speak to her again about it. Mr. Jones was trying to clarify Commissioner Wichman's statement that they did not ever speak of this.

Commissioner Wichman said that was why she called them because she thought she missed something, but she was not approached on that so whatever they were talking about at the meeting did not come forward.

Leah Aldridge stated she posted pictures of the animals at the Desert Haven Society that were ready to be adopted on their Facebook page and would continue to do so.

**32. ADJOURN**

Commissioner Koenig adjourned the meeting.

APPROVED this 16<sup>th</sup> day ATTEST:

Of April, 2019.

[Signature]  
Chair

[Signature]  
Nye County Clerk / Deputy

My name is Neal Jones.

I ask that this written, prepared statement be included in the minutes of this meeting.

My concerns relate to the Belmont Courthouse and the upcoming internal structural stabilization work on the Courthouse by a group that has never asked for or received permission or authorization from the County to work on this historic County-owned building.

From the responses I have received from the County it does not appear that there are any written contractual agreements with any of the design team associated with this project or the group that is allegedly in charge of the project. No one could ever be held responsible for this work.

The *Friends of the Belmont Courthouse* group has no legal standing to work on a County-owned building.

Why then does the County allow this group to work on this historic piece of County property but not require them to come out of the shadows and publicly present their intentions to the County Commissioners and receive proper, documented, written authorization and permission prior to doing any work on this County-owned building?

When I ask the County for records associated with this internal structural stabilization, the County's Public Information Officer, Mr. Knightly, tells me I need to contact the project structural engineer for records related to work on a County-owned building.

Mr. Knightly tells me the *Friends of the Belmont Courthouse* group is a private group and does not have to abide by the Open Meeting Law and the County does not have any authority over that group. If I want to know what they intend to do to a historic piece of County-owned property, I need to contact that private group for records related to work on a County-owned building.

When I ask the County for the records of the communications required by Nye County Code between the County Commissioners and the Belmont Town Advisory Board regarding this project in Belmont, Mr. Knightly tells me that this Advisory Board, created by Nye County Code, "is a separate government body not overseen by Nye County". Therefore, I must contact the advisory board to obtain records regarding the work on a County-owned building.

Even though the *Friends of the Belmont Courthouse* never applied for, asked for or even needed the money, Commissioner Wichman arranged for \$50,000 of taxpayer money to be given to this group that does not have authority to work on this County-owned building. Now, the contract for this work states that Nye County will be paying the Contractor for the work, not the *Friends of the Belmont Courthouse*. This funding has never been approved by the County. Yesterday Mr. Knightly notified me that this work has never been approved by the County.

Isn't it time for these activities in Belmont to come out of the shadows, become transparent and if this private group wishes to work on a historic County-owned building; shouldn't they make a presentation to this Board and get the proper authorization to do the work?

Thank you for the opportunity to speak at this meeting.

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

**ATTACHMENT 1**