



**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

May 17, 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. 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 May 17, 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 May 17, 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 Brougher 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

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

May 17, 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

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. 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 May 17, 2022 (Non-action item)**
- 5. For Possible Action – Emergency Items**

SITTING AS THE BOARD OF COUNTY COMMISSIONERS

TIMED ITEMS

- 6. 10:00 a.m. – [Presentation](#) of the 3rd Quarter of Fiscal Year 2021-2022 by Hayley Maio, Extension Educator for Southern Nye County and Misha Allen, Extension Educator for Northern Nye County.**
- 7. 10:00 a.m. – [For Possible Action](#) – **Continued Public Hearing**, discussion, and deliberation to issue an Outdoor Festival License to Douglas Dubin for the Pahrump Balloon Festival to be held November 11-13, 2022, at Petrack Park, 150 N. Highway 160, Pahrump, NV.**
- 8. 10:00 a.m. – [For Possible Action](#) – **Public Hearing**, discussion and deliberation on ZCMP-22-3: An application for a Conforming Zone Change to change approximately 82.44 acres from Specific Plan (SP) to 74.03 acres of Rural Homestead (RH-4.5) and 8.41 acres of General Commercial (GC) on property located at 4500 N. Blagg Rd, Pahrump, NV, Assessor's Parcel Number 043-141-12. Harris, Ltd. – Property Owner. Dan Harris – Applicant.**
- 9. 10:00 a.m. – [For Possible Action](#) – **Public Hearing**, discussion and deliberation to abandon and relinquish back to D.R. Horton, Inc. a Delaware Corporation, 5.00 foot of Right-of-Way (ROW) of the interior street ROW's, East Celebrate Ranch Way and North Shaded Canyon Dr. for Assessor's Parcel Numbers (APN) 035-671-06 through 035-671-11, 035-672-02 through 035-672-07, 035-672-10 through 035-672-17, 035-673-02 through 035-673-08, 035-673-11 through 035-673-17, 035-681-01 through 035-681-17, 035-682-02 through 035-682-08, 035-682-11 through 035-682-17, 035-683-02 through 035-683-08, 035-683-11 through 035-683-17, 035-671-02 through 035-671-05 and the portion of the ROW E. Celebrate Ranch Way to be abandoned to the Northern Line of APN 035-671-06, 035-674-02 through 035-674-12, 035-681-17 through 035-681-19 and the portion of the ROW for N. Shaded Canyon Dr. to be abandoned to the East line of APN 035-681-16, 035-672-01, 035-672-08, 035-672-09, 035-672-18, 035-673-01, 035-673-09, 035-673-10, 035-673-18, 035-682-01, 035-682-09,**

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

May 17, 2022

035-682-10, 035-682-18, 035-683-01, 035-683-09, 035-683-10, 035-683-18, 035-671-01, 035-674-01, 035-674-13, 035-681-20 located within the Town of Pahrump, Nye County, Nevada.

SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

- 10. [For Possible Action](#) – Discussion and deliberation to adopt Town of Pahrump Proclamation P2022-01: A Proclamation Recognizing August 7, 2022 as Purple Heart Day in the Town of Pahrump.
- 11. [For Possible Action](#) – Discussion and deliberation regarding a request to set a date, time, and location for a Public Hearing to formally adopt the Fiscal Year 2022-2023 final budget for the Town of Pahrump.

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

BEATTY

- 12. [For Possible Action](#) – Discussion and deliberation regarding a request to set a date, time, and location for a Public Hearing to formally adopt the Fiscal Year 2022-2023 final budget for the Town of Beatty.

GABBS

- 13. [For Possible Action](#) – Discussion and deliberation regarding a request to set a date, time, and location for a Public Hearing to formally adopt the Fiscal Year 2022-2023 final budget for the Town of Gabbs.

MANHATTAN

- 14. [For Possible Action](#) – Discussion and deliberation regarding a request to set a date, time, and location for a Public Hearing to formally adopt the Fiscal Year 2022-2023 final budget for the Town of Manhattan.

AS THE BOARD OF TRUSTEES FOR THE PAHRUMP POOL DISTRICT

- 15. [For Possible Action](#) – Discussion and deliberation regarding a request to set a date, time, and location for a Public Hearing to formally adopt the Fiscal Year 2022-2023 final budget for the Pahrump Pool District.

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.

- 16. [For Possible Action](#) – Approval of the meeting minutes from the joint regular meeting on April 5, 2022, and emergency teleconference on April 11, 2022.
- 17. [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.
- 18. [For Possible Action](#) – Approval to set the date and location for the second Board of Commissioners meeting in August for Tuesday, August 16, 2022, in Pahrump, NV.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

May 17, 2022

19. [For Possible Action](#) – Approval of Assessor’s Office Change Requests to allow the Nye County Assessor/Treasurer to process and:
 - 1) Issue a refund in the amount of \$750.33 to Nathan & Terri Jo Hook, owners of 3330 Vanguard Ave., Pahrump, NV, Assessor’s Parcel Number 040-542-05.
20. [For Possible Action](#) – Approval to: 1) Accept the Federal Fiscal Year 2021 Emergency Management Performance Grant (EMPG), Award # EMF-2021-EP-00005-S01 through the State of Nevada Department of Public Safety, Division of Emergency Management in the amount of \$60,519.00 with a County Match of \$60,519.00 for 50% of the Personnel costs of the Director of Department of Emergency Management for the grant period effective September 1, 2020 – September 30, 2022; 2) Delegate a one-time authorization to Comptroller Savannah Rucker to execute the award documents through the online portal; and 3) Fund \$60,519.00 from Grants 10340, and \$60,519.00 from General fund 10101.
21. [For Possible Action](#) – Approval to: 1) Accept the Federal Fiscal Year 2021 Emergency Management Performance Grant - American Rescue Plan Act (ARPA EMPG) Award # EMF-2021-EP-00013-S01 through the State of Nevada Department of Public Safety, Division of Emergency Management in the amount of \$17,048.00 with a County Match of \$17,048.00 to construct and install a storage building for the Department of Emergency Management; 2) Delegate a one-time authorization to Comptroller Savannah Rucker to execute the award documents through the online portal; and 3) Fund \$17,048.00 from Grants 10340, and \$17,048.00 from General fund 10101.
22. [For Possible Action](#) – Approval to: 1) Allow the Town of Tonopah to proceed without further solicitation for Contract PWP-NY-2022-188 for the Community Development Block Grant (CDBG) award #CDBG-CV 21/PF/07 for the Town of Tonopah Union Plaza/Events Plaza and Convention Center Parking Project. There is no cost to the County.

BOARD OF COMMISSIONERS

23. 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.
24. Closed meeting, pursuant to NRS 241.015(3)(b)(2) for purposes of conferring with legal counsel regarding potential or current litigation.
25. For Possible Action – Discussion and deliberation on conference with legal counsel regarding potential or current litigation presented in closed meeting.
26. 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.
27. 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.
28. For Possible Action – Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

May 17, 2022

- 29. [For Possible Action](#) – Discussion and deliberation regarding Nye County Proclamation P2022-04: A Proclamation in support of proclaiming the month of May as Military Appreciation Month in Nye County.
- 30. [For Possible Action](#) – Discussion and deliberation to: 1) Relocate the Fifth Judicial District Departments 1 and 2, courtrooms and staff from the Ian Deutch Government Complex in Pahrump and the William P. Boko Justice Complex in Tonopah to locations determined by the Board of County Commissioners; and 2) Establish a timeline for the relocation.

CLERK

- 31. [For Possible Action](#) – Discussion and deliberation to: 1) Appoint one member to the Nye County Parks and Recreation Advisory Board due to a resignation from the following is list of applicants: Holly Merritt; or 2) Readvertise for the appointment.

COUNTY MANAGER

- 32. [For Possible Action](#) – Discussion and deliberation to accept or reject any or all bids for Resolution No. 2022-05: A Resolution of Intent to Sell county-owned property, specifically identified as 1501 and 1503 E. Calvada Blvd, Pahrump NV, Assessor’s Parcel Number 042-041-35, located in Section 23 and 26, Township 20 South, Range 53 East, F#173521 P.1B 3.83 Acres Calvada Valley Unit 3, more commonly known as Pahrump Medical Center.
- 33. [For Possible Action](#) – Discussion and deliberation regarding approval to provide Program Funding to the Disabled American Veterans (DAV) Chapter 15 in the amount of \$4,600.00 to fund the Veteran Service Officer’s (VSO) office located in the Lobby of the Desert View Hospital to be funded by 10210 Veterans Services fund.
- 34. [For Possible Action](#) – Discussion and deliberation regarding approval to provide Program Funding to Pahrump Valley Public Transportation, VETrans program in the amount of \$15,000.00 to provide transportation services specifically for Veterans to be funded by 10210 Veterans Services fund.

FINANCE

- 35. [For Possible Action](#) – Discussion and deliberation regarding the budget status for March 2022 for Nye County and all sub-entities for Fiscal Year 2022.
- 36. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2022-21: A Resolution Authorizing Transfer of Funds into the Pahrump Landfill Closure and Post Closure Trust Fund.
- 37. [For Possible Action](#) – Discussion and deliberation regarding a request to set a date, time, and location for a Public Hearing to formally adopt the Fiscal Year 2022-2023 final budget for Nye County.

PLANNING/BUILDING/CODE COMPLIANCE

- 38. [For Possible Action](#) – Discussion and deliberation to approve an application for an Adult Use Cannabis License (Retail Store/Dispensary) CBL-21-151 for Nevada Organic Remedies, dba The Source, located at 2370 S. Homestead Road, Pahrump, NV. Assessor’s Parcel Number 042-312-14. Nevada Organic Remedies, LLC. / Brandon Wiegand, Chief Commercial Officer – Applicant.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

May 17, 2022

39. [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. 2022-04: A Bill proposing to amend Nye County Code Title 17, Comprehensive Land Use Planning and Zoning, by adding Chapter 17.13 entitled Special Use Permits, to establish land use and permitting requirements applicable to certain types of land uses including definitions, special uses requiring special use permits, applications, grounds for suspension and revocation, and time limitations, 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.
40. [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. 2022-05: A Bill proposing to amend the International and Uniform Building and Construction Codes Effective Within Nye County as set forth in Nye County Code Chapter 15.16.010, pertaining to the requirement for automatic sprinkler systems in new buildings and structures; 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.

PUBLIC WORKS

41. [For Possible Action](#) – Discussion and deliberation to approve the Nye County Public Works Department to enter into negotiation and voluntary acquisition for fair market value by Nye County of certain portions of real property necessary for the Nevada Federal Lands Access Program (NFLAP) project to improve access to the Ash Meadows National Wildlife Refuge and Death Valley National Park along Bob Ruud Memorial Highway and Bell Vista Avenue from SR-160 (MP 0) to the California Stateline (MP 21), including authorization for hiring appraisers, surveyors, and other professionals necessary to acquire such property.
42. [For Possible Action](#) – Discussion and deliberation to: 1) Approve retaining the service of Steven M. Silva of Nossaman LLP to serve as outside counsel to provide legal advice in relation to the possible acquisition of real property as part of Nevada Federal Lands Access Program (NFLAP) project to improve access to the Ash Meadows National Wildlife Refuge and Death Valley National Park along Bob Ruud Memorial Highway and Bell Vista Avenue from SR-160 (MP 0) to the California Stateline (MP 21); 2) authorize the Nye County District Attorney to execute an attorney engagement letter with Steven M. Silva of Nossaman LLP on behalf of Nye County with a budget not to exceed the amount of \$7,500.00; and 3) Fund from 10205 Road Fund.
43. [For Possible Action](#) – Discussion and deliberation to approve the amended Airport Capital Improvement Plan (ACIP) data sheets and support information for the Beatty Airport for Fiscal Years 2023 through 2027.
44. [For Possible Action](#) – Discussion and deliberation to approve the proposed Fiscal Year 2022-2023 Regional Transportation Commission (RTC) budgets.
45. [For Possible Action](#) – Discussion, deliberation to set a date, time, and location for a Public Hearing on the results of Public Works identification and determination of improved roads and streets maintained by Nye County during Calendar Year 2020 for the purposes of compliance with NRS Chapter 365.550 with respect to Proceeds of Tax Levied pursuant to NRS 365.180; and other matters properly related thereto.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

May 17, 2022

PUBLIC PETITIONER

46. [For Possible Action](#) – Discussion and deliberation regarding Nye County Proclamation P2022-05: A Proclamation Recognizing August 7, 2022 as Purple Heart Day in Nye County.
47. **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).**
48. **Commissioners'/Manager's Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)**
49. **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 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