



**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

April 18, 2023

10:00 a.m.

Subject to technical difficulties, people may 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 meeting is also viewable at www.nyecountynv.gov. There is a 30 to 40 second delay between the in-person meeting 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 April 18, 2023 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 April 18, 2023 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

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. Commissioner/Manager Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)**
- 4. Approval of the Agenda for April 18, 2023 (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 nine (9) employees honored for their years of service.**
- 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](#) – Discussion and deliberation regarding: 1) Presentation by Kathie McKenna with Nevada Outreach Training Organization regarding program status, outcome results, a budget status report and future goals pursuant to the Nye County ARPA Recovery Plan and Policy: Public Health Assistance Grant; and 2) Approve, amend and approve, or reject an advance payment request in the amount of \$200,000.00.**
- 9. 10:00 a.m. – [For Possible Action](#) – **Public Hearing**, discussion and deliberation on AP-23-1: An Appeal of the Pahrump Regional Planning Commission's denial of the following application: WV-23-2 Waiver from Nye County Code 17.04.730.(D).(4) to waive the requirement of asphalt drive aisles and 17.04.320.(H).(1) a waiver to allow chain link fencing with non-mesh privacy slats in lieu of block wall on properties located at 2840, 2880, and 2790 N. Nevada Highway 160, Pahrump, NV. Assessor's Parcel Numbers 029-621-04, 029-621-03, and 029-621-05. Robert A Little – Property Owner/Applicant.**

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- 10. 10:00 a.m. – [For Possible Action](#) – Public Hearing** – Discussion and deliberation on:
- a. ZCMP-23-2: Public Hearing, discussion, and deliberation on an application for a (Minor) Master Plan Amendment of approximately 2.17 acres from Rural Density Residential (RDR) to Rural Development Area (RDA) for property located at 3620 W. Bell Vista Ave., Pahrump, NV. Assessor’s Parcel Number 028-245-33. Top Notch Carrier, LLC. – Property Owner; Valerie Martel - Applicant/Agent.
 - b. ZCMP-23-3: Public Hearing, discussion, and deliberation on an application for a Zone Change to change 2.17 acres from Neighborhood Commercial (NC) to Commercial Manufacturing (CM) for property located at 3620 W. Bell Vista Ave., Pahrump, NV. Assessor’s Parcel Number 028-245-33. Top Notch Carrier, LLC. – Property Owner; Valerie Martel - Applicant/Agent.
- 11. 10:00 a.m. – [For Possible Action](#)** – Discussion and deliberation to approve LD-22-30, a Tentative Commercial Subdivision Map. The application is to allow a commercial subdivision on approximately 5.84 acres zoned Neighborhood Commercial (NC), located at 6958 S. Fox Avenue, Pahrump, NV. Assessor's Parcel Number 045-171-67. HHH Investments, LLC. – Owner. Taney Engineering Corp. – Agent/Applicant.
- 12. 10:00 a.m. – [For Possible Action](#)** – Discussion and deliberation to approve LD-22-31, a Tentative Commercial Subdivision Map. The application is to allow a commercial subdivision on approximately 7.20 acres of property zoned Neighborhood Commercial (NC), located at 5060 E. Kellogg Rd, Pahrump NV. Assessor's Parcel Number 043-602-30. HHH Investments, LLC. - Owner. Taney Engineering Corp. - Agent/Applicant.

SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

- 13. [Presentation](#)** by Pahrump Valley Fire and Rescue Services Fire Chief Scott Lewis regarding the condition of the department.
- 14. [For Possible Action](#)** – Discussion and deliberation to adopt, amend and adopt, or reject Town of Pahrump Resolution No. 2023-02: A Resolution Dissolving the Pahrump Parks and Recreation Advisory Committee.
- 15. [For Possible Action](#)** – Discussion and deliberation regarding Town of Pahrump Proclamation No. P2023-01: A Proclamation Recognizing May 1, 2023 as Pahrump Youth Law-Awareness Day in the Town of Pahrump.
- 16. [For Possible Action](#)** – Discussion and deliberation regarding a request to waive park use fees for Petrack Park for (4) four days, for the non-profit Wild West Extravaganza in the amount of \$500.00.

SITTING AS THE BOARD OF COUNTY COMMISSIONERS

CONSENT AGENDA ITEMS – These are items that Staff recommend 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.

- 17. [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.
- 18. [For Possible Action](#)** – Approval of the meeting minutes from the joint meeting on January 3, 2023.

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19. [For Possible Action](#) – Approval to: 1) Accept the Federal Fiscal Year 2023 Notice of SubAward (NOSA) Amendment from Aging and Disability Services Division (ADSD) in the amount of \$7,055.00 to provide commodity food funding for congregate and home delivered services at the Tonopah Senior Center, as well as home delivered services in Beatty, Nye County. Matching funds are not required; 2) Execute the Subaward; 3) Fund to 10281 Senior Nutrition.
20. [For Possible Action](#) – Approval of Return of Sale; Affidavits of Publication(s) pursuant to NRS 361.595 for the Nye County Trust Property Live Auction Results held on March 24, 2023.
21. [For Possible Action](#) – Approval of the Affidavit of Due Notice for the 1st, 2nd, and 3rd year delinquent letters mailed to Nye County Property Owners pursuant to NRS 361.5648(3).
22. [For Possible Action](#) – Approval of an offer of dedication for road right of way being the entire North 30.00 feet fronting West Garnet Road of Assessor's Parcel Number 028-111-03 from Nye County and designate West Garnet Road as a Minor County Road (rejecting maintenance) for the purpose of future road improvements fronting the property located at 1841 West Garnet Road, Pahrump, NV. Assessor's Parcel Number 028-111-03.
23. [For Possible Action](#) – Approval of an offer of dedication for road right of way being the entire West 30.00 feet fronting North Rockafeller Drive of Assessor's Parcel Number 035-032-26 from Nye County and designate North Rockafeller Drive as a Minor County Road (rejecting maintenance) for the purpose of future road improvements fronting the property located at 1661 North Rockafeller Drive, Pahrump, NV. Assessor's Parcel Number 035-032-26.
24. [For Possible Action](#) – Approval of an offer of dedication for road right of way being the entire West 30.00 feet fronting North Rockafeller Drive of Assessor's Parcel Number 035-032-27 from Nye County and designate North Rockafeller Drive as a Minor County Road (rejecting maintenance) for the purpose of future road improvements fronting the property located at 1771 North Rockafeller Drive, Pahrump, NV. Assessor's Parcel Number 035-032-27.
25. [For Possible Action](#) – Approval of an offer of dedication for road right of way being the entire South 40.00 feet fronting East Irene Street and the West 30.00 feet fronting North Rockafeller Drive of Assessor's Parcel Number 035-033-32 from Nye County and designate East Irene Street as a General County Road (accepting maintenance) and designate North Rockafeller Drive as a Minor County Road (rejecting maintenance) for the purpose of future road improvements fronting the property located at 1190 East Irene Street, Pahrump, NV. Assessor's Parcel Number 035-033-32.
26. [For Possible Action](#) – Approval of an offer of dedication for road right of way being the entire South 30.00 feet fronting East Lynn Way of Assessor's Parcel Number 035-255-14 from Nye County and designate East Lynn Way as a Minor County Road (rejecting maintenance) for the purpose of future road improvements fronting the property located at 2150 East Lynn Way, Pahrump, NV. Assessor's Parcel Number 035-255-14.
27. [For Possible Action](#) – Approval of an offer of dedication for road right of way being the entire West 30.00 feet fronting South Pioneer Lane of Assessor's Parcel Number 045-242-06 from Nye County and designate South Pioneer Lane as a Minor County Road (rejecting maintenance) for the purpose of future road improvements fronting the property located at 7671 South Pioneer Lane, Pahrump, NV. Assessor's Parcel Number 045-242-06.

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BOARD OF COMMISSIONERS

28. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject the Nye County Plan for the Provision of Indigent Defense Services.
29. [For Possible Action](#) – Discussion and deliberation to approve, amend and approve or reject a letter of intent to purchase or exchange or a combination thereof one (1) property described as a 5-acre (a portion of) 171 N. Floyd Dr., Pahrump, NV. Assessor’s Parcel Number TBD, consisting of a 5.00-acre Light Industrial (LI) zone; for the potential purpose of animal shelter expansion needs.
30. [For Possible Action](#) – Discussion and deliberation to approve, amend and approve or reject a letter of intent to purchase or exchange or a combination thereof one (1) property described as 1871 E. Mesquite Ave., Pahrump, NV, Assessor’s Parcel Number 035-011-06, consisting of 36.08 acres Heavy Industrial (HI) zone; for the potential purpose of an alternative location for shooting range.

CLERK

31. [For Possible Action](#) – Discussion and deliberation to: 1) Appoint one member to the Beatty General Improvement District due to a resignation from the following list of applicants: Ernest Childress; and/or 2) Readvertise for the appointment.
32. [For Possible Action](#) – Discussion and deliberation to: 1) Appoint one member to the Beatty Library District due to a term not being filled from the following list of applicants: Stephanie Beecham; and/or 2) Readvertise for the appointment.
33. [For Possible Action](#) – Discussion and deliberation to: 1) Appoint one member to the Railroad Valley Advisory Board due to a term not being filled from the following list of applicants: Paula Whiteside; and/or 2) Readvertise for the appointment.
34. [For Possible Action](#) – Discussion and deliberation to: 1) Appoint one member to the Round Mountain Town Board due to a term not being filled in the 2022 General Election from the following list of applicants: Elizabeth Davila and Janet Jorgensen; and/or 2) Readvertise for the appointment.

DISTRICT ATTORNEY

35. [For Possible Action](#) – Discussion and deliberation regarding approval of a Settlement Agreement between Pahrump 9.83 LLC and Nye County concerning APN 043-331-15 and a Deed of Trust subject of a Quiet Title action in Case CV22-0540, Pahrump 9.83 LLC vs Forum Group Limited, Nye County, et al.
36. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt or reject Nye County Resolution No. 2023-11: A Resolution Authorizing Changing the Signatories for the Nye County District Attorney Trust Account Through Nevada State Bank.

COUNTY MANAGER

37. [For Possible Action](#) – Update on the 2023 Nevada Legislative Session including Nye County priorities, impacts to counties and actions that counties are required to take pursuant to new legislation.
38. [For Possible Action](#) – Discussion and deliberation regarding Nye County Proclamation No. P2023-02: A Proclamation Recognizing the Month of April 2023 as Records and Information Management Month.

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FINANCE

39. [Report](#) by Elizabeth Jordan, Comptroller regarding the budget status for February 2023, for Nye County and all sub-entities for Fiscal Year 2023.
40. [For Possible Action](#) – Discussion and deliberation to: 1) Consider an appeal to reverse the determination that Michael Tsunis with Tatuado Hospitality Management was deemed in Breach of Contract for the Covid Relief Program; and 2) Approve, amend and approve or reject the Small Business ARPA funding request from Michael Tsunis with Tatuado Hospitality Management under the Nye County ARPA Recovery Plan and Policy: Small Business Assistance in the amount of \$43,000.00.

INFORMATION TECHNOLOGY

41. [For Possible Action](#) – Discussion and deliberation to: 1) Accept Google's Terms of Service to upload Nye County GIS data to Google to potentially use for updating Nye County address points and mapping information; and 2) Delegate authority to Information Technology Director, Brad Adams, or his designee to accept the Terms of Service online and share GIS data with Google.

PLANNING/BUILDING/CODE COMPLIANCE

42. [For Possible Action](#) – Discussion and deliberation to approve, amend and approve or reject Nye County Proclamation No. P2023-03: A Proclamation Recognizing May 2023 as Building Safety Month in Nye County.
43. [For Possible Action](#) – Discussion and deliberation to approve LD-22-16, a Tentative Map for Mountain Falls Planning Area 5B, creating one hundred and twenty-one (121) residential lots on property zoned Specific Plan (SP), each residential lot containing an average of 5,704 square feet; Maximum lot size is 11,760 square feet and Minimum lot size is 5,060 square feet. Assessor's Parcel Number 045-021-54. Mountain Falls, LLC. - Owner. Taney Engineering Corp. - Agent/Applicant.
44. [For Possible Action](#) – Discussion, deliberation and direction to staff to prepare a draft Bill for the zoning of tiny houses that: 1) Designates at least one zoning district in which a tiny house may be located and classified as an accessory dwelling unit; or 2) Designates at least one zoning district in which a tiny house is allowed to be located and classified as a single-family residential unit; or 3) Designates at least one zoning district in which a tiny house may be located in a tiny house park.
45. [For Possible Action](#) – Discussion and deliberation regarding a request to: 1) Set a date, time and location for a Public Hearing on Nye County Bill No. 2023-02: A Bill proposing to amend Nye County Code Title 17, titled Comprehensive Land Use Planning and Zoning, Chapter 17.04, titled Pahrump Regional Planning District, Article III, titled Zoning Districts; Establishment and General Provisions, Section 17.04.230, titled SE Suburban Estates Residential, removing Subsistence Farming as a permissive use and adding “Farms for the raising/growing of tree and bush crops and/or field crops for commercial or household use.” ; and providing for the severability, constitutionality, and effective date thereof; and other matters properly relating thereto; and 2) Read the title of the Bill into the record.

PUBLIC WORKS

46. [For Possible Action](#) – Discussion and deliberation to approve the Airport Capital Improvement Plan (ACIP) data sheets and support information for the Beatty, Gabbs, and Tonopah Airports for Fiscal Years 2024 through 2028.

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47. [For Possible Action](#) – Discussion and deliberation to: 1) Discuss Bid No. 2023-04 Basin Phase 1 - Blagg Intersection; and 2) Provide direction to staff on how to proceed with the project.

PUBLIC PETITIONER

48. [For Possible Action](#) – Discussion and deliberation regarding a request from the Northern Nye County Hospital District requesting the transfer of Nye County property to the Northern Nye County Hospital District, a political subdivision; for the property located at 825 S. Main St., Tonopah, NV, Assessor’s Parcel Number 008-261-56 pursuant to NRS 277.053.

49. **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).**

50. **Commissioner/Manager Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)**

51. **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