



**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**

**June 6, 2023**

**10:00 a.m.**

**Subject to technical difficulties, people may 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 meeting is also viewable at [www.nyecountynev.gov](http://www.nyecountynev.gov). There is a 30 to 40 second delay between the in-person meeting 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 June 6, 2023 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 June 6, 2023 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**

**June 6, 2023**

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. Commissioner/Manager Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)**
- 4. Approval of the Agenda for June 6, 2023 (Non-action item)**
- 5. For Possible Action – Emergency Items**

## SITTING AS THE BOARD OF COUNTY COMMISSIONERS

### TIMED ITEMS

- 6. 10:00 a.m. – [Presentation](#)** by Tyson Falk regarding an update on the development of the Rhyolite Ridge Lithium/Boron project. (10-minute time limit)
- 7. 10:00 a.m. – [Presentation](#)** by Diane Arvizo with Nevada Rural Housing Authority, regarding program status, outcome results, a budget status report and future goals pursuant to the Nye County American Rescue Plan Act (ARPA) Recovery Plan and Policy: Public Health Assistance-Affordable Housing Grant. (10-minute time limit)
- 8. 10:00 a.m. – [For Possible Action](#) – Public Hearing**, discussion and deliberation to issue an Outdoor Festival License to the Town of Pahrump for the Pahrump Fall Festival to be held September 21-24, 2023, at Petrack Park located at 150 N. Highway 160, Pahrump, NV.

## SITTING AS THE NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS

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

## SITTING AS THE NYE COUNTY LICENSING AND LIQUOR BOARD

### LIQUOR

- 10. [For Possible Action](#)** – Discussion and deliberation to approve a Temporary Package Liquor License for Best Gamebird Investments, LLC., dba Gamebird Circle K located at 2980 E. Gamebird Rd., Pahrump, NV. Mahendra Patel and Iqbal Hussain, owners/applicants.

**NYE COUNTY BOARD OF COMMISSIONERS AGENDA**

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- 11. [For Possible Action](#) – Discussion and deliberation to approve a Temporary Retail Liquor License for MSTRB, LLC., dba The Venue, located at 6201 N. Seibt Dr., Pahrump, NV. Michael Tsunis, applicant.
- 12. [For Possible Action](#) – Discussion and deliberation to approve a Temporary Retail Liquor License for Bolton Wine Group., dba The Wine Down, located at 250 S. Highway 160, Suite 8, Pahrump, NV. Joelle and Robert K. Bolton, applicants.

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

- 13. [For Possible Action](#) – Discussion and deliberation to: 1) Appoint two members and one alternate to the Pahrump Arena Advisory Committee from the following list of applicants: Kamaljit Singh Mann, Steve Pastorelli and Loyce Seastrunk; and/or 2) Direct staff to re-advertise for the appointment.
- 14. [For Possible Action](#) – Discussion and deliberation to: 1) Appoint two members to the Pahrump Nuclear Waste & Environmental Advisory Committee from the following list of applicants: John Pawlak and William J. Stremmel; and/or 2) Direct staff to re-advertise for the appointment.
- 15. [For Possible Action](#) – Discussion and deliberation to: 1) Appoint two members to the Pahrump Off Highway Vehicle Park Advisory Committee from the following list of applicants: Brad Harris and Erica Muxlow; and/or 2) Direct staff to re-advertise for the appointment.
- 16. [For Possible Action](#) – Discussion and deliberation to: 1) Appoint one member to the Pahrump Public Lands Advisory Committee from the following list of applicants: Jim Hannah; and/or 2) Direct staff to re-advertise for the appointment.
- 17. [For Possible Action](#) – Discussion and deliberation to: 1) Appoint three members to the Pahrump Veterans Memorial Advisory Committee from the following list of applicants: Beverly Baker, Gregory Cardarelli and Bruce Cox; and/or 2) Direct staff to re-advertise for the appointment.

**SITTING AS THE BOARD OF COUNTY COMMISSIONERS**

**CONSENT AGENDA ITEMS – These are items that Staff recommend 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.**

- 18. [For Possible Action](#) – Approval of meeting minutes from the joint meetings on February 28, March 7, March 21, March 30, and April 4, 2023.
- 19. [For Possible Action](#) – Approval to: 1) Ratify the County Manager's acceptance of the Federal Fiscal Year (FFY) 2023 Agreement PR181-23-802 from Nevada Department of Transportation (NDOT)/Federal Transit Authority (FTA) § 5311 funding for the purchase of two new transit vans not to exceed \$140,950.00 for the purpose of replacing two older transit units that provide transportation to seniors and the general public in Nye County; and 2) Fund to 10281 Senior Nutrition.

**BOARD OF COMMISSIONERS**

- 20. [For Possible Action](#) – Discussion and deliberation to: 1) Approve, amend and approve or reject a contract extension for Public Defender Services between Nye County and Andrew Coates, Esq., by extending the effective period to June 30, 2025; and 2) Execute the First Amendment to the contract.

**NYE COUNTY BOARD OF COMMISSIONERS AGENDA**

**ITEM # SUBJECT**

**June 6, 2023**

- 21. [For Possible Action](#) – Discussion and deliberation to: 1) Approve, amend and approve or reject a contract extension for Public Defender Services between Nye County and Jason Earnest by extending the effective period to June 30, 2025; and 2) Execute the Third Amendment to the contract.
- 22. [For Possible Action](#) – Discussion and deliberation to: 1) Approve, amend and approve or reject a contract extension for Public Defender Services between Nye County and Nathan L. Gent, PLLC by extending the effective period to June 30, 2025; and 2) Execute the Third Amendment to the contract.
- 23. [For Possible Action](#) – Discussion and deliberation to: 1) Approve, amend and approve or reject a contract extension for Public Defender Services between Nye County and Shahani Law, LTD by extending the effective period to June 30, 2025; and 2) Execute the First Amendment to the contract.

**CLERK**

- 24. [For Possible Action](#) – Discussion and deliberation to: 1) Appoint two members to the Pahrump Regional Planning Commission due to expiring terms from the following list of applicants: Robert (Doug) BlackStock, Tina L. Bond-Kuglin, Leah-Ann DeAnda, Scott Shepston, Pamela Tyler and Paul Zimmerman; and/or 2) Readvertise for the appointment.
- 25. [For Possible Action](#) – Discussion and deliberation to: 1) Approve, amend and approve, or reject a Participating Addendum to Contract No. CTR058805 between DMT Solutions Global Corporation, dba BlueCrest and Arizona Department of Administration, State Procurement Office for the utilization of their Master Agreement with NASPO ValuePoint for mailing equipment, supplies and maintenance; 2) Approve, amend and approve, or reject the proposal from BlueCrest in the amount of \$275,786.00 for the purchase and installation of an election related mail ballot sorting and scanning system; 3) Execute both agreements; and 4) Fund \$275,786.00 to 10340 Grants.
- 26. [For Possible Action](#) – Discussion and deliberation to: 1) Approve, amend and approve, or reject an Interlocal Contract between the State of Nevada, Secretary of State and Nye County for the purpose of utilizing the Security Operation Center services from the Center for Internet Security, Inc. (CIS) for election network monitoring, dissemination of cyber threat warning and vulnerability; and 2) Execute the agreement.

**SHERIFF**

- 27. [For Possible Action](#) – Discussion and deliberation regarding a renewal of a Wholesale/Retail Fireworks Permit for Alamo Fireworks located at 2641 E. Highway 95, Amargosa Valley, NV. Patrick James – Applicant.
- 28. [For Possible Action](#) – Discussion and deliberation regarding a renewal of a Wholesale/Retail Fireworks Permit for Blackjack Fireworks Located at 1181 S. Highway 160, Pahrump, NV. Kevin LeBon – Applicant.
- 29. [For Possible Action](#) – Discussion and deliberation regarding a renewal of a Wholesale/Retail Fireworks Permit for D&T Imports, Inc. dba Area 51 Fireworks located at 1381 S. Highway 372, Pahrump, NV. Tim McKoy – Applicant.
- 30. [For Possible Action](#) – Discussion and deliberation regarding a renewal of a Wholesale/Retail Fireworks Permit for Outlaw Pyrotechnics located at 2280 W. Betty Place, Pahrump, NV. Kelly Bernard – Applicant.

## NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

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31. [For Possible Action](#) – Discussion and deliberation regarding a renewal of a Wholesale/Retail Fireworks Permit for Red Apple Fireworks Co., Ltd. 3640 S. Highway 160, Pahrump, NV. Douglas Burda – Applicant.
32. [For Possible Action](#) – Discussion and deliberation to: 1) Approve the Intrastate Interlocal Contract between Public Agencies – Nevada Department of Public Safety Office of Criminal Justice Assistance and Nye County/Nye County Sheriff’s Department dated March 23, 2023 for Nevada State Plan of Operation for the Defense Department Excess Property Program – Section 1033; and 2) Ratify the Contract as signed by the Nye County Sheriff on March 23, 2023.

### COUNTY MANAGER

33. [Update](#) on the 2023 Nevada Legislative Session including Nye County priorities, impacts to counties and actions that counties are required to take pursuant to new legislation.
34. [For Possible Action](#) – Presentation, discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2023-16: A Resolution Authorizing the Transfer of Nye County’s 2023 Private Activity Bond Volume Cap to the Nevada Rural Housing Authority; and Other Matters Related Thereto. (10-minute time limit)

### FACILITIES

35. [For Possible Action](#) – Discussion and deliberation to: 1) Discuss the Request for Qualifications for Bid No. 2023-02 regarding the Nye County Facilities Master Plan; 2) Accept the response from Collaborative Design Studios; 3) Provide direction to staff to enter into fee negotiations with the selected responder. There is no cost to enter into negotiations; or 4) Reject the response and provide direction to staff on how to proceed.

### FINANCE

36. [For Possible Action](#) – Presentation, discussion and deliberation to approve, amend and approve, or reject the program funding request from the Amargosa Valley Town Board under the Nye County American Rescue Plan Act (ARPA) Recovery Plan and Policy: Economic Impacts for Tourism in the amount of \$38,782.00. (10-minute time limit)
37. [For Possible Action](#) – Presentation, discussion and deliberation to approve, amend and approve, or reject the program funding request from the Town of Tonopah under the Nye County American Rescue Plan Act (ARPA) Recovery Plan and Policy: Economic Impacts for Tourism in the amount of \$12,266.00. (10-minute time limit)
38. [For Possible Action](#) – Discussion and deliberation to: 1) Accept the U.S. Department of Transportation, Federal Aviation Administration (FAA) Grant Award in the amount of \$442,637.00 with a required County match of \$29,508.76 for the Tonopah Runway 15-33 Rehabilitation project; and 2) Fund \$442,637.00 to 10340 Grants and fund \$29,508.76 to 10209 Airport.

### NATURAL RESOURCES

39. [For Possible Action](#) – Discussion and deliberation to: 1) Approve, amend and approve, or reject a letter from the Board of County Commissioners and Natural Resources opposing the Bureau of Land Management’s (BLM) proposed Rule 1004-AE-92, Conservation and Landscape Health; and 2) Express support of the Nevada Association of Counties letter of opposition to the Director of BLM.

**NYE COUNTY BOARD OF COMMISSIONERS AGENDA**

**ITEM # SUBJECT**

**June 6, 2023**

**PLANNING/BUILDING/CODE COMPLIANCE**

- 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. 2023-09: A Bill proposing to amend Nye County Code Title 17, titled Comprehensive Land Use Planning and Zoning, Chapter 17.04, titled Pahrump Regional Planning District, Article VIII, titled Administration And Procedures, Section 17.04.930, titled Master Plan Amendment Procedures, amending the NRS Reference in section 17.04.930(J)(3)(c); and providing for the severability, constitutionality, and effective date thereof; and other matters property relating thereto; and 2) Read the title of the Bill into the record.
- 41. [For Possible Action](#) – Discussion, deliberation, and direction to staff regarding a possible amendment to Nye County Code, Chapter 15.16 titled "International And Uniform Building And Construction Codes Effective Within Nye County," Section 15.16.050 titled "Permits Required," paragraph E, which provides an exemption for areas located outside of the Pahrump Regional Planning District (“PRPD”) from the requirement to obtain permits.

**PUBLIC WORKS**

- 42. [For Possible Action](#) – Discussion and deliberation to: 1) Approve the purchase of a property needed for expansion of the Road Department yard, consisting of 0.178 acres located at 271 North Whitney Lane, Pahrump, NV. Assessor’s Parcel Number 038-202-29; 2) Propose compensation for the property to the property owner based on the appraisal; 3) Fund from 10205 Roads; and 4) Direct staff to prepare and record the documentation necessary to transfer the property.
- 43. [For Possible Action](#) – Discussion and deliberation to: 1) Approve the purchase of a property needed for expansion of the Road Department yard, consisting of 0.205 acres located at 740 East Ziba Lane, Pahrump, NV. Assessor’s Parcel Number 038-202-27; 2) Propose compensation for the property to the property owner based on the appraisal; 3) Fund from 10205 Roads; and 4) Direct staff to prepare and record the documentation necessary to transfer the property.
- 44. [For Possible Action](#) – Discussion and deliberation to approve the 2023 Airport Master Plan and Airport Layout Plan (ALP) with Atkins North America for the Tonopah Airport.
- 45. [For Possible Action](#) – Discussion and deliberation to approve a Right of Way Grant, Serial #NVN-101131 for an 80 ft wide and 3,700 ft long area from the Bureau of Land Management for West Roadrunner Road, accepting maintenance of the granted area.

**PUBLIC PETITIONER**

- 46. [For Possible Action](#) – Discussion and deliberation to consider a request from NV Energy to approve an amendment to Nye County Resolution No. 2023-15, to allow the Amargosa Valley Solar Energy Zone to be excluded from the renewable energy moratorium.
- 47. [For Possible Action](#) – Discussion and deliberation to support a project to study atmospheric turbulence at the Tonopah Airport.
- 48. **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).**
- 49. **Commissioner/Manager Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)**

**NYE COUNTY BOARD OF COMMISSIONERS AGENDA**

**ITEM # SUBJECT**

**June 6, 2023**

**50. 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