



**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

January 17, 2024

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 meeting is also viewable at www.nyecountynv.gov. There is a 30 to 40 second delay between the in-person meeting 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 January 17, 2024 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 January 17, 2024 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

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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 775-482-8192 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 January 17, 2024 (Non-action item)**
- 5. For Possible Action – Emergency Items**

SITTING AS THE BOARD OF COUNTY COMMISSIONERS

TIMED ITEMS

- 6. [Presentation](#)** of certificates and/ or plaques to five (5) employees honored for their years of service.
- 7. 10:00 a.m. – [For Possible Action](#)** – Discussion and deliberation regarding the monthly statement of 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 Glenn Puit with Navarro, a Contractor to the U.S. Department of Energy (DOE) Environmental Management Nevada Program, regarding “How you can represent your community on the Nevada Site Specific Advisory Board (NSSAB)”. (10-minute time limit)
- 9. 10:00 a.m. – [For Possible Action](#) – Public Hearing**, discussion and deliberation to adopt, amend and adopt, or reject Nye County Bill No. 2023-17: A Bill Proposing to amend Nye County Code Title 17, titled Comprehensive Land Use Planning and Zoning, Chapter 17.04, Pahrump Regional Planning District, Article VIII, titled Master Plan Amendment, Administration and Procedures, amending the application submittal language to include reference to the online application portal; removing "dated November 19, 2003" from 17.04.930(B); and providing for the severability, constitutionality, and effective date thereof; and other matters properly relating thereto.

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- 10. 10:00 a.m. – [For Possible Action](#) – Public Hearing**, discussion, and deliberation on AP-23-6: An Appeal of the Pahrump Regional Planning Commission’s denial of the following items relating to Conditional Use Permit CU-23-31 and Waiver application WV-23-14 on property located at 2121 W. Charleston Park Avenue. Pahrump, NV. Assessor’s Parcel Number 036-351-32. Nighthawk Logistics Inc. – Property Owner; Savka Kovacevic – Applicant/Appellant. Koz Alighchi - Agent:
- a. CU-23-31: a Conditional Use Permit to allow a Rail/Motor Freight Terminal on a General Commercial (GC) zoned parcel; and
 - b. WV-23-14: a Waiver of the following sections of Nye County Code 17.04, Article VI, Development Standards:
 1. NCC 17.04.730(D)(4) “Construction and Design Requirements: Surface”; and
 2. NCC 17.04.740 “Landscaping”.
- 11. 10:00 a.m. – [For Possible Action](#) – Public Hearing**, discussion, and deliberation on AP-23-7: An Appeal of the Pahrump Regional Planning Commission’s denial of Conditional Use Permit CU-23-29: an application to allow a 125-foot Monopole Wireless Facility on a Commercial Manufacturing (CM) zoned parcel located at 2340 W. Bell Vista Avenue, Pahrump, NV. Assessor’s Parcel Number 029-523-15. Searles Family Trust – Property Owner. Reginald Destree – Agent/Appellant.
- 12. 10:00 a.m. – [For Possible Action](#) – Public Hearing**, discussion, and deliberation on AP-23-8: An Appeal of the Pahrump Regional Planning Commission’s denial of Conditional Use Permit CU-23-22: an application to allow multi-family transitional temporary emergency housing on a General Commercial (GC) zoned parcel located at 4021 N. Nevada Highway 160, Pahrump, NV. Assessor’s Parcel Number 029-731-09. Rain Man, LLC – Property Owner. Melissa Eure - Applicant/Appellant.
- 13. 10:00 a.m. – [For Possible Action](#) – Public Hearing**, discussion, and deliberation on ZCMP-23-31: an application for a conforming Zone Change for the following:
- a. Village Residential (VR-20) to Rural Estates Residential (RE-1) for seventeen (17) parcels, totaling 19.49-acres, Pahrump, NV. Assessor’s Parcel Numbers 029-641-05 through -18; 029-642-15 and -16; and 027-371-14, -15, and -17;
 - b. VR-20 to RE-2 for nine (9) parcels totaling 20.721-acres, Pahrump, NV. Assessor’s Parcel Numbers 029-642-01; 029-642-10; 029-642-13 and -14; 029-642-17; 029-641-19 and -20; and 029-642-08 and -09;
 - c. VR-20 to Rural Homestead (RH 4.5) for seven (7) parcels totaling 34.384-acres. Pahrump, NV. Assessor’s Parcel Numbers 027-371-02; 029-642-03 and -04; 029-642-18 and -19; 027-371-12; and a portion of 027-371-13;
 - d. VR-20 to RH-9.5 for four (4) parcels totaling 56.147-acres. Pahrump, NV. Assessor’s Parcel Numbers 029-641-04; 027-371-10 and -11; and 027-371-03; and
 - e. RE-1 to RH-4.5 for one (1) parcel totaling 4.5-acres. Pahrump, NV. Assessor’s Parcel Number 027-371-04. Nye County Planning – Applicant. Multiple – Property Owners.
- 14. 10:00 a.m. – [For Possible Action](#) – Public Hearing**, discussion, and deliberation to issue an Outdoor Festival License to Kelli Sater for the Pahrump Chili Cookoff Festival to be held March 22 through 24, 2024, at Petrack Park located at 150 N. Highway 160, Pahrump, NV.

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- 15. [For Possible Action](#) – Discussion and deliberation regarding the General Road Report by the Public Works Director on General Road Maintenance, Gravel Road Maintenance, Asphalt Patching, Weed Mowing, and direction regarding public works projects.
- 16. [Presentation](#) by Thomas Bolling, Nye County Public Works Director regarding status of the road network in Nye County, including budget status, current road conditions, and future planned road maintenance and road improvements.

SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

- 17. [For Possible Action](#) – Discussion and deliberation to accept a donation of a Fire Safety House/ Towable Trailer, VIN 1SSTT35T7311SS738 for Pahrump Fire Rescue from Las Vegas Fire Rescue.

SITTING AS THE BOARD OF COUNTY COMMISSIONERS

- 18. **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.**

- 18.1 [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.

- 18.2 [For Possible Action](#) – Approval of Return of Sale; Affidavits of Publication pursuant to NRS 361.595 for the Nye County Trust Property Online Auction results, held on November 28-30, 2023.

- 18.3 [For Possible Action](#) – Approval to:

- a. Accept the Nevada Governor's Office of Economic Development Amendment #5 to extend the grant period through to March 31, 2024 for the continuation of the Community Development Block Grant Pahrump Fairgrounds Water and Well System Project. There is no change to the funding at this time; and
- b. Execute the amendment.

- 18.4 [For Possible Action](#) – Approval to:

- a. Accept the Federal Fiscal Year 2024 Notice of SubAward (NOSA) from Aging and Disability Services Division (ADSD) in the amount of \$87,968.00 to provide congregate meal services in Tonopah, Nye County.
- b. Execute the Subaward; and
- c. Fund to 10281 Senior Nutrition.

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18.5 [For Possible Action](#) – Approval to:

- a. Accept the Federal Fiscal Year 2024 Notice of SubAward (NOSA) from Aging and Disability Services Division (ADSD) in the amount of \$65,373.50 to provide home-delivered meals to senior clients in Beatty, Tonopah, Sarcobatus Flats and Gabbs in Nye County;
- b. Execute the Subaward; and
- c. Fund to 10281 Senior Nutrition.

BOARD OF COMMISSIONERS

19. [For Possible Action](#) – Discussion and deliberation regarding selecting Commissioner Liaison / Representative positions for 2024.

CLERK

20. [For Possible Action](#) - Discussion, deliberation and direction to staff on whether or not to relocate the County Clerk's Office equipment and non-court clerk staff from the Ian Deutch Government Complex in Pahrump to a location determined by the Board of County Commissioners.

21. [For Possible Action](#) – Discussion and deliberation to:

- a. Rescind Board action taken that approved agenda item 25 at the July 5, 2022 meeting wherein the Board approved to appoint Helene Williams to the Nye County Water District Governing Board with a term expiring June 2024; and
- b. Appoint Helene Williams to the Nye County Water District Governing Board with a term expiring June 2025.

22. [For Possible Action](#) – Discussion and deliberation to:

- a. Rescind Board action taken that approved agenda item 29 at the October 18, 2022 meeting wherein the Board approved to appoint Charles H. Miller to the Nye County Water District Area 1 with a term expiring January 2025; and
- b. Appoint Charles H. Miller to the Nye County Water District Governing Board, Area 2, with a term expiring June 2024.

23. [For Possible Action](#) – Discussion and deliberation to:

- a. Appoint three members to the Belmont Advisory Board due to three expiring terms from the following list of applicants: Tracy Bilyeu, Neal Jones, Donna Motis, Anthony J. Perchetti, and Theodore "Tay" Shuff, and/or
- b. Readvertise for the appointment.

24. [For Possible Action](#) – Discussion and deliberation to:

- a. Appoint seven members to the Central Nevada Museum Board due to seven expiring terms from the following list of applicants: Cindy Kaminski, Randy McLean, Leslie McQuade, Arlene Melton, Allen Metscher, Phyllis Sorhouet, and Carrisa Tashiro, and/or
- b. Readvertise for the appointment.

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25. [For Possible Action](#) – Discussion and deliberation to:

- a. Appoint one member to the Gabbs Town Advisory Board due to an expiring term from the following list of applicants: Debra L. Harris, and/or
- b. Readvertise for the appointment.

26. [For Possible Action](#) – Discussion and deliberation to:

- a. Appoint five members to the Parks and Recreation Advisory Board due to expiring terms from the following list of applicants: Tim Bohannon and Davis Harris, and/or
- b. Readvertise for the appointment.

27. [For Possible Action](#) – Discussion and deliberation to:

- a. Appoint two members to the Railroad Valley Advisory Board due to expiring terms from the following list of applicants: Carolyn Drayton; or
- b. Readvertise for the appointment.

SHERIFF

28. [For Possible Action](#) – Discussion and deliberation to:

- a. Discuss the bid proposals received for Bid No. 2023-22 Body Worn Cameras;
- b. Reject non-responsive bid proposals;
- c. Award bid 2023-22 to Axon Enterprise, Inc.; LensLock, Inc.; PCN Strategies; or Utility Associates, Inc.;
- d. Approve or amend and approve the five (5) year contract with selected bidder;
- e. Fund to 10340 Grants and multiple Sheriff Public Safety Sales and Use Tax Funds; or
- f. Reject bids and provide direction to staff on how to proceed with the project.

COUNTY MANAGER

29. [Report](#) pursuant to NRS 288.200 on the Findings and Recommendations submitted by Fact-Finder David Gaba for Resolution of Impasse Issues between the Nye County Management Employees Association and Nye County.

30. [For Possible Action](#) – Discussion and deliberation to:

- a. Appoint eight members to the Nye County Peace Officer Advisory Review Board due to six expiring terms and two vacancies from the following list of applicants: Deanna O'Donnell, Dina Williamson-Erdag, Robert Fuller, Vicki Gladsjo, Anthony Ruppertsberg, Gary Underdahl, Dale Wysocki and Ben Zamora; or
- b. Readvertise for the appointment.

31. [For Possible Action](#) – Discussion and deliberation to reschedule the second meeting in February to Friday, February 16, 2024 at 10:00 a.m. in Pahrump, NV to allow for certification of the Presidential Preference Primary.

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32. [For Possible Action](#) – Discussion and deliberation to:

- a. Approve, amend and approve, or reject a site rental agreement with the Board of Regents of the Nevada System of Higher Education on Behalf of the Desert Research Institute (DRI) for the purpose of maintaining and operating a remotely controlled cloud seeding generator and weather station on county property located at Assessor’s Parcel Number 047-041-02, 7401 E. Manse Rd., Pahrump, NV; and
- b. Determine if lease back payments from 2018 to 2023 in the amount of \$38,244.00 should be charged or waived.

FINANCE

33. [Report](#) by Helen Bae, Comptroller regarding the budget status for 2nd Quarter Fiscal Year 2024 of Nye County and all sub-entities.
34. [For Possible Action](#) – Discussion and deliberation to approve, amend and approve, or reject the program budget adjustment request from Shelley Poerio with Living Free Health and Fitness under the Nye County ARPA Recovery Plan and Policy: Public Health Assistance- Mental Health Grant.
35. [For Possible Action](#) – Discussion and deliberation to approve, amend and approve or reject the proposed updates to the Nye County American Rescue Plan Act (ARPA) - Recovery Plan and Policy.

HEALTH & HUMAN SERVICES

36. [Presentation](#) by Karyn Smith, Health and Human Services Director, regarding the programs that Health and Human Services provides to include Long Term Care; 50/50 County Match; Public Guardian; Rapid Re-Housing Program; Ryan White; Women, Infant and Children (WIC); Community Health Nurse; Senior Nutrition; and the services that are offered through each. (10-minute time limit)

PLANNING/BUILDING/CODE COMPLIANCE

37. [For Possible Action](#) – Discussion and deliberation regarding the approval of LD-23-18: a Tentative Commercial Subdivision Map to allow an industrial commercial subdivision on four parcels for a total of approximately 83.15 acres zoned Heavy Industrial (HI), located at 6621 E. Chromium Blvd., 6691 E. Chromium Blvd., 6811 E. Chromium Blvd., and 6931 E. Chromium Blvd., Pahrump NV. Assessor's Parcel Numbers 047-021-26, 25, 24, and 23. Wulfco, LLC - Owners. Russ Meads - Double M Construction, Agent/Applicant.

PUBLIC WORKS

38. [For Possible Action](#) – Presentation, Discussion, and Deliberation to:

- a. Not move forward with the automatic extension of the Amended and Restated Solid Waste Franchise Agreement (Agreement) with Pahrump Valley Disposal according to the language in section III of the agreement.
- b. Instruct Staff to issue a letter to Pahrump Valley Disposal no later than January 30th, 2024 informing them of the decision to not move forward with the automatic extension; or
- c. Do nothing and allow the automatic extension for one year.

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39. [For Possible Action](#) – Discussion and deliberation to:

- a. Discuss the bid proposals received for Bid No. 2023-18 Tonopah Airport Environmental Review;
- b. Award Bid 2023-18 Tonopah Airport Environmental Review to BEC Environmental, Inc. in the amount of \$14,294.31 or to Resource Concepts, Inc. in the amount of \$36,634.00;
- c. Approve, amend and approve, or reject the contract with selected bidder;
- d. Fund to 10340 Grants; or
- e. Reject bids and provide direction to staff on how to proceed with the project.

40. [For Possible Action](#) – Discussion and deliberation to:

- a. Approve, amend and approve or reject an agreement between the State of Nevada, Department of Health and Human Services, Energy Assistance Program (EAP)-Water and Sewer Assistance Program (WSAP) and the Town of Gabbs that will allow Gabbs to be part of the WSAP program for its water and sewer customers; and
- b. Execute the agreement.

41. [For Possible Action](#) – Discussion and deliberation to

- a. Approve, amend and approve or reject a Commercial Water Service Agreement with Premier Magnesia, LLC for a 4-inch water service connection from Gabbs Town Water System to provide water for potable use for 449 Main St, Gabbs NV, Assessor's Parcel Number 001-241-04, including the entire Premier Magnesia mine site and facilities;
- b. Execute the agreement; and
- c. Fund \$91,680.00 to Gabbs 23502.

42. 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).

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

44. 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 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