



**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, June 17, 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 June 17, 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 June 17, 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. **Approval of the Agenda for June 17, 2014.**
2. **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).**
3. **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 May 19, 2014.**
[Item.03.2014.05.19](#) 


SITTING AS THE BOARD OF COUNTY COMMISSIONERS

4. **Announcements (first)**
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 - For Possible Action - Presentation, discussion, and deliberation regarding endorsing the recommendations contained in the Nye County Technology Action Plan as presented by the Champion for Nye County and the State Program Manager for Connect Nevada.**
[Item.07](#) 
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](#) 
9. **10:45 - For Possible Action - Continued Public Hearing, discussion and deliberation regarding a request to: 1) adopt, amend and adopt, or reject Nye County Bill No. 2013-29: a Bill proposing to amend Title 9, Chapter 9.20, Section 9.20.230(c) of the Nye County Code entitled registration fee by providing for the distribution of fees, and other matters properly relating thereto; and 2) set an effective date.**
[Item.09.c](#) 
10. **11:00 - For Possible Action - Public Hearing on Appeal Case No. AP-14-0002: Appeal of the Pahrump Regional Planning Commission's attachment of conditions to the granting of Conditional Use Permit No. CU-14-0004 to allow the reinstatement of a previously grandfathered use of land (manufactured home sales and display lot known as "Dream Homes"), specifically appealing the condition requiring the removal of an existing billboard located on the subject property, 1361 S. Highway 160, Assessor Parcel #35-571-15. PJ's**

Supermarket Inc./John Farrar - Property Owner. GDS Enterprises, Inc./Gerald Schulte - Appellant.

[Item.10.c](#) 

11. **11:00 - For Possible Action - Public Hearing, discussion, and deliberation to: 1) Adopt, amend and adopt, or reject Nye County Bill No. 2014-14: A Bill proposing to amend Nye County Code 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.11.c](#) 

12. **11:00 - For possible action - ZC-14-0002: Public Hearing on Zone Change application to change 22 parcels containing a total of approximately 27.5 acres from the General Commercial (GC), Neighborhood Commercial (NC), and Mixed Use (MU) Zoning Districts to the Rural Estates (RE-1) and Rural Estates (RE-2) Zoning Districts, generally located in the vicinity of the intersection of Thousandaire Boulevard and Pahrump Valley Boulevard, situated between Tequilla Way and Paula Drive. Multiple - Property Owners. Pahrump Regional Planning Commission - Applicant. AP#'s 44-693-01 through -06, and 44-701-01 through -07, and 44-712-01 through -04, and 44-362-13 & -14, and 44-362-23 & -24, and 44-264-04.**

[Item.12.c](#) 

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


[Item.13.c](#) 

14. **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.14.c](#) 

15. **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.15.c](#) 

16. 11:30 - For Possible Action - Discussion and deliberation regarding a renewal proposal from the Nevada Public Agency Insurance Pool (POOL).


[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 of Assessor's Office Change Request

[Item.20](#) 

21. For Possible Action - Approval to set the date and location of the second meeting of the Board of Commissioners for Tuesday, September 16, 2014 in Pahrump, Nevada.

[Item.21](#) 

22. For Possible Action - Approval of the Grant Award from Division for Aging Services for Nutrition Services Incentive Program to provide commodity food for the nutrition program in Amargosa Valley, Beatty and Tonopah Senior Centers.

[Item.22](#) 

23. For Possible Action - Approval to apply for a State of Nevada, Aging and Disability Services Division Grant for funding to provide congregate meals in Amargosa Valley, Beatty and Tonopah senior centers.


[Item.23](#) 

24. **For Possible Action - Approval to apply for a State of Nevada, Aging and Disability Services Division Grant for funding to provide home-delivered meals in Amargosa Valley, Beatty and Tonopah.**

[Item.24](#) 

ASSESSOR

25. **Presentation of projected expenditures of money in the Assessor Technology Fund (collections in the 2014- 2015 fiscal year to be added to previously encumbered or unused balances from fiscal year 2006-2007, through 2012- 2014).**

[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. **NACO Activity Update**

Document size is large and has been divided into separate links.

[Item.29.c.1](#) 

[Item.29.c.2](#) 

30. **AB227 Task Force Update**

[Item.30.c](#) 

31. **Public Lands Steering Committee Update**

[Item.31](#) 

32. **For Possible Action - Discussion and deliberation regarding a resolution in support of Domestic Well Owners in Nye County.**

[Item.32](#) 

CLERK

33. **For Possible Action - Pursuant to NRS 293.387 (1), Canvass of the returns of the Primary Election held on June 10, 2014.**

[Item.33](#) 

34. **For Possible Action - Discussion and deliberation to appoint one member to the Capital Improvements Advisory Board.**

[Item.34](#) 

DISTRICT ATTORNEY

35. **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 Title 2 of the Nye County Code, titled Adoption of the Unincorporated Town Government Law, by amending the applicability of the unincorporated town government law to exclude the unincorporated towns of Amargosa Valley, Pahrump, Round Mountain, and Tonopah; 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.35.c](#) 

SHERIFF

36. **For Possible Action - Discussion and deliberation regarding a renewal Wholesale/Retail Fireworks Permit to D & T Imports, Inc. dba Area 51 Fireworks. Tim McKoy, Applicant.**

[Item.36](#) 

37. **For Possible Action - Discussion and deliberation regarding a renewal Wholesale/Retail Fireworks Permit to Vegas of Pahrump, Inc. dba Phantom Fireworks. Raechelle Laughlin, Applicant.**

[Item.37](#) 

38. **For Possible Action - Discussion and deliberation regarding a Display Fireworks Event Permit to Lantis Fireworks & Lasers. Ken Lantis, Applicant.**

[Item.38](#) 

39. **For Possible Action - Discussion and deliberation regarding a Retail Liquor License as well as a Wholesale Liquor License to Combination Seven LLC dba Tonopah Brewing Company, 315 S. Main Street, Tonopah, NV. Frederic and Nancy Cline, Applicants.**

[Item.39](#) 

40. **For Possible Action - Discussion and deliberation regarding a Beer & Wine License to Sorensen Enterprises, LLC dba Nicco's Pizza, 2201 E. Postal Drive, Pahrump, NV. Rebecca Sorensen, Applicant.**

[Item.40](#) 

41. **For Possible Action - Discussion and deliberation regarding a Display Fireworks Event Permit to The Pahrump Nugget. Margie Lough, Applicant.**

[Item.41](#) 

42. **For Possible Action - Discussion and deliberation regarding a Display Firework Event Permit to Zambelli Firworks for an aerial display on July 4, 2014, 150 N. Hwy 160, Pahrump, NV. John Hagan, Applicant.**

[Item.42](#) 

JUVENILE PROBATION

43. For Possible Action - Discussion and deliberation regarding an Inter-Local Contract with Clark County Dept. of Juvenile Justice Services for the temporary housing of juvenile offenders from Nye County at Zenoff Hall.

[Item.43.c](#) 

COUNTY MANAGER

44. Ongoing Project Report

[Item.44](#) 

EMERGENCY SERVICES

45. For Possible Action - Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution 2014-24: Amendment of Resolution 2013-12 Setting Schedule of Fees and Penalties Required by Nye County Code, Title 6, Animals and Schedule of Nye County Animal Shelter Adoption Fees.

[Item.45](#) 

FINANCE

46. For Possible Action -Discussion and deliberation regarding resolutions to augment the Fiscal Year 2013-2014 budget.

INFORMATION TECHNOLOGY

47. Presentation on the current status of the Nye County Radio Communications system.

[Item.47.c](#) 

48. For Possible Action - Discussion and deliberation regarding an agreement with Atomsplash/Arizona-Nevada Towers for tower space rental to enhance their capability of providing high speed internet services to the Amargosa Valley community.

[Item.48](#) 

49. For Possible Action - Discussion and deliberation regarding an Intrastate Inter-local Contract with the Nevada Department of Information Technology Services to renew the microwave/radio rack space rental at various locations.

[Item.49](#) 


NUCLEAR WASTE REPOSITORY PROJECT OFFICE/NATURAL RESOURCES

50. For Possible Action - Discussion and deliberation to approve, amend and approve, or reject a letter providing comments to the US Environmental Protection Agency and US Army Corps of Engineers regarding proposed changes to the definition of "waters of the United States" under the Clean Water Act.

[Item.50](#) 

PLANNING/BUILDING

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. 2014-20: A Bill proposing to amend Nye County Code Title 17, Comprehensive Land Use Planning and Zoning, Chapter 17.09 Medical Marijuana Establishments, by amending the regulations pertaining to separation distance 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.51.c](#) 

52. For Possible Action - Discussion and deliberation to approve a matrix/point system for the ranking of Special Use Permit applications for Medical Marijuana Establishments.

[Item.52](#) 

[Item.52.additional](#) 

PUBLIC WORKS

53. For Possible Action - Discussion and deliberation to issue the Notice of Completion for the Tonopah Airport 2013 Improvements Project.

[Item.53](#) 

PUBLIC PETITIONER

54. For Possible Action - Discussion and deliberation regarding the Pahrump Valley Fire Rescue Services Sales Tax Revenue Proposal from the Town of Pahrump for FY 15.

[Item.54](#) 

55. GENERAL PUBLIC COMMENT (second)

56. ANNOUNCEMENTS (second)

57. ADJOURN