



**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**

**November 15, 2022**

**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 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 November 15, 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 November 15, 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](https://www.usda.gov/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

November 15, 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 November 15, 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](#)** by Hayley Maio, Extension Educator for Southern Nye County, and Misha Allen, Extension Educator for Northern Nye County regarding the First Quarter Report for Fiscal Year 2023.
- 7. 10:00 a.m. – [For Possible Action](#)** – Community Development Block Grant (CDBG) 4th Public Meeting to: 1) Discuss projects based on CDBG eligibility; and 2) Prioritize the following application for final submittal:  
  
Nye County Project: Tonopah Airport Fueling Station.
- 8. 10:00 a.m. – [For Possible Action](#) – Public Hearing** – Discussion and deliberation on ZCMP-22-12: An application for a Conforming Zone Change to change three (3) parcels totaling approximately 5.30 acres from General Commercial (GC), and one (1) parcel approximately 1.0 acre from Rural Estates Residential (RE-1), changing all 4 parcels to the Commercial Manufacturing (CM) zone, located at 981 and 921 W. Wilson Road and 950 and 920 W. Irons Street, Pahrump, NV. Assessor's Parcel Numbers 036-343-02, 036-343-03, 036-343-04 and 036-343-05. Rebecca Del Muro – Property Owner. Civilwise Services Inc. – Applicant/Agent.
- 9. 10:00 a.m. – [For Possible Action](#) – Public Hearing** – Discussion and deliberation on ZCMP-22-16: An application for a Conforming Zone Change to change one (1) parcel totaling approximately 1.87 acres from Open Space (OS) to Village Residential (VR-8) on property located at 581 S. Ishani Ridge Court, Pahrump, NV. Assessor's Parcel Number 035-722-27. Ricardo Luis Montalvo – Property Owner. Edgar Montalvo – Applicant/Agent.

**NYE COUNTY BOARD OF COMMISSIONERS AGENDA**

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**10. 10:00 a.m. – [For Possible Action](#) – Public Hearing – Discussion and deliberation on:**

- a. ZCMP-22-20: An application for a Minor Master Plan Amendment of approximately 8.45 acres of a 29.97-acre parcel from Rural Density Residential (RDR) to Community Development Area (CDA) on property located at 151 N. Blagg Road, Pahrump, NV. Assessor’s Parcel Number 035-111-06. Settlemeyer & PBSM, LLC. – Property Owner. Michael J. Livingston - Applicant/Agent.
- b. ZCMP-22-17: An application for a Zone Change to change 8.45 acres of a 29.97-acre parcel from Neighborhood Commercial (NC) and Village Residential (VR-10) to Calvada Commercial (CC) on property located at 151 N. Blagg Road, Pahrump, NV. Assessor’s Parcel Number 035-111-06. Settlemeyer & PBSM, LLC. – Property Owner. Michael J. Livingston -Applicant/Agent.

**SITTING AS THE NYE COUNTY LICENSING AND LIQUOR BOARD**

**LIQUOR**

- 11. [For Possible Action](#) – Discussion and deliberation to approve a Package Liquor License for Coyote Stations, LLC., dba Coyote Corner, located at 4960 E. Manse Rd., Wendy Black – Owner/Applicant.

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

**BEATTY**

- 12. [For Possible Action](#) – Discussion and deliberation to approve the purchase of thirteen 5-channel pagers for the Beatty Volunteer Fire Department in the amount of \$5,057.00 to be funded from 24235 Beatty Public Safety Fire.

**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 Elected Official Collection Report regarding fees collected from elected county departments for services rendered by or provided to county citizens.
- 14. [For Possible Action](#) – Approval to set the date and location for the second Board of Commissioners meeting in February for Wednesday, February 22, 2023, in Pahrump, NV.
- 15. [For Possible Action](#) – Approval to: 1) Accept the Homeland Security Grant Program (HSGP) grant award from the State of Nevada Division of Emergency Management in the amount of \$120,000.00 for the purpose of developing a Cyber-Security Program. There is no County Match required; 2) Allow for a one-time exception for Comptroller Savannah Rucker or designee to electronically execute the grant award documents; and 3) Fund \$120,000.00 to 10340 Grants.

**BOARD OF COMMISSIONERS**

- 16. 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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17. Closed meeting, pursuant to NRS 241.015(3)(b)(2) for purposes of conferring with legal counsel regarding potential or current litigation.
18. For Possible Action – Discussion and deliberation on conference with legal counsel regarding potential or current litigation presented in closed meeting.
19. 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.
20. 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.
21. For Possible Action – Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.
22. [For Possible Action](#) – Discussion and deliberation to approve, amend and approve or reject Nye County Proclamation No. P2022-13: A Proclamation Recognizing November as All Americans Heritage Month in Nye County.

### CLERK

23. [For Possible Action](#) – Discussion and deliberation to: 1) Appoint one member to the Beatty Library District due to a resignation, from the following list of applicants: Diane Pierce; or 2) Readvertise for the appointment.
24. [For Possible Action](#) – Discussion and deliberation to: 1) Appoint one member to the Pahrump Justice of the Peace, Department B from the following list of applicants: Leonardo F. Blundo, Williams Carns, Lillian Donohue Esq, Alexandra Fernandes, Michael Foley, Walter S. Grudzinski, William Hockstedler, Arthur Hodge Sr, Salli A. Kerr, Frank Maurizio, Nichole McPherson, Jacob Skinner, Brian A. Thelaner, Robert E. Thomas, III, and Dale Wysocki; or 2) Readvertise for the appointment.

### COUNTY MANAGER

25. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2022-13: A Resolution Authorizing the Transfer of Nye County Property to Armed Forces Chamber Community Development Corporation.

### FINANCE

26. [For Possible Action](#) – Discussion and deliberation regarding the budget status for September 2022 for Nye County and all sub-entities for fiscal year 2023.

### NATURAL RESOURCES

27. [For Possible Action](#) – Discussion and deliberation to accept the invitation to work as a Cooperating Agency with the Bureau of Land Management (BLM) during the Natural Environmental Policy Act (NEPA) process for Rhyolite Ridge Lithium-Boron Project located 65 miles southwest of Tonopah, Nevada in Esmeralda County.

## NYE COUNTY BOARD OF COMMISSIONERS AGENDA

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### PLANNING/BUILDING/CODE COMPLIANCE

28. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2022-45: A Resolution Adopting a Temporary Moratorium on Renewable Energy Generation Facilities.
29. [For Possible Action](#) – Discussion and deliberation to approve LD-22-16, a Tentative Map for Mountain Falls Planning Area 5B, creating one hundred and twenty-one (121) residential lots on property zoned Specific Plan (SP), each residential lot containing an average of 5,704 square feet; Maximum lot size is 11,760 square feet and Minimum lot size is 5,060 square feet. Assessor's Parcel Number 045-021-54. Mountain Falls, LLC - Owner. Taney Engineering Corp. - Agent/Applicant.
30. [For Possible Action](#) – Discussion and deliberation to approve LD-22-20, a Tentative Map for Mountain Falls Planning Area 8A, creating one hundred and forty-four (144) residential lots on property zoned Specific Plan (SP), each residential lot containing an average of 6,212 square feet; Maximum lot size is 11,210 square feet and Minimum lot size is 4,275 square feet. Assessor's Parcel Number 045-021-73. Taylor Morrison - Owner. Taney Engineering Corp. - Agent/Applicant.
31. [For Possible Action](#) – Discussion and deliberation to approve LD-22-27, a Tentative Map for Mountain Falls Planning Area 9H, creating one hundred and nineteen (119) residential lots on property zoned Specific Plan (SP), each residential lot containing an average of 3,697 square feet; Maximum lot size is 6,403 square feet and Minimum lot size is 3,368 square feet. Assessor's Parcel Number 045-501-21. William Lyon Homes - Owner. Taney Engineering Corp. - Agent/Applicant.
32. [For Possible Action](#) – Discussion and deliberation on IA-21-28: An application regarding the 85% bond release of the financial security bond related to a project area known as Mountain Falls Planning Area 4C, located in Mountain Falls Master Planned Community. William Lyon Homes, Inc. - Principal. Terry Connelly - Applicant / Agent.

### PUBLIC WORKS

33. [For Possible Action](#) – Discussion and deliberation to draft and consider adopting an ordinance to impose, for the period beginning January 2023, up to a five-cent tax on special fuel that consists of on-road diesel fuel per NRS 373.062.
34. [For Possible Action](#) – Discussion and deliberation to: 1) 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 2) Fund \$322,000.00 at the determination of the Comptroller.
35. [For Possible Action](#) – Discussion and deliberation to: 1) Approve or reject Atkins North America Inc. Task Order No. 3 to develop an Airport Master Plan for the Beatty Airport in the amount of \$439,991.00; 2) Execute the Task Order; and 3) Fund \$412,500.00 to 10340 Grants and fund \$27,491.00 at the determination of the Comptroller.
36. [For Possible Action](#) – Discussion and deliberation to ratify a water right Protest filed for Nye County against Application 91861, filed by Authium, LLC for waters situated in Basin 137A, the Big Smoky Valley - Tonopah Flat.

# NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

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## PUBLIC PETITIONER

37. [For Possible Action](#) – Presentation and possible direction to staff to draft an ordinance allowing a new Consumer/Display Fireworks Permit for Pyro Safety, LLC.
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)**
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