



**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

December 16, 2021

10:00 a.m.

Nye County's vulnerable population, or those sheltering in place may, subject to technical difficulties, 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.NyeCounty.net. 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 December 16, 2021 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 December 16, 2021 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

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

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

December 16, 2021

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. Commissioners'/Manager's Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)**
- 3. Approval of the Agenda for December 16, 2021 (Non-action item)**
- 4. 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).**
- 5. For Possible Action – Emergency Items**

SITTING AS THE BOARD OF COUNTY COMMISSIONERS

TIMED ITEMS

- 6. 10:00 a.m. – [For Possible Action](#):**
 - a. For Possible Action – **Public Hearing**, discussion and deliberation on ZCMP-21-32: An application for a Minor Master Plan Amendment to change approximately 2.09 acres from the Rural Density Residential (RDR) to the Community Development Area (CDA) on property located at 3980 and 3950 S. Panhandle Place, Pahrump, NV. Assessor's Parcel Numbers 041-292-11 and 041-292-12. Shug Co., LLC. – Property Owner. Chrismor Investments, LLC. – Applicant.
 - b. For Possible Action – **Public Hearing**, discussion and deliberation on ZCMP-21-33: An application for a Zone Change to change approximately 2.09 acres from Rural Estates Residential (RE-1) to General Commercial (GC) to allow a Rent-2-Go business on property located at 3980 and 3950 S. Panhandle Place, Pahrump, NV. Assessor's Parcel Numbers 041-292-11 and 041-292-12. Shug Co., LLC. – Property Owner. Chrismor Investments, LLC. – Applicant/Agent.
- 7. 10:00 a.m. – [Presentation](#) by Nicholas Pay with the Bureau of Land Management (BLM) regarding proposed solar projects located on BLM lands within Nye County.**

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

December 16, 2021

SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

8. For Possible Action – Discussion and deliberation regarding verbal or written activity reports provided by Town of Pahrump Committees: Pahrump Arena Advisory Committee, Nuclear Waste and Environmental Advisory Committee, Pahrump Off Highway Vehicle Park Advisory Committee, Pahrump Parks and Recreation Advisory Committee, Pahrump Public Lands Advisory Committee, Pahrump Tourism Advisory Committee, or Pahrump Veterans Memorial Advisory Committee, and direction from the Board regarding the verbal activity reports.
9. [For Possible Action](#) – Discussion and deliberation to: 1) Approve, amend and approve, or reject the request for new signage at four Pahrump Valley Fire Rescue facilities not to exceed \$175,000.00; 2) Fund from the American Rescue Plan Act (ARPA) grant within the Nye County Grants Fund 10340; 3) Grant a one-time approval for the Town Manager to approve the contract with the successful bidder following formal procurement; or 4) Provide direction to staff on the project.
10. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject the Town of Pahrump Property Use Policy.

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.

11. [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.
12. [For Possible Action](#) – Approval to set the date and location for the second Board of Commissioners meeting in March for Tuesday, March 15, 2022, in Pahrump, NV.
13. [For Possible Action](#) – Approval to adopt Nye County Resolution No. 2021-43: A Resolution Directing the Levy of a Special Assessment to Each Water User Situated Within the Confines of the Duckwater Creek Distribution for Fiscal Year 2022-2023.

BOARD OF COMMISSIONERS

14. 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.
15. Closed meeting, pursuant to NRS 241.015(3)(b)(2) for purposes of conferring with legal counsel regarding potential or current litigation.
16. For Possible Action – Discussion and deliberation on conference with legal counsel regarding potential or current litigation presented in closed meeting.
17. 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.
18. 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.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

December 16, 2021

19. For Possible Action – Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.
20. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2021-40: A Resolution Opposing Critical Race Theory in Nye County.
21. [For Possible Action](#) – Discussion and deliberation to consider whether to support or oppose the Rough Hat Solar Project.
22. [For Possible Action](#) – Discussion and deliberation to recognize: 1) The Ian Deutch Government Complex in Pahrump and the William P. Beko Justice Complex in Tonopah is owned by Nye County and the Nye County Board of County Commissioners have the power and jurisdiction to control and manage the property in accordance with NRS 244.270; and 2) The Fifth Judicial District Court has the right to impose security measures for the courtrooms and office space occupied by the Fifth Judicial District Court staff, or used for court operations only; and 3) The Court Order in the Matter of Courthouse and Courtroom Security in the Fifth Judicial District dated February 5, 2010 ordered by District Court Judge Robert W. Lane only applies to the Fifth Judicial District courtrooms and office space occupied by the Fifth Judicial District Court staff in each respective complex.
23. [For Possible Action](#) – Discussion and deliberation to: 1) Relocate the Fifth Judicial District Departments 1 and 2, courtrooms and staff from the Ian Deutch Government Complex in Pahrump to the County owned facility located at 250 N. Hwy 160 in Pahrump and from the William P. Beko Justice Complex in Tonopah to the County owned facility located at 1118 Globemallow Ln. in Tonopah; and 2) Establish a timeline.

CLERK

24. [For Possible Action](#) – Discussion and deliberation to: 1) Appoint seven members to the Central Nevada Museum Advisory Board due to seven expiring terms from the following list of applicants: Douglas “Stretch” Baker, Brittany Brierly, Harris Brokke, Cindy Kaminski, Albert Kaplan, Randy McLean, Arlene Melton, Allen Metscher, Liese Peterson, and Phyliss Sorhouet; or 2) Readvertise for the appointment.
25. [For Possible Action](#) – Discussion and deliberation to: 1) Appoint three members to the Parks and Recreation Advisory Board due to expiring terms from the following list of applicants: David Harris, Haley Hastie, and Elysia Osterhoudt; or 2) Readvertise for the appointment.
26. [For Possible Action](#) – Discussion and deliberation to: 1) Appoint one member to Railroad Valley Advisory Board due to one expiring term from the following list of applicants: Dorothy Bloom; or 2) Readvertise for the appointment.

PUBLIC ADMINISTRATOR

27. [Presentation](#) regarding the quarterly report from the Public Administrator on deceased person cases that are open, closed, pending, NCPA Creditor Claims, non-cases or cases that have been turned over to family.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

December 16, 2021

SHERIFF

28. [For Possible Action](#) – Discussion and deliberation to: 1) Discuss the bid proposal received for Bid No. 2021-12 Thermal Imaging Camera System; 2) Award Bid No. 2021-12 to Maxavision Technologies in the amount of \$162,221.50, MS Martin Enterprises, Inc. dba MSM Public Safety in the amount of \$198,360.00, or Technology International, Inc., in the amount of \$342,345.00; 3) Approve, amend and approve or reject the contract with selected bidder; 4) Fund from 10234 PSST; or 5) Reject bids and provide direction to staff on how to proceed with the project.

JUSTICES OF THE PEACE

29. [For Possible Action](#) – Discussion and deliberation to: 1) Accept or reject the Administrative Office of the Courts (AOC) Grant Award for Nye County Pahrump Justice Courtrooms A and B; 2) Approve, amend and approve, or reject the Sales Contract and Agreements between Justice AV Solutions (JAVS) and Nye County for the purchase of Audio/Video Upgrades in the Nye County Pahrump Justice Courtrooms A and B; 3) Execute the Agreements; and 4) Fund \$75,440.00 from 10340 Grants and \$57,197.00 from 10401 Capital Projects.

COUNTY MANAGER

30. [For Possible Action](#) – Discussion and deliberation to approve Nye County being a host county for a future Nevada Association of Counties (NACO) annual conference.
31. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject the Nye County Property Use Policy.
32. [For Possible Action](#) – Discussion and deliberation to 1) Appoint ten members to the Nye County Peace Officer Advisory Review Board due to eight expiring terms and two vacancies from the following list of applicants: Ralph Bazan, Andrew Borasky, William Carns, Randy Gulley, Roy Holt, Thomas Mazzola, Gina Meredith, Kent Mosdale, James Pinner, Dina Williamson-Erdag, Ben Zamora; or 2) Readvertise for the appointment.
33. [For Possible Action](#) – Discussion and deliberation to ratify a letter of support sent by Natural Resources Director, Lorinda Wichman to the Bureau of Land Management regarding the TLC Exploration project in Lower Smoky Valley.
34. [For Possible Action](#) – Discussion and deliberation to approve a letter of response to National Aeronautics and Space Administration (NASA) regarding the sequestration of 23,000 acres of Railroad Valley.

FACILITIES

35. [For Possible Action](#) – Discussion and deliberation to: 1) Approve, amend and approve, or reject the Month-to-Month Lease Agreement between Department of Health and Human Services, Division of Child and Family Services and Nye County to lease office space located at 2 Frankie Street, Tonopah, NV in the amount of \$540.00 per month; 2) Execute the Agreement; and 3) Deposit funds into 10291 County Owned Buildings.

FINANCE

36. [For Possible Action](#) – Discussion and deliberation regarding the budget status for October 2021 for Nye County and all sub-entities for fiscal 2022.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

December 16, 2021

37. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2021-46: A Resolution to Augment and Amend the 2021-2022 budget of the Town of Beatty, State of Nevada.

Fund 24704 OPEB Trust Fund in the amount of \$12,000.00

38. [For Possible Action](#) – Discussion and deliberation to: 1) Approve, amend and approve, or reject the Agreement with Sourcewell (formerly known as National Joint Powers Alliance) to establish membership for Nye County for the purpose of utilizing their competitively solicited cooperative contracts; and 2) Execute the Agreement.

HUMAN RESOURCES

39. [For Possible Action](#) – Discussion and deliberation to set the minimum compensation of the Justices of the Peace elected into office effective January 2023 at \$78,293.00 annually.

PLANNING/BUILDING/CODE COMPLIANCE

40. [For Possible Action](#) – Discussion and deliberation regarding RFQ: 2021-08 – Indefinite Delivery, Indefinite Quantity On-Call Professional Civil Engineering Services: 1) Discuss the requests for qualifications proposals received; 2) Accept the response from Civilwise Services, Inc., FarrWest, Engineering, Holistic Engineering and Land Management, Inc. (HELM), or J-U-B Engineering, Inc.; and 3) Provide direction to staff to enter into fee negotiations. This project is to be funded from Fund 10340, Grants, using the Grant Award from the U.S. Department of Homeland Security.

41. [For Possible Action](#) – Discussion and deliberation to: 1) Rescind Board action taken that approved agenda item 40(b) at the March 16, 2021, meeting wherein the Board approved IA-2020-000021: A Subdivision Improvement Maintenance and Warranty Agreement related to the Unit 2 Final Subdivision Map of Mountain Falls Planning Area 2, on approximately 5.79 acres (gross), Assessor’s Parcel Number 046-251-02. Taney Engineering – Agent. Mountain Falls LLC – Owner; and 2) Approve IA-2020-000021 a Subdivision Improvement Maintenance and Warranty Agreement related to the Unit 2 Final Subdivision Map of Mountain Falls Planning Area 2, on approximately 5.79 acres (gross), Assessor’s Parcel Number 046-251-02. Taney Engineering – Agent. Mountain Falls LLC – Owner.

PUBLIC WORKS

42. [For Possible Action](#) – Discussion and deliberation to: 1) Discuss the bid proposals received for Bid No. 2021-05 Type 2 Bid Package; 2) Award Bid No. 2021-05 to Morales Construction, Inc., in the amount of \$226,100.00, or Wulfenstein Construction Co., Inc. in the amount of \$261,060.00; 3) Approve, amend and approve or reject the contract with selected bidder; 4) Fund from 10205 Roads; or 5) Reject bids and provide direction to staff on how to proceed with the project.

43. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2021-44: A Resolution Approving an Interlocal Contract Between Nye County and the Town of Round Mountain Established for the Purpose of Utilizing The 1.75 Cents Per Gallon Excise Tax on Certain Motor Vehicle Fuels Which is Apportioned to the Town of Round Mountain in Accordance with NRS 365.560.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

December 16, 2021

44. [For Possible Action](#) – Discussion and deliberation to accept a Restrictive Covenant Running with the Land agreement between Nye County and Jesus Lopez, for the property located at 1500 South Red Butte Street, Pahrump, NV, Assessor’s Parcel Number 039-651-01, for the purpose of future road improvements to be paid for by the property owner.

SENIOR SERVICES

45. For Possible Action – Discussion and deliberation to: 1) Ratify the County Manager, Tim Sutton’s acceptance of the FFY 2022-2023 Agreement PR393-21-802 from Nevada Department of Transportation (NDOT)/FTA §5311 funding for operating expenses in the amount not to exceed \$230,124.00 for the purpose of providing transportation to seniors and the general public in Nye County; and 2) Fund from 10340 Grants. Matching funds totaling \$110,261.00 will be provided through funding with Aging and Disability Services, as well as revenue from MTM (non-emergency medical transportation) services.

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).

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

47. 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