



**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 GABBS MANHATTAN
AND RAILROAD VALLEY AND
AS THE BOARD OF TRUSTEES FOR THE PAHRUMP POOL DISTRICT
2100 E. Walt Williams Drive, Pahrump, NV 89048
September 21, 2021
10:00 a.m.**

Nye County's vulnerable population, or those sheltering in place may, subject to technical difficulties, participate by calling 1-888-585-9008 and entering conference room number 255-432-824. Technical difficulties may occur before or during the meeting preventing your ability to call in.

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.

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 September 21, 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.**

Public Comment during the Commission Meeting on September 21, 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 may be heard during individual action items. 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. **Decorum** during the meeting must be upheld pursuant to the BOCC Rules of Procedure sections 7.5.3 and 7.5.4 whereby no person in the audience shall engage in disorderly conduct such as hand clapping, stamping of feet, whistling, using profane language, yelling, and similar demonstrations, which conduct disturbs the peace and good order of the meeting. Any person who becomes disruptive or interferes with the orderly business of the Board may be removed from the Board Chambers or other meeting room for the remainder of the meeting.

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

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

September 21, 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) 482-8192

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 775-482-8192 prior to the meeting.

- 1. Pledge of Allegiance**
- 2. Commissioners'/Manager's Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)**
- 3. Approval of the Agenda for September 21, 2021 (Non-action item)**
- 4. 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).**
- 5. For Possible Action – Emergency Items**
- 6. [For Possible Action](#) – Discussion and deliberation regarding meeting minutes from the August 17, 2021, joint meeting of the Nye County Board of Commissioners, Board of Highway Commissioners, Licensing and Liquor Board, Board of Health, the Governing Body of Unincorporated Town of Pahrump, the Governing Body of the Unincorporated Towns of Beatty, Gabbs, Manhattan, and Railroad Valley, and the Board of Trustees for the Pahrump Pool District.**

SITTING AS THE BOARD OF COUNTY COMMISSIONERS

TIMED ITEMS

- 7. 10:00 a.m. – [For Possible Action](#) – Discussion and deliberation regarding the Treasurer's Report by Nye County Treasurer on bank reconciliation 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.**
- 8. 10:00 a.m. – [Presentation](#) by Mark Wlaschin, Deputy Secretary for Elections for the State of Nevada Office of the Secretary of State regarding the impacts of Assembly Bill (AB) 321, AB 121, AB 432, AB 422, improvements to voter integrity, and opportunities for citizen involvement leading up to and during the 2022 election cycle.**
- 9. 10:00 a.m. – [For Possible Action](#) – Public Hearing, discussion, and deliberation to issue an Outdoor Festival License to VinoJazz Foundation for the Pahrump Music Festival to be held March 30, 2022, through April 3, 2022, at Petrack Park located at 150 N. Highway 160, Pahrump, NV.**

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

September 21, 2021

SITTING AS THE NYE COUNTY LICENSING AND LIQUOR BOARD

LIQUOR

10. [For Possible Action](#) – Discussion and deliberation to approve a Package Liquor License for Tiger Tote, Inc., dba Giggle Springs located at 182 N. Main Street, Tonopah, NV, Derek and Cynthia Stephan – Applicants.

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.

11. [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.
12. [For Possible Action](#) – Approval to set the date and location for the second Board of Commissioners meeting in December for Tuesday, December 21, 2021 in Pahrump, NV.
13. [For Possible Action](#) – Approval to: 1) Accept the FY 2022 Agreement to use the Affordable Housing Trust Funds in the amount of \$15,000.00 from Nevada Housing Division for Affordable Housing Trust Funds Program to offer rental/utility/security deposit assistance to eligible clients at risk of being homeless. Monies to be expended between July 1, 2021, and June 30, 2024. There is no County match required; 2) Execute the Agreement; and 3) Fund from the 10340 Grants.
14. [For Possible Action](#) – Approval to: 1) Accept FY 2021 Emergency Solutions Grant (ESG) Notice of Sub-Recipient Award Homeless Prevention in the amount of \$7,785.00, to offer short to medium-term assistance, rental application fees, arrearages, security deposits/utility assistance to very low to low-income residents at-risk of being homeless, along with Requirements and Attachments to offer assistance for Nye County’s very low to low-income population. There is no County match required; 2) Execute the Award; and 3) Fund from 10340 Grants.
15. [For Possible Action](#) – Approval to: 1) Accept the Federal Emergency Management Agency (FEMA) Public Assistance through the State of Nevada, Department of Public Safety, Division of Emergency Management in the amount of \$24,727.63 with a match amount of \$6,181.91 to provide funding for the COVID 19 Testing Site Shelter; 2) Execute the grant award documents; and 3) Fund \$24,727.63 from 10340 Grants and \$6,181.91 from 10402 Capital Fund.

BOARD OF COMMISSIONERS

16. 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.
17. Closed meeting, pursuant to NRS 241.015(3)(b)(2) for purposes of conferring with legal counsel regarding potential or current litigation.
18. For Possible Action – Discussion and deliberation on conference with legal counsel regarding potential or current litigation presented in closed meeting.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

September 21, 2021

19. 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.
20. 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.
21. For Possible Action – Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.
22. [For Possible Action](#) – Discussion, deliberation, and possible decision to join the American City County Exchange (ACCE).
23. [For Possible Action](#) – Discussion and deliberation to: 1) Approve, amend and approve or reject a letter of support for the Economic Development Administration (EDA) Disaster Supplemental Notice of Funding Opportunity (NOFO) application to be submitted by Visions R Us; and 2) Approve the Visions R Us Sustainable Structures Business Plan. This project will help communities and regions devise and implement long-term economic recovery strategies through a variety of non-construction and construction projects, as appropriate, to address economic challenges in areas where a Presidential declaration of a major disaster has been declared.
24. [For Possible Action](#) – Discussion and deliberation to: 1) Conduct the annual Evaluation of the County Manager; 2) Determine whether the County Manager’s performance has been satisfactory resulting in a 5.25% salary increase pursuant to the County Manager Employment Agreement; and 3) Establish goals for the coming year.

CLERK

25. [For Possible Action](#) – Discussion and deliberation to: 1) Appoint one member to the Beatty Library District from the following list of applicants: Carol J. Stephens; or 2) Readvertise for the appointment.
26. [For Possible Action](#) – Discussion and deliberation to: 1) Appoint one member to the Railroad Valley Advisory Board from the following list of applicants: Cheyenne Drayton; or 2) Readvertise for the appointment.

PUBLIC ADMINISTRATOR

27. [For Possible Action](#) – Discussion and deliberation 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.

SHERIFF

28. [For Possible Action](#) – Discussion and deliberation to: 1) Determine Nye County Sheriff’s Office K-9 Tango a Search & Rescue dog is no longer required for public use; 2) Surplus K-9 Tango due to medical issues; 3) Determine it is in the best interest of Nye County to retire and transfer ownership and medical responsibility of K-9 Tango to Animal Control Supervisor Susan Ryhal pursuant to NRS 332.185; and 4) Delegate one time authority to the Sheriff Wehrly to execute the agreement between the Nye County Sheriff’s Office and Animal Control Supervisor, Susan Ryhal for the transfer of ownership of K-9 Tango; 5) Authorize expenditure of capital funding to replace K9 Tango in the amount of \$12,000.00 to purchase the K9 and \$4,000.00 for assorted equipment and handling.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

September 21, 2021

COUNTY MANAGER

29. [For Possible Action](#) – Discussion and deliberation to: 1) Create an advisory committee to be responsible for redistricting Nye County and identify membership; or 2) Solicit proposals for Professional Redistricting Consultant Services.

FACILITIES

30. [For Possible Action](#) – Discussion and deliberation to approve an unbudgeted Account Clerk I in the Pahrump Buildings and Grounds Office to be funded by 10101 General Fund.

FINANCE

31. [For Possible Action](#) – Discussion and deliberation regarding the budget status for June 2021 for Nye County and all sub-entities for fiscal 2021.
32. [For Possible Action](#) – Discussion and deliberation regarding the budget status for July 2021 for Nye County and all sub-entities for fiscal 2022.
33. [For Possible Action](#) – Discussion and deliberation to: 1) Discuss a request for a budget amendment for Faith for Action under the Nye County COVID Relief Program and Policy Public: Assistance Administered by Non-profit, Not-for-profit, and Charities Program; and 2) Approve, amend and approve, or reject the budget amendment request.
34. [For Possible Action](#) – Discussion and deliberation to: 1) Amend and adopt the revision to the Nye County COVID Relief Program and Policy; and 2) Review and approve, amend and approve, or deny an application from Cotillion for Success Educational Program under the Nye County COVID Relief Program and Policy: Public Assistance Administered by Non-Profits, Not-For-Profits, and Charities in the amount of \$260,000.00.
35. [For Possible Action](#) – Discussion and deliberation to: 1) Rescind Nye County Resolution No. 2021-30 that was adopted at the August 17, 2021, meeting; and 2) Adopt, amend and adopt, or reject Nye County Resolution No. 2021-35: A Resolution Authorizing the Nye County Treasurer to Establish a Checking Account Through Nevada State Bank.

PLANNING/CODE COMPLIANCE

36. [For Possible Action](#) – Discussion and deliberation regarding a request to: 1) Set a date, time and location for a Public Hearing on Nye County Bill No. 2021-09: A Bill proposing to amend Nye County Code Chapter 17.06 titled “Marijuana Establishments; Zoning Requirements,” by amending Section 17.06.020, titled Definitions, and amending Section 17.06.040, titled Requirement to Obtain a Special Use Permit, to include a requirement to obtain a written letter in support of, or in opposition to, the marijuana establishment by the elected or advisory Town Board prior to submittal of a Special Use Permit application; and providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto; and 2) Read the title of the Bill into the record.
37. [For Possible Action](#) – Discussion and deliberation to approve the annual renewal of Adult Use Cannabis (Cultivation) License CBL-21-143 and Adult Use Cannabis (Production) License CBL-21-144 for NCMM, LLC, located at 340 E. Mesquite Avenue, Pahrump. Assessor’s Parcel Number 029-601-28. Janet L. Jensen – Property Owner. Valerie Small / NCMM, LLC – Applicant.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

September 21, 2021

38. [For Possible Action](#) – Discussion and deliberation to approve a Tentative Map for North Canyon Homes Subdivision, creating thirty (30) residential lots on property zoned Village Residential (VR-8), each residential lot containing 20,000 square feet. Assessor’s Parcel Numbers 027-331-06, 027-331-23, 027-331-24, and 027-331-25. Cedar Trees, LLC. – Property Owner. Ken Murphy – Applicant.

PUBLIC WORKS

39. [For Possible Action](#) – Discussion and deliberation to impose up to a five-cent Nye County diesel tax or direct staff to place a question on the next ballot for the next general election to be voted on by the registered voters per NRS 373.062.
40. **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).**
41. **Commissioners'/Manager's Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)**

42. ADJOURN

Pursuant to the State of Nevada Governor’s Guidance for COVID-19 safety measures, 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 meeting is viewable at 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 775-482-8192.