



**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 UNINCORPORATED TOWN OF PAHRUMP
AS THE GOVERNING BODY OF UNINCORPORATED TOWNS OF BEATTY BELMONT GABBS MANHATTAN
AND RAILROAD VALLEY
AS THE BOARD OF TRUSTEES FOR THE PAHRUMP POOL DISTRICT AND
AS THE NORTHERN NYE COUNTY HOSPITAL DISTRICT BOARD OF TRUSTEES**

2100 E. Walt Williams Drive, Pahrump, NV 89048

April 19, 2016

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 April 19, 2016 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 April 19, 2016 will be for all matters off the agenda, and be limited to three minutes per person. Additionally, public comment of three minutes per person may 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; Commissioners' Chambers, 2100 E. Walt Williams Drive, Pahrump, 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 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](#) 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

April 19, 2016

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 April 19**
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 and as the Governing Body of Unincorporated Towns of Beatty, Belmont, Gabbs, Manhattan, Pahrump, and Railroad Valley, the Board of Trustees for the Pahrump Pool District, and the Northern Nye County Hospital District Board of Trustees regular meeting for [March 15, 2016](#) and teleconference for [March 29, 2016](#).

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 six (6) employees honored for their years of service.
9. **10:45** – [For Possible Action](#) – **Public hearing**, discussion and deliberation pursuant to NRS 244.360 on a complaint alleging the existence of a nuisance located at 408 D Avenue, Gabbs, Nevada.
10. **10:45** – [For Possible Action](#) – **Public Hearing**, discussion, and deliberation to issue an Outdoor Festival License to Jetpack America/Spring Mountain Motorsports for Hydro-Fest 2016 to be held June 10-12, 2016, at 3601 S. Highway 160, Pahrump, Nevada.
11. **10:45** – [For Possible Action](#) – **Continued Public hearing**, discussion and deliberation regarding a request to: 1) Adopt, amend and adopt, or reject Nye County Bill No. 2016-03: A Bill proposing to amend Title 2 of the Nye County Code, titled Administration and Personnel, Chapter 2.08, Titled Department of Health and Human Services, by Amending the Definitions; Amending References to the Nevada Revised Statutes; providing for the Severability, Constitutionality and Effective Date thereof; and other matters properly related Thereto; and 2) Set an effective date.
12. **11:00** – [For Possible Action](#) – **Public Hearing**, discussion, and deliberation to: 1) Adopt, amend and adopt, or reject Nye County Bill No. 2016-04: A Bill proposing to amend Nye County Code pertaining 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.

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- 13. **11:00** – [For Possible Action](#) – Extension of Time Application ET-2016-000003: **Public Hearing**, discussion and deliberation regarding a request for an Extension of Time for Special Use Permits SU-14-0013 and SU-14-0014 to allow medical marijuana establishments (cultivation and production) located at 340 E. Mesquite Avenue, Pahrump, Assessor Parcel #29-601-28. Janet Jensen – Property Owner. NCMM, LLC – Applicant.
- 14. **11:00** – [For Possible Action](#) – Extension of Time Application ET-2016-000004: **Public Hearing**, discussion and deliberation regarding a request for an Extension of Time for Special Use Permits SU-14-0003 and SU-14-0004 to allow medical marijuana establishments (cultivation and production) located at 950 E. Anvil Road, Amargosa Valley, Assessor Parcel #19-751-03. Acres Cultivation LLC – Property Owner. John Mueller; Acres Cultivation LLC – Applicant.

SITTING AS THE NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS

- 15. [For Possible Action](#) - General road report by Public Works Director

SITTING AS THE GOVERNING BODY OF UNICORPORATED TOWN OF PAHRUMP

- 16. Committee Reports
- 17. Business Recognitions
- 18. Town of Pahrump [Ongoing Project Report](#)
- 19. [For Possible Action](#) – Discussion and deliberation to: 1) determine that a public purpose may be served by the acquisition of the real property more particularly described as Assessor’s Parcel No. 038-493-01 held in trust by the Nye County Treasurer; and 2) make application to the Board of County Commissioners for permission to acquire the real property described as Assessor’s Parcel No. 038-493-01.
- 20. [For Possible Action](#) – Discussion and deliberation regarding amendments to the Town of Pahrump’s Personnel Manual and matters related thereto.

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

GABBS

- 21. [For Possible Action](#) – Discussion and deliberation on approval to certify a Vulnerability Assessment Plan and Emergency Response Plan has been completed for Nye County.

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.

- 22. [For Possible Action](#) – Approval of Elected Official Collection Report
- 23. [For Possible Action](#) – Approval of Assessor’s Office Change Request

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24. [For Possible Action](#) – Approval of Agreement for Services between the State of Nevada, Department of Health and Human Services, Division of Welfare and Supportive Services for four years (July 1, 2016 through June 30, 2020), wherein Nye County Health and Human Services serves as an intake site for State Energy Assistance Program applications.
25. [For Possible Action](#) – Approval to apply to US Dept of Justice for the Body-Worn Camera Policy and Implementation Program. Total to be applied for is undetermined until grant is written. There is a maximum request limit of \$250,000.00. There is a mandatory 50% in-kind or cash match.
26. [For Possible Action](#) – Approval to apply to Bureau of Justice Assistance, State Criminal Alien Assistance Program (SCAAP). Total to be applied for is undetermined. There is no match required for this grant.
27. [For Possible Action](#) – Approval to set the date and location of the second meeting of the Board of Commissioners for Tuesday, July 19, 2016 in Pahrump, Nevada.

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 approval of a letter of support for the Duckwater Shoshone Tribal Council grant application in partnership with the Duckwater Shoshone BIE Elementary School and ROBOFARM, LLC, a private industry provider of hydroponic systems and educational programs to create an Agricultural Biotechnology Crop Production Business Model along with a Laboratory Educational Program.

DISTRICT ATTORNEY

32. [For Possible Action](#) – Discussion and deliberation to declare Judge Ron Kent’s Justice of the Peace position vacant and determine whether to: 1) fill the unexpired term (approximately two years) by appointment; or 2) pass a resolution to hold a special election to fill the position for the unexpired term.
33. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2016-57: a Resolution amending Nye County Resolution No. 2011-104 by temporarily amending the boundaries of the Pahrump and Beatty townships.
34. [For Possible Action](#) – Discussion and deliberation on a proposed settlement agreement regarding UICN vs. Nye County concerning an alleged breach of contract and authorization for County Manager to execute final settlement agreement.

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SHERIFF

35. [For Possible Action](#) – Discussion and deliberation to 1) determine Nye County Sheriff's Office K-9's Indie, Ciro and Radar are no longer required for public use; 2) surplus the 3 K-9's; and 3) determine it is in the best interest of Nye County to retire and transfer ownership of the 3 K-9's as follows: K-9 Indie to Deputy Jason Hunt, K-9 Ciro to Deputy Robert Cathcart and K-9 Radar to Sergeant James McRae pursuant to NRS 332.185.
36. [For Possible Action](#) – Discussion and deliberation to issue a Display Fireworks Event Permit to the Town of Tonopah. Kat Galli, Applicant.

COUNTY MANAGER

37. [Ongoing Project Report](#)
38. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2016-46: a Resolution directing the transfer of Nye County Treasurer Trust property to Town of Pahrump for public purposes.
39. [For Possible Action](#) – Discussion and deliberation regarding Bill Draft Requests (BDRs) Nye County submits for the 2017 Legislative Session.

FINANCE

40. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2016-56: a Resolution to augment County Funds.

H/R AND RISK MANAGEMENT

41. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject the Nye County Actuarial Valuation of the Post Retirement Medical Plan Report as of July 1, 2015.

PLANNING/BUILDING

42. [For Possible Action](#) – Medical Marijuana Establishment Initial License Application MM-2016-000016: Discussion and deliberation on a request to approve a Medical Marijuana Establishment License for a medical marijuana cultivation facility, located at 801 S. Panorama Road, Pahrump, Assessor Parcel #35-271-21. Wellness Orchards of Nevada LLC – Applicant. Panorama Won LLC – Property Owner.
43. [For Possible Action](#) – Medical Marijuana Establishment Initial License Application MM-2016-000017: Discussion and deliberation on a request to approve a Medical Marijuana Establishment License for a medical marijuana production facility, located at 301 S. Oxbow Avenue, Pahrump, Assessor Parcel #38-244-09. CW Nevada LLC – Applicant. Eugene & Nelda Fay Toy Trust - Property Owner.
44. [For Possible Action](#) – Medical Marijuana Establishment License Change of Location Application MM-2016-000018: Discussion and deliberation on a request to approve a Change of Location for a Medical Marijuana Establishment License (production) from 2801 E. Thousandaire Boulevard, Pahrump, to 301 S. Oxbow Avenue, Unit 13, Pahrump, Assessor Parcel #38-244-09. Eugene & Nelda Fay Toy Trust – Property Owner. Nye Natural Medicinal Solutions, LLC dba NuVeda LLC – Applicant.

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- 45.** [For Possible Action](#) – Medical Marijuana Establishment License Change of Location Application MM-2016-000019: Discussion and deliberation on a request to approve a Change of Location for a Medical Marijuana Establishment License (cultivation) from 2801 E. Thousandaire Boulevard, Pahrump, to 9680 S. Oakridge Avenue, Pahrump, Assessor Parcel #44-851-30. K&K Properties Group LLC – Property Owner. Nye Natural Medicinal Solutions, LLC dba NuVeda LLC – Applicant.
- 46. GENERAL PUBLIC COMMENT (second)**
- 47. ANNOUNCEMENTS (second)**
- 48. ADJOURN**