



**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**

**October 10, 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](http://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 October 10, 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 October 10, 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**

**October 10, 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) Commissioner/Manager Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)**
- 4) Approval of the Agenda for October 10, 2023 (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/or plaques to five (5) employees honored for their years of service.**
- 7) 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.**
- 8) 10:00 a.m. – [Presentation](#) by DJ Mills with NyE Communities Coalition, 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-Mental Health and Homeless Programs. (10-minute time limit)**
- 9) 10:00 a.m. – [Presentation](#) by Ryan Muccio with NyE Communities Coalition, 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-Mental Health Program. (10-minute time limit)**

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

- 10) [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**

**October 10, 2023**

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

- 11) [For Possible Action](#) – Discussion and deliberation to: 1) Discuss the bid proposals received for Bid No. TOP 2023-01 Justin Leavitt Memorial Skate Park Concrete; 2) Award Bid TOP 2023-01 Justin Leavitt Memorial Skate Park Concrete to JM Concrete, LLC in the amount of \$175,000.00 or Rowley Contracting, Inc. in the amount of \$327,000.00; 3) Approve, amend and approve or reject the contract with selected bidder; 4) Fund \$138,766.36 to 10340 Grants and \$188,233.64 to 25401 Pahrump Capital; or 5) Reject bids and provide direction to staff on how to proceed with the project.
- 12) [For Possible Action](#) – Discussion and Deliberation to: 1) Accept the T-Mobile Hometown grant award in the amount of \$50,000.00 to provide partial funding for The Town of Pahrump Splash Pad at Simkins Park. There is a \$197,862.73 Town match required; 2) Fund \$50,000.00 to 10340 Grants and fund \$197,862.73 to 25401 Pahrump Capital Projects.
- 13) [For Possible Action](#) – Discussion and deliberation to: 1) Determine that an excess command vehicle, a 2014 Ford Expedition, VIN 1FMJU1J55EEF51930 from the Pahrump Valley Fire Rescue Service is no longer required for public use; and 2) Approve that it is the best interest to donate the command vehicle to the Town of Amargosa Fire Department for service as an EMS quick response vehicle.

**SITTING AS THE BOARD OF COUNTY COMMISSIONERS**

**14) 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.**

- 14.1 [For Possible Action](#) – Approval of meeting minutes from the joint meetings on July 6, July 18, and August 15, 2023.
- 14.2 [For Possible Action](#) – Approval to: 1) Accept the Fiscal Year 2022 Continuum of Care Program Grant Agreement with the United States Department of Housing and Urban Development (HUD) in the amount of \$93,901.00, 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.

**BOCC**

- 15) [For Possible Action](#) – Discussion and deliberation to: 1) Modify Section 9 Termination of the contract for Public Defender Services between Nye County and Andrew Coates, Esq. by reducing 90 calendar days to 30 calendar days for revocation after notice to be effective; and 2) Execute the Second Amendment to the contract.

**CLERK**

- 16) [For Possible Action](#) – Discussion and deliberation to: 1) Appoint one member to the Nye County Water District Governing Board Area 3 due to an expiring term from the following list of applicants: Edwin Goedhart; or 2) Readvertise for the appointment.
- 17) [For Possible Action](#) – Discussion and deliberation to: 1) Appoint one member to the Tonopah Town Board due to a resignation from the following list of applicants: Douglas "Stretch" Baker and William Stark; or 2) Readvertise for the appointment.

**NYE COUNTY BOARD OF COMMISSIONERS AGENDA**

**ITEM # SUBJECT**

**October 10, 2023**

**DISTRICT ATTORNEY**

- 18) [For Possible Action](#) – Discussion and deliberation to waive the 90-day hiring wait period and fill a vacant Executive Legal Secretary II Position, #11023-001 in the District Attorney Office effective immediately due to the employee resigning on September 01, 2023.

**SHERIFF**

- 19) [For Possible Action](#) – Discussion and deliberation to: 1) Approve, amend and approve, or reject a Third Amendment to the Contract between Nye County and Serenity Health LLC for the purpose of providing jail medical services to the Nye County Detention Centers; 2) Execute the agreement; and 3) Fund \$1,566,818.12 to 10236 Jail and \$254,329.00 to 10101 General.

**COUNTY MANAGER**

- 20) [For Possible Action](#) – Discussion and deliberation to appoint one member to the Nye County 9-1-1 Advisory Committee due to an expiring term from the following list of applicants: Joseph Marshall.

**FINANCE**

- 21) [For Possible Action](#) – Discussion and deliberation to approve, amend and approve, or reject a six-month extension to NyE Communities Coalition for the SSI/SSDI Outreach, Access and Recovery (SOAR) Mental Health program through the Nye County ARPA Recovery Plan and Policy: Public Health Assistance-Mental Health grant, to provide additional time for Nye County residents to qualify.

**INFORMATION TECHNOLOGY**

- 22) [For Possible Action](#) – Discussion and deliberation to waive the 90-day hiring wait period and fill a vacant Client Support Technician Position, #13005-005 in the Information Technology Office effective immediately due to the employee terminating on August 30, 2023.

**PLANNING/BUILDING/CODE COMPLIANCE**

- 23) [For Possible Action](#) – Discussion and deliberation to: 1) Accept the U.S. Department of Homeland Security Cooperating Technical Partners (CTP) grant award in the amount of \$242,250.00 to provide funding for The Pahrump Phase II Risk MAP Project. There is no match required; 2) Allow a one-time exception for Grant Administrator, Jessica McCutcheon to accept the award electronically; and 3) Fund to 10340 Grants.
- 24) [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. 2023-13: A Bill proposing to amend Nye County Code Title 5, titled “Business Licenses and Regulations,” Chapter 5.32 titled “Cannabis Establishments,” by amending Section 5.32.050 titled “Medical Cannabis Establishment License Fees,” Section 5.32.055 titled “Adult-use Cannabis Establishment License Fees,” Section 5.32.057 titled “Cannabis Consumption Lounge Establishment License Fees,” by amending the fees pertaining to Initial License Fees, License Renewal Fees, and Monthly Fees; and providing for the severability, constitutionality, and effective date thereof; and other matters properly relating thereto.

**NYE COUNTY BOARD OF COMMISSIONERS AGENDA**

**ITEM # SUBJECT**

**October 10, 2023**

- 25) [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. 2023-14: 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 VI, titled Development Standards, Section 17.04.820, titled Manufactured Homes and Factory-Built Homes, amending section 17.04.820(C)(1)(d & e); and providing for the severability, constitutionality, and effective date thereof; and other matters properly relating thereto.
- 26) [For Possible Action](#) – Discussion and deliberation regarding a request to set a date, time, and location for a Public Hearing on Nye County Bill 2023-15: A Bill Proposing to amend Nye County Code Title 15, titled Building and Construction, Chapter 15.16, titled International and Uniform Building and Construction Codes Effective within Nye County, Section 15.16.092, titled Minimum Standards for Manufactured Homes by amending the minimum standards and adding Waivers and Special Exceptions; and providing for the severability, constitutionality, and effective date thereof; and other matters properly relating thereto.

**PUBLIC WORKS**

- 27) [For Possible Action](#) – Discussion and deliberation to: 1) Approve the purchase of a property needed for a drainage channel, consisting of 0.124 acres located at 31 North Boothill Drive, Pahrump, NV, Assessor’s Parcel Number 038-173-45; 2) Propose compensation for the property to the property owner based on the appraisal; and 3) Direct staff to prepare and record the documentation necessary to transfer the property.
- 28) [For Possible Action](#) – Discussion and deliberation to: 1) Approve the purchase of a property needed for expansion of the road department yard, consisting of 0.181 acres located at 741 East Ziba Lane, Pahrump, NV, Assessor’s Parcel Number 038-202-23; 2) Propose compensation for the property to the property owner based on the appraisal; and 3) Direct staff to prepare and record the documentation necessary to transfer the property.
- 29) [For Possible Action](#) – Discussion and deliberation to: 1) Approve the purchase of a property needed for expansion of the road department yard, consisting of 0.252 acres located at 780 East Ziba Lane, Pahrump, NV, Assessor’s Parcel Number 038-202-25; 2) Propose compensation in the amount of \$15,000.00 plus required fees for the property to Nevada Realty based on the listing price; 3) Authorize the County Manager to sign the purchase agreement and associated documents for this property purchase; and 4) Direct staff to prepare and move forward with the purchase of the property.
- 30) [For Possible Action](#) – Discussion and deliberation to: 1) Approve the purchase of a property needed for expansion of the road department yard, consisting of 0.175 acres located at 760 East Ziba Lane, Pahrump, NV, Assessor’s Parcel Number 038-202-26; 2) Propose compensation for the property to the property owner based on the appraisal; and 3) Direct staff to prepare and record the documentation necessary to transfer the property.

**PUBLIC PETITIONER**

- 31) [For Possible Action](#) – Discussion and deliberation to approve Nye County Proclamation No. P2023-07: A Proclamation Recognizing November 2023 as National American Indian Heritage Month.
- 32) **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).**

## NYE COUNTY BOARD OF COMMISSIONERS AGENDA

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ITEM # SUBJECT

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October 10, 2023

33) Commissioner/Manager Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)

34) 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