



**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
October 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 October 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 October 17, 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](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

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

October 17, 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 October 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, and the Board of Trustees for the Pahrump Pool District regular meeting on September 19, 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 certificates and/or plaques to nine (9) employees honored for their years of service.
8. **10:15** – [For Possible Action](#) – Discussion and deliberation regarding Nye County Proclamation P2017-07: A Proclamation Recognizing Nye County, Nevada as a Purple Heart County.
9. **10:30** – [Quarterly report](#) from the Public Administrator.
10. **11:00** – [For Possible Action](#):
 - a. For Possible Action – **Public Hearing**, discussion and deliberation on MP-2017-000005: a Master Plan Amendment application to change the land use plan designation of approximately 2.4 acres (gross) from Rural Density Residential to Rural Development Area, located at 2410 W. Bell Vista Avenue, further known as Tumbleweed Estates Subdivision, Block B, Lot 6. Assessor Parcel Number 029-523-05. Steven Khoury – Property Owner/Applicant. CivilWise Services, Inc. – Agent.
 - b. For Possible Action – **Public Hearing**, discussion and deliberation on ZC-2017-000017: a Zone Change application to change approximately 2.4 acres (gross) from the Rural Estates (RE-2) Zoning District to the Commercial Manufacturing (CM) Zoning District, located at 2410 W. Bell Vista Avenue, further known as Tumbleweed Estates Subdivision, Block B, Lot 6. Assessor Parcel Number 029-523-05. Steven Khoury – Property Owner/Applicant. CivilWise Services, Inc. – Agent.
11. **11:00** – [For Possible Action](#) – Competitive Selection of Recreational Marijuana Retail Store:
 - a. For Possible Action – **Public Hearing**, discussion and deliberation regarding Special Use Permit Application No. SU-2017-000040: a request for a Special Use Permit to allow a recreational marijuana establishment (retail store) located at 866 S. Nevada Highway 160,

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Pahrump, NV. Assessor Parcel Number 038-341-04. Irene R. Welk, Trustee – Property Owner. Tumbleweed Dispensary Pahrump, LLC – Applicant.

- b. For Possible Action – **Public Hearing**, discussion and deliberation regarding Special Use Permit Application No. SU-2017-000041: a request for a Special Use Permit to allow a recreational marijuana establishment (retail store) located at 1231 S. Loop Road, Pahrump, NV. Assessor Parcel Number 035-381-21. MFR Properties, LLC – Property Owner. Green Life Productions, LLC – Applicant.

SITTING AS THE NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS

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

SITTING AS THE NYE COUNTY LICENSING AND LIQUOR BOARD

BROTHEL

- 13. [For Possible Action](#) – Discussion and deliberation regarding Brothel License renewal for the Western Best, LLC., dba Chicken Ranch located in Pahrump, NV for the second quarter of FY18.
- 14. [For Possible Action](#) – Discussion and deliberation regarding Brothel License renewal for Mid Valley Enterprises, LLC., dba Sheri’s Ranch located in Pahrump, NV for the second quarter of FY18.
- 15. [For Possible Action](#) – Discussion and deliberation regarding Brothel License renewal for Cherry Patch, LLC., dba Love Ranch Brothel located in Crystal, NV for the second quarter of FY18.
- 16. [For Possible Action](#) – Discussion and deliberation regarding Brothel License renewal for Area 51 Death Valley Alien Cathouse, LLC., dba Cherry Patch 2 located in Amargosa Valley, NV for the second quarter of FY18.

SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

- 17. Committee Reports
- 18. **10:15** – [For Possible Action](#) – Discussion and deliberation regarding Town of Pahrump Proclamation P2017-01: A Proclamation Recognizing the Town of Pahrump, Nevada as a Purple Heart Town.
- 19. **10:45** – [For Possible Action](#) – Discussion and deliberation regarding the request to waive Pahrump arena use fees for the Pahrump Valley Jr High & High School Rodeo Club practices.
- 20. [For Possible Action](#) – Discussion and deliberation to remove one (1) alternate member from the Parks and Recreation Advisory Committee due to lack of participation.

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.

- 21. [For Possible Action](#) – Approval of Elected Official Collection Report.
- 22. [For Possible Action](#) – Approval to set the date and location of the second meeting of the Board of Commissioners for Tuesday, January 16, 2018 in Pahrump, Nevada.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

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23. [For Possible Action](#) – Approval to accept: 1) FFY 2018 Notice of Grant Award (NGA) from Aging and Disability Services Division (ADSD) for \$44,276 to provide congregate meals to the Beatty and Tonopah Senior Centers; and 2) the corresponding Confidentiality Addendum (CA). Matching funds from Nye County for \$7,814 are budgeted from Fund 10101. This grant shall be administered from Fund 10281 Senior Nutrition.
24. [For Possible Action](#) – Approval to accept: 1) FFY 2018 Notice of Grant Award (NGA) from Aging and Disability Services Division (ADSD) for \$34,667 to provide home delivered meals to homebound clients in Beatty and Tonopah; and 2) the corresponding Confidentiality Addendum (CA). Matching funds from Nye County for \$4,188 are budgeted from Fund 10101. This grant shall be administered from Fund 10281 Senior Nutrition.
25. [For Possible Action](#) – Approval to enter into Grantee’s Agreement between State of Nevada, acting by and through its Department of Transportation, and Nye County Senior Nutrition Program, Inc., acting by and through Nye County Board of Commissioners. This is for the FFY 2018 Federal Transit Administration Section 5311 Grant in the amount of \$102,010 and is for transportation operations (local and long-distance), servicing the areas of Amargosa Valley, Beatty, Gabbs, Smoky Valley and Tonopah. Matching funds are required in the amount of \$47,190 and includes in-kind services from Nye County through vehicle maintenance and automobile insurance coverage, Aging and Disability Services Division funding and Project Income/Donations. This grant shall be administered from Fund 10281 Senior Nutrition.
26. [For Possible Action](#) – Approval to surplus and dispose of Self Contained Breathing Apparatus (SCBA) equipment within the Nye County Department of Emergency Management that has reached the end of its useful life.

BOARD OF COMMISSIONERS

27. 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.
28. 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.
29. For Possible Action – Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.
30. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution 2017-77: a Joint Resolution by the Lincoln and Nye County Commissioners to reduce the size of the Basin and Range National Monument Area.

DISTRICT ATTORNEY

31. [For Possible Action](#) – Discussion and deliberation to rescind action to: 1) direct the DA to notify the person responsible for the nuisance at 21 W. Rudy Road, Pahrump, NV that they must abate said nuisance within 30 days; and 2) direct the DA to bring legal proceedings for abatement of said nuisance if the person responsible fails to abate said nuisance.

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COUNTY MANAGER

32. [For Possible Action](#) – Discussion and deliberation to 1) approve to provide a subsidy in the amount of \$50,000 to Desert Haven Animal Society for the Pahrump Animal Shelter facility located at 1511 Siri Lane, Pahrump, NV for Fiscal Year 2018 to be funded from Town of Pahrump General Fund 25101; and 2) approve a Memorandum of Understanding with Desert Haven Animal Society for the purpose of setting terms for the subsidy.
33. [For Possible Action](#) – Discussion and deliberation to 1) approve funding for a Veteran’s Banner Program to honor Veterans by hanging banners on the light poles located at the Calvada Eye in Pahrump. The cost of each banner is \$200 and can be funded from Veterans Service Fund; and 2) direct staff to advertise for candidates from the public.

EMERGENCY MANAGEMENT

34. [For Possible Action](#) – Discussion and deliberation regarding a Public Safety Sales and Use Tax spending plan for Nye County Emergency Management for FY18 in the amount of \$185,950. \$185,000 is budgeted out of Fund 10235 Public Safety Sales Tax Fire and \$950 is budgeted out of Fund 10101.
35. [For Possible Action](#) – Discussion and deliberation to enter into a Memorandum of Understanding (MOU) with US Department of the Interior (USDI), National Park Service (NPS), Death Valley National Park (DVNP) for hazard incident response and mutual aid.

FINANCE

36. [Presentation](#) regarding the budget status through September 2017 for Nye County Fiscal Year 2018 budget projections.
37. [For Possible Action](#) – Discussion and deliberation to: 1) enter into a five (5) year contract with PCN Strategies, an authorized re-seller for Synnex Corporation for the purpose of purchasing 130 Body Worn Cameras to outfit all officers with Body Cameras and 78 Dash and Rear Seat cameras for Patrol Vehicles; and 2) approve the quote for \$1,103,455.60 to be partially funded from the following sources: Project G17018, Fund 10340 Grants in the amount of \$155,816.90, 10234 Nye County Sheriff Public Safety Sales Tax in the amount of \$515,206.70 from FY17 approved spending plan, and \$108,108.00 per year from FY19-22 spending plans, to be submitted to the Board for approval at later dates.

H/R AND RISK MANAGEMENT

38. [For Possible Action](#) – Discussion and deliberation to fill a vacant Dispatcher, Position #10022-022 in the Sheriff’s Office effective October 10, 2017 due to the employee resigning effective September 25, 2017.

PLANNING/BUILDING/CODE COMPLIANCE

39. [For Possible Action](#) – Discussion and deliberation regarding a 90-day follow-up review of NCMM, LLC, relating to its marijuana cultivation and production facilities, located at 340 E. Mesquite Avenue, Pahrump, NV. Assessor Parcel Number 029-601-28. Applicant/Grantee – NCMM, LLC. Agent – Justin Mohney, Manager, NCMM, LLC.
40. [For Possible Action](#) – Discussion and deliberation on Medical Marijuana Establishment Annual License Renewal Application MM-2017-000048: a request to renew a Medical Marijuana Establishment License for a medical marijuana production facility, located at 340 E. Mesquite Avenue,

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Pahrump, NV. Assessor Parcel Number 029-601-28. Janet Jensen – Property Owner. NCMM, LLC – Applicant.

41. [For Possible Action](#) – Discussion and deliberation on Medical Marijuana Establishment Annual License Renewal Application MM-2017-000049: a request to renew a Medical Marijuana Establishment License for a medical marijuana production facility, located at 340 E. Mesquite Avenue, Pahrump, NV. Assessor Parcel Number 029-601-28. Janet Jensen – Property Owner. NCMM, LLC – Applicant.

42. [For Possible Action:](#)

- a. For Possible Action – Discussion and deliberation on FM-2017-000005: Approval of a Final Map application for a subdivision containing 224 single-family residential lots on approximately 52.15 acres gross and located within the Mountain Falls Master Planned Community, Parcel 3 of File # 873214, aka: Planning Area 6, situated within Section 4, T21S, R54E. Assessor Parcel Number 045-021-66. Agent – Taney Engineering. Property Owner – Mountain Falls LLC. Applicant – William Lyon Homes, Inc.
- b. For Possible Action – Discussion and deliberation on IA-2017-000015: Approval of a Subdivision Improvement Maintenance and Warranty Agreement related the Final Subdivision Map of Mountain Falls Planning Area 6, on approximately 52.15 acres gross and located within the Mountain Falls Master Planned Community, Parcel 3 of File # 873214, aka: Planning Area 6, situated within Section 4, T21S, R54E. Assessor Parcel Number 045-021-66. Agent – Taney Engineering. Property Owner – Mountain Falls LLC. Applicant – William Lyon Homes, Inc.

43. [For Possible Action:](#)

- a. For Possible Action – Discussion and deliberation on FM-2017-000007: Approval of a Final Map application for a subdivision containing 105 single-family residential lots on approximately 23.84 acres gross and located within the Mountain Falls Master Planned Community, Parcel 4 of File # 873214, aka: Planning Area 4C, situated within Section 4, T21S, R54E. Assessor Parcel Number 045-021-67. Agent – Taney Engineering. Property Owner – Mountain Falls LLC. Applicant – William Lyon Homes, Inc.
- b. For Possible Action – Discussion and deliberation on IA-2017-000014: Approval of a Subdivision Improvement Maintenance and Warranty Agreement related the Final Subdivision Map of Mountain Falls Planning Area 4C, on approximately 23.84 acres gross and located within the Mountain Falls Master Planned Community, Parcel 4 of File # 873214, aka: Planning Area 4C, situated within Section 4, T21S, R54E. Assessor Parcel Number 045-021-67. Agent – Taney Engineering. Property Owner – Mountain Falls LLC. Applicant – William Lyon Homes, Inc.

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

45. **ADJOURN**