



**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

September 20, 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 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. 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 September 20, 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 September 20, 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

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

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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 September 20, 2022 (Non-action item)**
- 5. For Possible Action – Emergency Items**

SITTING AS THE BOARD OF COUNTY COMMISSIONERS

TIMED ITEMS

- 6. 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.**
- 7. 10:00 a.m. – [For Possible Action](#) – **Continued Public Hearing** – Discussion and deliberation to issue an Outdoor Festival License to Louis J. Baker for the Iron Horse Stampede to be held October 14 – 16, 2022, at Petrack Park located at 150 N. Highway 160, Pahrump, NV.**
- 8. 10:00 a.m. – [For Possible Action](#) – **Public Hearing** – Discussion, and deliberation on ETSU-22-6: An application for a Special Use Permit to allow a 20-megawatt solar photovoltaic energy generating facility located at 3751 W. Betty Avenue, Pahrump. Assessor's Parcel Number 027-541-25. Kennington – Pahrump NV, LLC. – Property Owner. Consolidated Edison Development, Inc – Applicant.**
- 9. 10:00 a.m. – [For Possible Action](#) – **Public Hearing** – Discussion, and deliberation on ZCMP-22-15: An application for a (Conforming) Zone Change to change one (1) parcel totaling approximately 100 acres from Rural Homestead 4.5 (RH-4.5) to Rural Homestead 9.5 (RH-9.5), located at 3751 W. Betty Avenue, Pahrump, to allow for a 20-megawatt solar photovoltaic energy generating facility. Assessor's Parcel Number 027-541-25. Kennington – Pahrump NV, LLC. – Property Owner. Consolidated Edison Development, Inc – Applicant.**

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- 10. **10:00 a.m.** – [For Possible Action](#) – **Public Hearing** – Discussion, and deliberation on ZCMP-22-10: An application for a (Conforming) Zone Change to change one (1) parcel totaling approximately 0.46 acres from Neighborhood Commercial (NC) to General Commercial (GC) on property located at 2020 S. Cortina Street, Pahrump. Assessor’s Parcel Number 042-712-04. Dirt to Surf, LLC. – Property Owner. George Romero – Applicant.
- 11. **10:00 a.m.** – [For Possible Action](#) – **Public Hearing** – Discussion, and deliberation on ZCMP-22-11: An application for a (Conforming) Zone Change to change one (1) parcel totaling approximately 1.9 acres from Neighborhood Commercial (NC) to Commercial Manufacturing (CM) on property located at 771 W. Mesquite Avenue, Pahrump. Assessor’s Parcel Number 035-091-09. Michael Selbach and Jason Gettle – Property Owners/Applicants.
- 12. **10:00 a.m.** – [For Possible Action](#) – **Public Hearing** – Discussion and deliberation to: 1) Adopt, amend and adopt, or reject Nye County Bill No. 2022-15: A Bill proposing to amend Nye County Code Chapter 9.25, Titled Offender Registration; Monitoring and Verification Fees, by deleting references to registration fees and deleting Section 9.25.050, titled Collection of Registration Fees; Failure to Pay Fees; Disposition of Collected Fees; Penalties; and providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto.

SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

- 13. **10:00 a.m.** – [For Possible Action](#) – **Public Hearing** – Discussion and deliberation to: 1) Hear Bid Protest submitted by Industrial Light and Power, LLC. regarding a solicitation for the Supply and Install Electrical Fire Station No. 4 Bell Vista; 2) Uphold or Reject the bid protest; and 3) If rejected, direct the DA Office to pursue a claim against the bond in the amount equal to the expenses incurred due to the bid protest.
- 14. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt or reject the proposed Pahrump Veterans Memorial Advisory Committee Standard Operating Policy and Procedures (SOP) to add regulations regarding allowable decorations and durations for decorations at the Veteran Sections of the Chief Tecopa Cemetery.

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.

- 15. [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.
- 16. [For Possible Action](#) – Approval of Assessor’s Office Change Requests to allow the Nye County Assessor/Treasurer to process and:
 - 1) Issue an amended tax bill in the amount of \$312.02 to Michael D. & Kathleen A. Straub, owner of 151 W. Patricia Ave., Pahrump, NV, Assessor’s Parcel Number 029-842-12.
 - 2) Issue an amended tax bill in the amount of \$2,503.85 to Debra Wellhausen, owner of 6269 S. Jonquil Ct., Pahrump, NV, Assessor’s Parcel Number 043-511-02.
 - 3) Issue an amended tax bill in the amount of \$35.00 to the David Ceccoli Revocable Living Trust, owner of 4851 S. Money St., Pahrump, NV, Assessor’s Parcel Number 044-071-04.

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- 4) Issue an amended tax bill in the amount of \$1,454.04 to Catherine D. Pieper, and B. Brooksby, owners of 1830 E. Heritage Dr., Pahrump, NV, Assessor’s Parcel Number 044-303-15.
 - 5) Issue an amended tax bill in the amount of \$1,470.59 to Gary J. & Kim M. Wyler, owners of 5640 S. Bonnie St., Pahrump, NV, Assessor’s Parcel Number 044-322-01.
 - 6) Issue an amended tax bill in the amount of \$1,075.80 to Bruce L. Teter, owner of 4361 E. Turner Blvd., Pahrump, NV, Assessor’s Parcel Number 045-321-05.
 - 7) Issue an amended tax bill in the amount of \$524.93 to Cristobal Ernesto Gonzalez-Sosa, owner of 3700 E. Marathon Dr., Pahrump, NV, Assessor’s Parcel Number 045-553-13.
 - 8) Issue an amended tax bill in the amount of \$1,791.08 to Lonnie V. Daniel, Jr., owner of 3970 E. Teller Dr., Pahrump, NV, Assessor’s Parcel Number 045-591-04.
 - 9) Issue an amended tax bill in the amount of \$1,666.39 to Tucsnak, Sierra and Melanie, and Rakers, Benjamin, owners of 1900 S. Escuela Ave., Pahrump, NV, Assessor’s Parcel Number 039-091-08.
17. [For Possible Action](#) – Approval to set the date and location for the second Board of Commissioners meeting in December for Tuesday, December 20, 2022, in Pahrump, NV.
 18. [For Possible Action](#) – Approval of the meeting minutes from the joint regular meeting on June 24, 2022.
 19. [For Possible Action](#) – Approval to: 1) Accept the Interlocal Agreement between Clark County and Nye County for Core Medical and Support Services for HIV/AIDS Infected and Affected Clients. There is no County match required, 2) Execute the Interlocal Agreement, and 3) Fund to 10340 Grants.
 20. [For Possible Action](#) – Approval to: 1) Accept the no-cost Grant Extension No. 3 for the Pahrump Fairgrounds Water and Well System Project 20/PF/14 through the State of Nevada, Community Development Block Grant (CDBG) program to provide 9 months additional time for the construction and completion of the Water and Well System by June 30, 2023; 2) Execute the Grant Extension No. 3.
 21. [For Possible Action](#) – Approval to: 1) Accept FY23 Travel Nevada Rural Marketing Grant Award #NS-23-EDA-014 in the amount of \$5,000.00 with a grantee required match of \$5,000.00, for The Beatty Town Social Media Campaign for the period of July 1, 2022 to June 30, 2023; and 2) Fund \$5,000.00 to Grants 10340 and fund \$5,000.00 to General fund 24220.
 22. [For Possible Action](#) – Approval to: 1) Accept the Fiscal Year 2023 Nevada Office of Traffic Safety Grant Award number JF-2023-Nye Co SO-00029 through the Nevada State Department of Public Safety, in the amount of \$32,000.00 for the period of October 1, 2022 through September 30, 2023 for the purpose of participating in statewide traffic enforcement events; 2) Allow for a one-time exception for Comptroller Savannah Rucker to electronically execute the grant award documents; and 3) Fund \$32,000.00 to Grants 10340.
 23. [For Possible Action](#) – Approval to: 1) Accept the Fiscal Year 2023, Operation Freeze (Fatal Reduction Education and Enforcement to Zero Everyday) Award #TS-2023-Nye Co SO-00041 through the State of Nevada Department of Public Safety, Office of Traffic Safety, in the amount of \$20,160.00, for the period of September 20, 2022 through September 30, 2023 for the purpose of participating in statewide traffic enforcement events; 2) Allow for a one-time exception for Comptroller Savannah Rucker to electronically execute the grant award documents; and 3) Fund \$20,160.00 to Grants 10340.

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24. [For Possible Action](#) – Approval to adopt, amend and adopt, or reject Nye County Resolution No. 2022-34: A Resolution Authorizing the Nye County Treasurer to Establish a Checking Account Through Nevada State Bank.
25. [For Possible Action](#) – Approval to adopt, amend and adopt, or reject Nye County Resolution No. 2022-39: A Resolution accepting bid for sale of county-owned property, specifically identified as 3781 S. Viola Ave., Pahrump, NV. Assessor’s Parcel Number 037-303-01 owned by Nye County, consisting of 0.5780-acre Multifamily Residential (MF) zone.
26. [For Possible Action](#) – Approval to adopt, amend and adopt or reject Nye County Resolution No. 2022-40: A Resolution directing the County Assessor to prepare a list of the taxpayers on the 2023-2024 secure tax assessment roll in Nye County, NV and directing distribution of the same.
27. [For Possible Action](#) – Approval of Nye County Proclamation P2022-09: A Proclamation Recognizing October 15, 2022, as Faith and Blue Day in Nye County.
28. [For possible Action](#) – Approval to issue a Display Fireworks Event Permit to Las Vegas Display Fireworks Inc. for an Aerial Display for the Burning Man Regional Event from September 29 – October 2, 2022. This event is being held at the Spicer Ranch, 1 Boiling Pot Road in Beatty, NV William Scott – Applicant.

BOARD OF COMMISSIONERS

29. 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.
30. Closed meeting, pursuant to NRS 241.015(3)(b)(2) for purposes of conferring with legal counsel regarding potential or current litigation.
31. For Possible Action – Discussion and deliberation on conference with legal counsel regarding potential or current litigation presented in closed meeting.
32. 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.
33. 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.
34. For Possible Action – Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.

CLERK

35. [Presentation](#) regarding the paper ballot and hand-count process to be implemented for the Nye County General Election in November 2022.

DISTRICT ATTORNEY

36. [For Possible Action](#) – Discussion and deliberation to: 1) Ratify the agreement signed by District Attorney Arabia on August 22, 2022 retaining the law firm of Kamer Zucker Abbott to represent the Nye County District Attorney’s Office in an employee grievance hearing; 2) approve payment of \$25,000.00 retainer fee; and 3) Fund from Nye County General Contingency Fund.

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PUBLIC ADMINISTRATOR

- 37. [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.

COUNTY MANAGER

- 38. [For Possible Action](#) – Discussion and Deliberation regarding whether to continue the use of the teleconference system for Board of County Commissioner meetings.

FINANCE

- 39. [For Possible Action](#) – Discussion and deliberation regarding the budget status for June 2022 for Nye County and all sub-entities for fiscal year 2022.
- 40. [For Possible Action](#) – Discussion and deliberation for approval of the Nye County American Rescue Plan Act (ARPA) Policy to provide written guidelines for the administration of ARPA funds to the public, small businesses, non-profits, and government agencies located within Nye County.

NATURAL RESOURCES

- 41. [For Possible Action](#) – Discussion and deliberation to approve the Memorandum of Understanding (MOU) with the Bureau of Land Management (BLM) establishing Nye County participating as a Cooperating Agency to BLM during the National Environmental Policy Act (NEPA) process for the Vero Desert Storm Reno to Vegas Buried Fiber Optic Line project.

PUBLIC WORKS

- 42. [For Possible Action](#) – Discussion and deliberation to accept a Restrictive Covenant Running with the Land Agreement between Nye County and Pahrump Investment, LLC. for the property located at 2980 and 3950 East Gamebird Road, Pahrump, NV, Assessor’s Parcel Numbers 041-222-30 and 041-222-12, for the purpose of future road improvements to be paid for by the property owner.
- 43. [For Possible Action](#) – Discussion and deliberation to accept an offer of dedication (6,732 square feet) for road right of way as shown on Exhibit A of the Offer of Dedication with Pahrump Investment, LLC. and designate it a “General County Road” (accepting maintenance) for the purpose of future road improvements fronting the property located at 2980 and 3950 East Gamebird Road, Pahrump, NV, Assessor’s Parcel Numbers 041-222-30 and 041-222-12.
- 44. [For Possible Action](#) – Discussion and deliberation to accept a Restrictive Covenant Running with the Land Agreement between Nye County and Birchwood Co LLC for the property located at 3670, 3700, 3730, and 3760 East Alfalfa Street, Pahrump, NV, Assessor’s Parcel Numbers 042-451-08, 042-451-09, 042-451-10, and 042-451-11 for the purpose of future road improvements to be paid for by the property owner.
- 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**

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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