

1 **NYE COUNTY RESOLUTION NO. 2017-85**

2 A RESOLUTION TO PROVIDE FOR AN ELECTION PROCEDURE TO FILL THE VACANCY IN
3 THE OFFICE OF JUSTICE OF THE PEACE PURSUANT TO NEVADA REVISED STATUTE 4.150

4 WHEREAS, on October 4, 2011, pursuant to NRS 257.010, the Nye County Board of
5 Commissioners ("Board") adopted Nye County Resolution No. 2011-104 affecting the boundaries of
6 Beatty, Pahrump, and Tonopah Townships; and

7 WHEREAS, on May 3, 2016, the Board adopted Nye County Resolution No. 2016-57 which
8 amended Nye County Resolution No. 2011-104 by temporarily merging the boundaries of the Pahrump
9 and Beatty Townships until midnight on January 1, 2019, at which time the consolidated
10 Pahrump/Beatty Township would again become two separate townships; and

11 WHEREAS, since May 3, 2016, the Pahrump/Beatty Township has been served by two Justices
12 of the Peace; and

13 WHEREAS, upon the date the Pahrump/Beatty Township again becomes two separate
14 townships, the re-formed Pahrump Township will require two Justices of the Peace to serve the
15 Township and one Justice of the Peace to serve the Beatty Township; and

16 WHEREAS, on November 21, 2017 the Board adopted Resolution No. 2017-81 thereby
17 changing the date the Pahrump/Beatty Township would again become two separate townships from
18 January 1, 2019 to December 1, 2017; and

19 WHEREAS, NRS 4.150 provides:

20 1. If any vacancy occurs in the office of justice of the peace, the board of county
21 commissioners shall either:

22 (a) Appoint a person to fill the vacancy pursuant to NRS 245.170; or

23 (b) Provide by resolution for an election procedure to fill the vacancy for the
24 remainder of the unexpired term.
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1 2. The clerk of the board of county commissioners of each county shall, within 10 days
2 after a vacancy has occurred in the office of justice of the peace by resignation or
3 otherwise, certify the fact of such vacancy to the Secretary of State.

4 WHEREAS, the Board finds it is in the best interest of Nye County to utilize the 2018 biennial
5 election to fill the vacancy that will be created on December 1, 2017 as a result of the Pahrump/Beatty
6 Township separation.

7 NOW THEREFORE, BE IT RESOLVED by the Nye County Board of County Commissioners as
8 follows:


9 The 2018 biennial election procedures will be used to fill the vacancy that will be created on
10 December 1, 2017 as a result of the Beatty/Pahrump Township being separated into the Pahrump
11 Township and the Beatty Township, as such existed prior to the passage of Nye County Resolution No.
12 2011-104.

13 APPROVED this 21st day of November, 2017

14 NYE COUNTY
15 BOARD OF COUNTY COMMISSIONERS:

ATTEST:

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17 _____
18 Dan Schinhofen, Chairman

19 
20 _____
21 Sandra L. Merlino, Nye County Clerk
22 and Ex-Officio Clerk of the Board

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