



**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**

**March 7, 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 teleconference is also viewable at [www.nyecountynv.gov](http://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 March 7, 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 March 7, 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](mailto:program.intake@usda.gov)

# NYE COUNTY BOARD OF COMMISSIONERS AGENDA

**ITEM # SUBJECT**

**March 7, 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 775-482-8191 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. Commissioners'/Manager's Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)**
- 4. Approval of the Agenda for March 7, 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 to approve the audits of fiscal year 2021-2022 for Nye County and all component units of Nye County conducted by Daniel McArthur, LTD.**
- 7. 10:00 a.m. – [For Possible Action](#) – Discussion and deliberation to approve the audits of fiscal year 2021-2022 for Northern Nye County Hospital District conducted by Daniel McArthur, LTD.**
- 8. 10:00 a.m. – [For Possible Action](#) – Discussion and deliberation to approve the audits of fiscal year 2021-2022 for Nye County Water District conducted by Daniel McArthur, LTD.**
- 9. 10:00 a.m. – [For Possible Action](#) – Discussion and deliberation regarding an appeal of the Nye County Sheriffs Office's classification of a Vicious or Dangerous Animal pursuant to Nye County Code Title 6, Animals, Sections 6.40.010 and 6.20.030 requested by Mark Lancaster – Appellant.**
- 10. 10:00 a.m. – [For Possible Action](#) – **Public Hearing**, discussion and deliberation to issue an Outdoor Festival License to Louis Baker for the Iron Horse Stampede to be held May 19 through 21, 2023, at Petrack Park located at 150 N. Highway 160, Pahrump, NV.**
- 11. 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.**

## **SITTING AS THE NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS**

- 12. [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**

**March 7, 2023**

**SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP**

- 13. [For Possible Action](#) – Discussion and deliberation to: 1) Ratify Town of Pahrump Christina Allen's acceptance of the Southern Nevada Chapter-International Code Council Toddler Swim Grant in the amount of \$2,500.00 for the purpose of providing free swim lessons. There is no match required; and 2) Fund to 10340 Grants.

**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.**

- 14. [For Possible Action](#) – Approval of meeting minutes from the joint meeting on October 18, 2022.
- 15. [For Possible Action](#) – Approval to: 1) Accept a Notice of SubAward for Supplemental monies from the Community Services Block Grant (CSBG) for Fiscal Year 2023 in the amount of \$8,034.00, to provide assistance to very low to low-income populations, along with Assurances. There is no County match required; 2) Execute the SubAward; and 3) Fund to 10340 Grants.
- 16. [For Possible Action](#) – Approval of a Restrictive Covenant Running with the Land agreement between Nye County and The Wallin Family Trust for the property located at 3860 South Homestead Road, Pahrump, NV, Assessor's Parcel Number 041-222-31 for the purpose of future road improvements to be paid for by the property owner.

**BOARD OF COMMISSIONERS**

- 17. [For Possible Action](#) – Discussion and deliberation to approve a Letter of Support for the Town of Tonopah's application for funding through the U.S. National Park Service Land and Water Conservation Fund (LWCF) to make improvements to the Harvey Park Sports Complex and Skate Park to provide evening visibility and renovate damaged portions of the recreational area.

**CLERK**

- 18. [For Possible Action](#) – Discussion and deliberation to: 1) Appoint one member to the Beatty Library District due to an expiring term from the following list of applicants: Charles Lix; and/or 2) Readvertise for the appointment.

**DISTRICT ATTORNEY**

- 19. [For Possible Action](#) – Discussion and deliberation to accept or reject a "Subdivision Participation Form" and release regarding opioid defendant Walmart pursuant to the One Nevada Agreement on Allocation of Opioid Recoveries ("One Nevada Agreement") which itself was previously agreed to by this Commission for participation in a settlement with the State of Nevada and opioids retailer defendant Walmart as listed in Exhibit C to the One Nevada Agreement.

**NATURAL RESOURCES**

- 20. [For Possible Action](#) – Discussion and deliberation to enter into the Memorandum of Understanding (MOU) as Cooperating Agency with Bureau of Land Management (BLM) during the Natural Environmental Policy Act (NEPA) process for Rhyolite Ridge Lithium-Boron Project located 65 miles southwest of Tonopah, NV in Esmeralda County.

**NYE COUNTY BOARD OF COMMISSIONERS AGENDA**

**ITEM # SUBJECT**

**March 7, 2023**

**PLANNING/BUILDING/CODE COMPLIANCE**

21. [For Possible Action](#) – Discussion and deliberation to: 1) Approve, amend and approve, or reject a Novation Agreement between Nye County; Holistic Engineering and Land Management Inc. and Wilson & Company Inc., Engineer and Architects for the purpose of transferring the Professional Services Agreement dated January 19, 2022 for Indefinite delivery, Indefinite quantity on-call professional civil engineering services; and 2) Execute the Agreement.

**PUBLIC WORKS**

22. [For Possible Action](#) – Discussion and deliberation to set a date, time, and location for a Public Hearing on the results of Public Works identification and determination of improved roads and streets maintained by Nye County during Calendar Year 2022 for the purposes of compliance with Nevada Revised Statutes Chapter 365.550(8) with respect to Proceeds of Tax Levied pursuant to Nevada Revised Statutes Chapter 365.180; and other matters properly related thereto.
23. [For Possible Action](#) – Discussion and deliberation to: 1) Approve, amend and approve, or reject a Novation Agreement between Nye County; Holistic Engineering and Land Management Inc. and Wilson & Company Inc., Engineer and Architects for the purpose of transferring the Professional Services Agreement dated October 15, 2021 for drainage engineering services; and 2) Execute the Agreement.
24. [For Possible Action](#) – Discussion and deliberation of a Grant of Easement Agreement described in Exhibit A and depicted in Exhibit B with The Wallin Family Trust for the purpose of allowing the Grantee to maintain, repair, replace, and remove non-standard improvements consisting of gates, fencing, and a water tank until a future date when Nye County deems the non-standard improvements need to be removed along the West line of South Homestead Road for the property located at 3860 South Homestead Road, Pahrump, NV, Assessor's Parcel Number 041-222-31.
25. [For Possible Action](#) – Discussion and deliberation to accept an offer of dedication for road right-of-way being a 6,893 square foot Utility and Right-of-Way dedication for South Homestead Road, a portion of Assessor's Parcel Number 041-222-31 as described on Exhibit A and depicted on Exhibit B from The Wallin Family Trust and designate South Homestead Road as a General County Road accepting maintenance for the purpose of future road improvements fronting the property located at 3860 South Homestead Road, Pahrump, NV, Assessor's Parcel Number 041-222-31.
26. **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).**
27. **Commissioners'/Manager's Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)**
28. **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.

## NYE COUNTY BOARD OF COMMISSIONERS AGENDA

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**ITEM #    SUBJECT**

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**March 7, 2023**

- 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