



**JOINT MEETING OF THE
NYE COUNTY BOARD OF COMMISSIONERS
NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS
NYE COUNTY LICENSING AND LIQUOR BOARD
AS THE GOVERNING BODY OF THE UNINCORPORATED TOWN OF PAHRUMP
AS THE GOVERNING BODY OF UNINCORPORATED TOWNS OF BEATTY BELMONT GABBS
MANHATTAN AND RAILROAD VALLEY AND
AS THE BOARD OF TRUSTEES FOR THE PAHRUMP POOL DISTRICT
2100 E. Walt Williams Drive, Pahrump, NV 89048
January 17, 2017
10:00 AM**

NOTE: All items are approximate except for bid openings, public hearings, and any other items agendized at a specific time. Items on the agenda without a time designation may be taken out of order. The Board may combine two or more agenda items for consideration. The Board may remove an item from the agenda or delay discussion relating to an item on the agenda at any time. Items on the agenda without a time designation may not necessarily be considered in the order in which they appear on the agenda. **NOTICE: It is anticipated that the items of business before the Board of Commissioners on January 17, 2017 will be fully completed on that date. However, should item(s) not be completed, it is possible item(s) could be carried over and be heard before the Board of Commissioners beginning at 8:30 a.m. on the next day.**

Public Comment during the Commission Meeting on January 17, 2017 will be for all matters off the agenda, and be limited to three minutes per person. Additionally, public comment of three minutes per person may be heard during individual action items. The Commission reserves the right to reduce the time or limit the total time allowed for public comment. The Commission may prohibit comment if the content of the comments is a topic that is not relevant to, or within the authority of, the Commission, or if the content of the comments is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive, inflammatory, irrational or amounting to personal attacks or interfering with the rights of other speakers. Persons are invited to submit comments in writing on the agenda items and/or attend and make comment on that item at the Commission meeting.

Pursuant to NRS 241.020, the Agenda for the Commission Meeting has been posted at the following locations. Tonopah Convention Center, 301 Brougner Avenue, Tonopah, NV; U.S. Post Office, 201 Erie Main St., Tonopah, NV; Commissioners' Meeting Room, 101 Radar Road, Tonopah, NV; District Court, 101 Radar Road, Tonopah, NV; Commissioners' Chambers, 2100 E. Walt Williams Drive, Pahrump, NV

Additional Posting Locations: Amargosa Valley Community Center, 821 E. Amargosa Farm Rd., Amargosa Valley, NV; Beatty Community Center, 100 South A Ave., Beatty, NV; Gabbs Townhall, 503 Brucite St., Gabbs, NV; Round Mountain Community Center, 650 Civic Dr., Round Mountain, NV

Support documentation for the items on the agenda, provided to the Nye County Board of Commissioners is available to members of the public at the County Manager's Office (101 Radar Road, Tonopah, Nevada & 2100 E. Walt Williams Drive, Pahrump, Nevada) and on the County's website, or by calling Melissa Godfrey at (775) 482-8191

WEBSITE: www.nyecounty.net

The Nye County Board of Commissioners may take a short break every 1 ½ hours.

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [How to File a Program Discrimination Complaint](#) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

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Special Note: Any member of the public who is disabled and requires accommodation or assistance at this meeting is requested to notify the Nye County Manager's Office in writing or call 775-482-8191 prior to the meeting.

1. **Pledge of Allegiance**
2. **Approval of the Agenda for January 17, 2017 (Non-action item)**
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).**
4. For Possible Action – Discussion and deliberation of Minutes of the Joint Nye County Board of Commissioners, Board of Highway Commissioners, Licensing and Liquor Board, the Governing Body of Unincorporated Town of Pahrump, the Governing Body of Unincorporated Towns of Beatty, Belmont, Gabbs, Manhattan, and Railroad Valley, the Board of Trustees for the Pahrump Pool District, and the Northern Nye County Hospital District Board of Trustees regular meetings on November 14, 2016 and December 6, 2016.

SITTING AS THE BOARD OF COUNTY COMMISSIONERS

5. **Announcements (first)**
6. **For Possible Action - Emergency Items**
7. **Commissioners'/Manager's Comments (This item limited to announcements or topics/issues proposed for future workshops/agendas)**

TIMED ITEMS

8. **10:00** – Presentation of certificate and/or plaques to nine (9) employees honored for their years of service.
9. **10:30** - For Possible Action – **Public Hearing**, discussion and deliberation to approve a modification to the Nye County Law Enforcement Association Agreement by approving the modified Exhibit C titled Pay Scale.
10. **10:45** – For Possible Action – **Public Hearing** on the results of Public Works identification and determination of improved roads and streets maintained by Nye County during Calendar Year 2016 for the purposes of compliance with Nevada Revised Statutes Chapter 365.550 with respect to Proceeds of Tax Levied pursuant to NRS 365.180; and other matters properly related thereto.
11. **11:00** – For Possible Action – Extension of Time Application ET-2016-000018: **Public Hearing**, discussion and deliberation regarding a request for an Extension of Time of a Special Use Permit to allow a medical marijuana establishment (cultivation) in a General Commercial (GC) zoning district, on 1.1 acres located at 1375 E. State Street (previously known as 151 S. Humahuaca Street), Pahrump, Assessor Parcel #38-222-03. 151 Group, LLC / Michael Lach – Property Owner. Green Thumb Industries / Nader Sherif – Applicant (Grantee).

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12. 11:00 – For Possible Action:

- a. For Possible Action – Extension of Time Application ET-2016-000019: **Public Hearing**, discussion and deliberation regarding a request for an Extension of Time of a Special Use Permit to allow a medical marijuana establishment (cultivation) on 8.23 acres located at 400 Highway 6, Tonopah, Assessor Parcel #08-291-03. Fred Fereydoun Alae – Property Owner. New Vegas LP / Sousan Chaichian, General Partner – Applicant.
- b. For Possible Action – Extension of Time Application ET-2016-000020: **Public Hearing**, discussion and deliberation regarding a request for an Extension of Time of a Special Use Permit to allow a medical marijuana establishment (production) on 8.23 acres located at 400 Highway 6, Tonopah, Assessor Parcel #08-291-03. Fred Fereydoun Alae – Property Owner. New Vegas LP / Sousan Chaichian, General Partner – Applicant.

13. 11:00 – For Possible Action – AP-2016-000008: **Public hearing**, discussion and deliberation on an Appeal of the Pahrump Regional Planning Commission’s denial of a request to modify the conditions of approval of CU-10-0013 to increase the number of dogs allowed to one-hundred thirty (130) dogs, on property zoned Rural Estates (RE-2), located at 2790 E. Camellia Street, further known as Homestead Gardens, Lot 8, Block 2, Section 36, Township 21 South, Range 53 East. Vasili Platunov/Est-Alfa K-9 Security Services, LLC – Property Owner/Applicant. AP# 044-811-08.

14. 11:00 – For Possible Action – AP-2016-000009: **Public hearing**, discussion and deliberation on an Appeal of the Pahrump Regional Planning Commission’s denial of a Conditional Use Permit (CUP) application to allow the restoration of a grandfathered use of land (recreational vehicle trailer as a permanent residence) which has been operationally abandoned or discontinued for a period of six (6) consecutive months or more, on a 1.0 acre parcel zoned Rural Estates Residential (RE-1), where recreational vehicles are allowed only as temporary residential uses, located at 1610 W. Irons Street, further described as Cal Vegas Ranchos Unit F, lot 289. Edward J. Schuler – Property Owner/Applicant/Appellant. AP# 036-291-21.

15. 11:00 – For Possible Action – AP-2016-000010: **Public hearing**, discussion and deliberation on an Appeal of the Pahrump Regional Planning Commission’s decision to deny Conditional Use Permit Application CU-2016-000024 to allow a Child Care Facility within the Village Residential (VR-8) zoning district and Waiver WV-2016-000033 from NCC 17.04.700.A.10a, a requirement for a paved circular driveway located a minimum of 30-feet from the entrance of the facility. On property located at 1230 S. Yosemite Avenue, Pahrump, further known as Calvada Valley Unit 7, Block 3, Lot 10. Jacqueline Lawson – Property Owner/Applicant & Appellant. AP# 039-572-21.

16. 11:00 – For Possible Action – WV-2017-000037: **Public hearing**, discussion and deliberation on a request to waive the requirements of Nye County Code Title 17, Chapter 17.04, the Zoning Ordinance of the Pahrump Regional Planning District, to allow a temporary Asphalt Plant at the existing gravel pit located at the southeast corner of Basin Avenue and Higley Road. Assessor Parcel # 027-441-09. Bureau of Land Management - Property Owner. Nye County Department of Public Works; Tim Carlo, Public Works Director - Applicant.

SITTING AS THE NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS

17. For Possible Action – General road report by Public Works Director

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SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

18. Committee Reports
19. Town of Pahrump Ongoing Project Report
20. **10:15** - Presentation of certificate of recognition to Valley Electric Association, Inc. for their contribution to the Fairgrounds electrical project.
21. For Possible Action – Discussion and deliberation to appoint three (3) members to the Pahrump Tourism Advisory Committee due to three (3) terms expiring.
22. For Possible Action – Discussion and deliberation to approve a location for the placement of a plaque at Petrack Park in memory of Carol Woner.

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.

23. For Possible Action – Approval of Elected Official Collection Report
24. For Possible Action – Approval to set the date and location of the second meeting of the Board of Commissioners for Tuesday, April 18, 2017 in Pahrump, Nevada.
25. For Possible Action – Approval to adopt Nye County Resolution No. 2017-04: a Resolution directing the levy of a special assessment on each water user situated within the confines of the Amargosa Valley Groundwater Basin for the Fiscal Year 2017-2018.
26. For Possible Action – Approval to adopt Nye County Resolution No. 2017-05: a Resolution directing the levy of a special assessment on each water user situated within the confines of the Upper Reese River Valley Groundwater Basin for Fiscal Year 2017-2018.
27. For Possible Action – Approval to: 1) accept the grant award from the Nevada Administrative Office of the Courts in the amount of \$11,355.00 for the upgrades to the current JAVS digital audio/video court reporting system in the Tonopah Justice Court; and 2) execute the Grant Agreement between Nye County on behalf of the Tonopah Township Justice Court and the Administrative Office of the Courts on behalf of the Nevada Supreme Court. This Grant Agreement will be administered out of Fund 10340 Grants and there is no County match required.

BOARD OF COMMISSIONERS

28. 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.
29. 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.
30. For Possible Action – Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.
31. For Possible Action – Discussion regarding Commissioner Liaison / Representative positions.

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COUNTY MANAGER

32. Ongoing Project Report

33. For Possible Action – Discussion and deliberation regarding the operating hours of the Planning and Building and Safety Offices in Pahrump.

FINANCE

34. For Possible Action – Discussion and deliberation regarding the budget status through December 2016 for Nye County Fiscal Year 2017 budget projections and possible actions.

H/R AND RISK MANAGEMENT

35. For Possible Action – Discussion and deliberation to fill a vacant Account Clerk I Position #04001-002 in the Assessor’s Office effective February 5, 2017 due to the employee being promoted effective November 7, 2016.

36. For Possible Action – Discussion and deliberation to fill a vacant B&G Maintenance Worker III Position #09007-001 in the Buildings & Grounds department effective April 5, 2017 due to the employee retiring on January 31, 2017.

37. For Possible Action – Discussion and deliberation to fill a vacant Deputy Sheriff Position #85010-066 in the Sheriff’s Office effective April 9, 2017 due to the employee resigning October 23, 2016.

PLANNING/BUILDING

38. For Possible Action – Medical Marijuana Establishment License Annual Renewal Application MM-2016-000032: Discussion and deliberation on a request for renewal of a Medical Marijuana Establishment License for a medical marijuana establishment (cultivation facility) located at 1261 E. Calvada Boulevard, Pahrump, Assessor Parcel # 040-041-34. Debra P. Beatty / DP Brooks Investments, LLC – Property Owner. Howard N. Misle / ACC Enterprises, LLC – Applicant.

39. For Possible Action – Medical Marijuana Establishment License Annual Renewal Application MM-2016-000033: Discussion and deliberation on a request for renewal of a Medical Marijuana Establishment License for a medical marijuana establishment (cultivation facility), Green Life Productions, LLC, located at 1205 S. Loop Road, Pahrump, Assessor Parcel #035-381-35. Green Life Productions, LLC – Applicant. Mike Floyd, Managing Member – Agent.

40. For Possible Action:

a. For Possible Action – Final Subdivision Map: Discussion and deliberation on a request for approval of the final residential subdivision map for Spring Mountain Estates, consisting of seventy-seven (77) residential lots, five (5) common lots and one (1) open space lot, located within Sections 33 and 34, Township 20 South, Range 54 East, M.D.B. & M., Town of Pahrump, Nye County, State of Nevada, AP#’s 027-741-12 and 027-741-16. Spring Mountain Raceway, LLC – Property Owner. Double M Construction / Russ Meads – Applicant / Agent.

b. For Possible Action – New Street Names Application SN-2016-000008: Discussion and deliberation on a request to approve Street Names for new streets for Spring Mountain Estates. Spring Mountain Raceway, LLC – Property Owner. Double M Construction / Russ Meads – Applicant / Agent.

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- c. For Possible Action – Subdivision Improvement Agreement IA-2016-000010: Discussion and deliberation on a request for approval of a subdivision improvement agreement (SIA) for Spring Mountain Estates residential subdivision. Spring Mountain Raceway, LLC – Property Owner. Double M Construction / Russ Meads – Applicant / Agent.
41. 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. 2017-02: A Bill proposing to amend Nye County Code Title 17, Comprehensive Land Use Planning and Zoning, relating to Multi-Pet Permits; 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.
42. 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. 2017-03: A Bill proposing to amend Nye County Code Title 17, relating to Zoning and Special Use Permits for Marijuana Establishments; 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.
43. For Possible Action – Offer of Dedication OD-2016-000004 pursuant to Nye County Resolution No. 2017-02: Discussion and deliberation to adopt, amend and adopt, or reject a Resolution accepting previously rejected offers of dedication for certain county road rights-of-way as described in OD-2016-000004 that were previously rejected on File Map #s: 335495, 335496 & 335497 and are further described as: thirty (30) feet of N Helen St., thirty (30) feet for W. Shady Lane, and thirty (30) feet for W. Isaac St. located in the SE ¼ of the NE ¼ of Section 12, Township 20 South, Range 52 East and declaring them as minor county roads pursuant to NRS 403.170. Larry Hennigh – Property Owner/Applicant. AP#s 27-542-27 - 30, 32, 33 & 36.
44. For Possible Action – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2017-03: a Resolution amending the composition of the membership of the Pahrump Regional Planning District Capital Improvements Advisory Committee.

PUBLIC WORKS

45. For Possible Action – Discussion and deliberation to approve: 1) the Road and Highway Builders (R&HB) Road Use and Damage Remediation Agreement; and 2) the Basin Avenue Gravel Pit Use Agreement.
46. For Possible Action – Discussion and deliberation on approval to transfer the contract with Automated Recovery Systems, Inc. for collection service purposes to Clark County Collection Service.
47. **GENERAL PUBLIC COMMENT (second)**
48. **ANNOUNCEMENTS (second)**
49. **ADJOURN**