



**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

May 2, 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 May 2, 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 May 2, 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

May 2, 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 May 2, 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](#) – Public Hearing**, discussion and deliberation to adopt, amend and adopt, or reject 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.

SITTING AS THE NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS

- 7. [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.

SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

- 8. [For Possible Action](#)** – Discussion and deliberation to set a date, time, and location for a Public Hearing to formally adopt the Fiscal Year 2023-2024 final budget for the Town of Pahrump.

SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWNS OF BEATTY, GABBS, MANHATTAN, AND RAILROAD VALLEY

BEATTY

- 9. [For Possible Action](#)** – Discussion and deliberation to set a date, time, and location for a Public Hearing to formally adopt the Fiscal Year 2023-2024 final budget for the Town of Beatty.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

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GABBS

- 10. [For Possible Action](#) – Discussion and deliberation to set a date, time, and location for a Public Hearing to formally adopt the Fiscal Year 2023-2024 final budget for the Town of Gabbs.

MANHATTAN

- 11. [For Possible Action](#) – Discussion and deliberation to set a date, time, and location for a Public Hearing to formally adopt the Fiscal Year 2023-2024 final budget for the Town of Manhattan.

AS THE BOARD OF TRUSTEES FOR THE PAHRUMP POOL DISTRICT

- 12. [For Possible Action](#) – Discussion and deliberation to set a date, time, and location for a Public Hearing to formally adopt the Fiscal Year 2023-2024 final budget for the Pahrump Pool District.

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.

- 13. [For Possible Action](#) – Approval of meeting minutes from the joint meetings on January 18 and February 7, 2023.
- 14. [For Possible Action](#) – Approval to: 1) Accept the American Rescue Plan Act (ARPA) Fiscal Recovery Fund grant award from the Nevada Supreme Court for the purpose of providing additional cameras and a new server for the Tonopah Justice Court in the amount of \$54,042.00. There is no County match required; and 2) Fund to 10340 Grants.
- 15. [For Possible Action](#) – Approval to adopt, amend and adopt, or reject Nye County Resolution No. 2023-12: A Resolution Directing the Levy of a Special Assessment on Each Water User Situated Within the Confines of the Groundwater Basins Within Nye County for Fiscal Year 2023-2024.
- 16. [For Possible Action](#) – Approval to adopt, amend and adopt, or reject Nye County Resolution No. 2023-12: A Resolution Directing the Levy of a Special Assessment on Each Water User Situated Within the Confines of the Pahrump Valley Groundwater Basin for Fiscal Year 2023-2024.

SHERIFF

- 17. [For Possible Action](#) – Discussion and deliberation to: 1) Approve, amend and approve, or reject a Memorandum of Agreement between Duckwater Shoshone Tribe and Nye County for the purpose of providing emergency support services to either party of law enforcement for back-up response, radio communication, cross-commissioning to ensure prosecution, and coroner services. In-Kind services will be provided by each government entity; and 2) Execute the agreement.
- 18. [For Possible Action](#) – Discussion and deliberation to: 1) Approve, amend and approve, or reject a Joint Powers Agreement between Nye County and Esmeralda County to provide law enforcement support to each other utilizing the personnel of their respective Sheriff's Departments. In-Kind services will be provided by each County; and 2) Execute the agreement.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

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COUNTY MANAGER

- 19. [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.
- 20. [For Possible Action](#) – Discussion and deliberation regarding Nye County Proclamation No. P2023-04: A Proclamation Recognizing the Month of May 2023 as Nevada Wildfire Awareness Month.
- 21. [For Possible Action](#) – Discussion and deliberation to: 1) Approve, amend and approve, or reject the Lease Agreement between Central Nevada Racing Association and Nye County for the purpose of leasing for a portion of property located at the Tonopah Airport for the purpose of Vehicular Races; 2) Execute the Lease Agreement; and 3) Deposit funds into Fund 10209 Airport.

FINANCE

- 22. [For Possible Action](#) – Presentation, discussion and deliberation to approve, amend and approve, or reject the program funding request from the Amargosa Valley Town Board under the Nye County ARPA Recovery Plan and Policy: Economic Impacts for Tourism in the amount of \$21,775.00.
- 23. [For Possible Action](#) – Presentation, discussion and deliberation to approve, amend and approve, or reject the program funding request from Tonopah Development Corporation doing business as Tonopah Main Street under the Nye County ARPA Recovery Plan and Policy: Economic Impacts for Tourism in the amount of \$52,400.00.
- 24. [For Possible Action](#) – Discussion and deliberation to set a date, time, and location for a Public Hearing to formally adopt the Fiscal Year 2023-2024 final budget for Nye County.

NATURAL RESOURCES

- 25. [For Possible Action](#) – Discussion and deliberation to approve a Memorandum of Understanding (MOU) with the Bureau of Land Management (BLM) establishing Nye County participating as a Cooperating Agency in the analysis of the TransCanyon, LLC, powerline from Utah to Robinson Summit Substation in White Pine County.

PUBLIC PETITIONER

- 26. [Presentation](#) by Nye County Parks and Recreation Advisory Board members, Tim Bohannon and Holly Merritt to address future needs of the Carvers Arena and Recreation Center proposed in multiple phases over several years.
- 27. [For Possible Action](#) – Discussion and deliberation to consider North American Silver Corporation's Affidavit and Petition for Sale that would allow North American Silver Corporation to purchase a Nye County Owned patented mining claim known as the Constitution Mining Claim, Mineral Survey No. 1424 in the Philadelphia Mining District, Assessor's Parcel No. 000-258-70.
- 28. **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).**
- 29. **Commissioner/Manager Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)**
- 30. **ADJOURN**

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

May 2, 2023

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