



**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

December 5, 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.nyecountynev.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 December 5, 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 December 5, 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 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

December 5, 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

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. **Commissioner/Manager Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)**
4. **Approval of the Agenda for December 5, 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](#)** – Presentation by Varlin Higbee, Nevada Association of Counties (NACO) Board of Directors President and Lincoln County Commissioner, and Vinson Guthreau, NACO Executive Director regarding the Historic Routes Preservation Act supporting historical rights of way; and discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2023-39: A Resolution in Support of Historic Routes Preservation Act. (10-minute time limit)
7. **10:00 a.m. – [Presentation](#)** by Kat Galli with Tonopah Development Corporation dba Tonopah Main Street, regarding program status, outcome results, a budget status report, and future goals pursuant to the Nye County ARPA Recovery Plan and Policy: Economic Impacts for Tourism. (10-minute time limit)
8. **10:00 a.m. – [Presentation](#)** by Diane Arvizo with Nevada Rural Housing Authority, 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-Affordable Housing Grant. (10-minute time limit)
9. **10:00 a.m. – [For Possible Action](#) – Public Hearing**, discussion and deliberation to recommend a course of action to the State Engineer for Nevada Division of Water Resources Temporary Applications 92878T and 92940T to use water other than that in which it is appropriated or currently diverted or used per Nevada Revised Statute 533.363 in Basin 162.

SITTING AS THE NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS

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

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

December 5, 2023

SITTING AS THE NYE COUNTY LICENSING AND LIQUOR BOARD

GAMING

- 11. [For Possible Action](#) – Discussion and deliberation to approve a Non-restricted Gaming License to Eclipse Route Operations, LLC., dba Irene's Casino located at 820 East Street, Pahrump, NV. Ronald Winchell, applicant.

LIQUOR

- 12. [For Possible Action](#) – Discussion and deliberation to approve a Retail Liquor License for Jackpot Joanie's PRMP, LLC., dba Irene's Casino located at 820 East Street, Pahrump, NV. Ronald Winchell, applicant.
- 13. [For Possible Action](#) – Discussion and deliberation to approve a Temporary Retail Liquor License for Charleston Peak Winery, LLC., dba Charleston Peak Winery located at 3810 Winery Road, Pahrump, NV. Ernest Moody, owner/applicant.

SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

- 14. [For Possible Action](#) – Discussion and deliberation to:
 - a. Appoint five members to the Pahrump Arena Advisory Committee due to expiring terms and one vacancy from the following list of applicants: Cody Chappell, Michelle Chappell, Darius Mann, Scot Tibbets, and Tawny Wald; and/or
 - b. Readvertise for the appointment.
- 15. [For Possible Action](#) – Discussion and deliberation to:
 - a. Appoint three members to the Pahrump Public Lands Advisory Committee due to expiring terms from the following list of applicants: Robert Adams, Frank Slaghuis, and Michael Zaman; and/or
 - b. Readvertise for the appointment.

COUNTY MANAGER

- 16. [For Possible Action](#) – Discussion and deliberation to:
 - a. Reschedule the first Board of Commissioners meetings in January and September to Wednesday, January 3, 2024 and Wednesday, September 4, 2024; and
 - b. Schedule the remaining dates of the 2024 Board of County Commissioners’ second meetings for the Pahrump location.

INFORMATION TECHNOLOGY

- 17. [For Possible Action](#) – Discussion and deliberation to:
 - a. Approve, amend and approve, or reject Amendment No. 1 to the contract between Nye County and Nevada Department of Administration Enterprise Information Technology for the purpose of leasing rack space to Nye County for various sites;
 - b. Execute the agreement; and
 - c. Fund \$56,661.50 to 10101 General.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

December 5, 2023

PLANNING/BUILDING/CODE COMPLIANCE

18. [For Possible Action](#) – Discussion and deliberation regarding a request to set a date, time and location for a Public Hearing, on Nye County Bill No. 2023-17: A Bill Proposing to amend Nye County Code Title 17, titled Comprehensive Land Use Planning and Zoning, Chapter 17.04, Pahrump Regional Planning District, Article VIII, titled Master Plan Amendment, Administration and Procedures, amending the application submittal language to include reference to the online application portal; removing "dated November 19, 2003" from 17.04.930(B); and providing for the severability, constitutionality, and effective date thereof; and other matters properly relating thereto.

PUBLIC WORKS

19. [For Possible Action](#) – Discussion and deliberation to ratify a water right Protest filed for Nye County against Application 92878T and 92940T, filed by Wulfco and Wulfenstein Trust R-501 for waters situated in Pahrump Basin #162.

20. [For Possible Action](#) – Discussion and deliberation regarding:

- a. Approving a waiver of requirement for franchisee, Pahrump Valley Disposal, Inc. DBA Amargosa Disposal, to provide 90-day notice of intent to renew the Solid Waste Franchise Agreement for Amargosa Valley; and
- b. Grant a renewal of referenced solid waste franchise agreement for one (1) additional term of ten (10) years.

21. [For Possible Action](#) – Discussion and deliberation to approve an offer of dedication for road Right of Way being the entire South 40.00 feet fronting West Mazzuka Avenue and the entire East 40.00 feet fronting North Linda Street on the property located at 1060 West Mazzuka Avenue, Pahrump, NV, Assessor's Parcel Number 027-111-13 , owned by Nye County, and designate West Mazzuka Avenue and North Linda Street as a Minor County Road, rejecting maintenance for the purpose of future road improvements fronting the property.

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

- a. Adopt, amend and adopt, or reject Nye County Resolution No. 2023-38: A Resolution Finding that it is in the Best Interest of the Public to Lease a Portion or Portions of the Tonopah Airport Property Without Offering it at Public Auction, For Less Than Fair Market Value, Pursuant to NRS 244.2815, For Purposes of Economic Development;
- b. Approve or amend and approve a Lease Agreement with KT Aero, LLC for approximately two (2) acres of the Tonopah Airport Property for the operation of a Fixed Base Operation (FBO); and
- c. Execute the agreement.

PUBLIC PETITIONER

23. [For Possible Action](#) – Discussion and deliberation regarding a request to support the closure of State Highway 318 on May 19, 2024 and September 15, 2024 for the road events held by Silver State Classic Challenge.

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).**

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

December 5, 2023

25. Commissioner/Manager 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 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