



**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

September 17, 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. 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 September 17, 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 September 17, 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

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](https://www.usda.gov/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

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM #	SUBJECT
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September 17, 2024

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

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 September 17, 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. – [For Possible Action](#) – Continued 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 March 23, 2025 at Petrack Park located at 150 N. Highway 160, Pahrump, NV.**
- 8. 10:00 a.m. – [For Possible Action](#) – Public Hearing, discussion and deliberation to extend the dates for an Outdoor Festival License to Pahrump Disability Outreach Program (PDOP) for the PDOP Pumpkin Days originally approved for October 25 through October 27, 2024, to October 24 through October 27, 2024, at Ian Deutch Memorial Park, 1600 Honeysuckle Street, Pahrump, NV.**
- 9. 10:00 a.m. – [For Possible Action](#) – Public Hearing, discussion and deliberation to adopt, amend and adopt, or reject 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.**

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

September 17, 2024

10. **10:00 a.m.** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation on ZCMP-24-14: An application for a Conforming Zone Change on 34 parcels totaling approximately 42.0 acres, to change the zoning from General Commercial (GC) to Rural Estates Residential (RE-1), on property Master Planned as Rural Density Residential (RDR), within the Calvada Valley Unit 14 Subdivision, Block 25, lots 1 – 9; Block 26, lots 1 – 10; Block 27, lots 1 – 10; and Block 28, lots 1 – 9, generally located south of Silver St., east of Oakridge Ave., and west of Homestead Rd., Pahrump, NV. Assessor’s Parcel Numbers 041-361-01, 041-361-02, 041-361-03, 041-361-04, 041-361-05, 041-361-06, 041-361-07, 041-361-08, 041-361-09, 041-362-01, 041-362-02, 041-362-03, 041-362-04, 041-362-05, 041-362-06, 041-362-07, 041-362-08, 041-362-09, 041-362-10, 041-363-01, 041-363-02, 041-363-03, 041-363-04, 041-363-05, 041-363-06, 041-363-07, 041-363-08, 041-363-09, 041-363-10, 041-364-01, 041-364-02, 041-364-03, 041-364-04, 041-364-05. Property Owners - Multiple. Nye County Planning Department – Applicant.

SITTING AS THE NYE COUNTY LICENSING AND LIQUOR BOARD

LIQUOR

11. [For Possible Action](#) – Discussion, deliberation, and direction to staff to consider approving a second extension to the Temporary 90-Day Retail Liquor License for an amount of time determined by the Board, for Champions Bar and Grill located at 2631 S. Linda St, Pahrump, NV. Barry Tassler, applicant.
12. [For Possible Action](#) – Discussion, deliberation, and direction to staff to consider approving a second extension to the Temporary 90-Day Package Liquor License for Tonopah Foods, dba Neighborhood Market located at 200 W. McDonald St., Beatty, NV. Harvarinderjit Chahal, applicant.

SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

13. [For Possible Action](#) – Discussion and deliberation to:
- a. Discuss the bid proposals received for TOP Bid No. 2024-01 Justin Leavitt Skate Park Repair Concrete Patchwork;
 - b. Award TOP Bid No. 2024-01 Justin Leavitt Skate Park Repair Concrete Patchwork to Morales Construction Inc in the amount of \$238,000.00; Performance Concrete in the amount of \$183,104.00; or Steadfast Construction LLC in the amount of \$110,487.00;
 - c. Approve or amend and approve the contract with selected bidder;
 - d. Fund to 10340 Grants and 25401 Pahrump Capital; or
 - e. Reject bids and provide direction to staff on how to proceed with the project.

SITTING AS THE BOARD OF COUNTY COMMISSIONERS

14. **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.
- 14.1 [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.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM #	SUBJECT
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September 17, 2024

14.2 [For Possible Action](#) – Approval to:

- a. Accept the State of Nevada Department of Public Safety, Office of Traffic Safety Operation Freeze (Fatal Reduction Education and Enforcement to Zero Everyday) grant award in the amount of \$35,000.00 to provide overtime payroll funding for the Nye County Sheriff's Office participation in traffic enforcement events. There is an in-kind match of \$8,750.00 required.
- b. Allow a one-time exception for Sheriff McGill to electronically accept the grant award; and
- c. Fund \$35,000.00 to 10340 Grants.

BOARD OF COMMISSIONERS

15. [For Possible Action](#) – Discussion and deliberation regarding:

- a. Appointment of an Interim County Manager or the County Manager from the following list of applicants: Brady Adams and Brett Waggoner.
- b. Establishing methods and manner to hire a new County Manager to include but not limited to consideration to hire from current Nye County employees and/or any other method and manner of recruiting applicants; and establishing such conditions and/or requirements of hire as deemed appropriate.

CLERK

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

- a. Appoint one member to the Pahrump Regional Planning Commission due to one vacancy from the following list of applicants: Louis Baker, Michael R. Faught, Sally Kerr, William D. Mitchell, John O'Brien, Tamie Pitman, and Gail Zone; and/or
- b. Readvertise for the appointment.

SHERIFF

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

- a. Determine Nye County Sheriff's Office K9 Baz, a narcotics detection dog, is no longer required for public use;
- b. Surplus K9 Baz due to medical issues;
- c. Determine it is in the best interest of Nye County to transfer ownership and medical responsibility of K9 Baz to Detective Eric Anderson pursuant to NRS 332.185; and
- d. Ratify Sheriff Joseph McGill's execution of the agreement between the Nye County Sheriff's Office and Detective Eric Anderson for the transfer of ownership of K9 Baz.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM #	SUBJECT
--------	---------

September 17, 2024

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

- a. Determine Nye County Sheriff's Office K9 Loki, a narcotics detection dog, is no longer required for public use;
- b. Surplus K9 Loki due to medical issues;
- c. Determine it is in the best interest of Nye County to transfer ownership and medical responsibility of K9 Loki to Deputy Christopher Smith pursuant to NRS 332.185; and
- d. Ratify Sheriff Joseph McGill's execution of the agreement between the Nye County Sheriff's Office and Deputy Christopher Smith for the transfer of ownership of K9 Loki.

19. [For Possible Action](#) – Approval to:

- a. Ratify Sheriff Joseph McGill's acceptance of the State of Nevada Department of Public Safety, Office of Traffic Safety Joining Forces grant award in the amount of \$40,000.00 to provide overtime payroll funding for the Nye County Sheriff's Office participation in traffic enforcement events. There is no match required; and
- b. Fund to 10340 Grants.

FINANCE

- 20. [For Possible Action](#)** – Report by Helen Bae, Comptroller regarding the budget status for 4th Quarter, Fiscal Year 2024 of Nye County and all sub-entities.

PLANNING/BUILDING/CODE COMPLIANCE

- 21. [For Possible Action](#)** – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2024-25: A Resolution to Continue with a Temporary Moratorium on Renewable Energy Generation Facilities.
- 22. [For Possible Action](#)** – Discussion and deliberation to approve LD-24-6: A Final Industrial/Commercial Subdivision Map to allow an industrial commercial subdivision on four parcels for a total of approximately 83.15 acres zoned Heavy Industrial (HI), located at 6621 E. Chromium Blvd., 6691 E. Chromium Blvd., 6811 E. Chromium Blvd., and 6931 E. Chromium Blvd., Pahrump NV. Assessor's Parcel Numbers 047-021-26, 25, 24, and 23. Wulfco, LLC - Owners. Russ Meads - Double M Construction, Agent / Applicant.
- 23. [For Possible Action](#)** – Discussion and deliberation to approve LD-24-13: An amended Final Map for Mountain Falls Planning Area 5A (F#975992, Recorded February 8, 2022); Revising all fifteen (15) public streets within the interior boundaries of the map into private streets and common element BB as shown on the amended map. William Lyon Homes dba Taylor Morrison and Mountain Falls, LLC - Owners. / Rebecca Chiriboga, Taney Engineering – Agent / Applicant.
- 24. [For Possible Action](#)** – Discussion and deliberation to approve LD-24-19: A Tentative Commercial Subdivision Map on two parcels for a total of approximately 3.6 acres, zoned General Commercial with a Master Plan designation of Community Development Area, located at 5941 E. Gamebird Rd., Pahrump, NV and 4976 S. Nevada Highway 160, Pahrump, NV. Assessor's Parcel Numbers 041-293-01 and 041-293-02. Meerkat Holdings, LLC - Owners / Juan Mendoza, Kimley-Horn - Agent / Applicant.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM #	SUBJECT
--------	---------

September 17, 2024

PUBLIC WORKS

25. [For Possible Action](#) – Presentation by Bryan Wulfenstein, with Wulfenstein Construction Company Incorporated regarding alternative methods for constructing roadways. (5-minute time limit)
26. **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).**
27. **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)**
28. **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 there will be a 40 second delay from the video to the call.
- Report issues to Nye County Admin at nyeadmin@nyecountynv.gov or by calling 775-482-8192