

ROAD TO RECOVERY: Moving to a New Normal



Amended Nye County Action Plan and
Request to Reopen Bars, Pubs, Taverns,
Breweries, Distilleries, and Wineries in
Rural Areas



August 19, 2020

Summary

At 18,159 square miles, Nye County is the third largest county in the contiguous United States. According to the [2019 Nevada State Demographer's Certified Estimate](#) the population of Nye County is 48,472. The Town of Pahrump represents approximately 85% of Nye County's population. The remaining 7,403 residents live in smaller, rural communities including Amargosa (1,327), Beatty (998), Gabbs (221), Manhattan (138), Round Mountain (763), and Tonopah (2,163).¹ Due to a recent spike in COVID-19 cases in Pahrump, Nye County was designated as a county with Elevated Disease Transmission and consequently all bars, pubs, taverns, breweries, distilleries, and wineries within the county were closed or restricted pursuant to [Directive 027, Sections 5 and 6](#). As explained below, while the stringent COVID-19 enforcement and prevention guidelines outlined in Directive 027 may be necessary to deal with the recent outbreak in Pahrump, they are unnecessary and overly burdensome to the rural communities where the guidelines of Directive 021 are more appropriate.

Requested Action

Nye County respectfully requests that all bars, pubs, taverns, breweries, distilleries, and wineries in rural areas² of Nye County be permitted to operate as outlined under [Directive 021, Sections 25 and 26](#).

Jurisdictional Analysis and Response Plan

Critical Statewide Metrics

- Hospital Capacity - Nye County has hovered around 72 percent with about 12 percent of beds being occupied by COVID patients.
- Access to Personal Protective Equipment – Nye County initially struggled to obtain adequate PPE but has since shored up its supply and distribution process with the assistance of the State. Nye County prioritizes PPE to first responders and medical providers and then to the general public.
- Testing Capacity – Nye County has been ahead of the curve in terms of testing since the start of the pandemic. The bulk of our testing has been conducted by a private providers and we have an adequate supply of nasal-pharyngeal testing kits.
- Case Investigation and Contact Tracing – Contact tracing within the county is performed by a combination of county and state staff. These resources have been stretched thin due to a recent surge in cases (described below) and the county has requested and received supplemental State resources to fund additional contact tracers.
- Protection of Vulnerable Populations – Nye County has provided testing kits to skilled nursing and long-term care facilities to use for testing residents and staff and will continue to do so. Nye County will reach out to assisted living centers to determine current testing capacity and resources. Nye County will include assisted living, long-term care, and skilled nursing facilities in its outreach/prevention communication efforts.
- Enforcement – Nye County utilizes a joint enforcement model which includes the Nye County Sheriff's Office, Nye County Code Enforcement, the Nye County District Attorney's Office, and

¹ Nye County has other inhabited rural communities, but the State Demographer does not report their respective populations.

² All areas outside of the Town of Pahrump

Nevada OSHA. The County also created a dedicated hotline for reporting violations of State directives.

Since July 29, 2020, Nye County has seen an increase of 107 positive COVID-19 cases. Of those, 104 have occurred in Pahrump and only 3 have occurred in the rural areas. It is also important to note that there have been ***no new positive cases in the rural areas of Nye County in the last seven days***. Through contact tracing, the County has identified three primary epicenters of probable exposure: large family gatherings, law enforcement and detention centers, and Las Vegas-based employers. Each of these epicenters is described briefly below along with a corresponding action plan to address the recent spike in COVID-19 cases.

Large Family Gatherings

- Approximate Pahrump Cases: 24
- Approximate Rural Area Cases: 0
- Description: Nye County is home to many large families. Nye County also has many homes comprised of multi-generational family units. Due to the closure or cancellation of many recreational opportunities (pools, festivals, sports, clubs, etc.) there is little for residents to do. Consequently, families are holding more get-togethers and also inviting more friends and neighbors. Also, youth currently on summer vacation are congregating at homes more frequently to experience the social interaction they typically enjoy through other outlets. Summertime is generally a time for picnics, birthday parties, weddings, barbecues, pool parties, etc. and with most public areas being unavailable for these activities, homes become the most convenient alternate location. Consequently, individual homes have become one of the primary settings for COVID-19 exposure. There is little the County can (or should) do to regulate people in their own homes however, Nye County is committed to the following.
- Action Plan
 - Continue public awareness/outreach campaign through the County Public Information Officer.
 - Discourage and disperse large, commercial events held on private property (concerts, festivals, block parties, etc.) where such activities are also in violation of the County's existing outdoor gathering ordinance.
 - Continue to caution individuals to observe COVID-19 prevention measures even when participating in home-based activities.
 - Seek State support with testing kits and tracing efforts.

Law Enforcement and Detention Centers

- Approximate Pahrump Cases: 51
- Approximate Rural Area Cases: 0
- Description: Nye County has two county-operated jails, one in Pahrump and one in Tonopah. Pahrump is also home to a privately-operated detention facility for federal detainees. Recently, we have seen a spike in the Pahrump jail, the private Pahrump detention facility, and within the Pahrump branch of the Nye County Sheriff's Office. Sheriff's office staff in Tonopah have not seen a corresponding increase in COVID-19 cases. Nye County is especially concerned about COVID-19

exposure in these settings as it directly and significantly impacts our first responders and vulnerable inmate population.

- Action Plan
 - The Sheriff's Office has implemented the following directives
 - Lockdown of facilities
 - Quarantine of infected inmates
 - Enhanced cleaning measures
 - Enhanced screening of staff
 - Utilize CARES money to purchase air purifiers, thermal screening units, oxygen concentrators, sanitizer cabinets, cleaning foggers, etc. for the jails and Sheriff's offices.
 - Seek continued State support with resource requests for testing kits and PPE.

Las Vegas-Based Employment

- Approximate Pahrump Cases: 22
- Approximate Rural Area Cases: 0
- Description: Due to our proximity to Las Vegas, many Pahrump residents work for Vegas-based employers. Considering the large amount of commuters who traverse Hwy. 160 for work every day, it is unsurprising that much of Pahrump's recent COVID-19 spike is attributable to Las Vegas facilities. Of primary concern are the hospitality and construction industries which seem to disproportionately represent our exposure in this subset. The County has limited control over Vegas-based employers, but we can caution our residents to abide by established guidelines while at work and when returning home.
- Action Plan
 - Continue public awareness/outreach campaign through the County Public Information Officer.
 - Continue to caution individuals to observe COVID-19 prevention measures upon returning home.
 - Seek assistance from the State in identifying Nye County residents tested in Las Vegas.

The areas described above represent the largest distinct groupings of exposure points to which the current spike can be traced. It is telling that in each of the three areas, there is no representation from the rural areas. The spike, though concerning, is almost entirely localized to Pahrump. Rural areas should not bear the regulatory burden of a Pahrump spike.

If the request to reopen bars, pubs, taverns, breweries, distilleries, and wineries in rural areas is granted, the County intends to implement the following:

- Modification of contact tracing questions to ask all COVID-positive individuals if they have attended bars during the probable exposure period.
- Increased compliance auditing for bars in rural areas to ensure risks are being properly mitigated and State directives are being followed.
- Upon determination that a rural area bar was the actual point of exposure for a positive COVID case, the County will require that bar to close.
- The County will continue to work in conjunction with the State to monitor COVID cases in the rural areas and if a spike occurs there, discuss revoking or amending the granted approvals.

Conclusion

Based on the above, little justification remains for keeping bars, pubs, taverns, breweries, distilleries, and wineries in the rural areas of Nye County closed or restricted beyond the guidelines set forth in Directive 021, Sections 25 and 26. Governor Sisolak has recently promised to implement a more localized, community-specific approach³ in the ongoing battle against COVID-19. Nye County believes the above request falls within that framework. Thank you for your time and consideration of this request and please feel free to contact me with any questions, comments, or concerns.

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³ In a recent press conference, the Governor stated that he would even consider zip code-specific restrictions and guidelines.