



**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

October 15, 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 15, 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 October 15, 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](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

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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. 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 October 15, 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 certificates and/or plaques to eight (8) employees honored for their years of service.
- 7. 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.
- 8. 10:00 a.m. – [Presentation](#)** by Mark Dunford, Vice President of Bruin Capital Partners, regarding the twenty-four-month review of the Adaven Management, Inc. (Mountain Falls South) Development Agreement pursuant to section 8.1 of the agreement. (5-minute time limit)
- 9. 10:00 a.m. – [For Possible Action](#) – Public Hearing**, discussion and deliberation to:
 - Approve the Settlement Agreement between the Nye County Management Employees Association and Nye County; and
 - Adopt, amend and adopt, or reject the Nye County Management Employees Association Agreement to include the reporting of the fiscal impact of the agreement. The new agreement will be effective upon approval.

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SITTING AS THE NYE COUNTY LICENSING AND LIQUOR BOARD

LIQUOR

10. **10:00 a.m. – [For Possible Action](#) – Hearing to Show Cause**, discussion and deliberation to approve a full Retail Liquor License; or to revoke the extended Temporary Retail Liquor License pursuant to Nye County Code 5.04.290(C) and/or 5.04.290(G) for failure to comply with conditions set forth by the Board and the Nye County Planning Department for Champions Bar and Grill located at 631 S. Linda St., Pahrump, NV. Barry Tassler, Applicant.
11. [For Possible Action](#) – Discussion and deliberation to approve a Retail Liquor License for DLS Entertainment Properties, LLC, dba Montana Bar and Steakhouse located at 1301 S. Loop Rd., Pahrump, NV. Darrell Strain, Applicant.

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

BEATTY

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 Beatty.

SITTING AS THE BOARD OF COUNTY COMMISSIONERS

13. **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.**
 - 13.1 [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.
 - 13.2 [For Possible Action](#) – Approval of IA-24-10, for the Mountain Falls Water System, located in the Mountain Falls Master Planned Community regarding:
 - a. A request to release the financial security (bonds) related to the installation of Mountain Falls Phase One Final Subdivision Map off-tract water and sewer facilities, street improvements and drainage structures, recorded document #482653; and
 - b. A request to release the financial security (bonds) related to the Water System Maintenance and Operations Agreement, recorded document #482654. Mark Dunford - Applicant. System, located in the Mountain Falls Master Planned Community. Mark Dunford - Applicant.
 - 13.3 [For Possible Action](#) – Approval to:
 - a. Accept the Bureau of Justice Assistance Patrick Leahy Bulletproof Vest Partnership (BVP) grant award in the amount of \$43,582.80 for the purpose of providing body armor vests to Nye County law enforcement. There is a county match amount of \$43,582.80 required; and
 - b. Fund \$43,582.80 to 10340 Grants and fund \$37,045.38 to 10101 General Fund and \$6,537.42 to 10236 Jail Fund.

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- 13.4 [For Possible Action](#) – Approval to accept a Restrictive Covenant Running with the Land agreement between Nye County and Jose G. Hernandez and Alma Hernandez for the property located at 20 S. Humahuaca, Pahrump, NV. Assessor's Parcel Number 038-223-01 for the purpose of future road improvements to be paid for by the property owner.

BOARD OF COMMISSIONERS

14. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt or reject the Nye County Plan for the Provision of Indigent Defense Services.
15. [For Possible Action](#) – Discussion and deliberation to give direction to the District Attorney regarding the transportation, the storage, and the processing of hazardous waste in our towns.

CLERK

16. [For Possible Action](#) – Discussion and deliberation to:
- a. Appoint one member to the Northern Nye County Hospital District Board of Trustees to an unexpired term due to a resignation from the following list of applicants: Elizabeth Beall; and/or
 - b. Readvertise for the appointment.

PUBLIC ADMINISTRATOR

17. [Presentation](#) regarding the quarterly report from the Public Administrator on deceased person cases that are open, closed, pending, NCPA Creditor Claims, non-cases or cases that have been turned over to family. (5-minute time limit)

SHERIFF

18. [For Possible Action](#) – Discussion and deliberation regarding the issuance of a Display Fireworks Event Permit to Las Vegas Display Fireworks for an aerial display at the Southern Nevada Regional Gathering on Thursday, October 17, 2024 and on Saturday, October 19, 2024 in Beatty at 1 Boiling Pot Rd, Beatty, NV. The applicant is Will Scott of Las Vegas Display Fireworks.

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COUNTY MANAGER

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

- a. Rescind action taken by the Board to set date, time and location for agenda item number 15 at the October 1, 2024 meeting for a Public Hearing on Nye County Bill No. 2024-09: A Bill proposing to amend Nye County Code Title 6 Animals, set for January 7, 2025, at 10:00 am, at the Nye County Board of County Commissioners Chamber located at 101 Radar Road, Tonopah, Nevada; and
- b. 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.

FACILITIES

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

- a. Accept the Nevada Division of State Parks Recreational Trails Program Project Agreement grant award in the amount of \$17,500.00 to conduct an Environmental Assessment at the Southside Trailhead. There is a county match of \$921.05 required;
- b. Execute the Project Agreement; and
- c. Fund \$17,500.00 to 10340 Grants and \$921.05 to 10101 General Fund.

FINANCE

21. [Report](#) by Helen Bae, Comptroller, regarding the budget status for the First Quarter of Fiscal Year 2025, for Nye County and all sub-entities.

PLANNING

22. [For Possible Action](#) – Discussion and deliberation to approve LD-24-22: A Final Commercial Subdivision Map to allow a commercial subdivision on approximately 30.62 acres, zoned General Commercial (GC), located at 4639 S. Nevada Highway 160, Pahrump NV. Assessor's Parcel Number 027-741-24. R 503, LLC - Owner/Applicant. Russell Meads, Double M Construction - Agent.

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23. [For Possible Action](#) – Discussion and deliberation to approve LD-24-23: A Tentative Residential Subdivision map for Mountain Falls Planning Area 9CD, proposing one hundred seventy-four (174) single-family residential lots, on a 36.31-acre parcel zoned Specific Plan (SP). Minimum lot sizes are 4,089 sq ft. and Maximum lot sizes are 9,827 sq ft, with a gross density of 4.79 lots/acre with thirty (30) common lots, located on a portion of 3620 E. Manse Road, Pahrump, NV. Assessor's Parcel Number 045-501-21. Mountain Falls, LLC. - Property Owner. Rebecca Chiriboga, Taney Engineering - Agent / Applicant.
24. [For Possible Action](#) – Discussion and deliberation to approve LD-24-24: A Tentative Residential Subdivision map for Mountain Falls Planning Area 9ABG, proposing two hundred fifty-one (251) single-family residential lots, on a 43.16-acre parcel zoned Specific Plan (SP). Minimum lot sizes are 3,076 sq ft. and Maximum lot sizes are 5,600 sq ft, with a gross density of 5.82 lots/acre with twenty-nine (29) common lots, located on a portion of 3620 E. Manse Road, Pahrump, NV. Assessor's Parcel Number 045-501-21. Mountain Falls, LLC. - Property Owner. Rebecca Chiriboga, Taney Engineering - Agent / Applicant.

PUBLIC WORKS

25. [For Possible Action](#) – Discussion and deliberation to:
- a. Discuss the bid responses received for Bid No. 2024-10 Round Mountain Landfill Operations;
 - b. Award Bid No. 2024-10 Round Mountain Landfill Operations to GandT, LLC. in the amount of \$204,000.00; or Sanroc Inc. in the amount \$278,431.00;
 - c. Approve or amend and approve the contract with selected bidder;
 - d. Fund to 10510 Solid Waste; or
 - e. Reject bids and provide direction to staff on how to proceed with the project.
26. [For Possible Action](#) – Discussion and deliberation to approve the Environmental Assessment completed by BEC Environmental Inc. for the Tonopah Airport located at 685 Airport Road, Tonopah, NV.

PUBLIC PETITIONER

27. [For Possible Action](#) – Presentation, discussion and deliberation regarding the Southern Nevada Off Road Enthusiast (SNORE) Point 2 Point race being held October 26, 2024 in Nye County, and to provide approval of the race being held in Nye County.
28. [For Possible Action](#) – Discussion and deliberation to approve allowing the Friends of the Belmont Courthouse (FOTBCH) to replace existing steps and add a ramp and rails at the Belmont Courthouse; to be completed and financed by the FOTBCH.
29. **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).**
30. **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)**

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31. 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