



**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**

101 Radar Road, Tonopah, NV 89049

June 7, 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. 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 June 7, 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 June 7, 2022 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 Brougner 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

June 7, 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

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 775-482-8191 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 June 7, 2022 (Non-action item)**
5. **For Possible Action – Emergency Items**

SITTING AS THE BOARD OF COUNTY COMMISSIONERS

TIMED ITEMS

6. **10:00 a.m. – [Presentation](#)** of certificates and/or plaques to two employees honored for their years of service.
7. **10:00 a.m. – [For Possible Action](#) – Public Hearing**, discussion and deliberation to adopt, amend and adopt, or reject Nye County Bill No. 2022-05: A Bill proposing to amend the International and Uniform Building and Construction Codes Effective Within Nye County as set forth in Nye County Code Chapter 15.16.010, pertaining to the requirement for automatic sprinkler systems in new buildings and structures; and providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto.
8. **10:00 a.m. – [For Possible Action](#) – Public Hearing** on results of Public Works identification and determination of improved roads and streets maintained by Nye County as of December 31, 2020, for the purposes of compliance with Nevada Revised Statutes Chapter 365.550 Paragraph 8 regarding Proceeds of Tax Levied pursuant to NRS 365.180; and other matters properly related thereto.
9. **10:00 a.m. – [For Possible Action](#) – Public Hearing**, discussion, and deliberation to issue an Outdoor Festival License to Round Mountain Gold – Kinross for the Kinross 4th of July Community Picnic to be held July 4, 2022, at Unite Park, Hadley, Round Mountain, Nevada.

SITTING AS THE NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS

10. **[For Possible Action](#)** – Discussion and deliberation regarding General Road Report by Public Works Director on General Road Maintenance, Gravel Road Maintenance, Asphalt Patching, Weed Mowing and direction regarding public work projects.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

June 7, 2022

SITTING AS THE NYE COUNTY LICENSING AND LIQUOR BOARD

- 11. [For Possible Action](#) – Discussion and deliberation to approve a Package Liquor License for R&N Mart, LLC., dba Tobacco & Liquor Express, located at 1190 E. Highway 372, Pahrump, NV. Nisha Raju – Owner/Applicant.

SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

- 12. [For Possible Action](#) – Discussion and deliberation to: 1) Appoint two members to the Pahrump Parks and Recreation Advisory Committee due to two vacancies from the following list of applicants: Dave Clasen and Loyce Seastrunk; or 2) Readvertise for the appointment.
- 13. [For Possible Action](#) – 1) Presentation by Robby Jay, VP Project Management, Energy Project Solutions, regarding Consolidated Edison Development Inc’s proposed construction of a solar photovoltaic energy generation facility to be located at 3751 W. Betty Avenue, Pahrump, NV. Assessor’s Parcel Number 027-541-25, and 2) Discussion and deliberation to consider providing a Letter of Support for the proposed project to Consolidated Edison Development Inc.

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.

- 14. [For Possible Action](#) – Discussion and deliberation regarding meeting minutes from the joint regular meeting on April 19, 2022.
- 15. [For Possible Action](#) – Discussion and deliberation to: 1) Accept the Federal Fiscal Year 2022 Drug Enforcement Administration’s (DEA’s) Domestic Cannabis Eradication/Suppression Program (DCE/SP) Award Number 2022-83 through the United States Department of Justice, in the amount of \$30,000.00 for the period of October 1, 2021, to September 30, 2022. There is no County Match required; 2) Allow for a one-time exception for Sheriff Sharon Wehrly, to execute the grant award documents; and 3) Fund \$30,000.00 from Grants 10340.

ASSESSOR

- 16. [For Possible Action](#) – Discussion and deliberation to: 1) Discuss the proposals received for RFP No. 2022-08 Aerial Photography; 2) Award RFP No. 2022-08 Aerial Photography to Eagleview or Sanborn Map Company, Inc.; 3) Accept the response with the selected responder; 4) Provide direction to staff to enter fee negotiations to be funded from Fund 10322 Assessor Technology Fund; or 5) Reject proposals and provide direction to staff on how to proceed with the project.

BOARD OF COMMISSIONERS

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

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

June 7, 2022

20. 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.
21. 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.
22. For Possible Action – Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.
23. [For Possible Action](#) – Discussion and deliberation pursuant to NRS 288.160(3)(c) to withdraw recognition from Nye County Management Employee Association (NCMEA) as the exclusive representative of the prosecutors employed by Nye County based upon a petition signed by a majority of Nye County prosecutors ceasing to be supported by a majority of the local government employees in the bargaining unit for which it was recognized and based on permission of the Employee Management Relations Board (EMRB).

SHERIFF

24. [For Possible Action](#) – Discussion and deliberation to issue a Display Fireworks Event Permit to the Town of Round Mountain for an Aerial display at their annual 4th of July Event on Monday, July 4, 2022. This event is being held in the Hadley Subdivision in Round Mountain, NV. Pearl Olmedo is the Applicant.
25. [For Possible Action](#) – Discussion and deliberation regarding a renewal of a Wholesale/Retail Fireworks Permit for Alamo Fireworks located at 2641 E. Highway 95, Amargosa Valley, NV. Patrick James – Applicant.
26. [For Possible Action](#) – Discussion and deliberation regarding a renewal of a Wholesale/Retail Fireworks Permit for Blackjack Fireworks Located at 1181 S. Highway 160, Pahrump, NV. Kevin LeBon – Applicant.
27. [For Possible Action](#) – Discussion and deliberation regarding a renewal of a Wholesale/Retail Fireworks Permit for D&T Imports, Inc. dba Area 51 Fireworks located at 1381 S. Highway 372, Pahrump, NV. Tim McKoy – Applicant.
28. [For Possible Action](#) – Discussion and deliberation regarding a renewal of a Wholesale/Retail Fireworks Permit for Outlaw Pyrotechnics located at 2280 W. Betty Place, Pahrump, NV. Kelly Bernard – Applicant.
29. [For Possible Action](#) – Discussion and deliberation regarding a renewal of a Wholesale/Retail Fireworks Permit for Phantom Fireworks Showrooms, LLC. dba Phantom Fireworks. 921 S. Highway 160, Suite 501 Pahrump, NV. William Weimer – Applicant.
30. [For Possible Action](#) – Discussion and deliberation regarding a renewal of a Wholesale/Retail Fireworks Permit for Red Apple Fireworks Co., Ltd. 3640 S. Highway 160, Pahrump, NV. Douglas Burda – Applicant.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

June 7, 2022

DISTRICT COURT

- 31. [For Possible Action](#) – Discussion and deliberation to: 1) Rescind Board action taken that approved agenda item 23 at the May 3, 2022 meeting wherein the Board approved the open position, Court Administrator, as a Public Employee Retirement System (PERS), Critical Needs position, per NRS 286.523; which allows District Court to reemploy a retiree for a limited time, while District Court is searching for a replacement; and 2) Approve the open position, Court Administrator, as a Public Employee Retirement System (PERS), Critical Needs position, per NRS 286.523; which allows Nye County to contract with a retiree for a limited time, while District Court is searching for a replacement.

COUNTY MANAGER

- 32. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt or reject Nye County Proclamation No. P2022-06: A Proclamation Terminating the Declaration of Emergency Related to COVID-19.
- 33. [For Possible Action](#) – Discussion and deliberation to submit written notice of intent to terminate the Lease Agreement with First Choice Pregnancy for leased space located at 1503 E. Calvada Blvd., Pahrump, NV, more commonly known as Pahrump Medical Center (PMC) due to the County selling the property.
- 34. [For Possible Action](#) – Discussion and deliberation to send a letter to Adam Sullivan, State Engineer with Division of Water Resources encouraging the adjudication of the vested water rights and completion of the investigation of violation against the Fish and Wildlife Services on behalf of Ministerio Roca Solida Inglesia Cristiana.
- 35. [For Possible Action](#) – Discussion and deliberation to: 1) Approve, amend and approve, or reject a Letter of Agreement with Holistic Engineering and Land Management (HELM) for topographic data in support of scoping and performing the Pahrump Phase I Risk Mapping Assessment and Planning (MAP) Program; 2) Execute the Letter of Agreement; and 3) Approval to waive the GIS Program Fees in the amount of \$4,000.00.

PLANNING/BUILDING/CODE COMPLIANCE

- 36. [For Possible Action](#) – Discussion and deliberation to approve applications for Cannabis Business Licenses CBL-21-147 (Adult Use Cultivation), CBL-21-148 (Adult Use Production), CBL-21-149 (Medical Production), and CBL-21-150 (Medical Cultivation), for MJ Distributing, LLC., located at 2215 E. Anvil Road, Amargosa Valley, NV. Assessor’s Parcel Number 019-181-02. MJ Distributing C202, LLC / MJ Distributing P133, LLC. – Applicant. Mike Cottingim, Operations Manager – Agent.

PUBLIC WORKS

- 37. [For Possible Action](#) – Discussion and deliberation to accept an offer of dedication for road right-of-way being the entire West 30.00 feet fronting N. Pyramid St. and the South 40.00 feet fronting E. Hardscrabble St. of Assessor’s Parcel Number 027-301-23, from Sergio Alor and Loida Nacpil and designate N. Pyramid St and E. Hardscrabble St. as a “Minor County Road” (rejecting the maintenance) for the purpose of future road improvements when Nye County improves N. Pyramid St. and E. Hardscrabble St. fronting the property located at 5561 N. Pyramid St., Pahrump, NV, Assessor’s Parcel Number 027-301-22.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

June 7, 2022

38. [For Possible Action](#) – Discussion and deliberation to accept an offer of dedication for road right-of-way being the entire South 40.00 feet fronting E. Charleston Park Ave. of Assessor’s Parcel Number 035-281-22, from Iskren Nitchev and designate E. Charleston Park Ave. as a “General County Road” (accepting maintenance) for the purpose of future road improvements when Nye County improves E. Charleston Park Ave. fronting the property located at 2890 E. Charleston Park Ave., Pahrump, NV, Assessor’s Parcel Number 035-281-22.

PUBLIC PETITIONER

39. [For Possible Action](#) – Discussion and deliberation to enter into a partnership with the Town of Tonopah either through in-kind donation or alternate funding source for Nye County Public Works to perform work related to the parking lot/staging area at the Tonopah Fairgrounds per quote from Nye County Public Works Director Thomas Bolling in the amount of \$7,735.00.
40. **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).**
41. **Commissioners'/Manager's Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)**
42. **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