



**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, March 18, 2014
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 March 18, 2014 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 March 18, 2014 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.

"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 March 18, 2014.**
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 February 18, 2014.**

[Item.04](#) 

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.**

[Item.08.1](#) 

[Item.08.2](#) 

9. **11:00 - For Possible Action - Continued Public Hearing, discussion, and deliberation to: 1) adopt, amend and adopt, or reject Nye County Bill No. 2013-31: 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 "Medical Marijuana," establishing the provisions related to zoning, development standards, and other land use regulations for medical marijuana establishments; and providing for the severability, constitutionality and effective date hereof; and other matters properly relating thereto; and 2) set an effective date.**

[Item.09.c](#) 

10. **11:00 - For Possible Action - Public Hearing, discussion, and deliberation to: 1) adopt, amend and adopt, or reject Nye County Bill No. 2014-09: A Bill proposing to amend Nye County Code Title 5, Business Licenses and Regulations, by adding Chapter 5.32 pertaining to the licensing and regulation of Medical Marijuana Establishments; setting forth the procedures and requirements for the issuance of Medical Marijuana Establishment Licenses; establishing the fees required for**

such licenses; providing for the imposition of a special business tax; setting forth the provisions for renewal of such licenses; and providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto; and 2) set an effective date.

[Item.10.c](#) 

SITTING AS THE NYE COUNTY BOARD OF ROAD COMMISSIONERS


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

[Item.11](#) 

12. 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.

[Item.12](#) 

13. For Possible Action - Discussion and deliberation regarding a Resolution amending Nye County Road Commissioners Resolution RC 2013-318 establishing a county public road pursuant to Nevada Revised Statutes 403.170, 405.191 and RS 2477.

[Item.13](#) 

SITTING AS THE NYE COUNTY LICENSING AND LIQUOR BOARD

GAMING

14. For Possible Action - Discussion and deliberation regarding a Gaming License for Bricos LLC dba Draft Picks, 1101 S. Hwy 160, Pahrump, NV. Brian Shniderson, Applicant.

[Item.14](#) 

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

BEATTY

15. For Possible Action - Discussion and deliberation to approve a project for the Beatty Community Center Kitchen Remodel.

[Item.15](#) 

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.

16. For Possible Action - Approval of Elected Official Collection Report

[Item.16](#) 


17. For Possible Action - Approval to set the date and location of the second meeting of the Board of Commissioners for Tuesday, June 17, 2014 in Pahrump, Nevada.

[Item.17](#) 

18. For Possible Action - Approval to apply for the 2015 Byrne Memorial Justice Assistance Grant (JAG) through the Nevada Office of Criminal Justice Assistance to assist in the costs of two full time Narcotics Detectives, one part time no benefits Office Assistant, and confidential funds.

[Item.18.c](#) 

19. For Possible Action - Approval to accept the State of NV Office of Emergency Medical Systems 2014 Emergency Medical Service Coordination (EMSC) grant for transitional training from EMS instructors.

[Item.19](#) 

BOARD OF COMMISSIONERS

20. 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.

21. 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.

22. For Possible Action - Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.

23. For Possible Action - Discussion and deliberation regarding a resolution supporting Nevada's Sesquicentennial, the 150th anniversary of Nevada's admission to the Union and encourage other counties to get involved.

[Item.23](#) 

TREASURER

24. Treasurer's Report

[Item.24](#) 

DISTRICT COURT

25. For Possible Action - Discussion and deliberation regarding a contract with WestCare, NV Inc. to provide substance abuse treatment for Fifth Judicial District Adult Drug Court participants.

[Item.25](#) 

COUNTY MANAGER

26. Ongoing Project Report

[Item.26](#) 


27. Economic Development Report

[Item.27](#) 

28. For Possible Action - Discussion and deliberation regarding directing the transfer of Nye County Treasurer Trust property to Nye County for public purposes.

[Item.28](#) 

29. For Possible Action - Discussion and deliberation regarding directing the transfer of Nye County Treasurer Trust property to Town of Tonopah ownership for public purposes.

[Item.29.c](#) 

EMERGENCY SERVICES

30. For Possible Action - Discussion and deliberation regarding a Reciprocal Aid Agreement with Newmont USA Limited.

[Item.30](#) 

FINANCE

31. Budget to Actual Revenue Report

[Item.31](#) 

32. Budget to Actual Fund Balance Report

[Item.32](#) 

33. Budget to Actual Expenditure Report

[Item.33.c](#) 

34. For Possible Action - Discussion and deliberation regarding a Resolution for the Dissolution of the Petty Cash Fund for the Payment of Advance Travel and Subsistence.

[Item.34](#) 

35. For Possible Action - Discussion and deliberation regarding a capital project for the remodel of the Law Library and District Attorney Office space in the Tonopah Justice Facility.

[Item.35](#) 

36. For Possible Action - Discussion and deliberation regarding the Lease Agreement with Tails End, Inc. of Pahrump.

[Item.36](#) 

HEALTH & HUMAN SERVICES

37. For Possible Action - Discussion and deliberation regarding one Medical Indigent inpatient hospital bill.

[Item.37](#) 

H/R AND RISK MANAGEMENT

38. For Possible Action - Discussion and deliberation regarding approval of the Memorandum of Understanding between NCEA & Nye County.

[Item.38](#) 

39. For Possible Action - Discussion and deliberation to consider sources of occupational health services to Nye County employees in Tonopah and surrounding areas.

[Item.39.c](#) 


NUCLEAR WASTE REPOSITORY PROJECT OFFICE

40. For Possible Action - Discussion and deliberation to apply for a Hoover power allocation from Western Area Power Administration (WAPA) and the Colorado River Commission (CRC) and to coordinate with other Nye County entities to submit a joint application.

[Item.40.c](#) 

PLANNING/BUILDING

41. 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. 2014-01: A Bill proposing to amend Nye County Code Title 17, the Zoning Ordinance of the Pahrump Regional Planning District, by removing "Commercial Kennel" as a use allowed by Conditional Use Permit in the RE-1 (Rural Estates Residential 1-acre minimum parcel size) and RE-2 (Rural Estates Residential 2-acre minimum parcel size) zoning districts; 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.

[Item.41.c](#) 

42. 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. 2014-06: A Bill proposing to amend Nye County Code Title 17, the Zoning Ordinance of the Pahrump Regional Planning District, by amending Section 17.04.905 Grandfathered Uses, to allow the expansion of grandfathered residential dwelling units and allow residential accessory buildings and structures to be added to grandfathered residential uses in commercial and industrial zones without the requirement to obtain a conditional use permit; 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.

[Item.42.c](#) 

43. 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. 2014-07: A Bill proposing to amend Nye County Code Chapter 16.36, the Procedures for Appeal of Decisions Regarding the Use of Land, by establishing the process for the appeal of administrative decisions and interpretations pertaining to zoning, land use, and other related subject matters; 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.

[Item.43.c](#) 

44. **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. 2014-08: A Bill proposing to amend Nye County Code Title 17, the Zoning Ordinance of the Pahrump Regional Planning District, by amending the Village Residential VR-10 and VR-20 Zoning Districts to allow guest residences as permissive uses; 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.**

[Item.44.c](#) 

PUBLIC WORKS

45. **For Possible Action - Discussion and deliberation regarding a Memorandum of Understanding with Artesia Owners Association to keep rights-of-way in the Artesia Subdivision free of weeds, trash and debris.**

[Item.45](#) 

46. **For Possible Action - Discussion and deliberation regarding a Non-Federal Reimbursable Agreement with the Federal Aviation Administration (FAA) to perform a reconfiguration flight of the Precision Approach Path Indicator (PAPI) on Runway 15 at the Tonopah Airport.**

[Item.46](#) 

PUBLIC PETITIONER

47. **For Possible Action - Discussion and deliberation regarding the designation of County roadways for shared access by Off-Highway Vehicles (OHVs) in the Town of Pahrump.**

[Item.47](#) 

48. **For Possible Action - Discussion and deliberation regarding a request to transfer Nye County Treasurer Trust property to Nye County ownership for the purpose of allowing the public to petition to explore and develop the mine or claim.**

[Item.48](#) 

49. **GENERAL PUBLIC COMMENT (second)**

50. **ANNOUNCEMENTS (second)**