



**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  
November 21, 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](http://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 November 21, 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 November 21, 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

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**

**November 21, 2023**

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 November 21, 2023 (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. – [Presentation](#) by Glenn Puit with Navarro, a Contractor to the U.S. Department of Energy (DOE) Environmental Management Nevada Program, regarding “How you can represent your community on the Nevada Site Specific Advisory Board (NSSAB)”. (10-minute time limit)**
- 8. 10:00 a.m. – [For Possible Action](#) – Fiscal Year 2024 Community Development Block Grant (CDBG) 4th Public Meeting:**
  - a. Discuss projects based on CDBG eligibility; and**
  - b. Prioritize the following applications for final submittal:**
    - i. Nye County Project: Amargosa Valley Town Park Upgrade.**
    - ii. Nye County Project: Pahrump Fairgrounds Phase II.**

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9. **10:00 a.m. – [For Possible Action](#) – Public Hearing**, discussion, and deliberation on AP-23-4: An Appeal of the Pahrump Regional Planning Commission’s denial of the following items relating to Waiver application WV-23-8 on property located at 2340 and 2400 E. Basin Avenue, Pahrump, NV. Assessor’s Parcel Numbers 035-265-03 and 035-265-02. Storage Ventures, LLC – Property Owner; Civilwise Services - Agent/Appellant:
  - a. Waiver from Nye County Code 17.04.740 to waive the requirement of landscaping; and
  - b. Waiver from Nye County Code 17.04.760 E.2 to allow chain link fencing with privacy slats in lieu of a block wall.
10. **10:00 a.m. – [For Possible Action](#) – Continued Public Hearing**, discussion and deliberation to adopt, amend and adopt, or reject Nye County Bill No. 2023-04: 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 17.04.430, titled LI - Light Industrial, removing renewable energy generating facility as a permissive use; and providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto.
11. **10:00 a.m. – [For Possible Action](#) – Public Hearing**, discussion and deliberation to adopt, amend and adopt, or reject Nye County Bill No. 2023-13: A Bill proposing to amend Nye County Code Title 5, titled “Business Licenses and Regulations,” Chapter 5.32 titled “Cannabis Establishments,” by amending Section 5.32.050 titled “Medical Cannabis Establishment License Fees,” Section 5.32.055 titled “Adult-use Cannabis Establishment License Fees,” Section 5.32.057 titled “Cannabis Consumption Lounge Establishment License Fees,” by amending the fees pertaining to Initial License Fees, License Renewal Fees, and Monthly Fees; and providing for the severability, constitutionality, and effective date thereof; and other matters properly relating thereto.
12. **10:00 a.m. – [For Possible Action](#) – Public Hearing**, discussion and deliberation to adopt, amend and adopt, or reject Nye County Bill No. 2023-22: A Bill proposing to amend Nye County Code Title 2 Administration and Personnel, Chapter 2.88, License Department; amending Section 2.88.020 Responsibilities; and providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto.
13. **10:00 a.m. – [For Possible Action](#) – Public Hearing**, discussion and deliberation to adopt, amend and adopt, or reject Nye County Bill No. 2023-20: A Bill proposing to amend Nye County Code Title 5, Business Licenses and Regulations, Chapter 5.16, entitled Outdoor Festivals, by Amending Section 5.16.030 Application for License: Time; Contents; Amending Section 5.16.040 Hearing: Notice; Investigation; Grant, Denial or Conditioning of License; Issuance of License; and amending Section 5.16.060 Denial of License: Grounds; Notice, providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto.

**SITTING AS THE BOARD OF COUNTY COMMISSIONERS**

**14. 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.**

- 14.1 [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.
- 14.2 [For Possible Action](#) – Approval of the meeting minutes from the joint meetings on September 19 and October 10, 2023.
- 14.3 [For Possible Action](#) – Approval of Assessor's Office Change Requests to allow the Nye County Assessor/Treasurer to process and:
  - a. Issue a refund in the amount of \$1,644.88 to the Edward A. Adair Trust, owner of 1271 E. Haviland Pl., Pahrump, NV, Assessor's Parcel Number 033-211-18.
  - b. Issue a corrected tax bill in the amount of \$1,830.16 to The Andy Jordan 2001 Trust, owner of 2771 S. Barney St., Pahrump, NV Assessor's Parcel Number 041-531-16.
  - c. Issue a corrected tax bill in the amount of \$1,253.77 to Nazario L. Barraza, and Candise Henry, owners of 3850 S. Vanguard Ave., Pahrump, NV, Assessor's Parcel Number 040-592-07.
  - d. Issue a corrected tax bill in the amount of \$454.61 to the Milligan Family Trust, owner of 121 Montecito Dr., Pahrump, NV, Assessor's Parcel Number 035-616-40.
  - e. Issue a refund in the amount of \$3,304.92 to Joaquin Torres, and Maria Elena-Grajeda, owners of 1441 N. Appaloosa Ln., Pahrump, NV, Assessor's Parcel Number 036-031-34.
  - f. Issue a refund in the amount of \$557.33 to Joaquin Torres, and Maria Elena-Grajeda, owners of 1351 N. Appaloosa Ln., Pahrump, NV, Assessor's Parcel Number 036-031-35.
- 14.4 [For Possible Action](#) – Approval of:
  - a. The online Trust Property auction held on September 5 through September 7, 2023 for properties that did not sell during auctions in previous years; and
  - b. approval of Return of Sale and Affidavits of Publications per NRS 361.595.
- 14.5 [For Possible Action](#) – Approval to adopt Nye County Resolution No. 2023-35: A Resolution directing the County Assessor to prepare a list of the taxpayers on the 2024-2025 secure tax assessment roll in Nye County, NV and directing distribution of the same.

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ITEM # SUBJECT

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## BOARD OF COMMISSIONERS

15. [For Possible Action](#) – Discussion and deliberation to:

- a. Approve the purchase or exchange or a combination thereof of a portion of a 10-acre parcel described as 171 N. Floyd Dr., Pahrump, NV. Assessor’s Parcel Number TBD, consisting of a 10.00-acre Light Industrial (LI) zone; for the potential purpose of county facility expansion needs;
- b. Propose compensation for the property to the property owner based on the appraisal in the amount of \$1,250,000.00, compensation to include Nye County owned property more particularly described as 1683 E. Calvada Blvd., Pahrump, NV. Assessor's Parcel Number: 042-051-37, including improvements thereon with a Fair Market Valuation of \$610,000, 1595 E. Calvada Blvd., Pahrump, NV. Assessor's Parcel Number: 042-051-38, including improvements thereon with a Fair Market Valuation of \$610,000, and remaining balance of \$30,000 with a funding source to be determined by the Comptroller; and
- c. Direct staff to prepare and record the documentation necessary to transfer the property.

16. [For Possible Action](#) – Discussion and deliberation to:

- a. Approve the purchase of one (1) property described as 1871 E. Mesquite Ave., Pahrump, NV. Assessor's Parcel Number: 035-011-06, consisting of 36.08 acres including improvements thereon; for the potential purpose of an alternative location for a shooting range and future Pahrump landfill expansion needs;
- b. Approve compensation for the property to the property owner based on the appraisal in the amount of \$1,080,000.00;
- c. Fund from Fund 10401 Capital Projects - County; and
- d. Direct staff to prepare and record the documentation necessary to transfer the property.

## CLERK

17. [Presentation](#) by Nye County Clerk, Mark Kampf regarding the Presidential Preference Primary (PPP), timing, polling locations, tabulation strategy and hand count validation. (10-minute time limit)

## COUNTY MANAGER

18. [For Possible Action](#) – Discussion and deliberation to ratify the County Manager, Tim Sutton’s selection of Megan Labadie as Director of the Natural Resources Office.

19. [For Possible Action](#) – Discussion and deliberation to approve, amend and approve, or reject the Nye County Outdoor Festival License Application Packet.

## FINANCE

20. [Report](#) regarding Facilities Director, William Allen, and Comptroller, Helen Bae determining that on November 9, 2023 an emergency existed affecting public health, safety or welfare and therefore purchased a replacement electrical panel for the Amargosa Road Department for \$12,100.00 without competitive solicitation pursuant to NRS 332.112(2).

21. [For Possible Action](#) – Discussion and deliberation to approve an unbudgeted Financial Analyst - Grants position within the Finance Department, to be funded 65% to 10101 General and 35% to 25101 Pahrump Town.

# NYE COUNTY BOARD OF COMMISSIONERS AGENDA

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## PLANNING/BUILDING/CODE COMPLIANCE

22. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2023-36: A Resolution to Continue with a Temporary Moratorium on Renewable Energy Generation Facilities.

## PUBLIC WORKS

23. [For Possible Action](#) – Discussion and deliberation to direct staff to prepare a ballot question to be voted on by the public at a general election to amend Nye County Code 3.05 to increase the rate of the tax to one-half of 1 percent sales tax per Nevada Revised Statute 377A.020 and 377A.030.
24. **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).**
25. **Commissioners'/Manager's Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)**

## 26. 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