

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, as the Nye County Board of Health, as the Governing Body of the Unincorporated Town of Pahrump, as the Governing Body of the Unincorporated Towns of Beatty, Belmont, Gabbs, Manhattan, and Railroad Valley, and as the Board of Trustees for the Pahrump Pool District, was held at 10:00 a.m. in the Commissioners' Chambers, 101 Radar Road, Tonopah, Nevada.

John Koenig, Chair
Dan Schinhofen, Vice-Chair
Lorinda Wichman, Commissioner
Butch Borasky, Commissioner
Donna Cox, Commissioner
Sandra L. Merlino, Ex-Officio Clerk of the Board
Angela Bello, District Attorney
Sharon Wehrly, Sheriff
Tim Sutton, County Manager

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

Not Present: Sandra L. Merlino, Ex-Officio Clerk of the Board; Sharon Wehrly, Sheriff

Commissioner Cox was not present at this time.

1. Pledge of Allegiance

The Pledge was recited.

2. 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).

John Bosta told the Board about a bush in the right-of-way at the intersection of Rainbow and Highway 160 which was blocking the line of sight and asked to have NDOT remove it.

Butch Borasky sat at the public table to remind everyone the 4th of July parade was coming up at the Calvada Eye. The parade would begin at 9:00 a.m. and the pancake breakfast would begin at 6:00 a.m. He said the event was sponsored by the VFW Post 10054 and the fee was \$5.00.

Debra Strickland thanked the Board, Tim Dahl and the Road Department for getting Highway 160 and Homestead chip sealed. She also understood \$1,000.00 was approved to be spent on that and suggested charging the Great Basin Water Company.

SITTING AS THE NYE COUNTY LICENSING AND LIQUOR BOARD

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

LIQUOR

5. For Possible Action – Discussion and deliberation to issue a Permanent Retail Liquor License to The Hubb Bar & Grill LLC, dba The Hubb Bar and Grill located at 3720 W Bell Vista Ave., Pahrump, NV 89060. Kelli Sater is the Applicant.

Commissioner Cox was present.

Detective Christopher Sehnert confirmed all of the paperwork was in order.

Commissioner Schinhofen made a motion to approve with the warning that this was a privilege license and the owner needed to meet Nye County Code and adhere to it; seconded by Commissioner Koenig; 5 years.

6. For Possible Action – Discussion and deliberation to issue a Temporary Retail Liquor License to Yield Management Systems, dba The Painted Lady Saloon Inc, located at 1330 E. 5th #B, Pahrump, NV 89048. Daniel Wernecke is the Applicant.

Commissioner Schinhofen believed there were continuous issues with this item. He took this time to say when the Board made a motion to approve with conditions they needed to be met before the license was given. On the Painted Lady, according to the back-up and Detective Christopher Sehnert they had numerous issues and had not responded to him.

Commissioner Schinhofen made a motion to deny; seconded by Commissioner Koenig.

Commissioner Koenig if the check they used to pay the fee was the one that bounced.

Detective Christopher Sehnert said no. That one was written on April 4, 2018, and bounced on April 27, 2018, but the bar was still operating during that time.

Commissioner Cox asked if the bar was operating without a liquor license or a gaming license.

Detective Sehnert explained they had the previous license, but the check they wrote for that license bounced. He said they were currently waiting on a copy of the lease and some updates from fire, but they had no statements, tax returns or other documentation relating to that.

Commissioner Cox said this had been before the Board twice now and asked if they gave an indication of when they might have it all complete.

6. For Possible Action – Discussion and deliberation to issue a Temporary Retail Liquor License to Yield Management Systems, dba The Painted Lady Saloon Inc, located at 1330 E. 5th #B, Pahrump, NV 89048. Daniel Wernecke is the Applicant-Cont'd.

Detective Sehnert said he was still waiting for their response.

Commissioner Wichman thought that until this was completed and Detective Sehnert was satisfied the application was imminent it was not necessary to bring it back every two weeks.

The motion to deny passed with 5 yeas.

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

SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

8. For Possible Action – Discussion and deliberation to adopt, amend and adopt, or reject Town of Pahrump Resolution No. 2018-05: A Resolution adopting and enacting the fee schedule of the Lakeview Executive Golf Course for the Town of Pahrump.

Commissioner Schinhofen explained these were the current fees in place.

Commissioner Schinhofen made a motion to adopt what was currently in place and re-address it in a year; seconded by Commissioner Borasky; 5 yeas.

9. For Possible Action – Discussion and deliberation to adopt, amend and adopt, or reject Town of Pahrump Resolution No. 2018-06: A Resolution authorizing the Nye County Comptroller/Town of Pahrump Finance Director to establish a checking account through Nevada State Bank.

Commissioner Schinhofen made a motion to approve; seconded by Commissioner Wichman; 5 yeas.

SITTING AS THE BOARD OF COUNTY COMMISSIONERS

COUNTY MANAGER

14. For Possible Action – Discussion and deliberation to ratify the selection of Public Works Director.

Commissioner Schinhofen made a motion to ratify the selection of Public Works Director Tim Dahl; seconded by Commissioner Wichman; 5 yeas.

15. For Possible Action – Presentation of the revenue and expenditures relating to brothel licensing in Nye County.

Commissioner Wichman said she asked for this study. She noted there were currently three pending lawsuits and asked regardless of whether they were frivolous or not if the defense of those would cost a deductible of \$50,000.00 each.

Tim Sutton said that was correct. He clarified there were actually two active lawsuits as far as he knew, but the \$50,000.00 deductibles had not been reached yet as the lawsuits were in the beginning stages.

Commissioner Wichman asked if the staff time included the Sheriff's Office and Code Compliance time.

Samantha Tackett said it included Code Compliance, but not the Sheriff's Office.

Commissioner Schinhofen stated the brothel license fees for 2017 were \$85,000.00. The cheapest license Dennis Hof paid for in Lyon County was \$70,000.00 and it was about \$360,000.00 for all of them. He said he had made a motion in the past to try to go to \$36,000.00, which would be half of Mr. Hof's cheapest license. Commissioner Schinhofen thought the County was being short-changed on the brothel fees.

Commissioner Wichman explained this was on the agenda at her request to see if the County was spending so much money on the defense of the lawsuits that the brothels were no longer supporting themselves and the taxpayers were, and that was not the case.

Commissioner Borasky told Tim Sutton he wanted to sit down with him and analyze this as to him the numbers were very low and he did not think everything and every person was hit.

Commissioner Cox said she was looking at 2016 when approximately \$2,300.00 brought in \$200,000.00 so she thought there was quite a bit of profit.

SITTING AS THE BOARD OF TRUSTEES FOR THE PAHRUMP POOL DISTRICT

13. 10:00 – For Possible Action – Public Hearing on the Fiscal Year 2018-2019 tentative budget for the Pahrump Pool District; and discussion and deliberation to adopt, or amend and adopt the Final Budget for the Pahrump Pool District for Fiscal Year 2018-2019.

Commissioner Koenig opened and closed the public hearing.

Commissioner Schinhofen made a motion to adopt; seconded by Commissioner Wichman; 5 yeas.

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

MANHATTAN

12. 10:00 – For Possible Action – Public Hearing on the Fiscal Year 2018-2019 tentative budget for the Town of Manhattan; and discussion and deliberation to adopt, or amend and adopt the Final Budget for the Town of Manhattan for Fiscal Year 2018-2019.

Commissioner Koenig opened and closed the public hearing.

Commissioner Schinhofen made a motion to approve; seconded by Commissioner Wichman; 5 yeas.

GABBS

11. 10:00 – For Possible Action – Public Hearing on the Fiscal Year 2018-2019 tentative budget for the Town of Gabbs; and discussion and deliberation to adopt, or amend and adopt the Final Budget for the Town of Gabbs for Fiscal Year 2018-2019.

Commissioner Koenig opened and closed the public hearing.

Commissioner Schinhofen made a motion to approve; seconded by Commissioner Wichman; 5 yeas.

BEATTY

10. 10:00 – For Possible Action – Public Hearing on the Fiscal Year 2018-2019 tentative budget for the Town of Beatty; and discussion and deliberation to adopt, or amend and adopt the Final Budget for the Town of Beatty for Fiscal Year 2018-2019.

Commissioner Koenig opened and closed the public hearing.

Commissioner Schinhofen made a motion to approve; seconded by Commissioner Wichman; 5 yeas.

SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

7. 10:00 – For Possible Action – Public Hearing on the Fiscal Year 2018-2019 tentative budget for the Town of Pahrump; and discussion and deliberation to adopt, or amend and adopt the Final Budget for the Town of Pahrump for Fiscal Year 2018-2019.

Commissioner Koenig opened and closed the public hearing.

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

SITTING AS THE BOARD OF COUNTY COMMISSIONERS

3. 10:00 – For Possible Action – Public Hearing on the Fiscal Year 2018-2019 tentative budget for Nye County; and discussion and deliberation to adopt, or amend and adopt the Final Budget for Nye County for Fiscal Year 2018-2019.

Commissioner Koenig opened the public hearing.

Debra Strickland wondered why the figures for the Town of Pahrump for prior year ending and estimated current year ending had escalated so much.

Commissioner Koenig advised Ms. Strickland that Pahrump was already done and the Comptroller would discuss it with her.

Commissioner Koenig closed the public hearing.

Commissioner Schinhofen made a motion to adopt.

The motion failed for lack of a second.

Since there was a DARE Officer, and the Board approved two school resource officers, Commissioner Schinhofen suggested leaving the DARE Officer and taking one of the resource officers out to get closer to the \$1 million.

Savannah Rucker displayed the spreadsheet presented at the budget workshop. Removing one school resource officer resulted in exceeding the \$1 million budget by \$138,000.00.

Commissioner Cox said she had a problem with the County doing school resource officers at all as she believed the School District had more money than the County and they should be funding their own. She suggested removing one of the Animal Control Officers also.

Commissioner Wichman agreed with Commissioner Cox.

3. 10:00 – For Possible Action – Public Hearing on the Fiscal Year 2018-2019 tentative budget for Nye County; and discussion and deliberation to adopt, or amend and adopt the Final Budget for Nye County for Fiscal Year 2018-2019- Cont'd.

Mrs. Rucker advised the original approval was two school resource officers, which she dropped to one, and one Animal Control Officer.

Commissioner Cox said she wanted to take all of the resource officers out and leave one Animal Control Officer.

Commissioner Schinhofen said he agreed with removing the school resource officers, but as far as the Animal Control Officer he did not feel there were enough of them as there were still people hoarding animals and costing the County.

Commissioner Koenig said to make the school resource officers zero and the Animal Control Officer one.

Detective Chris Sehnert suggested the Board review the calls for service for Animal Control based on manpower and then make that decision. He could not speak for the northern part of the County, but he believed at least one more Animal Control Officer was needed for Pahrump.

Commissioner Schinhofen supported cutting the school resource officers and asked staff to bring something back modeled on a memorandum of understanding Elko County had with their school district.

Mrs. Rucker advised that change resulted in \$1,066,379.00 in increased expenditures from the tentative budget. She commented this was a balanced budget because of the ending fund balance and revenues in excess of expenditures.

Commissioner Schinhofen pointed out the initial budget was \$1 million and he was comfortable with \$1,066,379.00.

Commissioner Schinhofen made a motion to approve.

When Commissioner Cox asked her if she was comfortable with that, Mrs. Rucker said based on the information she had received recently she would like to scale back, but it was up to the Board. The revenue was conservative for property tax though.

Commissioner Wichman seconded the motion to approve.

The Board continued discussing areas where cuts could be made.

Commissioner Schinhofen amended his motion to approve cutting the two school resource officers, leaving one additional Animal Control Officer, all additions in Planning

3. 10:00 – For Possible Action – Public Hearing on the Fiscal Year 2018-2019 tentative budget for Nye County; and discussion and deliberation to adopt, or amend and adopt the Final Budget for Nye County for Fiscal Year 2018-2019- Cont'd.

except the counter tech which would come back after the first quarter, and remove the office assistant in the District Attorney's Office.

Angela Bello asked if the Board would consider a part-time office assistant as it was difficult for the Tonopah District Attorney's Office to handle the workload and the front office.

Commissioner Schinhofen amended his motion to put back in the office assistant for the District Attorney's Office.

Mrs. Rucker advised the result of those changes was \$998,000.00.

Commissioner Schinhofen made a motion to adopt that; seconded by Commissioner Wichman.

Commissioner Borasky had concerns with the economy and felt the Board should use caution.

The motion to adopt the budget as revised passed with 4 yeas. Commissioner Borasky voted no.

4. 10:45 – For Possible Action – Public Hearing, discussion and deliberation pursuant to NRS 244.360 on a complaint alleging the existence of a nuisance located at 17 Mahogany Boulevard, Round Mountain, Nevada, and adopt, amend and adopt, or reject Resolution 2018-22: A Resolution Finding the Existence of Nuisance Conditions, or Resolution 2018-23: A Resolution Finding Nuisance Conditions Do Not Exist.

Commissioner Koenig opened the public hearing.

Commissioner Wichman advised the owners of the property were present in Tonopah.

Commissioner Koenig closed the public hearing.

Marla Zlotek explained once the hearing was opened the Clerk would first state for the record compliance with NRS 244.360 as to the publication and notice requirements. After that was accomplished the complainant could offer evidence which the Board could then accept.

The Clerk confirmed that publication was done in the Tonopah Times Bonanza on May 10 and 17, 2018.

4. 10:45 – For Possible Action – Public Hearing, discussion and deliberation pursuant to NRS 244.360 on a complaint alleging the existence of a nuisance located at 17 Mahogany Boulevard, Round Mountain, Nevada-Cont'd.

Round Mountain Town Manager Pearl Olmedo said a complaint was received from residents in the Hadley subdivision so the town moved forward with the process of submitting a nuisance complaint and presented a letter and photographs of the lot. People were concerned it was a safety hazard to the children in the neighborhood as during a storm debris was flying in the area and caused minor damage to some of the local properties. Ms. Olmedo said she contacted the property owner to make her aware of what was going on and suggested she contact Code Compliance.

Mary Lopez, the owner of the property, said she would like to clean up the property soon and maybe sell it.

Commissioner Wichman asked her how long she thought it would take to clean it up.

Mrs. Lopez said maybe 30 days, but she would like to ask for a little more time as she was in between jobs in Elko and needed to find some friends or get a hold of someone that would move the trailer.

Commissioner Koenig asked if the Board found a nuisance existed, but the property owner was willing to abate the nuisance, if they could be given time to do that or if that triggered something drastic.

Ms. Zlotek said if the Board found a nuisance and clearly defined the nuisance conditions the Board could give time to allow the person to abate it and then have periodic follow-ups. She recommended assigning a staff member to monitor that and have it brought back for status checks.

Commissioner Wichman made a motion to declare the property was a nuisance that was injurious to the health of the public and/or an obstruction to the free use of other people's property near and around it interfering with their comfortable enjoyment of their own property and they had 60 days to abate the nuisance; seconded by Commissioner Schinhofen.

Ms. Olmedo asked what would happen if the property was not abated after those 60 days.

Commissioner Wichman explained if the nuisance was not abated within that time then the County would hire a contractor or send staff out to clean it up, the cost of which would be placed as a lien against the property. When the property was sold the County would be made whole before any revenue from the sale was realized by the owner.

The motion to declare the property was a nuisance that was injurious to the health of the public and/or an obstruction to the free use of other people's property near and

4. 10:45 – For Possible Action – Public Hearing, discussion and deliberation pursuant to NRS 244.360 on a complaint alleging the existence of a nuisance located at 17 Mahogany Boulevard, Round Mountain, Nevada-Cont'd.

around it interfering with their comfortable enjoyment of their own property and they had 60 days to abate the nuisance passed with 5 years.

Commissioner Wichman made a motion to adopt the resolution finding there was a nuisance that existed and refer to the motion made earlier for the changes that needed to take place to that resolution; seconded by Commissioner Schinhofen; 5 years.

16. 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).

John Bosta asked the Board to start using nay when they opposed a motion for clarity.

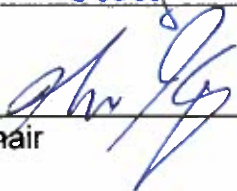
Speaking as a resident of Nye County, Angela Bello said Jim Butler Days in Tonopah started this weekend and she encouraged everyone to go up and support the events.

17. ADJOURN

Commissioner Koenig adjourned the meeting.

APPROVED this 3rd day
Of July, 2018.

ATTEST:



Chair



Nye County Clerk / Deputy