



**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
Monday, May 19, 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 May 19, 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 May 19, 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 May 19, 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 on April 22, 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. **10:00 - For Possible Action - Public Hearing, discussion and deliberation to adopt, amend and adopt, or reject the Final Budget for Fiscal Year 2014-15.**

[Item.08](#) 

[Item.08.Beatty](#) 

[Item.08.Gabbs](#) 

[Item.08.Manhattan](#) 

[Item.8.additional.Budget](#) 

[Item.8.additional.Department of Taxation](#) 

9. **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.09](#) 

[Item.09.Road Resolutions](#) 

[Item.09.Road Resolutions](#) 

10. 11:00 - For Possible Action - Continued Public Hearing, discussion, and deliberation to: 1) 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.10](#) 

11. 11:00 - For Possible Action - Public Hearing, discussion, and deliberation to: 1) adopt, amend and adopt, or reject 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) Set an effective date.

[Item.11](#) 

[Item.11.additional](#) 

12. 11:00 - For Possible Action - Public Hearing, discussion, and deliberation to: 1) adopt, amend and adopt, or reject 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) Set an effective date.

[Item.12](#) 


13. 11:00 - For Possible Action - Public Hearing, discussion, and deliberation to: 1) adopt, amend and adopt, or reject 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) Set an effective date.

[Item.13.c](#) 

14. 11:00 - For Possible Action - Public Hearing, discussion, and deliberation to: 1) adopt, amend and adopt, or reject 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) Set an effective date.

[Item.14](#) 

15. 11:00 - For Possible Action - Public Hearing on Major Master Plan Amendment and Zone Change Application:

[Item.15.c](#) 

- a. **For possible action - MP-14-0001: (Major) Master Plan Amendment application to change approximately 313.0 acres from the Heavy Industrial and BLM Disposal/Heavy Industrial Reserve land use categories to the Mixed Use land use category, generally located at 3601 S. Highway 160, commonly known as the Spring Mountain Motorsports Ranch. Spring Mountain Raceway LLC - Property Owner/Applicant. Russ Meads/Double M Construction - Agent. AP#'s 27-741-12, -13, -14, -15, and -16.**
- b. **For possible action - ZC-14-0001: (Non-Conforming) Zone Change application to change approximately 313.0 acres from the Heavy Industrial (HI) and Reserve Heavy Industrial (R) Zoning Districts to the Mixed Use (MU) Zoning District with a Special Projects Overlay Zone, generally located at 3601 S. Highway 160, commonly known as the Spring Mountain Motorsports Ranch. Spring Mountain Raceway LLC - Property Owner/Applicant. Russ Meads/Double M Construction - Agent. AP#'s 27-741-12, -13, -14, -15, and -16.**

16. 11:00 - For Possible Action - Public Hearing, discussion, and deliberation to: 1) adopt, amend and adopt, or reject 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) Set an effective date.

[Item.16](#) 

SITTING AS THE NYE COUNTY BOARD OF ROAD COMMISSIONERS

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

[Item.17](#) 

18. 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.18](#) 

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.

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

[Item.19](#) 

20. **For Possible Action - Approval to set the date and location of the second meeting of the Board of Commissioners for Tuesday, August 19, 2014 in Pahrump, Nevada.**
[Item.20](#) 
21. **For Possible Action - Approval: 1) to apply for SFY 2015 Community Service Block Grant (CSBG) to assist youth through NyE Communities Coalition with training and employment; and 2) approval of the Nevada CSBG Policies for the Service Delivery Model and eLogic Model 3.0 (eLM) Software.**
[Item.21.c](#) 
22. **For Possible Action - Approval to apply to the State of Nevada, Division of Emergency Management (DEM), for the FY14 Emergency Management Performance Grant (EMPG) to cover a portion of the salary and benefits for the Director of Emergency Management.**
[Item.22](#) 
23. **For Possible Action - Approval to apply to the State of Nevada Emergency Response Commission's (SERC) FY15 "United We Stand" Planning, Training & Equipment grant supply much needed emergency response equipment to aid in Hazardous Materials Response.**
[Item.23](#) 
24. **For Possible Action - Approval to apply for "Joint Adult Drug Court Solicitation to Enhance Services, Coordination, and Treatment FY2014" a combined grant through the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance and the U.S. Department of Health and Human Services, and the Substance Abuse and Mental Health Services Administration (SAMHSA).**
[Item.24](#) 


BOARD OF COMMISSIONERS

25. **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.**
26. **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.**
27. **For Possible Action - Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.**
28. **AB227 Task Force Update**
[Item.28.c](#) 
29. **For Possible Action - Discussion and deliberation concerning a resolution amending the policy regarding opening invocations before meetings of the Nye County board of County Commissioners.**
[Item.29.c](#) 

30. **For Possible Action - Discussion and deliberation regarding removing two (2) members of the Gabbs Town Advisory Board.**


[Item.30](#) 

31. **For Possible Action - Discussion and deliberation regarding a resolution inviting and pleading for the appearance and participation of Director Neil Kornze, Director of the Bureau of Land Management, to Northeastern Nevada to convene with the assembled county commissioners of the affected counties**

[Item.31](#) 

CLERK

32. **For Possible Action - Discussion and deliberation to appoint four (4) members to the Capital Improvements Advisory Committee.**

[Item.32](#) 

TREASURER

33. **Treasurer's Report**

[Item.33](#) 

COUNTY MANAGER

34. **Ongoing Project Report**

[Item.34.c](#) 

35. **For Possible Action - Discussion and deliberation to appoint an interim Comptroller.**


[Item.35](#) 

36. **For Possible Action - Discussion and deliberation regarding the selection process for medical marijuana grow facilities and dispensaries.**


[Item.36](#) 

FINANCE


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

[Item.37](#) 

38. **For Possible Action - Discussion and deliberation regarding Resolutions Directing the Dissolution of the Petty Cash Funds for the Nye County Sheriff's Office in Gabbs, Smoky Valley, and Tonopah offices.**

[Item.38](#) 

39. **For Possible Action - Discussion and deliberation regarding a Resolution authorizing tax rate to support Agricultural Extension.**

[Item.39](#) 

PLANNING/BUILDING

40. For Possible Action - Discussion and deliberation to adopt a Resolution amending the Planning & Zoning Fee Schedule by adding an administrative processing fee for Special Use Permit applications within Nye County.

[Item.40](#) 

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. 2013-25: A Bill proposing to amend Nye County Code, Chapter 16.28, the Division of Land Ordinance of the Pahrump Regional Planning District, by amending Section 16.28.170 "Parcel Map Procedure," pertaining to water rights relinquishment and minimum parcel size requirements; 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](#) 

PUBLIC WORKS

42. For Possible Action - Discussion and deliberation regarding a request to: 1) award a contract to A&K Earth Movers for re-grading the unpaved runways at the Gabbs Airport contingent on Federal Aviation Administration (FAA) approval; 2) authorize the County Manager to submit a grant application to the FAA to obtain funding for the project; and 3) authorize the County Manager to execute the grant offer when it is received from the FAA.

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[Item.42.c.1](#) 

[Item.42.c.2](#) 

43. For Possible Action - Discussion and deliberation regarding a Contract for the purchase of a Tymco Model 600 Comdex sweeper to significantly improve the Road Department's ability to respond to complaints and roadway cleanup issues in a timelier manner.

[Item.43](#) 

PUBLIC PETITIONER

44. For Possible Action - Discussion and deliberation regarding implementation of sales tax for budget year 2014-15.

[Item.44](#) 

45. GENERAL PUBLIC COMMENT (second)

46. ANNOUNCEMENTS (second)