



**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  
February 17, 2021  
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 1-888-585-9008 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](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 February 17, 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 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 February 17, 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](mailto:program.intake@usda.gov)

# NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

February 17, 2021

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. [Presentation](#) by the Director of Emergency Management regarding the status of the COVID-19 outbreak.
3. **Commissioners'/Manager's Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)**
4. **Approval of the Agenda for February 17, 2021 (Non-action item)**
5. **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)**
6. **For Possible Action – Emergency Items**
7. [For Possible Action](#) – Discussion and deliberation regarding meeting minutes from the January 4, 2021 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

8. **10:00 a.m. – [For Possible Action](#)** – Discussion and deliberation on 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.
9. **10:00 a.m. – [For Possible Action](#) – Public Hearing**, discussion and deliberation to adopt, amend and adopt, or reject Nye County Bill No. 2020-21: A Bill proposing to amend Nye County Code Section 15.16.110 Penalties, by adding Subsection B Unpermitted Work; and providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto.

**NYE COUNTY BOARD OF COMMISSIONERS AGENDA**

**ITEM # SUBJECT**

**February 17, 2021**

10. **10:00 a.m.** – [For Possible Action](#) – **Public Hearing**, discussion, and deliberation on AP-2020-000027: An Appeal of a decision of the Pahrump Regional Planning Commission to require the construction of a block wall and an asphalt driveway, pertaining to Waiver Application WV-2020-000126: Application for a Waiver from Nye County Code Title 17, Comprehensive Land Use Planning and Zoning, to allow a chain link fence and chat surfacing for the display area of a proposed manufactured home sales lot, on a Neighborhood Commercial zoned parcel, located at 3110 S. Nevada Highway 160, Pahrump, NV, Assessor’s Parcel Number 042-391-14. Ron & Sally Murphy Family LP – Owner. Scott Shepston, Craftsman Homes, LLC – Applicant/Appellant.
11. **10:00 a.m.** – [For Possible Action](#) – **Public Hearing**, discussion, and deliberation on ZC-2020-000052: An application for a (Conforming) Zone Change to change 9.19 acres from Village Residential (VR-20) to Rural Homestead (RH-9.5), located at 2561 S. Bannavitch St., Pahrump, NV, Assessor’s Parcel Number 027-581-18. JIPH Land, LLC. – Property Owner/Applicant.
12. **10:00 a.m.** – [For Possible Action](#) – **Public Hearing**, discussion, and deliberation on ZC-2020-000053: An application for a (Conforming) Zone Change to change 9.7 acres from Rural Estates Residential (RE-1) to Rural Homestead (RH-9.5), located at 5330 S. Golden Valley Ave., Pahrump, NV, Assessor’s Parcel Number 045-114-02. Blair Iversen Family Trust – Property Owner. Linda Mickelson – Agent.
13. **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.

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

**LIQUOR**

14. [For Possible Action](#) – Discussion and deliberation to approve a Package Liquor License for MTSRB, LLC., dba Rhinestones Deli and Slot House and a Retail Liquor License for MTSRB, LLC., dba Rhinestones Country Bar and Dance Hall, located at 1700 S. Pahrump Valley Blvd. # 83 and #84, Pahrump, NV. Michael Tsunis, Owner/Applicant

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

15. [For Possible Action](#) – Discussion and deliberation of activity reports provided by Town of Pahrump Committees: Pahrump Arena Advisory Committee, Pahrump Nuclear Waste and Environmental Advisory Committee, Pahrump Off Highway Vehicle Park 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.
16. [For Possible Action](#) – Discussion and deliberation regarding Pahrump Town Ordinance 43 allowing for a rate change for Pahrump Valley Disposal by (1) determining whether or not an unforeseen economic circumstance occurred during a given twelve-month period supporting an adjustment in rates not based on changes to the consumer price index (CPI); and (2) determining a method for adjusting rates which is not based on changes to the consumer price index (CPI); and (3) approve or reject the method for adjusting rates which is not based on changes to the consumer price index (CPI).

**NYE COUNTY BOARD OF COMMISSIONERS AGENDA**

**ITEM # SUBJECT**

**February 17, 2021**

17. [For Possible Action](#) – Discussion and deliberation to appoint two members to the Pahrump Arena Advisory Committee due to two expiring terms from the following list of applicants: Loyce Seastrunk and Robert Tibbits.
18. [For Possible Action](#) – Discussion and deliberation to appoint two members and two alternates to the Pahrump Nuclear Waste and Environmental Advisory Committee due to four expiring terms from the following list of applicants: John Pawlak, Debra Perna, Mike Smith and Bill Stremmel.
19. [For Possible Action](#) – Discussion and deliberation to appoint one member to the Pahrump Public Land Advisory Committee due to one expiring term from the following list of applicants: Tina Bond-Kuglin.
20. [For Possible Action](#) – Discussion and deliberation to: 1) Discuss the bid proposals received for Bid 2020-08 – Kellogg Park Phase IV; 2) Award Bid 2020-08 to Morales Construction, Inc. in the amount of \$419,032.00 or Benchmark Contracting, Inc. dba Cobblestone Construction in the amount of \$676,090.00; 3) Approve, amend and approve, or reject the contract with the selected bidder; 4) Fund from 25223 Town of Pahrump Parks Fund and from 25252 Pahrump Parks Impact Fee; or 5) Reject bids and provide direction to staff on how to proceed with the project.
21. [For Possible Action](#) – Discussion and deliberation to approve, amend and approve or reject the contract with Rocky Mountain Acquisition Corp. for the purpose of utilizing the Interlocal Purchasing Cooperative Agreement with Houston-Galveston Area Council (HGAC Buy), HGAC Solicitation No.: AM10-20 and Contract No.: AM10-20 dated October 29, 2020 for the future purchase of Ambulances, EMS, and other Special Service Vehicles for the Pahrump Valley Fire and Rescue Services. There is no funding associated with this agreement.
22. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject budget transfer of appropriations between functions within the Town of Pahrump General Fund (25101) and OPEB Fund (25704).

**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.**

23. [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.
24. [For Possible Action](#) – Approval to set the date and location for the second Board of Commissioners meeting in May for Tuesday, May 18, 2021 in Pahrump, NV.
25. [For Possible Action](#) – Approval to: 1) Accept the CDBG-CV Round 2 Grant Award from the Nevada Governor’s Office of Economic Development in the amount of \$208,221.00 with a match amount of \$41,645.00 to prevent, prepare for, and respond to Coronavirus; 2) Execute the Award documents and 3) Fund \$208,221.00 from 10340 Grants and the funding source for the \$41,645.00 match which will be determined when the Commissioners prioritize projects during the March 2, 2021 Board of County Commissioners meeting.

**NYE COUNTY BOARD OF COMMISSIONERS AGENDA**

**ITEM # SUBJECT**

**February 17, 2021**

**BOARD OF COMMISSIONERS**

- 26. 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.
- 27. Closed meeting, pursuant to NRS 241.015(3)(b)(2) for purposes of conferring with legal counsel regarding potential or current litigation.
- 28. For Possible Action – Discussion and deliberation on conference with legal counsel regarding potential or current litigation presented in closed meeting.
- 29. 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.
- 30. 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.
- 31. For Possible Action – Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.
- 32. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt or reject Nye County Resolution No. 2021-05: A Resolution of Blue to Back the Blue Declaring Nye County to Be Recognized as A “Blue” County Supporting All Law Enforcement.

**CLERK**

- 33. [For Possible Action](#) – Discussion and deliberation to appoint one member to the Northern Nye County Hospital District due to one term not being filled in the 2020 Election from the following list of applicants: Patricia Browning.
- 34. [For Possible Action](#) – Discussion and deliberation to appoint one member to the Round Mountain Town Board due to one vacancy from the following list of applicants: Samantha Faga and Ryan Saladino.

**DISTRICT ATTORNEY**

- 35. [For Possible Action](#) – Discussion and deliberation to: 1) Approve an Intrastate Interlocal Contract between the State of Nevada, Department of Health and Human Services, Division of Welfare and Supportive Services and the Nye County District Attorney, Child Support Division for funding of child support enforcement activities for FY 2022-2025 in an amount not to exceed \$2,496,967.00 with 66% being reimbursed from the State and 34% being the County’s responsibility; 2) Execute the contract; and 3) Fund from 10101 General.

**FINANCE**

- 36. [For Possible Action](#) – Discussion and deliberation regarding the budget status for December 2020 for Nye County and all sub-entities for Fiscal Year 2021.
- 37. [For Possible Action](#) – Discussion and deliberation to: 1) Consider approving a pending application submitted under the CARES Sub-entity Program for the modification of medical facilities to be funded under the Nye County COVID Relief Program for the Northern Nye County Hospital District (NNCHD) in the amount of \$803,683.14 for the total renovation costs of the NNCHD Clinic which included additional costs due to the COVID-19 Pandemic; and 2) Fund \$803,683.14 from 10340 Grants.

## NYE COUNTY BOARD OF COMMISSIONERS AGENDA

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38. [For Possible Action](#) – Presentation, discussion, deliberation and possible amendment of: 1) 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; and 2) Presentation and direction to staff regarding the current and future financial condition of Nye County as related to the COVID-19 outbreak.

### HEALTH AND HUMAN SERVICES

39. [For Possible Action](#) – Discussion and deliberation to: 1) Accept a Funding Agreement between Nye Communities Coalition and Health and Human Services to provide funding for a case worker and services to the community through the FASTT/MOST Program for calendar year 2021 in the amount of \$94,855.00; 2) Execute the Funding Agreement; and 3) Fund from Project G20003. There is no County match required.

### PLANNING

40. [Presentation](#) of the Bi-Annual Compliance Report regarding the Status of the Development Agreement between Nye County and William Lyon Homes for the Mountain Falls Subdivision/Master Planned Community.
41. [Presentation](#) of the quarterly report from the Planning Department regarding the status of Code Compliance cases.
42. [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 recreational vehicles and tenants from the subject property, located at 1060 E. Second St., Pahrump, NV, Assessor’s Parcel Number 035-308-02. Constance Allison – Property Owner.

### PUBLIC WORKS

43. [For Possible Action](#) – Discussion and deliberation to: 1) Approve, amend and approve or reject a contract with Atkins North America, Inc. for Engineering Services for Rehabilitate Runway 11-29 at the Tonopah Airport – Task 12 of the 2019 Airport Capital Improvement Plan (ACIP) project not-to-exceed \$70,000.00; 2) Execute the contract; and 3) Fund up to \$65,625.00 from 10340 Grants and up to \$4,375.00 from 10402 Special Capital Projects.
44. [For Possible Action](#) – Discussion and deliberation to approve, amend and approve or reject the Agreement for Sidewalk Repair with Tonopah Liquor Company, LLC to repair a damaged section of sidewalk as part of the sidewalk repair project on Main Street in Tonopah, affronting 111 N. Main Street, Tonopah, NV, Assessor’s Parcel Number 008-136-04.
45. [For Possible Action](#) – Discussion and deliberation to approve, amend and approve or reject the Agreement for Sidewalk Repair with Robert W. Perchetti to repair a damaged section of sidewalk as part of the sidewalk repair project on Main Street in Tonopah, affronting 117 N. Main Street, Tonopah, NV, Assessor’s Parcel Number 008-136-06.
46. [For Possible Action](#) – Discussion and deliberation to approve, amend and approve or reject the Agreement for Sidewalk Repair with Zachary Newell to repair a damaged section of sidewalk as part of the sidewalk repair project on Main Street in Tonopah, affronting 119 N. Main Street and 121 N. Main Street, Tonopah, NV, Assessor’s Parcel Numbers 008-136-07 and 008-136-08.

**NYE COUNTY BOARD OF COMMISSIONERS AGENDA**

**ITEM # SUBJECT**

**February 17, 2021**

- 47. [For Possible Action](#) – Discussion and deliberation to approve, amend and approve or reject the Agreement for Sidewalk Repair with Charlie Pike to repair a damaged section of sidewalk as part of the sidewalk repair project on Main Street in Tonopah, affronting 119 N. Main Street and 121 N. Main Street, Tonopah, NV, Assessor’s Parcel Numbers 008-136-07 and 008-136-08.
- 48. [For Possible Action](#) – Discussion and deliberation to approve, amend and approve or reject the Agreement for Sidewalk Repair with Phillip Rodney Soper to repair a damaged section of sidewalk as part of the sidewalk repair project on Main Street in Tonopah, affronting 119 N. Main Street and 121 N. Main Street, Tonopah, NV, Assessor’s Parcel Numbers 008-136-07 and 008-136-08.
- 49. [For Possible Action](#) – Discussion and deliberation to approve, amend and approve or reject the Agreement for Sidewalk Repair with Noemi Rodriguez to repair a damaged section of sidewalk as part of the sidewalk repair project on Main Street in Tonopah, affronting 123 N. Main Street, Tonopah, NV, Assessor’s Parcel Number 008-136-09.
- 50. **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)**
- 51. **Commissioners’/Manager’s Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)**
- 52. **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.

Nye County’s vulnerable population, those sheltering in place or members of the public in excess of the capacity limits can participate by calling 1-888-585-9008 and entering conference room number 255-432-824.

**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](mailto:nyeadmin@co.nye.nv.us) or by calling 775-482-8191.