



**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
101 Radar Rd., Tonopah, NV 89049
Tuesday, October 7, 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 October 7, 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 October 7, 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 October 7, 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 meeting on September 2, 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. **10:00 - Presentation of certificate and/or plaques to eleven (11) employees honored for their years of service.**

[Item.08](#) 

9. **10:45 - For Possible Action - Public Hearing, discussion and deliberation to: 1) adopt, amend and adopt, or reject Nye County Bill No. 2014 - 23: a Bill proposing to pass an Ordinance to designate portions of paved county highways located within the area known as the Hadley Subdivision as depicted on the attached map and list for the operation of off-highway vehicles for the purpose of allowing said vehicles to reach a private or public area that is open for use by off-highway vehicles; and 2) set an effective date.**

[Item.09](#) 

10. **11:00 - For Possible Action - Public Hearing, discussion and deliberation to: 1) adopt, amend and adopt, or reject Nye County Bill No. 2014-24: A Bill proposing to amend Nye County Code Chapter 5.32 pertaining to the special business tax on transactions relating to Medical Marijuana Establishments; and providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto; and 2) set an effective date.**

[Item.10.c](#) 

11. **11:15 - Presentation, by Jo Malay, R.N., M.P.H., Director of Nursing for the State of Nevada Community Health Nursing Program, on services provided to the County**

[Item.11](#) 

SITTING AS THE NYE COUNTY BOARD OF ROAD COMMISSIONERS

12. **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.**

Document size is large and has been divided into separate links.

[Item.12.1](#) 

[Item.12.2](#) 

13. **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.13](#) 

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

[Item.14](#) 

SITTING AS THE NYE COUNTY LICENSING AND LIQUOR BOARD

LIQUOR

15. **For Possible Action - Discussion and deliberation regarding three 72 hour special permits for White Glove Ranch, LLC. Gloria Munoz, Applicant.**

[Item.15](#) 

16. **For Possible Action - Discussion and deliberation regarding a State Winemakers License renewal from the Nevada Department of Taxation for Sanders Family Winery. Jack Sanders, Applicant.**

[Item.16](#) 

17. **For Possible Action - Discussion and deliberation regarding a Retail Liquor License for Tower Pizza, LLC, 3561 E. Kellogg Road, Pahrump, NV. Vincent Congiu, Applicant.**

[Item.17](#) 


18. **For Possible Action - Discussion and deliberation regarding a Retail Liquor License for El Jefe's #1, 1560 E. Calvada Blvd, Pahrump, NV. Alma Hernandez, Applicant.**

[Item.18](#) 

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.

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

[Item.19](#) 

20. For Possible Action - Approval to accept the 2014 US Department of Justice, Bureau of Justice Assistance: Bryne Justice Assistance Grant (JAG) for narcotic highway interdiction.

[Item.20](#) 

21. For Possible Action - Approval to enter into Grantee's Agreement for SFY 2015 Federal Transit Administration Section 5311 grant for transportation operating expenses, specifically assistance with fuel costs, transportation wages and other authorized costs.

[Item.21](#) 

22. For Possible Action - Approval to: 1) accept the SFY 2015 Grant Award from the State of Nevada, Aging and Disability Services Division to provide congregate meals in Amargosa Valley, Beatty and Tonopah Senior Centers; and 2) execute the Confidentiality Addendum with Nevada Aging and Disability Services Division.

[Item.22](#) 

23. For Possible Action - Approval to: 1) accept the SFY 2015 Grant Award from the State of Nevada, Aging and Disability Services Division to provide home-delivered meals in Amargosa Valley, Beatty and Tonopah; and 2) execute the Confidentiality Addendum with Nevada Aging and Disability Services Division.

[Item.23](#) 

24. For Possible Action - Approval to accept the State of Nevada, Office of Traffic Safety "Joining Forces" Grant # JF-2015-Nye Co SO-00025 provides funding for participation in statewide, high visibility multi-jurisdictional traffic enforcement events.

[Item.24](#) 

25. For Possible Action - Approval to accept the SFY 2015 Nutrition Equipment Grant Award from the State of Nevada, Aging and Disability Services Division to provide equipment for Tonopah, Amargosa Valley and Beatty Sr. Centers.


[Item.25](#) 

26. For Possible Action - Approval to accept the US Department of Justice, Bureau of Justice Assistance FY 2014 State Alien Criminal Assistance Program Award for reimbursement program for housing undocumented aliens.

[Item.26](#) 

ASSESSOR

27. For Possible Action - Discussion and deliberation to terminate a contract with Point & Pay for credit/debit card payments for the Nye County Assessor's Offices.

[Item.27](#) 

BOARD OF COMMISSIONERS

28. 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.

29. 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.

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

31. For Possible Action - Discussion and deliberation regarding the Beatty Town Advisory Board request to deny the closure of Washington Federal Bank located in Beatty, NV.

[Item.31.c](#) 

32. For Possible Action - Discussion and deliberation regarding a Cooperative Agreement between White Pine, Lincoln, and Nye County for the Noxious Weed Management Program.

[Item.32](#) 

33. For Possible Action - Discussion and deliberation regarding a Resolution to petition congress regarding public lands concern such as federal agency travel management, Sage Grouse management, federal agency interim management memorandums, wildhorse management, wilderness designation, transfer of federally managed lands to the State, federal agency threats and other public land issues.

[Item.33](#) 

34. NACO Western States Conference Update

[Item.34](#) 

35. For Possible Action - Discussion and deliberation regarding a Resolution requesting Congress to provide full funding for Payment In Lieu of Taxes (PILT) in Fiscal Year 2015.

[Item.35](#) 


36. NACO Update

[Item.36](#) 

37. For Possible Action - Presentation, discussion and deliberation regarding the basis for the Sheriff's Office department budget and distribution of said budget.

RECORDER

38. Recorder's Technology Update

[Item.38](#) 

SHERIFF

39. For Possible Action - Discussion and deliberation regarding a renewal Wholesale/Retail Fireworks Permit for Outlaw Pyrotechnics Inc. David & Kelly Bernard, Applicants.

[Item.39](#) 

TREASURER

40. Treasurer's Report

[Item.40](#) 

COUNTY MANAGER

41. For Possible Action - Discussion and deliberation regarding a Resolution to appoint the Nye County Comptroller as a non-voting representative to the Debt Management Commission for technical assistance.

[Item.41](#) 

EMERGENCY MANAGEMENT

42. For Possible Action - Discussion and deliberation regarding the purchase of four (4) Hero Net Guns for Animal Control Officers (ACO).

HEALTH & HUMAN SERVICES

43. For Possible Action - Discussion and deliberation regarding one Medical Indigent inpatient hospital bill in excess of \$12,500.00.

[Item.43](#) 

H/R AND RISK MANAGEMENT

44. For Possible Action - Discussion and deliberation to approve hiring one part time office assistant in the Assessor's office.

[Item.44](#) 

45. **For Possible Action - Discussion and deliberation to approve filling the vacant UISFA Caseworker position in the District Attorney's Office.**

[Item.45](#) 

46. **For Possible Action - Discussion and deliberation to approve filling the vacant Executive Legal Secretary position in the Pahrump District Court.**

[Item.46](#) 

47. **For Possible Action - Discussion and deliberation to approve filling the vacant Deputy position in the Pahrump Detention Facility.**

[Item.47](#) 

PLANNING/BUILDING

48. **For Possible Action - Discussion and deliberation regarding a request to set a date, time, and location for a Public Hearing on a Petition to abandon Oliver Street, described as an approximate two thousand five hundred sixty one (2,561) foot length of road right-of-way being forty (40) foot in width as shown on Record of Survey file map #288445 Revised Town of Belmont, Section 26, Township 9 North, Range 45 East, located in the Town of Belmont, Nye County, Nevada (AB-14-0002). Numerous property owners - Petitioner(s).**

[Item.48.c](#) 

49. **For Possible Action - Discussion and deliberation regarding a request to release all except fifteen (15) percent of the financial security related to the Subdivision Improvement Agreement (SIA) for Mountain Falls Planning Area 3-3A, Villa Serena Unit 1, located within the Pahrump Regional Planning District in the Mountain Falls Master Planned Community, the fifteen percent to be retained for the two year maintenance and two year warranty periods. William Lyon Homes, Inc. - Property Owner/Applicant. Greg Moynahan, Project Manager - Agent.**


[Item.49](#) 

50. **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. 2014-27: A Bill proposing to amend Nye County Code Title 17, Comprehensive Land Use Planning and Zoning, by adding Chapter 17.10 entitled Special Use Permits; 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.50](#) 

PUBLIC WORKS

- 51. For Possible Action - Discussion and deliberation regarding Amendment No. 2 to the State of Nevada Division of Environmental Protection (NDEP), Drinking Water State Revolving Fund (DWSRF) resolution "9-2014 Nye County for the Town of Gabbs Project Loan Commitment Resolution" to amend the scope of work to include the replacement of the storage water tank floor and supplement its cost.**


[Item.51](#) 

- 52. For Possible Action - Discussion and deliberation to increase the County's cost share commitment to the NV FLAP CR 742(1) Manhattan Main Street Grant by \$133,200 to \$203,200 based on the Design/Build cost estimate prepared by the NV FLAP engineering consultant.**

[Item.52](#) 

PUBLIC PETITIONER

- 53. For Possible Action - Discussion and deliberation regarding adoption of Nye County Proclamation No. P2014-06: a Proclamation declaring the week of October 19-25, 2014 as Freedom from Workplace Bullies.**

[Item.53](#) 

- 54. GENERAL PUBLIC COMMENT (second)**

- 55. ANNOUNCEMENTS (second)**

- 56. ADJOURN**