



**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**

**August 2, 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](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 August 2, 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 August 2, 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 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**

**August 2, 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](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 August 2, 2022 (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 a plaque to Sandra “Sam” Merlino for her years of service as the Nye County Clerk.
- 7. 10:00 a.m. – [For Possible Action](#) – Hearing to Show Cause**, discussion and deliberation to determine if there is sufficient cause to revoke: 1) Adult-Use Cannabis License (Cultivation) CBL-21-143; 2) Adult-Use Cannabis License (Production) CBL-21-144; located at 340 E. Mesquite Avenue, Pahrump, NV. Assessor's Parcel Number 029-601-28. Janet L. Jensen – Property Owner. NCMML, LLC – Licensee.

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

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

## **SITTING AS THE NYE COUNTY LICENSING AND LIQUOR BOARD**

### **GAMING**

- 9. [For Possible Action](#)** – Discussion and deliberation to approve a Gaming License for Best Bet Products, Inc., for a gaming slot route located at Shenanigans Pub, 1330 E. Calvada Blvd., Pahrump, NV. Shawn Holmes and Louis Sposato – Applicants.

**NYE COUNTY BOARD OF COMMISSIONERS AGENDA**

**ITEM # SUBJECT**

**August 2, 2022**

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

10. [For Possible Action](#) – Discussion and deliberation to: 1) Discuss the bid proposals received for Bid No. TOP 2022-02 Completion of Veterans Memorial Building; 2) Award Bid No. TOP 2022-02 Completion of Veterans Memorial Building to Double M Construction in the amount of \$686,000.00 for the first bid response or \$771,000.00 for the alternative bid response that includes complete demolition of the existing structure and foundation; 3) Approve, amend and approve or reject the contract with selected bidder; 4) Approve funding to be determined at comptroller discretion; 5) Reject bid and provide direction to staff on how to proceed with the project.
11. [For Possible Action](#) – Discussion and deliberation to authorize and approve The Town of Pahrump to dedicate to Great Basin Water Co. (GBWC) 11.93 Acre Feet Annual (AFA) of Water Rights from Permit 76649 to fulfill the requirements to provide water service to the One-Stop-Shop located at 2041 E. Calvada N., Pahrump, NV, Assessor’s Parcel No. 042-071-08, and to bring current the annual consumption estimates of the entire existing Calvada Eye Facilities.
12. [For Possible Action](#) – Discussion and deliberation regarding the Debt Management Policy Statement and Capital Improvement Plan for the Town of Pahrump for Fiscal Year 2022-2023 pursuant to NRS 350.013.

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

**BEATTY**

13. [For Possible Action](#) – Discussion and deliberation regarding the Debt Management Policy Statement and Capital Improvement Plan for the Town of Beatty for Fiscal Year 2022-2023 pursuant to NRS 350.013.

**GABBS**

14. [For Possible Action](#) – Discussion and deliberation regarding the Debt Management Policy Statement and Capital Improvement Plan for the Town of Gabbs for Fiscal Year 2022-2023 pursuant to NRS 350.013.

**MANHATTAN**

15. [For Possible Action](#) – Discussion and deliberation regarding the Debt Management Policy Statement and Capital Improvement Plan for the Town of Manhattan for Fiscal Year 2022-2023 pursuant to NRS 350.013.

**AS THE BOARD OF TRUSTEES FOR THE PAHRUMP POOL DISTRICT**

16. [For Possible Action](#) – Discussion and deliberation regarding the Debt Management Policy Statement and Capital Improvement Plan for the Pahrump Pool District for Fiscal Year 2022-2023 pursuant to NRS 350.013.

**NYE COUNTY BOARD OF COMMISSIONERS AGENDA**

**ITEM # SUBJECT**

**August 2, 2022**

**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.**

- 17. [For Possible Action](#) – Approval of Assessor’s Office Change Requests to allow the Nye County Assessor/Treasurer to process and:
  - 1) Issue an amended tax bill in the amount of \$0.00 to Solauro Industries, former leaseholder of 200 Airport Rd., Tonopah, NV, Assessor’s Parcel Number 612-471-02.
  - 2) Issue an amended tax bill in the amount of \$3,641.18 to James G. & Kimberly A. Slaughter S Declaration of Trust, owners of 1940 E. Keith St. Pahrump, NV, Assessor’s Parcel Number 041-331-09.
  - 3) Issue an amended tax bill in the amount of \$2,415.28 to Douglas L. & Norie N. Dinger, owners of 3250 W. Explorer Ln., Pahrump, NV, Assessor’s Parcel Number 027-571-21.
  - 4) Issue an amended tax bill in the amount of \$1,608.95 to Cynthia, and Gary Baltzer, owners of 1820 E. Pioche St., Pahrump, NV, Assessor’s Parcel Number 044-171-32.
- 18. [For Possible Action](#) – Approval of meeting minutes from the regular joint meeting on May 17, 2022, and the special joint meeting on May 26, 2022.
- 19. [For Possible Action](#) – Approval to: 1) Accept the Program Year 2021 Continuum of Care Program Grant Agreement with the United States Department of Housing and Urban Development (HUD) in the amount of \$62,546.00, to serve Nye County homeless residents with rental assistance and supportive services through intense case management. There is no County match required; 2) Execute the Grant Agreement; and 3) Fund to 10340 Grants.
- 20. [For Possible Action](#) – Approval of the annual renewal of Nye County Solid Waste Permit SW-21-6 for US Ecology Nevada Inc.’s Hazardous Waste, Treatment, Storage and Disposal Facility, located at 11455 and 11457 S. US Highway 95, Beatty, NV. Assessor’s Parcel Numbers 018-611-02 (80 acres) and 018-611-04 (400 acres). Nevada Division of State Lands – Property Owner. US Ecology Nevada, Inc. – Applicant.

**ASSESSOR**

- 21. [For Possible Action](#) – Discussion and deliberation to: 1) Approve, amend and approve, or reject the Agreement between Pictometry International Corp. and Nye County for the purpose of aerial photography for the Assessor’s Office in the amount of \$618,520.00; 2) Execute the Contract; and 3) Fund the full amount of \$618,520.00 from fund 10322, Assessor Technology Fund.

**BOARD OF COMMISSIONERS**

- 22. 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.
- 23. Closed meeting, pursuant to NRS 241.015(3)(b)(2) for purposes of conferring with legal counsel regarding potential or current litigation.

## NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

August 2, 2022

24. For Possible Action – Discussion and deliberation on conference with legal counsel regarding potential or current litigation presented in closed meeting.
25. 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.
26. 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.
27. For Possible Action – Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.
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: Ian Bayne, Andrew Caccavale, William Hockstedler, and Mark Kampf.
29. [For Possible Action](#) – Discussion and deliberation to 1) Appoint one member of the Nye County Board of Commissioners to the U.S. Department of Energy, Nevada Site Specific Advisory Board (NSSAB) due to an expiring term; and 2) Choose Option 1: Full Liaison or Option 2: Limited Liaison.

### COUNTY MANAGER

30. [For Possible Action](#) – Discussion and deliberation regarding Bill Draft Requests (BDRs) Nye County can submit for the 2023 Legislative Session.
31. [For Possible Action](#) – Discussion and deliberation to accept an invitation for participating as a Cooperating Agency to the Bureau of Land Management (BLM) during the Natural Environmental Policy Act (NEPA) process for Rough-Hat and Copper Rays Solar projects located Southeast of Pahrump.

### DEPARTMENT OF EMERGENCY MANAGEMENT

32. [For Possible Action](#) – Discussion and deliberation to: 1) Ratify Director of Emergency Management, Scott Lewis’ acceptance of the State of Nevada Emergency Response Commission’s (SERC) FY23 United We Stand (UWS) grant in the amount of \$ 31,865.00 to replace aging supplies that are currently stocked in HazMat response vehicles and trailers throughout Nye County. There is no match required; and 2) Fund \$31,865.00 to Grants 10340.

### FINANCE

33. [For Possible Action](#) – Discussion and deliberation regarding the Debt Management Policy Statement and Capital Improvement Plan for Nye County for Fiscal Year 2022-2023 pursuant to NRS 350.013.

### PLANNING/BUILDING/CODE COMPLIANCE

34. [For Possible Action](#) – Discussion and deliberation to approve an application for an Adult Use Cannabis License (Cultivation) CBL-22-1 for Mantis Growth Investments, located at 9680 S. Oakridge Avenue, Pahrump, NV. Assessor’s Parcel Number 044-851-30. Mantis Growth Investments/Jesse Peters – Applicant.

**NYE COUNTY BOARD OF COMMISSIONERS AGENDA**

**ITEM # SUBJECT**

**August 2, 2022**

35. [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. 2022-07: A Bill proposing to amend Nye County Code Title 17, Comprehensive Land Use Planning and Zoning, Section 17.04.700.A.49, by removing Sexually Oriented Business as an allowed use in the General Commercial (GC) zoning district and adding Sexually Oriented Business as a use allowed in the Light Industrial (LI) zoning district; 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.

**PUBLIC WORKS**

36. [For Possible Action](#) – Discussion and deliberation regarding RFQ: 2022-10 Airport Engineering and Consulting Services: 1) Accept the response from Armstrong Consultants Inc., Atkins North America Inc., or Wood Rodgers, Inc.; 2) Provide direction to staff to enter into fee negotiations with the selected responder. There is no cost to enter into negotiations.
37. [For Possible Action](#) – Discussion and deliberation regarding RFQ: 2022-11 Airport Planning and Environmental Services: 1) Accept the response from Armstrong Consultants Inc. or Atkins North America Inc.; 2) Provide direction to staff to enter into fee negotiations with the selected responder. There is no cost to enter into negotiations.
38. [For Possible Action](#) – Discussion and deliberation to: 1) Set and date time, and location for a Public Hearing on Nye County Bill No. 2022-13. A Bill proposing to amend Nye County Code Title 21, titled Gabbs, Chapter 21.08, titled Water Service, Section 21.08.010 titled Definitions, by amending the definitions to include Town Administrative Coordinator, Town Advisory Board and Water System, and amending Section 21.08.190, titled Schedule of Rates, by amending the customer service charges; 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.
39. [For Possible Action](#) – Discussion and deliberation to: 1) Set a date, time, and location for a Public Hearing on Nye County Bill No. 2022-14. A Bill Proposing to Add to the Nye County Code Title 21, Titled Gabbs, by Adding Chapter 21.09, Titled Sewer System, to Establish Terms and Conditions of the Town’s Wastewater Collection System Including Definitions, Applications for Connection and Service, Fees, Billing Periods, Delinquent Accounts and Unlawful Acts, 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 accept an offer of dedication for road right-of-way being the entire North 40.00 feet fronting East Fort Churchill Road and the entire West 40.00 feet fronting North Blackrock Avenue of Assessor’s Parcel Number 027-301-05, from Gail Taksel and designate East Fort Churchill Road and North Blackrock Avenue as a General County Road accepting maintenance for the purpose of future road improvements fronting the property located at 1311 East Fort Churchill Road, Pahrump, NV, Assessor’s Parcel Number 027-301-05.

**PUBLIC PETITIONER**

41. [For Possible Action](#) – Discussion and deliberation to consider withdrawal of the pending/protested Crater Flat water application #66080 submitted by Nye County in 2000 to allow Coeur Mining, Inc. to proceed with an application for water to benefit its mining operations in Basin 229 near Amargosa Valley.



## NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

August 2, 2022

42. **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).**
43. **Commissioners'/Manager's Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)**
44. **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](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