



**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 Dr, Pahrump, NV 89048
Tuesday, October 15, 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 October 15, 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 October 15, 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 meetings for [September 3, 2013](#) and [September 17, 2013](#).

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 - [Presentation of certificate and/or plaques](#) to fourteen (14) employees honored for their years of service.
9. 10:00 - [For Possible Action](#) - Discussion and deliberation regarding an Order to Show Cause Hearing to suspend or revoke the Beer & Wine Liquor License at AJ's Adventures LLC dba The Dragon's Cloud Hookah Lounge located at 3370 S. Hwy 160, Suite 8 in Pahrump, Nevada.
10. 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.
11. 10:45 - [For Possible Action](#) - Public hearing, discussion, and deliberation to adopt, amend and adopt, or reject Nye County Bill No. 2013-10: a Bill proposing to amend, Title 5 of the Nye County Code, titled Business Licenses and Regulations, Chapter 5.14, titled Gaming Licenses, by adding the definition of nonrestricted gaming license and by amending, section 5.14.100, titled Action on Application, to amend the minimum hotel or motel rooms required in order to obtain a nonrestricted gaming license; providing for the severability, constitutionality and effective date hereof, and other matters properly relating thereto; and 2) set an effective date.
12. 10:45 - [For Possible Action](#) - Public hearing, discussion, and deliberation to adopt, amend and adopt, or reject Nye County Bill No. 2013-14: a bill proposing to amend, Title 10 of the Nye County Code, titled Vehicles and Traffic, Chapter 10.04, titled Traffic Regulations, Section

10.04.010, titled Adoption by Reference, to amend the ordinance to adopt by reference the traffic laws in Nevada Revised Statutes 484A, 484B, 484C, 484D, and 484E; 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](#) - Public Hearing, discussion and deliberation on Zone Change ZC-13-0001: (Conforming) Zone Change application to change a 2.66 acre parcel from the Visitor Commercial (VC) Zoning District to the Rural Estates Residential (RE-1) Zoning District on property Master Planned as Mixed Use, located at 3661 W. Nevada Highway 372, further known as Parcel 6 of File Map #29503. James and Delia Northcutt - Property Owners/Applicants. AP# 27-581-33.

SITTING AS THE NYE COUNTY BOARD OF ROAD COMMISSIONERS

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

SITTING AS THE NYE COUNTY LICENSING AND LIQUOR BOARD

LIQUOR

16. [For Possible Action](#) - Discussion and deliberation regarding a Special Club License for the VFW Beatty Post #12108, 300 W. Main St., Beatty, NV. Richard L. Gardner, 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.

17. [For Possible Action](#) - Approval of Elected Official Collection Report
18. [For Possible Action](#) - Approval to set the date and location of the second meeting of the Board of Commissioners for Tuesday, January 21, 2014 in Pahrump, Nevada.
19. [For Possible Action](#) - Approval to accept the State of Nevada Division of Emergency Management (DEM) FFY13 Emergency Preparedness Working Group (EPWG) grant award for personnel, contract planning, and generators.
20. [For Possible Action](#) - Approval to accept the State of Nevada, Division of State Parks, Land & Water Conservation Grant for Beatty Town Park development.

BOARD OF COMMISSIONERS

21. **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.**
22. **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.**
23. **For Possible Action - Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.**
24. **For Possible Action - Discussion and deliberation regarding the position of Director of Community Development.**
25. **For Possible Action – Update and discussion on the Nevada Land Management Task Force activities.**
26. **For Possible Action - Discussion and deliberation regarding an invitation from the Bureau of Land Management Tonopah Field Office to become a Cooperating Agency for the duration of the Environmental Impact Statement process for the Gemfield Mine Project.**
27. **For Possible Action - Discussion and deliberation to fund the Guardian Park project in the amount of \$150,000.00 contingent on the Town of Pahrump donating the land for the project from the fairgrounds property, contributing \$150,000.00, and the project promoters raising an additional \$150,000.00 in donations for a project total of \$450,000.00.**

PUBLIC ADMINISTRATOR

28. **Quarterly report from the Public Administrator end of each quarter**

COUNTY MANAGER

29. **Ongoing Project Report**
30. **Report on Economic Development**
31. **For Possible Action - Discussion and deliberation to approve the 2013 Nye County Annual Comprehensive Economic Development Strategy (CEDS) update and submit to the U.S. Department of Commerce, Economic Development Administration (EDA).**

FINANCE

32. **For Possible Action - Discussion and deliberation regarding a resolution creating a fund entitled Nye County Public Safety Sales and Use Tax.**
33. **Budget to Actual Expenditure Report**
34. **Budget to Actual Revenue Report**

35. **Budget** to Actual Fund Balance Report

HEALTH & HUMAN SERVICES

36. **For Possible Action** - Discussion and deliberation regarding an Interlocal Contract among the State of Nevada, Division of Health Care Financing and Policy (DHCFP); Division of Welfare and Supportive Services (DWSS); and Nye County to provide the administrative services necessary to implement the program of medical assistance to individuals who meet financial and medical eligibility criteria.

PLANNING/BUILDING

37. **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. 2013-13: A Bill proposing to amend Nye County Code Title 17, the Zoning Ordinance of the Pahrump Regional Planning District, by amending portions of the regulations relating to "Animals Special Conditions," "Commercial Kennel," "Kennel," adding a "Multi-pet permit," deleting "Residential Kennel," deleting other animal related definitions that are not used, and amending the definition of "Animal Special Conditions"; 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.
38. **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. 2013-17: A Bill proposing to amend Nye County Code Title 17, the Zoning Ordinance of the Pahrump Regional Planning District, by amending Section 17.04.920 "Conditional Use Permit Procedures," to require that the applicant has the burden of submitting proof of compliance relating to any conditions of approval associated with an approved conditional use permit; 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.

PUBLIC WORKS

39. **For Possible Action** - Discussion and deliberation regarding a Federal Lands Highway Agreement with the Federal Highway Administration to prepare a Project Delivery Plan for the reconstruction of Main Street in Manhattan, Nevada.
40. **GENERAL PUBLIC COMMENT** (second)
41. **ANNOUNCEMENTS** (second)
42. **ADJOURN**