



**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 Drive, Pahrump, NV 89048
Tuesday, August 20, 2013
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 (date), 2013 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 August 20, 2013 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.

In accordance with Federal law and U.S. Department of Agriculture policy, Nye County is prohibited from discriminating on the basis of race, color, national origin, sex, religion, age, or disability. (Not all prohibited bases apply to all programs.) To file a complaint of discrimination write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal

opportunity provider, employer, and lender

"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 August 20, 2013.**
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 for the following: July 2, 2013 Regular Meeting; July 16, 2013 Regular Meeting; and July 29, 2013 Teleconference.**

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:**

| | |
|---|---|
| a. Gold Ledge Mine Road No. 993930 | 994860 |
| b. Unnamed Road No. 994276 | k. Red Spring Road No. 995130 |
| c. Seyler Spring Road No. 994500 | l. Unnamed Road No. 926009 |
| d. Unnamed Road No. 994508 | m. Unnamed Road No. 926015 |
| e. Bank Spring Road No. 994510 | n. Unnamed Road No. 926022 |
| f. West Bank Spring Road No. 994520 | o. Unnamed Road No. 926024 |
| g. Ione Wash Road No. 994525 | p. Unnamed Road No. 926028 |
| h. Unnamed Road No. 994588 | q. Unnamed Road No. 926031 |
| i. South Black Spring Road No. 994855 | r. Unnamed Road No. 926032 |
| j. South West Pactolus Road No. | s. Unnamed Road No. 926037 |
| | t. Unnamed Road No. 926049 |
9. **10:30 - Presentation on the Guardian Park Project.**
10. **10:45 - For Possible Action - Continued public hearing, discussion and deliberation to: 1) adopt, amend and adopt, or reject Nye County Bill No. 2013-05: 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 "Emergency Abatement Procedures" providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto; and 2) set an effective date.

11. 10:45 - [For Possible Action](#) - Continued public hearing, discussion and deliberation to: 1) adopt, amend and adopt, or reject Nye County Bill No. 2013-07: a Bill Proposing to amend Title 3 of the Nye County Code by adding a new Chapter 3.52 Imposing a One-Half of One Percent Sales and Use Tax to Support Public Safety Services within Nye County; providing for the severability, constitutionality and effective date thereof, and other matters properly relating thereto; and 2) set an effective date.

[See Additional Here](#)

12. 10:45 - [For Possible Action](#) - Public Hearing, discussion and deliberation to: 1) adopt, amend and adopt, or reject Nye County Bill No. 2013-08: a Bill proposing to amend, Title 5, Business Licenses and Regulations, Chapter 5.16, entitled Outdoor Festivals, to amend certain sections, providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto; and 2) set an effective date.
13. 11:00 - [For Possible Action](#) - Continued public hearing on Appeal Case No. AP-13-0003: Appeal of the Pahrump Regional Planning Commission's denial of Conditional Use Permit Application CU-13-0006 which was a request to allow a Childcare Facility on property in the Village Residential (VR-8) Zoning District; and Appeal of the Pahrump Regional Planning Commission's denial of Waiver Application WV-13-0001 which was a request to waive the paved circular driveway requirement for a Childcare Facility, on property located at 3600 E. Vineyard Drive North, further known as Vineyards Rancho Vista Estates Lot 1. Kathleen Carter - Property Owner. Kristine Miller-Anderson - Applicant/Appellant. AP# 43-021-27.
14. 1:30 - [For Possible Action](#) - Discussion and deliberation regarding the opportunity for the Nye County Juvenile Probation Department to relocate its non-secure detention placements from Hawthorne, NV. (Don Goforth Juvenile Resources Center) to Northwest Academy in Amargosa Valley.

SITTING AS THE NYE COUNTY BOARD OF ROAD COMMISSIONERS

15. [For Possible Action](#) - General road report by Public Works Director
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:
 - a. Unnamed Road No. [926523](#)
 - b. Unnamed Road No. [926543](#)
 - c. Unnamed Road No. [926567](#)
 - d. Unnamed Road No. [926585](#)
 - e. Unnamed Road No. [926609](#)
 - f. Unnamed Road No. [926627](#)
 - g. Unnamed Road No. [926633](#)
 - h. Unnamed Road No. [926648](#)
 - i. Brown's Springs Road No. [926654](#)
 - j. Unnamed Road No. [926672](#)
 - k. Unnamed Road No. [926675](#)
 - l. Unnamed Road No. [926684](#)
 - m. Manley Trail 1849 Road No. [926732](#)

- n. Unnamed Road No. [927014](#)
- o. Unnamed Road No. [927047](#)
- p. Unnamed Road No. [927057](#)
- q. Unnamed Road No. [927107](#)

- r. Unnamed Road No. [927109](#)
- s. Unnamed Road No. [927143](#)
- t. Unnamed Road No. [927257](#)

SITTING AS THE NYE COUNTY LICENSING AND LIQUOR BOARD

LIQUOR

- 17. [For Possible Action](#) - Discussion and deliberation to issue a Temporary Retail Liquor License to Bricos, LLC dba Draft Picks, 1101 S. Hwy 160, Pahrump, NV pending the processing of an application for a permanent license. Brian Shniderson, Applicant.

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.

- 18. [For Possible Action](#) - Approval of Elected Official Collection Report
- 19. [For Possible Action](#) - Approval of Assessor's Office Change Request
- 20. [For Possible Action](#) - Approval to set the date and location of the second meeting of the Board of Commissioners for Tuesday, November 19, 2013 in Pahrump, Nevada.
- 21. [For Possible Action](#) - Approval to accept a no-cost extension for FFY12 Emergency Preparedness Working Group (EPWG) Supplemental grant award to be utilized towards salaries/benefits for administrative staff in Emergency Management.
- 22. [For Possible Action](#) - Approval to apply for grant from the Administrative Office of the Courts to purchase 24 Ipad, 24 Ipad Covers, and 24 Idea Flight apps to enhance Juror's participation in trial proceedings.
- 23. [For Possible Action](#) - Approval to surplus excess vehicles to auction.
- 24. [For Possible Action](#) - Approval to: 1) accept a grant award from the State of Nevada Community Development Block Grant (CDBG) program for Housing Rehabilitation; and 2) enter into a Memorandum of Agreement with Rural Nevada Development Corporation (RNDC) for the purpose of a Single Family Housing Rehabilitation Program.

BOARD OF COMMISSIONERS

- 25. 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.
- 26. 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.

27. **For Possible Action** - Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.
28. **For Possible Action** - Discussion and deliberation to: 1) recall members appointed to Area 4 Position 1, Area 4 Position 2, Area 4 Position 3 and At Large Position of the Nye County Water District; and 2) establish the procedure to notice, interview, and appoint new members to the Nye County Water District.
29. **For Possible Action** - Discussion and deliberation concerning a request to form a committee to collate previous data and studies associated with the impacts of flooding in the Pahrump Valley and make recommendation to the Board to alleviate these impacts.
30. **For Possible Action** - Discussion and deliberation to support a land exchange for the purpose of an assisted living development project.

CLERK

31. **For Possible Action** - Discussion and deliberation to appoint one member to the Tonopah Town Board to fill a vacancy for an unexpired two-year term.
32. **For Possible Action** - Discussion and deliberation to appoint one member to the Amargosa Valley Town Board to fill a vacancy for an unexpired two-year term.

DISTRICT ATTORNEY

33. **For Possible Action** - Discussion and deliberation to approve proposed agreement to participate in bankruptcy plan for Caldera P&G related to Willow Creek Golf Course parcels.

SHERIFF

34. **For Possible Action** - Discussion and deliberation regarding a renewal Wholesale/Retail Fireworks Permit for Outlaw Pyrotechnics, Inc. Kelly Bernard, Applicant.

TREASURER

35. **Treasurer's Report**

COUNTY MANAGER

36. Ongoing **Project Report**
37. **For Possible Action** - Discussion and deliberation regarding a Memorandum of Understanding with Arizona Nevada Tower Corporation (ANTC).
38. **For Possible Action** - Discussion and deliberation regarding a Cooperative Agreement to Lease between Nye County and the Nevada System of Higher Education for office space in the Old Courthouse in Tonopah.
39. **For Possible Action** - Discussion and deliberation of an amendment to the Board Appointment Guidelines.

FACILITIES

40. **For Possible Action** - Discussion and deliberation regarding a project to coat roof at Pahrump Justice Facility.

FINANCE

41. Fund **Balance Report**

PLANNING/BUILDING

42. **For Possible Action** - Discussion and deliberation to: 1) Set a date, time, and location for a Public Hearing on Nye County Bill No. 2013-09: A Bill proposing to amend Nye County Code Title 17, the Zoning Ordinance of the Pahrump Regional Planning District, by removing the requirement that an RV Park must be greater than ten (10) acres in size to allow a convenience store; providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto, and 2) Reading of the title of the Bill into the record.

PUBLIC WORKS

43. **For Possible Action** - Discussion, deliberation, and modification regarding the proposed FY 2013-14 Pahrump Paving and Chip Seal Plans and to set a budget at the award of the bid.
44. **For Possible Action** - Discussion and deliberation regarding an Agreement for Resolution of Boundary Line Dispute and an Addendum to said Agreement that transfers the eastern 30' width of the Nye County School District parcel 038-213-50 to the western length of parcels 038-213-61 and 038-213-62 both owned by Ms. Mary Zell and transfers ownership of parcel 038-234-32 (0.58 acres) from Castelin, LLC (Mary Zell) to Nye County.
45. GENERAL PUBLIC COMMENT (second)
46. ANNOUNCEMENTS (second)
47. ADJOURN