



**JOINT MEETING OF THE  
NYE COUNTY BOARD OF COMMISSIONERS  
NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS  
NYE COUNTY LICENSING AND LIQUOR BOARD  
NYE COUNTY BOARD OF HEALTH  
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  
January 2, 2018  
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 2, 2018 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 2, 2018 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

January 2, 2018

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 2, 2018 (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 – Election of Chair of the Board of Commissioners
5. For Possible Action – Election of Vice – Chair of the Board of Commissioners
6. [For Possible Action](#) – Discussion and deliberation of the minutes of the joint meeting of the 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 the Unincorporated Towns of Beatty, Belmont, Gabbs, Manhattan, and Railroad Valley, and the Board of Trustees for the Pahrump Pool District regular meeting on [December 5, 2017](#) and teleconference on [December 8, 2017](#).

## SITTING AS THE BOARD OF COUNTY COMMISSIONERS

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

## TIMED ITEMS

9. **10:00** – [Presentation](#) of certificate and/or plaques to two (2) employees honored for their years of service.
10. **11:00** – [For Possible Action](#) – Discussion and deliberation on Special Use Permit Application SU-2017-000042: a request for a Special Use Permit to allow a marijuana establishment (cultivation) located in Amargosa Valley at 1214 N. Tamarack Road, Assessor Parcel Number 019-051-07. Paul Lemus and David Lemus – Property Owner(s). Grow Abode, LLC / Paul Lemus – Applicant.

## SITTING AS THE NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS

11. For Possible Action – Election of Chair of the Board of Highway Commissioners
12. For Possible Action – Election of Vice – Chair of the Board of Highway Commissioners
13. General [road report](#) by Public Works Director

## SITTING AS THE NYE COUNTY LICENSING AND LIQUOR BOARD

14. For Possible Action – Election of Chair of the Nye County Licensing and Liquor Board
15. For Possible Action – Election of Vice – Chair of the Nye County Licensing and Liquor Board

## BROTHEL

16. [For Possible Action](#) – Discussion and deliberation regarding Brothel License renewal for the Western Best, LLC., dba Chicken Ranch located in Pahrump, NV for the third quarter of FY18.

**NYE COUNTY BOARD OF COMMISSIONERS AGENDA**

**ITEM # SUBJECT**

**January 2, 2018**

- 17. [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 third quarter of FY18.
- 18. [For Possible Action](#) – Discussion and deliberation regarding Brothel License renewal for Mabel’s, LLC., dba Dennis Hof’s Cathouse located in Crystal, NV for the third quarter of FY18.
- 19. [For Possible Action](#) – Discussion and deliberation regarding Brothel License renewal for Cherry Patch, LLC., dba Love Ranch Brothel located in Crystal, NV for the third quarter of FY18.
- 20. [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 third quarter of FY18.

**SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP**

- 21. [For Possible Action](#) – Discussion and deliberation to appoint two (2) members and one (1) alternate member to the Pahrump Nuclear Waste & Environmental Advisory Committee due to three (3) expiring terms.
- 22. [For Possible Action](#) – Discussion and deliberation for approval of an Interlocal Agreement between the Town of Pahrump and the Nevada Secretary of State’s Office to access the Portal for the integration and future exchange of information between SilverFlume and Nye County’s regional license and permit platform.

**SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWNS OF BEATTY, BELMONT, GABBS, MANHATTAN, AND RAILROAD VALLEY**

**GABBS**

- 23. [For Possible Action](#) – Discussion and deliberation regarding a Public Safety Sales and Use Tax (PSST) spending plan for the Town of Gabbs for FY18 in the not to exceed amount of \$10,000. This is to be funded from Fund 23235 – Public Safety Sales Tax Fire – Gabbs.

**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.**

- 24. [For Possible Action](#) – Approval to adopt Nye County Resolution No. 2018-02: a Resolution directing the levy of a special assessment on each water user situated within the confines of the Duckwater Creek Groundwater Basin for Fiscal Year 2018-2019.
- 25. [For Possible Action](#) – Approval to adopt Nye County Resolution No. 2018-03: 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 2018-2019.
- 26. [For Possible Action](#) – Approval to: 1) accept the grant award from the Nevada Administrative Office of the Courts in the amount of \$27,720.00 for the Trial Court Improvement Grant for the Tonopah Justice Court. The purpose of this grant is for the purchase and installation of an IP based Security Camera Surveillance System; and 2) execute the Grant Agreement. This Grant Agreement will be administered out of Fund 10340 Grants and there is no County match required.

## NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

January 2, 2018

### 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 consider amending the BOCC Rules of Procedure to add provisions on limiting or prohibiting the use and/or possession of electronic devices including but not limited to cell phones, tablets, laptops, video cameras and tape recorders by the Board and members of the public during meetings.
31. [For Possible Action](#) – Discussion and deliberation to consider hiring an attorney to take legal action in opposition of Order #1293 that was issued by the Office of the State Engineer of the State of Nevada on December 19, 2017.

### SHERIFF

32. [For Possible Action](#) – Discussion and deliberation to accept a donation of a 2001 Ford Econoline Van from Southern Nevada Transit Coalition for Southern Nye County Search and Rescue.

### TREASURER

33. [Treasurer’s Report](#)

### COUNTY MANAGER

34. [For Possible Action](#) – Discussion and deliberation to allow Justice of the Peace Judge Jasperson, as he deems necessary, to invite any available Justice of the Peace, within the confines of NRS 4.340(2), to provide him temporary assistance, until a new Justice of the Peace for the Pahrump Township is elected.
35. [For Possible Action](#) – Discussion and deliberation to consider transitioning the Privilege License Administration management from the Nye County Sheriff’s Office to Nye County Administration.
36. [For Possible Action](#) – Discussion and deliberation for approval of an Interlocal Agreement between Nye County and the Nevada Secretary of State’s Office to access the Portal for the integration and future exchange of information between SilverFlume and Nye County’s regional license and permit platform.

### EMERGENCY MANAGEMENT

37. [Presentation](#) regarding the Tonopah Ambulance Service status.

### H/R AND RISK MANAGEMENT

38. [For Possible Action](#) – Discussion and deliberation to fill a vacant part time, no benefited Office Assistant Position, #00014-009 in the Assessor’s Office effective immediately due to the employee resigning effective November 21, 2017.

## NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

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39. [For Possible Action](#) – Discussion and deliberation to delegate the authorization to approve filling budgeted positions only to the County Manager providing the accruals are realized before filling the position.

### PLANNING/BUILDING/CODE COMPLIANCE

40. [For Possible Action](#):

- a. [For Possible Action](#) – Discussion and deliberation on Recreational Marijuana Establishment Initial License Application RM-2017-000020: a request to issue a Recreational Marijuana Establishment License for a marijuana cultivation facility, located in Amargosa Valley at 950 E. Anvil Road, Assessor Parcel Number 019-751-03. Acres Cultivation, LLC – Property Owner. Acres Cultivation, LLC / Paris Balaouras – Applicant.
- b. [For Possible Action](#) – Discussion and deliberation on Recreational Marijuana Establishment Initial License Application RM-2017-000021: a request to issue a Recreational Marijuana Establishment License for a marijuana production facility, located in Amargosa Valley at 950 E. Anvil Road, Assessor Parcel Number 019-751-03. Acres Cultivation, LLC – Property Owner. Acres Cultivation, LLC / Paris Balaouras – Applicant.

41. [For Possible Action](#) – Discussion and deliberation on a Request for Refund of Fees by the applicant to refund the processing fees relating to Conditional Use Permit Application CU-2017-000045 which was a request to allow Special Conditions Animals (Tigers) located at 6061 N. Woodchips Road, Pahrump, Nevada, File #56470, Parcel 4, 18.28 acres, Assessor Parcel Number 027-241-26. Raymond Mielzynski – Property Owner. Karl Mitchell – Applicant.

### PUBLIC WORKS

42. [For Possible Action](#) – Discussion and deliberation to: 1) approve the renewals of one (1) year Lease of Landfill Properties between Nye County and the Bureau of Land Management (BLM) for landfill locations in Tonopah, Round Mountain and Beatty, NV; and 2) consider purchasing the land the landfills are on from The Bureau of Land Management.

43. GENERAL PUBLIC COMMENT (second)

44. ADJOURN