



**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 AS THE BOARD OF TRUSTEES FOR THE PAHRUMP POOL DISTRICT**

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

**October 19, 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.NyeCountyNV.gov](http://www.NyeCountyNV.gov) 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 agendaized at a specific time. Items on the agenda without a time designation may be taken out of order. The Board may combine two or more agenda items for consideration. The Board may remove an item from the agenda or delay discussion relating to an item on the agenda at any time. Items on the agenda without a time designation may not necessarily be considered in the order in which they appear on the agenda. **NOTICE: It is anticipated that the items of business before the Board of Commissioners on October 19, 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 October 19 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.

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

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**

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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 Administration at (775) 482-8192.

**WEBSITE:** [www.nyecountynv.gov](http://www.nyecountynv.gov)

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 October 19, 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**

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

### **TIMED ITEMS**

- 6. 10:00 a.m. – [Presentation](#) of certificates and/or plaques to five (5) employees honored for their years of service.**
- 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. – [For Possible Action](#) – **Public Hearing**, discussion and deliberation to adopt, amend and adopt, or reject the Nye County Law Enforcement Association Agreement to include the reporting of the fiscal impact of the agreement.**
- 9. 10:00 a.m. – [For Possible Action](#) – **Public Hearing**, discussion and deliberation to adopt, amend and adopt, or reject 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.**

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10. **10:00 a.m.** [For Possible Action](#) – **Public Hearing**, discussion and deliberation to adopt, amend and adopt, or reject Nye County Bill No. 2021-11: A Bill proposing to amend Nye County Code Title 17, Comprehensive Land Use Planning and Zoning, Chapter 17.10 entitled Special Use Permits by adding a new section titled “definitions” and adding definitions for the terms non-renewable energy generation facility, renewable energy and renewable energy generation facility, providing that all energy generation facilities (non-renewable and renewable) shall require application and approval of a Special Use Permit; requiring the applicant to obtain a letter in support of, or in opposition to, the project prior to submitting an application to the Planning Department, and requiring the applicant to submit such letter to the Planning Department along with the application for a special use permit, and providing for the severability, constitutionality, and effective date thereof; and other matters properly relating thereto.
11. **10:00 a.m.** – [For Possible Action](#) – **Hearing to Show Cause**, discussion and to determine if there is sufficient cause to revoke Special Use Permit SU-2020-000069 granted to Green Cross of America, Inc., for cannabis cultivation on 3.78 acres located at 5101 S. Oakridge Avenue, Pahrump, NV. Assessor’s Parcel Number 044-521-41. Oakridge Enterprises, LLC. – Property Owner. Farhad Delrahim, Manager, Oakridge Enterprises, LLC. Moosa Kohanim, Green Cross of America, LLC. – Applicant/Grantee.
12. **10:00 a.m.** – [Presentation](#) from Angela Reinold with Faith for Action, Molly Walt with Nevada Rural Counties RSVP Program, and Nancy Guin and Denise Scherer with Tails of Nye County as Grantees of the Public Assistance Administered by Non-Profits, Not-For-Profits, and Charities (PAAO) within the Nye County Covid Relief Program (CRP) pursuant to the requirements set forth in the grant agreement to include assistance provided and programmatic reporting.

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

13. For Possible Action – Discussion and deliberation regarding verbal or written activity reports provided by Town of Pahrump Committees: Pahrump Arena Advisory Committee, 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 verbal activity reports.

**SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWNS OF BEATTY, GABBS, AND MANHATTAN**

**BEATTY**

14. [For Possible Action](#) – Discussion and deliberation to: 1) Accept a grant from the State of Nevada, Commission on Tourism for the Town of Beatty in the amount of \$3,568.00 to be used to maintain a social media campaign promoting Beatty as open for visitors; 2) Execute the award documents; and 3) Fund from 24220 Beatty Room Tax.

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## 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 the Elected Official Collection Report regarding fees collected from elected county departments for services rendered by or provided to county citizens.
16. [For Possible Action](#) – Approval to set the date and location for the second Board of Commissioners meeting in January for Wednesday, January 19, 2022 in Pahrump, NV.
17. [For Possible Action](#) – Approval to: 1) Accept the FY21 Environmental Workforce Development and Job Training (EWDJT) Grant Award through the U.S. Environmental Protection Agency in the amount of \$200,000.00 to provide funding for the Nye County Job Training Program; 2) Execute the grant award; and 3) Fund \$200,000.00 from 10340 Grants.
18. [For Possible Action](#) – Approval to: 1) Accept a Notice of SubAward for Community Services Block Grant (CSBG) for FY2022 in the amount of \$120,884.00, to provide assistance to very low to low-income populations, along with Assurances. There is no County match required, 2) Execute the SubAward; and 3) Fund from 10340 Grants

## BOARD OF COMMISSIONERS

19. 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.
20. Closed meeting, pursuant to NRS 241.015(3)(b)(2) for purposes of conferring with legal counsel regarding potential or current litigation.
21. For Possible Action – Discussion and deliberation on conference with legal counsel regarding potential or current litigation presented in closed meeting.
22. 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.
23. 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.
24. For Possible Action – Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.
25. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2021-36: A Resolution directing the County Assessor to prepare a list of the taxpayers on the 2022-2023 secure tax assessment roll in Nye County, Nevada and directing distribution of the same.

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### CLERK

26. [For Possible Action](#) – Discussion and deliberation to: 1) Approve, amend and approve, or reject the Ballot Print and Mail Services Agreement between Runbeck Elections Services, Inc. and Nye County for ballot printing and mailing services for the 2022 elections; 2) Execute the Agreement; and 3) Fund from 10101 General Fund with an approximate cost of \$50,000.00.
27. [For Possible Action](#) – Discussion and deliberation to: 1) Appoint one member to the Amargosa Valley Town Board due to a resignation from the following applicant: Scott Harris; or 2) Readvertise for the appointment.

### FINANCE

28. [For Possible Action](#) – Discussion and deliberation regarding the budget status for August 2021 for Nye County and all sub-entities for Fiscal Year 2022.
29. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject budget transfer of appropriations between departments within Nye County General Fund 10101.
30. [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 Public Assistance Administered by Non-profit, Not-for-profit, and Charities Program; and 2) Approve, amend and approve, or reject the budget amendment request.
31. [For Possible Action](#) – Discussion and deliberation to: 1) 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; and 2) Grant the Nye County Manager authority to execute the related grant agreement.

### INFORMATION TECHNOLOGY

32. [For Possible Action](#) – Discussion and deliberation to: 1) Approve, amend and approve, or reject the Site Rental Agreement between Radio Goldfield Broadcasting, Inc. and Nye County for the purpose of renting of tower space located at Shoshone Peak in Smoky Valley, Nevada; 2) Execute the Agreement; and 3) Deposit funds into 10291 County Owned Buildings.

### PLANNING

33. [For Possible Action](#) – Discussion and deliberation on a request regarding a 100% or final bond release of the full financial security bond related to a project area known as Mountain Falls Planning Area 3-3A (also known as Villa Serena Unit 2), located in Mountain Falls Master Planned Community. Nye County Assistant Public Works Director, Tom Bolling – Applicant – WLH Enterprises, LLC. property owner.
34. [For Possible Action](#) – Discussion and deliberation whether to: 1) Allow or prohibit cannabis consumption lounges in Nye County; and 2) Direction to staff.

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### PUBLIC WORKS

35. [For Possible Action](#) – Discussion and deliberation to: 1) Discuss the responses received from the solicitation of Bid No. 2021-10 – Blagg Road Overlay and Widening; 2) Award the contract to Wulfenstein Construction Co. in the amount of \$1,174,663.82; 3) Approve, amend and approve or reject the contract with selected bidder; 4) Fund from 10205 Road; or 5) Reject bid.
36. [For Possible Action](#) – Discussion and deliberation to: 1) Approve, amend and approve, or reject Task No. 12 between Atkins North America, Inc. and Nye County to provide Disadvantaged Business Enterprise (DBE) Program Report Preparation in an amount not to exceed \$30,000.00; 2) Execute the Agreement; and 3) Fund \$28,125.00.00 from 10340 Grants and \$1,875.00 from 10402 Special Capital Projects.
37. [For Possible Action](#) – Discussion, deliberation, and approval to move forward or not with the acquisition evaluation process for possible purchase of Desert Utilities, Inc., a privately owned utility company in Pahrump, NV.
38. [For Possible Action](#) – Discussion and deliberation to: 1) Approve the purchase of a current model ARJH 7500-1 Hot Product Trailer from Polar Tank Trailer, LLC. in the amount of \$69,907.00; and 2) Fund from 10250 Special Revenue Fund.
39. [For Possible Action](#) – Discussion and deliberation to: 1) Approve the purchase of a current model 259D3 track loader in the amount of \$93,867.90 from Cashman Equipment Company; and 2) Fund from 10253 Special Revenue Fund.
40. [For Possible Action](#) – Discussion and deliberation to: 1) Approve the purchase of a current model 950M loader in the amount of \$299,668.07 from Cashman Equipment Company; and 2) Approve the funding source to be determined by the Comptroller.
41. **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).**
42. **Commissioners'/Manager's Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)**
43. **ADJOURN**

#### **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](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 775-482-8192.