



**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**

**November 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](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 agendized 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 November 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, or a time identified by the Board.**

**Public Comment** during the Commission Meeting on November 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

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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November 15, 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](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) Public comment will be for all matters off the agenda. 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 November 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. – [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 Stephani Elliott, Nye County Contracts and Grants Manager, regarding the Pahrump Fairgrounds project. (5-minute time limit)**
- 8. 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)**
- 9. 10:00 a.m. – [For Possible Action](#) – Fiscal Year 2025 Community Development Block Grant (CDBG) Public Meeting:**
  - Discussion and deliberation regarding preliminary CDBG applications, comments received to date, and any changes to the proposed projects;
  - Prioritize and rank eligible projects; and
  - Selection of project(s) to move forward for final application submittal.

## NYE COUNTY BOARD OF COMMISSIONERS AGENDA

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

- a. ZCMP-24-12: A Master Plan Amendment (Minor) to change 9.97-acre portion of a 20-acre lot from Rural Density Residential (RDR) to Business Industrial Area (MIA) to allow the expansion of a gravel pit facility, located at 1870 E. Blosser Ranch Rd., Pahrump, NV. Assessor's Parcel Number: 027-411-30. MM Holdings, LLC. – Property Owner; Morales Construction Inc.- Applicant. (The Pahrump Regional Planning Commission makes a recommendation on this item. Final Action by the Board of County Commissioners is scheduled for November 15, 2024, or as otherwise announced.)
- b. ZCMP-24-10: An application for a Conforming Zone Change on a 9.97-acre portion of a 20-acre parcel zoned Rural Homestead 4.5 (RH-4.5) to Heavy Industrial (HI) to allow the expansion of a gravel pit facility, located at 1870 E. Blosser Ranch Rd., Pahrump, NV. Assessor's Parcel Number: 027-411-30. MM Holdings, LLC. – Property Owner; Morales Construction Inc.- Applicant. (The Pahrump Regional Planning Commission makes a recommendation on this item. Final Action by the Board of County Commissioners is scheduled for November 15, 2024, or as otherwise announced.)

**11. 10:00 a.m. – [For Possible Action](#) – Public Hearing**, discussion, and deliberation on ZCMP-24-15: An application for a Conforming Zone Change on a 2.5-acre parcel zoned Neighborhood Commercial (NC) to Rural Estates Residential (RE-2) to allow owner to build a single-family residence, located at 1970 W. Leffner Dr., Pahrump, NV. Assessor's Parcel Number: 029-401-08. John Breen Furlong - Property Owner/Applicant.

### SITTING AS THE BOARD OF COUNTY COMMISSIONERS

**12. 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.**

**12.1 [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.

**12.2 [For Possible Action](#)** – Approval of:

- a. LD-23-6: The Final Commercial Subdivision Map for Kellogg Commercial East, creating one (1) commercial lot on property zoned Neighborhood Commercial (NC), a 7.2-acre parcel, located at 5060 E. Kellogg Rd, Pahrump, NV. Assessor's Parcel Number: 043-602-30. HHH Investments, LLC. - Property Owner/Applicant.
- b. IA-24-9: A Subdivision Improvement Maintenance and Warranty Agreement related to the Final Commercial Subdivision Map for Kellogg Commercial East, located at 5060 E. Kellogg Rd., Pahrump, NV. Assessor's Parcel Number: 043-602-30. HHH Investments, LLC. - Property Owner/Applicant.

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**12.3** [For Possible Action](#) – Approval of:

- a. LD-23-7: The Final Commercial Subdivision Map for Kellogg Commercial West, creating one (1) commercial lot on property zoned Neighborhood Commercial (NC), a 7.2-acre parcel, located at 6958 S. Fox Ave., Pahrump, NV. Assessor's Parcel Number: 045-171-67. HHH Investments, LLC. - Property Owner/Applicant.
- b. IA-24-8: A Subdivision Improvement Maintenance and Warranty Agreement related to the Final Commercial Subdivision Map for Kellogg Commercial West, located at 6958 S. Fox Ave., Pahrump, NV. Assessor's Parcel Number: 045-171-67. HHH Investments, LLC. - Property Owner/Applicant.

**12.4** [For Possible Action](#) – Discussion and deliberation to approve:

- a. LD-22-35: The Final Subdivision Map for North Canyon Homes Subdivision, Phase I, creating fourteen (14) residential lots on property zoned Village Residential (VR-8), each residential lot containing a minimum of 20,000 square feet. Located at 290, 330, 370, and 410 E. Simkins Rd., Pahrump, NV. Assessor's Parcel Numbers: 027-331-06, 027-331-23, 027-331-24, and 027-331-25. Ken Murphy - Cedar Trees, LLC. - Property Owner/Applicant.
- b. IA-24-11: A Subdivision Improvement Maintenance and Warranty Agreement related to the North Canyon Homes Subdivision Map located at 290, 330, 370, and 410 E. Simkins Rd., Pahrump, NV. Assessor's Parcel Numbers: 027-331-06, 027-331-23, 027-331-24, and 027-331-25. Ken Murphy - Cedar Trees, LLC. - Property Owner/Applicant.

### ASSESSOR

- 13.** [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2024-29: A Resolution directing the County Assessor to prepare a list of the taxpayers on the 2025-2026 secure tax assessment roll in Nye County, Nevada and directing the distribution of the same.

### BOARD OF COUNTY COMMISSIONERS

- 14.** [For Possible Action](#) – Discussion, deliberation, and direction to staff regarding the status of the agreement with Immigrations and Customs Enforcement (ICE) for the detention of ICE inmates.

### CLERK

- 15.** [For Possible Action](#) – Pursuant to NRS 293.387 (1), Canvass of the returns of the General Election held on November 5, 2024.

### DISTRICT ATTORNEY

- 16.** [For Possible Action](#) – Discussion and deliberation to approve proposed stipulation regarding cash bond for judgment consisting of attorney's fees, costs and penalties awarded against Robert Ray Pilkington and Denise Louise Pilkington in District Court case number CV23-0041, pending final decisions by Nevada Supreme Court and/or Nevada Court of Appeals in Case Numbers 87822-COA and 87936.

### JUVENILE PROBATION

- 17.** [For Possible Action](#) – Discussion and deliberation on a request from Nye County Juvenile Probation for the Board of County Commissioners to assure financial support in the event of a Nye County Juvenile Probation budget shortfall to prevent a default of a lease agreement between Nye County Juvenile Probation and the Nye County School District.

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### FACILITIES

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

- Discuss the Request for Qualifications/Request for Final Proposals No. 2022-22 Design-Build Construction of a Civic/Community Center;
- Award Bid No. 2022-22 Design-Build Construction of a Civic/Community Center to Core/Knit in the amount of \$11,479,186.00; or Korte Construction Company in the amount of \$7,266,825.00;
- Fund to 10340 Grants and 25414 Pahrump Fairgrounds Room Tax; or
- Reject bids and provide direction to staff on how to proceed with the project.

### FINANCE

**19. [For Possible Action](#)** – Discussion and deliberation to designate Helen Bae, Dianna Carrell, and April Hutchison as Capital Asset Managers for Nye County and its sub-entities.

### PLANNING/BUILDING/CODE COMPLIANCE

**20. [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. 2024-03: A Bill proposing to Repeal Nye County Code Title 17, Comprehensive Land Use Planning and Zoning, Chapter 17.10 entitled “Special Use Permits; Aboveground Utility Projects” and Replacing with Nye County Code Title 17, Comprehensive Land Use Planning and Zoning, Chapter 17.10 entitled “Special Use Permits”; 17.10.010 Purpose And Intent; 17.10.20 Permit For Construction Of An Aboveground Utility Project Located In A Master Plan Designated Utility Corridor; 17.30 Special Use Permit For Renewable Energy Generation Facility, Aboveground Transmission Lines (Not Located Within An Established Utility Corridor), Battery Energy Storage, Electrical Substation And Gen-Tie Connections; 17.04.040 Requirement To Obtain A Special Use Permit; 17.10.045 Solar Energy Projects; 17.10.050 Application Of Ordinance; 17.10.060 Definitions; 17.10.070 Energy Conservation System Distinctions; 17.10.080 Designation Of Use In Districts In The Pahrump Regional Planning District 17.10.090 Approval Process; 17.10.100 Preliminary Development Plan Approval; 17.10.110 Final Development Plan Approval; 17.10.120 Building Permits And Commencement Of Construction; 17.10.130 Construction Standard; 17.10.140 Development Standards; 17.10.050 Setbacks And Height Restrictions; 17.10.160 Post-Construction And Continued Maintenance; 17.10.170 Post Construction Modifications; 17.10.180 No Preemption; 17.10.200 Wind Energy Projects; 17.10.210 Application Of Ordinance; 17.10.220 Definitions; 17.10.230 Energy Conversion System Distinctions; 17.10.240 Designation Of Use In Districts In The Pahrump Regional Planning District 17.10.250 Approval Process; 17.10.260 Preliminary Development Plan Approval; 17.10.270 Final Development Plan Approval; 17.10.280 Building Permits And Commencement Of Construction; 17.10.290 Construction Standards; 17.10.300 Development Standards; 17.10.310 Setbacks And Height Restrictions; 17.10.320 Post-Construction And Continued Maintenance; 17.10.330 Post-Construction Modifications; 17.10.340 No Preemption; 17.10.350 Enforcement And Penalties; and providing for the severability, constitutionality, and effective date thereof; and other matters properly relating thereto.

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### PUBLIC WORKS

21. [Presentation](#) by Thomas Bolling, Director of Public Works, regarding the current outlook for road funding in Nye County. (5-minute time limit)
22. [For Possible Action](#) – Discussion and deliberation regarding a Notice of Intent to Terminate the Property Access Agreement with Pythom Inc. for leased space at the Tonopah Airport for noncompliance with Section 10 of the agreement, act in a lawful manner and in conformity with all applicable laws.

### PUBLIC PETITIONER

23. [For Possible Action](#) – Discussion and deliberation regarding a request to support the closure of State Highway 318 on May 18, 2025 and September 21, 2025 for the road events held by Silver State Classic Challenge.
24. **GENERAL PUBLIC COMMENT (Up to three-minute time limit per person.) Public comment will be for all matters off the agenda. Action will not be taken on the matters considered during this period until specifically included on an agenda as an action item (SECOND).**
25. **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).**
26. **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