



**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**

**101 Radar Road, Tonopah, NV 89049**

**September 5, 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 September 5, 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 September 5, 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](http://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](http://www.usda.gov) 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](mailto:program.intake@usda.gov)

# NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

September 5, 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 September 5, 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 August 1, 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** – [For Possible Action](#) – Discussion and deliberation on an appeal of the Nye County Sheriff's Office Vicious and Dangerous Dogs Classification, pursuant to Nye County Code 6.40.010, for animals located at 1330 N. Landmark Ave., Pahrump, NV. Siobhan Golden – Appellant.
8. **10:00** – [For Possible Action](#) – Discussion and deliberation on an appeal of the Nye County Sheriff's Office Vicious and Dangerous Dogs Classification, pursuant to Nye County Code 6.40.010, for animals located at 1330 N. Landmark Ave., Pahrump, NV. Judith Golden – Appellant.
9. **10:00** – [For Possible Action](#) – Discussion and deliberation pursuant to Nye County Code 17.04.860 J-N regarding a show cause hearing on nuisance conditions located at 1281 S. Blagg Rd. to determine: 1) if a nuisance still exists on the property; or 2) if there is no nuisance associated with the property; and 3) possible direction to staff to abate and/or remove nuisance.
10. **10:00** – [Presentation](#) by Kevin Smith, CEO of SolarReserve and Adam Green, Director of Development, regarding an update on the company's Crescent Dunes Solar Energy facility as well as their future Sandstone project which will be located in Nye County.
11. **10:15** – [For Possible Action](#) – 2nd Community Development Block Grant (CDBG) Public Meeting: 1) Presentation of potential projects; and 2) Invite public to participate by providing ideas, comments and suggestions concerning the proposed projects.
12. **10:45** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation to: 1) Adopt, amend and adopt, or reject Nye County Bill No. 2017-16: a Bill proposing to amend Chapter 3.20 of the Nye County Code titled 9-1-1 Taxing District; amending Definitions; amending Establishment of Advisory Committee; amending Duties of the 9-1-1 Advisory Committee; amending Imposition of Surcharge; providing for the severability, constitutionality and effective date hereof, and other matters properly relating thereto; and 2) Set an effective date.

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13. **10:45** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation to: 1) Adopt, amend and adopt, or reject Nye County Bill No. 2017-17: a Bill proposing to amend Title 3 of the Nye County Code titled Revenue and Finance by adding Chapter 3.56 titled Miscellaneous and Additional Taxes and Fees; providing for the severability, constitutionality and effective date hereof, and other matters properly relating thereto; and 2) Set and effective date.
14. **11:00** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation to: 1) Adopt, amend and adopt, or reject Nye County Bill No. 2017-15: A Bill proposing to amend Nye County Code Chapter 16.36, Procedures for Appeal of Land Use Decisions; providing for the severability, constitutionality and effective date thereof; and other matters properly related thereto; and 2) Set an effective date.
15. **11:15** – [Presentation](#) by the Division of Public and Behavioral Health – Environmental Health Section as well as the Division of Environmental Protection – Bureau of Safe Drinking Water regarding Nye County Planning, Sewage Disposal System requirements and Residential Well concerns in Belmont, Nevada.

### SITTING AS THE NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS

16. General [road report](#) by Public Works Director

### SITTING AS THE NYE COUNTY LICENSING AND LIQUOR BOARD

#### LIQUOR

17. [For Possible Action](#) – Discussion and deliberation to issue a Temporary Retail Liquor License to Cisco's Taco's, located at 702 N. Main Street, Tonopah, NV. Jose Terry – Applicant.

### SITTING AS THE BOARD OF COUNTY COMMISSIONERS

#### BOARD OF COMMISSIONERS

18. 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.
19. 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.
20. For Possible Action – Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.
21. [For Possible Action](#) – Discussion and deliberation regarding the submittal of a nominee for possible appointment by the Governor to the Board of Directors of the Nevada Clean Energy Fund (SB407 from the 2017 Legislative Session).

#### CLERK

22. [For Possible Action](#) – Discussion and deliberation to appoint two (2) members to the Beatty Library District to fill two (2) vacant positions.

## NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

September 5, 2017

23. [For Possible Action](#) – Discussion and deliberation pursuant to NRS 244.360(5) to: 1) direct the District Attorney to notify the person responsible for the nuisance to abate said nuisance as set forth in the complaint received by the County Clerk on August 23, 2017, regarding Assessor Parcel Number 039-382-13, 21 W. Rudy Road, Pahrump, Nevada; and a) determine and specify a reasonable time for the person to abate said nuisance; and b) direct the District Attorney to bring legal proceedings for abatement of said nuisance if the notice to the person responsible fails to abate said nuisance; OR, in the alternative 2) pursuant to NRS 244.360(1) and 244.360(2), direct the Clerk to set a public hearing not less than 30 nor more than 40 days subsequent to the filing of the complaint.

### DISTRICT ATTORNEY

24. [For Possible Action](#) – Discussion and deliberation to: 1) consider recognizing the Nye County Association of Sheriff's Supervisors as the collective bargaining unit for Lieutenants and above in the Sheriff's Office; and 2) direction to the District Attorney to negotiate a collective bargaining agreement with this unit if recognized.

### TREASURER

25. [Treasurer's Report](#)

### COUNTY MANAGER

26. [For Possible Action](#) – Discussion and deliberation regarding an Interstate Interlocal Contract between Nye County and the Division of Public and Behavioral Health, Community Health Services Program to provide services for nursing, tuberculosis and sexually transmitted diseases to Nye County.

### FINANCE

27. [Presentation](#) regarding the budget status through July 2017 for Nye County Fiscal Year 2018 budget projections; and review of Fiscal Year 2017 audit timeline and financial reporting.
28. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2017-75: a Resolution to close Nye County District Attorney Bad Check Program Fund.

### HEALTH & HUMAN SERVICES

29. [For Possible Action](#) – Discussion and deliberation regarding a Contract for Services with Consolidated Agencies of Human Services to transport USDA commodities to remote areas of Nye County including the Yomba Indian Reservation, Ione and Gabbs.

### H/R AND RISK MANAGEMENT

30. [For Possible Action](#) – Discussion and deliberation to fill a vacant Food Service Worker Position #05005-002 in the Sheriff's Office effective November 14, 2017 due to the position being vacated on August 16, 2017.
31. [For Possible Action](#) – Discussion and deliberation to fill a vacant Sergeant Position #81012-023 in the Sheriff's Office as a Deputy Sheriff effective December 23, 2017 due to the employee resigning September 1, 2017. The Sergeant position will be filled internally via a promotion.

## NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

September 5, 2017

### PLANNING/BUILDING/CODE COMPLIANCE

**32. [For Possible Action:](#)**

- a. For Possible Action – Discussion and deliberation on Recreational Marijuana Establishment License Initial Application RM-2017-000016: a request to issue a Recreational Marijuana Establishment License (Initial) for a proposed recreational marijuana establishment (cultivation), located at 340 E. Mesquite Avenue, Pahrump, Nevada. Assessor Parcel Number 029-601-28. Applicant – NCMM, LLC. Agent – Justin Mohney, Manager, NCMM, LLC.
- b. For Possible Action – Discussion and deliberation on Recreational Marijuana Establishment License Initial Application RM-2017-000017: a request to issue a Recreational Marijuana Establishment License (Initial) for a proposed recreational marijuana establishment (production), located at 340 E. Mesquite Avenue, Pahrump, Nevada. Assessor Parcel Number 029-601-28. Applicant – NCMM, LLC. Agent – Justin Mohney, Manager, NCMM, LLC.

**33. [For Possible Action:](#)**

- a. For Possible Action – Discussion and deliberation on Medical Marijuana Establishment License Annual Renewal Application MM-2017-000047: a request to renew a Medical Marijuana Establishment License for a medical marijuana establishment (cultivation), located at 101 Airport Road, Beatty, Nevada. Assessor Parcel Numbers 018-371-16 and 018-371-17. Applicant – MM Development Company, LLC, dba Medizin. Agent – Robert A. Groesbeck.
- b. For Possible Action – Discussion and deliberation on Medical Marijuana Establishment License Annual Renewal Application MM-2017-000046: a request to renew a Medical Marijuana Establishment License for a medical marijuana establishment (production), located at 101 Airport Road, Beatty, Nevada. Assessor Parcel Numbers 018-371-16 and 018-371-17. Applicant – MM Development Company, LLC, dba Medizin. Agent – Robert A. Groesbeck.

### SENIOR SERVICES

- 34. [For Possible Action](#)** – Discussion and deliberation to: 1) deobligate the previous SFY 2018 Grant Award (13-000-10-BCS-18), originally approved and signed on July 18, 2017, from the Nevada Aging and Disability Services Division (ADSD) in the amount of \$63,088; and 2) accept in its place, the SFY 2018 Grant Award (13-000-10-BC-18) for \$24,288 and SFY 2018 Grant Award (13-000-10-SX-18) for \$38,800, totaling \$63,088. This grant shall be administered from Fund 10281 Senior Nutrition. Matching funds of \$912 are budgeted by our contract with Medical Transportation Management, Inc. (MTM) and by the NDOT Fuel Grant.

### PUBLIC PETITIONER

- 35. [For Possible Action](#)** – Discussion and deliberation concerning a request to amend the annual fee for a Right-of-Way Easement to Gridliance West Transco LLC approved by the Board of County Commissioners at its August 1, 2017 meeting.

**36. GENERAL PUBLIC COMMENT (second)**

**37. ADJOURN**