



**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 THE 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

September 20, 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 September 20, 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 September 20, 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

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 Townhall, 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

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/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

September 20, 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 September 20, 2016 (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](#) - Discussion and deliberation of Minutes of the Joint 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 Unincorporated Towns of Beatty, Belmont, Gabbs, Manhattan, 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 August 16, 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 – [For Possible Action](#) – Public Hearing** to solicit comments concerning the Edward Byrne Memorial Justice Assistance Grant Program for fiscal year 2016.
9. **10:00 – [For Possible Action](#) – Discussion and deliberation on approval to accept a grant award #2016-DJ-BX-0868 from the US Department of Justice (DOJ), Office of Justice Programs (OJP), Bureau of Justice Assistance and Justice Assistance Grant (JAG) Program. US DOJ, JAG Program in the amount of \$12,873.00 for Nye County Justice Court to enter into an Agreement with US DOJ, JAG Program to provide funding to support the cost of Nye County, Nevada’s Indigent Defense Program. This grant will be administered out of Fund 10340 Grants. There is no County match required.**
10. **10:45 - [For Possible Action](#) – Discussion and deliberation to accept a Business Impact Statement prepared pursuant to NRS 237.090 to address the business impact of Nye County Bill No. 2016-07 pertaining to Prostitution.**
11. **10:45 - [For Possible Action](#) – Continued Public Hearing, discussion, and deliberation to: 1) Adopt, amend and adopt, or reject Nye County Bill No. 2016-07: A Bill proposing to amend Title 9 of the Nye County Code, titled Public Peace and Morals and Welfare, Chapter 9.20, Title Prostitution; providing for the severability, constitutionality and effective date hereof, and other matters properly relating thereto; and 2) Set an effective date.**

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

September 20, 2016

12. **10:45** - [For Possible Action](#) – **Public Hearing**, discussion, and deliberation to: 1) Adopt, amend and adopt, or reject Nye County Bill No. 2016-09: a Bill proposing to amend Title 8 of the Nye County Code by repealing Chapter 8.40 thereby dissolving the Nye County Raw Milk Commission; providing for the severability, constitutionality and effective date hereof, and other matters properly relating thereto; and 2) Set an effective date.
13. **10:45** - [For Possible Action](#) – **Public Hearing**, discussion, and deliberation to: 1) Adopt, amend and adopt, or reject Nye County Bill No. 2016-10: a Bill proposing to amend Chapter 2.84, Nye County Peace Officer Advisory Review Board, providing for alternate members of the Nye County Peace Officer Advisory Review Board, setting forth its powers and duties, removing a superfluous reference to a “Director”; providing for the severability, constitutionality and effective date hereof, and other matters properly relating thereto; and 2) Set an effective date.
14. **11:00** - [For Possible Action](#) – Appeal No. AP-2016-000007: **Public hearing**, discussion and deliberation on an Appeal of the Pahrump Regional Planning Commission’s approval of Conditional Use Permit Application CU-2016-000020 to allow a previously grandfathered use of land (Single Family Residence) which has been operationally abandoned or discontinued for a period of six (6) consecutive months or more, to restart on the subject property located at 3720 W. Mesquite Avenue, AP# 027-171-57. Thomas Yiatras Trust - Property Owner, Michelle Yiatras Trustee – Agent/Applicant. Byron Foster, et. al. - Appellant.

SITTING AS THE NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS

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

SITTING AS THE NYE COUNTY LICENSING AND LIQUOR BOARD

BROTHEL

16. [For Possible Action](#) – Discussion and deliberation regarding a request to set a date, time and location for a show cause hearing on the Area 51 Death Valley Cathouse and the Chicken Ranch brothel licenses.

LIQUOR

17. [For Possible Action](#) – Discussion and deliberation to issue a Temporary Retail Liquor License to Pahrump Hotel Partners Inc., dba Draft Picks, 1101 S. Hwy 160, Pahrump, NV pending the processing of an application for a permanent license. Sukhbir Dhillon, Applicant.

SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

18. **10:30** - [For Possible Action](#) – **Public Hearing**, discussion and deliberation to adopt, amend and adopt, or reject the IAFF Local 4068 Bargaining Agreement.
19. Town of Pahrump [Ongoing Project Report](#)
20. [For Possible Action](#) – Discussion and deliberation regarding the approval of 1) The Cooperative Fire Protection Agreement (CFPA); and 2) The Annual Operating Plan (AOP), between the Town of Pahrump and USDA, Forest Service Humboldt-Toiyabe National Forest and USDI Bureau of Land Management Southern Nevada District. This agreement shall remain in effect for five (5) years from the date signed, with yearly review of the AOP by both parties.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

September 20, 2016

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.

21. [For Possible Action](#) – Approval of Elected Official Collection Report
22. [For Possible Action](#) – Approval of Assessor’s Office Change Request
23. [For Possible Action](#) – Approval to set the date and location of the second meeting of the Board of Commissioners for Tuesday, December 20, 2016 in Pahrump, Nevada.
24. [For Possible Action](#) – Approval to accept a Substance Abuse and Mental Health Services Administration (SAMSHA) grant for the Fifth Judicial District Adult Drug Court in the amount of \$325,000 per year for 3 years. This Grant will be administered out of fund 10340 Grants and has an in-kind match of \$13,387.86 which is budgeted out of Fund 10248 Drug Court.
25. [For Possible Action](#) – Approval to accept the State of Nevada Department of Health and Human Services Division of Public and Behavioral Health’s Emergency Management Services Preparedness, Assurance, Inspections and Statistics Grant award in the amount of \$20,000. This grant will be administered out of Fund 10340 Grants and has a match of \$20,000 which is budgeted out of Fund 10282 Ambulance.

BOARD OF COMMISSIONERS

26. 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.
27. 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.
28. For Possible Action – Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.
29. [For Possible Action](#) – Discussion and deliberation regarding the status and progress of the abatement of the nuisance located at 1141 Dyer Road, Pahrump, Nevada as determined by the Board of County Commissioners on July 12, 2016 and as ordered to abate the nuisance as set forth in Nye County Resolution No. 2016-66, adopted on July 12, 2016; and possible abatement action.
30. [For Possible Action](#) – Discussion and deliberation to appoint a Commissioner liaison / representative to the: 1) Nevada Site Specific Advisory Board (NSSAB); and 2) Northern Nye County Hospital District (NNCHD).

DISTRICT ATTORNEY

31. [For Possible Action](#) – Discussion and deliberation to approve and submit to the Nevada Attorney General’s Office Grant Administrator, a Project Change Notice to revise the approved budget to distribute the total award between personnel and fringe benefits for a grant funded deputy district attorney position from the award 2016 Violence Against Women Act, STOP 2016-VAWA-48 sub grant awarded to the Nye County District Attorney’s Office.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

September 20, 2016

32. [For Possible Action](#) – Discussion and deliberation to approve and fill a grant funded deputy district attorney position in the Nye County District Attorney’s Office effective October 1, 2016 contingent upon the Nevada Attorney General Office Grant Manager’s approval of the revised budget for the 2016 Violence Against Women Act, STOP 2016-VAWA-48 sub grant.
33. [For Possible Action](#) – Discussion and deliberation on a proposed settlement agreement regarding Leidecker v Nye County concerning claims for wrongful death and Monell violations and execute settlement agreement.

COUNTY MANAGER

34. [Ongoing Project Report](#)
35. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject the Nye County Property Use Policy.
36. [For Possible Action](#) – Discussion and deliberation to ratify the County Manager’s selection of Director of Public Works.

H/R AND RISK MANAGEMENT

37. [For Possible Action](#) – Discussion and deliberation to fill a vacant Lead Dispatcher position #13011-002 in the Pahrump Sheriff’s Office effective January 6, 2017 due to the employee resigning September 3, 2016.
38. [For Possible Action](#) – Discussion and deliberation to fill a vacant Deputy position #85010-043 in the Pahrump Sheriff’s Office effective January 11, 2017 due to an employee retiring July 28, 2016.
39. [For Possible Action](#) – Discussion and deliberation to advertise and fill a Code Compliance-Enforcement Officer Grade 12 on the NCEA pay scale.
40. [For Possible Action](#) – Discussion and deliberation to fill a vacant Radio Communications Tech Position #13009-001 as a Communication Systems Supervisor Position #00184-001 in the IT Department effective April 6, 2017 due to an employee resigning September 29, 2016.

PLANNING/BUILDING

41. [For Possible Action](#) – Discussion and deliberation concerning a request to approve a release of all but 15% of the financial security related to improvements as stated in the Subdivision Improvement, Maintenance and Warranty Agreement (SIA) document #681387 for Paradiso Villas Unit 1 Final Subdivision Map, located in the Pahrump Regional Planning District within the Mountain Falls Master Planned Community, Planning Area 3-3B. Owner. WF Development, LLC – Applicant. (IA-2016-000007).

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

September 20, 2016

42. [For Possible Action](#) – Discussion and deliberation to approve Security & Transportation Plans for the following Medical Marijuana Establishments:
 - a. CW Nevada (Production). 301 S. Oxbow Avenue, Suite #14, Pahrump.
 - b. Panorama WON, LLC / Wellness Orchards (Cultivation). 801 S. Panorama Road, Pahrump.
 - c. MM Development (Cultivation & Production). Airport Road and Highway 95, Beatty.
 - d. Nye Farm Tech (Cultivation). 5400 N. Highway 160, Pahrump.
 - e. NuVeda (Cultivation). 9680 S. Oakridge Avenue, Pahrump.
 - f. NuVeda (Production). 301 S. Oxbow Avenue, Suite #13, Pahrump.
 - g. GWGA (Cultivation). 1340 W. Highway 372, Pahrump.
43. [For Possible Action](#) – Discussion and deliberation to approve a Water and Sewer Maintenance and Operations (M & O) Agreement between Spring Mountain Raceway, LLC and Nye County, pursuant to NRS 445A.895 and NRS 445A.540 relating to the requirement for the developer to provide the local governing body with sufficient surety in the form of a bond, certificate of deposit, investment certificate or any other form acceptable to the governing body, to ensure the continued maintenance and operation of the water and sewer treatment system in the event of default by the developer. Applicant - Spring Mountain Raceway, LLC. Agent – Russ Meads / Double M Construction.
44. [For Possible Action](#) – Medical Marijuana Establishment License Initial Application MM-2016-000030: Discussion and deliberation on a request to issue a Medical Marijuana Establishment License (Initial) for a proposed medical marijuana establishment (cultivation) located at 5400 N. Highway 160, Pahrump. Nye Farm Tech, Ltd. – Applicant. AP# 029-311-13.
45. [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. 2016-14: A Bill proposing to amend Nye County Code Chapter 17.04, the Zoning Ordinance of the Pahrump Regional Planning District, pertaining to the regulations of the Suburban Estates (SE) Zoning District; 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.
46. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2016-78: A Resolution Authorizing Members of the Pahrump Regional Planning Commission to Donate All or Part of Their Compensation to the Nye County General Fund.
47. **GENERAL PUBLIC COMMENT (second)**
48. **ANNOUNCEMENTS (second)**
49. **ADJOURN**