

JOINT MEETING OF THE NYE COUNTY BOARD OF COMMISSIONERS NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS NYE COUNTY LICENSING AND LIQUOR BOARD AND AS THE GOVERNING BODY OF UNINCORPORATED TOWNS OF BEATTY, BELMONT, GABBS, MANHATTAN, PAHRUMP, AND RAILROAD VALLEY

2100 E. Walt Williams Dr., Pahrump, NV 89048 Tuesday, June 16, 2015 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 June 16, 2015 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 June 16, 2015 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 Brougher 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; Pahrump Town Office, 400 N. Hwy 160, 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 1 ½ 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 June 16, 2015.
- 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 meeting on March 17, 2015 and Teleconference on May 29, 2015.

<u>Item.04</u> <u>New 104.2015.03.17</u> <u>Item.04.2015.05.29</u> <u>New 104.2015.05.29</u>

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 - Discussion and deliberation regarding a renewal proposal for Nye County from the Nevada Public Agency Insurance Pool (POOL).

Item.08.c

9. 10:00 - For Possible Action - Sitting as the Governing Body for the Town of Pahrump - Discussion and deliberation regarding a renewal proposal for the Town of Pahrump from the Nevada Public Agency Insurance Pool (POOL).

Item.09.c

10. 10:00 - For Possible Action - Sitting as the Governing Body for the Town of Pahrump - Public hearing, discussion and deliberation regarding Pahrump Town Bill No. 2015-01: a Bill proposing to amend Town of Pahrump Code by adding Chapter 17 to define the process and requirements for designated fireworks safety sites within the Town of Pahrump, the requirements for the management of such safety sites, the requirements for safety site agreements, the designation of any fees and their use, and other matters related thereto.

11. 11:00 - For possible action -

Item.11.c

- a. MP-2015-000001: Public hearing, discussion, and deliberation on a request for a Minor Master Plan Amendment to change approximately 2.0 acres from the Rural Density Residential (RDR) master plan designation to the Community Development Area (CDA) master plan designation, situated at the southeast corner of the intersection of Mesquite Avenue and Pinto Lane, located at 1295 W. Mesquite Avenue, further described as Lot 1, Block 5, Pechstein Ranch II. Ronald & Corrine Phillips and Jeffrey & Sue Phillips Et Al Property Owners/Applicant. AP# 035-082-15.
- b. ZC-2015-000005: Public hearing, discussion, and deliberation on a request for a Zone Change to change approximately 2.0 acres from the Rural Estates (RE-2) Zoning District to the Mixed Use (MU) Zoning District, situated at the southeast corner of the intersection of Mesquite Avenue and Pinto Lane, located at 1295 W. Mesquite Avenue, further described as Lot 1, Block 5, Pechstein Ranch II. Ronald & Corrine Phillips and Jeffrey & Sue Phillips Et Al Property Owners/Applicant. AP# 035-082-15.
- 12. 11:00 For possible action ZC-2015-000006: Public hearing, discussion, and deliberation on a request for a Conforming Zone Change to change approximately 80.0 acres from the Village Residential (VR-20) Zoning District to the Village Residential (VR-10) Zoning District, for all lots within the Artesia at Hafen Ranch Phase 5 Subdivision, for property Master Planned as Special Plan of Development (SPD) located within the Pahrump Regional Planning District, a portion of Section 17, Township 21 South, Range 54 East. Multiple Property Owners. Pahrump Regional Planning Commission (PRPC) Applicant.

Item.12.c

13. 11:00 - For Possible Action - Special Use Permit Application No. SU-2015-000002: Public Hearing, discussion, and deliberation on a request to modify Special Use Permit No. SU-14-0009 approved on July 16, 2014, to allow an existing medical marijuana establishment (cultivation facility) to expand from the current 8,700 square foot building area to 12,000 square feet of building area, located at 1205 S. Loop Road, Pahrump, Assessor Parcel # 035-381-35. Floyd's Construction Inc. - Property Owner. Green Life Productions, LLC - Applicant.

Item.13.c

SITTING AS THE NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS

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

<u>Item.14</u> >>

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

PAHRUMP

15. For Possible Action - Discussion and deliberation to appoint an alternate member to the Pahrump Veterans Memorial Advisory Committee.

Item.15

16. For Possible Action - Discussion and deliberation to approve the Pahrump Ambulance Fund bad debt expense write offs for the period of January 2015 thru April 2015, subject to further collection efforts and accounting adjustments.

Item.16 S

17. For Possible Action - Discussion and deliberation regarding a recommendation to the BOCC, from the Pahrump Veterans Memorial Advisory Committee, to reserve an area of the Pahrump Veterans Memorial in front of the Donation Wall for a period of 24 months to allow the non-profit Kids4Vets organization to gather donations to donate 8"x4"x2" engraved red bricks that can be installed in the reserved area.

Item.17 >>>

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

<u>Item.18</u> >>

19. For Possible Action - Approval of Assessor's Office Change Request

<u>Item.19</u> >>>

20. For Possible Action - Approval to set the date and location of the second meeting of the Board of Commissioners for Tuesday, September 15, 2015 in Pahrump, Nevada.

Item.20

21. For Possible Action - Approval to apply for a CSBG Discretionary grant. Through this grant Nye County will enter into a Sub-recipient agreement with NyE Communities Coalition who will provide an employee to work in the Health and Human Services Office to provide case

management for clients enrolled in the CSBG Adult Employment Incentive Program. This grant will be administered through Fund 10340 Grants and there is no County match required.

Item.21

22. For Possible Action - Approval to accept the FY 2016 State of Nevada Emergency Response Commission's (SERC) Planning, Training, Equipment and Operations grant. This grant will be administered through Fund 10340 Grants and there is no County match required.

Item.22 S

23. For Possible Action - Approval to Accept the 2015/2016 State of Nevada, Office of Traffic Safety Joining Forces Grant to participate in statewide, multi-jurisdictional traffic enforcement events that are focused on reducing fatalities and serious injury crashes in Nevada. This grant shall be administered from Fund 10340 Grants and there is a \$4,260 in-kind match required.

Item.23

BOARD OF COMMISSIONERS

- 24. 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.
- 25. 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.
- 26. For Possible Action Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.
- 27. For Possible Action Discussion and deliberation regarding nominations to the Rural Nevada Development Corporation's (RNDC) Board of Directors.

Item.27 >>>

28. For Possible Action - Discussion and deliberation concerning a request to amend Nye County Code Chapter 22.02.10, Formation of Town, amending the Town boundaries described therein to include the boundaries of the Tonopah Library District pursuant to NRS 269.623.

Item.28

29. For Possible Action - Discussion and deliberation to approve submitting a letter to Governor Sandoval regarding Nye County's position supporting the completion of the "Yucca Study".

<u>Item.29</u>

CLERK

30. For Possible Action - Discussion and deliberation to appoint two (2) members to the Pahrump Regional Planning Commission due to two (2) expiring terms.

<u>Item.30</u> >>

31. For Possible Action - Discussion and deliberation to appoint one (1) member to the Smoky Valley Library District due to one (1) resignation.

Item.31

32. For Possible Action - Discussion and deliberation to appoint one (1) member to the Round Mountain Town Board due to one (1) resignation.

Item.32 S

33. For Possible Action - Discussion and deliberation to appoint two (2) members to the Capital Improvements Advisory Committee due to one (1) resignation and one (1) vacancy.

Item.33

34. For Possible Action - Discussion and deliberation to appoint two (2) members to the Nye County Wildlife Management Board due to two (2) expiring terms.

Item.34

SHERIFF

35. For Possible Action - Discussion and deliberation to issue a Display Fireworks Event Permit to the Town of Amargosa. Mike Cottingim, Applicant.

<u>Item.35</u>

36. For Possible Action - Discussion and deliberation to issue a Display Fireworks Event Permit to Pyrotecnico. Margie Lough, Applicant.

<u>Item.36</u> >>

37. For Possible Action - Discussion and deliberation to issue a Display Fireworks Event Permit for Zambelli Fireworks Internationale. John O'Brien, Applicant.

Item.37

38. For Possible Action - Discussion and deliberation to issue a Display Fireworks Event Permit for Lantis Fireworks and Lasers. Ken Lantis, Applicant.

Item.38

39. For Possible Action - Discussion and deliberation to issue a renewal Wholesale/Retail Fireworks Permit to Vegas of Pahrump Inc., dba Phantom Fireworks. Raechelle Laughlin, Applicant.

Item.39

JUVENILE PROBATION

40. For Possible Action - Discussion and deliberation to consider entering into an agreement with Nye Communities Coalition for the purpose of a Student Coordinator, a position developed under the federal Safe Schools / Healthy Students grant program, to provide case management and student assessment responsibilities in the northern Nye County schools.

<u>Item.40</u> >>>

COUNTY MANAGER

41. Ongoing Project Report

Item.41 S

42. For Possible Action - Discussion and deliberation concerning a request to adopt, amend and adopt, or reject Nye County Resolution No. 2015-19: a Resolution authorizing the designation of Pahrump Fairgrounds, 3100 S. Hwy 160, Pahrump, NV 89048, as a fireworks safety site within the Town of Pahrump and approving related procedures.

Item.42

FINANCE

43. Financial Reports

Item.43.c >>

PLANNING/BUILDING

44. For Possible Action -- Medical Marijuana Establishment License Application MM-2015-000008: Discussion and deliberation on a request for issuance of a Medical Marijuana Establishment License for a proposed medical marijuana establishment (cultivation facility) located at 1261 E. Calvada Boulevard, Pahrump, Assessor Parcel # 040-041-34. Debra P. Beatty/DP Brooks Investments, LLC - Property Owner. Howard N. Misle/ACC Industries, Inc. - Applicant.

Item.44 S

45. For Possible Action - Discussion and deliberation to authorize Nye County Manager to file a petition for judicial review to appeal the State Engineer's denial of water right applications on federal land in hydrographic basins 225, 226, 227A, 227B, 228, and 229, Nye County, Nevada.

Item.45

PUBLIC WORKS

46. For Possible Action - Discussion and deliberation regarding a request for approval of the 2016 - 2018 Disadvantaged Business Enterprise (DBE) Program for the Nye County Airports establishing a goal of expending 6.0% of federal funds to disadvantaged business enterprises during that time period for projects at the Beatty, Gabbs, and Tonopah Airports.

PUBLIC PETITIONER

47. For Possible Action - Discussion and deliberation regarding a request that land parcel number 042-222-15 be deeded to Nye County.

Item.47

48. For Possible Action - Discussion and deliberation regarding the status and progress of the abatement of the nuisance located at 2712 E. Cook Road, Amargosa Valley (APN 021-441-11) as determined by the Board of County Commissioners on March 3, 2015 and as ordered to abate the nuisance as set forth in Nye County Resolution No. 2015-08, adopted on March 3, 2015.

Item.48

49. For Possible Action - Discussion and deliberation to amend the MOU with Friends of the Belmont Courthouse.

<u>Item.49</u> >>

- 50. GENERAL PUBLIC COMMENT (second)
- 51. ANNOUNCEMENTS (second)
- 52. ADJOURN