

1 **NYE COUNTY RESOLUTION NO. 2011-06**

2 A RESOLUTION ADOPTING A POLICY REGARDING OPENING INVOCATIONS BEFORE  
3 MEETINGS OF THE NYE COUNTY BOARD OF COUNTY COMMISSIONERS

4 WHEREAS, our national motto is "In God We Trust"; and

5 WHEREAS, the Nye County Board of County Commissioners (Board) is an elected legislative  
6 and deliberative public body, serving the citizens of Nye County, Nevada; and

7 WHEREAS, the Board desires to solemnize its proceedings by allowing for an opening prayer  
8 before each meeting, for the benefit and blessing of the Board; and

9 WHEREAS, the Board desires to solemnize its proceedings by allowing for a moment of silence  
10 before each meeting, for the benefit of the Board if an invocational speaker is not scheduled pursuant to  
11 the attached policy; and

12 WHEREAS, the Board desires to adopt a formal, written policy setting forth its invocation  
13 practices; and

14 WHEREAS, prayer before deliberative bodies has been upheld as constitutional by American  
15 courts; and

16 WHEREAS, the Board intends to adopt a policy that does not proselytize or advance any faith or  
17 show any purposeful preference of one religious view to the exclusion of others; and

18 WHEREAS, the Board desires that the prayer does not disparage any faith or belief different  
19 than that of the invocational speaker and to maintain a spirit of respect and ecumenism; and

20 WHEREAS, the Board desires that such invocation should transcend denominational boundaries  
21 and appeal broadly to the aspirations of all citizens; and

22 NOW THEREFORE, IT IS HEREBY RESOLVED that the Board of County Commissioners of  
23 the County of Nye, State of Nevada, does hereby adopt the attached written policy attached hereto and

1 incorporated herein consisting of three pages regarding opening invocations before meetings of the  
2 Board.

3 APPROVED and effective this 18<sup>th</sup> day of January, 2011.  
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5 NYE COUNTY BOARD OF COUNTY  
6 COMMISSIONERS:

7 Andrew Barashy for  
8 Gary Hollis, Chairman  
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ATTEST:

Sandra L. Merlino, Deputy  
Sandra L. Merlino, County Clerk  
and Ex-Officio Clerk of the Board

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2 **POLICY REGARDING OPENING INVOCATIONS BEFORE MEETINGS OF THE NYE COUNTY**  
**BOARD OF COUNTY COMMISSIONERS**

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4 1. In order to solemnize proceedings of the Nye County Board of County Commissioners (Board),  
5 it is the policy of the Board to allow for an invocation or prayer to be offered before its meeting for the  
6 benefit of the Board.

7 2. The invocation shall not be listed or recognized as an agenda item for the meeting so that it may  
8 be clear that the invocation is not considered a part of the public business.

9 3. No member or employee of the Board or any other person in attendance at the meeting shall be  
10 required to participate in any invocation that is offered.

11 4. The invocation shall be voluntarily delivered by an eligible member of the clergy/religious leader  
12 in Nye County. To ensure that such person (the invocational speaker) is selected from among a wide  
13 pool of the County's clergy/religious leaders, on a rotating basis, the invocational speaker shall be  
14 selected according to the following procedure:

15 a. The County Manager shall compile and maintain a database (Congregations List) of the  
16 religious congregations with an established presence in the local community of Nye County.

17 b. The Congregations List shall be compiled by referencing the listing for religious  
18 assemblies in the annual Yellow Pages phone book(s) published for Nye County, research from the  
19 Internet, and consultation with local chambers of commerce in Nye County. All religious assemblies or  
20 congregations with an established presence in the local community of Nye County are eligible to be  
21 included in the Congregations List, and any such assembly or congregation can confirm its inclusion by  
22 specific written request to the County Manager.

23 c. The Congregations List shall be updated, by reasonable efforts of the County Manager, in  
24 November of each calendar year.

1                   d. Within thirty (30) days of the effective date of this policy, and on or about December 1 of  
2 each calendar year thereafter, the County Manager shall mail an invitation addressed to the religious  
3 leader of each assembly or congregation listed on the Congregations List.

4                   e. The invitation shall be dated at the top of the page, signed by the County Manager at the  
5 bottom of the page, and read as follows:

6                   *Dear religious leader,*

7                   *The Nye County Board of County Commissioners makes it a policy to invite  
8 members of the clergy/religious leaders in Nye County to voluntarily offer a prayer  
9 before the beginning of its meetings, for the benefit and blessing of the Board. As  
10 the leader of one of the religious congregations with an established presence in the  
11 local community of Nye County, you are eligible to offer this service at an  
12 upcoming meeting of the Board.*

13                   *If you are willing to assist the Board in this regard, please send a written reply at  
14 your earliest convenience to the County Manager at the address included on this  
15 letterhead. Respondents are scheduled on a first-come, first-serve basis.*

16                   *The Board meets on the first and third Tuesday of each month except in January  
17 and May wherein it meets on the first Monday and third Tuesday. Meetings begin  
18 at 10:00 a.m. at the Board of County Commissioners Chambers located in  
19 Pahrump, Tonopah or at another selected location. When a meeting is scheduled  
20 for a specific location, teleconferencing is available at the other locations of 101  
21 Radar Road, Tonopah, Nevada, 2100 E. Walt Williams Drive, Pahrump, Nevada,  
22 or 426 C. Ave. South, Beatty, Nevada. If you have a preference among the meeting  
23 dates, please state your preference request in your written reply.*

24                   *This opportunity is voluntary, and you are free to offer the invocation according to  
25 the dictates of your own conscience. To maintain a spirit of respect and ecumenism,  
26 the Board requests only that the prayer opportunity not be exploited as an effort to  
27 convert others to the particular faith of the invocational speaker, nor to disparage  
28 any faith or belief different than that of the invocational speaker.*

29                   *On behalf of the Nye County Board of County Commissioners, I thank you in  
30 advance for considering this invitation.*

31                   *Sincerely,  
32 Richard L. Osborne,  
33 Nye County Manager*

34                   f. As the invitation letter indicates, respondents to the invitation shall be scheduled  
35 on a first-come, first-serve basis to deliver the invocation.

36                   5. No invocational speaker shall receive compensation for his or her service.

1       6.     The County Manager shall make every reasonable effort to ensure that a variety of eligible  
2     invocational speakers are scheduled for the Board meetings. In any event, no invocational speaker shall  
3     be scheduled to offer a prayer at consecutive meetings of the Board, or at more than two (2) Board  
4     meetings in any calendar year.

5       7.     Neither the Board nor the County Manager shall engage in any prior inquiry, review of, or  
6     involvement in, the content of any prayer to be offered by an invocational speaker.

7       8.     Shortly before the opening gavel that officially begins the meeting and the agenda/business of  
8     the public, the Chair of the Board shall introduce the invocational speaker and invite only those who  
9     wish to do so to stand for the invocational prayer.

10      9.     If no invocational speaker is scheduled, then a moment of silence shall be observed shortly  
11     before the opening gavel that officially begins the meeting and the agenda/business of the public  
12     whereby the Chair of the Board shall announce a moment of silence and invite only those who wish to  
13     do so to stand for the moment of silence.

14      10.    This policy is not intended, and shall not be implemented or construed in any way, to affiliate the  
15     Board with, nor express the Board's preference for, any faith or religious denomination. Rather, this  
16     policy is intended to acknowledge and express the Board's respect for the diversity of the religious  
17     denominations and faiths represented and practiced among the citizen's of Nye County.

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