



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

101 Radar Road, Tonopah, NV 89049

October 1, 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 October 1, 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, or a time identified by the Board.**

Public Comment during the Commission Meeting on October 1, 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

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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

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. 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).**
- 4. Approval of the Agenda for October 1, 2024 (Non-action item)**
- 5. For Possible Action – Emergency Items**

SITTING AS THE BOARD OF COUNTY COMMISSIONERS

TIMED ITEMS

- 6. 10:00 a.m. – [Presentation](#)** of a certificate to one (1) employee honored for their years of service.
- 7. 10:00 a.m. – [For Possible Action](#)** – Discussion and deliberation to:
 - Declare 6300 N. Orcas Ave., Pahrump, NV. Assessor's Parcel Number 030-131-35 a public nuisance consisting of an unsafe building, unpermitted electrical connection, trash, and debris, all of which pose a public health and safety hazard;
 - Direct staff to utilize the abatement procedures to abate the hazard by removing or causing the removal of the hazardous conditions; and
 - Apply a special assessment against the real property in the amount of the total cost of the abatement. Location: 6300 N. Orcas Avenue, Pahrump, NV. Assessor's Parcel Number 030-131-35. Property Owner(s): Despeigne Lesly and Jean Francois.
- 8. 10:00 a.m. – [For Possible Action](#) – Public Hearing**, discussion and deliberation to:
 - Approve ETSU-24-10: An application for a Special Use Permit to allow a Cannabis Establishment (Cultivation) located at 801 S. Panorama Rd., Pahrump, NV. Assessor's Parcel Number 035-271-54. GGB Nevada Land, LLC. – Property Owner. Deep Roots Aria Acqco, Inc. – Applicant. Mackenzie W. Kay – Agent; and
 - Approve CBL-24-11: An application for an Adult Use Cannabis License (Cultivation) for 801 S. Panorama Rd., Pahrump, NV. Assessor's Parcel Number 035-271-54. GGB Nevada Land, LLC. – Property Owner. Deep Roots Aria Acqco, Inc. – Applicant. Mackenzie W. Kay – Agent.

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9. 10:00 a.m. – [For Possible Action](#) – Public Hearing, discussion and deliberation to:

- a. Approve ETSU-24-11: An application for a Special Use Permit to allow a Cannabis Establishment (Retail Store) located at 2370 S. Homestead Rd., Pahrump, NV. Assessor's Parcel Number 042-312-14. Homestead Road Pahrump, LLC. – Property Owner. Deep Roots Aria Acqco, Inc. – Applicant. Mackenzie W. Kay – Agent; and
- b. Approve CBL-24-12: An application for an Adult Use Cannabis License (Retail Store) for 2370 S. Homestead Road, Pahrump. Assessor's Parcel Number 042-312-14. Homestead Rd., Pahrump, LLC. – Property Owner. Deep Roots Aria Acqco, Inc. – Applicant. Mackenzie W. Kay – Agent.

SITTING AS THE NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS

- 10. [For Possible Action](#)** – Discussion and deliberation regarding the General Road Report by the Public Works Director on General Road Maintenance, Gravel Road Maintenance, Asphalt Patching, Weed Mowing, and direction regarding public works projects.

SITTING AS THE NYE COUNTY LICENSING AND LIQUOR BOARD

- 11. [For Possible Action](#)** – Discussion and deliberation to approve a 90-day Temporary Retail Liquor License for Dry Creek Saloon located at 1330 E. Fifth St., Pahrump, NV. Dana R. Towle, Applicant.

SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

- 12. [For Possible Action](#)** – Discussion and deliberation to adopt, amend and adopt, or reject the Fiscal Year 2025 Public Safety Sales and Use Tax (PSST) plan for Town of Pahrump.

**SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWNS OF BEATTY,
GABBS, MANHATTAN, AND RAILROAD VALLEY**

MANHATTAN

- 13. [For Possible Action](#)** – Discussion and deliberation to adopt, amend and adopt, or reject the Fiscal Year 2025 Public Safety Sales and Use Tax (PSST) plan for Town of Manhattan.

SITTING AS THE BOARD OF COUNTY COMMISSIONERS

14. CONSENT AGENDA ITEMS – These are items that Staff recommend for approval. The Board reserves the right to move any consent agenda item to the regular segment of the agenda should issues arise that need to be addressed. Discussion of any item from the Consent Agenda Items that needs review before a decision is made.

14.1 [For Possible Action](#) – Approval of Assessor’s Office Change Request(s) to allow the Nye County Treasurer to process and:

- a. Issue a corrected tax bill in the amount of \$535.24 to Golder, Bryan Patrick, owner of 777 N. Warren St., Pahrump, NV, Assessor's Parcel Number 027-531-28.
- b. Issue a corrected tax bill in the amount of \$782.46 to Babbit, Laraine Michele, owner of 3860 S. National Ave., Pahrump, NV, Assessor's Parcel Number 041-251-02.
- c. Issue a refund in the amount of \$58.77 to Stronach, Lesley Holter, owner of 7551 S. Wildhorse Rd., Pahrump, NV, Assessor's Parcel Number 045-243-15.
- d. Issue a corrected tax bill in the amount of \$2,099.77 to Young, Darrell Jr., owner of 2360 S. Mallard Ave., Pahrump, NV, Assessor's Parcel Number 042-311-15.
- e. Issue a corrected tax bill in the amount of \$2,648.62 to Martinez, Magali, owner of 1501 W. Huracan St., Pahrump, NV, Assessor's Parcel Number 040-511-07.

14.2 [For Possible Action](#) – Approval to accept a Restrictive Covenant Running with the Land agreement between Nye County and Apollo Developments, LLC. for the property located at 1340 East Arrowhead St., Pahrump, NV, Assessor's Parcel Number 038-353-03, for the purpose of future road improvements to be paid for by the property owner.

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

- a. Accept the Grant Agreement from the U.S. Department of Housing and Urban Development (HUD) Continuum of Care (COC) for Performance Period September 1, 2024 through August 31, 2025 in the amount of \$98,185.00 to provide tenant based rental assistance in Nye County;
- b. Execute the Subaward; and
- c. Fund to 10340 Grants.

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BOARD OF COMMISSIONERS

15. [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. 2024-09: A Bill Amending Title 6 of The Nye County Code by Amending Chapter 6.04 General Provisions; Amending Chapter 6.05 Enforcement; Removing Chapter 6.06 Licensing, Vaccinations, Limits on Number, Running at Large, Impoundment, Rabies Prevention; Adding Chapter 6.06 Vaccinations, Adding Chapter 6.07 Limits on Dogs and Cats; Adding Chapter 6.08 Permits, Limits; Adding Chapter 6.09 Animals Running at Large; Adding Chapter 6.10 Impoundment for Violations of This Code; Adding Chapter 6.11 Animal Bites, Reports Required; Adding Chapter 6.12 Reporting of Found Animals; Adding Chapter 6.13 Animal Waste and Odor; Adding Chapter 6.14 Cruelty to Animals; Adding Chapter 6.15 Animal Facility Regulations; Amending Chapter 6.20 Miscellaneous Animal Regulations; Removing Chapter 6.30 Ownership and Possession Of Special Conditions Animals; Amending Chapter 6.40 Appeals to Board of County Commissioners; and Providing for the Severability, Constitutionality, and Effective Date Thereof; and Other Matters Properly Relating Thereto.

DISTRICT ATTORNEY

16. [For Possible Action](#) – Discussion and deliberation to:
- Accept or reject Amendment Number 3 to the One Nevada Agreement on Allocation of Opioid Recoveries amending the Definitions Section to include additional potential and actual defendants; and
 - Execute the Amendment.

SHERIFF

17. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject the Fiscal Year 2025 Public Safety Sales and Use Tax (PSST) plan for Nye County.

COUNTY MANAGER

18. [For Possible Action](#) – Discussion and deliberation to:
- Approve, amend and approve, or reject an Interlocal Contract Between Nevada Department of Veterans Services and Nye County to provide a Veterans Services Officer to provide services within Nye and Esmeralda Counties; and
 - Execute the Agreement.

PLANNING/BUILDING/CODE COMPLIANCE

19. [For Possible Action](#) – Discussion and deliberation to:
- Approve, amend and approve, or reject a Professional Services Agreement between Charles Abbott Associates, Inc. (CAA) and Nye County to provide, implement and carry out a complete building and safety services program;
 - Execute the Agreement; and
 - Fund to 10254 Building Department.

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PUBLIC WORKS

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

- a. Ratify Commission Chair Debra Strickland's acceptance of the Federal Aviation Administration (FAA) Airport Improvement Program grant award in the amount of \$343,080.00 to provide funding for the Beatty Airport lighting projects. There is a County Match required in the amount of \$22,872.00; and
- b. Fund \$343,080.00 to 10340 Grants and fund \$22,872.00 to 10209 Airport.

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

- a. Ratify Commission Chair Debra Strickland's acceptance of the Federal Aviation Administration (FAA) Bipartisan Infrastructure Law - Airport Infrastructure Grant award in the amount of \$77,682.00 to provide funding for the Tonopah Airport lighting projects. There is a County Match required in the amount of \$5,179.00; and
- b. Fund \$77,682.00 to 10340 Grants and fund \$5,179.00 to 10209 Airport.

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

- a. Ratify Commission Chair Debra Strickland's acceptance of the Federal Aviation Administration (FAA) Airport Improvement Program grant award in the amount of \$681,513.00 to provide funding for the Tonopah Airport lighting projects. There is a County Match required in the amount of \$45,434.00; and
- b. Fund \$681,513.00 to 10340 Grants and fund \$45,434.00 to 10209 Airport.

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

- a. Discuss the bid proposals received for Bid No. 2024-07 Gabbs Sewer Line Replacement;
- b. Award Bid No. 2024-07 Gabbs Sewer Line Replacement to A&K Earthmovers in the amount of \$1,065,000.00; Farr Construction in the amount of \$1,238,337.00; Four Point Engineering in the amount of \$1,604,675.00; or Q&D Construction in the amount \$983,500.00;
- c. Approve or amend and approve the contract with selected bidder;
- d. Fund to 10340 Grants; or
- e. Reject bids and provide direction to staff on how to proceed with the project.

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

- a. Determine that an excess vehicle, a 1983 Mack Engine, VIN 1M1H123C5DM001144 from the Emergency Management Service in Amargosa is no longer required for public use; and
- b. Approve that it is the best interest to donate the vehicle to the Fish Lake Valley Volunteer Fire Department.

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

- a. Approve a GIS Letter of Agreement with SCS Engineering, Inc. to provide the Landfill Tipping Fee Study using the GIS data; and
- b. Approve waiving the GIS data fee in the amount of \$6,000.00 as the contractor is conducting a study for Nye County.

PUBLIC PETITIONER

26. [For Possible Action](#) – Discussion and deliberation regarding Nye County Proclamation P2024-05: A Proclamation Recognizing November 2024 as National America Indian Heritage Month.

27. 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).

28. 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).

29. 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