



**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

July 19, 2022

10:00 a.m.

Nye County's vulnerable population, or those sheltering in place may, subject to technical difficulties, 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. 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 July 19, 2022 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 July 19, 2022 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](#) 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

July 19, 2022

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 limited to announcements or topic/issues proposed for future workshops/agendas)**
- 4. Approval of the Agenda for July 19, 2022 (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. – [For Possible Action](#) – Fiscal Year (FY) 2023 Community Development Block Grant (CDBG) Public Meeting: 1) Overview of the FY23 CDBG program; 2) Summary of Past Performance by Nye County with CDBG funding since 1982; and 3) Invite public to provide project ideas and input on past or potential projects.**
- 8. 10:00 a.m. – [For Possible Action](#) – **Public Hearing**, discussion and deliberation pursuant to NRS 244.360 on a complaint alleging the existence of a nuisance located at 0 Tonopah Avenue, Tonopah, NV, and adopt, amend and adopt, or reject Resolution 2022-29: A resolution finding the existence of nuisance conditions, or Resolution 2022-30: A resolution finding nuisance conditions do not exist.**
- 9. 10:00 a.m. – [For Possible Action](#) – **Public Hearing**, discussion, and deliberation to issue an Outdoor Festival License to the Town of Pahrump for the Pahrump Fall Festival to be held September 22-25, 2022, at Petrack Park, 150 N. Highway 160, Pahrump, NV.**

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10. 10:00 a.m. – [For Possible Action](#) – Public Hearing on the fair market value of five (5) county-owned properties described as:

1. 3781 S. Viola Ave., Pahrump, NV. Assessor’s Parcel Number 037-303-01 owned by Nye County, consisting of .5780-acre Multifamily Residential (MF) zone; Fair Market Value \$47,000.
2. 2220 S. Zuni Ave., Pahrump, NV. Assessor’s Parcel Number 042-872-13 owned by Nye County, consisting of a .46-acre Village Residential (VR-20) zone; Fair Market Value \$37,000.
3. 6470 S. Hwy 160, Pahrump, NV. Assessor’s Parcel Number 047-041-15, owned by Nye County, consisting of a .64-acre Specific Plan (SP) zone; Fair Market Value \$52,000.
4. 6510 S. Hwy 160, Pahrump, NV. Assessor’s Parcel Number 047-041-16, owed by Nye County, consisting of a 28.49-acre Specific Plan (SP) zone; Fair Market Value \$1,850,000.
5. 6576 S. Hwy 160, Pahrump, NV. Assessor’s Parcel Number 047-041-17, owned by Nye County, consisting of a 1.74-acre Specific Plan (SP) zone; Fair Market Value \$125,000.

The appraisals of the subject properties were conducted by Fidelity Appraisals.

SITTING AS THE NYE COUNTY LICENSING AND LIQUOR BOARD

11. [For Possible Action](#) – Discussion and deliberation to: 1) Consider renewing the Beatty Club Retail Liquor License, license number LQ10-000294 following receipt of payment on July 6, 2022; or 2) Suspend the liquor license and direct staff to set a Hearing to Show Cause to further consider the license.

SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

- 12. [For Possible Action](#)** – Presentation by CourseCo. regarding the current and proposed fee schedules for the Lakeview Golf Course, and discussion and deliberation to adopt, amend and adopt, or reject Town of Pahrump Resolution 2022-03: A Resolution Adopting the Revised Fee Schedule of the Lakeview Executive Golf Course for the Town of Pahrump.
- 13. [For Possible Action](#)** – Discussion and deliberation to approve a Letter of Support from the Town of Pahrump for Consolidated Edison Development Inc’s proposed construction of a solar photovoltaic energy generation facility to be located at 3751 W. Betty Avenue, Pahrump, NV, Assessor’s Parcel Number 027-541-25.

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 the Elected Official Collection Report regarding fees collected from elected county departments for services rendered by or provided to county citizens.
- 15. [For Possible Action](#)** – Approval to set the date and location for the second Board of Commissioners meeting in October for Tuesday, October 18, 2022, in Pahrump, NV.
- 16. [For Possible Action](#)** – Approval of the meeting minutes from the joint regular meeting on May 3, 2022.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

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17. [For Possible Action](#) –Approval to: 1) Accept the FY 2023 Community Development Block Grant (CDBG) Award #22/HS/16 through the State of Nevada Governor’s Office of Economic Development (GOED) in the amount of \$90,000.00 for the purpose of providing a benefit to low- and moderate-income persons. Matching funds are not required; 2) Approve the Subrecipient Agreement between Nye County and Rebuilding Together Southern Nevada for the purpose of providing Critical Home Repairs to 7 households in Nye County; 3) Execute the grant award and subrecipient agreement documents; and 4) Fund to 10340 Grants.
18. [For Possible Action](#) – Approval to: 1) Accept the FFY 2022 Notice of SubAward (NOSA) Amendment 1 from Aging and Disability Services Division (ADSD) in the amount of \$5,849.00 to provide commodity food funding for congregate and home delivered services at the Tonopah Senior Center, as well as home delivered services in Beatty, Nye County. Matching funds are not required; 2) Execute the Subaward; 3) Fund to 10281 Senior Nutrition.
19. [For Possible Action](#) – Approval to renew cannabis licenses for Fiscal Year 2023 pursuant to Nye County Code 5.32.080(A).

BOARD OF COMMISSIONERS

20. For Possible Action – Closure of meeting, pursuant to NRS 241.015(3)(b)(2) for purposes of conferring with legal counsel regarding potential or current litigation.
21. Closed meeting, pursuant to NRS 241.015(3)(b)(2) for purposes of conferring with legal counsel regarding potential or current litigation.
22. For Possible Action – Discussion and deliberation on conference with legal counsel regarding potential or current litigation presented in closed meeting.
23. For Possible Action – Closure of meeting, pursuant to NRS 288.220 for purposes of conferring with the County’s management representatives regarding labor negotiations, issues and other personnel matters.
24. Closed meeting, pursuant to NRS 288.220 for purposes of conferring with the County’s management representatives regarding labor negotiations, issues and other personnel matters.
25. For Possible Action – Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.
26. [For Possible Action](#) – Discussion and deliberation to approve, amend and approve or reject two (2) contracts for Public Defender Services from the following list of applicants: Andrew Coates, Andrew Fritz, Esq., and Thomas J. Gibson, Esq.
27. [For Possible Action](#) – Discussion and deliberation for the Board of County Commissioners to appoint Raelyn Powers to fill the unexpired term of the Nye County Treasurer due to the resignation of Mark Kampf, effective July 20, 2022.
28. [For Possible Action](#) – Discussion and deliberation for the Board of County Commissioners to appoint an individual to fill the unexpired term of the Nye County Clerk due to the resignation of Sandra L. Merlino effective August 5, 2022 from the following list of candidates: Mark Kampf, and Darrell Lackey.

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ITEM # SUBJECT

July 19, 2022

CLERK

29. [For Possible Action](#) – Discussion and deliberation to: 1) Appoint one person to the Pahrump Justice of the Peace, Department A due to the resignation of Lisa Chamlee from the following list of applicants: James R. Ballew, Lillian Donohue, Michael Foley, Walter Grudzinski, William E. Kimbrough, Jacob Skinner, and Kirk Vitto; or 2) Readvertise for the appointment.
30. [For Possible Action](#) – Discussion and deliberation regarding a status update on determined nuisance property 1130 China Street, Pahrump, NV; and direction to staff on how to move forward with the nuisance property if conditions have not been abated as directed by the Board.

TREASURER

31. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt or reject Nye County Resolution No. 2022-32: A Resolution Directing the Levy of the Tax Rate Required for Fiscal Year 2022-2023.
32. [For Possible Action](#) – Discussion and deliberation to rescind the action to approve Affidavit of Mailing of Delinquent Property Tax Notices pursuant to NRS 361.5648 taken by the Board on May 3, 2022; and 2) Approve the corrected Affidavit of Mailing of Delinquent Notices per NRS 361.5648.

JUSTICE(S) OF THE PEACE

33. [Presentation](#) pursuant to NRS 4.060(8) Annual Report by the Tonopah Justice Court for Fiscal Year 2022-2023.

COUNTY MANAGER

34. [For Possible Action](#) – Discussion and deliberation regarding Bill Draft Requests (BDRs) Nye County can submit for the 2023 Legislative Session.
35. [For Possible Action](#) – Discussion and deliberation to consider an approval of the comments prepared as a response to The National Aeronautics and Space Administration’s (NASA) draft Environmental Assessment.
36. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2022-33: A Resolution of intent to sell five (5) county-owned properties at an auction described as:
 1. 3781 S. Viola Ave., Pahrump, NV. Assessor’s Parcel Number 037-303-01 owned by Nye County, consisting of .5780-acre Multifamily Residential (MF) zone.
 2. 2220 S. Zuni Ave., Pahrump, NV. Assessor’s Parcel Number 042-872-13 owned by Nye County, consisting of a .46-acre Village Residential (VR-20) zone.
 3. 6470 S. Hwy 160, Pahrump, NV. Assessor’s Parcel Number 047-041-15, owned by Nye County, consisting of a .64-acre Specific Plan (SP) zone.
 4. 6510 S. Hwy 160, Pahrump, NV. Assessor’s Parcel Number 047-041-16, owed by Nye County, consisting of a 28.49-acre Specific Plan (SP) zone.
 5. 6576 S. Hwy 160, Pahrump, NV. Assessor’s Parcel Number 047-041-17, owned by Nye County, consisting of a 1.74-acre Specific Plan (SP) zone.

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NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

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FINANCE

- 37. [For Possible Action](#) – Discussion and deliberation regarding the budget status for May 2022 for Nye County and all sub-entities for Fiscal Year 2022.

PLANNING/BUILDING/CODE COMPLIANCE

- 38. [For Possible Action](#) – Discussion, deliberation and direction to staff to: 1) Create a Nye County Planning Commission as required by NRS 278.030(1) which provides that the governing body of each county whose population is 45,000 or more shall create by ordinance a planning commission to consist of seven members, which would repeal the current Pahrump Regional Planning Commission; or 2) Retain the Pahrump Regional Planning Commission, and additionally create a Nye County Planning Commission as required by NRS 278.030(1) to include appointing a minimum of two (2) additional members residing in an unincorporated Town outside of the Pahrump Regional Planning District (PRPD) resulting in the creation of a nine (9) member Board.
- 39. [For Possible Action](#) – Discussion and deliberation regarding a request to: 1) Set a date, time and location for a Public Hearing on Nye County Bill No. 2022-08: A Bill proposing to amend Nye County Code Title 17, Comprehensive Land Use Planning and Zoning, by amending Section 17.04.925 pertaining to Temporary and Continuous Directional Signage; and providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto; and 2) Read the title of the Bill into the record.
- 40. [For Possible Action](#) – Discussion and deliberation to direct staff to draft an Ordinance establishing the maximum number of large animals allowed to be kept on a parcel.

PUBLIC WORKS

- 41. [For Possible Action](#) – Discussion and deliberation to accept an offer of dedication for road right-of-way being the entire North 40.00 feet fronting Anvil Road of Assessor’s Parcel Number 019-181-02, from Farm Road, LLC. and designate Anvil Road as a General County Road accepting maintenance for the purpose of future road improvements fronting the property located at 2215 Anvil Road, Amargosa, NV, Assessor’s Parcel Number 019-181-02.
- 42. [For Possible Action](#) – Discussion and deliberation to accept a Restrictive Covenant Running with the Land Agreement between Nye County and Farm Road, LLC., for the property located at 2215 Anvil Road, Amargosa, NV, Assessor’s Parcel Number 019-181-02, for the purpose of future road improvements to be paid for by the property owner.

PUBLIC PETITIONER

- 43. [For Possible Action](#) – Discussion and deliberation regarding a request to: 1) Consider granting Right-of-Way Easement to Valley Electric for Transmission Line project located on Assessor’s Parcel Numbers: 021-218-02; 021-224-02; 021-227-02; 021-228-02; 021-253-01; 021-255-02; 021-256-03; 021-256-04; 021-256-05; and 2) Waive the annual fees associated with each easement.
- 44. **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).**
- 45. **Commissioners'/Manager's Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)**

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

July 19, 2022

46. 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