



**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, April 22, 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 April 22, 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 April 22, 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 Brouher 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 April 22, 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 meeting for March 18, 2014 and Teleconference for March 26, 2013.**
[Item.04](#) 
[Item.04.2014.03.18](#) 
[Item.04.2014.03.26](#) 




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 eight (8) employees honored for their years of service.**
[Item.08](#) 
9. **10:00 - Presentation by National Weather Service Representatives to recognize Nye County for their accomplishments completing the requirements for the NOAA National Weather Service (NWS) StormReady program.**
[Item.09](#) 
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.**

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- [Item.10](#) 
- [Item.10.1](#) 
- [Item.10.2](#) 

11. 11:00 - For Possible Action - Public Hearing, discussion, and deliberation to adopt, amend and adopt, or reject 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) set an effective date.

[Item.11](#) 

12. 11:00 - For Possible Action - Public Hearing, discussion, and deliberation to adopt, amend and adopt, or reject 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) set an effective date.

[Item.12](#) 

13. 11:00 - For Possible Action - Public Hearing, discussion, and deliberation to adopt, amend and adopt, or reject 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) set an effective date.

[Item.13](#) 

14. 11:00 - For Possible Action - Public Hearing, discussion, and deliberation to adopt, amend and adopt, or reject 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) set an effective date.

[Item.14](#) 

SITTING AS THE NYE COUNTY BOARD OF ROAD COMMISSIONERS

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




[Item.15](#) 

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.

[Item.16](#) 









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

BEATTY

17. **For Possible Action - Discussion and deliberation regarding the purchase of lighting for the Beatty Mural.**
[Item.17](#) 
18. **For Possible Action - Discussion and deliberation regarding the installation of insulation in both Beatty Volunteer Fire Department buildings.**
[Item.18](#) 
19. **For Possible Action - Discussion and deliberation regarding a Fireworks Merchandise Contract and Purchase Order with Lantis Productions Inc for the purchase of 2014 fireworks for the Town of Beatty.**
[Item.19](#) 

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.

20. **For Possible Action - Approval of Elected Official Collection Report**
"Document has been divided into separate links by Office"
[Item.20.Assessor](#) 
[Item.20.Clerk](#) 
[Item.20.JC](#) 
[Item.20.Recorder](#) 
[Item.20.Sheriff](#) 
21. **For Possible Action - Approval to set the date and location of the second meeting of the Board of Commissioners for Tuesday, July 15, 2014 in Pahrump, Nevada.**
[Item.21](#) 
22. **For Possible Action - Approval to apply for the Nevada Aging and Disability Services Division (ADSD) Social Services Non-Competitive Grant for Fiscal Year 2015 to provide senior transportation services in Amargosa Valley, Beatty, Gabbs, Smoky Valley and Tonopah in Nye County.**
[Item.22](#) 
23. **For Possible Action - Approval of Amendment One to the Interlocal Contract for Medical, Core, and Support Services for HIV/AIDS Infected and Affected Clients in the Las Vegas, Ryan White, Transitional Grant Area for additional service of Food Bank/Home Delivered Meals Standards of Care.**
[Item.23](#) 

24. **For Possible Action - Approval of a 2015 Agreement to use account for Low Income Housing Welfare Set-Aside Fund from Nevada Housing Division Welfare Set-Aside Program.**

[Item.24](#) 

25. **For Possible Action - Approval to apply for the 2014 US Department of Justice Bulletproof Vest Partnership Act Grant to reimburse Nye County for up to 50% of the money expended on bulletproof vests.**

[Item.25](#) 

BOARD OF COMMISSIONERS

26. **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.**

27. **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.**

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

29. **AB227 Task Force Update**

[Item.29](#) 

30. **For Possible Action - Discussion and deliberation regarding a Proclamation recognizing May 1, 2014 as a National Day of Prayer.**

[Item.30](#) 


31. **For Possible Action - Discussion and deliberation regarding a Resolution in support of the limited powers of the U.S. Constitution and Governor Brian Sandoval's support of the free exercise of the First Amendment.**

[Item.31](#) 

32. **For Possible Action - Discussion and deliberation regarding ratifying a resolution to obtain water and sewer utility facilities and to operate said utility for Spring Mountain Motorsports Ranch.**

[Item.32](#) 


33. **For Possible Action - Discussion and deliberation regarding bylaws for the Groundwater Management Advisory Committee.**

[Item.33](#) 

34. **For Possible Action - Discussion & deliberation regarding Rooftop Impact Fees for calendar year 2014.**


[Item.34](#) 

- 35. For Possible Action - Discussion and deliberation regarding a Resolution in support of ranching in Nye County.**

[Item.35](#) 

SHERIFF

- 36. For Possible Action - Discussion and deliberation to issue a Display Fireworks Event Permit for the Town of Round Mountain. Dan Sweeney, Applicant.**

[Item.36](#) 

TREASURER

- 37. Treasurer's Report**

[Item.37](#) 

COUNTY MANAGER

- 38. Ongoing Project Report**

[Item.38](#) 

- 39. For Possible Action - Discussion and deliberation to surplus and sell excess Nye County personal property that is no longer in use.**

[Item.39](#) 

FINANCE

- 40. Budget to Actual Expenditure Report**

[Item.40](#) 

- 41. Budget to Actual Revenue Report**

[Item.41](#) 

- 42. Budget to Actual Fund Balance Report**

[Item.42](#) 

- 43. For Possible Action - Discussion and deliberation regarding RFQ #2014-05 - Substance Abuse Treatment Service Counselor: 1) the response from WestCare Nevada, Inc.; and 2) execute the agreement.**

[Item.43](#) 

- 44. For Possible Action - Discussion and deliberation regarding a Cooperative Agreement with the State of Nevada Department of Taxation to perform all functions incident to the administration or operation of the tax in the County.**

[Item.44](#) 

45. **For Possible Action - Discussion and deliberation concerning a request to set a date, time and location for a Public Hearing for approval of Final Budget for Fiscal Year 2014-15.**

[Item.45](#) 

H/R AND RISK MANAGEMENT

46. **For Possible Action - Discussion and deliberation to authorize the Human Resources Manager to administer benefit and voluntary deduction plans.**

[Item.46](#) 

PLANNING/BUILDING

47. **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. 2014-10: A Bill proposing to amend Nye County Code Title 17, the Zoning Ordinance of the Pahrump Regional Planning District, by amending Section 17.04.730 "Parking," to allow for the use of alternative parking lot surfacing materials; and providing for the severability, constitutionality and effective date hereof; and other matters properly relating thereto; and 2) Read the title of the Bill into the record.**

[Item.47](#) 

48. **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. 2014-11: A Bill proposing to amend Nye County Code Title 17, the Zoning Ordinance of the Pahrump Regional Planning District, by amending Section 17.04.200 "Residential Districts," pertaining to the separation distance requirements between residential buildings; and providing for the severability, constitutionality and effective date hereof; and other matters properly relating thereto; and 2) Read the title of the Bill into the record.**

[Item.48](#) 

49. **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. 2014-12: A Bill proposing to adopt a Development Agreement between Nye County and Spring Mountain Raceway LLC concerning the development of approximately 313.0 acres of land generally located at 3601 S. Highway 160, Pahrump, commonly known as the Spring Mountain Motorsports Ranch; and providing for the severability, constitutionality and effective date hereof; and other matters properly relating thereto; and 2) Read the title of the Bill into the record.**

[Item.49](#) 

50. **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. 2014-16: A Bill proposing to amend Nye County Code Title 17 by changing the name of the Title to "Comprehensive Land Use Planning and Zoning;" repealing Bill No. 2013-31; and adding Chapter 17.09 "Medical Marijuana Establishments," establishing the provisions related to zoning or land use restrictions, development standards, and imposing requirements and procedures for the issuance of a Special Use Permit for all areas in Nye County; 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.50.c](#) 

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. 2014-17: A Bill proposing to amend Nye County Code Title 5, "Business Licenses and Regulations;" setting forth procedures and requirements for the issuance of Medical Marijuana Establishment Licenses 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) Read the title of the Bill into the record.**

[Item.51](#) 

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. 2014-18: A Bill proposing to amend Nye County Code Title 8, "Health and Safety;" adding Chapter 8.42, "Medical Marijuana;" establishing the right of an individual who holds a valid registry identification card to retain the right to cultivate, grow or produce marijuana to be used to mitigate the symptoms or effects of chronic or debilitating medical conditions after April 1, 2016, under the same terms and conditions of law presently existing; and providing for the severability, constitutionality and effective date thereof; and all other matters properly relating thereto; and 2) Read the title of the Bill into the record.**

[Item.52](#) 

53. **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. 2014-19: A Bill proposing to amend the adopted Ordinance No. 414 that amended Nye County Ordinance No.410: An Ordinance that adopted the Development Agreement with Tonopah Solar Energy, LLC, for the Crescent Dunes Solar Energy project, located in the southern portion of Big Smoky Valley, north of U.S. Highway 95/6 along the Gabbs Pole Line Road (State Highway 89); was adopted by the Board of County Commissioners at its July 19, 2011 meeting; and providing for the severability, constitutionality and effective date hereof; and other matters properly relating thereto; and 2) Read the title of the Bill into the record.**

[Item.53](#) 

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

55. **ANNOUNCEMENTS (second)**

56. **ADJOURN**