



**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**

**101 Radar Road, Tonopah, NV 89049**

**April 5, 2022**

**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 April 5, 2022 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 April 5, 2022 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**

**April 5, 2022**

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 775-482-8191 prior to the meeting.

1. **Pledge of Allegiance**
2. **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).**
3. **Commissioners'/Manager's Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)**
4. **Approval of the Agenda for April 5, 2022 (Non-action item)**
5. **For Possible Action – Emergency Items**
6. [For Possible Action](#) – Discussion and deliberation regarding meeting minutes from the joint regular meeting on February 15, 2022, and teleconference on February 22, 2022.

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

### **TIMED ITEMS**

7. **10:00 a.m.** – [Presentation](#) of certificates and/or plaques to three employees honored for their years of service.
8. **10:00 a.m.** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation pursuant to NRS 244.360 on a complaint alleging the existence of a nuisance located at 1130 China Street, Pahrump, Nevada, and adopt, amend and adopt, or reject Nye County Resolution No. 2022-07: A Resolution Finding Nuisance Conditions Do Exist, or Nye County Resolution No. 2022-08: A Resolution Finding Nuisance Conditions Do Not Exist.
9. **10:00 a.m.** – [For Possible Action](#) – **Public Hearing** on results of Public Works identification and determination of improved roads and streets maintained by Nye County as of December 31, 2021, for the purposes of compliance with Nevada Revised Statutes Chapter 365.550 Paragraph 8 regarding Proceeds of Tax Levied pursuant to NRS 365.180; and other matters properly related thereto.
10. **10:00 a.m.** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2022-09: A Resolution to Augment and Amend the 2021-2022 Budget of Nye County, State of Nevada.

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

11. [For Possible Action](#) – Discussion and deliberation regarding General Road Report by Public Works Director on General Road Maintenance, Gravel Road Maintenance, Asphalt Patching, Weed Mowing and direction regarding public work projects.

# NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

April 5, 2022

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

12. [For Possible Action](#) – Discussion and deliberation to: 1) Discuss the bid proposal received for Bid No. 2022-01 Pahrump Valley Fire Rescue Signage; 2) Award Bid No. 2022-01 to Blink Marketing, Inc. DBA Blink Signs in the amount of \$172,248.40; 3) Approve, amend and approve or reject the contract with selected bidder; 4) Fund from 10340 Grants; or 5) Reject bid and provide direction to staff on how to proceed with the project.

## SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWNS OF BEATTY, BELMONT, GABBS, MANHATTAN, AND RAILROAD VALLEY

### MANHATTAN

13. **10:00 a.m.** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation to adopt, amend and adopt, or reject Town of Manhattan Resolution No. 2022-01: A Resolution to Augment and Amend the 2021-2022 budget of the Town of Manhattan, County of Nye, State of Nevada.

## 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.**

14. [For Possible Action](#) – Approval of an Assessor’s Office Change Request to allow the Nye County Assessor to process and:
- 1) Issue an amended tax bill in the amount of \$0.00 to Select Event Group, Inc., owner of EQ106124 formerly located at 1910 E. Basin Ave., Pahrump, NV, Assessor’s Parcel Number 035-191-53.
15. [For Possible Action](#) – Approval to: 1) Accept the no-cost Grant Extension No. 2 for the Pahrump Fairgrounds Water and Well System Project 20/PF/14 through the State of Nevada, Community Development Block Grant (CDBG) Program to provide 6 months additional time for the construction and completion of the Water and Well System by September 30, 2022; and 2) Execute Grant Extension No. 2.
16. [For Possible Action](#) – Approval to: 1) Accept the no-cost Federal Fiscal Year 2022 State of Nevada Recreational Trails Program - Nye County OHV Adventure Trails Upgrades grant award # 2020-07 amendment and the Federal Fiscal Year 2021 Recreational Trails Program – Pahrump to Tonopah Offroad Trail Phase 1 Grant Award # 2021-06 amendment to extend the grant period through December 31, 2023 for completion of both projects; and 2) Execute the grant award documents.
17. [For Possible Action](#) – Approval of the quarterly update report for major construction projects within Nye County that includes the Animal Shelter, One Stop Shop, Siemens Energy Project, Tonopah Justice Court Remodel, and the Pahrump Shooting Range projects.

## BOARD OF COMMISSIONERS

18. [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.

## NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

April 5, 2022

19. Closed meeting, pursuant to NRS 241.015(3)(b)(2) for purposes of conferring with legal counsel regarding potential or current litigation.
20. For Possible Action – Discussion and deliberation on conference with legal counsel regarding potential or current litigation presented in closed meeting.
21. 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.
22. 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.
23. For Possible Action – Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.
24. [For Possible Action](#) – Discussion and deliberation regarding Nye County Proclamation P2022-01: A Proclamation Recognizing March as Women’s History Month in Nye County.
25. [For Possible Action](#) – Discussion and deliberation to approve or amend and approve a letter to Bank of America regarding the closure of the Pahrump, Nevada branch

### SHERIFF

26. [For Possible Action](#) – Discussion and deliberation to issue a Display Fireworks Event Permit to the Town of Tonopah to do an Aerial Display for their annual Fourth of July Event on Monday, July 4, 2022. This event is being held at the Joe Friel Sports Complex in Tonopah, NV. Jennifer Mills – Applicant.
27. [For Possible Action](#) – Discussion and deliberation to: 1) Approve, amend and approve, or reject a Contract No. FA8240-22-PR020 between the Department of the Air Force, Directorate of Contracting and Nye County for the purposes of providing law enforcement services to the National Test and Training Range Security Forces in the amount of \$182,325.00; 2) Execute the Contract; and 3) Deposit funds into 10340 Grants.

### COUNTY MANAGER

28. [For Possible Action](#) – Discussion and deliberation to recommend Community Project Funding requests to submit to congress for the Fiscal Year 2023 (October 1, 2022 – September 30, 2023) appropriations process.
29. [For Possible Action](#) – Discussion and deliberation regarding approval to: 1) Send a letter to the State Engineer concerning the water basin health of 162 and 230; and 2) Request a preemptive notification to solar applicants prior to making applications.

### FINANCE

30. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject budget transfer of appropriations between functions within Nye County General Fund 10101.
31. [For Possible Action](#) – Discussion and deliberation regarding the budget status through February Fiscal Year 2022 and future projections for the Nye County Jail Fund 10236.

**NYE COUNTY BOARD OF COMMISSIONERS AGENDA**

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**April 5, 2022**

- 32. [For Possible Action](#) – Discussion and deliberation for additional funding from the Nye County General Contingency Fund not to exceed \$23,500.00 for the purpose of funding unbudgeted legal counsel from Marquis Aurbach Coffing, currently handling employee-related arbitration hearings and civil litigation matters for Nye County.
- 33. [For Possible Action](#) – Discussion and deliberation to: 1) Approve, amend and approve, or reject a Memorandum of Understanding (MOU) DE-GM22NA25546 between the U.S. Department of Energy, National Nuclear Security Administration, Nevada Field Office and Nye County for the purpose of formalizing the working relationship between the parties and to provide law enforcement or emergency services equipment and personnel of the supporting party; 2) Approve, amend and approve, or reject the Annual Operating Plan (AOP) between the U.S. Department of Energy, National Nuclear Security Administration and Nye County Department of Emergency Management; 3) Approve, amend and approve, or reject the Annual Operating Plan (AOP) between the U.S. Department of Energy, National Nuclear Security Administration and Nye County Sheriff’s Office; 4) Execute the Agreement. The MOU and AOP’s will not obligate any funds.
- 34. [For Possible Action](#) – Discussion and deliberation to ratify the County Manager, Tim Sutton’s acceptance of the Federal Fiscal Year 2020 Subaward Amendment No. 1 to the Victim of Crime Act (VOCA) grant award # 16575-20-038 through the State of Nevada Department of Health and Human Services, Division of Child and Family Services (DHHS) to waive the county match amount of \$7,884.00 and grant a one-month extension until July 31, 2022.

**PLANNING/BUILDING/CODE COMPLIANCE**

- 35. [For Possible Action](#) – Discussion and deliberation to: 1) Approve, amend and approve, or reject an Interlocal Contract between Nevada Division of Environmental Protection (NDEP) and Nye County, Nevada, including Attachment A (Scope of Work) and Attachment B (additional terms), relating to funds collected by NDEP from KMI Zeolite, Inc. to be used for Nye County-Pahrump Valley Air Quality Fugitive Dust Compliance and Enforcement; 2) Execute the contract; and 3) Deposit funds into 10101 General Fund.

**PUBLIC WORKS**

- 36. [For Possible Action](#) – Discussion and deliberation to: 1) Discuss the bid proposals received for Bid No. 2022-04 Pahrump Valley Boulevard; 2) Award Bid No. 2022-04 Pahrump Valley Boulevard to Las Vegas Paving Corporation in the amount of \$3,088,000.00 or Wulfenstein Construction Company, Inc. in the amount of \$2,823,219.86; 3) Approve, amend and approve or reject the contract with selected bidder; 4) Fund from 10205 Road ; or 5) Reject bid and provide direction to staff on how to proceed with the project.

**PUBLIC PETITIONER**

- 37. [For Possible Action](#) – Discussion and deliberation regarding Nye County Proclamation P2022-02: A Proclamation in Support of May-October 2022 as Nevada Wildfire Awareness Campaign.
- 38. **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).**
- 39. **Commissioners'/Manager's Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)**

## NYE COUNTY BOARD OF COMMISSIONERS AGENDA

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April 5, 2022

### 40. 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