

Pursuant to NRS a joint meeting of the Nye County Board of Commissioners, Nye County Board of Highway Commissioners, Nye County Licensing and Liquor Board, the Nye County Board of Health, the Governing Body of the Unincorporated Town of Pahrump, the Governing Body of the Unincorporated Towns of Beatty, Gabbs, and Manhattan, and the Board of Trustees for the Pahrump Pool District, was held at 10:00 a.m. in the Commissioners' Chambers, 101 Radar Road, Tonopah, Nevada 89049.

Debra Strickland, Chair
Ron Boskovich, Vice Chair
Frank Carbone, Commissioner
Donna Cox, Commissioner
Bruce Jabbour, Commissioner
Cori Freidhof, Ex-Officio Clerk of the Board
Brian Kunzi, District Attorney
Joseph McGill, Sheriff
Tim Sutton, County Manager

Also Present: Lorina Dellinger, Assistant County Manager; Kelly Sidman, Deputy Clerk; Samantha Tackett, Administrative Manager; Helen Bae, Comptroller

Not Present: Joseph McGill, Sheriff; Tim Sutton, County Manager

1. Pledge of Allegiance

The Pledge was recited.

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).

Pat Minshall stated she had been a member of the Sheriff's Auxiliary for eight years primarily serving Beatty and Amargosa. Some of the members had served over 20 years. They served hundreds of criminal and civil subpoenas; recently started serving more dangerous eviction papers; did regular patrols and vacation watches; and provided traffic control on special occasions as well as for virtually every accident in Nye County 24/7. They wore blue shirts with emblems on their sleeves and name tags for badges. They drove cars that had Sheriff on them, and some also had Sheriff's Auxiliary on them. Almost all cars were equipped with blue and red lights to be used for traffic control only. They went through FBI background checks, fingerprinting, interviews, personal references, and special training. Ms. Minshall said at the March, 2024, meeting of the Amargosa Valley Town Board the Sheriff told them of the changes he was making, which were no more uniforms with emblems, no badges, and no firearms. They would be issued blue T-shirts without their names and the word volunteer. The vehicles would be unmarked cars that might say only volunteer on them. The red and blue lights would be changed to yellow light bars. The Sheriff stated the changes were for their safety, but Ms. Minshall said she would not feel safe doing traffic

2. Cont'd. - 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).

control with blinking yellow lights. A number of the volunteers had also resigned because of the changes.

Bill Stremmel mentioned the community compost he suggested at the October 24, 2023, Commission meeting. He commended Commissioner Strickland for her column in the Las Vegas Review Journal a few weeks ago putting Ash Meadows on the radar screen and generally having a more holistic view of the whole regional aspect of water. That was an argument Mr. Stremmel made to the Clark County Board of Commissioners on February 6, 2024, requesting they intercede with the BLM against any more solar projects.

Maryan Hollis asked the Commissioners to take item 19 after item 11. She said the County had at least two deficit budgets in a row and then the County spent more on out of budget cycle purchases. The deferred maintenance needs were now at \$7 million and more if not addressed. The roads were disintegrating from years of limited major road work, and flood control plans needed funding as proposed in the allocations. The County had been on fiscal watch twice since 2016, and a third watch was narrowly avoided a few months ago when the land purchase for the landfill and gun range was proposed. Ms. Hollis felt the refuge pandemic center would set the County on the brink again. More funding was proposed for that, but it was not a Nye County project or a District 3 project, and she wondered how many Pahrumpians supported or were even aware of the project. She asked why there was pushback on updates as the process was moving forward. The monthly Finance report bled more red ink every month and the Commissioners said nothing. Ms. Hollis asked if there was any accountability for that or the \$6 million deficit the FY25 budget would have.

Tynia Dickson from the Sassy Trainer thanked the Commissioners for the grant. They had their service dog graduation on Friday and 12 dogs were recognized.

Darryl Lackey said the Republicans and Democrats were sabotaging the country. He felt the County could not spend money right and he just heard about the \$6 million deficit the County was taking from the Native American grant, which he thought was pretty dirty.

Michael David Garcia said April, 2024, was Autism Awareness Month. He spoke about the resolution the County adopted stating it was a Bill of Rights sanctuary; his 1st and 14th Amendment rights; child abuse and neglect; political corruption; and the need to get the signs off the courtroom doors.

Erika Gerling provided updates on the activities in Beatty, including the status of the substation; the workshop on amendments to Title 17 for solar and wind; and the removal of fluoride from the well.

2. Cont'd. - 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).

Ammie Nelson talked about the Desert View triage center and how they used to perform a lot of different procedures, but when the Town of Pahrump entered into a contract with Emergency Ambulance Services a lot of the services went away. Her insurance would not cover Desert View, but it was mandatory the ambulance service take her there, and she was sure other people were in the same situation. Ms. Nelson asked the Commissioners to re-think that contract and change the name to triage center or urgent care because it was no longer a hospital.

3. Commissioner/Manager Comments (This item is limited to announcements, brief discussions of public comments, correction of factual inaccuracies, direction to staff, or topics proposed for future board meetings. Lengthy deliberation of topics not on the agenda is prohibited by the Nevada Open Meeting Law).

Commissioner Strickland announced the Tonopah Childcare Center received \$1 million with Congressman Horsford's assistance to pre-fund it and there were additional funds available.

Commissioner Cox thanked Congressman Horsford for what he did for the children. She said she agreed with Ammie Nelson as far as the hospital was concerned and suggested she attend the hospital board meetings and present that information. Commissioner Cox offered to go with her.

Commissioner Jabbour also thanked Congressman Horsford. As to Desert View, while different facilities had different policies, he said the facility saved his life a year and a half ago. Regarding Ash Meadows, Commissioner Jabbour was going to have a meeting with Senator Cortez Masto, but she had to cancel and would reschedule. In the meantime, she asked that as many letters of support be sent to her as to why the County was trying to stop lithium drilling at Ash Meadows.

Commissioner Boskovich said his mother had a good experience at Desert View. He also said it was an honor to be part of the \$1 million check presentation for Tonopah's daycare.

Contracts and Grants Manager Stephani Elliott said they had recently received correspondence from Senators Cortez Masto and Rosen. The County had been applying for different types of appropriations and most recently they were approving appropriations for an Amargosa Library expansion project as well as the 13-mile paving project for Pogue Summit Road.

4. Approval of the Agenda for April 2, 2024 (Non-action item)

Lorina Dellinger said item 5 could be removed from the agenda.

5. For Possible Action – Emergency Items

This item was removed from the agenda.

SITTING AS THE BOARD OF COUNTY COMMISSIONERS

TIMED ITEMS

6. 10:00 a.m. – Presentation by Kathy Stratton and Matt Boden, Portfolio Managers for Buckhead Capital Management, LLC., regarding investment management operations for Nye County. (5-minute time limit)

Treasurer Raelyn Powers said she was coming before the Board to share information and options relating to the management of Nye County investments. She explained county treasurers in Nevada were the sole individuals responsible for administering their respective counties' investments. While she felt she was doing a good job managing new investments and ensuring investments were secure and providing a return, she would be the first to admit that her experience with government investments was limited as were her resources and purchase power. A background in accounting or investment was not required to be a county treasurer, just a high school diploma and a Nevada drivers license. Ms. Powers noted only Nye and one other county in Nevada did not have an investment team. She had been speaking with a few investment management firms for quite some time now. It was important to her that the Commissioners and the County Manager see and hear the same information as she did should a decision be made to engage in business activities with an investment management team.

Matt Boden and Kathy Stratton from Buckhead Capital Management were present and gave a presentation on the services they offered.

Commissioner Strickland explained the reason the presentation was limited was because the Commissioners were going to have some individual meetings with the companies. This was too much information for the Commission in such a short period of time.

7. 10:00 a.m. – Presentation by Benjamin Sehy, Director, Advisory Services, Meeder Investments regarding investment management operations for Nye County. (5-minute time limit)

Raelynn Powers advised with the current framework set up with Wells Fargo and Multi-Bank Securities the County did not pay any fees for their assistance with investments. The only fee that was paid was her salary.

7. Cont'd. - 10:00 a.m. – Presentation by Benjamin Sehy, Director, Advisory Services, Meeder Investments regarding investment management operations for Nye County. (5-minute time limit)

Benjamin Sehy, director of advisory services from Meeder Investments, gave a presentation on the services they offered.

Commissioner Strickland said she would like to meet with the companies individually to go over what they spoke about and make a determination at a later date.

8. 10:00 a.m. – Presentation by Shelley Poerio with Living Free Health and Fitness, A Non-Profit Corporation, 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. (5-minute time limit)

Shelley Poerio from Living Free Health and Fitness gave an update on their use of the ARPA funds granted to them.

9. 10:00 a.m. – Presentation by Nancy Guin with Tails of Nye County 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 Grant. (5-minute time limit)

Nancy Guinn from Tails of Nye County provided an update on their use of the ARPA funds granted to them.

10. 10:00 a.m. – For Possible Action – Hearing to Show Cause, discussion and deliberation to determine if there is sufficient cause to revoke Special Use Permits SU-2021-000072 and ETSU-21-82, and Cannabis Licenses CBL-23-24, CBL-23-25, CBL-23-26, and CBL-23-27; located at 2215 E. Anvil Road, Amargosa Valley, NV. Assessor's Parcel Number 019-181-02. Farm Road, LLC – Property Owner. MJ Distributing, LLC – Licensee.

Lorina Dellinger advised a request was received to continue this item for 30 days, which would be May 7, 2024.

Brian Kunzi said since there was now a receiver over the property it made sense to continue this. He could make contact with the receiver and find out the plan going forward. He suggested setting it for a date and if other action had to be taken after the meeting that could be done.

John Savage, the attorney representing Kevin Singer, the receiver over MJ Distributing, thanked the Commissioners for the continuance and said they would be present at the next meeting.

10. Cont'd. - 10:00 a.m. – For Possible Action – Hearing to Show Cause, discussion and deliberation to determine if there is sufficient cause to revoke Special Use Permits SU-2021-000072 and ETSU-21-82, and Cannabis Licenses CBL-23-24, CBL-23-25, CBL-23-26, and CBL-23-27; located at 2215 E. Anvil Road, Amargosa Valley, NV. Assessor's Parcel Number 019-181-02. Farm Road, LLC – Property Owner. MJ Distributing, LLC – Licensee.

Planning Director Brett Waggoner said he visited the property last Thursday and it was not secure. He walked right through a main gate and went in every single building as well as the greenhouse. There was no product other than some dead plants and stuff, but there were computers left. He informed the receiver that they needed to get that property secured as soon as possible.

Commissioner Carbone made a motion to continue this item to May 7, 2024; seconded by Commissioner Jabbour; 5 years.

11. 10:00 a.m. – For Possible Action – Public Hearing, discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution 2024-06: A Resolution Authorizing a Temporary Interfund Loan for Fiscal Year 2024.

Commissioner Strickland opened the public hearing.

Maryan Hollis wondered where the County would have gotten the money if this loan had not been available and how the loan would be paid back in the timeframe required by NRS.

Commissioner Strickland closed the public hearing.

Helen Bae explained the deficit was a result of rising costs and not enough revenue over the period of three fiscal years. The immediate need for this cash was to float the County until December, 2024, because it would receive approximately \$9.9 million between August, 2024, and October, 2024. When the last tranche of those revenues were received the pay back would be made in January, 2024, and possibly earlier. Mrs. Bae then talked about the need to get the reserve back up to \$8 million to comply with the policy the Board passed of 16.67%, which represented two months of emergency cash, and the different ways she planned on accomplishing that between anticipated revenue, costs reductions, and cost-sharing with the Town of Pahrump.

Commissioner Cox assured the public no one was stealing their money. The County was not going broke and was actually ahead of the game.

This item was tabled until later in the meeting.

16. 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.

16.1. For Possible Action – Approval of the meeting minutes from the joint meeting on January 3, 2024.

Commissioner Boskovich made a motion to approve items 16.1.-16.5; seconded by Commissioner Carbone; 5 yeas.

16.2. For Possible Action – Approval of Return of Sale; affidavits of publication pursuant to NRS 361.595 for the Nye County Trust Property Online Auctions held on February 27, 2024 through February 29, 2024.

Commissioner Boskovich made a motion to approve items 16.1.-16.5; seconded by Commissioner Carbone; 5 yeas.

16.3. For Possible Action – Approval of an offer of dedication for a variable width right-of-way from Homestead Road Pahrump, LLC. located at 2370 South Homestead Road, Pahrump, NV, Assessor's Parcel Number 042-312-14, and designate Homestead Road as a General County Road accepting maintenance for the purpose of future road improvements fronting the property.

Commissioner Boskovich made a motion to approve items 16.1.-16.5; seconded by Commissioner Carbone; 5 yeas.

16.4. For Possible Action – Approval of SW-24-1: An application for the annual renewal of the Solid Waste Permit 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 Parcel Numbers 018-611-02 (80 acres) and 018-611-04 (400 acres). Nevada Division of State Lands – Property Owner. US Ecology Nevada, Inc. (USEN) – Applicant.

Commissioner Boskovich made a motion to approve items 16.1.-16.5; seconded by Commissioner Carbone; 5 yeas.

SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

14. For Possible Action – Discussion and deliberation to approve amending the Fiscal Year 2024 Pahrump Valley Fire Rescue Service Public Safety Sales and Use Tax plan (PSST) by allocating existing funding in the amount of \$155,000.00 to a project to extend a water line and install a fire hydrant located on county owned property 250 Highway 160, Pahrump, NV.

Fire Chief Scott Lewis said this was not an increase in the existing spending plan for the PSST but was a reallocation of existing funds to extend a fire hydrant which would become a private fire hydrant source serving the fire department.

Commissioner Jabbour asked where the closest fire hydrant was to the 250 Building.

Facilities Manager William Allen said there was a fire hydrant across the highway, but the cost to get it across the highway would be very expensive. The closest route to run the line was from Basin and that was the plan.

Commissioner Carbone thought the hydrant would be closer to the fire station.

Mr. Allen said there would be two hydrants. One would serve directly behind the 250 Building and the part Chief Lewis wanted was in addition to that line to run from that hydrant to the front of the firehouse.

Brian Kunzi thought this was very essential to services which made it appropriate for these funds to be used.

Commissioner Jabbour made a motion to approve; seconded by Commissioner Carbone; 5 yeas.

15. For Possible Action – Discussion and deliberation to approve amending the Fiscal Year 2024 Pahrump Valley Fire Rescue Service Public Safety Sales and Use Tax plan (PSST) by allocating existing funding in an amount not to exceed \$150,000.00 to re-chassis Medic 3A following a catastrophic engine failure and to extend the service life of the unit.

Fire Chief Scott Lewis said this particular medic served the fire department in responding to fire-related incidents and also on the standbys that were fire-related. This would add to the lifespan of the unit by placing an appropriate 4500 chassis under it. It would also be funded as described in the previous item with no additional allocation to the PSST funds.

Pat Minshall asked how old the vehicle was and how much a new one would cost.

15. Cont'd. - For Possible Action – Discussion and deliberation to approve amending the Fiscal Year 2024 Pahrump Valley Fire Rescue Service Public Safety Sales and Use Tax plan (PSST) by allocating existing funding in an amount not to exceed \$150,000.00 to re-chassis Medic 3A following a catastrophic engine failure and to extend the service life of the unit.

Chief Lewis said it was a 2017 with in excess of 300,000 miles on it. The approximate cost for a new one was \$300,000.00 and they would have to wait two and a half years to purchase it.

Commissioner Jabbour made a motion to approve; seconded by Commissioner Carbone; 5 yeas.

SITTING AS THE BOARD OF COUNTY COMMISSIONERS

PLANNING

20. 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. 2024-04: A Bill proposing to approve a Development Agreement between Nye County and GridLiance West, LLC, for the Beatty Transmission Line Upgrade Project; and providing for the severability, constitutionality, and effective date thereof; and other matters properly relating thereto.

21. 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. 2024-05: A Bill proposing to approve a Development Agreement between Nye County and GridLiance West, LLC, for the Core Transmission Line Upgrade Project; and providing for the severability, constitutionality, and effective date thereof; and other matters properly relating thereto.

Brett Waggoner said they learned there was a noticing requirement for these items. The soonest this could be heard due to the requirement was May 7, 2024.

Scott Whittemore, speaking on behalf of GridLiance West, said they would make May 7, 2024, work.

Erika Gerling also agreed with that date.

Commissioner Carbone made a motion to set a time and date for May 7, 2024, in Tonopah at 10:00 a.m.; seconded by Commissioner Jabbour; 5 yeas.

COUNTY MANAGER

17. For Possible Action – Discussion and deliberation regarding Nye County Proclamation No. P2024-02: A Proclamation Recognizing the Month of April 2024 as National County Government Month “Forward Together”.

Commissioner Carbone made a motion to approve Proclamation No. 2024-02; seconded by Commissioner Jabbour; 5 yeas.

Lorina Dellinger explained this was put forward annually for the Board to approve. Its purpose was to highlight services that the County provided and to kick off a Citizens' Academy to educate them on the services provided. Staff hoped to get all of the elected officials and department heads on board with it.

18. For Possible Action – Discussion and deliberation regarding a Program Funding Application from Pahrump Valley Public Transportation for the VETrans Program in the amount of \$20,000.00 to be funded from 10210, Veteran Services Department.

Samantha Tackett said this was the third year the VETrans Program through the Pahrump Valley Transportation had requested funding to help support costs for veteran-related services. The application was approved through the first round by the Comptroller, the County Manager, and the Assistant County Manager. The recommendation was to approve and fund as identified.

John Koenig, president of the company, reminded the Board they operated as Pahrump Valley Public Transportation and VETrans was part of that.

Eric Whelan, managing director, said this was a wonderful program for the local veterans to provide free transportation for medical and pharmacy purposes as well as to Las Vegas. They were asking for the Board's continued support so they could help the veterans the way they deserved.

Commissioner Carbone asked if the \$20,000.00 was being consumed totally by the veterans transportation process, to which Mr. Whelan responded yes.

Commissioner Koenig noted the insurance would eat up the \$20,000.00 and leave a gap that would have to be paid from the other company.

Helene Williams asked the Board to support this program as the veterans deserved it.

Ammie Nelson stated her support of this item and wished they could get more.

Tim Bohannon stated his support of this item and said he would like to see if there were grant funds available to expand the program.

18. Cont'd. - For Possible Action – Discussion and deliberation regarding a Program Funding Application from Pahrump Valley Public Transportation for the VETrans Program in the amount of \$20,000.00 to be funded from 10210, Veteran Services Department.

Commissioner Carbone made a motion to approve the funding application for transportation for VETrans changing the amount to \$30,000.00 and fund from 10210; seconded by Commissioner Boskovich.

Commissioner Jabbour did not see where the Board was able to amend the item to increase the money.

Brian Kunzi explained the agenda was designed to give the public notice of what was intended to be discussed. It did not constrain the action the Board could take on an item. The desire to increase the fund would not violate the Open Meeting Law.

Commissioner Strickland asked how much money was in the fund.

Commissioner Carbone said \$154,909.06.

Mrs. Tackett wanted to be sure the prior two requests for \$20,000.00 approved a few months ago for the service dog program was taken into consideration when looking at that fund balance.

Helen Bae said she would need to look that up, but she looked at the trial balance which showed \$63,775.00 in cash as of today.

Commissioner Carbone withdrew his motion; Commissioner Boskovich withdrew his second.

This item was continued until after lunch.

The Board was in recess until 1:30 p.m.

18. Cont'd. - For Possible Action – Discussion and deliberation regarding a Program Funding Application from Pahrump Valley Public Transportation for the VETrans Program in the amount of \$20,000.00 to be funded from 10210, Veteran Services Department.

Commissioner Carbone said it was learned there were sufficient funds to cover the additional \$10,000.00.

Ammie Nelson thanked Commissioner Carbone for the additional \$10,000.00.

18. Cont'd. - For Possible Action – Discussion and deliberation regarding a Program Funding Application from Pahrump Valley Public Transportation for the VETrans Program in the amount of \$20,000.00 to be funded from 10210, Veteran Services Department.

Commissioner Carbone made a motion to approve the application for the Pahrump Valley Public Transportation for VETrans for \$30,000.00; seconded by Commissioner Boskovich; 5 yeas.

SITTING AS THE NYE COUNTY LICENSING AND LIQUOR BOARD

Sheriff McGill was present via telephone and assumed the Chair of the Licensing and Liquor Board.

LIQUOR

13. For Possible Action – Discussion and deliberation to approve an application to amend an existing brothel license by adding William Paccione as an additional licensee to Western Best, LLC. dba Chicken Ranch Brothel located at 10511 S. Homestead Rd., Pahrump, NV.

Sheriff McGill explained this was for the addition of William Paccione as a licensee to Western Best LLC dba Chicken Ranch Brothel. The background investigation was completed and the findings by his agency were that he met the necessary qualifications as required by County Code.

William Paccione said he had been associated with the Chicken Ranch brothel since 2017 and had been the chief operating officer since 2022. He worked closely with Ken Green, who had owned it since 1982.

Commissioner Carbone made a motion to approve the application; seconded by Commissioner Jabbour; 6 yeas.

Sheriff McGill was not present.

SITTING AS THE BOARD OF COUNTY COMMISSIONERS

Commissioner Strickland assumed the Chair of the Board of County Commissioners.

FINANCE

19. For Possible Action – Presentation, discussion and direction to staff regarding the allocation of funding from the Local Assistance and Tribal Consistency Fund (LATCF) for proposed projects.

Stephani Elliott said she learned that at least one of the tribes in Nye County had funds allocated to them. Today was the day for the Board to review the 27 projects and finalize how to spend the \$12 million. Ms. Elliott said in speaking with the Comptroller a lot of these projects could be considered long-term plans and she asked the departments to not give up hope. She pointed out the projects requested totaled \$28 million.

Amargosa Valley Fire Chief Bruce Jensen was present to answer any questions about their request. He said the vehicle would be very important to Amargosa Valley as far as capability and response time.

Maryan Hollis asked if the Board was still considering this as a \$12 million grant or was it \$6 million available cash flow.

Ms. Elliott recommended the Board fund what it could with the available funding and consider allocating some of that for the possible interfund loan. Once that loan was paid back the Board could revisit the projects as the priorities may change.

Working with a live spreadsheet, the Commissioners discussed the projects.

Commissioner Carbone made a motion to accept the LATCF funding as noted on the spreadsheet attached to the minutes [see Attachment A]; seconded by Commissioner Jabbour; 5 yeas.

11. Reopened - 10:00 a.m. – For Possible Action – Public Hearing, discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution 2024-06: A Resolution Authorizing a Temporary Interfund Loan for Fiscal Year 2024.

Commissioner Jabbour made a motion to approve Nye County Resolution No. 2024-06, a resolution authorizing a temporary interfund loan for fiscal year 2024 in the amount of \$5,780,000.00; seconded by Commissioner Boskovich; 5 yeas.

PUBLIC WORKS

22. For Possible Action – Discussion and deliberation to:

- 22.a. Adopt, amend and adopt, or reject Nye County Resolution No. 2024-08: A Resolution Finding that it is in the Best Interest of the Public to Lease a Portion or Portions of the Tonopah Airport Property Without Offering it at Public Auction, For Less Than Fair Market Value, Pursuant to NRS 244.2815, For Purposes of Economic Development;**
- 22.b. Approval of a Lease Agreement with Longshot Space Technology Corporation for approximately twelve (12) acres of the Tonopah Airport Property for the purpose of building and testing a hypersonic accelerator; and**
- 22.c. Execute the Lease Agreement.**

Samantha Tackett advised the back-up posted on-line and distributed to the public was missing a lot of really important pages. She asked the Commission to accept additional backup so the back-up could be replaced entirely.

Commissioner Jabbour made a motion to approve the additional back-up; seconded by Commissioner Carbone; 5 yeas.

The Board took a brief recess to allow for distribution and review of the additional back-up.

Joseph Michael Grace from Longshot Space Technology Corporation gave a presentation about his plan to build and test a hypersonic accelerator at the Tonopah Airport.

Commissioner Carbone asked if Mr. Grace had any foreign companies working with him, to which Mr. Grace responded no.

Commissioner Carbone asked if there would be lights noting something was landing in that area.

Mr. Grace explained there would be an FAA process to build the facility. He thought there was no reason why they could not give a couple of weeks' notice of any test. If there needed to be an emergency landing, there would be no reason they could not abort anything they were doing. Mr. Grace said eventually the Navy and Air Force might impose some significant security, but as it was now he did not intend to.

Commissioner Strickland asked about the sound.

Mr. Grace said it was very loud, but he did not think there would be much of a problem from the town because of the interposing topography. He said he would put an 18-foot

22. Cont'd. - For Possible Action – Discussion and deliberation to:

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high earth berm on the western side of the site to deflect the sonic boom both to the east and up.

Commissioner Jabbour inquired about the dust.

Mr. Grace thought they would have to use a water truck as well as a bunch of gravel, which would also help mitigate any dust from the sonic boom knocking up the ground.

Commissioner Jabbour asked what the proposed hours of operation were.

Mr. Grace said that would be up to the town, but he would be happy to do it when it did not disturb people.

Commissioner Jabbour asked how long the lease was for.

Lorina Dellinger said staff put in a five-year term, but it was up to the Commissioners.

Mr. Grace said he hoped to have something built and doing testing in a year and a half.

Alan Stumpf, Round Mountain Fire Chief, said he was concerned with the possibility of a friction fire which could potentially cause a fire over the berm on the west, and he did not hear anything about guarding east, north or south. He asked how they were supposed to get fire trucks in there in case there was a need as they backed-up Tonopah.

Pat Minshall asked if this would bring any jobs to Tonopah and if so, how many and for how long.

Tim Bohannon asked if this would impact the local and domestic flying that happened at the airport. He expressed his concerns about fire safety and noise.

Ammie Nelson wondered if it would be safe enough for the seniors in Tonopah to visit the site and learn about different avenues for their future education.

22. Cont'd. - For Possible Action – Discussion and deliberation to:

- 22.a. Adopt, amend and adopt, or reject Nye County Resolution No. 2024-08: A Resolution Finding that it is in the Best Interest of the Public to Lease a Portion or Portions of the Tonopah Airport Property Without Offering it at Public Auction, For Less Than Fair Market Value, Pursuant to NRS 244.2815, For Purposes of Economic Development;**
- 22.b. Approval of a Lease Agreement with Longshot Space Technology Corporation for approximately twelve (12) acres of the Tonopah Airport Property for the purpose of building and testing a hypersonic accelerator; and**
- 22.c. Execute the Lease Agreement.**

Joni Eastley, speaking on behalf of the Tonopah Town Board, advised the board voted at a recent meeting to support this project.

Brett Waggoner thought this project would be a good candidate for a development agreement as there was no special use permit for this type of development. Any concerns could be addressed in that.

Commissioner Strickland thought there should be a caveat for a development agreement. She asked about the employment.

Mr. Grace explained there would initially be one or two employees before construction began. The construction would bring a lot of people in, but they would be temporary. The long-term depended on his ability to sell this to the Department of Defense. As to fire safety, Mr. Grace said getting rid of the vegetation would be the best thing to do as there would be an incredible amount of heat coming out of the equipment. He also thought they should have some on-site capabilities to deal with fire. Mr. Grace said he would be happy to work with the town and the local fire authorities to be sure the fire concern was taken care of.

Commissioner Carbone asked when Mr. Grace planned on starting the process.

Mr. Grace thought the paperwork had the lease starting this month or last month, but he would sign a lease for this month or next month because he thought they would begin stockpiling infrastructure and supplies there.

Brian Kunzi said right now it was written to begin April 2, 2024.

Mrs. Dellinger said on page 15 of the back-up a date needed to be inserted to commence and complete construction within the term of the lease. The term was five years, but a construction period needed to be identified so it was not open ended and there was progress going on with the project.

Mr. Grace suggested blocking out a year.

22. Cont'd. - For Possible Action – Discussion and deliberation to:

- 22.a. Adopt, amend and adopt, or reject Nye County Resolution No. 2024-08:
A Resolution Finding that it is in the Best Interest of the Public to Lease
a Portion or Portions of the Tonopah Airport Property Without Offering it
at Public Auction, For Less Than Fair Market Value, Pursuant to NRS
244.2815, For Purposes of Economic Development;**
- 22.b. Approval of a Lease Agreement with Longshot Space Technology
Corporation for approximately twelve (12) acres of the Tonopah Airport
Property for the purpose of building and testing a hypersonic
accelerator; and**
- 22.c. Execute the Lease Agreement.**

Public Works Director Tom Bolling referred to part 77 in the lease agreement which required adjustment of the airport layout plan (ALP) to include what Mr. Grace was doing to be given to the FAA. The FAA would also probably require a Part 163 determination, which would determine the environmental impacts and stuff like that.

Mrs. Eastley advised she was already in conversation with Armstrong Consultants. They were absolutely aware that the ALP would have to be adjusted.

Mr. Kunzi said language was needed in the lease that construction was contingent upon the development agreement so a date could not be put in the lease at this time.

Commissioner Strickland suggested changing the document entirely so it did not say when construction would begin but when the development agreement should be completed by.

Mr. Kunzi suggested a time period of six months to a year. If nothing was happening within that timeframe the Commission could consider not moving forward with this.

Commissioner Carbone made a motion to adopt and amend Resolution No. 2024-08, approve the lease agreement with Longshot Space adding the development agreement not to exceed one year and construction completed by March, 2027, and execute the lease agreement; seconded by Commissioner Jabbour; 5 yeas.

SITTING AS THE NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS

Commissioner Carbone assumed the Chair of the 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.

Assistant Public Works Director Beau Gott provided an update on the activities of the crews and the projects in the County.

Pat Minshall said eight miles of Farm Road was chip sealed about six months ago, and it had been on the agenda for four months to be striped. During the daytime it was not a problem, but at night it was dangerous. She hoped it was striped soon.

Mr. Gott said there was a crew out pre-painting a center line on the road right now, and if it could not be striped this Thursday it would be done next week.

Ammie Nelson said Basin from Leslie all the way toward Barney and beyond was a disaster and the potholes could not be avoided in that section of the road. She then talked about the striping paint used, which was actually watered down and did not save any money as the striping had to be done over and over again.

Tim Bohannon said he appreciated the hard work on the pothole repairs as well as the forecasting.

Mr. Gott said he had been with the County ten years and they had not changed the paint as it met their standards and specifications. If they were to switch to epoxy paint, which was much more expensive, it would cut down on the amount of miles they could do throughout the year within their budget.

Public Works Director Tom Bolling added they were working on a plan right now to paint every lane mile every three to five years.

Commissioner Jabbour asked Mr. Bolling to keep Belmont Road on the radar.

Commissioner Cox talked about the potholes in the areas of Unicorn, Homestead, Elderberry, Ranger, Venus, and Point, as well as the road in front of the library. Comstock Park residents also said they needed all the roads looked at per their HOA.

SITTING AS THE BOARD OF COUNTY COMMISSIONERS

Commissioner Strickland assumed the Chair of the Board of County Commissioners.

PUBLIC WORKS

23. For Possible Action – Discussion and deliberation to:

- 23.a. Approve, amend and approve, or reject the Professional Services Agreement between Day Engineering and Nye County in the amount of \$243,889.00 to provide surveying and design services for the Gabbs Water Pipe Replacement project;**
- 23.b. Execute the agreement; and**
- 23.c. Fund to 10340 Grants.**

Stephani Elliott explained this was for the clean drinking water clay piping that needed to be reconstructed. Day Engineering had assisted the County in Gabbs. The amount of the contract was within the federal threshold so the project did not have to go out to bid.

Commissioner Jabbour made a motion to approve the professional services agreement between Day Engineering and Nye County in the amount of \$243,889.00 to provide surveying and design services for the Gabbs water pipe replacement project, execute the agreement, and fund to 10340 Grants; seconded by Commissioner Carbone; 5 years.

16. Reopened - 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.

16.4. For Possible Action – Approval of SW-24-1: An application for the annual renewal of the Solid Waste Permit 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 Parcel Numbers 018-611-02 (80 acres) and 018-611-04 (400 acres). Nevada Division of State Lands – Property Owner. US Ecology Nevada, Inc. (USEN) – Applicant.

Brett Waggoner said there was an inflation clause in the resolution adopted in 2017, which stated the tipping fees collected by the facility were supposed to automatically increase up to 5% based on the CPI for that year. He also just learned of a fire incident at the facility last week and U.S. Ecology refused to let emergency services on the property, although under their permit they were supposed to let the County on the property, especially in an emergency situation. Lastly, it was now owned by Republic Services, a completely new operator who Mr. Waggoner had never met. He said there were some questions that needed to be answered and he did not know if the Board wanted to continue this or do a conditional approval where they would be required to meet with the County and answer the questions. It was also possible they owed the County money if they had not been collecting and reporting with that inflated rate.

16.4. Cont'd. - For Possible Action – Approval of SW-24-1: An application for the annual renewal of the Solid Waste Permit 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 Parcel Numbers 018-611-02 (80 acres) and 018-611-04 (400 acres). Nevada Division of State Lands – Property Owner. US Ecology Nevada, Inc. (USEN) – Applicant.

Commissioner Carbone said he was having a hard time giving them conditional approval because they would continue to do what they had been doing. He wanted them to come in front of the Board.

Brian Kunzi said there were things that had to be done first. The Code stated each solid waste permit annually shall be reviewed by the Planning Department. The review shall include at least the following: identification and specification of any changes in circumstance or other information upon which the initial evaluation of the permittee's application was made, the compliance or non-compliance of the permittee with the terms and conditions required by the Board of County Commissioners, and an itemization of any newly developed areas of concern regarding the permittee's site. He thought that needed to be developed before moving forward with anything else because the annual review started with the County. He did not think action should be taken on this item so the concerns could be presented to them for them to respond to.

Commissioner Carbone directed staff to move forward as stated by the District Attorney.

Ammie Nelson referred to a prior issue with a low-level waste facility that had a leak that caused a fire when it rained, although she was not sure if it was this facility or another. She thought the fire here may have also been caused by the rain and that somebody should take a look at that.

Erika Gerling advised what Ms. Nelson talked about had all been cleared out that. She thought meeting with the new company was the best thing to do.

24. 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).

Ammie Nelson said Desert View was a tremendous hospital that had equipment that could not be used as they did not have the surgeons and doctors. She asked that the contract be revised to allow people to choose the hospital they wanted to go to. Her insurance did not cover Desert View, but it did cover hospitals in Las Vegas. She did not want to be forced to go to Desert View if she was in an ambulance.

Pat Minshall continued her statement from earlier in the meeting. Numerous times she had been on Highway 95 alone, often in the middle of the night, stopping or redirecting traffic to detour around an incident with the safety of blue and red lights. At the end of the March 26, 2024, training class all attendees had their badges confiscated. The

24. Cont'd. - 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).

Sheriff said he consulted Risk Manager Jake Skinner about them carrying firearms. He was told after consulting with the County's insurance company that they would not be covered for a firearm incident while on duty. That brought up the question if Nye County employees and the Commissioners who carried while working or in the meetings were covered for a firearm incident while on duty. Ms. Minshall stated in no way did she feel safe with these changes and if they went through she would resign after eight years of service.

Tamie Pitman stated hiring a small boutique firm to manage Pahrump's assets would mean the County would pay the boutique to go through brokers to purchase investment products. Small boutique firms were subject to members being recruited away who took their book of business with them. That resulted in the investors having to sell investment products not supported by their new firm and incurring unnecessary capital gains, capital losses, and trade fees. Ms. Pitman felt the County would be better served with an investment board of five to ten people to develop a public policy such as ladder duration bonds, credit quality requirements, and investment targets.

25. Commissioner/Manager Comments (This item is limited to announcements, brief discussions of public comments, correction of factual inaccuracies, direction to staff, or topics proposed for future board meetings. Lengthy deliberation of topics not on the agenda is prohibited by the Nevada Open Meeting Law).

Commissioner Cox was really concerned about the things Pat Minshall brought up and she wanted someone to investigate the situation.

Commissioner Strickland said the Assistant County Manager would take that up and the Board would get some answers.

Commissioner Jabbour thanked Ms. Minshall for bring the situation to the Board's attention. He thanked all of the volunteers in the County for their service.

Commissioner Carbone said he asked the Sheriff if the changes were something he was really sure about doing. He did not know about the request to evaluate the insurance issues with the Risk Manager until he talked to him the other day about it. Commissioner Carbone said he was a bit confused still and the Board should probably figure it out.

Commissioner Boskovich said the Board needed to get to the bottom of who was leading who.

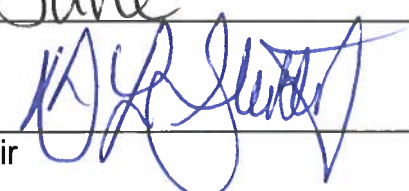
26. ADJOURN

Commissioner Strickland adjourned the meeting.

APPROVED this 4th day

ATTEST:

Of June, 2024.


Chair


Nye County Clerk / Deputy

Local Assistance and Tribal Consistency Fund

Approved Projects as of April 2, 2024

<u>Department/Organization</u>	<u>Project</u>	<u>Awarded Funding</u>	<u>Remained Balance</u>
Finance	Interfund Loan to 10101 General (4/2/2024 Agenda Item #11)	5,780,000	5,780,000
Information Technology	Public Safety Communications Microwave Upgrade	3,262,320	3,262,320
Facilities Management	Deferred Maintenance Projects	1,500,000	1,500,000
Sheriff's Office	Pursuit Vehicles	714,835	714,835
Town of Amargosa Valley	Fire Department Quick Response Vehicle	250,000	250,000
Facilities Management	Key System	200,000	200,000
Emergency Management	Vehicles	177,500	177,500
District Attorney's Office	Investigations Unit Vehicle	63,250	63,250
Juvenile Probation	Office Relocation	38,325	38,325
Town of Beatty	Revert Park Electricity	13,770	13,770
Combined Totals		12,000,000	12,000,000

Local Assistance and Tribal Consistency Fund

Allocation Plan as of April 2, 2024

Project Description	Project Rank	LATCF Amount	
		Requested	Awarded
Interfund Loan to 10101 General (4/2/2024 Agenda Item #11)		\$5,800,000	\$5,780,000
Facilities Management Deferred Maintenance Projects	23.20	\$6,814,549	\$1,500,000
**Will need additional funding in 6 months to address other critical needs			
Information Technology Public Safety Communications Microwave Upgrade	22.45	\$3,262,320	\$3,262,320
Sheriff's Office Pursuit Vehicles	17.90	\$1,429,675	\$714,835
**Ten Sheriff's Office Pursuit Vehicles funded			
Beatty Revert Park Electricity	17.30	\$13,770	\$13,770
Town of Amargosa Valley Park Restroom Upgrade	15.60	\$125,950	\$0
Juvenile Probation Office Relocation	14.80	\$38,325	\$38,325
Facilities Management Key System	14.55	\$1,185,502	\$200,000
**This is just starter funding for the key system and additional resources will be needed			
District Attorney's Office Renovation	12.30	\$109,000	\$0
Town of Amargosa Valley Fire Department Quick Response Vehicle	12.30	\$250,000	\$250,000
Emergency Management Vehicles	12.25	\$355,000	\$177,500
**Two Emergency Management Vehicles funded			
District Attorney's Office Investigations Unit Vehicles	12.20	\$126,500	\$63,250
**One District Attorney's Office Investigation Unit Vehicle funded			
Beatty General Improvement District Cottonwood Park Playground Equipment	12.15	\$159,268	\$0
Pahrump Regional Master Flood Control Plan Update	11.95	\$960,000	\$0
**Consideration for future LATCF funding, once interfund loan is paid back. May only need \$500K			
Classification and Compensation Study & Analysis (RFP 2023-17)	11.85	\$100,000	\$0
Facilities Belmont Courthouse Restoration	10.85	\$150,000	\$0
Nye County Community Center	10.75	\$2,420,289	\$0
Southern Nye County Search and Rescue Funding Priorities	9.85	\$297,149	\$0
Clerk Scanner and Temporary Employment	9.25	\$115,895	\$0
Emergency Management Surveillance and Breathing Apparatus Equipment	8.70	\$242,000	\$0
Facilities Management Vehicles	6.60	\$400,000	\$0
Tails of Nye County Low Cost Spay and Neuter Program	5.70	\$120,000	\$0
Never Forgotten Animal Society Inc. Animal Welfare Services	5.00	\$200,000	\$0
Public Works Specialty/Heavy Equipment Vehicles	2.70	\$1,391,859	\$0
Pahrump Community Compost proposed by Bill Stremmel	1.60	\$250,000	\$0
Public Works Heavy and Light Duty Shops	1.50	\$5,029,500	\$0
Assessor Vehicles	0.75	\$76,522	\$0
Frontier Medical Multi-Specialty Surgical Suite	0.00	\$3,200,000	\$0
Combined Totals		\$34,623,073	\$12,000,000