



**JOINT MEETING OF THE
NYE COUNTY BOARD OF COMMISSIONERS
NYE COUNTY BOARD OF ROAD COMMISSIONERS
NYE COUNTY LICENSING AND LIQUOR BOARD
AND AS THE GOVERNING BODY OF UNINCORPORATED TOWNS OF BEATTY,
BELMONT, GABBS, MANHATTAN AND RAILROAD VALLEY**

**2100 E. Walt Williams Dr, Pahrump, NV 89048
Tuesday, February 18, 2014
10:00 A.M.**

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 February 18, 2014 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 February 18, 2014 will be for all matters, both on and off the agenda, and be limited to three minutes per person. Additionally, public comment of three minutes per person will 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; The Ian Deutch Government Complex, 1520 East Basin Road, Pahrump, NV; Commissioners' Chambers, 2100 E. Walt Williams Drive, Pahrump, NV; Beatty Justice Court, 426 C Avenue South Beatty, 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.

WEBSITE: www.nyecounty.net

The Nye County Board of Commissioners may take a short break every 1½ hours.

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.

"Nye County is an equal opportunity provider and employer.

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at http://www.ascr.usda.gov/complaint_filing_cust.html, or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at program.intake@usda.gov."

"Communication for Hearing Impaired: Dial Nevada Relay Service 711 or for Voice to TTY (800) 326-6888 or TTY to Voice (800) 326-6868"

1. **Pledge of Allegiance**
2. **Approval of the Agenda for February 18, 2014.**
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 Road Commissioners, Licensing and Liquor Board and as the Governing Body of Unincorporated Towns of Beatty, Belmont, Gabbs, Manhattan and Railroad Valley meetings for January 7, 2014.**

[Item.04](#) 

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. **10:15 - Sitting as the Board of County Road Commissioners - For Possible Action - Public Hearing, discussion and deliberation to adopt, amend and adopt, or reject Nye County Road Commission Resolutions establishing County public roads pursuant to Nevada Revised Statutes 405.191, 403.170 and R.S. 2477 Right-of-Way.**

[Item.08](#) 

9. **10:30 - Presentation by Arlene Gawne regarding the Experimental Management Program for Wild Horses & Burros.**

[Item.09.c](#) 

10. **11:00 - For Possible Action - Public Hearing on Appeal Case No. AP-14-0001: Appeal of the Pahrump Regional Planning Commission's denial of Conditional Use Permit Application CU-13-0015 to allow a Commercial Kennel (Howl-A-Day Inn & Spa) on property in the Rural Estates (RE-1) Zoning District, located at 1440 W. Black Street, further known as Linda Subdivision, Lot 34. Barry G. & Pamala A. Slatter - Property Owners. Douglas Varin - Applicant/Appellant. AP# 036-052-15.**

[Item.10](#) 

11. **11:00 - For Possible Action - Public Hearing, discussion, and deliberation to adopt, amend and adopt, or reject Nye County Bill No. 2013-26: A Bill proposing to amend Nye County Code Section 16.24.010, by amending the official boundaries of the Pahrump Regional Planning District, resulting in a reduction of the Pahrump service area from 373.04 square miles to**

231.46 square miles, a reduction of approximately 37.95 percent; and providing for the severability, constitutionality and effective date hereof; and other matters properly relating thereto.

[Item.11.c](#) 

12. 11:00 - For Possible Action - Continued Public Hearing, discussion, and deliberation to adopt, amend and adopt, or reject Nye County Bill No. 2013-27: A Bill proposing to amend Nye County Code Chapter 8.04, pertaining to the use, sale, and regulation of fireworks, by removing the limitation on the number of permits which may be granted by Nye County for the sale of consumer/display fireworks, reducing the fee required for consumer/display fireworks permit applications, setting forth the provisions for the use of "safe and sane" fireworks; prohibiting the use of tents, stands, booths or other structures of a temporary nature in conjunction with the sale of fireworks; requiring that all retail sales of fireworks must occur within a permanently constructed free-standing building; and providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto; and 2) set an effective date.

[Item.12](#) 

[Item.12.additional](#) 

13. 11:00 - For Possible Action - Public Hearing, discussion, and deliberation to adopt, amend and adopt, or reject Nye County Bill No. 2013-31: A Bill proposing to amend Nye County Code Title 17, the Zoning Ordinance of the Pahrump Regional Planning District, by adding Section 17.04.870 "Medical Marijuana," establishing the provisions related to zoning, development standards, and other land use regulations for medical marijuana establishments; and providing for the severability, constitutionality and effective date hereof; and other matters properly relating thereto; and 2) set an effective date.

[Item.13.c](#) 

[2014.02.18.Item.13.additional](#) 

14. 11:30 - Presentation by Steve Lawrence, Nevada Field Office Manager, on Nevada National Security Site missions.

[Item.14](#) 

SITTING AS THE NYE COUNTY BOARD OF ROAD COMMISSIONERS

15. For Possible Action - General road report by Public Works Director

[Item.15](#) 

16. For Possible Action - Discussion and deliberation to set a date, time, and location for a public hearing on Nye County Road Commission Resolutions establishing County public roads pursuant to Nevada Revised Statutes 405.191, 403.170 and R.S. 2477 Right-of-Way.

[Item.16](#) 

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.


17. For Possible Action - Approval of Elected Official Collection Report

[Item.17](#) 

18. For Possible Action - Approval of Assessor's Office Change Request

[Item.18](#) 

19. For Possible Action - Approval to set the date and location of the second meeting of the Board of Commissioners for Monday, May 19, 2014 in Pahrump, Nevada.

[Item.19](#) 

20. For Possible Action - Approval to surplus and dispose of excess Nye County personal property that is no longer in use.

[Item.20](#) 

21. For Possible Action - Approval to accept a Grant Award from Division for Aging Services for Nutrition Services Incentive Program to provide commodity food for the nutrition program in Amargosa Valley, Beatty and Tonopah Senior Centers.

[Item.21](#) 

BOARD OF COMMISSIONERS

22. 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.

23. 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.

24. For Possible Action - Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.

TREASURER

25. Treasurer's Report

[Item.25](#) 

[Item.25.additional](#) 

[January 2013](#) 

[February 2013](#) 

[March 2013](#) 

[April 2013](#) 

[May 2013](#) 

[June 2013](#) 

[July 2013](#) 


[August 2013](#) 

[September 2013](#) 


[October 2013](#) 

COUNTY MANAGER


26. Ongoing Project Report

[Item.26](#) 

27. Report on Economic Development

[Item.27](#) 

28. For Possible Action - Discussion and deliberation regarding a First Amendment to Option to Lease and Lease Agreement with First Solar for property at the Tonopah Airport for solar energy purposes.

[Item.28](#) 

29. For Possible Action - Discussion and deliberation regarding an Access Agreement with Arizona Nevada Tower Corporation (ANTC) for the purpose of providing internet workstations available to the public in Gabbs, NV.


[Item.29](#) 

FINANCE

30. Budget to Actual Fund Balance Report

[Item.30](#) 

31. Budget to Actual Expenditure Report

[Item.31.c](#) 

[Item.31.additional](#) 

32. Budget to Actual Revenue Report

[Item.32](#) 

33. For Possible Action - Discussion and deliberation regarding the Corrective Action Letter for the Annual Audit Report for Fiscal Year ending June 30, 2013 to be submitted to the Department of Taxation.

[Item.33](#) 

34. For Possible Action - Discussion and deliberation regarding RFP # 2013-19 - Pahrump Janitorial Services.

[Item.34](#) 


NUCLEAR WASTE REPOSITORY PROJECT OFFICE

35. For Possible Action - Discussion and deliberation to ratify staff comments submitted on January 29, 2014, to the Bureau of Land Management (BLM) regarding their public Draft Nevada and Northeastern California Sub-regional Greater Sage-grouse Land Use Plan Amendment and Draft Environmental Impact Statement (LUPA/DEIS).

[Item.35.c](#) 

PLANNING/BUILDING

36. **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. 2014-09: A Bill proposing to amend Nye County Code Title 5, Business Licenses and Regulations, by adding Chapter 5.32 pertaining to the licensing and regulation of Medical Marijuana Establishments; setting forth the procedures and requirements for the issuance of Medical Marijuana Establishment Licenses; establishing the fees required for such licenses; providing for the imposition of a special business tax; setting forth the provisions for renewal of such licenses; 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.**

[Item.36.c](#) 

PUBLIC WORKS

37. **For Possible Action - Discussion and deliberation to approve additional funding needed for the Regional Transportation Commission (RTC) project for improvements to Calvada Blvd between SR 160 and the County Complex.**

[Item.37.c](#) 

PUBLIC PETITIONER

38. **For Possible Action - Discussion and deliberation concerning a request to approve a Letter of Agreement between Nye County and Landrum & Brown, Inc. for the purpose of authorizing use of Nye County GIS data as it relates to the Pahrump General Aviation Airport Environmental Impact Statement; and approval to waive fees.**

[Item.38](#) 

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

40. **ANNOUNCEMENTS (second)**

41. **ADJOURN**