



**JOINT MEETING OF THE  
NYE COUNTY BOARD OF COMMISSIONERS  
NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS  
NYE COUNTY LICENSING AND LIQUOR BOARD  
NYE COUNTY BOARD OF HEALTH  
AS THE GOVERNING BODY OF THE UNINCORPORATED TOWN OF PAHRUMP  
AS THE GOVERNING BODY OF UNINCORPORATED TOWNS OF BEATTY GABBS MANHATTAN  
AND AS THE BOARD OF TRUSTEES FOR THE PAHRUMP POOL DISTRICT**

**2100 E. Walt Williams Drive, Pahrump, NV 89048**

**August 16, 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 16, 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 16, 2022 will be for all matters off the agenda, and be limited to up to three minutes per person. Additionally, public comment of up to three minutes per person may be heard during individual action items. The Commission reserves the right to reduce the time allowed for public comment. The Commission may prohibit comment if the content of the comments is a topic that is not relevant to, or within the authority of, the Commission, or if the content of the comments is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive, inflammatory, irrational or amounting to personal attacks or interfering with the rights of other speakers. Persons are invited to submit comments in writing on the agenda items and/or attend and make comment on that item at the Commission meeting. **Decorum** during the meeting must be upheld pursuant to the BOCC Rules of Procedure sections 7.5.3 and 7.5.4 whereby no person in the audience shall engage in disorderly conduct such as hand clapping, stamping of feet, whistling, using profane language, yelling, and similar demonstrations, which conduct disturbs the peace and good order of the meeting. Any person who becomes disruptive or interferes with the orderly business of the Board may be removed from the Board Chambers or other meeting room for the remainder of the meeting.

Pursuant to NRS 241.020, the Agenda for the Commission Meeting has been posted at the following locations. Tonopah Convention Center, 301 Brougher Avenue, Tonopah, NV; U.S. Post Office, 201 Erie Main St., Tonopah, NV; Commissioners' Meeting Room, 101 Radar Road, Tonopah, NV; District Court, 101 Radar Road, Tonopah, NV; Commissioners' Chambers, 2100 E. Walt Williams Drive, Pahrump, NV

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [How to File a Program Discrimination Complaint](#) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov)

# NYE COUNTY BOARD OF COMMISSIONERS AGENDA

**ITEM # SUBJECT**

**August 16, 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 775-482-8192 prior to the meeting.

- 1. Pledge of Allegiance**
- 2. GENERAL PUBLIC COMMENT (up to three-minute time limit per person.) Action will not be taken on the matters considered during this period until specifically included on an agenda as an action item (FIRST).**
- 3. Commissioners'/Manager's Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)**
- 4. Approval of the Agenda for August 16, 2022 (Non-action item)**
- 5. For Possible Action – Emergency Items**

## SITTING AS THE BOARD OF COUNTY COMMISSIONERS

### TIMED ITEMS

- 6. 10:00 a.m. – [For Possible Action](#) – Discussion and deliberation regarding the monthly statement of county treasurer pursuant to NRS 354.280 including receipts, balances in funds, money on deposit, outstanding checks, and cash on hand.**
- 7. 10:00 a.m. – [Presentation](#) by Misha Allen and Hayley Maio Extension Educators regarding the Fiscal Year 2021-2022 Fourth Quarter Report (April-May-June 2022) for University of Reno (UNR) Extension in Nye County.**
- 8. 10:00 a.m. – [Presentation](#) by Kevin Hickey and Katie Coleman, Business Development Specialists of Nevada Rural Housing Authority regarding Section 8 housing in Nye County.**
- 9. 10:00 a.m. - [For Possible Action](#) – **Public Hearing**, discussion, and deliberation to issue an Outdoor Festival License to Louis J. Baker for the Iron Horse Stampede to be held October 14–16, 2022, at Petrack Park located at 150 N. Highway 160, Pahrump, NV.**
- 10. 10:00 a.m. – [For Possible Action](#) – **Public Hearing**, discussion, and deliberation to issue an Outdoor Festival License to Kelli Sater for the Nevada and Silver State Chili Cook-Off to be held March 25-26, 2023, at Petrack Park located at 150 N. Highway 160, Pahrump, Nevada.**
- 11. 10:00 a.m. – [For Possible Action](#) – **Public Hearing**, discussion, and deliberation on WV-22-17: An application for a Waiver of Nye County Code 17.04.740, Landscaping, to waive the landscaping requirements related to MJ Distributing's cultivation and production facility, located at 2215 E. Anvil Road, Amargosa Valley, NV. Assessor's Parcel Number 019-181-02. Paris Balaouras / MJ Distributing C202, LLC / MJ Distributing P133, LLC – Applicant.**

**NYE COUNTY BOARD OF COMMISSIONERS AGENDA**

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- 12. **10:00 a.m.** – [For Possible Action](#) – **Continued Public Hearing**, discussion and deliberation to adopt, amend and adopt, or reject Nye County Bill No. 2022-04: A Bill proposing to amend Nye County Code Title 17, Comprehensive Land Use Planning and Zoning, by adding Chapter 17.13 entitled Special Use Permits, to establish land use and permitting requirements applicable to certain types of land uses including definitions, special uses requiring special use permits, applications, grounds for suspension and revocation, and time limitations; and providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto.
- 13. **10:00 a.m.** – [For Possible Action](#) – **Public Hearing** – Discussion, and deliberation to adopt, amend and adopt, or reject Nye County Bill No. 2022-08: A Bill proposing to amend Nye County Code Title 17, Comprehensive Land Use Planning and Zoning, by amending Section 17.04.925 pertaining to Temporary and Continuous Directional Signage; and providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto.
- 14. **10:00 a.m.** – [For Possible Action](#) – Fiscal Year (FY) 2023 Community Development Block Grant (CDBG) 2nd Public Meeting: 1) Presentation of potential projects; and 2) Invite the Public to participate in providing ideas, comments and suggestions concerning proposed projects.

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

- 15. [For Possible Action](#) – Discussion and possible direction to committee members regarding written reports provided by Pahrump Parks and Recreation Advisory Committee, and Pahrump Tourism Advisory Committee regarding meetings, project plans and business being conducted by the committees.

**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.**

- 16. [For Possible Action](#) – Approval of the Elected Official Collection Report regarding fees collected from elected county departments for services rendered by or provided to county citizens.
- 17. [For Possible Action](#) – Approval to set the date and location for the second Board of Commissioners meeting in November for Tuesday, November 15, 2022, in Pahrump, NV.
- 18. [For Possible Action](#) – Approval of the Assessor’s Office Change Requests to allow the Nye County Treasurer/Assessor to process and:
  - 1) Issue an amended tax bill in the amount of \$53.92 to Farem Development, LLC., owner of 4851 E. Parkwood Dr., Pahrump, NV, Assessor’s Parcel Number 043-652-15.
  - 2) Issue an amended tax bill in the amount of \$21,149.98 to Tomo Nori Financial Partners, LP, owners of 1501 E. Calvada Blvd., Pahrump, NV, Assessor’s Parcel Number 042-041-35.
  - 3) Issue an amended tax bill in the amount of \$0.00 to the Nye County Treasurer’s Trust, owner of a possessory use lot in Rhyolite, NV, Assessor’s Parcel Number 000-002-14.

## NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

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19. [For Possible Action](#) – Discussion to: 1) Accept the State Fiscal Year (SFY) 2023 Notice of Subaward (NOSA) from Aging and Disability Services Division (ADSD) in the amount of \$44,899.00 to provide senior transportation services in Beatty, Gabbs, Smoky Valley and Tonopah in Nye County, as well as long-distance medical transportation providing non-emergency medical rides to larger cities. Matching funds of \$3,312.07 are budgeted and will be met by our contract with Medical Transportation Management, Inc. (MTM) and by the Nevada Department of Transportation (NDOT) §5311 Fuel Grant; and 2) Execute the Subaward; 3) Fund to 10281 Senior Nutrition.

### BOARD OF COMMISSIONERS

20. For Possible Action – Closure of meeting, pursuant to NRS 241.015(3)(b)(2) for purposes of conferring with legal counsel regarding potential or current litigation.
21. Closed meeting, pursuant to NRS 241.015(3)(b)(2) for purposes of conferring with legal counsel regarding potential or current litigation.
22. For Possible Action – Discussion and deliberation on conference with legal counsel regarding potential or current litigation presented in closed meeting.
23. For Possible Action – Closure of meeting, pursuant to NRS 288.220 for purposes of conferring with the County’s management representatives regarding labor negotiations, issues and other personnel matters.
24. Closed meeting, pursuant to NRS 288.220 for purposes of conferring with the County’s management representatives regarding labor negotiations, issues and other personnel matters.
25. For Possible Action – Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.
26. [For Possible Action](#) - Discussion and deliberation to approve, amend and approve or reject one (1) contract for Public Defender Services from the following list of applicants: Thomas, J. Gibson, Esq.; Jherna A. Shahani, Esq.; and Timothy R. Treffinger, Esq.
27. [Presentation](#) by the Chair of the Pahrump Library District Board of Trustees on staff changes, new lighting project, new media room, Book Mobile and other matters directly related thereto.
28. [For Possible Action](#) – Discussion, deliberation and direction to staff regarding Code Compliance inspections and responsibilities for Cannabis facilities and brothels.
29. [For Possible Action](#) – Discussion, deliberation, and possible direction to staff to provide a \$25,000.00 sponsorship to 2<sup>nd</sup> Amendment Guns & Range for a Title Sponsor Package that includes promotional banners, advertising and social media acknowledgment, guest passes, and gun rentals for the benefit of Nye County.
30. [For Possible Action](#) – Discussion, deliberation, and possible direction to staff to sell the Lakeview Executive Golf Course.

**NYE COUNTY BOARD OF COMMISSIONERS AGENDA**

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**August 16, 2022**

**DISTRICT ATTORNEY**

31. [For Possible Action](#) – Discussion and deliberation regarding a request to: 1) Set a date, time, and location for a Public Hearing on Bill No. 2022-15: A Bill proposing to amend Nye County Code Chapter 9.25, Titled Offender Registration; Monitoring and Verification Fees, by deleting references to registration fees and deleting Section 9.25.050, titled Collection of Registration Fees; Failure to Pay Fees; Disposition of Collected Fees; Penalties; 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.

**JUSTICE(S) OF THE PEACE**

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

**COUNTY MANAGER**

33. [For Possible Action](#) – Discussion and deliberation regarding Bill Draft Requests (BDRs) Nye County can submit for the 2023 Legislative Session.
34. [For Possible Action](#) – Discussion and deliberation to consider an approval to send a letter to the National Aeronautics and Space Administration (NASA) as a Nye County preferred alternative action for consideration during their environmental assessment process. The draft environmental assessment is required to fulfill the Natural Environmental Policy Act (NEPA) and will affect activities on the Railroad Valley playa.
35. [For Possible Action](#) – Discussion and deliberation to accept or reject any or all bids for Resolution No. 2022-33: A Resolution of Intent to Sell Five (5) County-owned Properties at Auction Described as:
1. 3781 S. Viola Ave., Pahrump, NV. Assessor’s Parcel Number 037-303-01 owned by Nye County, consisting of .5780-acre Multifamily Residential (MF) zone.
  2. 2220 S. Zuni Ave., Pahrump, NV. Assessor’s Parcel Number 042-872-13 owned by Nye County, consisting of a .46-acre Village Residential (VR-20) zone.
  3. 6470 S. Hwy 160, Pahrump, NV. Assessor’s Parcel Number 047-041-15, owned by Nye County, consisting of a .64-acre Specific Plan (SP) zone.
  4. 6510 S. Hwy 160, Pahrump, NV. Assessor’s Parcel Number 047-041-16, owed by Nye County, consisting of a 28.49-acre Specific Plan (SP) zone.
  5. 6576 S. Hwy 160, Pahrump, NV. Assessor’s Parcel Number 047-041-17, owned by Nye County, consisting of a 1.74-acre Specific Plan (SP) zone.

**FINANCE**

36. [For Possible Action](#) – Discussion and deliberation regarding the budget status for June 2022 for Nye County and all sub-entities for fiscal year 2022.

**NYE COUNTY BOARD OF COMMISSIONERS AGENDA**

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**August 16, 2022**

**PLANNING /CODE COMPLIANCE**

37. [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 2022-06: A Bill proposing to amend Nye County Code Section 17.04.925 Temporary Use Permits, by amending 17.04.925.C.6, 17.04.925.J.4, 17.04.925.K.4, and 17.04.925.L.4.C by removing “personally delivering a copy of the written notice to the permittee” from the code and adding “The written notification may be sent to the permittee by personal service, registered or certified mail to the permittee’s address as specified on the temporary use permit application or by electronic delivery within the on-line application portal or via email”; and 2) Read the title of the Bill into the record.

**PUBLIC WORKS**

38. [For Possible Action](#) – Discussion and deliberation to rescind Board action taken at the September 21, 2021 meeting for Item #39 wherein the Board directed staff to place a question on the next ballot for the General Election to be voted on by the registered voters per NRS 373.062: To consider imposing up to a five-cent Nye County diesel tax for on-road diesel fuels.

**PUBLIC PETITIONER**

39. [For Possible Action](#) – Discussion and deliberation regarding a request to: 1) Consider granting a Right-of-Way Easement to Valley Electric for a Transmission Line project located on Assessor’s Parcel Numbers: 021-218-02; 021-224-02; 021-227-02; 021-228-02; 021-253-01; 021-255-02; 021-256-03; 021-256-04; 021-256-05; and 2) Waive the fees associated with each easement.
40. [For Possible Action](#) – Discussion and deliberation regarding Nye County Proclamation 2022-07: A Proclamation Recognizing September 6, 2022, as Protect Your Groundwater Day in Nye County.
41. [For Possible Action](#) – Discussion and deliberation regarding Nye County Proclamation 2022-08: A Proclamation Recognizing September 4, 2022, as Be B.R.A.V.E. Day in Nye County.
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