



**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
July 18, 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 July 18, 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 July 18, 2017 will be for all matters off the agenda, and be limited to up to three minutes per person. Additionally, public comment of up to three minutes per person may be heard during individual action items. The Commission reserves the right to reduce the time allowed for public comment. The Commission may prohibit comment if the content of the comments is a topic that is not relevant to, or within the authority of, the Commission, or if the content of the comments is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive, inflammatory, irrational or amounting to personal attacks or interfering with the rights of other speakers. Persons are invited to submit comments in writing on the agenda items and/or attend and make comment on that item at the Commission meeting.

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 Town Hall, 503 Brucite St., Gabbs, NV; Round Mountain Community Center, 650 Civic Dr., Round Mountain, NV

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

July 18, 2017

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 July 18, 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, and the Board of Trustees for the Pahrump Pool District regular meeting on [June 20, 2017](#) and teleconference on [June 28, 2017](#).

SITTING AS THE BOARD OF COUNTY COMMISSIONERS

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

TIMED ITEMS

7. **10:00** – [Presentation](#) of plaques to two (2) recently retired employees honored for their dedication and service provided while employed for Nye County.
8. **10:00** – [Presentation](#) of certificate and/or plaques to seven (7) employees honored for their years of service.
9. **10:45** – [For Possible Action](#) – **Continued Public Hearing**, discussion and deliberation to: 1) Adopt, amend and adopt, or reject Nye County Bill No. 2017-14: A Bill proposing to amend Title 8 of the Nye County Code, titled Health and Safety, Chapter 8.24, Titled Solid Waste Management, by amending 8.24.020 Definitions; amending 8.24.030 Authority of Board Of County Commissioners; amending 8.24.040 Authority To Issue Citations; amending 8.24.050 License Required For Solid Waste Haulers; amending 8.24.060 License Application; amending 8.24.080 Vehicle Inspections; amending 8.24.090 Insurance Requirements; amending 8.24.100 Review Of Records And Operations; amending 8.24.110 Contractors Subject To Rules And Regulations; amending 8.24.120 Unlawful Disposal Of Solid Waste; amending 8.24.140 Burning Of Solid Waste Or Recyclables; amending 8.24.160 Solid Waste Receptacles; amending 8.24.170 Placement Of Solid Waste In Receptacles; Exceptions; amending 8.24.180 Location Of Solid Waste Receptacles; amending 8.24.190 Interfering With Or Removal Of Receptacles; amending 8.24.200 Removal Of Solid Waste From Receptacles; amending 8.24.210 Deposit Of Solid Waste At Authorized Disposal Sites; amending 8.24.220 Deposit Of Solid Waste At Authorized Disposal Sites; Exceptions; amending 8.24.230 Use Of Unmanned Disposal Sites Restricted; amending 8.24.240 Fees For Disposal Of Solid Waste At Facilities; amending 8.24.250 Waiver Of Use Fees; amending 8.24.280 Authorization; 8.24.290 Franchise Agreement; amending 8.24.310 Rights Of Franchisee; amending 8.24.330 Performance Bond; amending 8.24.350 Private Collection; Purpose; amending 8.24.360 Private Collection; Emergency Declaration; amending 8.24.370 Private Collection; Regulations; amending 8.24.440 Application, Monitoring And Load Fees; amending 8.24.450 Bonding; amending 8.24.460 Annual Review And Renewal Of Permit; amending

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

July 18, 2017

8.24.470 Review Of Records And Operations; amending 8.24.580 Application, Monitoring And Load Fees; amending 8.24.660 Penalty For Violation; amending 8.24.670 Injunctive Relief; amending 8.24.680 Recyclable Materials; Rights Of Owners; and other matters properly relating thereto; providing for the Severability, Constitutionality and Effective Date thereof; and other matters properly related Thereto; and 2) Set an effective date.

10. **11:00** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation on AP-2017-000013: an Appeal of the Pahrump Regional Planning Commission’s decision to uphold the Zoning Administrator’s determination that a Conditional Use Permit is required in accordance with NCC 17.04.905 for the expansion of a Grandfathered Use regarding the keeping of special condition animals at 5561 N. Blackrock Avenue. Jacki Freeman – Property Owner / Appellant.
11. **11:00** – [For Possible Action](#):
 - a. For Possible Action – **Public Hearing**, discussion and deliberation regarding Special Use Permit Application SU-2017-000037: a request for a Special Use Permit to allow the cultivation of retail (recreational) marijuana in addition to medical marijuana, on property located at 340 E. Mesquite Avenue, Pahrump, Nevada. Assessor Parcel Number 029-601-28. Applicant – NCMM, LLC. Agent – Justin Mohny, Manager, NCMM, LLC.
 - b. For Possible Action – **Public Hearing**, discussion and deliberation regarding Special Use Permit Application SU-2017-000038: a request for a Special Use Permit to allow the production of retail (recreational) marijuana products in addition to medical marijuana products, on property located at 340 E. Mesquite Avenue, Pahrump, Nevada. Assessor Parcel Number 029-601-28. Applicant – NCMM, LLC. Agent – Justin Mohny, Manager, NCMM, LLC.
12. **11:00** – [For Possible Action](#):
 - a. For Possible Action – **Public Hearing**, discussion and deliberation regarding Extension of Time Application ET-2017-000026: a request for an Extension of Time of a Special Use Permit to allow a medical marijuana establishment (cultivation) at 6041 S. Hafen Ranch Road, Pahrump, Nevada. Nevada Natural Medicines – Applicant. Scott Sibley – Agent.
 - b. For Possible Action – **Public Hearing**, discussion and deliberation regarding Extension of Time Application ET-2017-000027: a request for an Extension of Time of a Special Use Permit to allow a medical marijuana establishment (production) at 6041 S. Hafen Ranch Road, Pahrump, Nevada. Nevada Natural Medicines – Applicant. Scott Sibley – Agent.
13. **11:00** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation regarding Extension of Time Application ET-2017-000025: a request for an Extension of Time of a Special Use Permit to allow a medical marijuana establishment (cultivation) at 5101 S. Oakridge Avenue, Pahrump, Nevada. Green Cross of America, Inc. – Applicant. Peter Gnecco – Agent.
14. **11:00** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation regarding Zone Change ZC-2017-000013: a Zone Change application to change approximately 1.03 acres from the Mixed Use (MU) Zoning District to the General Commercial (GC) Zoning District, located at 4021 N. Highway 160, further described as Township 19 South, Range 53 East, Section 22, File Map #406952, Parcel 1, Allen Estates Subdivision. Assessor Parcel Number 029-731-09. Lands of Nevada, LLC – Property Owner/Applicant. Michael Lach, Manager – Agent.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

July 18, 2017

15. **11:15** – [For Possible Action](#) – Presentation, discussion and deliberation regarding: 1) Population Health Status in Nye County; and 2) convening the Board of Health in Nye County.

SITTING AS THE NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS

16. [For Possible Action](#) – General road report by Public Works Director

SITTING AS THE NYE COUNTY LICENSING AND LIQUOR BOARD

BROTHEL

17. [For Possible Action](#) – Discussion and deliberation of existing Brothel License renewals for 2017/2018.

GAMING & LIQUOR

18. [For Possible Action](#) – Discussion and deliberation of existing Gaming Liquor & License renewals for 2017/2018.

SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

19. Committee Reports
20. [For Possible Action](#) – Discussion and deliberation regarding the prioritization of capital projects funded from the Town of Pahrump General Fund.
21. [For Possible Action](#) – Discussion and deliberation to consider purchasing the Lakeview Executive Golf Course, located at 1321 E. Mt Charleston Dr. South APN 042-511-07, 1241 E. Eldorado Way APN 042-621-23, 1321 E. Mt Charleston Dr. South APN 042-521-02, 1471 E. Mt Charleston Dr. South APN 042-521-01, 3110 S. Monterey Ct. APN 042-651-18, 3111 S. Monterey Ct. APN 042-651-05, 1870 E. Augusta St. APN 042-671-01.
22. [For Possible Action](#) – Discussion and deliberation to terminate the contract with Parallon Collection Services for collection services for Pahrump Ambulance.
23. [For Possible Action](#) – Discussion and deliberation regarding accepting seven (7) Nevada Commission on Tourism (NCOT) grant awards and to approve a project budget for tourism for FY18: Certified Folder Display; Nevada Magazine and Ride Guide; Nevada Visitor Guide; Story Telling; Collateral; Good Sam Travel Guide and Directory; Public Relations; Projects Related to Tourism. The grant match and project budget has been budgeted in Fund 25220 Pahrump Tourism Room Tax.
24. [For Possible Action](#) – Discussion and deliberation to approve a Memorandum of Understanding between the Town of Pahrump and the Pahrump Valley Chamber of Commerce to set the terms and understanding with regards to the Pahrump Fall Festival.

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.

25. [For Possible Action](#) – Approval of Elected Official Collection Report
26. [For Possible Action](#) – Approval to set the date and location of the second meeting of the Board of Commissioners for Tuesday, October 17, 2017 in Pahrump, Nevada.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

July 18, 2017

27. [For Possible Action](#) – Approval to to accept a change order to decrease the total amount of the award by \$2,095.40 for the Joining Forces 2017 (G17022) grant. This grant is administered from Project g17022 and Fund 10340 Grants.
28. [For Possible Action](#) – Approval to accept the Department of Energy (DOE) and State of Nevada Division of Emergency Management (DEM) FFY17 Emergency Preparedness Working Group (EPWG) grant award in the amount of \$77,000. Funds from this grant come from the National Nuclear Security Administration (NNSA) low-level waste grant program. This grant shall be administered out of Fund 10340 Grants and there is no County match required.
29. [For Possible Action](#) – Approval to accept: 1) the SFY 2018 Grant Award from the Nevada Aging and Disability Services Division (ADSD) in the amount of \$63,088 to provide senior transportation services in Amargosa Valley, Beatty, Gabbs, Smoky Valley and Tonopah in Nye County. This grant application also includes our Long Distance Medical Transportation Program providing non-emergency medical rides to larger cities. Matching funds of \$912 are budgeted by our contract with Medical Transportation Management, Inc. (MTM) and by the NDOT Fuel Grant; and 2) the Confidentiality Addendum with Nevada Aging and Disability Services Division. This grant shall be administered from Fund 10281 Senior Nutrition.
30. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2017-66: a Resolution amending and enacting the schedule of fees required by Nye County Code Title 8, titled Health and Safety, Chapter 24, titled Solid Waste Management, Sections 240 Fees for Disposal of Solid Waste at Facilities, 440 Application, Monitoring and Load Fees, and 580 Application, Monitoring and Load Fees.

BOARD OF COMMISSIONERS

31. 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.
32. 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.
33. For Possible Action – Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.
34. [For Possible Action](#) – Discussion and deliberation to set goals for and provide direction to the Nye County Water District Governing Board.
35. [For Possible Action](#) – Discussion and deliberation to consider amending Nye County Code, Title 6 – Animals to address the concerns regarding shelter for livestock.
36. [For Possible Action](#) – Discussion and deliberation to designate the location for sales of real property made pursuant to NRS 107.080 due to the enactment of SB 267, which amended NRS 107.081(2) to require that all sales of real property conducted pursuant to NRS 107.080 (“*Auctions*”) be held at a public location in the county designated by this Board.

RECORDER

37. [Recorder’s Technology](#) Fund Update.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

July 18, 2017

COUNTY MANAGER

38. [For Possible Action](#) – Discussion and deliberation to ratify the selection of IT Director.
39. [Nuisance abatement](#) update.
40. [For Possible Action](#) – Discussion and deliberation to set a date, time, and location for a Public Hearing on the fair market value of parcels of land owned by Nye County.

FINANCE

41. [For Possible Action](#) – Discussion and deliberation regarding Debt Management Policy Statements for Nye County entities for Fiscal Year 2017/2018 pursuant to NRS 350.013.

PLANNING/BUILDING

42. [For Possible Action](#) – Discussion and deliberation on a request for a waiver from NCC 15.28.100.C, to allow for unimproved parking and drive aisles in conjunction with the development of a mini-storage facility on property located at 5721 S. Homestead Road, Pahrump, NV further described as Parcel 1 of File # 440621, T21S, R54E, Section 7. Assessor Parcel Number 045-084-01. Badly Scattered Land and Equipment LLC – Property Owner. Strickland Construction Company, Inc. – Applicant. Debra Strickland – Agent.

PUBLIC WORKS

43. [For Possible Action](#) – Discussion and deliberation to enter into a Memorandum of Understanding (MOU) with Lhoist North America of Arizona Inc. (Lhoist), for the purpose of performing necessary maintenance on IMV Road (Crystal to Amargosa) due to the frequency of commercial vehicles used by Lhoist mining operation activities.

PUBLIC PETITIONER

44. [For Possible Action](#) – Discussion, deliberation and direction to staff to sell, at public auction, properties owned by Nye County.
45. **GENERAL PUBLIC COMMENT (second)**
46. **ADJOURN**