



**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 20, 2024**

**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.nyecountynv.gov](http://www.nyecountynv.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 August 20, 2024 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 20, 2024 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

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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 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).**
- 4. Approval of the Agenda for August 20, 2024 (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 Eric Whalen with Pahrump Valley Public Transportation (PVPT) 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)
- 8. 10:00 a.m. – [For possible Action](#)** – Presentation, discussion and direction to staff regarding:
  - Nye County submitting an application on behalf of Thrill One Sports & Entertainment for the U.S. Department of Transportation Charging and Fueling Infrastructure Grant for the installation of EV charging stations at the property site formerly hosting the Pahrump Valley Speedway; and
  - Provide a letter of support to the Department of Transportation for the grant application in partnership with Thrill One Sports and Entertainment.
- 9. 10:00 a.m. – [Presentation](#)** by Scott Anderson, Forward Planning Director of Taylor Morrison, regarding the twenty-four-month review of the Development Agreement with Nye County pursuant to section 8.1 of the agreement. (5-minute time limit)

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10. **10:00 a.m. – [For Possible Action](#) – Public Hearing**, discussion and deliberation to issue an Outdoor Festival License to Wrecking Ball Entertainment for the Pahrump Chili Cook-Off Festival to be held March 21 through 23, 2025 at Petrack Park located at 150 N. Highway 160, Pahrump, NV.
11. **10:00 a.m. – [For Possible Action](#) – Public Hearing**, discussion, and deliberation on AP-24-8: An Appeal of the Pahrump Regional Planning Commission’s denial of Road Abandonment AB-24-4, an application to abandon a 22,115 square foot portion of North Cabo Street and West Simkins Road, located adjacent to Assessor’s Parcel Number 027-161-23, 3901 N. Cabo Street, Pahrump, NV. James and Jeri J. Monroe – Applicant/Appellant. Nelson Surveying – Agent.

### SITTING AS THE NYE COUNTY 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.
13. [Presentation](#) by Thomas Bolling on the state of the roads in Nye County. (5-minute time limit)
14. [Presentation](#) by Bryan Wulfenstein with Wulfenstein Construction Company Incorporated, regarding alternative methods for constructing roadways. (5-minute time limit)

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

#### LIQUOR

15. [For Possible Action](#) – Discussion and deliberation to approve adding Member, Chad Marchand to an existing Special Club Liquor License for John C. Strozzi Post VFW 12108 located at 300 W. Main St., Beatty, NV.

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

16. [For Possible Action](#) – Discussion and deliberation to approve, amend and approve, or reject the 2024 Pahrump Campaign Concepts prepared by BrainTrust Marketing and Communication.

### SITTING AS THE BOARD OF COUNTY COMMISSIONERS

17. **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.**
  - 17.1 [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.
  - 17.2 [For Possible Action](#) – Approval of the meeting minutes from the joint meetings on June 4, 18, and 21, 2024.

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### CLERK

18. [For Possible Action](#) – Discussion and deliberation to:

- Appoint one member to the Beatty Town Advisory Board due to a resignation from the following list of applicants: Kyle Lewis; and/or
- Readvertise for the appointment.

### SHERIFF

19. [For Possible Action](#) – Discussion and deliberation to:

- Approve, amend and approve, or reject a Memorandum of Understanding between Nye County and the U.S. Immigration and Customs Enforcement Homeland Security Investigations for governing the use of Homeland Security Investigation designations by certain employees of the Nye County Sheriff's Office; and
- Execute the agreement.

20. [For Possible Action](#) – Discussion and deliberation to set a date, time, and location for a Public Hearing on Nye County Bill No. 2024-08: A Bill proposing to amend Nye County Code Title 9 titled Public Peace, Morals and Welfare, Chapter 9.05 titled Panhandling, Vagrancy and Disorderly Conduct, by adding Section 9.05.115, titled Unlawful Presence on Land of Another, by providing for law enforcement to cite or arrest persons who stay on unimproved private land or private land with an unoccupied structure without permission of the owner; and providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto.

### COUNTY MANAGER

21. [For Possible Action](#) – Discussion and deliberation to reschedule the first and second meetings in November to Thursday, November 7, 2024 at 10:00 a.m. in Tonopah, NV and Friday, November 15, 2024 at 10:00 a.m. in Pahrump, NV due to the General Election and to allow for certification of the General Election.

22. [For Possible Action](#) – Discussion and deliberation regarding a Program Funding Application from Jessica McCutcheon with No to Abuse – Nevada Outreach Training Organization, Veteran Resource Funding program in the amount of \$15,000.00 to be funded from 10210 Veteran Services Department.

### FACILITIES

23. [For Possible Action](#) – Discussion and deliberation to:

- Approve, amend and approve, or reject Change Order No. 1 between Double M Construction and Nye County in the amount of \$326,750.25 for extending a water line from Basin Ave., installation of a fire hydrant to be located on the North side of the 250 Building and establishing an additional line between the 250 Building and Fire Station One;
- Execute the contract amendment; and
- Fund \$155,000.00 to 25235 PSST Fire and fund \$171,750.25 to 10401 Capital.

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### PLANNING/BUILDING/CODE COMPLIANCE

24. [For Possible Action](#) – Discussion and deliberation to approve IA-22-1, a Subdivision Improvement, Maintenance, and Warranty Agreement related to the Final Subdivision Map of Mountain Falls Planning Area 5B (LD-21-108), on approximately twenty-six (26) gross acres. Section 5, Township 21S, Range 54E, Assessor's Parcel Number 045-021-70. Mountain Falls, LLC - Property Owner. Rebecca Chiriboga, Taney Engineering - Agent / Applicant.
25. [For Possible Action](#) – Discussion and deliberation to approve IA-24-5: A Subdivision Improvement, Maintenance, and Warranty Guarantee related to Mountain Falls Parkway West, Phase 2. Being portions of Parcel 4 of File 908187, Parcel 2 of File 908192, and Mountain Falls Parkway Dedicated per File 908192, lying within Sections 5 and 6, Township 21 South, Range 54 East, M.D.M. (Mt. Diablo Meridian), Pahrump, NV.
26. [For Possible Action](#) – Discussion and deliberation to approve LD-21-108: A Final Subdivision Map for Mountain Falls Planning Area 5B, consisting of one hundred twenty-one (121) single-family residential lots and nineteen (19) common lots, located within the Mountain Falls Master Planned Community. Section 5, Township 21S, Range 54E, Assessor's Parcel Number 045-021-70. Mountain Falls, LLC - Property Owner. Rebecca Chiriboga, Taney Engineering - Agent / Applicant.
27. [For Possible Action](#) – Discussion and deliberation to approve LD-24-15: A Tentative Residential Subdivision map for Mountain Falls Planning Area 9HE, proposing two hundred and two (202) single-family residential lots, on a 29.98-acre parcel zoned Specific Plan (SP). Minimum lot sizes are 3,280 sq. ft. and Maximum lot sizes are 7,820 sq. ft., with a gross density of 6.73 lots/acre with twenty-nine (29) common lots, located on a portion of 3620 E. Manse Road, Pahrump, NV. Assessor's Parcel Number 045-501-22. Mountain Falls, LLC - Property Owner. Rebecca Chiriboga, Taney Engineering - Agent / Applicant.
28. [For Possible Action](#) – Discussion and deliberation to approve LD-24-18: A Tentative Residential Subdivision map for Desert Trails Phase 2, proposing thirty-two (32) single-family residential lots, on 14.050-acres zoned SP (Specific Plan). Minimum lot sizes are 11,961 sq. ft. and Maximum lot sizes are 15,000 sq. ft., with a gross density of 2.28 lots/acre with one (1) common lot, located on 800 W. Simkins Road, Pahrump, NV. Assessor's Parcel Number 043-141-15. Mrkulic Investments, LLC - Property Owner/Applicant. Civilwise Services - Agent.

### PUBLIC WORKS

29. [For Possible Action](#) – Discussion and deliberation to approve, amend and approve, or reject the Pahrump Regional Planning District's Capital Improvement Plan for Streets and Highways for Fiscal Years 2025-2035.
30. [For Possible Action](#) – Discussion and deliberation to ratify the County Manager, Tim Sutton's signature approving the Land Use Agreement with the Department of Defense for the Gabbs Airport.
31. **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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August 20, 2024

**32. Commissioners'/Manager's 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)**

**33. 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@nyecountynv.gov](mailto:nyeadmin@nyecountynv.gov) or by calling 775-482-8192