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 1-888-585-9008 and entering conference room number 255-432-824.

The Chair of the Board of County Commissioners will open public comment periods by announcement. Commenters must press *9 on their telephone keypads to notify Administration they wish to speak.

The teleconference is also viewable at 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 January 20, 2021 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 agendized at a specific 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 January 20, 2021 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.
Pursuant to NRS 241.020, the Agenda for the Commission Meeting has been posted at the following locations. Tonopah Convention Center, 301 Brougher 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

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 January 20, 2021 (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 November 16, 2020 joint 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 certificates and/or plaques to seven employees honored for their years of service.

10. 10:00 a.m. – For Possible Action – 2nd Community Development Block Grant Coronavirus (CDBG-CV) Public Meeting: 1) Presentation of potential projects; and 2) Invite the public to participate by providing ideas, comments and suggestions concerning the proposed projects.

11. 10:00 a.m. – For Possible Action – Public Hearing, discussion, and deliberation to issue an Outdoor Festival License to the Pahrump Valley Chamber of Commerce for the Balloon Festival to be held March 25-28, 2021, at Ian Deutch Park located at 1160 Honeysuckle Street, Pahrump, NV.
<table>
<thead>
<tr>
<th>ITEM #</th>
<th>SUBJECT</th>
<th>January 20, 2021</th>
</tr>
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<tbody>
<tr>
<td>12.</td>
<td>10:00 a.m. – For Possible Action – Public Hearing, discussion and deliberation on ZC-2020-000049: A (Conforming) Zone Change application to change a 31.50-acre portion of a 41.24-acre (gross) parcel from the Community Facilities (CF) zone to the Open Space (OS) zone to allow for a public shooting range. Located at 2871 E. Mesquite Ave, Pahrump, NV, Assessor’s Parcel Number 035-011-01. Nye County Commissioners – Property Owner, Tim Sutton, Nye County Manager – Applicant.</td>
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<td>13.</td>
<td>10:00 a.m. – For Possible Action – Public Hearing, discussion and deliberation on ZC-2020-000050: A (Conforming) Zone Change application to change 40.68 acres from the Rural Homestead (RH-4.5) zone to the Open Space (OS) zone, located at 5121 W. Betty Ave., Pahrump, NV, Assessor’s Parcel Number 027-521-43. Guadalupe &amp; Hermila Munoz – Property Owners/Applicants.</td>
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<td>14.</td>
<td>10:00 a.m. – For Possible Action – Public Hearing, discussion and deliberation on AP-2020-000026: An Appeal of the Pahrump Regional Planning Commission’s denial of the following applications: CU-2020-000106 and WV-2020-000125: Application for a Conditional Use Permit to allow an Animal Racetrack located on 40.68 acres and a Waiver from Nye County Code Title 17, Comprehensive Land Use Planning and Zoning, to: 1) Waive the parking lot surfacing requirements, and 2) Allow an Animal Racetrack to be located less than two (2) miles from residential areas. Located at 5121 W. Betty Ave., Pahrump, NV, Assessor’s Parcel Number 027-521-43. Guadalupe and Hermila Munoz – Property Owners/Applicants (Appellants).</td>
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<td>15.</td>
<td>10:00 a.m. – For Possible Action – Public Hearing, discussion and deliberation on SU-2020-000070: An application for a Special Use Permit to allow a marijuana establishment (cultivation and production), located at 5256 W. Amargosa Farm Rd., Amargosa Valley, NV, Assessor’s Parcel Number 019-041-18. May Liu – Property Owner, Natural Green Goodness, LLC – Applicant.</td>
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<td>16.</td>
<td>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.</td>
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SITTING AS THE NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS

17. 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

18. For Possible Action – Discussion and deliberation to approve three Gaming Licenses for Sartini Gaming, LLC. dba Golden Route Operations, LLC. for leased space for slot machines within Rebel #48 located at 820 S. Highway 160, Pahrump, NV, Rebel #72 located at 102 E. Highway 95N, Beatty, NV, and Rebel #78 located at 40 S. Highway 160, Pahrump, NV. Blake Sartini – Applicant.

19. For Possible Action – Discussion and deliberation to consider a request by Round Mountain Gold Corporation, dba Round Mountain General Store and Round Mountain Golf Course for waivers from Nye County Code Title 5 Business License Regulations, Chapter 5.04.070(8)(d) Liquor License Applications requiring officers, directors and stockholder(s) to qualify for a license, that would allow for onsite managers only to apply for the Retail and Package Liquor Licenses located at 1 Electrum Dr. and 100 Electrum Dr., Round Mountain, NV.
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.

20. 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.

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

1) Issue an amended tax bill in the amount of $652.87 to Kathleen G. MacPherson, owner of 880 S. O’Connor Way Pahrump, NV, Assessor’s Parcel Number 027-621-25.
2) Issue an amended tax bill in the amount of $1,077.91 to Randall R. Jackson, owner of 2831 E. Deadwood St. Pahrump, NV, Assessor’s Parcel Number 041-061-07.
3) Issue an amended tax bill in the amount of $578.78 to Michealle & Keith Arnold, owners of 2670 E. Idlewild St. Pahrump, NV, Assessor’s Parcel Number 042-381-23.
4) Issue an amended tax bill in the amount of $350.81 to Randy L. Reineck, owner of 3050 S. Rainbow Ave. Pahrump, NV, Assessor’s Parcel Number 041-034-10.
6) Issue an amended tax bill in the amount of $1,197.41 to Jack & Audrey Rider, owners of 300 E. Mesquite Ave. Pahrump, NV, Assessor’s Parcel Number 029-604-06.
7) Issue a refund in the amount of $1,197.41 to Mark Chen, former owner of 300 E. Mesquite Ave. Pahrump, NV, Assessor’s Parcel Number 029-604-06.

22. For Possible Action – Approval to set the date and location for the second Board of Commissioners meeting in April for Tuesday, April 20, 2021 in Pahrump, NV.

23. For Possible Action – Approval to adopt Nye County Resolution No. 2021-01: A Resolution Directing the Levy of a Special Assessment on Each Water User Situated Within the Confines of the Duckwater Creek Distribution for Fiscal Year 2021-2022.

BOARD OF COMMISSIONERS

24. 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.

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

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

27. 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.

28. 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.
29. For Possible Action – Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.

30. For Possible Action – Discussion and deliberation regarding Commissioner Liaison / Representative positions.

31. For Possible Action – Discussion and deliberation to change the start time of the Board of County Commissioners meetings.

32. For Possible Action – Discussion and deliberation to decide whether to hold Board of County Commissioners Meetings on Tuesdays or Wednesdays when a preceding Monday is observed as a holiday/non-working day.

33. For Possible Action – Discussion and deliberation to review COVID-19 restrictions and potential limitations to social gatherings for the Outdoor Festival License approved on September 15, 2020 for the VinoJazz Foundation Pahrump Valley Days to be held February 18-21, 2021 at Petrack Park located at 150 Highway 160, Pahrump, NV.

34. For Possible Action – Discussion and deliberation to: 1) Consider setting a constituent outreach budget for each Commissioner in amounts to be approved by the Board to be used for community and constituent engagement, that includes but is not limited to sending letters to various governments, sending thank you cards, and mailing correspondence to constituents, hosting meetings for community related topics that may require accommodation expenses, and sponsoring or hosting community events for educational purposes as determined necessary by each Commissioner; and 2) Fund from 10101 General Fund.

CLERK

35. For Possible Action – Discussion and deliberation to appoint two members to the Amargosa Valley Town Board due to two members elected in the 2020 Election moving out of the jurisdiction from the following list of applicants: Carolyn Allen, John Bosta and Mike Cottingim.

36. For Possible Action – Discussion and deliberation to appoint one member to the Central Nevada Museum Advisory Board due to one expiring term from the following list of applicants: Liese Peterson.

37. For Possible Action – Discussion and deliberation to appoint two members to the Round Mountain Town Board due to two vacancies from the following list of applicants: Nicole Silberschlag.

DISTRICT ATTORNEY

38. For Possible Action – Discussion and deliberation to: 1) Retain Attorney Nick D. Crosby of the law firm Marquis Aubach Coffing as counsel for handling of an arbitration hearing concerning an appeal by Deputy Jose Parra of his termination from the Nye County Sheriff’s Department in case number 211118-01507, filed by Deputy Parra November 18, 2020 with the Federal Mediation and Conciliation Service; and 2) Authorize the District Attorney to execute a contract for counsel legal services.

39. For Possible Action – Discussion and deliberation to rescind action taken on item 11, of the December 30, 2020 meeting approving a 19.19% rate increase for Pahrump Valley Disposal. Pursuant to Pahrump Town Ordinance 43.270, if the board determines that an unforeseen economic circumstance has occurred during a given 12-month period, then the Board may consider and approve a method for adjusting rates. Said determination pursuant to PTO 43.270 was not taken by the board on item 11 on December 30, 2020.
PUBLIC ADMINISTRATOR

40. **Presentation** regarding the quarterly report from the Public Administrator on deceased person cases that are open, closed, pending, NCPA Creditor Claims, non-cases or cases that have been turned over to family.

COUNTY MANAGER

41. **For Possible Action** – Discussion and deliberation regarding nominating a member of the Board of County Commissioners for appointment by the Governor to NACO’s seat on the Nevada Commission on Off-Highway Vehicles (OHV).

42. **For Possible Action** – Discussion and deliberation to: 1) Consider recognizing the Nye County Sergeant’s Association (“NCSA”) as the exclusive collective bargaining representative of the sergeants employed by Nye County in the office of the Nye County Sheriff; and if recognized, 2) Direct staff to negotiate a collective bargaining agreement with the NCSA in consultation with labor counsel and the District Attorney’s Office.

43. **For Possible Action** – Discussion and deliberation to: 1) Approve an Interstate Interlocal Contract with the State of Nevada Department of Veteran Services to provide a veterans services officer for services within Nye and Esmeralda counties; and 2) Execute the contract. There is no cost to Nye County for this contract.

FINANCE

44. **Presentation** and discussion regarding Moody’s Annual Comment for Nye County.

45. **For Possible Action** – Discussion and deliberation to: 1) Approve the subgrant for the Tonopah Library District through the 2014 Revolving Loan Fund in the amount of $109,600.00 with a match requirement of $27,400.00 bringing the total project cost to $137,000.00 for the Library Parking Lot project located at the Tonopah Library; 2) Enter into an agreement with the Tonopah Library District for the work outlined in the application; and 3) Fund $109,600.00 from 10340 Grants. The $27,400.00 match will be paid by the Tonopah Library District. The project includes the paving over of lead-contaminated and Total Petroleum Hydrocarbons (TPH)-contaminated soil using asphalt to mitigate the adverse impacts to environmental and human health.

46. **For Possible Action** – Discussion and deliberation to: 1) Approve a subgrant for the Centennial Fine Arts Center through the 2014 Revolving Loan Fund in the amount of $206,350.00 with a match requirement of $41,270.00 bringing the total project cost to $247,620.00 for the roof demolition project located at the Centennial Fine Arts Center; 2) Enter into an agreement with the White Pine Community Choir for the work outlined in the application; and 3) Fund $206,350.00 from 10340 Grants. The $41,270.00 match will be paid by the White Pine Community Choir. The project includes the abatement and removal of asbestos containing roofing materials during the roof demolition and replacement.

47. **For Possible Action** – Discussion and deliberation to: 1) Approve, amend and approve or reject Change Order #2 for the Animal Shelter Contract with Desert Haven Animal Society (DHAS) in the amount of $250,000.00 and extend the contract for a term of one year; 2) Execute the agreement; and 3) Fund $200,000.00 from 10101 General Fund and $50,000.00 from 25101 Pahrump Town General Fund; or, 4) Direct staff to go out to bid for animal shelter services.

48. **For Possible Action** – Discussion and deliberation regarding the Corrective Action Letter for the Annual Audit Report for Fiscal Year ending June 30, 2020 to be submitted to the Nevada Department of Taxation.
49. **For Possible Action** – Discussion and deliberation regarding the budget status for November 2020 for Nye County and all sub-entities for Fiscal Year 2021.

50. **For Possible Action** – Presentation, discussion, deliberation and possible amendment of the 2021 Nye County COVID Relief Program and Policy utilizing remaining Federal CARES funding effective January 1, 2021 for the purpose of continuing financial assistance to the public, small businesses, non-profits, and government agencies located within Nye County affected by the COVID-19 Pandemic health emergency.

51. **For Possible Action** – Presentation, discussion and possible amendment of the Nye County CARES Act Policy, and final reporting related to Federal CARES funding ending December 31, 2020, used for the purpose of providing financial assistance to the public, small businesses, non-profits, and government agencies located within Nye County affected by the COVID-19 Pandemic health emergency.

52. **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.

**HUMAN RESOURCES**

53. **For Possible Action** – Discussion and deliberation to approve the position, Special Assistant to a County Commissioner, for each commissioner and determine potential funding sources for the five positions in Fiscal Year 2021.

**INFORMATION TECHNOLOGY**

54. **For Possible Action** – Discussion and deliberation to: 1) Approve, amend and approve, or reject the Memorandum of Lease (MOL) agreement between Nye County and Commnet of Nevada, LLC. for the Communications Lease located at 1640 E. Amargosa Farm Rd, Amargosa Valley, NV. The purpose of the MOL is to provide a brief recap of the lease agreement as approved by the Board of County Commissioners on December 1, 2020, which will be used by Commnet for third party needs, such as FCC requirements and financing requirements, etc., as determined by Commnet; and 2) Execute the agreement. There is no cost associated with this agreement.

**NATURAL RESOURCES**

55. **For Possible Action** – Discussion, deliberation and direction to staff regarding due diligence and actions needed for the possible purchase of Desert Utilities, Inc., a privately owned utility company in Pahrump, NV.

**PLANNING**

56. **For Possible Action** – Discussion and deliberation pursuant to Nye County Code Chapter 5.32 to set a date, time and location for a Show Cause Hearing to determine if there is sufficient cause to revoke the Marijuana Licenses granted to NCMM, LLC, for medical marijuana cultivation and production, for property located at 340 E. Mesquite Ave., Pahrump, NV, Assessor’s Parcel Number 029-601-28.

57. **For Possible Action** – Discussion and deliberation pursuant to Nye County Code Chapter 5.32 to set a date, time and location for a Show Cause Hearing to determine if there is sufficient cause to revoke the Marijuana Licenses granted to Nye Farm Tech for medical and recreational marijuana cultivation, for property located at 5400 N. Highway 160, Pahrump, NV, Assessor’s Parcel Number 029-311-13.
PUBLIC WORKS

58. **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 S. Eberhard Rd., East side of Assessor’s Parcel Numbers 047-031-19 and 047-031-05, located in Pahrump, NV, from Manse Crossing, LLC. (property owner), and reject the maintenance responsibility at this time with the offer to remain open in accordance with NRS 278.390.

59. **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)

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

61. **ADJOURN**

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.

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**Nye County Board of County Commissioners Meeting Participation Information:**
- Call **1-888-585-9008** and enter conference room code **255-432-824**.
- Public comment periods will be opened by announcement.
- Commenters must press *9 if they wish to speak. You will hear “the organizer sees your raised hand” when the control has been properly engaged.
- When it is your turn to give comment, you will hear “you may now speak” and must identify yourself by saying and spelling your first and last name.

**Notes:**
- The teleconference is viewable at [http://nyecounty.granicus.com/ViewPublisher.php?view_id=4](http://nyecounty.granicus.com/ViewPublisher.php?view_id=4) there will be a 40 second delay from the video to the call.
- Report issues to Nye County Admin at nyeadmin@co.nye.nv.us or by calling 775-482-8191.