



**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**

**March 15, 2022**

**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.nyecountynv.gov](http://www.nyecountynv.gov). 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 March 15, 2022 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 March 15 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](mailto:program.intake@usda.gov)

# NYE COUNTY BOARD OF COMMISSIONERS AGENDA

**ITEM # SUBJECT**

**March 15, 2022**

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](http://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 March 15, 2022 (Non-action item)**
5. **For Possible Action – Emergency Items**
6. [For Possible Action](#) – Discussion and deliberation regarding meeting minutes from the regular joint meeting on February 1, 2022.

## **SITTING AS THE BOARD OF COUNTY COMMISSIONERS**

### **TIMED ITEMS**

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. – [For Possible Action](#) – Public Hearing**, discussion and deliberation to issue an Outdoor Festival License to David Harris, Kiwanis Club President, for the Culpepper & Merriweather Circus to be held May 3, 2022, at Petrack Park, 150 Highway 160, Pahrump, NV.
9. **10:00 a.m. – [For Possible Action](#) – Public Hearing**, discussion, and deliberation on ZCMP-21-34: An application for a (Conforming) Zone Change to change three (3) parcels totaling approximately 3.3 acres from Neighborhood Commercial (NC) to General Commercial (GC) on property located at 3670 E. Alfalfa Street, 3700 E. Alfalfa Street and 3730 E. Alfalfa Street, Pahrump, NV. Assessor's Parcel Numbers 042-451-09, 042-451-10 and 042-451-11. Pinewood Company, LLC – Property Owner. Red Apple Fireworks – Applicant. Mark H. Fiorentino – Agent.
10. **10:00 a.m. – [For Possible Action](#) – Public Hearing**, discussion and deliberation on ZCMP-21-35: An application for a (Conforming) Zone Change to change two (2) parcels totaling approximately 2.2 acres from Neighborhood Commercial (NC) to General Commercial (GC) on property located at 3550 E. Alfalfa Street and 3580 S. Nevada Highway 160, Pahrump, NV. Assessor's Parcel Numbers 042-451-15 and 042-451-14. Pinewood Company, LLC – Property Owner. Red Apple Fireworks – Applicant. Mark H. Fiorentino – Agent.

**NYE COUNTY BOARD OF COMMISSIONERS AGENDA**

**ITEM # SUBJECT**

**March 15, 2022**

- 11. 10:00 a.m. – [For Possible Action](#) – Hearing to Show Cause**, discussion and deliberation to determine: 1) If a nuisance and safety issue still exists on the property; or 2) If there is no nuisance or safety issue associated with the property; and 3) Possible direction to staff to abate and/or remove the nuisance and safety issues, for property located at 2831 E. Deadwood Street, Pahrump, NV. Assessor’s Parcel Number 041-061-07. Kenny Caceras and Denise Sida – Property Owner(s).

**SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP**

- 12. [For Possible Action](#)** – Discussion and deliberation to: 1) Rescind Board action taken that approved agenda item 16 at the August 3, 2021 meeting wherein the Board approved to dispose of Pahrump Valley Fire Rescue Truck, Rescue 15, a 1988 GMC/Saulsbury VIN 1GDP9C1J8JV603355 through auction; and 2) Approve to dispose of Pahrump Valley Fire Rescue Truck, Rescue 15, a 1988 GMC/Saulsbury VIN 1GDP9C1J8JV603355 in a manner determined by Fire Chief, Scott Lewis with any resulting proceeds being deposited into 25101 General Fund Capital Outlay.
- 13. [For Possible Action](#)** – Discussion and deliberation to adopt, amend and adopt, or reject Town of Pahrump Resolution No. 2022-01: A Resolution to Augment the 2021-2022 Budget of the Town of Pahrump, County of Nye, State of Nevada.

Fund 25412 Television Construction Fund in the amount of \$24,000.00.

**SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWNS OF BEATTY, GABBS, MANHATTAN, AND RAILROAD VALLEY**

**BEATTY**

- 14. [For Possible Action](#)** – Discussion and deliberation to: 1) Approve the purchase of 7 sets of turnouts for the Beatty Volunteer Fire Department volunteers from Curtis in the amount of \$25,013.31; 2) Fund 10,719.99 from 24235 Beatty Volunteer Fire Department Public Safety Sales Tax fund (PSST); and 3) Fund \$14,293.32 from 24101 Beatty Town General Fund.
- 15. [For Possible Action](#)** - Discussion and deliberation to approve providing \$28,488.00 in funding support for The Great Basin Institute (GBI) to complete the necessary archaeological studies required for the planning and development of the Oasis Valley Trail System in Beatty to be funded from 24101 Beatty General Fund.

**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.**

- 16. [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.
- 17. [For Possible Action](#)** – Approval to set the date and location for the second Board of Commissioners meeting in June for Wednesday, June 22, 2022, in Pahrump, NV.

## NYE COUNTY BOARD OF COMMISSIONERS AGENDA

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18. [For Possible Action](#) – Approval to: 1) Accept Amendment No. 2 to the Original Ryan White Grant contract dated March 21, 2017, to extend until September 30, 2022, for the purpose of providing assistance for HIV/AIDS residents of Nye County. There is no County match required; 2) Execute Amendment No. 2.; and 3) Fund from 10340 Grants.
19. [For Possible Action](#) – Approval to: 1) Accept the SFY 2022 Notice of SubAward (NOSA) from the Nevada Aging and Disability Services Division (ADSD) in the amount of \$3,107.00 to provide commodity food funding for congregate and homebound/home-delivered nutrition services at the Tonopah Senior Center, as well as homebound/home-delivered services in Beatty, Nye County. There is no County Match required; 2) Execute the SubAward; and 3) Fund \$3,107.00 from 10281 Senior Nutrition.

### BOARD OF COMMISSIONERS

20. 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.
21. Closed meeting, pursuant to NRS 241.015(3)(b)(2) for purposes of conferring with legal counsel regarding potential or current litigation.
22. For Possible Action – Discussion and deliberation on conference with legal counsel regarding potential or current litigation presented in closed meeting.
23. 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.
24. 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.
25. For Possible Action – Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.
26. [Presentation](#) on the Neighborhood Watch Program by Members of the Sheriff’s Auxiliary Unit.
27. [For Possible Action](#) – Discussion, deliberation, and direction to staff to consider the County to operate the new animal shelter in-house, located at 1580 Siri Ln. in Pahrump, NV, in order to allow the County to audit and confirm the new shelter’s operational processes. In addition, the County will integrate the Tonopah Animal Shelter into the new shelter business as it relates to the spaying and neutering animals.
28. [For Possible Action](#) – Discussion and deliberation to request the Nye County Clerk to consider administering the 2022 Primary and General elections using only paper ballots and hand-counting the paper ballots submitted by Nye County voters to ensure accuracy and transparency of the democratic voting process.

### CLERK

29. [Presentation](#) by the Nye County Clerk Regarding Election Procedures, Voter Registration Procedures, Current and New Election Laws, Election Boards, Processing Ballots, Tabulation Procedures, Election Equipment and Equipment Testing.

## NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

March 15, 2022

30. [For Possible Action](#) – Discussion and deliberation pursuant to NRS 244.360(1) and 244.360(2), to direct the Clerk to set a public hearing not less than 30 nor more than 40 days subsequent to the filing of a nuisance complaint at 1130 China Street, Pahrump, NV, Assessor’s Parcel Number 040-262-21, owned by Alvaro Cano.
31. [For Possible Action](#) – Discussion and deliberation to: 1) Appoint three members to the Pahrump Library Board due to three expiring terms from the following list of applicants: Terri Bell, Helen Campton, Kelly (Stephanie) Landis, Dee Mounts, John Pawlak, Marcia Peznowski, John Shewalter, Brian Shoemake, CJ Stevens, and Susan Wonderly; or 2) Readvertise for the appointment.
32. [For Possible Action](#) – Discussion and deliberation to: 1) Appoint seven members to the Nye County Water District due to seven vacancies from the following list of applicants: Louis Baker, Edwin Goedhart, Bruce Holden, Michael Lach, Ammie Nelson, Eddie Williams, Helene Williams; or 2) Readvertise for the appointment.

### DISTRICT ATTORNEY

33. [For Possible Action](#) – Discussion and deliberation to approve the State Fiscal Year 2023 and 2024 budgets from the State of Nevada Department of Health and Human Services in accordance with the Interlocal Contract with Nye County through the District Attorney’s Office Child Support Division for child support enforcement activities.

### PUBLIC ADMINISTRATOR

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

### SHERIFF

35. [For Possible Action](#) – Discussion and deliberation to approve a Memorandum of Agreement with the Duckwater Shoshone Tribal Police Department for the purpose of providing assistance and services including call backup, 911 radio communication services, and coroner services where applicable.

### COUNTY MANAGER

36. [For Possible Action](#) – Discussion and deliberation regarding the appointment of a County Health Officer pursuant to NRS 439.290, wherein the board of county commissioners shall appoint a county health officer for the county.

### FINANCE

37. [For Possible Action](#) – Discussion and deliberation regarding the budget status for January 2022 for Nye County and all sub-entities for Fiscal Year 2022.

### HEALTH & HUMAN SERVICES

38. [For Possible Action](#) – Discussion and Deliberation to: 1) Accept an Interlocal Contract Between Public Agencies - State of Nevada, Division of Health Care Financing and Policy (DHCFP) and Nye County for administrative services necessary to operate the Medicaid County Match Program and to share the cost of long-term care within the Scope of Work not to exceed \$.08 with a total maximum contract amount not to exceed \$1,394,013.16, 2) Execute the Interlocal Contract; and 3) Fund from 10284 Dedicated Medical Indigent fund.



## NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

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39. [For Possible Action](#) – Discussion and deliberation to approve an unbudgeted Secretary I position within Health and Human Services, to be funded by 10283 General and Medical Indigent Fund.

### PUBLIC WORKS

40. [For Possible Action](#) – Discussion and deliberation to set a date, time, and location for a Public Hearing on the results of Public Works identification and determination of improved roads and streets maintained by Nye County during Calendar Year 2021 for the purposes of compliance with Nevada Revised Statutes Chapter 365.550(8) with respect to Proceeds of Tax Levied pursuant to NRS 365.180; and other matters properly related thereto.
41. [For Possible Action](#) – Discussion and deliberation to approve an unbudgeted Water Distribution Technician position within Public Works, to be funded by 10101 General Fund, 27502 Manhattan Water, 23502 Gabbs Water & 10209 Airports.
42. [For Possible Action](#) – Discussion and deliberation to: 1) Discuss the quotes received from the solicitation for the Low Water Crossing Paving Project; 2) Award the project to J & J Enterprises Services, Inc in the amount of \$99,900.00 or Wulfenstein Construction in the amount of \$125,570.00; 3) Fund from 10205 Road; or 4) Reject bids and direct Public Works on how to move forward.
43. [For Possible Action](#) – Presentation, discussion and deliberation to direct staff to: 1) Begin the process to reconstruct Pahrump Valley Boulevard from Gamebird to Calvada, with the estimated full build cost of \$3,187,814.00 and identify a funding source, or 2) Begin the process to Chip Seal Pahrump Valley Boulevard from Gamebird to Calvada, with an estimated in-house weighted cost of \$70,000.00 and funded out of 10205 Road Funds.

### PUBLIC PETITIONER

44. [For Possible Action](#) – Discussion and deliberation to approve a letter to the Nevada State Board of Dental Examiners (NSBDE) requesting they waive the Nevada clinical exam requirement for Yvonne Kay Hubbard to gain her Dental Hygienist license under NRS 631.274(1)(a) in rural Nye County.
45. **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](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](mailto:nyeadmin@co.nye.nv.us) or by calling 775-482-8192