



**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 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 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 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 December 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

December 20, 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 775-482-8192 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 December 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. – [Swearing in Ceremony](#) for Newly Elected Nye County Officials. The Oath of Office will be administered by Nye County Clerk, Mark F. Kampf.**
- 7. 10:00 a.m. – [Presentation](#) by Beth Ransel, the Bureau of Land Management's (BLM) Southern Nevada District Supervisory Project Manager regarding the status of Copper Rays Solar Project and Environmental Impact Study (EIS), and an update on other renewable energy projects in Southern Nevada District.**
- 8. 10:00 a.m. – [For Possible Action](#) – Presentation – Discussion and deliberation on the administration of the Local Assistance and Tribal Consistency Fund (LATCF) allocation from the United States Treasury.**
- 9. 10:00 a.m. – [For Possible Action](#) – **Continued Public Hearing** – Discussion and deliberation on:
 - a. ZCMP-22-20: An application for a Minor Master Plan Amendment of approximately 8.45 acres of a 29.97-acre parcel from Rural Density Residential (RDR) to Community Development Area (CDA) on property located at 151 N. Blagg Road, Pahrump, NV. Assessor's Parcel Number 035-111-06. Settlemeyer & PBSM, LLC. – Property Owner. Michael J. Livingston - Applicant/Agent.
 - b. ZCMP-22-17: An application for a Zone Change to change 8.45 acres of a 29.97-acre parcel from Neighborhood Commercial (NC) and Village Residential (VR-10) to Calvada Commercial (CC) on property located at 151 N. Blagg Road, Pahrump, NV. Assessor's Parcel Number 035-111-06. Settlemeyer & PBSM, LLC. – Property Owner. Michael J. Livingston -Applicant/Agent.**

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

December 20, 2022

- 10. **10:00 a.m.** – [For Possible Action](#) – **Public Hearing** – Discussion, and deliberation on an Appeal of the Pahrump Regional Planning Commission's denial of Conditional Use Permit Application CU-22-33 which was a request to allow a Mixed-Use development on property located at 151 N. Blagg Road, Pahrump, NV. Assessor's Parcel Number 035-111-06. Settelmeyer & PBSM, LLC. – Property Owner. Michael J. Livingston - Applicant/Agent.
- 11. **10:00 a.m.** – [For Possible Action](#) – **Public Hearing** – Discussion and deliberation on ZCMP-22-16: An application for a Conforming Zone Change to change one (1) parcel totaling approximately 1.87 acres from Open Space (OS) to Village Residential (VR-8) or Suburban Estates (SE), or an alternative zoning district as recommended by staff, on property located at 581 S. Ishani Ridge Court, Pahrump, NV. Assessor's Parcel Number 035-722-27. Ricardo Luis Montalvo – Property Owner. Edgar Montalvo – Applicant/Agent.
- 12. **10:00 a.m.** – [For Possible Action](#) – **Public Hearing** – Discussion and deliberation on ZCMP-22-21: An application for a Conforming Zone Change to change four (4) parcels totaling approximately 2.14 acres from Neighborhood Commercial (NC) to General Commercial (GC) on property located at 1631 and 1651 S. Chyine Street and 1540 and 1560 E. Coconino Lane. Assessor's Parcel Numbers 042-011-04 through -07. Nye Property Investments, LLC – Property Owner. Civilwise Services – Applicant/Agent.

SITTING AS THE NYE COUNTY LICENSING AND LIQUOR BOARD

GAMING

- 13. [For Possible Action](#) – Discussion and deliberation to approve a Gaming License for Sartini Gaming, LLC. dba Golden Route Operations, LLC. for leased space for slot machines within Rhinestones Dance Hall located at 1700 Pahrump Valley Blvd. Suite 83, Pahrump, NV. Blake Sartini – Applicant.

SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

- 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 change Veterans Day flag placement procedures.
- 15. [For Possible Action](#) – Discussion and deliberation to: 1) Appoint three members to the Pahrump Veterans Memorial Advisory Committee from the following list of applicants: Dina Williamson Erdag, Alice Lubbers, Eddie Williams, Jr.; or 2) Direct staff to readvertise for the appointment.

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 March for Tuesday, March 21, 2023, in Pahrump, NV.
- 18. [For Possible Action](#) – Approval of the meeting minutes from the joint meeting on August 16, 2022.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

December 20, 2022

19. [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 \$338.61 to Joseph Jr., and Tammy D. Holzer, owners of 2120 E. Silver St., Pahrump, NV, Assessor's Parcel Number 044-581-28.
 2. Issue a refund in the amount of \$109.07 to Shawn and Stacy Marie Nowlin, owners of 5468 E. Carrara Pointe St., Pahrump, NV, Assessor's Parcel Number 046-581-02.
20. [For Possible Action](#) – Approval to: 1) Accept the updated Program Year (PY) 2022 Emergency Solutions Grant (ESG) Notice of Sub-Recipient Award – Homeless Prevention in the amount of \$20,689.31 to provide rental and utility assistance to low-income residents at risk of being homeless, along with Requirements and Attachments. No County match is required; 2) Execute the Sub-Recipient award; and 3) Fund to 10340 Grants.
21. [For Possible Action](#) – Approval to: 1) Accept the Federal Fiscal Year (FFY) 2022 Notice of Subaward (NOSA) Amendment 2 from Aging and Disability Services Division (ADSD) extending the Subaward period to include October 1, 2022 through December 31, 2022 to provide home-delivered meals to senior clients in Beatty and Tonopah. County match has been met; 2) Execute the Subaward; and 3) Fund to 10281 Senior Nutrition.
22. [For Possible Action](#) – Approval to: 1) Accept the Federal Fiscal Year (FFY) 2023 Notice of Subaward (NOSA) from Aging and Disability Services Division (ADSD) in the amount of \$40,150.82 to provide home-delivered meals to senior clients in Beatty and Tonopah. Matching funds of \$6,023.00 are budgeted; 2) Execute the Subaward; and 3) Fund to 10281 Senior Nutrition.
23. [For Possible Action](#) – Approval to: 1) Accept the Federal Fiscal Year 2023 Notice of Subaward (NOSA) from Aging and Disability Services Division (ADSD) in the amount of \$48,960.00 to provide congregate meals at the Tonopah Senior Center in Tonopah. Matching funds of \$7,344.00 are budgeted; 2) Execute the Subaward; and 3) Fund to 10281 Senior Nutrition.
24. [For Possible Action](#) – Approval to: 1) Accept the State of Nevada Recreational Trails Program Grant Amendment #2 to provide a budget modification increase of \$3,000.00 and scope of work change to assist Nye County in completing the installation of one cattle guard at the Pahrump to Tonopah Offroad Adventure Trail. An in-kind County match of \$2,661.75 is required; 2) Execute the Grant Amendment; and 3) Fund \$10,647.00 to 10340 Grants and fund \$2,661.75 at the determination of the Comptroller or designee.

BOARD OF COMMISSIONERS

25. 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.
26. Closed meeting, pursuant to NRS 241.015(3)(b)(2) for purposes of conferring with legal counsel regarding potential or current litigation.
27. For Possible Action – Discussion and deliberation on conference with legal counsel regarding potential or current litigation presented in closed meeting.
28. 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.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

December 20, 2022

29. 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.
30. For Possible Action – Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.
31. [For Possible Action](#) - Discussion and deliberation to authorize the District Attorney to institute legal action against Valley Electric Association for raising utility rates.
32. [For Possible Action](#) – Discussion and deliberation to approve, amend and approve or reject Nye County Proclamation No. P2022-13: A Proclamation Recognizing November as All Americans Heritage Month in Nye County.

CLERK

33. [For Possible Action](#) – Discussion and deliberation to: 1) Appoint one member to the Pahrump Justice of the Peace, Department B from the following list of applicants: Leonardo F. Blundo, Williams Carns, Jennifer Clampit, Leonard V. Davis, Lillian Donohue Esq, Alexandra Fernandes, Michele Fiore, Michael Foley, Walter S. Grudzinski, William Hockstedler, Arthur Hodge Sr, Randall Jones, William R. Lutze, Frank Maurizio, Nichole McPherson, Ron Settje, Brian A. Thelaner, Robert E. Thomas, III, Sharon Wehrly, and Dale Wysocki; or 2) Readvertise for the appointment.
34. [For Possible Action](#) – Discussion and deliberation to: 1) Appoint two members to the Amargosa Valley Library Board due to two expiring terms from the following list of applicants: Sara K. Rivers and Mary Schoeck; or 2) Readvertise for the appointment.
35. [For Possible Action](#) – Discussion and deliberation to: 1) Appoint two members to the Belmont Advisory Board due to two expiring terms from the following list of applicants: Larry B. Marshall; or 2) Readvertise for the appointment.
36. [For Possible Action](#) – Discussion and deliberation to: 1) Appoint two members to the Nye County Board of Equalization due to two expiring terms from the following list of applicants: Gary Davis and Marc Light; or 2) Readvertise for the appointment.
37. [For Possible Action](#) – Discussion and deliberation to: 1) Appoint seven members to the Central Nevada Museum Board due to seven expiring terms from the following list of applicants: Harris Brokke, Cindy Kaminski, Randy McLean, Arlene Melton, Allen Metscher, and Carrisa Tashiro; or 2) Readvertise for the appointment.
38. [For Possible Action](#) – Discussion and deliberation to: 1) Appoint one member as County Representative of the Nye County Debt Management Commission from the following list of applicants: Cindy Kaminski; or 2) Readvertise for the appointment.
39. [For Possible Action](#) – Discussion and deliberation to: 1) Appoint two members to the Gabbs Town Advisory Board due to two expiring terms from the following list of applicants: Thomas G. Lyman; or 2) Readvertise for the appointment.
40. [For Possible Action](#) – Discussion and deliberation to: 1) Appoint five members to Parks and Recreation Advisory Board due to five expiring terms from the following list of applicants: Timothy J. Bohannon, David Harris, and Holly Merritt; or 2) Readvertise for the appointment.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

December 20, 2022

41. [For Possible Action](#) – Discussion and deliberation to: 1) Appoint three members to Railroad Valley Advisory Board due to three expiring terms from the following list of applicants: Brenna Rogne; or 2) Readvertise for the appointment.
42. [For Possible Action](#) – Discussion and deliberation to: 1) Appoint one member to the Regional Transportation Commission due to an expiring term from the following list of applicants: John Koenig; or 2) Readvertise for the appointment.

FINANCE

43. [For Possible Action](#) – Discussion and deliberation to: 1) Accept the program funding request from NyE Communities Coalition under the Nye County ARPA Recovery Plan and Policy: Public Health Assistance-Mental Health Initiatives in the amended amount of \$66,433.00 to provide Remote Area Medical Clinics in Pahrump and Tonopah; and 2) Fund the request to 10340 Grants.

NATURAL RESOURCES

44. [For Possible Action](#) – Discussion and deliberation to approve, amend and approve, or reject a Memorandum of Understanding (MOU) with the Bureau of Land Management (BLM) for the development of the Sage Grouse Resource Management Plan Amendment.

PUBLIC WORKS

45. [For Possible Action](#) – Discussion and deliberation to: 1) Approve the purchase of one current model articulated diesel-powered tandem drive motor grader (Caterpillar 150-15) from Cashman Equipment Company in the amount of \$376,767.28; and 2) Fund from 10205 Road.

PUBLIC PETITIONER

46. [For Possible Action](#) – Discussion and deliberation to approve, amend and approve or reject Nye County Proclamation No. P2022-14: A Proclamation Recognizing January 2023 as National Radon Action Month in Nye County.
47. **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).**
48. **Commissioners'/Manager's Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)**
49. **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.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

December 20, 2022

- Report issues to Nye County Admin at nyeadmin@co.nye.nv.us or by calling 775-482-8192