

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 Commissioners' Chambers, 101 Radar Road, Tonopah, Nevada 89049.

Debra Strickland, Chair  
Frank Carbone, Vice Chair  
Donna Cox, Commissioner  
Leo Blundo, Commissioner  
Bruce Jabbour, 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; Samantha Tackett, Administrative Manager; Savannah Rucker, Comptroller; Marla Zlotek, Chief Deputy District Attorney

Not Present: Sandra L. Merlino, Ex-Officio Clerk of the Board; Chris Arabia, District Attorney; Sharon Wehrly, Sheriff

Commissioners Cox and Jabbour were present via telephone.

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

The Pledge was recited.

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

There was none.

### **3. Approval of the Agenda for February 18, 2021 (Non-action item)**

Tim Sutton said item 4 could be removed from the agenda.

### **4. For Possible Action – Emergency Items**

This item was removed from the agenda.

**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.**

Diane Southworth advised Spring Mountain Raceway was having a job fair.

Angela Reinold from Faith for Action said they were a new non-profit in Pahrump and wanted to introduce themselves. She said they went into the community, the homeless camps, and to anyone else who needed assistance.

**BOARD OF COUNTY COMMISSIONERS**

**FINANCE**

**6. For Possible Action – Presentation, discussion, deliberation and direction to  
staff regarding the Nye County COVID Relief Programs:**

**6a. The Nye County COVID Relief Program, Small Business Working Capital  
Program.**

**6b. The Nye County COVID Relief Program, Small Business Personal Protective  
Equipment (PPE) Reimbursement Program.**

**6c. The Nye County COVID Relief Program, Small Business Rent/Mortgage  
Assistance Program.**

**6d. The Nye County COVID Relief Program, Public Rent/Mortgage Assistance  
Program.**

**6e. The Nye County COVID Relief Program, Public Assistance Administered by  
Non-profits Program.**

**6f. The Nye County COVID Relief Program, Direct Utility Assistance Program.**

**6g. Direction to staff to add or create other types of COVID relief assistance  
programs.**

Commissioner Blundo disclosed he was a Nye County business owner and participated in the previous County CARES program, however, he did not believe that precluded him from participating in this item as it was an entirely new item with general fund funding. In an abundance of caution, he was making this disclosure and it was to the best of his knowledge and ability.

Commissioner Strickland directed the Commissioners to the small business working capital portion of the agenda to discuss how they would like to see it look.

**6. For Possible Action – Presentation, discussion, deliberation and direction to staff regarding the Nye County COVID Relief Programs-Cont'd.**

Savannah Rucker said she and Grants Administrator Samantha Kramer spoke to the auditor this morning. He could call in at 10:45 a.m. to answer any questions the Board may have.

Commissioner Carbone understood the auditor wanted an audit trail and the depth of that audit trail needed to be determined. He mentioned the affidavit, which was not a complete deferral of the requirements, but he felt that would prevent the process from stopping if applicants did not have certain documents.

Commissioner Strickland asked the Board to look at the small business program and agree to keep the first three items – business name, business owner, and W-9.

All of the Commissioners agreed with that.

Looking at the other items listed, Commissioner Strickland asked if applicants could state those through affidavit.

Commissioner Blundo said he would also be fine with them having a State or town business license as that would verify they had an active business within a certain time period within Nye County. He asked what date the business had to be operating by.

Mrs. Kramer said how long they had to be in business was something the Commissioners could decide. In the CARES Program six months was established to allow verification of the profit and loss statement showing a decline in income from January, 2020, through March, 2020.

The Commissioners agreed the first three items as well as the State business license would remain.

Commissioner Strickland asked for comments on the payroll reporting item.

Commissioner Blundo said he personally did not like that item. He had seen documents submitted through the programs that were weaponized against certain individuals and it became an opportunity to spur different questions and lines of inquiry against hardworking people in the community. That was where he liked the affidavit, which was done in the old program, and the employee count was just part of the application.

There was no opposition from any Commissioners to removing the payroll reporting.

As to the profit and loss statements, Commissioner Strickland pointed out the definition of eligible small businesses referred to March 15, 2020. She asked the Commissioners if they wanted a different date since it was already February, 2021.

**6. For Possible Action – Presentation, discussion, deliberation and direction to staff regarding the Nye County COVID Relief Programs-Cont'd.**

Mrs. Kramer explained the business had to be established by September 16, 2019. March 15, 2020 was the day before the declaration of emergency was declared in Nevada, which was why that date was chosen.

Commissioner Strickland asked the Commissioners if today's date would start the six-month backtrack.

Commissioner Blundo asked if her intention was to attempt to focus the program on businesses still affected by COVID.

Commissioner Strickland said yes, but she also wanted to incorporate businesses that started since the inception of the original program. She wanted to go six months prior to today so any business would be eligible.

Commissioner Blundo thought that would narrow the window.

Mrs. Kramer explained every business that was established before September 16, 2019, was able to apply under CARES. Commissioner Strickland was suggesting the program be opened up to businesses that had been established longer than the last six months, or August 19, 2020, which would open it to new businesses.

None of the Commissioners opposed that change.

Commissioner Carbone said in that same line he always had a problem with the 30 employees and wondered if it should be more or less than 30.

Commissioner Blundo said somebody could apply and if they had 31 employees they would have been denied and then they would have been able to appeal to the Board.

Mrs. Kramer said under the CARES Program if they had 30 employees or less their application could be approved internally. Anyone with over 30 employees could come to the Board.

Commissioner Blundo added the reason it stayed at 30 and lower was to prevent some of the bigger employees in town that made money during the pandemic from accessing the money. He asked what employee count Commissioner Carbone would suggest.

Commissioner Carbone was suggesting more or less than 30 employees.

Commissioner Strickland asked if the second round of funding could be moved into this program as it was built.

**6. For Possible Action – Presentation, discussion, deliberation and direction to staff regarding the Nye County COVID Relief Programs-Cont'd.**

Savannah Rucker said she had not been provided guidance on how to use that funding yet.

Commissioner Strickland asked the Commissioners to think about the possibility of using this and tweaking it when that money was received. She then asked if the Commissioners agreed with 30 employees.

Commissioner Blundo thought it should be eliminated or raised to 50.

Commissioner Cox felt it should be reduced to 15 or less because it was for small businesses, not corporations.

Commissioner Carbone suggested just leaving it at 30.

Commissioner Cox made a motion to change it to 20 employees.

The motion failed for a lack of a second.

Commissioner Blundo made a motion to keep it at 30 employees; seconded by Commissioner Carbone.

Commissioner Strickland believed the way this item was agendized she did not have to take public comment until after all of the sub-items and that was what she would do.

The motion to keep it at 30 employees passed with 5 yeas.

Commissioner Strickland asked about the profit and loss statements and if the date should be changed to 2020 and 2021.

Commissioner Carbone did not think it was needed and believed the affidavit would take its place.

Commissioner Blundo said he would like a check box on the application certifying the information was true, etc.

Commissioner Cox was not sure it should be asked for at all because a lot of small businesses did not do profit and loss statements.

Commissioner Jabbour said the affidavit sounded great, but he wanted to hear from Dan McArthur on that issue.

**6. For Possible Action – Presentation, discussion, deliberation and direction to staff regarding the Nye County COVID Relief Programs-Cont'd.**

Commissioner Blundo made a motion to remove the profit and loss statement requirement and have a check box in the form of an affidavit on the application that they were affected by COVID; seconded by Commissioner Carbone; 5 yeas.

Commissioner Strickland did not feel the use of grant funds needed to be discussed and it should remain, which the other Commissioners agreed to.

Commissioner Blundo said businesses would typically apply for more than one program and wondered if the programs could be lumped together, i.e., working capital could be used for all different things such as PPE.

Commissioner Strickland felt the problem was how much money an applicant could get was already defined.

Mrs. Kramer said she knew \$1.9 million was available, but the allocation to each category had not been defined.

Commissioner Strickland liked that once they were defined as a small business they could apply for everything under that.

Mrs. Kramer said if the Commissioners would like to separate the programs and apply under a working capital grant along with a separate PPE and a separate rent program that could be done. The applicant just had to be aware that if they were purchasing PPE or applying for rental assistance the use of those grant funds could not be in the working capital agreement.

Commissioners Jabbour and Cox liked it also.

Dan McArthur was present via telephone. He believed the County Commission and the County was in a position where they needed to have controls in place to ensure they controlled the possibilities of waste, fraud, or abuse. If documentation was not present to support the purpose of a grant to a particular business other than just the fact they were in business he did not believe the County had the necessary documentation. Every grant he had ever seen always required accountability and there needed to be accountability with this program. As to the affidavit, which was basically a contract stating what they said was true, Mr. McArthur felt there would still be a lack of documentation to validate that statement.

Commissioner Strickland mentioned how documentation could be manipulated and she felt a notarized affidavit was stronger.

Mr. McArthur said the affidavit was a great document and felt there needed to be one stating that they were or had used the money properly. He would anticipate there would

**6. For Possible Action – Presentation, discussion, deliberation and direction to staff regarding the Nye County COVID Relief Programs-Cont'd.**

be additional documentation to support the affidavit just like when the County was involved in a grant. The County signed an affidavit and then had to follow-up showing they used it appropriately.

Commissioner Blundo said the County was trying to help businesses with the surplus and since it was free money no follow-up was really needed.

Mr. McArthur asked if a business wanted to ask for a \$10,000.00 grant would it have to meet any requirements to get that money or would the County just give the money to them.

Commissioner Strickland said they had to provide a business name, address, and point of contact, a copy of the owner's driver's license, a W-9, a State business license and/or a Pahrump business license if applicable, and a statement of the use of the grant money.

Commissioner Cox added any businesses up to 30 employees could apply.

Commissioner Strickland said they also had to be in business since August 19, 2020.

Mr. McArthur asked if this was almost like a donation then.

Commissioner Strickland stated it was a grant. She asked if the County was administering these grants through the general fund correctly.

Mr. McArthur said if the County was giving grants to be used for specific expenditures then he would think there would be the additional requirement of showing documentation that they spent the money on those specific expenditures. He said his motion would be that participants must provide supporting documentation to the County as to the actual expenditure of the money, whether for utilities, rent or payroll. Mr. McArthur realized it would be after the fact, but if the money was not spent in those particular parameters then the money would have to be returned.

Commissioner Cox made a motion to incorporate what Mr. McArthur said; seconded by Commissioner Jabbour; 3 yeas. Commissioners Blundo and Carbone voted nay.

Commissioner Strickland then turned to the PPE and having it fall under each of the programs. She asked if that was how the Commissioners wanted to see it administered moving forward.

**6. For Possible Action – Presentation, discussion, deliberation and direction to staff regarding the Nye County COVID Relief Programs-Cont'd.**

Mrs. Kramer said how to the administer the funding would need to be identified, whether it was going to be a separate pot of money or just the working capital program and allow PPE as an eligible expenditure under that program.

Commissioner Blundo made a motion to put it all in one program; seconded by Commissioner Carbone.

Mrs. Kramer confirmed the Board was combining the PPE program and the rental program to the working capital program and under the use of grant funds there would be the option for PPE.

The motion to put it all in one program passed with 5 yeas.

Commissioner Strickland asked if there was any reason to have any special requirements for PPE other than to turn in receipts.

None of the Commissioners wanted changes to those requirements.

Moving on to the rent/mortgage assistance program, Commissioner Strickland said the requirement removed before needed to be removed here and the landlord W-9 needed to stay.

Commissioner Blundo made a motion to include the landlord W-9 so they could get paid and the statement of delinquent rent/mortgage for business; seconded by Commissioner Carbone.

Mrs. Rucker clarified with the working capital they were essentially cutting a check to the business and they would report how they used those funds. She did not think they needed the landlord's information, just a check showing the recipient paid rent with it.

Commissioner Blundo withdrew his motion; Commissioner Carbone withdrew his second.

The Commissioners decided to not have any special requirements for the rent/mortgage assistance.

Commissioner Blundo wanted to remove the language that federally legal businesses could apply, including brothels.

Mrs. Kramer suggested "Nye County legal businesses."

Commissioner Blundo made a motion to change the language to "Nye county legal businesses"; seconded by Commissioner Carbone; 5 yeas.

**6. For Possible Action – Presentation, discussion, deliberation and direction to staff regarding the Nye County COVID Relief Programs-Cont'd.**

Marla Zlotek advised under the Open Meeting Law public comment must be taken before action. The motions made were clearly action without public comment. She said it could be corrected by rescinding the motions made.

Commissioner Blundo rescinded all motions made; Commissioner Carbone rescinded his seconds.

Commissioner Strickland was not present.

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

Linda Mayfield asked that not-for-profit be added so their member-owned RV park would be eligible to apply for PPE at a minimum.

Fred Alae said limited partnerships did not have W-9s. All money went to the partner and the partner reported it on their tax form 1045. Charities also did not have W-9s as they did not want employment reports or profit and loss reports. He then asked if he could apply for funding to replace a broken door and equipment stolen from his Tonopah business property.

Commissioner Strickland was present.

The motion to rescind all motions made passed with 5 yeas.

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

Commissioner Blundo made a motion to incorporate everything discussed during the workshop for the small business programs; seconded by Commissioner Carbone.

Hunter DeMarais felt it was important for the Commissioners and other parties involved to see the larger picture. With the money that would be coming standards and criteria needed to be set for the future. He said a lot of businesses were not run properly and did not do correct recordkeeping. He suggested the Commissioners consider empowering the businesses that worked hard to do it the right way and go from there.

Linda Mayfield said they were a local, member-owned RV park in town and asked for not-for-profit be added to make applying for at a minimum PPE funds easier for them.

Mrs. Kramer said she could include that in the definition.

Commissioner Carbone asked to have charities added as well.

**6. For Possible Action – Presentation, discussion, deliberation and direction to staff regarding the Nye County COVID Relief Programs-Cont'd.**

Commissioner Blundo amended his motion to incorporate everything discussed during the workshop for the small business programs and add not-for-profits and charities; Commissioner Carbone amended his second; 5 years.

Commissioner Strickland then turned the discussion to the public rent/mortgage assistance program.

Commissioner Blundo asked what staff was looking for to prove residency.

Mrs. Kramer said it could be a utility bill, driver's license, or their statement to prove they lived in Nye County. She also explained under this program the payment was made on the applicant's behalf to the landlord or mortgage company.

Commissioner Blundo asked how alternate payments would be addressed, like a credit card.

Mrs. Kramer said she could add verbiage from the CARES Policy. The applicant would have to provide the credit card statement showing the payment was made, so they would need the landlord's statement and the credit card statement. Then they would cut a check to the applicant and not to the landlord.

Commissioner Blundo asked for an explanation regarding loss of hours or job loss.

Mrs. Kramer said they allowed individuals to be eligible for funding under this program whose employers reduced their number of hours which resulted in them not being able to make their payments because they were not working 40 hours. A statement from the employer was required. The applicant could also use their unemployment claim to support a job loss.

Commissioner Blundo asked about the requirement for the 2019-2020 profit and loss statements from the business owner.

Mrs. Kramer said that was just to verify there was a loss. If their main source of income was their business, the profit and loss statement would show that income shortfall.

Commissioner Carbone suggested using the same process being used with the affidavit. The grant also required the applicant to show what they spent the money on.

Mrs. Kramer asked if the affidavit would be just for the business owners or those individuals who had a loss of hours or job loss as well.

**6. For Possible Action – Presentation, discussion, deliberation and direction to staff regarding the Nye County COVID Relief Programs-Cont'd.**

Commissioner Blundo mentioned people could apply under different programs. A business owner may apply for all programs, but a non-business owner would only apply for 8.d., 8.e. and 8.f.

Commissioner Strickland asked if an application could be built like the application being built for the small business working capital that also took into the account the public needs, which was rent/mortgage assistance, non-profit programs, charities, not-for-profit, and utilities assistance.

Commissioner Blundo pointed out item 8.e. would be a separate program because it was for the non-profits.

Mrs. Kramer said under item 8.f., they would work with the utility companies to confirm that loss due to COVID. They would be responsible for contacting the customer to confirm that and then get the paperwork together to submit to the County. The check would then be cut to the utility company.

Commissioner Strickland still wanted working capital, PPE, rent/mortgage and utilities under the small business program.

Mrs. Kramer said the small business working capital program was just working capital. Eligible expenditures would include, but not be limited to, rent, utilities, PPE, inventory, and payroll. Their use of grant funds would identify where they planned on spending those granted dollars.

Commissioners Carbone and Blundo still had concerns with the unemployment documentation statement for the business owners.

Mrs. Kramer said she believed the profit and loss statements were sufficient to prove the need due to COVID, but if the Commissioners had another idea she was all ears.

Commissioner Strickland wondered if the affidavit would suffice.

Commissioner Carbone thought it had been established that this would be a grant and documentation would be required to support what they spent the money on.

Commissioner Blundo felt the affidavit would work and that was what he supported.

Mrs. Rucker said if the business was already making an affidavit on the small business policy they would want to mirror that so it was consistent. The submission of back-up proving that they paid their rent payment she thought would be sufficient.

**6. For Possible Action – Presentation, discussion, deliberation and direction to staff regarding the Nye County COVID Relief Programs-Cont'd.**

The Commissioners discussed the public assistance administered by non-profits program. Staff was directed to add charity and not-for-profit to the program.

Mrs. Rucker explained this program was to administer assistance to the public like Nye Communities Coalition.

Commissioner Carbone felt there was a lack of applications previously because people did not know about it.

Mrs. Kramer said in the previous CARES program people were able to apply on-line. The process they would like to do now was a one-sheet page to give an applicant a guideline of what the Commissioners wanted to see. They would make a presentation during a regular scheduled Commission meeting and the Commissioners would decide.

As to the direct utility assistance program, Commissioner Blundo said he wanted to keep the program consistent with what had been discussed along with the loans, credit cards, etc.

Mrs. Rucker said in her thought process direct utility assistance would be for past due bills and the public assistance would be for the public to ask for help to not be past due. Also, there would be a list from the utility showing a past due balance for people in the County and the check would be cut directly to the utility.

Commissioner Strickland asked if the utility company initiated that.

Mrs. Kramer said the utility company would contact the customer and verify they were past due because of COVID and then put them on the list.

Commissioner Blundo felt that did not address the individuals who took out loans or used their credit cards to not be late with their payments.

Mrs. Kramer suggested having a separate program for loans and credit cards payments made due to COVID. They would just need to provide the loan document to verify a loan was taken out which would allow payment to be made to them rather than the utility company.

Commissioner Strickland suggested an attestation by the customer with a paper trail that showed they used other vehicles to pay.

Mrs. Rucker said if they did that it would be done through the public side, not the direct utility assistance. Direct utility was just for the utility.

Commissioner Blundo said that needed to be added to the other program.

**6. For Possible Action – Presentation, discussion, deliberation and direction to staff regarding the Nye County COVID Relief Programs-Cont'd.**

Mrs. Kramer said she would add to the public rent, mortgage and utility program that payments made through a loan or credit cards could be reimbursed. She asked if the Commissioners would like to have a loan document to verify a loan was taken out.

Commissioner Strickland felt all that was needed was a handwritten document showing that was done.

Commissioner Blundo wanted to add trash and internet to the program, which all Commissioners agreed with.

Commissioner Blundo wanted it to be clear that if an individual had a challenge getting information from the utility company they could appeal to the Commissioners.

The Commissioners had no other direction to give to staff.

Kathy McKenna, the executive director for the Nevada Outreach Training Organization, said they had applied for a lot of grants to help people with rental and utility assistance. Unfortunately they had no grants to help with mortgage assistance. She thought one of the items was asking for help from the non-profits to administer the program of rent and mortgage assistance. Ms. McKenna stated they did not fill out the application before because it seemed longer than their application for CARES funding. Also, if the Board paid directly to the utility company or to a renter, if her organization did not know the County did that they could be paying the same amount. She said coordination was key.

Mrs. Rucker said they could be given access to the on-line applications so they could check for that.

Hunter DeMarais asked if there would be separate limits for businesses and the public for grants. He suggested obtaining a credit report as well.

**7. For Possible Action – Presentation, discussion, deliberation and direction to staff regarding the service and supply budget calculation for Nye County General Fund (10101) departments.**

Savannah Rucker said a full assessment of each general fund department was done. In past fiscal years many departments ended the year with more budget than necessary while others had always been over. The goal was to reallocate the general fund budget for services/supplies in future budget years based on department needs using existing data and a new budget formula. Mrs. Rucker reviewed the history of how the budget was developed since her tenure as well as the formula she would like to use moving forward.

**7. For Possible Action – Presentation, discussion, deliberation and direction to staff regarding the service and supply budget calculation for Nye County General Fund (10101) departments-Cont'd.**

Commissioner Blundo made a motion to adopt the services and supplies fund budget calculation as presented; seconded by Commissioner Carbone; 5 yeas.

**8. 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.**

There was none.

**9. ADJOURN**

Commissioner Strickland adjourned the meeting.

APPROVED this 6<sup>th</sup> day

ATTEST:

Of April, 2021.

  
Chair

  
Nye County Clerk / Deputy