



**NYE COUNTY  
BEATTY TOWN ADVISORY BOARD MEETING**

**Beatty Community Center  
100 South A Avenue, Beatty, NV 89003  
Thursday April 20, 2020  
3:30pm**

**Dick Gardner, Chair  
Randy Reed, Vice Chair  
Erika Gerling, Treasurer  
Perry Forsyth, Member  
Rob Shirley, Member**

Pursuant to the State of Nevada Executive Department Declaration of Emergency Directive 006, the Beatty Town Advisory Board will hold public meetings via teleconference. Meetings will not be accessible from any physical location. Public comment can be given by calling 1-408-418-9388, access code 627 564 215. Please provide your first and last name when prompted. If you get an error message regarding call capacity, please hang up, wait a few moments and try again. The Chair of the Board will open public comment periods by announcement. Commenters will be called upon by

**NOTE:** All items are approximate except for bid openings, public hearings, and any other items agendized 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. **NOTICE:** It is anticipated that the items of business before the Advisory Board on *April 20, 2020* 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 Advisory Board beginning at 8:30 a.m. on the next day.

*Public Comment* during the Advisory Board Meeting on *April 20, 2020* will be for all matters, both on and off the agenda, and be limited to three minutes per person. Additionally, public comment of three minutes per person will be heard during individual action items. The Advisory Board reserves the right to reduce the time or limit the total time allowed for public comment. The Advisory Board may prohibit comment if the content of the comments is a topic that is not relevant to, or within the authority of, the Advisory Board, 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 Advisory Board meeting.

Pursuant to NRS 241.020, the Agenda for the Advisory Board Meeting has been posted at the following locations. Beatty Community Center, 100 South A Avenue, Beatty, NV; US Post Office, 600 East Highway 95, Beatty, NV; Beatty Library, 400 North 4<sup>th</sup> Street, Beatty, NV and the Beatty Senior Center, 200 South A Avenue, Beatty, NV

Support documentation for the items on the agenda, provided to the Advisory Board is available to members of the public upon request. Please contact Carrie at the Beatty Town Office (100 South A Avenue, Beatty, NV).

*"Nye County is an equal opportunity provider and employer."*

*If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at [program.intake@usda.gov](mailto:program.intake@usda.gov)."*

Dick Gardner, Chair  
Randy Reed, Vice-Chair  
Erika Gerling, Treasurer  
Perry Forsyth, Member  
Rob Shirley, Member

**Special Note: Any member of the public who is disabled and requires accommodation or assistance at this meeting is requested to notify the Beatty Town Office in writing or call 775-553-2050 prior to the meeting.**

**NOTICE OF TIMED AGENDA ITEMS**

**BEATTY TOWN ADVISORY BOARD**

- 1. Pledge of Allegiance**
- 2. GENERAL PUBLIC COMMENT (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.**
- 3. Approval of the Agenda for the Beatty Town Advisory Board meeting of April 20, 2020**
- 4. For Possible Action - Emergency Items**
- 5. Board Member's Comments (This item limited to announcements or topics/issues proposed for future workshops/agendas)**
- 6. 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.**
  - a. For Possible Action – Discussion of any item from the Consent Agenda Items that needs review before a decision is made.
  - b. For Possible Action - Approval of Town Vouchers
- 7. Reports**
  - a. Secretary

**8. General Business**

- a. **For Possible Action – Discussion, deliberation and decision to send a comment letter to the Bureau of Land Management Battle Mountain District, Nevada regarding the Corvus Gold Nevada, Inc. Mother Lode Exploration Project Nye County, Nevada Environmental Assessment #DOI-BLM-NV-B020-2020-0003-EA. Comment must be received no later than 4:30pm on April 23, 2020. – Erika Gerling**

- 9. GENERAL PUBLIC COMMENT (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.**

**10. Adjournment**

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DECLARATION OF EMERGENCY  
DIRECTIVE 006

*WHEREAS*, on March 12, 2020, I, Steve Sisolak, Governor of the State of Nevada issued a Declaration of Emergency to facilitate the State's response to the COVID-19 pandemic; and

*WHEREAS*, on March 13, 2020, Donald J. Trump, President of the United States declared a nationwide emergency pursuant to Sec. 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5207 (the "Stafford Act"); and

*WHEREAS*, the World Health Organization and United States Centers for Disease Control and Prevention have advised that there is a correlation between density of persons gathered and the risk of transmission of COVID-19; and

*WHEREAS*, close proximity to other persons is currently contraindicated by public health and medical best practices to combat COVID-19; and

*WHEREAS*, recreational social gatherings unnecessarily extend periods of interpersonal contact and promulgates spread of COVID-19; and

*WHEREAS*, certain non-essential activities result in the congregation of persons for extended periods of time; and

*WHEREAS*, NRS 414.060 outlines powers and duties delegated to the Governor during the existence of a state of emergency, including without limitation, directing and controlling the conduct of the general public and the movement and cessation of movement of pedestrians and vehicular traffic during, before and after exercises or an emergency or disaster, public meetings or gatherings; and

*WHEREAS*, Nevada Revised Statutes 414.060(3) states: "In performing his or her duties under this chapter and to effect its policy and purpose, the Governor may: (a) Make, amend and rescind the necessary orders and regulations to carry out the provisions of this chapter within the limits of the authority conferred upon the Governor in this chapter, with due consideration of the plans provided by the Federal Government;" and

*WHEREAS*, NRS 414.070 outlines additional powers delegated to the Governor during the existence of a state of emergency, including without limitation, enforcing all laws and regulations relating to emergency management and assuming direct operational control of any or all forces, including, without limitation, volunteers and auxiliary staff for emergency management in the State; providing

for and compelling the evacuation of all or part of the population from any stricken or threatened area or areas within the State and to take such steps as are necessary for the receipt and care of those persons; and performing and exercising such other functions, powers and duties as are necessary to promote and secure the safety and protection of the civilian population; and

*WHEREAS*, on March 15, 2020, I directed executive branch agencies to close state offices to the public and to wind down in-person public services and to the extent practicable, transition services to online and over-the-phone services; and

*WHEREAS*, Nevada Revised Statutes 241.010 provides that “[i]n enacting this chapter, the Legislature finds and declares that all public bodies exist to aid in the conduct of the people’s business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly;” and

*WHEREAS*, the continued operations of state public bodies are essential to the State of Nevada; and

*WHEREAS*, on March 20, 2020, I issued Declaration of Emergency Directive 003 that ordered the closure of all Non-Essential Businesses by 11:59 p.m. on March 20, 2020, authorized criminal and civil penalties for Non-Essential Businesses that continued to operate in violation of that order, and authorized all local, city, and county governments along with the Office of the Attorney General to enforce that Directive; and

*WHEREAS*, immediate enforcement of Declaration of Emergency Directive 003 is vital to protect the Health and Safety of the public:

*NOW THEREFORE*, by the authority vested in me as Governor by the Constitution and the laws of the State of Nevada and the United States, and pursuant to the March 12, 2020, Emergency Declaration,

IT IS HEREBY ORDERED THAT:

- SECTION 1: The requirement contained in NRS 241.023(1)(b) that there be a physical location designated for meetings of public bodies where members of the public are permitted to attend and participate is suspended.
- SECTION 2: If a public body holds a meeting by means of teleconference or videoconference and a physical location where members of the public can attend is not provided, the public body must provide a means for the public to provide public comment, and post that means on the public notice agenda posted in accordance with NRS 241.020. Public comment options may include, without limitation, telephonic or email comment.
- SECTION 3: The requirements contained in NRS 241.020(4)(a) that public notice agendas be posted at physical locations within the State of Nevada are suspended.
- SECTION 4: Public bodies must still comply with the requirements in NRS 241.020(4)(b) and NRS 241.020(4)(c) that public notice agendas be posted to Nevada’s notice website and the public body’s website, if it maintains one along with providing a copy to any person who has requested one via U.S. mail or electronic mail.
- SECTION 5: The requirement contained in NRS 241.020(3)(c) that physical locations be available for the public to receive supporting material for public meetings is suspended.

SECTION 6: If a public body holds a meeting and does not provide a physical location where supporting material is available to the public, the public body must provide on its public notice agenda the name and contact information for the person designated by the public body from whom a member of the public may request supporting material electronically and must post supporting material to the public body's website, if it maintains one.

SECTION 7: A public body that holds a meeting pursuant to this Executive Order must ensure that any party entitled to or required to appear before it shall be able to do so through remote means and fully able to participate in the agenda items that pertain to them.

SECTION 8: The requirements of NRS 241.033, NRS 241.034 are suspended for any actions necessary to enforce Declaration of Emergency Directive 003 against entities, owners, representatives, agents, or employees that continue to operate or assist in operation after 11:59 p.m. on March 2020. Public bodies enforcing Declaration of Emergency Directive 003 against entities, owners, agents, or employees pursuant to this section shall provide the responding party with at least 24 hours notice of a meeting to take action; and

SECTION 9: Public bodies may enforce Declaration of Emergency Directive 003 at an emergency meeting as authorized by NRS 241.020(11) and may make use of all other amendments to NRS chapter 241 included in this Executive Order.

SECTION 10: This Directive shall remain in effect until April 16, 2020, unless renewed by a subsequent Directive promulgated pursuant to the March 12, 2020 Declaration of Emergency to facilitate the State's response to the COVID-19 pandemic.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Nevada to be affixed at the State Capitol in Carson City, this 22nd day of March, in the year two thousand twenty.



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Governor of the State of Nevada

*Barbara K. Cegavske*  
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Secretary of State

*Scott K. Korman*  
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Deputy Secretary of State