

Pursuant to NRS a joint meeting of the Nye County Board of Commissioners, Nye County Board of Highway Commissioners, Nye County Licensing and Liquor Board, the Nye County Board of Health, the Governing Body of the Unincorporated Town of Pahrump, the Governing Body of the Unincorporated Towns of Beatty, Belmont, Gabbs, Manhattan, and Railroad Valley, and the Board of Trustees for the Pahrump Pool District, was held at 10:00 a.m. in the Commissioner Chambers, 2100 E. Walt Williams Drive, Pahrump, Nevada 89048.

John Koenig, Chair
Debra Strickland, Vice-Chair
Lorinda Wichman, Commissioner
Donna Cox, Commissioner
Leo Blundo, Commissioner
Sandra L. Merlino, Ex-Officio Clerk of the Board
Chris Arabia, District Attorney
Sharon Wehrly, Sheriff
Tim Sutton, County Manager

Also present: Lorina Dellinger, Assistant County Manager; Kelly Sidman, Deputy Clerk; Samantha Tackett, Administrative Manager; Marla Zlotek, Chief Deputy District Attorney; Christi Kindel, Deputy District Attorney

Not Present: Chris Arabia, District Attorney

1. Pledge of Allegiance

The Pledge was recited.

2. Approval of the Agenda for April 16, 2019 (Non-action item)

Tim Sutton said items 5 and 20-22 could be removed from the agenda.

3. GENERAL PUBLIC COMMENT (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).

Joe Burdzinski said the Pahrump High School students took tours of the Clerk's Office, the District Attorney's Office and the Sheriff's Office. He thanked County Clerk Sam Merlino, District Attorney Chris Arabia and Sheriff Sharon Wehrly for accommodating them. Mr. Burdzinski then advised that on Saturday a rally was held at the Ian Deutch Park concerning late-term abortions and petitions would be circulated around the County and the State. He thanked Commissioners Blundo and Strickland for their support and for being at the rally.

John Bosta asked that his comments be reflected in the minutes along with his written document (see Attachment 1). He said AB48 failed on April 13, 2019, and pursuant to

3. GENERAL PUBLIC COMMENT (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)-Cont'd.

Joint Standing Rule 14.3.1., no further action would be allowed. He pointed out this was the second year in a row that this bill (to change the word "shall" to "may") died.

Richard Peck, the interim CEO of the Valley Electric Cooperative, introduced himself and invited everyone to the annual meeting on April 27, 2019, which would start at noon. The Board had called a special meeting at the conclusion of that meeting to discuss the members' concerns about the fiduciary responsibility in the by-laws. Mr. Peck advised the special investigation of the Angela Evans affair had been concluded. That information would be shared with the Sheriff's Office, but no illegal activity was found during the period investigated. The 2018 audit was completed as well and also showed no financial impropriety.

John Pawlak, Chair of the Pahrump Nuclear Waste and Environmental Advisory Committee and the Southern Nye County Conservation District, invited everyone to the annual Earth Day/Arbor Day event. He read the invitation written by Debbie Woodland which listed all of the activities scheduled. The event would be held April 20, 2019, from 10:00 a.m. to 3:00 p.m. at 1500 East Red Butte under the pines at the Shadow Mountain Christian Fellowship Church.

Dwight Lilly read a statement on behalf of the private well owners' cooperative asking for the Commission to support the private property rights of parcel owners in the County when it came to the water under their land. At the March 28, 2019, monthly meeting the board of directors was instructed to seek a referendum from the Commissioners that recognized and supported their property rights, including the water under their parcels.

Neal Jones asked that his written statement be included in the minutes (see Attachment 2). He voiced his concerns about comments made by Commissioner Wichman at the April 2, 2019, meeting regarding the water situation in Belmont. She said there was no municipal water system in Belmont, the Nye County Water District (NCWD) had provided all households in Belmont with nitrate test kits, and the nitrate levels in Belmont were fine. Since there were no documents to support those statements Mr. Jones felt they were false and were made to blatantly mislead the public. Mr. Jones filed a public records request with the NCWD for those kits and the results. They responded they had supplied at taxpayer expense one nitrate test kit to a property owner in Belmont but refused to supply Mr. Jones with the results. The NCWD claimed this was a public education campaign they undertook, but they could not provide any documentation other than a meeting when the test kits were discussed being used in Pahrump. Mr. Jones then requested that if any of the Commissioners had any questions or comments that they state them now and not after the public comment time was over.

3. GENERAL PUBLIC COMMENT (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)-Cont'd.

Diane Southworth advised plastic bottles could now be made out of hemp and biodegraded in 80 days. Outreach included a Back to School fair on July 20, 2019; a no cost life skills course from April 12-31, 2019; nutrition and parenting classes from May 14, 2019 through July 16, 2019, on Tuesdays from 1:00 p.m. to 3:00 p.m.; a career and volunteer fair on May 3, 2019, from 9:00 a.m. 12:00 p.m. at 1020 E. Wilson Road; the Easter picnic on April 20, 2019, at Petrack Park from 10:00 a.m. to 2:00 p.m.; and an Easter egg hunt on Sunday at Simkins Park. The transportation was about the same and it was still two weeks to get a ride, so more help was needed there. Ms. Southworth then advised that food stamp distribution would change beginning in July and would now be based on the year of birth.

Ryan Muccio from Remote Area Medical said they would be back to Pahrump for the fourth year the first weekend in October. He was waiting on confirmation of the location.

Dave Stevens expressed his concern with the dog pound situation.

Tom Waters talked about the Tour of Honor, a national group of motorcycle riders that toured towns and cities each year visiting veteran memorial sites. Pahrump was one of the sites chosen this year. He was not sure when they would come through, but it would be sometime between now and the end of October, and he was looking for businesses to give discounts to the riders. He then said the prostate cancer support group meeting would be on April 25, 2019, from 6:00 p.m. to 7:30 p.m. at Desert View Hospital. Lastly Mr. Waters discussed the veterans finance committee. The County set aside funds for veteran issues and the committee came up with ideas such as banners and other things for veterans. They were looking for people to give ideas on what could be done for the veterans in the community. The committee would meet on April 26, 2019, at 3:00 p.m., at the poor house club house.

Wade Hinden invited everyone to the next private well owners' meeting on April 25, 2019, at 10:00 a.m. at the museum on Basin.

Leah Aldridge announced that on April 20, 2019, the Desert Haven Animal Society would sponsor a poker run. Early registration was \$25.00 and same day registration would be \$30.00. It would start at The Hub at 10:30 a.m. with check-in between 9:30 a.m. and 10:30 a.m. at The Hub. The run would end at the Bounty Hunter Saloon and the winner would be awarded \$200.00.

Diana Johnson said she was amazed at how far the 4-H kids had to travel to do what they joined 4-H to be able to do. She suggested including in the plan for the fairgrounds a livestock barn for 4-H and similar programs.

4. For Possible Action – Discussion and deliberation of the minutes of the joint meeting of the Nye County Board of Commissioners, Board of Highway Commissioners, Nye County Licensing and Liquor Board, Nye County Board of Health, the Governing Body of the Unincorporated Town of Pahrump, the Governing Body of the Unincorporated Towns of Beatty, Belmont, Gabbs, Manhattan, and Railroad Valley, and the Board of Trustees for the Pahrump Pool District regular meeting on March 19, 2019.

Commissioner Wichman made a motion to approve; seconded by Commissioner Blundo.

Commissioner Cox said she would like item 23 to reflect the question that she asked Tina Trenner regarding her humane society qualifications and the answer that Mrs. Trenner gave. Also, on page 20 under item 31, the second sentence in the first paragraph should say "they" accosted, not "he."

Commissioner Wichman amended her motion to approve and include those corrections; Commissioner Blundo amended his second; 5 yeas.

SITTING AS THE BOARD OF COUNTY COMMISSIONERS

5. For Possible Action - Emergency Items

This item was removed from the agenda.

6. Commissioners'/Manager's Comments (This item limited to announcements or topics/issues proposed for future workshops/agendas)

Commissioner Blundo asked the County Manager to look into bringing forward an item to purchase a durapatcher for Pahrump on a full-time basis so both ends of the County could be supported.

PUBLIC PETITIONER

37. For Possible Action – Presentation, discussion and deliberation by the Agricultural Extension/University of Nevada Cooperative Extension on the use of funding as approved by the Board of County Commissioners for FY19 and consider reinstating tax rate for FY20.

Professor ML Robinson said the State had continued to support the Extension as much as it could and the new budget in front of the Commissioners showed not only the money coming from the County and the city but also \$105,000.00 from the State.

Commissioner Koenig asked if the budget gave the County a body in Tonopah and Pahrump.

37. For Possible Action – Presentation, discussion and deliberation by the Agricultural Extension/University of Nevada Cooperative Extension on the use of funding as approved by the Board of County Commissioners for FY19 and consider reinstating tax rate for FY20-Cont'd.

Professor Robinson advised right now it was a body in Tonopah. They had a candidate who accepted but had not signed the contract yet.

Commissioner Koenig asked what the County would need to do to get a body in Pahrump.

Professor Robinson said more funding was being looked at and with the fuel tax another body would be placed in Pahrump.

Commissioner Blundo stated his understanding that this would be a body in Pahrump and Tonopah along with an individual specifically for 4-H in the south.

Professor Robinson stated the educator's task was the entire County, not just Tonopah. They were also looking at a part-time administrative assistant if the tax rate was reinstated for FY20.

Commissioner Wichman said she sat on the selection committee for the applicants for the Cooperative Extension in Tonopah. The individual referred to by Professor Robinson was young with an agriculture and technology background who indicated he wanted to start on May 1, 2019. She then explained the tax base was removed simply because the County no longer had a program in an area which had an extremely robust program that was moved out. Commissioner Wichman committed at that time that when she saw someone back in Tonopah she would return it to the tax rolls.

Commissioner Wichman made a motion to restore the tax rate at two cents per \$100.00 basis; seconded by Commissioner Cox.

Commissioner Cox pointed out this was not raising taxes. It was just reinstating what was in place to help the kids.

Commissioner Wichman added the Cooperative Extension educator was not just for kids. It also offered a number of things for new mothers and young families.

Several 4-H members spoke about their experiences in the club.

Mindy Mulcahey said she grew up in Pahrump and was a 4-H member before she left for the military. She said this program was important to people for their animals and she appreciated the support the Commission gave them.

Robin Flinchum, a volunteer 4-H leader in Pahrump and president of the 4-H Leadership Council, said 4-H had worked very hard since being defunded to serve the

37. For Possible Action – Presentation, discussion and deliberation by the Agricultural Extension/University of Nevada Cooperative Extension on the use of funding as approved by the Board of County Commissioners for FY19 and consider reinstating tax rate for FY20-Cont'd.

children and renew the Commission's faith in them. She hoped the Commission could see its way to fully fund the Extension to hire a full-time coordinator.

Robert Adams said the 4-H and the Cooperative Extension benefited the entire community and asked the Board to vote yes.

Ashley Hall asked the Board to think about the money going into the program and how it was not just going into a program and disappearing. 4-H members were four times more likely to engage in their community and twice as likely to do better and be more engaged in school. The educator also did a lot more than youth programming. Ms. Hall said they were doing what they could with what they had.

John Bosta said he supported the program and thought Beatty and Amargosa should be included if the citizens were paying the tax.

Diana Johnson spoke about her experience in 4-H clubs. She felt it really changed and enhanced people's lives.

Professor Robinson stated the university was not abandoning Pahrump or Nye County. They were working on redoing the lighting and the heating and cooling on the building so the 4-H members could continue to meet there along with the master gardeners. The goal was to have full-time people as well to get the program going again.

Tim Sutton clarified that the rate being proposed would not be an increase to anyone's tax bill since some jurisdictions were at the tax cap. A corresponding portion of an existing line item in the property tax would be reduced by that amount. As to the two cents, Mr. Sutton noted that would be about \$312,000.00, significantly more than what the Cooperative Extension asked for. The original proposal from them was a 1% tax rate and have that supplemented by a \$25,000.00 request from the Town of Pahrump. They were also going to reach out to Tonopah along with the other jurisdictions. The 1.5 rate in place before would also exceed what was requested.

Commissioner Wichman explained the County was not the only one putting that money toward the Cooperative Extension. It was also matched and that was why she would like to keep it at the 2%.

Commissioner Strickland said she would like to see it stay at the 1.5.

Mr. Sutton said another option would be to postpone this until the budget workshop in a couple of weeks.

37. For Possible Action – Presentation, discussion and deliberation by the Agricultural Extension/University of Nevada Cooperative Extension on the use of funding as approved by the Board of County Commissioners for FY19 and consider reinstating tax rate for FY20-Cont'd.

Commissioner Wichman said in deference to her colleagues she could amend her motion to 1.5 cents, but she did not want to put it off any longer and she did not want to go lower than that.

Commissioner Cox said she would like to see the money used to bring it to the outlying areas and going to 2% would provide the extra money to do that. She would also like to see cooperation with the town boards.

Commissioner Strickland said they did not ask for that and the Board had to be good stewards with the taxpayers' money. She pointed out everything could be done with 1.5 as it equaled \$190,000.00 in FY15. She asked Commissioner Cox to amend her second as Commissioner Strickland would love to see this go forward.

Mr. Sutton added the rate was never higher than 1.5.

Commissioner Wichman stated in the past there was a Tonopah coordinator that handled the entire County and that was not enough obviously because interest began in Pahrump. When the original coordinator was replaced, within a few short months the new coordinator moved everything to Pahrump and discounted every other community in Nye County. The budget was reduced because the taxpayers were not getting what they paid for and that put the Extension in an additional bind. They now had someone handling Pahrump, which had a very robust Extension program that needed to be brought back to the rural communities. Commissioner Wichman thought the 2% would be the best fix for that as the money was matched.

Commissioner Strickland said she saw no reason now for Commissioner Wichman to amend her motion.

Commissioner Koenig clarified the motion was for 2%.

The motion to restore the tax rate at two cents per \$100.00 basis passed with 5 yeas.

TIMED ITEMS

7. 10:00 – Presentation of certificates and/or plaques to four (4) employees honored for their years of service.

Certificates and/or plaques were presented to the following County employees for their years of service:

5 Years: Elias Armendariz III; Daniel Young
10 Years: Elizabeth Jordan; Joseph Marshall

8. 10:00 – Presentation by the Nevada Department of Agriculture regarding state weed laws and county collaboration.

Sean Gephart, the Noxious Weeds Coordinator with the Nevada Department of Agriculture, and John Ashworth from Tri-County Weed Control were present. Mr. Gephart explained NRS 555.005 defined noxious weeds as a species of plant which was or was likely to be a public nuisance, detrimental or destructive and difficult to control introduced through feed, seeds and ornamentals. The Department of Agriculture had the authority to designate noxious weeds to the State list, which now had 54 plants on it broken down into three categories – limited distribution (A rated), established in certain areas (B rated), and widespread throughout the State (C rated). State law required any person owning land with noxious weeds to implement some level of control and people could consult with the Tri-County Weed Control, Mr. Gephart or ML Robinson from the Cooperative Extension to learn what the best course of action would be.

Mr. Gephart advised weeds seen in the County included Giant Reed, Malta Starthistle, Russian Knapweed, Silverhead Nightshade, and Salt Cedar. Two new species had been added to the noxious weed list because of the concern for widespread fire damage, Buffelgrass and Desert Knapweed, but they had not been found in the County.

Mr. Ashworth said people at Tri-County Weed Control had been thoroughly linked with the Department of Agriculture and had been watching and doing the spring treatment in the southern area. He said they had not seen anything yet, but it was something coming this way.

Mr. Gephart then talked about the State and County collaboration. He said they wanted to work with the counties, not come across as being an enforcer of the weeds. They wanted to develop good communications to allow survey work and data sharing. Lastly, Mr. Gephart briefly discussed the noxious weeds cost share abatement program as well as the weed free gravel and weed free hay certification program.

EMERGENCY MANAGEMENT

32. For Possible Action – Discussion and deliberation regarding the renewal of an Interlocal Contract with State of Nevada, Department of Conservation and Natural Resources Nevada Division of Forestry to provide Fire Protection in the amount of \$38,902.00 to be funded from Fund 10101 – General.

Commissioner Blundo made a motion to renew the interlocal contract with the State of Nevada Department of Conservation and Natural Resources, Division of Forestry, to provide fire protection in the amount of \$38,902.00 funded from 10101; seconded by Commissioner Strickland.

Emergency Management Director Scott Lewis said historically the County was paying \$50,000.00 annually. The contract was renegotiated and it was now \$19,000.00 annually, a savings of \$61,000.00. They were also getting a brand new type 3 engine which would be available for anyone to use.

The motion to renew the interlocal contract with the State of Nevada Department of Conservation and Natural Resources, Division of Forestry, to provide fire protection in the amount of \$38,902.00 funded from 10101 passed with 5 yeas.

COUNTY MANAGER

31. For Possible Action – Presentation, discussion and deliberation of the monthly progress report for Desert Haven Animal Shelter.

Tim Sutton explained this item was requested as follow-up from a few meetings ago. After that meeting he met with Desert Haven staff and reviewed the list in the investigation report. Desert Haven produced the report in the back-up. On the County side, Mr. Sutton said meetings with the District Attorney's Office had been scheduled. Also, on Friday the contract for management of the shelter would go out to bid.

Commissioner Strickland said the corrective action for the shelter included a contingency plan to visit the veterinary school to set up an appointment to meet with the dean. She asked if that had been completed.

Ellen Arntz from Desert Haven thought that was a misunderstanding by Mr. Crosby when he wrote his report as there was no veterinary school.

Commissioner Blundo asked where the March financials were.

Ms. Arntz advised they had been submitted. She explained they had to find a new bookkeeper. Also, she had a meeting with Samantha Tackett and they discussed submitting February's financials and March's financials were to be submitted by tomorrow, but they were ready for today.

31. For Possible Action – Presentation, discussion and deliberation of the monthly progress report for Desert Haven Animal Shelter-Cont'd.

Commissioner Blundo was concerned with them being \$11,000.00 in the hole and asked what they were doing to address the financial issues.

Ms. Arntz said in a small town like this it was difficult to have fundraisers on a regular basis because the same people end up donating all the time and they get tired of that. She pointed out that the expenses had always seemed to be greater than the income.

Tina Trenner advised she had been in the hospital for three weeks and had not been able to help with fundraising like she wanted to. She said she was looking for big contributors, but felt the County needed to step up because \$50,000.00 was not enough to run the shelter.

Commissioner Blundo said that would be addressed in the next contract. He asked Mr. Sutton for the status of issues to be addressed by Buildings and Grounds.

Mr. Sutton said he would have to follow up with Mark Schwinkendorf. He knew he had laid out traps for a mouse problem they had.

Ms. Arntz thought Mr. Schwinkendorf was not taking it seriously as they had an absolute infestation of rodents in the building and around the grounds and he sent sticky traps. She was also really offended by the way he treated them. She thought he needed to come before the Commission and explain himself as to why he was blowing off the issues in the shelter because he made it impossible to continue in a healthy building.

Commissioner Cox pointed out the money given to Desert Haven was strictly for the veterinary fees and to help run the shelter. It had nothing to do with the upkeep of the shelter, which was the County's responsibility. She pointed out the previous group was given \$250,000.00 and she agreed with the need for more money.

Commissioner Strickland asked how much money they lost in March.

Ms. Arntz stated total income was \$9,973.00 and total expenses were \$21,000.67 mainly for veterinary costs and payroll, for a loss of \$11,027.67.

Commissioner Blundo asked why they were not taking steps to address the things under their control like reaching out for volunteers.

Ms. Arntz advised they were working with the Sheriff and the jail to get as many inmates as they could to volunteer at no cost to the shelter. It was just taking time to get it organized.

Commissioner Cox wished a veterinarian could be hired to oversee the animals at the shelter to try to lower the bills.

31. For Possible Action – Presentation, discussion and deliberation of the monthly progress report for Desert Haven Animal Shelter-Cont'd.

Ms. Arntz said they had inquired at the veterinarian clinic. There was a registered licensed vet tech there who stated she would be more than happy to come down to the shelter after work and check some of the animals at no charge to Desert Haven.

Commissioner Wichman asked if their personal contributions were reflected in the reports. When Mrs. Arntz said no as it was in-kind with things like blankets and food, Commissioner Wichman said those had a cost associated with them and should be on the report as well.

Commissioner Strickland wished the inmate program could be implemented quicker. She noted the payroll was the reason they were losing money.

Ms. Arntz advised they had enough for one more payroll and a letter had been submitted to Mr. Sutton outlining all of that.

Mr. Sutton said he had received it this morning and not read it yet.

Commissioner Strickland was concerned that there was a week's payroll left and then they were out of business operating the shelter. She said a contingency plan needed to be put in place and suggested to Mrs. Arntz that she step away from this now.

Ms. Arntz stated she was willing to write a letter of resignation, but wondered if they walked away who would come in and take over.

Commissioner Koenig said probably Maddie's.

Mrs. Trenner wondered if there was any emergency funding for this situation because it was really a black eye for Pahrump and Nye County.

Commissioner Cox pointed out Desert Haven took over when the original signer of the agreement left.

Ms. Arntz advised they had been reaching out to rescues and utilizing the rescues in the State. The biggest rescue that promised to be here last week was the Nevada SPCA, which was in worse shape than Desert Haven. Since they were taken over by the Humane Network, which worked closely with Maddie's, they cancelled all of Desert Haven's rescue transfers at more than 20 dogs per transfer so the shelter was now way over capacity. She said they were contemplating no longer allowing citizen surrenders because there was no place to put the animals. Also, they were still getting wildlife from the Animal Control Officers, such as peacocks, although her understanding was it was not a wild animal shelter.

31. For Possible Action – Presentation, discussion and deliberation of the monthly progress report for Desert Haven Animal Shelter-Cont'd.

Pat Minshall said many times in the past there were advertisements in the Pahrump Valley Times with pictures of the animals and she had not seen any of those lately. She wondered if the Pahrump Valley Times donated the space for that or if the taxpayers paid for it.

Commissioner Blundo explained those were sponsored by private businesses.

Ms. Arntz added they lost all of their sponsors because of the negativity written about Desert Haven.

Jackie Freeman thought \$50,000.00 was laughable and could not believe that the County was not jumping in with emergency funds. She suggested having 4-H come in and help.

Hal Long said he was in the shelter last week and it was extremely overcrowded. He said they needed a bigger facility and more money to run it.

Susan Roberts said she volunteered before Ms. Arntz and Jane Carbone took over. She said they had no experience running a shelter and did not deserve any money as they squandered over \$100,000.00 since last June. Someone was needed who knew what they were doing. Ms. Roberts stated Desert Haven had cut their goodwill with the veterinarians in town, no one would work with them and there were no longer donations.

There was no action taken on this item.

SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

15. 10:00 – For Possible Action – Presentation, discussion and deliberation regarding a \$2,500.00 grant for Toddler Swim Lessons from the Southern Nevada Chapter of the International Code Council to the Town of Pahrump for the 2019 pool season.

Commissioner Wichman made a motion to approve; seconded by Commissioner Blundo.

Christa Bilbrey, appearing on behalf of the Southern Nevada Chapter of the International Code Council, said she had been a part of this program for 11 years and had been able to donate \$175,000.00 to local jurisdictions, the Health District, and the Southern Nevada Coalition of Childhood Drowning Prevention. She presented a \$2,500.00 check to the Town of Pahrump to offer the free swim lessons.

The motion to approve passed with 5 yeas.

The Board was in recess until 1:45 p.m.

Commissioners Cox and Strickland were not present.

TIMED ITEMS

9. 10:00 – For Possible Action – Public Hearing, discussion and deliberation to: 1) Adopt, amend and adopt, or reject Nye County Bill No. 2019-05: A Bill proposing to amend Nye County Code Title 5, Business Licensing and Regulations, Chapter 5.32 entitled Marijuana and Medical Marijuana Establishments; and providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto; and 2) Set an effective date.

Commissioner Koenig said staff recommended continuing this item to May 21, 2019.

Commissioner Wichman wondered if it would be better to continue it until after July 1, 2019.

Commissioner Koenig opened the public hearing.

John Bosta asked that his written statement be included in the minutes (see Attachment 3). On April 2, 2019, the Board agreed to wait until July 16, 2019, to take any action on marijuana bills until after the legislative session ended. Mr. Bosta felt this bill should be tabled until July 16, 2019.

Pat Minshall, an Amargosa Town Board member, noted this only applied to the State fees and had nothing to do with County or town fees. She wondered if the wording was being changed or if she missed something in the translation.

Commissioner Blundo made a motion to continue this item until July 16, 2019; seconded by Commissioner Wichman; 3 yeas.

10. 10:00 – For Possible Action – Public Hearing, discussion and deliberation on ZC-2018-000031: a (Conforming) Zone Change application to change two contiguous parcels totaling 18.37 acres from the Neighborhood Commercial (NC) zone to the Suburban Estates Residential (SE) zone, for the purpose of hemp cultivation on property located at 2370 and 2470 E. Thousandaire Blvd., Pahrump, NV. Assessor's Parcel Numbers 044-551-39 (9.40 acres) and 044-551-40 (8.97 acres). Cliffwood Realty Nevada, LLC – Property Owner. Jeffrey Gunter, Manager – Applicant. Heather J. Wilson – Agent.

Commissioner Strickland was present.

Commissioner Koenig opened the public hearing.

10. 10:00 – For Possible Action – Public Hearing, discussion and deliberation on ZC-2018-000031-Cont'd.

Timothy Mattoon lived across the street and was opposed to the zoning change on these parcels. This was a commercial operation on residential property which he did not think was right. He was also totally opposed to hemp because of the odors it produced.

Commissioner Koenig closed the public hearing.

Commissioner Strickland said issues were coming before the Board when it came to hemp in non-commercial zones because farming was not an allowable use in the commercial zone. She had asked staff to look into that as she would like to see farming as an allowable use in commercial zones and maybe even another further zoning that would allow farming for profit.

Tracy Reiss, appearing on behalf of the applicant, advised 20 acres right next to these two parcels were zoned and approved and they had started preparing the land. She also said this zoning was recommended by the Planning Commission for them.

Commissioner Strickland asked how many water rights they had in place.

Ms. Reiss said they had 16.5 acre feet and could move more.

Commissioner Blundo was concerned with it being in a residential area as a commercial operation as well as it being an outdoor operation because of the smell.

Commissioner Cox was present.

Steve Osborne from the Planning Department noted this was recommended by the RPC. Also, the RH and RE zones were the only zones that allowed for farming.

Commissioner Strickland made a motion to approve ZC-2018-000031 to the RH 9.5 zone based on the RPC's recommendation and staff's findings subject to all conditions outlined in the staff report; seconded by Commissioner Wichman; 3 yeas. Commissioners Cox and Blundo voted nay.

11. 10:00 – For Possible Action:

11a. For Possible Action – Public Hearing, discussion and deliberation on MP-2019-000012: a Minor Master Plan Amendment application to change 2.73 acres from the Rural Density Residential (RDR) land use designation to the Community Development Area (CDA) land use designation, located at 681 E. Bell Vista Avenue, Pahrump, NV. Assessor's Parcel Number 029-622-01. Marichelle Gray – Property Owner/Applicant. Civilwise Services, Inc. – Agent.

11b. For Possible Action – Public Hearing, discussion and deliberation on ZC-2019-000032: a Zone Change application to change 2.73 acres from the General Commercial (GC) zone to the Commercial Manufacturing (CM) zone, to allow Warehouse Wholesaling and Distribution and an indoor shooting range on property located at 681 E. Bell Vista Avenue, Pahrump, NV. Assessor's Parcel Number 029-622-01. Marichelle Gray – Property Owner/Applicant. Civilwise Services, Inc. – Agent.

Commissioner Koenig opened the public hearing.

Commissioner Strickland recused herself as she owned three adjacent properties.

Commissioner Strickland was not present.

Commissioner Koenig closed the public hearing.

Commissioner Blundo asked when they intended to pave the parking lot they were asking for the waiver for.

Joe Aguilar from Civilwise Services said the owner planned to complete construction eight months from the start of development.

Commissioner Koenig said the waiver was approved by the RPC and it would be concrete pavers instead of asphalt.

Commissioner Wichman made a motion to approve MP-2019-000012 and ZC-2019-000032; seconded by Commissioner Cox; 4 yeas.

Commissioner Strickland was present.

SITTING AS THE NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS

Commissioner Blundo assumed the Chair of the Board of Highway Commissioners.

12. General road report by Public Works Director.

Public Works Director Tim Dahl said an electronic encroachment permit submittal process was now on www.nyecounty.net, which was a mechanism by which the public could apply for an encroachment permit 24/7. Next, Mr. Dahl said he was starting to get more calls about trash in the desert. He emphasized that currently there was no additional charge other than what taxpayers were paying on their property taxes to take items to the landfill. He then mentioned the U.S. Ecology/Nye County household hazardous waste collection day on May 18, 2019, from 7:00 a.m. to 4:00 p.m. Lastly, he asked the public to be patient as the pothole repairs were done.

Commissioner Wichman asked if he had received a resolution from Hadley yet.

Mr. Dahl said no and he had been meaning to get with her on that last e-mail. He would contact her after the meeting.

Commissioner Cox asked if purchasing a used durapatcher would be a problem.

Mr. Dahl said the best benefit would be to try to piggyback on another State contract where the normal procurement process did not need to be followed. He would also like the County's Assemblyman to bring a bill to the State to allow the use of tax dollars at auctions. He said the cost of last year's model of durapatcher was \$75,000.00.

Commissioner Koenig said he gets contacted by a former County Commissioner from up north asking when the signs would be put up.

Mr. Dahl said he would call her if Commissioner Koenig wanted him to. He explained it just took time to order those blank metal pieces as they were not a typical size they kept on hand.

Commissioner Blundo said he had a great time on the durapatcher. He asked for a list of follow-ups on all the projects through Public Works as well as a list of pending work.

SITTING AS THE NYE COUNTY LICENSING AND LIQUOR BOARD

Commissioner Strickland assumed the Chair of the Licensing and Liquor Board.

LIQUOR

13. For Possible Action – Discussion and deliberation to extend the ninety (90) day Temporary Retail Liquor License issued to CourseCo, LLC, sole member of Pahrump Golf, LLC for the Lakeview Golf Course located at 1471 E. Mt. Charleston Dr., Pahrump, NV., William Peers – Manager/Applicant, John Telischak and Thomas Isaak – Owners/Applicants

Commissioner Blundo made a motion to extend the 90 day temporary retail liquor license; seconded by Commissioner Wichman; 5 yeas.

Commissioner Koenig assumed the Chair of the Board of County Commissioners.

SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

14. Committee Reports

Commissioner Strickland advised the Pahrump Public Lands Advisory Committee had a meeting last week. James Gruff, the outdoor recreational planning officer from BLM, was at the meeting and he would participate in the Wild West Extravaganza by having a booth. They also discussed the south side trail head scheduled to open on May 5, 2019.

16. For Possible Action – Discussion and deliberation regarding a request to waive the Bob Ruud Community Center and Petrack Park fees for four days for the non-profit Wild West Extravaganza.

Commissioner Strickland recused herself as she was part of starting the Wild West Extravaganza and Pony Express.

Commissioner Koenig said the Board kept waiving fees and whenever fees were waived it cost the County money to have these events like deputies to patrol traffic and Public Works blocking roads. Also, whenever the fees were waived it meant everybody in Pahrump who paid taxes was paying for part of that event and he did not think that was fair. Commissioner Koenig thought the County needed to stop waiving fees.

Given the popularity of this event, Commissioner Blundo thought it would be appropriate to charge a different department, such as tourism as they had an objective as far as drawing people to Pahrump.

Commissioner Koenig did not think tourism could pay for stuff like this. He said personally he had a problem waiving fees anymore and definitely had a problem taking it from tourism.

Paula Elefante advised the fees for the Ruud Center were waived for non-profits. The fees they were looking at having waived were for the park.

16. For Possible Action – Discussion and deliberation regarding a request to waive the Bob Ruud Community Center and Petrack Park fees for four days for the non-profit Wild West Extravaganza-Cont'd.

Jim Hannah said this was the first time they had requested the park fees be waived. He explained they basically operated the event for the benefit of local non-profits.

Commissioner Cox suggested starting with waiving fees for just the local people.

Tim Sutton did not know if tourism dollars could be used to reimburse for the fees, but he said a motion could be made to have that request contingent upon those funds being deemed appropriate for that use.

Commissioner Cox commented that fund was supposed to be used for these types of events, but it kind of went sideways and was just used for advertising now.

Commissioner Blundo made a motion to pay the fees for the Wild West Extravaganza through tourism funding.

Commissioner Cox suggested in place of waiving the fees request they be taken out of the tourism budget.

Christi Kindle added contingent upon the County Manager's determination that those dollars could be used in that way.

Commissioner Koenig said and if not the fee would be waived.

Commissioner Blundo amended his motion to pay the fees contingent upon the County Manager's determination that it could come out of tourism funding, and if not able to go through tourism funding to waive it; seconded by Commissioner Cox.

Commissioner Koenig stated that the Nevada Commission on Tourism guidelines for grant eligibility and matching dollars dictated funding be spent in out of market efforts, specifically 100 miles or more from the destination, so this might cut the County off from grant eligibility and matching dollars.

The motion to pay the fees contingent upon the County Manager's determination that it could come out of tourism funding, and if not able to go through tourism funding to waive it, failed with 2 yeas. Commissioners Wichman and Koenig voted nay.

Commissioner Wichman asked if Commissioner Strickland benefited financially from the Wild West Extravaganza. When Commissioner Strickland said no, Commissioner Wichman said disclosing was enough and she did not have to abstain.

16. For Possible Action – Discussion and deliberation regarding a request to waive the Bob Ruud Community Center and Petrack Park fees for four days for the non-profit Wild West Extravaganza-Cont'd.

The motion to pay the fees contingent upon the County Manager's determination that it could come out of tourism funding, and if not able to go through tourism funding to waive it, passed with 3 yeas. Commissioners Wichman and Koenig voted no.

SITTING AS THE BOARD OF COUNTY COMMISSIONERS

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. For Possible Action – Approval of Elected Official Collection Report.

Commissioner Blundo made a motion to approve items 17-19; seconded by Commissioner Strickland; 5 yeas.

18. For Possible Action – Approval of Assessor's Office Change Request to allow the Nye County Treasurer to process and issue an amended tax bill in the amount of \$853.08 to Loretta Schellenberg for Assessor's Parcel Number 028-643-06.

Commissioner Blundo made a motion to approve items 17-19; seconded by Commissioner Strickland; 5 yeas.

19. For Possible Action – Approval to set the date and location for the second Board of Commissioners meeting in July for Tuesday, July 16, 2019 in Pahrump, Nevada.

Commissioner Blundo made a motion to approve items 17-19; seconded by Commissioner Strickland; 5 yeas.

BOARD OF COMMISSIONERS

20. For Possible Action – Closure of meeting, pursuant to NRS 288.220 for purposes of conferring with the County's management representatives regarding labor negotiations, issues and other personnel matters.

This item was removed from the agenda.

21. Closed meeting, pursuant to NRS 288.220 for purposes of conferring with the County's management representatives regarding labor negotiations, issues and other personnel matters.

This item was removed from the agenda.

22. For Possible Action – Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.

This item was removed from the agenda.

23. For Possible Action – Discussion and deliberation to direct the County Manager to sign a letter of intent to purchase the property described as 1851 E. Grieco Way, Pahrump, NV. Assessor's Parcel Number 035-191-40 owned by Wolfgang Lettow Trustee, consisting of a 5.53-acre Light Industrial (LI) zone with 11,000 square feet of storage warehouse for the potential purpose of an alternative location for an animal shelter.

Commissioner Strickland stated she did not have a financial interest nor was she representing any client that was affected by this agenda item. She spoke with the District Attorney's Office and the Executive Director of the Nevada Commission on Ethics. Her intent was clear and her fiduciary duties were in the interest of the County regarding this item.

Commissioner Wichman was concerned about this because the Board had the expectation for the last several years that the animal shelters would become the babies of the towns. One observation she made was this should come from the Town of Pahrump. She was also truly concerned about the location of this warehouse and believed if it was filled with animals they would be put into a state of shock when a racing event occurred.

Commissioner Cox said she lived at the track in her mobile home for several weeks and she was not bothered by it. Most animals were in the shelter on a temporary basis and very few were ever housed for more than five days unless court ordered. Additionally, where the animals would be stored faced the opposite direction of the speedway. There was no residential around it, it was appropriately zoned, and they were well away from the noise.

Commissioner Wichman asked how often the races took place.

Commissioner Cox believed the races were only once a month.

Commissioner Strickland said the intent of this item was to open up the discussion. This may not be a viable property.

23. For Possible Action – Discussion and deliberation to direct the County Manager to sign a letter of intent to purchase the property described as 1851 E. Grieco Way, Pahrump, NV-Cont'd.

Commissioner Koenig advised the races ran twice a month from February to October per the Assessor.

Commissioner Wichman understood what Commissioner Strickland said, but the item was to approve the County Manager to sign a letter of intent to purchase.

Commissioner Strickland explained the letter of intent once signed opened up the discussion between the seller and buyer. She said this would be the first time the County had attempted an exchange and it could be a vehicle used many times over.

Commissioner Wichman felt the County Manager could facilitate all of that without signing a letter of intent to purchase and she was concerned about good faith efforts.

Commissioner Koenig pointed out the language in the letter that stated it was not intended to be construed as a commitment letter but was merely a good faith effort to outline the general terms and conditions for purchase.

Commissioner Cox added this would just prevent him from selling it to someone else and gave the County the opportunity to negotiate with him. If it did not pan out in 60 days he could put it up for sale.

John Bosta said he was concerned because at the last meeting it was \$1 million to pave the road and he believed the owner should pave it if the County bought it. He also thought the red building on Bell Vista would make a great building and the County should buy that one. Mr. Bosta asked the Board to not consider the purchase.

Dave Stevens said he wanted to see a new animal shelter with new equipment, not an old wooden building.

Jackie Freeman thanked the Commissioners for even bringing this up and knowing it had to be done. She had never heard of noise being an issue and suggested doing events during the races such as adoptions.

Marla Zlotek advised the back-up contained the draft proposed document, which was revised by the District Attorney's Office. At the end of the back-up was the revised two page document that she hoped the Board would consider if they moved forward.

Commissioner Blundo said he had issues with the road cost of \$500,000.00, noise from the track, and the cost to retrofit and operate that facility as a shelter, and would like to see those addressed when this came back. He also pointed out that the \$1 million price tag was reduced to \$375,000.00.

23. For Possible Action – Discussion and deliberation to direct the County Manager to sign a letter of intent to purchase the property described as 1851 E. Grieco Way, Pahrump, NV-Cont'd.

Commissioner Wichman said the information on the number of races was very helpful, but she noted when an animal was inside an area and could not see where noise was coming from was when they freaked. She asked if this letter of intent was approved and money was talked about to please consider in the retrofitting figures the animals having access to the outside.

Commissioner Cox explained this used to be the Animal House so it was set up for animals. It was almost six acres with an 11,000 square foot building which had been well taken care of. It may need a couple of air conditioners, but she felt it was the best that could be found in Pahrump. Regarding where the kennels would be, Commissioner Cox said they could be inside/outside kennels like used to be at the other animal shelter. The reduction in price to her was outstanding and she pointed out that if this price was acceptable to him and there was a few hundred thousand to do the road it still came in way below the cost to build a new shelter.

Commissioner Koenig mentioned the next race was April 27, 2019, if anyone wanted to go out and check the noise.

Commissioner Cox made a motion to approve; seconded by Commissioner Strickland; 5 yeas.

24. For Possible Action – Discussion and deliberation to ratify the letter that has been submitted to the United States Forest Service for Nye County, Nevada Comments on the Administrative Final Environmental Impact Statement (FEIS) and Sage-Grouse Land Management Plan Amendment - Nevada.

Commissioner Blundo made a motion to ratify the letter and approve; seconded by Commissioner Strickland; 5 yeas.

25. For Possible Action – Discussion and deliberation to approve letters of support for the Gemfield Mine Project and the Draft Environmental Impact Statement (DEIS) for the Gemfield Mine Project.

Commissioner Blundo made a motion to approve letters of support for the Gemfield Mine Project and draft environmental impact statement for the Gemfield Mine Project; seconded by Commissioner Cox.

Lorina Dellinger advised the Town of Tonopah received the draft comments and was pleased with them.

The motion to approve letters of support for the Gemfield Mine Project and draft environmental impact statement for the Gemfield Mine Project passed with 5 yeas.

26. For Possible Action – Discussion and deliberation regarding County participation and entry in this year’s Nevada Day Parade in Carson City.

Commissioner Wichman said this was not the 150th year anniversary for Nevada. It was 150 years for Pershing County and was the 151st year for Nevada.

Commissioner Cox made a motion to approve; seconded by Commissioner Wichman.

Commissioner Blundo wondered where the money to repair the locomotive owned by Tonopah would come from.

Commissioner Koenig did not know, but said it was just a suggestion and the locomotive did not have to be used.

Commissioner Strickland thought it was a good idea to get it operational to be used at all parades.

Commissioner Koenig pointed out the locomotive was owned by the Town of Tonopah so it would not be brought to Pahrump.

The motion to approve passed with 5 yeas.

CLERK

27. For Possible Action – Discussion and deliberation to appoint four members to the Nye County Park and Recreation Advisory Board due to four vacancies not being filled.

Commissioner Wichman made a motion to appoint Holly Merritt, Brooke Lani, Haley Hastie, Dave Gines, and Jamilee Kichak.

Commissioner Wichman said she suspected the fifth board member believed he was on the Pahrump Park and Recreation Board. If that was not true, then Commissioner Wichman would withhold the name of Jamilee Kichak. If there was a fifth seat open, the other applicant could certainly fill it. She explained this Park and Recreation Board for Nye County would only oversee the Carver’s arena and a tiny square piece of property in the middle of Crystal.

The motion to appoint Holly Merritt, Brooke Lani, Haley Hastie, Dave Gines, and Jamilee Kichak was seconded by Commissioner Blundo and passed with 5 yeas.

28. For Possible Action – Discussion and deliberation to appoint one member to the Beatty Town Advisory Board due to one resignation.

Commissioner Wichman made a motion to appoint Perry Forsyth and follow that up with a heartfelt thank you to Crystal for all of her years of service; seconded by Commissioner Blundo; 5 yeas.

COUNTY MANAGER

29. For Possible Action – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2019-16: A Resolution directing the transfer of Nye County Treasurer Trust property to Nye County for public purposes pursuant to NRS 361.603(2).

Samantha Tackett asked the Board to amend and adopt this resolution. She said there were a few parcels that needed to be removed from the list – item 16 (APN 030-191-01), item 17 (APN 030-344-05), and item 32 (APN 041-263-05). She explained the parcels would be used by Public Works for right-of-ways, drainage and other uses under the NRS that would allow for continual maintenance.

Commissioner Blundo made a motion to amend and adopt Nye County Resolution No. 2019-16 removing items 16, 17 and 32 as stated by staff; seconded by Commissioner Strickland; 5 yeas.

30. For Possible Action – Discussion and deliberation to: 1) determine that two (2) excess Nye County Vehicles are no longer required for public use; and 2) determine it is in the best interest of Nye County to dispose of the excess vehicles through salvage with all resulting funds deposited into Fund 10402 Capital Projects.

Commissioner Blundo made a motion to determine that two excess County vehicles were no longer required for public use and it was in the best interest of Nye County to dispose of the excess vehicles through salvage with all resulting funds deposited into Fund 10402, Capital Projects; seconded by Commissioner Strickland; 5 yeas.

FINANCE

33. Presentation and discussion regarding the budget status through February 2019 for Nye County General Fund Fiscal 2019 budget projections.

Elizabeth Jordan from Finance was present.

Commissioner Wichman commented this was getting to the point where she hardly saw any pink on the pages anymore so it was obvious something was being done right.

Ms. Jordan said Finance had a few items on their radar to augment.

33. Presentation and discussion regarding the budget status through February 2019 for Nye County General Fund Fiscal 2019 budget projections-Cont'd.

Commissioner Strickland asked about the assignment of someone from Finance to help the Sheriff's Office.

Tim Sutton said he thought that position would be presented during the budget workshop.

INFORMATION TECHNOLOGY

34. For Possible Action – Discussion and deliberation to enter into a communications system and services agreement with Motorola Solutions, Inc. to upgrade the Nye County West Site VHF trunked Public Safety Communications system to GTR8000 TDMA/FDMA P-25 capable hardware in the amount of \$160,776.00 to be funded from Fund 10402 – Special Capital Projects.

Commissioner Blundo made a motion to approve entering into a communications system and services agreement with Motorola Solutions to upgrade the Nye County west site VHF trunked Public Safety communications system in the amount of \$160,776.00 funded from 10402, Special Capital Projects; seconded by Commissioner Wichman; 5 yeas.

PLANNING/BUILDING/CODE COMPLIANCE

35. For Possible Action – Discussion and deliberation regarding a request to: 1) Set a date, time and location for a Public Hearing on Nye County Bill No. 2019-06: A Bill proposing to amend Title 8 of the Nye County Code by repealing Chapter 8.42, thereby removing the Chapter regarding Medical Marijuana; and providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto; and 2) Read the title of the Bill into the record.

Commissioner Blundo made a motion to set the date, time and location as July 16, 2019, in Pahrump at 10:00 a.m.; seconded by Commissioner Strickland; 5 yeas.

Commissioner Blundo read the title of the bill into the record.

PUBLIC PETITIONER

36. For Possible Action – Discussion and deliberation regarding a request to waive Title 6 Animal Special Conditions & Commercial Kennel Permit Fees totaling \$500.00 for REXANO's Facility in Zuzana Kukol's name.

Scott Shoemaker said they were requesting the fee waiver for animals they take in that could not go to the shelter because of the type of animals they were.

36. For Possible Action – Discussion and deliberation regarding a request to waive Title 6 Animal Special Conditions & Commercial Kennel Permit Fees totaling \$500.00 for REXANO's Facility in Zuzana Kukol's name-Cont'd.

Jackie Freeman said she had been a recipient of their help and did not think they should pay any fees if the County was going to count on them.

Commissioner Blundo made a motion to waive the Title 6 animal special conditions and commercial kennel permit fees totaling \$500.00 for REXANO'S facility in Zuzana Kukol's name; seconded by Commissioner Strickland.

Commissioner Cox asked Mr. Shoemaker if he was paid a fee for taking animals in.

Mr. Shoemaker said it depended on the case. They had one instance where they charged the County \$15.00 per day and another case where they did not charge the County anything.

Commissioner Wichman was not present.

The motion to waive the Title 6 animal special conditions and commercial kennel permit fees totaling \$500.00 for REXANO'S facility in Zuzana Kukol's name passed with 4 yeas.

38. GENERAL PUBLIC COMMENT (second)

Pat Minshall asked that Amargosa Valley be put in for some work with the durapatcher as both Farm Road and Anvil Road were in a bad state of disrepair. She then gave kudos for the quick response she received when she notified the department a chair was on the side of the road. Lastly, Ms. Minshall said Amargosa Days would be April 26-28, 2019.

Dan Schinhofen discussed SB338, which he felt had many problems. Chief among them was it indicated there were no County impacts. He said the bill was trying to get rid of aerial fireworks and limit the size of fountains to what was in Clark County. The Senate hearing was loaded with people from Clark and Washoe and no one spoke against it. Mr. Schinhofen urged the Board to direct the County Manager to send a letter in support of the fireworks industry. The bill needed to be killed or the County would lose a lot of jobs and revenue.

Neal Jones read a statement on behalf of Janice Berard which she requested be included in the minutes (see Attachment 4). She talked about the efforts she and Mr. Jones had made to assist with the Friends of the Belmont Courthouse with the courthouse restoration which included historical research, pursuing an estimate for the window and door restoration, and getting a new roof installed. Mr. Jones had also built a donation box to place at the courthouse and provided the Friends of the Belmont Courthouse with his architectural drawings for the courthouse. Unfortunately, the job

38. GENERAL PUBLIC COMMENT (second)-Cont'd.

never went out to bid and was given to Perchetti Construction of Tonopah, whose work was inferior. Ms. Berard expressed her and Mr. Jones' gratitude that the courthouse work finally went out to bid and was awarded to Ben Dotson Construction.

Tina Trenner said if the races were only held 14 days a year she did not think there were any animals that could not handle that.

Sam Jones said it was good to see Commissioners reaching decisions in favor of the public. He also commended the Sheriff for her stand on the gun law.

39. ADJOURN

Commissioner Koenig adjourned the meeting.

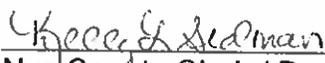
APPROVED this 13th day

ATTEST:

Of May, 2019.



Chair

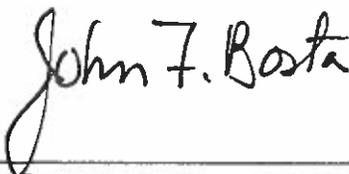


Nye County Clerk / Deputy

I request that my comments are reflected in the minutes and I submit a copy of my prepared written remarks for inclusion in the minutes also

Nye County Bill No. AB48, Section 1 - NRS 244.2967 is hereby amended to read as follows: A board of county commissioners which creates a district for a county fire department ~~shall~~ **may** levy a tax for its support and for the payment of the interest and principal on any indebtedness incurred for its buildings or equipment, on all property within the boundaries of the district, and ~~if levied~~, shall establish a separate fund in the county treasury for the receipt and expenditure of and accounting for the proceeds of this tax, **failed on April 13, 2019 (Pursuant to Joint Standing Rule No. 14.3.1, no further action allowed.)**

Respectfully submitted,



John F. Bosta

ATTACHMENT 1

Statement for the Nye County Commissioners meeting, April 16, 2019, public comment # 1

My name is Neal Jones.

I ask that this written, prepared statement be included in the minutes of this meeting.

My concerns relate to comments made at the April 2, 2019 Commissioners meeting by Commissioner Wichman regarding the water situation in Belmont.

Commissioner Wichman stated:

- 1) There is no municipal water system in Belmont.
- 2) The Nye County Water District has provided all households in Belmont with nitrate test kits for them to monitor the nitrates in their water.
- 3) The nitrate levels in Belmont are fine.

This came as quite a surprise to me as a property owner in Belmont because I was neither notified of this nor supplied with one of these nitrate test kits.

There is no documentation to support any of the statements made by Commissioner Wichman. Therefore, each of those undocumented statements made by Commissioner Wichman is totally and completely false. Those statements are made to blatantly mislead the public.

There are 16 vested water right claims to the Belmont spring listed in the State Engineers office. These are acknowledged in Engineers ruling 3251, which also states they are for domestic use. This would meet the criteria for a public water system according to NRS 445A.235.

After Commissioner Wichman's statements were made I filed a public records request with the Nye County Water District for records associated with these nitrate test kits and the test results.

The Nye County Water District responded that they had supplied, at taxpayer expense, ONE nitrate test kit to a property owner in Belmont. The Nye County Water District then refused to supply me with the results of the testing of the nitrates from the kit they supplied to this property owner, at taxpayer expense.

The Water District claimed that this was a "public education" campaign they undertook in Belmont, but could not provide any documentation of this "public education" campaign, other than a meeting in which the nitrate test kits were discussed being used in Pahrump. Therefore, the people in Belmont were supposed to know that this was a "public education" campaign for them.

The Water District supplied the testing kit, sent personnel out to Belmont to train this property owner on the proper use of the testing kit, but did not require the property owner to actually record any of the results of his testing for nitrates with a test kit provided at taxpayer expense.

This is another example of what we have run into in our 4-year journey to protect our water, health, safety, welfare and investments in Belmont.

I respectfully ask that if any of the Commissioners have questions or comments that they state them now, not after public comment time is over.

Thank you for the opportunity to speak at this meeting.

Neal Jones

njones14791@gmail.com

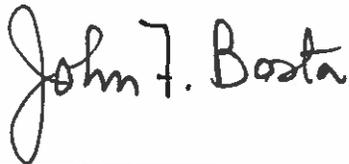
I request that my comments are reflected in the minutes and I submit a copy of my prepared written remarks for inclusion in the minutes also

Bill No. 2019-05 adopts an Ordinance to amend Nye County Code Title 5, Chapter 5.32 entitled Marijuana and Medical Marijuana Establishments.

April 2, 2019 the BoCC agreed to wait until July 16, 2019 to take any action on Marijuana bills until after the present Legislative Session ended by a majority vote of 5-0.

This bill should be tabled until July 16, 2019.

Respectfully submitted,

A handwritten signature in black ink that reads "John F. Bosta". The signature is written in a cursive style with a large initial "J".

John F. Bosta

ATTACHMENT 3

PUBLIC COMMENT – BoCC Meeting April 2, 2019

I am reading this comment on behalf of Janice Berard. I request that it be entered into the minutes of this meeting.

In June 2012 my partner Neal Jones and I made a donation to the *Friends of the Belmont Courthouse*, becoming the 2nd lifetime member in support of the Courthouse's restoration. Also I was a member of their Board. Neal and I were eager to volunteer our time, money and assistance to what we felt was a worthwhile project. Besides, we were building our home in Belmont because we loved the community, its rich Nevada history, its beautiful natural environment and our great interest in historical preservation.

Our involvement was passionate. We did endless historical research to aid in the restoration. I provided ideas and photos for the 'Friends' website as well as arranging a local artist to help design their logo. I pursued a preliminary estimate for the window and door restoration with Reyman Brothers in Sparks, NV, a construction firm that is known for their reputable historical preservation work.

During the Courthouse's transition of ownership from State to County, Neal worked with the 'Friends' and *State Parks* in getting a new roof installed. He hand-built a donation box to place in the Courthouse entry. He also provided the 'Friends' with a copy of the *1992 State Development Plan* and a *2005 Feasibility Study* that can still be found on the 'Friends' website. As a civil engineer, he created several pages of architectural drawings of the Courthouse, for free, as well as reporting the structural problems that were of concern. He was willing to do any necessary engineering drawings towards correcting these problems....again at no charge.

When it was time to restore the windows, we believed that the process was going to be done in an ethical and transparent manner. We also believed that the restoration was going to be completed by someone who had a reputation for doing quality work.

Sadly, that is not how things turned out. The approximate \$80,000 job did not go out to bid, but was automatically given to *Perchetti Construction* of Tonopah. Grants were not pursued as was incorrectly stated at the last BoCC meeting, for the pesky details of oversight and accountability would have been required. Rather private donations were sought.

The completed windows turned out to be of inferior quality, hardly reflecting the workmanship of the ones they replaced. Documentation can be provided to support this statement. Most disturbing were the excuses given to the public for the poor workmanship; especially to those who might consider donating money.

Ironically there is a silver lining in this cloud, for recently the County put the upcoming Courthouse work out to bid for the very first time. A small victory perhaps for Neal and I who always felt that this was how the restoration should have been handled in the first place.

Furthermore, another miracle occurred. *Ben F. Dotson Construction* won the bid against *Perchetti Construction*.

Neal and I can only hope that this winning bidder will do a far better job than what was done prior.....especially when it now involves over \$52,000.00 of taxpayers' money.

We hope that the job will be done in a manner that will truly honor the architectural beauty of the Courthouse and its historical importance to Nevada. That is all Neal and I ever wanted from the beginning when we were passionate about the project, yet too naïve about the kind of people we were working with.

Respectfully Submitted,

Janice Berard