



**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

October 4, 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 October 4, 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 October 4, 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

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

October 4, 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 775-482-8191 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 October 4, 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 certificates and/or plaques to three employees honored for their years of service.**
- 7. 10:00 a.m. – [For Possible Action](#) – Discussion and deliberation regarding an appeal of the Nye County Sheriffs Office's classification of a Vicious or Dangerous Animal pursuant to Nye County Code Title 6, Animals, Sections 6.40.010 and 6.20.030 requested by Summer Grubbs, — Appellant.**
- 8. 10:00 a.m. – [For Possible Action](#) – **Public Hearing** – Discussion, and deliberation to issue an Outdoor Festival License to Live a Little Entertainment Group for the Monster Truck Insanity Event to be held October 28-30, 2022, at the McCullough Rodeo Arena, 150 Highway 160, Pahrump, NV.**

SITTING AS THE NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS

- 9. [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.**

SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

- 10. [For Possible Action](#) – Discussion and deliberation to: 1) Approve, amend and approve, or reject a Contract with Rev Group, Inc. for the purpose of utilizing its contract through Sourcewell Solicitation No.: RFP #113021 dated February 24, 2022 – February 10, 2026, for Firefighting Apparatus and Fire Service Vehicles with Rev Group, Inc, and subsequent Contract Amendments; and 2) Execute the Agreement.**

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11. [For Possible Action](#) – Discussion and deliberation to: 1) Accept the Land and Water Conservation Fund Grant Award through the Nevada Division of State Parks in the amount of \$275,000.00 with a match of \$275,000.00 for the period of October 4, 2022 through December 31, 2024 for the purpose of rehabilitating Ian Deutch Memorial Skate Park with lighting installation and a resurfaced concrete skating area; and 2) Fund \$275,000.00 to Grants 10340 and fund \$275,000.00 from Town of Pahrump Capitol Projects 25401.
12. [For Possible Action](#) – Discussion and deliberation to proceed with the sale of Town of Pahrump-owned property described 1471 East Mount Charleston Drive South, Pahrump, NV. Assessor’s Parcel Numbers 042-521-01, 042-521-02, 042-621-23, 042-651-05, 042-651-18, 042-671-01, 042-511-07 owned by the Town of Pahrump, consisting of 2,722,064 square feet, 62.49 acres OS - Open Space, Parks, and Recreation more commonly known as Lakeview Golf Course.

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.

13. [For Possible Action](#) – Approval of the meeting minutes from the joint meetings on July 5 and 6, 2022.
14. [For Possible Action](#) – Approval to: 1) Accept the Fiscal Year 2023 Agreement to use the Affordable Housing Welfare Set-Aside Program in the amount of \$15,300.22 from Nevada Housing Division for Affordable Housing Trust Funds Program to offer rental, utility, and security deposit assistance to eligible clients at-risk of becoming homeless. Monies to be expended between July 1, 2022 and June 30, 2025. There is no County match required; 2) Execute the Agreement; and 3) Fund to 10340 Grants.
15. [For Possible Action](#) – Approval to: 1) Accept the Fiscal Year 2023 Agreement to use the Affordable Housing Trust Funds in the amount of \$15,000.00 from Nevada Housing Division for Affordable Housing Trust Funds Program to offer rental, utility, and security deposit assistance to eligible clients at risk of being homeless. Monies to be expended between July 1, 2022 and June 30, 2025. There is no County match required; 2) Execute the Agreement; and 3) Fund to 10340 Grants.
16. [For Possible Action](#) – Approval to: 1) Accept the Bulletproof Vest Partnership Grant Award from the U.S. Department of Justice in the amount of \$37,960.00 with a county match amount of \$37,960.00 to provide bulletproof vests to the Nye County Sheriff’s Office through August 31, 2024; and 2) Fund \$37,960.00 to 10340 Grants and \$37,960.00 to 10101 General Fund and/or 10236 Jail Fund.
17. [For Possible Action](#) – Approval to: 1) Accept the Fiscal Year 2023, Operation Freeze (Fatal Reduction Education and Enforcement to Zero Everyday) Grant Award through the State of Nevada Department of Public Safety in the amount of \$20,160.00, with an in-kind county match of \$5,040.00 for the period of October 4, 2022 through September 30, 2023 for the purpose of participating in statewide traffic enforcement events; 2) Allow for a one-time exception for Comptroller Savannah Rucker or Designee to electronically execute the grant award document; and 3) Fund \$20,160.00 to Grants 10340 and in-kind county match of \$5,040.00 to General Fund 10101.

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18. [For Possible Action](#) – Discussion and deliberation to: 1) Accept the Services Training Officers Prosecutors (STOP) Grant Award from the State of Nevada Office of the Attorney General in the amount of \$60,000.00 with in-kind county match of \$73,799.00 which provides domestic violence services within Nye County for the period of July 1, 2022 to June 30, 2023; 2) Authorize County Manager Tim Sutton a one-time exception to execute the STOP Grant Agreement Project Change Notice once received by the Grantor, which will reduce the unbudgeted county match to \$0.00; and 3) Fund \$60,000.00 to 10340 Grants and \$73,799.00 from 10101 General Fund.

BOARD OF COMMISSIONERS

19. For Possible Action – Closure of meeting, pursuant to NRS 241.015(3)(b)(2) for purposes of conferring with legal counsel regarding potential or current litigation.
20. Closed meeting, pursuant to NRS 241.015(3)(b)(2) for purposes of conferring with legal counsel regarding potential or current litigation.
21. For Possible Action – Discussion and deliberation on conference with legal counsel regarding potential or current litigation presented in closed meeting.
22. For Possible Action – Closure of meeting, pursuant to NRS 288.220 for purposes of conferring with the County’s management representatives regarding labor negotiations, issues and other personnel matters.
23. Closed meeting, pursuant to NRS 288.220 for purposes of conferring with the County’s management representatives regarding labor negotiations, issues and other personnel matters.
24. For Possible Action – Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.
25. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2022-41: A Resolution Supporting Operation Green Light for Veterans.
26. [For Possible Action](#) – Discussion, deliberation, and possible direction to staff regarding whether or not to offer lifetime medical insurance to former commissioners.

DISTRICT ATTORNEY

27. [For Possible Action](#) – Discussion and deliberation to approve and authorize Hill, Peterson, Carper, Bee & Deitzler, PLLC to file a Complaint on Nye County's behalf against Defendant McKinsey and Company, Inc. for damages relating to the opioid epidemic.

COUNTY MANAGER

28. [For Possible Action](#) – Discussion and deliberation to approve, amend and approve, or reject the amended County Manager Employment Agreement for Tim Sutton. Amendments include changing the procedure for the annual performance evaluation, removing references to the NCMEA Agreement, modifying the at will provisions and adding for cause provisions, and the removal and addition of certain benefits.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

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EMERGENCY MANAGEMENT

- 29. [For Possible Action](#) – Discussion and deliberation to: 1) Discuss the bid proposals received for Bid No. 2022-12 Handheld Spectroscopy Analyzer; 2) Award bid 2022-12 Handheld Spectroscopy Analyzer to Farrwest Environmental Supply, Inc. in the amount of \$99,997.90, RedWave Technologies in the amount of \$76,500.00, Safeware Inc. in the amount of \$117,286.81, Thermo Scientific Portable Analytical Instruments Inc. (Thermofischer) in the amount of \$81,345.00 or Thermofischer in the amount of \$102,085.00; 3) Approve, amend and approve, or reject the contract with selected bidder; 4) Fund from 10340 Grants and 10282 EMS; or 5) Reject bids and provide direction to staff on how to proceed with the project.

PLANNING/BUILDING/CODE COMPLIANCE

- 30. [For Possible Action](#) – Discussion, deliberation, and possible direction to staff regarding solar development in Nye County.

PUBLIC WORKS

- 31. [For Possible Action](#) – Discussion and deliberation to: 1) Discuss the bid proposals received for Bid No. 2022-09 Pahrump Fairgrounds Water System; 2) Award Bid No. 2022-09 Pahrump Fairgrounds Water System to Double M Construction, Inc. in the amount of \$1,369,825.00; 3) Approve, amend and approve, or reject the contract with selected bidder; 4) Fund from 10340 Grants and 25414 Pahrump Room Tax; or 5) Reject bid and provide direction to staff on how to proceed with the project.
- 32. [For Possible Action](#) – Discussion and deliberation to: 1) Ratify Nye County Commission Chair Frank Carbone’s signature accepting the U.S. Department of Transportation, Federal Aviation Administration Grant Award in the amount of \$412,500.00 with a county match of \$27,500.00 for the Beatty Airport Master Plan project for the period of September 2, 2022 through September 1, 2026; and 2) Fund \$412,500.00 to Grants 10340 and fund \$27,500.00 to Airport 10402.
- 33. [For Possible Action](#) – Discussion and deliberation to: 1) Ratify Nye County Commission Chair Frank Carbone’s signature accepting the U.S. Department of Transportation, Federal Aviation Administration Grant Award in the amount of \$281,250.00 with a county match of \$18,750.00 for the Gabbs Runway Rehab project for the period of June 27, 2022 through June 26, 2026; and 2) Fund \$281,250.00 to Grants 10340 and fund \$18,750.00 to Airport 10402.

PUBLIC PETITIONER

- 34. [For Possible Action](#) – Discussion and deliberation to approve, amend and approve, or reject the Nye County Water District Governing Board Bylaws pursuant to Section 8(1)(h) of the Nye County Water District Act.
- 35. [For Possible Action](#) – Discussion and deliberation to approve Nye County Proclamation No. P2022-10: A Proclamation Recognizing November 2022 as National American Indian Heritage Month.
- 36. **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).**
- 37. **Commissioners'/Manager's Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)**
- 38. **ADJOURN**

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

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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