



**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**

**October 18, 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 October 18, 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 18, 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](mailto:program.intake@usda.gov)

# NYE COUNTY BOARD OF COMMISSIONERS AGENDA

**ITEM # SUBJECT**

**October 18, 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 775-482-8192 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 October 18, 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 fifteen employees honored for their years of service.**
- 7. 10:00 a.m. – [For Possible Action](#) – Discussion and deliberation regarding the monthly statement of the county treasurer pursuant to NRS 354.280 including receipts, balances in funds, money on deposit, outstanding checks, and cash on hand.**
- 8. 10:00 a.m. – [Presentation](#) by Doug Ziegler, EDP Renewables North America, regarding the twenty-four-month review of the Development Agreement with Nye County pursuant to section 5.1 of the agreement.**
- 9. 10:00 a.m. – [Presentation](#) by Best in the Desert Racing Association regarding the 2022 World Hare & Hound Championship.**
- 10. 10:00 a.m. – [For Possible Action](#) – **Public Hearing** – Discussion, and deliberation on ZCMP-22-13: An application for a Conforming Zone Change to change one parcel totaling approximately .46 acres from Neighborhood Commercial (NC) to General Commercial (GC) on property located at 2090 S. Cortina Street, Pahrump, NV. Assessor's Parcel Number 042-733-04. Dirt to Surf, LLC. – Property Owner. Steve Keith – Applicant/Agent.**
- 11. 10:00 a.m. – [For Possible Action](#) – **Public Hearing** – Discussion, and deliberation on ZCMP-22-14: An application for a Conforming Zone Change to change one parcel totaling approximately .597 acres from Neighborhood Commercial (NC) to General Commercial (GC) on property located at 2530 S. Rainbow Avenue, Pahrump, NV. Assessor's Parcel Number 042-832-10. Dirt to Surf, LLC – Property Owner. Steve Keith – Applicant/Agent.**

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12. **10:00 a.m. – [For Possible Action](#) – Public Hearing** – Discussion and deliberation on ETSU-22-9: An application for a Special Use Permit to allow a Cannabis Establishment (Cultivation) located at 1261 E. Calvada Boulevard, Pahrump, NV. Assessor’s Parcel Number 040-041-40. Nye Holdings, LLC – Property Owner. Strata Growth, LLC – Applicant. Adam R. Fulton, Esq. – Agent.

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

13. [For Possible Action](#) – Discussion and deliberation to amend the Town of Pahrump Property Use Policy pertaining to electioneering (campaigning) activities by: adding a time frame when electioneering activities are permitted, implementing a random drawing system for electioneering spaces, and removing a prohibition on signs due to a prior Nye County Code Change.

**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 the Elected Official Collection Report regarding fees collected from elected county departments for services rendered by or provided to county citizens.
15. [For Possible Action](#) – Approval to set the date and location for the second Board of Commissioners meeting in January for Tuesday, January 17, 2023, in Pahrump, NV.
16. [For Possible Action](#) – Approval of the meeting minutes from the joint meeting on July 19, 2022.
17. [For Possible Action](#) – Approval of Assessor's Office Change Requests to allow the Nye County Assessor/Treasurer to process and:
- 1. Issue an amended tax bill in the amount of \$1,131.31 to Donald F. and Deborah L. Hammond, owners of 1540 W. Chowchilla Cir., Pahrump, NV, Assessor's Parcel Number 036-612-15.
  - 2. Issue an amended tax bill in the amount of \$81,653.05 to Mountain Falls Golf Course, LLC, owner of 4750 S. Mountain Falls Pkwy., Pahrump, NV, Assessor's Parcel Number 045-021-72.
18. [For Possible Action](#) – Approval to fund \$440,000.00 from a funding source determined by the Comptroller for 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, approved on October 4, 2022.
19. [For Possible Action](#) – Approval to fund \$300,000.00 from a funding source determined by the Comptroller for 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, approved on October 4, 2022.
20. [For Possible Action](#) – Approval to fund \$102,085.00 from a funding source determined by the Comptroller for Bid No. 2022-12 Handheld Spectroscopy Analyzer approved and awarded to Thermofischer on October 4, 2022.

**BOARD OF COMMISSIONERS**

21. [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

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22. Closed meeting, pursuant to NRS 241.015(3)(b)(2) for purposes of conferring with legal counsel regarding potential or current litigation.
23. For Possible Action – Discussion and deliberation on conference with legal counsel regarding potential or current litigation presented in closed meeting.
24. 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.
25. 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.
26. For Possible Action – Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.
27. [For Possible Action](#) – Discussion and deliberation regarding Nye County Proclamation P2022-11: A Proclamation Recognizing October as Italian American Heritage Month in Nye County.
28. [For Possible Action](#) – Discussion and deliberation to amend the Nye County Property Use Policy pertaining to electioneering (campaigning) activities by adding a time frame when electioneering activities are permitted.

### **CLERK**

29. [For Possible Action](#) – Discussion and deliberation to: 1) Appoint one member to the Nye County Water District due to two vacancies from the following list of applicants: Charles H. Miller; or 2) Readvertise for the appointment.

### **SHERIFF**

30. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2022-42: Amendment of Resolution No. 2016-47 Setting Schedule of Fees and Penalties Required by Nye County Code, Title 6, Animals and Schedule of Nye County Animal Shelter Adoption Fees.

### **JUVENILE PROBATION**

31. [For Possible Action](#) – Discussion and deliberation to accept the donation of two 2008 Toyota Highlanders, VIN’s JTEES41A782069858, and JTEES41A882074633 from Elko County Juvenile Probation Department.

### **EMERGENCY MANAGEMENT**

32. [For Possible Action](#) – Discussion and deliberation to: 1) Approve, amend and approve, or reject a Contract between Safeware, Inc. and Nye County for the purpose of utilizing their contract through Port of Portland, OR Contract #159469 dated April 1, 2021 – April 1, 2026 for Public Safety, Preparedness, Safety Equipment and Solutions with Safeware, Inc. and subsequent Contract Amendments; and 2) Execute the Agreement.

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33. [For Possible Action](#) – Discussion and deliberation to: 1) Approve, amend and approve, or reject a Contract between Stryker Sales, LLC. and Nye County for the purpose of utilizing their contract through Eagle County Health Service District dba Eagle County Paramedic Services Solicitation No.: RFB # 2021- 06 dated November 8, 2021 – November 8, 2024, for Medical Equipment with Stryker Sales and subsequent Contract Amendments; 2) Approve, amend and approve, or reject the Intergovernmental Cooperative Purchasing Agreement between the Eagle County Health Service District a quasi-municipal corporation and political subdivision of the State of Colorado dba Eagle County Paramedic Services and Nye County to provide that participating public agencies can purchase products at the same terms, conditions, and pricing as the Principal Procurement Agency; and 3) Execute the Agreements.

## INFORMATION TECHNOLOGY

34. [Presentation](#) on current grant opportunities to help improve Digital Equity and expand affordable high-speed internet for unserved and underserved locations within Nevada and Nye County based on availability mapping provided by the Federal Communication Commission (FCC).

## PLANNING/BUILDING/CODE COMPLIANCE

35. [For Possible Action](#) – Discussion and deliberation regarding a report to update the Board on current commercial and industrial development projects in the planning stages.
36. [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. 2022-11: A Bill proposing to delete Nye County Code Title 17, titled Comprehensive Land Use Planning and Zoning, Chapter 17.04, titled Pahrump Regional Planning District, Article VI, titled Development Standards, Section 17.04.820, titled Manufactured Homes and Factory Built Homes, due to redundancy in Nye County Code 15.17.060 to comply with the requirements of NRS 278.02095; 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.
37. [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. 2022-16: A Bill proposing to amend Title 15, titled Building and Construction, Chapter 15.17, titled Building and Construction Codes Effective Within Nye County, Section 15.17.060, titled Minimum Standards, by deleting 15.17.060(A) minimum standards and inserting standards that comply with the requirements of NRS 278.02095; 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

38. [For Possible Action](#) – Presentation, discussion, and deliberation to: 1) Discuss the proposal received for the North Pahrump Drainage Analysis; 2) Accept or reject the proposal from Holistic Engineering and Land Management, Inc. (HELM) in the amount of \$322,000.00 for processing existing data and providing a detailed assessment of existing drainage conditions; and 3) Fund from a source to be identified by the Comptroller.

## PUBLIC PETITIONER

39. [For Possible Action](#) – Discussion and deliberation regarding Nye County Proclamation No. P2022-12: A Proclamation Recognizing October 2022, As National Domestic Violence Awareness Month.

## NYE COUNTY BOARD OF COMMISSIONERS AGENDA

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40. **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).**

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

42. **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