



**JOINT MEETING OF THE
NYE COUNTY BOARD OF COMMISSIONERS
NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS
NYE COUNTY LICENSING AND LIQUOR BOARD
AS THE GOVERNING BODY OF THE UNINCORPORATED TOWN OF PAHRUMP
AS THE GOVERNING BODY OF UNINCORPORATED TOWNS OF BEATTY BELMONT GABBS MANHATTAN
AND RAILROAD VALLEY
AS THE BOARD OF TRUSTEES FOR THE PAHRUMP POOL DISTRICT AND
AS THE NORTHERN NYE COUNTY HOSPITAL DISTRICT BOARD OF TRUSTEES**

2100 E. Walt Williams Drive, Pahrump, NV 89048

May 17, 2016

10:00 AM

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 17, 2016 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 17, 2016 will be for all matters off the agenda, and be limited to three minutes per person. Additionally, public comment of three minutes per person may 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; Commissioners' Chambers, 2100 E. Walt Williams Drive, Pahrump, 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 1 ½ hours.

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [How to File a Program Discrimination Complaint](http://www.usda.gov/howtofile) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

May 17, 2016

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.

1. **Pledge of Allegiance**
2. **Approval of the Agenda for May 17, 2016**
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 Highway Commissioners, Licensing and Liquor Board and as the Governing Body of Unincorporated Towns of Beatty, Belmont, Gabbs, Manhattan, Pahrump, and Railroad Valley, the Board of Trustees for the Pahrump Pool District, and the Northern Nye County Hospital District Board of Trustees regular meeting for April 19, 2016.

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** on the Fiscal Year 2016-2017 tentative budget for Nye County; and discussion and deliberation to adopt, amend and adopt, or reject the Final Budget for Nye County for Fiscal Year 2016-17.
9. **10:45 – [For Possible Action](#) – Public Hearing**, discussion, and deliberation to issue an Outdoor Festival License to the Pahrump Valley Chamber of Commerce for the Liberty Festival to be held July 4, 2016, at Petrack Park located at 150 Highway 160, Pahrump, Nevada.
10. **11:00 – [For Possible Action](#) – Continued Public Hearing**, discussion, and deliberation to: 1) Adopt, amend and adopt, or reject Nye County Bill No. 2016-04: A Bill proposing to amend Nye County Code pertaining to Medical Marijuana Establishments; and providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto; and 2) Set an effective date.

SITTING AS THE NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS

11. [For Possible Action](#) – General road report by Public Works Director

SITTING AS THE GOVERNING BODY OF THE UNINCORPORATED TOWN OF PAHRUMP

12. Committee Reports
13. Town of Pahrump [Ongoing Project Report](#)
14. **10:00 – [For Possible Action](#) – Public Hearing** on the Fiscal Year 2016-2017 tentative budget for the Town of Pahrump; and discussion and deliberation to adopt, amend and adopt, or reject the Final Budget for the Town of Pahrump for Fiscal Year 2016-17.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

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- 15. **10:30** – [For Possible Action](#) – Presentation, discussion and deliberation regarding a \$2,000.00 grant for Toddler Swim Lessons from the Southern Nevada Chapter of the International Code Council to the Town of Pahrump for the 2016 pool season.
- 16. [For Possible Action](#) – Discussion and deliberation on approval of the Kellogg Park site plan.

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

BEATTY

- 17. **10:00** – [For Possible Action](#) – **Public Hearing** on the Fiscal Year 2016-2017 tentative budget for the Town of Beatty; and discussion and deliberation to adopt, amend and adopt, or reject the Final Budget for the Town of Beatty for Fiscal Year 2016-17.
- 18. [For Possible Action](#) – Discussion and deliberation to approve the purchase of 2016 fireworks for the Town of Beatty.
- 19. [For Possible Action](#) – Discussion and deliberation to approve funding assistance to the Beatty Museum for the purchase and installation of an AC unit and duct work for the Beatty Museum Addition.

GABBS

- 20. **10:00** – [For Possible Action](#) – **Public Hearing** on the Fiscal Year 2016-2017 tentative budget for the Town of Gabbs; and discussion and deliberation to adopt, amend and adopt, or reject the Final Budget for the Town of Gabbs for Fiscal Year 2016-17.

MANHATTAN

- 21. **10:00** – [For Possible Action](#) – **Public Hearing** on the Fiscal Year 2016-2017 tentative budget for the Town of Manhattan; and discussion and deliberation to adopt, amend and adopt, or reject the Final Budget for the Town of Manhattan for Fiscal Year 2016-17.

AS THE BOARD OF TRUSTEES FOR THE PAHRUMP POOL DISTRICT

- 22. **10:00** – [For Possible Action](#) – **Public Hearing** on the Fiscal Year 2016-2017 tentative budget for the Pahrump Pool District; and discussion and deliberation to adopt, amend and adopt, or reject the Final Budget for the Pahrump Pool District for Fiscal Year 2016-17.

AS THE NORTHERN NYE COUNTY HOSPITAL DISTRICT BOARD OF TRUSTEES

- 23. **10:00** – [For Possible Action](#) – **Public Hearing** on the Fiscal Year 2016-2017 tentative budget for the Northern Nye County Hospital District; and discussion and deliberation to adopt, amend and adopt, or reject the Final Budget for the Northern Nye County Hospital District for Fiscal Year 2016-17.

SITTING AS THE BOARD OF COUNTY COMMISSIONERS

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. [For Possible Action](#) – Discussion and deliberation requesting the Nye County Board of Commissioners approve sending a letter, which includes support for the Nevada Association of Counties' comment letter and proposed language changes, to the Bureau of Land Management regarding proposed changes to their planning regulations referred to as Planning 2.0 [81 F.R. 9674].
28. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt or reject Nye County Resolution No. 2016-02: A Resolution Protesting the Actions of Governor Brian Sandoval and the Nevada State Legislature in Imposing Unfunded Mandates on Nevada’s Local Governments.
29. [For Possible Action](#) – Discussion and deliberation to consider a Memorandum of Understanding between Nye County and the Bureau of Land Management Nevada State Office for the purpose of cooperating in conducting an environmental impact analysis and preparing the draft and final Environmental Impact Statement (EIS) for the proposed Sagebrush Focal Areas Withdrawal.
30. [For Possible Action](#) – Discussion and deliberation regarding the status and progress of the abatement of the nuisance located at 2421 Hacienda Street, Pahrump, Nevada as determined by the Board of County Commissioners on February 16, 2016 and as ordered to abate the nuisance as set forth in Nye County Resolution No. 2016-04, adopted on February 16, 2016.
31. [For Possible Action](#) – Discussion and deliberation regarding a veteran banner project to honor county’s service members.
32. [For Possible Action](#) – Discussion and deliberation on approval of Elected Official Collection Reports.
33. [For Possible Action](#) – Discussion and deliberation on approval to set the date and location of the second meeting of the Board of Commissioners for Tuesday, August 16, 2016 in Pahrump, Nevada.

CLERK

34. [For Possible Action](#) – Discussion and deliberation pursuant to NRS 244.360(5) to: 1) direct the District Attorney to notify the person responsible for the nuisance to abate said nuisance as set forth in the complaint received by the County Clerk on May 9, 2016, regarding APN 008-183-11, 24 Cody Lane, Tonopah, Nevada and a) determine and specify a reasonable time for the person to abate said nuisance and b) direct the District Attorney to bring legal proceedings for abatement of said nuisance if the notice to the person responsible fails to abate said nuisance; or, in the alternative 2) pursuant to NRS 244.360(1) and 244.360(2), direct the Clerk to set a public hearing not less than 30 nor more than 40 days subsequent to the filing of the complaint.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

May 17, 2016

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. 2016-05: A Bill proposing to amend section 3.52.100 of the Nye County Code by aligning the ordinance with the language in the Nye County Sales and Use Tax Act of 2007; Removing the three-year sunset provision; 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.

SHERIFF

36. [For Possible Action](#) – Discussion and deliberation regarding a renewal of a Wholesale/Retail Fireworks Permit for Red Apple Fireworks Co., LTD. Douglas Burda, Applicant.
37. [For Possible Action](#) – Discussion and deliberation regarding a renewal of a Wholesale/Retail Fireworks Permit for Ninja Fireworks LLC dba Blackjack Fireworks. Anthony McKoy, Applicant.
38. [For Possible Action](#) – Discussion and deliberation regarding a renewal of a Wholesale/Retail Fireworks Permit for Alamo Fireworks. Patrick James, Applicant.
39. [For Possible Action](#) – Discussion and deliberation on approval of a Training Provider Services Agreement between Nye County, by and through the Nye County Sheriff’s Office, the Department of Emergency Management (the “Departments”), and Agoge Corporate Services (the “Training Provider”) to provide subject matter expertise to the Departments in order to create training classes that the Nye County Sheriff’s Office Department will retain exclusive rights to.
40. [For Possible Action](#) – Discussion and deliberation to issue a renewal Wholesale/Retail Fireworks Permit to Vegas of Pahrump Inc., dba Phantom Fireworks. Raechelle Laughlin, Applicant.

COUNTY MANAGER

41. [Ongoing Project Report](#)
42. [For Possible Action](#) – Discussion and deliberation to approve funding for the delinquent taxes on Assessor’s Parcel No. 045-461-58, approved to transfer from Treasurer Trust to County Ownership for public purpose on April 5, 2016, in the amount of \$1,385.11 to be funded from contingency.
43. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2016-58: a Resolution approving the placement of a question on the November 8, 2016 ballot concerning asking voters whether to authorize the Board of County Commissioners to impose, for the period beginning January 1, 2017 and ending on December 31, 2026, annual increases to taxes on certain motor vehicle fuels.
44. [For Possible Action](#) – Discussion and deliberation regarding an Interstate Interlocal Contract between Nye County and the Division of Public and Behavioral Health, Community Health Services Program to provide services for nursing, tuberculosis and sexually transmitted diseases to Nye County.
45. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2016-59: A Resolution Establishing a Policy Regarding Use of County Property.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

May 17, 2016

EMERGENCY MANAGEMENT

46. [For Possible Action](#) – Discussion and deliberation regarding the approval of: 1) The Cooperative Fire Protection Agreement (CFPA); and 2) The Annual Operating Plan (AOP), between Nye County and USDA, Forest Service Humboldt-Toiyabe National Forest and USDI Bureau of Land Management Battle Mountain District, Ely District, and Southern Nevada District. This agreement shall remain in effect for five (5) years from the date signed, with yearly review of the AOP by both parties.

H/R AND RISK MANAGEMENT

47. [For Possible Action](#) – Discussion and deliberation to fill a vacant Deputy position #85010-051 in the Pahrump Sheriff's Office effective July 1, 2016, due to the employee resigning on May 2, 2016.

PLANNING/BUILDING

48. [For Possible Action](#) – Discussion and deliberation on a request from the State of Nevada Department of Transportation (NDOT) to adopt the draft Nye County Bicycle Plan.

PUBLIC WORKS

49. [For Possible Action](#) – Discussion and deliberation to approve the acquisition of 10,159 sq. ft. of property on the corner of Homestead Road and Gamebird Road.
50. [For Possible Action](#) – Discussion and deliberation regarding improvements to Fox Avenue from Gamebird Road to the north for approximately 1400' into the Pahrump Fairgrounds parcel.
51. [For Possible Action](#) – Discussion and deliberation to initiate phased paving (1 mile sections) on the Bob Ruud Memorial/Bell Vista/Low Road from the California State Line east bound for 5.5 miles.

PUBLIC PETITIONER

52. [For Possible Action](#) – Discussion and deliberation to send a letter of support to the Department of Taxation for the Nye County School District to continue to impose the Tax on New Residential Construction authorized by Nye County Resolution No. 2004-32 dated August 3, 2004.

53. GENERAL PUBLIC COMMENT (second)

54. ANNOUNCEMENTS (second)

55. ADJOURN