



**JOINT MEETING OF THE
NYE COUNTY BOARD OF COMMISSIONERS
NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS
NYE COUNTY LICENSING AND LIQUOR BOARD
NYE COUNTY BOARD OF HEALTH
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 AND
AS THE BOARD OF TRUSTEES FOR THE PAHRUMP POOL DISTRICT
2100 E. Walt Williams Drive, Pahrump, NV 89048
December 18, 2018
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 December 18, 2018 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 December 18, 2018 will be for all matters off the agenda, and be limited to up to three minutes per person. Additionally, public comment of up to three minutes per person may be heard during individual action items. The Commission reserves the right to reduce the 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 Town Hall, 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.nysd.org) 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
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December 18, 2018

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 December 18, 2018 (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 the minutes of the joint meetings of the Nye County Board of Commissioners, Board of Highway Commissioners, Nye County Licensing and Liquor Board, Nye County Board of Health, the Governing Body of the Unincorporated Town of Pahrump, the Governing Body of the Unincorporated Towns of Beatty, Belmont, Gabbs, Manhattan, and Railroad Valley, and the Board of Trustees for the Pahrump Pool District regular meetings on [November 9, 2018](#) and [November 20, 2018](#).

SITTING AS THE BOARD OF COUNTY COMMISSIONERS

5. **For Possible Action - Emergency Items**
6. **Commissioners'/Manager's Comments (This item limited to announcements or topics/issues proposed for future workshops/agendas)**

TIMED ITEMS

7. **10:00** – [Presentation](#) of certificates and/or plaques for appreciation and recognition.
8. **10:00** – [Swearing in Ceremony](#) for Newly Elected Nye County Officials. The Oath of Office will be administered by Nye County Clerk, Sandra Merlino.
9. **10:15** – [Quarterly report](#) from the Public Administrator.
10. **10:45** – [For Possible Action](#) – Public Hearing, discussion and deliberation to issue an Outdoor Festival License to the Pahrump Valley Chamber of Commerce for the Balloon Festival to be held February 22-24, 2019, at Petrack Park located at 150 Highway 160, Pahrump, Nevada.
11. **11:00** – [For Possible Action](#) – Public Hearing, discussion and deliberation on WV-2018-000077: An application for a Waiver from Nye County Code 17.06.040.D.17 to allow a reduction of the security plan requirements for a Marijuana Establishment (production facility) located at 301 S. Oxbow Avenue, Pahrump, NV. Assessor Parcel Number 038-244-09. Eugene & Nelda Fay Toy Trust – Property Owner. Nye Natural Medicinal Solutions, LLC dba NuVeda LLC – Applicant.
12. **11:00** – [For Possible Action](#):
 - a. For Possible Action – Public Hearing, discussion and deliberation on SU-2018-000055: An application for a Special Use Permit to allow a marijuana establishment (cultivation facility), located at 750 E. Betty Avenue, Pahrump, NV. Assessor Parcel Number 038-024-01. LHL Group, LLC/Item 9 Properties – Property Owner. Strive Wellness of Nevada, LLC – Applicant.
 - b. For Possible Action – Public Hearing, discussion and deliberation on SU-2018-000056: An application for a Special Use Permit to allow a marijuana establishment (production facility), located at 750 E. Betty Avenue, Pahrump, NV. Assessor Parcel Number 038-024-

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01. LHL Group, LLC/Item 9 Properties – Property Owner. Strive Wellness of Nevada, LLC – Applicant.

13. 11:00 – [For Possible Action](#) – Public Hearing, discussion and deliberation on SU-2018-000057 Change of Location: An application to change the location of Special Use Permit SU-2017-000041 for a marijuana establishment (dispensary/retail store) from 1231 S. Loop Road, Pahrump, NV to 1205 S. Loop Road, Pahrump, NV. Assessor Parcel Number 035-381-35. Floyd's Construction Inc. – Property Owner. Green Life Productions, LLC – Applicant.
14. 11:00 – [For Possible Action](#) – Public Hearing, discussion and deliberation on ZC-2018-000027: A Zone Change application to change approximately 5.0 acres from the Neighborhood Commercial (NC) zone to the Commercial Manufacturing (CM) zone, located at 6041 S. Hafen Ranch Road, further described as a portion of Township 21 South, Range 54 East, Section 15, File #84221, Parcel 1. Assessor Parcel Number 045-131-48. R Land Company, LLC – Property Owner. Nevada Natural Medicines, LLC / Scott Sibley, Manager – Applicant.
15. 11:00 – [For Possible Action](#) – Public Hearing, discussion and deliberation on AP-2018-000016: An Appeal of the Pahrump Regional Planning Commission's denial of the following applications:
- a. For Possible Action – Public hearing, discussion and deliberation on WV-2018-000075: An application for a Waiver from Nye County Code 17.04.700 (Conditions and Safeguards for Issuance of Conditional Use Permits) to allow a Fireworks Storage facility less than 1,500 feet from residential properties, located at 3490 S. Nevada Highway 160, Pahrump, Nevada. Assessor Parcel Number 042-391-01. Jeff G. Yalun – Property Owner. Red Apple Fireworks Company, Ltd. – Applicant. Douglas Burda – Agent.
 - b. For Possible Action – Public hearing, discussion and deliberation on CU-2018-000053: An application for a Conditional Use Permit to allow a Fireworks Storage facility on a Mixed Use (MU) zoned parcel, located at 3490 S. Nevada Highway 160, Pahrump, Nevada. Assessor Parcel Number 042-391-01. Jeff G. Yalun – Property Owner. Red Apple Fireworks Company, Ltd. – Applicant. Douglas Burda – Agent.
16. 11:00 – [For Possible Action](#) – Public Hearing, discussion and deliberation on ZC-2018-000026: A Zone Change application to change approximately 1.57 acres from the Neighborhood Commercial (NC) zone to the Commercial Manufacturing (CM) zone, located at 1620 W. Charleston Park Drive, Pahrump, Nevada Parcel 1 of File Number 431153. Assessor Parcel Number 036-601-57. Jonman, LLC – Property Owner. John Johannes – Agent/Applicant.

SITTING AS THE NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS

17. [General road report](#) by Public Works Director.

SITTING AS THE NYE COUNTY LICENSING AND LIQUOR BOARD

LIQUOR

18. [For Possible Action](#) – Discussion and deliberation to approve a 90-day temporary Retail Liquor License for CourseCo., LLC, the sole member of Pahrump Golf, LLC for the Lakeview Golf Course in order to complete the application and fingerprinting process for three (3) of the partners/managers.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

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SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

19. Committee Reports
20. [For Possible Action](#) – Discussion and deliberation to appoint two members and one alternate to the Pahrump Parks and Recreation Advisory Committee due to one resignation and two expiring terms.
21. [For Possible Action](#) – Discussion and deliberation regarding approval of a Memorandum of Understanding (MOU) with Southern Nevada Area Communications Council (SNACC) for the purposes of SNACC absorbing financial costs for the continued operation, maintenance and support of the Town of Pahrump “Panorama” 800Mhz communications site radio and microwave equipment as part of their supported infrastructure.
22. [For Possible Action](#) – Discussion and deliberation to: 1) approve abandoning the Bridle Path Project (also known as the Southside Trail Head) located on a portion of 9301 S. Homestead Road (.4999 acres), APN 45-411-02; and 2) direct staff to collect unused materials that were purchased for the project from where they have been stored.

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.

23. [For Possible Action](#) – Approval of Elected Official Collection Report.
24. [For Possible Action](#) – Approval of Assessor’s Office Change Request to allow the Nye County Treasurer to process and send an amended tax bill of \$789.49 to the owners of APN 029-704-06.
25. [For Possible Action](#) – Approval to set the date and location for the second March meeting of the Board of Commissioners for Tuesday, March 19, 2019 in Pahrump, Nevada.
26. [For Possible Action](#) – Approval to accept a Notice of Subaward from the Nevada Department of Health and Human Services, Division of Public and Behavioral Health to fund the Women, Infants, and Children (WIC) Clinics in Pahrump and Tonopah. WIC is a federally funded program providing nutrition education information to participants, a food delivery system, and facilitating the delivery of health services to participants in the program. The Subgrant award is in the amount of \$223,465.00. This subgrant shall be administered out of Fund 10340 Grants and there is no County match required. Subgrant period of time is October 1, 2018 through September 30, 2019.

BOARD OF COMMISSIONERS

27. 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.
28. 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.
29. For Possible Action – Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.

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30. [For Possible Action](#) – Discussion and deliberation to request an extension of the public comment period on the Navy’s Draft Fallon Range and Training Complex Modernization Draft Legislative Environmental Impact Statement.

CLERK

31. [For Possible Action](#) – Discussion and deliberation to: 1) appoint three members to the Nye County Board of Equalization for four-year terms beginning January 2019 due to three expiring terms; 2) appoint a Commissioner as alternate to the Board of Equalization; and 3) appoint the Chairman of the Board of Equalization.
32. [For Possible Action](#) – Discussion and deliberation to appoint a county representative to the Nye County Debt Management Commission due to an expiring term.
33. [For Possible Action](#) – Discussion and deliberation to appoint seven members to the Central Nevada Museum Board due to seven expiring terms.
34. [For Possible Action](#) – Discussion and deliberation to appoint two members to the Gabbs Town Advisory Board due to two expiring terms.
35. [For Possible Action](#) – Discussion and deliberation to appoint three members to the Beatty Town Advisory Board due to three expiring terms.
36. [For Possible Action](#) – Discussion and deliberation to appoint two members to the Beatty Library District due to two expiring terms.
37. [For Possible Action](#) – Discussion and deliberation to appoint two members to the Belmont Town Advisory Board due to two expiring terms.
38. [For Possible Action](#) – Discussion and deliberation to appoint two members to the Amargosa Library Board due to two expiring terms.
39. [For Possible Action](#) – Discussion and deliberation to appoint five members to the Railroad Valley Advisory Board due to three expiring terms and two vacancies not filled this past year.
40. [For Possible Action](#) – Discussion and deliberation to appoint five members to the Round Mountain Town Board due to one resignation and four expiring terms.
41. [For Possible Action](#) – Discussion and deliberation to appoint five members to the Park and Recreation Advisory Board due to two expiring terms and three vacancies not filled this past year.

DISTRICT ATTORNEY

42. [For Possible Action](#) – Discussion and deliberation to: 1) approve the Settlement Agreement in case 2:15-cv-2038-MMD-VCF *ABC Recycling Industries, LLC v. American Borate et al.*, United States District Court District of Nevada consolidated case 2:16-cv-46-JCM-PAL; and 2) accept the grant of road right-of-way easement for public use of the road known as the West Spring Meadows road that traverses through APN 019-381-26 owned by ABC Recycling Industries located in Amargosa, Nevada.

COUNTY MANAGER

43. [For Possible Action](#) – Discussion and deliberation concerning a request by the Northern Nye County Hospital District to begin discussions with Renown Health to renegotiate the lease agreement between Nye County and Renown Health for the medical facility owned by Nye County located at 825 S. Main

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St. in Tonopah, NV, more particularly describe as Assessor's Parcel No. 08-261-44 for the purpose of making provisions for the involvement and tenancy of additional medical professionals able to be of value in the support strategy, including concept of Multi-Tenant Medical Office Building (MOB).

44. [For Possible Action](#) – Discussion and deliberation regarding the appointment of a County Health Officer pursuant to NRS 439.290.
45. [For Possible Action](#) – Discussion and deliberation regarding approval of a Lease Agreement with Option to Purchase with Artesian Cellars, LLC. for property located at 7401 Manse Road, Pahrump, NV 89060 for the purpose of a grape vineyard and production facility.
46. [For Possible Action](#) – Discussion and deliberation to approve a Settlement Agreement between Nye County and the Nye County Employees Association (NCEA) to allow the modification of the Collective Bargaining Agreement (CBA) to provide future automatic Cost of Living Adjustments (COLA) be calculated by the average annual change in the Urban Wage Earners and Clerical Workers, West – B/C, not to exceed 3%; and to allow for employees with the NCEA to receive an additional COLA of 0.3% retroactive to July 1, 2018.
47. [For Possible Action](#) – Discussion, deliberation and presentation of the monthly Desert Haven Animal Society animal shelter operations investigation report.
48. [For Possible Action](#) – Discussion and deliberation to allow Justice of the Peace Judge Jasperson, as he deems necessary, to invite any available Justice of the Peace within the confines of NRS 4.340(2), to provide him temporary assistance until the recently elected Justice of the Peace for Pahrump Township is sworn in or for a period of thirty days, whichever date is sooner.
49. [For Possible Action](#) – Discussion and deliberation to rescind approval of the use of approximately 4.999 acres of County owned property located at 9301 S. Homestead Road, APN 45-411-02 – Nye County, Owner, to be used by the Town for volunteers to construct a Trail-Head known as Bridle Path Trail Head.

FINANCE

50. [For Possible Action](#) – Discussion and deliberation regarding RFQ # 2018-13 – Property Abatement 2450 S. River Plate Dr: 1) Accept or reject any or all bids received; and 2) Direct staff on how to proceed with this project.

PLANNING/BUILDING/CODE COMPLIANCE

51. [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. 2019-01: A Bill proposing to amend Nye County Code Section 15.17.060, Minimum Standards for Manufactured Homes; 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.
52. [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. 2019-02: A Bill proposing to amend Nye County Code Title 9 Public Peace, Morals, and Welfare by adding Chapter 9.30 Noise Control, to conserve and promote the public health, safety, morals and general welfare of the present and future inhabitants of Nye County 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.

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PUBLIC PETITIONER

53. [For Possible Action](#) – Discussion and deliberation regarding Nye County Proclamation No. P2018-05: A Proclamation Declaring January 2019 as National Radon Action Month.
54. [For Possible Action](#) – Discussion and deliberation regarding a request to waive planning fees in the amount of \$525.00 for the purpose of initiating the planning process for constructing a garage at 3981 Blosser Ranch Rd., Pahrump, NV. Larry Tross – Requestor/Property Owner.
55. **GENERAL PUBLIC COMMENT (second)**
56. **ADJOURN**