



**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 16, 2024

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 16, 2024 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 16, 2024 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](https://www.usda.gov/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

April 16, 2024

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 is limited to announcements, brief discussions of public comments, correction of factual inaccuracies, direction to staff, or topics proposed for future board meetings. Lengthy deliberation of topics not on the agenda is prohibited by the Nevada Open Meeting Law).**
4. **Approval of the Agenda for April 16, 2024 (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 a plaque to ten (10) employees honored for their years of service.
7. **10:00 a.m. – [For Possible Action](#) – **Hearing to Show Cause**, discussion and deliberation to determine if there is sufficient cause to revoke:
 - a. Adult-Use Cannabis License (Cultivation) CBL-23-30; and
 - b. Medical Cannabis License (Cultivation) CBL-23-31; located at 5400 N. Highway 160, Pahrump, NV. Assessor’s Parcel Number 029-311-13. Diversified Development Group – Property Owner. Rick Saga / Nye Farm Tech, LTD – Licensee.**
8. **10:00 a.m. – [For Possible Action](#) – **Public Hearing**, discussion and deliberation to adopt, amend and adopt, or reject Nye County Bill No. 2024-01: A Bill proposing to amend Nye County Code Chapter 15.32 titled “Pahrump Regional Planning District Impact Fees,” by modifying the Fire Station Impact Fees, Park Impact Fees, Police Station Impact Fees, and adding Drainage & Flood Control Impact Fees; and providing for the severability, constitutionality, and effective date thereof; and other matters properly relating thereto.**
9. **10:00 a.m. – [For Possible Action](#) – **Public Hearing**, discussion and deliberation on ZCMP-24-1: An application for a Zone Change to change 1.09 acres from Rural Homestead Residential (RH-4.5) to Commercial Manufacturing (CM) on property located at 481 W. Mesquite Ave., Pahrump, NV. Assessor’s Parcel Number 035-051-53. Laurencio and Adriana Alvarez - Property Owner/Applicant.**

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

April 16, 2024

10. **10:00 a.m.** – [For Possible Action](#) – **Public Hearing**, discussion, and deliberation on ZCMP-24-2: An application for a conforming Zone Change of 0.83-acres from Mixed Use (MU) to Neighborhood commercial (NC) on a property located at 1101 E. Second Street, Pahrump, NV. Assessor's Parcel Number 035-307-09. Cunningham Construction, Inc. - Property Owner. Civilwise Services, Inc. - Agent/Applicant.

SITTING AS THE NYE COUNTY LICENSING AND LIQUOR BOARD

11. [For Possible Action](#) – Discussion and deliberation to approve a 90-Day Temporary Retail Liquor License for Champions Bar and Grill located at 2631 S. Linda St, Pahrump, NV. Barry Tassler, Applicant.

SITTING AS THE NYE COUNTY BOARD OF HEALTH

12. [For Possible Action](#) – Presentation, discussion and deliberation on the county-level Foundational Public Health Services (FPHS) local public health infrastructure assessment to develop a baseline dataset of essential public health services available in Nye County; identify public health priorities; and to identify a Commissioner Champion to participate in the assessment for Nye County. (10-minute time limit)

SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

13. [For Possible Action](#) – Discussion and deliberation to:
- Accept the State of Nevada Off-Highway Vehicles (NVOHV) grant award in the amount of \$81,900.00 to provide funding for the professional design of the Pahrump Fairgrounds OHV Park Tracks. There is a match of \$9,000.00 required;
 - Electronically execute the Award; and
 - Fund \$81,900.00 to 10340 Grants and \$9,000.00 to 25414 Pahrump Fairgrounds Room Tax.
14. [For Possible Action](#) – Discussion and deliberation to approve the amended Town of Pahrump McCullough Arena Use Policy as recommended by the Pahrump Arena Advisory Committee.
15. [For Possible Action](#) – Discussion and deliberation regarding Town of Pahrump Proclamation P2024-01: A Proclamation Recognizing May 1, 2024 as Pahrump Youth Law-Awareness Day.

SITTING AS THE BOARD OF COUNTY COMMISSIONERS

16. **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.**
- 16.1 [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.
- 16.2 [For Possible Action](#) – Approval of the meeting minutes from the joint meeting on January 17, 2024.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

April 16, 2024

DISTRICT ATTORNEY

- 17. [For Possible Action](#) – Discussion and deliberation to approve the plan to enhance victim advocate services within the District Attorney’s Office.

COUNTY MANAGER

- 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. 2024-06: a Bill proposing to amend Nye County Code Title 6 Animals, By Amending Chapter 6.04 General Provisions; amending Chapter 6.05 Enforcement; removing Chapter 6.06 Licensing, Vaccinations, Limits on Number, Running at Large, Impoundment, Rabies Prevention; adding Chapter 6.06 Vaccinations, adding Chapter 6.07 Limits on Dogs and Cats; adding Chapter 6.08 Permits, Limits; adding Chapter 6.09 Animals Running at Large; adding Chapter 6.10 Impoundment for Violations of this Code; adding Chapter 6.11 Animal Bites, Reports Required; adding Chapter 6.12 Reporting of Found Animals; adding Chapter 6.13 Animal Waste and Odor; adding Chapter 6.14 Cruelty to Animals; adding Chapter 6.15 Animal Facility Regulations; amending Chapter 6.20 Miscellaneous Animal Regulations; removing Chapter 6.30 Ownership and Possession of Special Conditions Animals; amending Chapter 6.40 Appeals to Board of County Commissioners; and other matters properly relating thereto.
- 19. [For Possible Action](#) – Discussion and deliberation to ratify the approval of the Program Funding Application for Pahrump Valley Public Transportation for the VETrans Program in the amount of \$30,000.00 to be funded from 10210, Veteran Services Department.

EMERGENCY MANAGEMENT

- 20. [For Possible Action](#) – Discussion and deliberation to:
 - a. Adopt, amend and adopt or reject Nye County Resolution No. 2024-11: A Resolution adopting the Nye County Hazard Mitigation Plan as Amended 2024. This plan is for Nye County and all jurisdictions in Nye County not represented by an Elected Town Board or Tribal Government.
 - b. Submit a copy of the resolution to Federal Emergency Management Agency (FEMA) Region 9.

PLANNING/BUILDING/CODE COMPLIANCE

- 21. [For Possible Action](#) – Discussion and deliberation regarding Nye County Proclamation No. P2024-03: A Proclamation Recognizing May 2024 as Building Safety Month in Nye County.
- 22. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2024-12: A Resolution to Continue with a Temporary Moratorium on Renewable Energy Generation Facilities.
- 23. [For Possible Action](#) – Discussion and deliberation on AP-23-9: An Appeal of the Zoning Administrator’s determination that the subject property has lost the previous status of a legal non-conforming (“grandfathered”) use as an automotive repair/mechanic shop and re-instatement would require approval of a Conditional Use Permit (CUP), on property zoned Neighborhood Commercial (NC), located at 6471 S. Homestead Road, Pahrump, NV. Assessor Parcel Number 045-211-24. Gennady & Betsy Levit - Property Owner/Appellant. Walt Turner/Access Realty – Agent

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

April 16, 2024

24. [For Possible Action](#) – Discussion and deliberation to approve LD-24-7: a Tentative Residential Subdivision, for Mountain Falls Planning Area 8B, proposing sixty-one (61) single-family residential lots on property zoned SP (Specific Plan), each residential lot containing an average lot size of 6,258 sq ft. Minimum lot sizes are 4,853 sq ft and Maximum lot sizes are 8,956 sq ft, with a gross density of 4.04 lots per acre, with 13 common lots, located at 4779 E. Mountain Falls Parkway, Pahrump, NV. Assessor's Parcel Number 045-021-74. William Lyon Homes - Property Owner. Rebecca Chiriboga, Taney Engineering - Agent/Applicant.
25. [For Possible Action](#) – Discussion and deliberation to approve LD-24-8: a Tentative Residential Subdivision, for Mountain Falls Planning Area 2B, proposing sixteen (16) single-family residential lots on property zoned SP (Specific Plan), each residential lot containing an average lot size of 5,696 sq ft. Minimum lot sizes are 4,663 sq ft and Maximum lot sizes are 9,954 sq ft, with a gross density of 4.66 lots per acre, with 4 common lots, located at 5970 E. Mountain Falls Boulevard, Pahrump, NV. Assessor's Parcel Number 046-251-01. William Lyon Homes - Property Owner. Rebecca Chiriboga, Taney Engineering - Agent/Applicant.

PUBLIC WORKS

26. [For Possible Action](#) – Discussion and deliberation to:
- Discuss Bid No. 2024-03 Liquefied Asphalt Emulsions; and
 - Provide direction to staff on how to proceed with the project.
27. [For Possible Action](#) – Discussion and deliberation to:
- Approve, amend and approve, or reject an Improvement Agreement between William Lyon Homes, Inc., a California Corporation, dba Taylor Morrison and Nye County to construct all road improvements for Mountain Falls Parkway North Phase 3; and
 - Execute the Agreement.
28. [For Possible Action](#) – Discussion and deliberation to:
- Approve a Stormwater Management Maintenance Agreement and Drainage Easement between S&L Investments, LLC, and Nye County for maintenance of drainage improvements installed on South Frontage Road and East Wilson Road; and
 - Execute the Agreement.

PUBLIC PETITIONER

29. **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).**
30. **Commissioners'/Manager's Comments (This item is limited to announcements, brief discussions of public comments, correction of factual inaccuracies, direction to staff, or topics proposed for future board meetings. Lengthy deliberation of topics not on the agenda is prohibited by the Nevada Open Meeting Law)**
31. **ADJOURN**

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

April 16, 2024

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@nyecountynv.gov or by calling 775-482-8192