



**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**

101 Radar Road, Tonopah, NV 89049

May 3, 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 May 3, 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 May 3, 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](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

May 3, 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 May 3**
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 April 5, 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. **10:30 - [Presentation](#)** by Renown representative Rich Conley.
9. **10:45 - [For Possible Action](#) – Public Hearing**, discussion and deliberation to issue an Outdoor Festival License to Round Mountain Gold Corporation for their 4th of July Annual Picnic to be held on July 4, 2016 at the Hadley Town Park in Round Mountain, Nevada.
10. **11:00 - [For Possible Action](#) – Continued 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.
11. **11:00 - [For Possible Action](#) – Extension of Time Application ET-2016-000005: Public Hearing**, discussion and deliberation regarding a request for an Extension of Time of a Special Use Permit to allow a medical marijuana establishment (cultivation) at 5400 N. Highway 160, Pahrump. Nye Farm Tech, Ltd. / Dokmai Sullivan, Manager – Applicant.
12. **11:00 - [For Possible Action](#) – Extension of Time Application ET-2016-000006: Public Hearing**, discussion and deliberation regarding a request for an Extension of Time of a Special Use Permit to allow a medical marijuana establishment (production) at 301 S. Oxbow Avenue, Unit #13, Pahrump. CW Nevada / Amanda Connor, Esq. – Applicant.
13. **11:00 - [For Possible Action](#) – Extension of Time Application ET-2016-000008: Public Hearing**, discussion and deliberation regarding a request for an Extension of Time of a Special Use Permit to allow a medical marijuana establishment (cultivation) at 5101 S. Oakridge Avenue, Pahrump. Green Cross of America, Inc. / Philip Restifo – Applicant.

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14. **11:00** - [For Possible Action](#) – Extension of Time Application ET-2016-000009: **Public Hearing**, discussion and deliberation regarding a request for an Extension of Time of a Special Use Permit to allow a medical marijuana establishment (cultivation) at 6041 S. Hafen Ranch Road, Pahrump. Nevada Natural Medicines / Scott Sibley – Applicant.
15. **11:00** - [For Possible Action](#) – Extension of Time Application ET-2016-000010: **Public Hearing**, discussion and deliberation regarding a request for an Extension of Time of a Special Use Permit to allow a medical marijuana establishment (production) at 6041 S. Hafen Ranch Road, Pahrump. Nevada Natural Medicines / Scott Sibley – Applicant.
16. **11:00** - [For Possible Action](#) – Extension of Time Application ET-2016-000011: **Public Hearing**, discussion and deliberation regarding a request for an Extension of Time of a Special Use Permit to allow a medical marijuana establishment (cultivation) at 801 S. Panorama Road, Pahrump. Wellness Orchards of Nevada, LLC / Amanda Connor, Esq. – Applicant.
17. **11:00** - [For Possible Action](#) – Extension of Time Application ET-2016-000012: **Public Hearing**, discussion and deliberation regarding a request for an Extension of Time of a Special Use Permit to allow a medical marijuana establishment (cultivation) at 9680 S. Oakridge Avenue, Pahrump. Nye Natural Medicinal Solutions, LLC, dba NuVeda / Amanda Connor, Esq. – Applicant.
18. **11:00** - [For Possible Action](#) – Extension of Time Application ET-2016-000013: **Public Hearing**, discussion and deliberation regarding a request for an Extension of Time of a Special Use Permit to allow a medical marijuana establishment (production) at 301 S. Oxbow Avenue, Unit #13, Pahrump. Nye Natural Medicinal Solutions, LLC, dba NuVeda / Amanda Connor, Esq. – Applicant.
19. **11:00** - [For Possible Action](#) – Extension of Time Application ET-2016-000014: **Public Hearing**, discussion and deliberation regarding a request for an Extension of Time of Special Use Permits to allow medical marijuana establishments (cultivation and production) at 101 W. Airport Road, Beatty. MM Development Company, LLC / Robert Groesbeck, President – Applicant.
20. **11:00** - [For Possible Action](#) – **Continued Public Hearing**, discussion, and deliberation to: 1) Adopt, amend and adopt, or reject Nye County Bill No. 2016-01: A Bill proposing to amend Nye County Code Chapters 16.04 through 16.16 Subdivision of Land in Nye County, and Chapter 16.20 relating to the Division of Land within all areas of Nye County with the exception of the Pahrump Regional Planning District; by amending the minimum lot sizes which may be created, and amending the water rights relinquishment requirements, within Amargosa Valley Basin 230; and providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto; and 2) Set an effective date.

SITTING AS THE NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS

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

SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

22. Committee Reports
23. Town of Pahrump Ongoing Project Report
24. [For Possible Action](#) – Discussion and deliberation regarding a project to make improvements to the Veterans Memorial at Chief Tecopa Cemetery located at 751 S. Hwy 160 in Pahrump, NV, Assessor's Parcel Number 038-271-19, Town of Pahrump, Owner.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

May 3, 2016

25. [For Possible Action](#) – Discussion and deliberation to accept the Projects Relating to Tourism (PRT) grant in the amount of \$15,000.00.
26. Town of Pahrump [Financial Report](#)

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.

27. [For Possible Action](#) – Approval to apply for FFY 2017 Federal Transit Administration/Nevada Department of Transportation Section 5311 grant for operating expenses, specifically assistance with fuel costs, transportation drivers and dispatchers in the amount of \$89,270. The matching funds will be approximately \$44,130 and are in-kind funds from vehicle maintenance provided by the County, project income from the program and monies received from Aging and Disability Services Division. No additional County match is required.
28. [For Possible Action](#) – Approval to apply for the Department of Energy (DOE) and State of Nevada Division of Emergency Management (DEM) FFY16 Emergency Preparedness Working Group (EPWG) grant. Funds from this grant come from the National Nuclear Security Administration (NNSA) low-level waste grant program.

BOARD OF COMMISSIONERS

29. 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.
30. 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.
31. For Possible Action – Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.

CLERK

32. [For Possible Action](#) – Discussion and deliberation to appoint three (3) members to the Nye County Wildlife Management Board due to three (3) terms expiring.
33. [For Possible Action](#) – Discussion and deliberation to appoint one (1) member to the Pahrump Regional Planning Commission due to one (1) term expiring.
34. [For Possible Action](#) – Discussion and deliberation to appoint three (3) members to the Smoky Valley Library Board due to three (3) terms expiring.

DISTRICT ATTORNEY

35. [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. 2016-05: A Bill proposing to amend section 3.52.100 of the Nye County Code by aligning the ordinance with the language in the Nye County Sales and Use Tax Act of 2007; providing for the severability, constitutionality and effective date hereof, and other matters properly relating thereto; and 2) Read the title of the Bill into the record.

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36. [For Possible Action](#) – Discussion and deliberation regarding the tentative FY 2017 and FY 2018 budget for the Nye County Child Support Division.
37. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2016-57: amending Nye County Resolution No. 2011-104 by temporarily merging the boundaries of the Pahrump and Beatty townships, and reducing the number of justices of the peace serving the merged Pahrump/Beatty Township to two.
38. [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.

SHERIFF

39. [For Possible Action](#) – Discussion and deliberation to issue a Display Fireworks Event Permit to the Mizpah Club. Fred Cline, Applicant.
40. [For Possible Action](#) – Discussion and deliberation to issue a Display Fireworks Event Permit to the Town of Round Mountain. Pearl Olmedo, Applicant.

TREASURER

41. [Treasurer’s Report](#)

JUSTICE(S) OF THE PEACE

42. [For Possible Action](#) – Discussion and deliberation regarding approval of a PayPal user agreement to accept online payments for the Tonopah Justice Court.

DISTRICT COURT

43. [For Possible Action](#) – Discussion and deliberation to approve modifications to the Department 2 chambers in Pahrump.

COUNTY MANAGER

44. [For Possible Action](#) – Discussion and deliberation regarding a Notice of Intent to Terminate the Lease Agreement with Tonopah Sand and Gravel for leased space at the Tonopah Airport.

EMERGENCY MANAGEMENT

45. [For Possible Action](#) – Discussion and deliberation to terminate a Professional Services Agreement with Sean Devlin, DO for Medical Director services for the five (5) Volunteer Ambulance Services in Nye County – Amargosa Valley, Beatty, Gabbs, Tonopah, and Smoky Valley.

FINANCE

46. [For Possible Action](#) – Discussion and deliberation regarding the budget status for Fiscal Year 2016, budget projections for Fiscal Year 2017, and possible actions.
47. [Financial Reports](#)

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ITEM # SUBJECT

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H/R AND RISK MANAGEMENT

48. [For Possible Action](#) – Discussion and deliberation to fill a vacant Deputy position #85010-048 in the Pahrump Sheriff’s Office effective July 1, 2016, due to the employee resigning on March 31, 2016.

PLANNING/BUILDING

49. [For Possible Action](#) – Medical Marijuana Establishment Initial License Application MM-2016-000020: Discussion and deliberation on a request to approve a Medical Marijuana Establishment License for a medical marijuana cultivation facility, located at 340 E. Mesquite Avenue, Pahrump, Assessor Parcel #29-601-28. Janet Jensen – Property Owner. NCMM, LLC – Applicant.
50. [For Possible Action](#) – Medical Marijuana Establishment Initial License Application MM-2016-000021: Discussion and deliberation on a request to approve a Medical Marijuana Establishment License for a medical marijuana production facility, located at 340 E. Mesquite Avenue, Pahrump, Assessor Parcel #29-601-28. Janet Jensen – Property Owner. NCMM, LLC – Applicant.
51. [For Possible Action](#) – Discussion and deliberation regarding a request to defer certain required on-site and off-site road and other improvements until Phase 2 of the Acres Cultivation medical marijuana development at 950 E. Anvil Road, Amargosa Valley, Assessor Parcel #19-751-03, and to allow the posting of a performance bond as financial security to guarantee completion of the required improvements. Acres Cultivation LLC – Property Owner. John Mueller; Acres Cultivation LLC – Applicant.
52. [For Possible Action](#) – Discussion and deliberation regarding a request to approve a variance from the medical marijuana security checklist for the medical marijuana dispensary located at 1541 E. Basin Avenue, Pahrump, Assessor Parcel #38-241-23. TGIG, LLC dba The Grove Wellness Center; Amanda Connor, Esq. – Applicant.

PUBLIC WORKS

53. [For Possible Action](#) – Discussion and deliberation to improve Fox Avenue from Gamebird Road to the north for approximately 1400’ into the Pahrump Fairgrounds parcel.
54. **GENERAL PUBLIC COMMENT (second)**
55. **ANNOUNCEMENTS (second)**
56. **ADJOURN**