



**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  
101 Radar Rd., Tonopah, NV 89049  
Wednesday, November 12, 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 November 12, 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 November 12, 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](http://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](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](mailto: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 November 12, 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 on October 7, 2014 and October 14, 2014 Workshop.**

Document has been divided according to meeting dates.

[Item.04.2014.10.07](#) 

[Item.04.2014.10.14](#) 

#### 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 - Community Development Block Grant (CDBG) Public Meeting: 1) Overview of the Community Development Block Grant (CDBG) program; 2) Review of past Housing and Community development needs statement, and public comments on future housing and community development needs; 3) Presentation on possible Community Development Block Grant (CDBG) projects; and 4) Review and approval of the Summary of Past Performance by Nye County with CDBG funding since 1982.**

[Item.08](#) 

9. **10:45 -For Possible Action - Public Hearing, discussion, and deliberation to approve, modify and approve, or reject a Petition to abandon Oliver Street, described as an approximate two thousand five hundred sixty one (2,561) foot length of road right-of-way being forty (40) foot in width as shown on Record of Survey file map #288445 Revised Town of Belmont, Section 26, Township 9 North, Range 45 East, located in the Town of Belmont, Nye County, Nevada (AB-14-0002). Numerous property owners - Petitioner(s).**

[Item.09](#) 

- 10. 10:45 - For Possible Action - Public Hearing, discussion and deliberation to: 1) adopt, amend and adopt, or reject Nye County Bill No. 2014 - 28: a Bill proposing to amend Title 6, Chapter 6.06 of the Nye County Code by adding Section 6.05.025 titled False Reporting; and other matters properly relating thereto; and 2) set an effective date.**

[Item.10.c](#) 

- 11. 11:00 - For Possible Action - Public Hearing, discussion and deliberation on the following Planning and Zoning matters:**

[Item.11.c](#) 

- a. For possible action - MP-14-0006: Public hearing, discussion, and deliberation on a request for a Minor Master Plan Amendment to change approximately 75.97 acres (net) from the Medium Density Residential master plan designation to the Low Density master plan designation, situated south of Laura Road, north of Jent Road, east of Sharpe Avenue and west of Crest Avenue, located at 6631 N. Sharpe Avenue and 6630 N. Crest Avenue, further described as Parcels 1 and 2 of File Map #452424, Township 19 South, Range 53 East, Section 12. Lindkvist Trading Company Inc. - Property Owner. Belaluz Solar LLC - Applicant. Randall Bell - Agent. AP#'s 027-281-33 and 027-281-34.
- b. For possible action - ZC-14-0011: Public hearing, discussion, and deliberation on a request for a Non-conforming Zone Change (ZC) to change 75.97 acres (net) from the Village Residential (VR-20) Zoning District to the Rural Homestead Residential (RH-9.5) Zoning District, situated south of Laura Road, north of Jent Road, east of Sharpe Avenue and west of Crest Avenue, located at 6631 N. Sharpe Avenue and 6630 N. Crest Avenue, further described as Parcels 1 and 2 of File Map #452424, Township 19 South, Range 53 East, Section 12. Lindkvist Trading Company Inc. - Property Owner. Belaluz Solar LLC - Applicant. Randall Bell - Agent. AP#'s 027-281-33 and 027-281-34.

- 12. 11:00 - For Possible Action - Public Hearing, discussion and deliberation on the following Planning and Zoning matters:**

[Item.12.c](#) 

- a. For possible action - MP-14-0005: Public hearing, discussion, deliberation and possible action on a request for a Minor Master Plan Amendment to change approximately 1.98 acres (net) from the Medium Density Residential master plan designation to the Mixed used master plan designation, situated approximately 332 feet east of the intersection of Homestead Road and Mickey Street, located at 3090 E Mickey Street, further described as Parcel 3 of File Map #458601, Township 21 South, Range 54 East, Section 7. Millennium Investments, LLC - Property Owner/Applicant. Civilwise Services, Inc. - Agent. AP# 045-091-26.
- b. For possible action - ZC-14-0010: Public hearing, discussion, deliberation and possible action on a request for a Non-conforming Zone Change (ZC) to change 1.98 acres (net) from the Village Residential (VR-20) Zoning District to the Neighborhood Commercial (NC) Zoning District, situated approximately 332 feet east of the intersection of Homestead Road and Mickey Street, located at 3090 E Mickey Street, further described as Parcel 3 of File Map #458601, Township 21 South, Range 54 East, Section 7. Millennium Investments, LLC - Property Owner/Applicant. Civilwise Services, Inc. - Agent. AP# 045-091-26.

**13. 11:00 - For Possible Action - Public Hearing, discussion and deliberation on the following Planning and Zoning matters:**


[Item.13.c](#) 

- a. For Possible Action MP-14-0004: Public hearing, discussion, and deliberation on a request for a (Major) Master Plan Amendment application to change 55-acres from the Mixed Use and Low Density Residential land use designations to the General Commercial land use designation, located at 600 S. Leslie Street, a portion of the East ½ of Section 18, Township 20 South, Range 53 East. American Eagle RV & Resorts, LLC - Property Owner. Rene Morales, Managing Member, American Eagle RV & Resorts, LLC - Applicant. Civilwise Services, Inc. - Agent. AP# 36-171-28.
- b. For Possible Action ZC-14-0008: Public hearing, discussion, and deliberation on a request for a (Non-Conforming) Zone Change application to change approximately 32-acres of a 55-acre parcel from the Rural Estates (RE-1) Zoning District to the General Commercial (GC) Zoning District located at 600 S. Leslie Street, a portion of the East ½ of Section 18, Township 20 South, Range 53 East. American Eagle RV & Resorts, LLC - Property Owner. Rene Morales, Managing Member, American Eagle RV & Resorts, LLC - Applicant. Civilwise Services, Inc. - Agent. AP# 36-171-28.

**14. 11:00 - For Possible Action - Public Hearing, discussion, and deliberation to: 1) adopt, amend and adopt, or reject Nye County Bill No. 2014-27: A Bill proposing to amend Nye County Code Title 17, Comprehensive Land Use Planning and Zoning, by adding Chapter 17.10 entitled Special Use Permits; and providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto; and 2) set an effective date.**

[Item.14](#) 

**15. 11:00 - For Possible Action - Public Hearing, discussion, and deliberation to: 1) adopt, amend and adopt, or reject Nye County Bill No. 2014-29: A Bill proposing to amend Nye County Code Chapter 16.24.20 pertaining to the appointment of members to the Pahrump Regional Planning Commission; and providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto; and 2) set an effective date.**


[Item.15.c](#) 

**SITTING AS THE NYE COUNTY BOARD OF ROAD COMMISSIONERS**

**16. 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.**

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

[Item.16.1](#) 

[Item.16.2](#) 

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

[Item.17](#) 

**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.**

**18. For Possible Action - Approval of Elected Official Collection Report**

[Item.18](#) 

**19. For Possible Action - Approval of Assessor's Office Change Request**

[Item.19](#) 

**20. For Possible Action - Approval to accept the 2014-2015 Justice Assistance Grant (JAG) through the Nevada Office of Criminal Justice Assistance to assist in the cost of two full time existing Narcotics Detectives and fully fund one part time no benefits existing office assistant.**

[Item.20](#) 

**21. For Possible Action - Approval to accept Notice of Grant Modification for the Community Services Block Grant (CSBG) to provide assistance for Nye County's very low to low-income population.**

[Item.21](#) 

**22. For Possible Action - Approval to accept Notice of Subgrant Award from the Nevada Department of Health and Human Services, Division of Public and Behavioral Health to fund the Women, Infants, and Children (WIC) Clinics in Pahrump and Tonopah.**

[Item.22](#) 

**23. For Possible Action - Approval to set the date and location of the second meeting of the Board of Commissioners for Tuesday, February 17, 2015 in Pahrump, Nevada.**

[Item.23](#) 


**BOARD OF COMMISSIONERS**

**24. 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.**

**25. 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.**

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

27. **Update on Western Interstate Region of National Association of Counties**

[Item.27](#) 

28. **For Possible Action - Discussion and deliberation regarding a Proclamation proclaiming November 14, 2014 as Grant Gerber Day.**

[Item.28](#) 

29. **For Possible Action - Discussion and deliberation regarding a Resolution protesting Bureau of Land Management actions in Recapture Canyon.**

[Item.29](#) 

#### **CLERK**

30. **For Possible Action - Pursuant to NRS 293.387 (1), Canvass of the returns of the Election held on November 4, 2014.**

[Item.30](#) 

31. **For Possible Action - Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2014-42: a Resolution canvassing the results of a bond election in Nye County School District, Nye County, Nevada.**

[Item.31](#) 

#### **SHERIFF**

32. **For Possible Action - Discussion and deliberation to allow Don Boulden to purchase the firearm he was issued when he was hired.**

[Item.32](#) 

#### **TREASURER**

33. **Treasurer's Report**


[Item.33](#) 

#### **COUNTY MANAGER**

34. **Ongoing Project Report**

[Item.34](#) 

35. **For Possible Action - Discussion and deliberation regarding a use agreement between William and Amy Dowers and Nye County granting the use of an alley at the Tonopah corrals for the placement of a trailer for the collection of manure and periodic removal of the contents of the trailer to an off-site location.**

[Item.35](#) 

36. **For Possible Action - Discussion and deliberation regarding a Resolution directing the levy of a special assessment on all taxable property situated within the confines of the Pahrump Valley Groundwater Basin for Fiscal Year 2015-2016.**

[Item.36](#) 

## FINANCE

37. **For Possible Action - Discussion and deliberation regarding a Contract with Wulfenstein Construction to perform a Superpave surface treatment to Calvada Blvd between Blagg Rd and Red Rock Dr as well as portions of the intersection of Calvada and Blagg.**

[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 Beatty Office, and Tonopah Recorders Office.**

[Item.38](#) 

39. **Financial Reports**

[Item.39](#) 

## H/R AND RISK MANAGEMENT

40. **For Possible Action - Discussion and deliberation to approve filling an open Deputy position in the Pahrump DARE Services department.**

[Item.40](#) 

41. **For Possible Action - Discussion and deliberation to approve filling an open Deputy position in the Tonopah Field Services department.**

[Item.41](#) 

42. **For Possible Action - Discussion and deliberation to approve filling a vacancy to be generated when a current Deputy is transferred to the vacated position due to a resignation in the Mercury Field Services department.**

[Item.42](#) 

43. **For Possible Action - Discussion and deliberation to use the funding from a vacant Deputy Justice Court Clerk position to fund two (2) Deputy Justice Court Data Clerk positions in the Pahrump Justice Court office.**

[Item.43](#) 



44. For Possible Action - Discussion and deliberation to: 1) approve a new Budget Technician classification and job description; and 2) approve the posting & filling of the position.

[Item.44](#) 

#### NUCLEAR WASTE REPOSITORY PROJECT OFFICE/NATURAL RESOURCES

45. For Possible Action - Discussion and deliberation regarding applying for a cooperative agreement with the US Department of Energy (DOE) to perform water sampling and technical review of Underground Test Area (UGTA) group work products.

[Item.45.c](#) 

46. For Possible Action - Discussion and deliberation regarding: 1) a cooperative agreement award BF-99T22701-0 from the Environmental Protection Agency (EPA) for Brownfields Coalition Assessment; and 2) a Memorandum of Agreement (MOA) between the other Rural Desert Southwest Brownfields Coalition (RDSBC) Counties of Esmeralda, Lincoln, White Pine, Mineral, and Inyo.

[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. 2014-30: A Bill proposing to amend Nye County Code 16.24.030 "Duties and Authority of the Pahrump Regional Planning Commission" by removing 16.24.030.C.2.b "Review Authority of the Board of County Commissioners" in its entirety, due to a conflict between 16.24.030.C.2.b and 17.04.920.C "Conditional Use Permits Decided by Planning Commission" and because 16.24.030.C.2.b cites Nevada Revised Statutes 278.317 which has been repealed and is no longer in effect; 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.47.c](#) 

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. 2014-31: A Bill proposing to amend a development agreement between Nye County and PV Land Investments, LLC; 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.48.1](#) 






49. For possible action - Discussion and deliberation on a request for a Grant of Easement from Nye County to NV Energy, containing three hundred ninety two (392) square feet, further described as Assessor's Parcel #01-232-07 F#728020 Parcel 1, 530 E Street located at the Gabbs Community Center in the Town of Gabbs; NV Energy - Requestor (EA-14-0002).

[Item.49](#) 



50. **For Possible Action - Discussion and deliberation regarding a request to set a date, time, and location for a Public Hearing on Nye County Resolution No. 2014-17: A Resolution proposing to adopt the 2014 Update of the Pahrump Regional Planning District Master Plan.**








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

- [Item.50.1](#) 
- [Item.50.Maps1](#) 
- [Item.50.Maps2](#) 
- [Item.50.Maps3](#) 
- [Item.50.Maps4](#) 

## **PUBLIC WORKS**


51. **For possible action - Discussion and deliberation of the Nye County Solid Waste Management Plan (SWMP) 2014 Update.**

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


- [Item.51.1.SWMP.Update 2014](#) 
- [Item.51.2.App A-B](#) 
- [Item.51.3.App C-E](#) 
- [Item.51.4.Appendix F Part 1](#) 
- [Item.51.5.Appendix F Part 2](#) 
- [Item.51.6.Appendix F Part 3](#) 
- [Item.51.7.App G&H](#) 

## **PUBLIC PETITIONER**

52. **For Possible Action - Discussion and deliberation concerning a request the Nye County Commissioners write a letter to the Nevada State Board of Dental Examiners (NSBDE) requesting they (NSBDE) waive the Nevada clinical exam requirement for Laura Lynn Beckum in order to gain her dental hygienist license under NRS 631.274 (part 1a) in rural Nye County.**

[Item.52](#) 

53. **For Possible Action - Discussion and deliberation of the closure of State Highway 318 on May 17, 2015 and on September 20, 2015 for the road events held by Silver State Classic Challenge.**

[Item.53](#) 

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

55. **ANNOUNCEMENTS (second)**

56. **ADJOURN**