



**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 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

June 21, 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 June 21, 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 June 21, 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](#) 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

June 21, 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 June 21, 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, the Governing Body of Unincorporated Town of Pahrump, the Governing Body of Unincorporated Towns of Beatty, Belmont, Gabbs, Manhattan, and Railroad Valley, the Board of Trustees for the Pahrump Pool District, and the Northern Nye County Hospital District Board of Trustees regular meeting on [May 17, 2016](#) and special meeting on [May 26, 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](#) – Continued Public Hearing**, discussion and deliberation pursuant to NRS 244.360 on a complaint alleging the existence of a nuisance located at 24 Cody Lane, Tonopah, Nevada.
9. **10:15 - [For Possible Action](#) - Discussion and deliberation regarding a renewal proposal for Nye County from the Nevada Public Agency Insurance Pool (POOL).**
10. **10:45 – [For Possible Action](#) – Public Hearing**, discussion and deliberation to adopt, amend and adopt, or reject the Nye County Employee’s Association Agreement.
11. **10:45 - [For Possible Action](#) – Public Hearing**, discussion, and deliberation to: 1) Adopt, amend and adopt, or reject 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) Set an effective date.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

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12. 11:00 – [For Possible Action](#):

- a. [For Possible Action](#) – Discussion and deliberation to accept a Business Impact Statement prepared pursuant to NRS 237.090 to address the business impact of Nye County Bill No. 2016-04 pertaining to Medical Marijuana Establishments.
- b. [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 regarding special use permits, hepafilters, sign and surveillance requirements, fees, renewal procedures and penalties; 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

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

SITTING AS THE NYE COUNTY LICENSING AND LIQUOR BOARD

LIQUOR

14. [For Possible Action](#) – Discussion and deliberation regarding approval of a Retail Liquor License for The Painted Lady Saloon, Inc., 1330 E. Fifth Street, Suite B, Pahrump, NV. Jonathan Pappie – Applicant.
15. [For Possible Action](#) – Discussion and deliberation regarding a request for a Change of Licensee for The Nevada Treasure RV Resort, 301 W. Leslie Street, Pahrump, NV. Robert Bryce – Applicant.

SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

16. 10:15 – [For Possible Action](#) - Discussion and deliberation regarding a renewal proposal for the Town of Pahrump from the Nevada Public Agency Insurance Pool (POOL).
17. 10:30 – [For Possible Action](#) – Discussion and deliberation to ratify Town Manager’s termination of Michael Sullivan.
18. [Presentation](#) of certificate of recognition to Danyelle Ormiston for her initiative of sharing a Disney clip about Pahrump.
19. [For Possible Action](#) – Discussion and deliberation regarding a request to approve the installation of a properly developed lighting system designed for skating to illuminate the skate park area at the Ian Deutch Park.
20. Town of Pahrump [Ongoing Project Report](#)
21. [For Possible Action](#) – Discussion and deliberation on approval of the Fairgrounds concept site plan and project budget.
22. [For Possible Action](#) – Discussion and deliberation on: 1) approval of use of 30 to 60 acres on the Pahrump Fairgrounds for construction of a public motocross facility – (1) 1-mile track for motorcycles over 100cc, (2) ¼ mile track for motorcycles under 100cc, and (3) ¼ mile track for bicycle motorcross, (4) additional parking and pit area; and 2) approval to apply for the Nevada Commission on Off-Highway Vehicles reimbursable grant for the development of a motocross park.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

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- 23. [For Possible Action](#) – Discussion and deliberation regarding a review of all Pahrump Town Ordinances to make recommendations for the elimination or revision of ordinances which may have outlived their usefulness or practicality.
- 24. [For Possible Action](#) – Discussion and deliberation regarding a request for funding in the amount of \$10,000 to construct a Trail-head and Dog park to be located on 9301 S. Homestead Road, APN 45-411-02 – Nye County, Owner.

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.

- 25. [For Possible Action](#) – Approval of Elected Official Collection Report
- 26. [For Possible Action](#) – Approval of Assessor’s Office Change Request
- 27. [For Possible Action](#) – Approval to set the date and location of the second meeting of the Board of Commissioners for Tuesday, September 20, 2016 in Pahrump, Nevada.

ASSESSOR

- 28. [For Possible Action](#) – Discussion and deliberation to approve an agreement with The Sidwell Company for the purchase of GIS Data Migration, Implementation and Training Services.
- 29. [Presentation](#) of projected expenditures of money in the Assessor Technology Fund.

BOARD OF COMMISSIONERS

- 30. 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.
- 31. 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.
- 32. For Possible Action – Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.
- 33. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2016-62: A Resolution Expressing Gratitude to Gerald W. Peterson, D.O., and His Staff for Their Assistance During Nye County’s Medical Crisis in Tonopah.
- 34. [For Possible Action](#) – Discussion and deliberation to select a voting member and a possible alternate for the National Association of Counties election in July 2016.
- 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. 2016-07: A Bill proposing to amend Title 2 of the Nye County Code, titled Public Peace and Morals and Welfare, Chapter 9.20, Title Prostitution; 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.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

June 21, 2016

36. [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; and possible abatement action.

CLERK

37. [For Possible Action](#) – Pursuant to NRS 293.387 (1), Canvass of the returns of the Primary Election held on June 14, 2016.
38. [For Possible Action](#) – Discussion and deliberation to appoint one (1) member to the Pahrump Regional Planning Commission due to one (1) term expiring.
39. [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 June 7, 2016, regarding APN 036-263-04, 1141 Dyer Road, Pahrump, 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.

DISTRICT ATTORNEY

40. [For Possible Action](#) – Discussion and deliberation to: 1) amend Nye County Resolution No. 2016-57 creating the Pahrump/Beatty Township by changing the date that the Pahrump/Beatty Township will separate from January 1, 2019 to January 1, 2018, or 2) repealing the Resolution and either appointing an individual to fill the resulting vacancy or calling for a special election pursuant to NRS 4.150.

PUBLIC ADMINISTRATOR

41. [Quarterly report](#) from the Public Administrator

SHERIFF

42. [For Possible Action](#) – Discussion and deliberation to issue a Display Fireworks Event Permit for Zambelli Fireworks to do an Aerial Display for their annual Fourth of July Event on Monday, July 4, 2016. This event is being held at Petrack Park at 150 NV-160 in Pahrump, NV. John O'Brien – Applicant.
43. [For Possible Action](#) – Discussion and deliberation to issue a Display Fireworks Event Permit for Pyrotecnico to do an Aerial Display on July 2, 2016. This event is being held at 681 S. Hwy 160 in the desert behind the Nugget Casino in Pahrump, NV. Threse Palumbo – Applicant.
44. [For Possible Action](#) – Discussion and deliberation to issue a Display Fireworks Event Permit for Firestorm Pyrotechnics to do an Aerial Display on July 4, 2016. This event is being held at Front Sight Training Institute at #1 Front Sight Road in Pahrump, NV. Robert Winokur – Applicant.
45. [For Possible Action](#) – Discussion and deliberation to issue a Display Fireworks Event Permit for the Beatty Volunteer Fire Department to do an Aerial Display on July 4, 2016. This event is being held at the Cotton Wood Park at the corner of 3rd Street and Amargosa Street in Beatty, NV. Mike Harmon – Applicant.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

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46. [For Possible Action](#) – Discussion and deliberation regarding a renewal of a Wholesale/Retail Fireworks Permit for Vegas of Pahrump Inc. dba Phantom Fireworks. William Weimer – Applicant.
47. [For Possible Action](#) – Discussion and deliberation regarding a renewal of a Wholesale/Retail Fireworks Permit for D & T Imports, Inc., dba Area 51 Fireworks. Tim McKoy – Applicant.

COUNTY MANAGER

48. [Ongoing Project Report](#)
49. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2016-60: a Resolution providing for the transfer of the county’s 2016 Private Activity Bond Volume Cap to the Nevada Rural Housing Authority and other matters related thereto.
50. [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.
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. 2016-06: A Bill proposing to amend Title 2 of the Nye County Code by adding Chapter 2.86, Whistleblower Protection; 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.
52. [For Possible Action](#) – Discussion and deliberation regarding approval of a lease agreement with the State of Nevada Department of Administration, Public Works Division on behalf of the Department of Health and Human Services, Division of Child and Family Services for the County owned facilities located at No. 2 Frankie Street, Tonopah, Nevada from September 1, 2016 through August 31, 2021.
53. [For Possible Action](#) – Discussion and deliberation regarding Bill Draft Requests (BDRs) Nye County submits for the 2017 Legislative Session.
54. [For Possible Action](#) – Discussion and deliberation to ratify the County Manager’s selection for Comptroller.
55. [For Possible Action](#) – Discussion and deliberation to amend and/or authorize and clarify the delegation of authority permitting the County Manager to approve, upon consultation and acceptance by the District Attorney, and execute the following contracts: contracts associated with normal and routine departmental purchases within the budget authority granted by the Board of County Commissioners; agreements associated with personnel matters not associated with litigation; and settlement agreements for litigation matters handled through the contract with the Nevada Public Agency Insurance Pool in which the financial exposure to the County does not exceed the amount of the contractual rate of retained liability and to negotiate and settle any future litigation-related disputes where the County’s obligation does not exceed the POOL/PACT’s cap.

EMERGENCY MANAGEMENT

56. [For Possible Action](#) – Discussion and deliberation to approve Nye County Ambulance billing write offs for two (2) Veteran’s Administration claims.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

June 21, 2016

57. [For Possible Action](#) – Discussion and deliberation to allow certain public members to utilize the Beatty Volunteer Fire Station and Beatty Volunteer Ambulance Station for rest/recuperation for one night in June, 2016.

FINANCE

58. [For Possible Action](#) – Discussion and deliberation regarding the budget status for Fiscal Year 2016, budget projections and possible actions.
59. [For Possible Action](#) – Discussion and deliberation to: 1) extend the period of performance for Wulfenstein Construction Co., Inc. contract 10-00133 – MC800 Cold Mix, from June 29, 2016 to June 30, 2017 and 2) increase the contract amount by \$305,250 for a total contract amount of \$1,105,500.
60. [For Possible Action](#) – Discussion and deliberation to: 1) extend the period of performance for Wulfenstein Construction Co., Inc. contract 10-00356 – SC800 Cold Mix, from June 30, 2016 through June 30, 2017 and 2) increase the contract amount by \$69,748 for a total contract amount of \$139,496.
61. [For Possible Action](#) – Discussion and deliberation to de-obligate the funding for the Gabbs Swimming Pool Renovation project awarded by the State of Nevada Community Development Block Grant (CDBG) Program.

H/R AND RISK MANAGEMENT

62. [For Possible Action](#) – Discussion and deliberation to fill a vacant Secretary II position #06004-001 in the Department of Emergency Management effective July 1, 2016 due to the employee being promoted to Training Officer effective April 25, 2016.
63. [For Possible Action](#) – Discussion and deliberation to fill a vacant Justice Court Assistant position #02005-002 in the Pahrump Justice Court effective July 1, 2016 due to the vacating employee being promoted to Justice Court Data Entry Clerk effective June 20, 2016.
64. [For Possible Action](#) – Discussion and deliberation to fill a vacant Dispatcher position #10022-018 in the Beatty Substation effective July 1, 2016 due to the employee resigning May 6, 2016.
65. [For Possible Action](#) – Discussion and deliberation to fill a vacant Detention Technician position #05003-005 in the Pahrump Detention Facility effective July 1, 2016 due to the employee resigning June 2, 2016.
66. [For Possible Action](#) – Discussion and deliberation to fill a vacant Detention Technician position #05003-002 in the Pahrump Detention Facility effective July 1, 2016 due to the employee resigning June 5, 2016.

PLANNING/BUILDING

67. [For Possible Action](#) – Discussion and deliberation to approve a draft letter to the U.S. Bureau of Land Management (BLM) requesting cooperating agency status in response to the notice of preparation of a Resource Management Plan (RMP) with an associated Environmental Impact Statement (EIS) for the Basin and Range National Monument.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

June 21, 2016

68. [For Possible Action](#) — Medical Marijuana Establishment License Annual Renewal Application MM-2016-000022: Discussion and deliberation on a request for renewal of a Medical Marijuana Establishment License for a proposed medical marijuana establishment (cultivation) located at 9680 S. Oakridge Avenue, Pahrump. CW Nevada, LLC – Applicant. Assessor Parcel #44-851-30.
69. [For Possible Action](#) — Medical Marijuana Establishment License Annual Renewal Application MM-2016-000023: Discussion and deliberation on a request for renewal of a Medical Marijuana Establishment License for a proposed medical marijuana establishment (cultivation) located in Amargosa Valley at 950 E. Anvil Road, Assessor Parcel #019-751-03. Acres Cultivation, LLC – Property Owner. Paris Balaouras – Applicant.
70. [For Possible Action](#) — Medical Marijuana Establishment License Annual Renewal Application MM-2016-000024: Discussion and deliberation on a request for renewal of a Medical Marijuana Establishment License for a proposed medical marijuana establishment (production) located in Amargosa Valley at 950 E. Anvil Road, Assessor Parcel #019-751-03. Acres Cultivation, LLC – Property Owner. Paris Balaouras – Applicant.
71. [For Possible Action](#) – Medical Marijuana Establishment License Initial Application MM-2016-000025: Discussion and deliberation on a request for issuance of a Medical Marijuana Establishment License (Initial) for a proposed medical marijuana establishment (cultivation) located at 6041 S. Hafen Ranch Road, further described as a portion of Township 21 South, Range 54 East, Section 15, File #84221, Parcel 1. Nevada Natural Medicines, LLC / Scott Sibley, Manager – Applicant. AP# 045-131-48.
72. [For Possible Action](#) – Medical Marijuana Establishment License Initial Application MM-2016-000026: Discussion and deliberation on a request for issuance of a Medical Marijuana Establishment License (Initial) for a proposed medical marijuana establishment (production) located at 6041 S. Hafen Ranch Road, further described as a portion of Township 21 South, Range 54 East, Section 15, File #84221, Parcel 1. Nevada Natural Medicines, LLC / Scott Sibley, Manager – Applicant. AP# 045-131-48.

PUBLIC WORKS

73. [For Possible Action](#) – Discussion and deliberation to approve a project and its associated funding for improvements to Gamebird Rd between Winchester Ave and Barney St between Gamebird Rd and SR 372.

PUBLIC PETITIONER

74. [For Possible Action](#) – Discussion and deliberation to appoint four (4) members to the Nye County Water District (NCWD) Governing due to four (4) terms expiring.
75. [For Possible Action](#) – Discussion and deliberation regarding a request for approval to use approximately 4.999 acres of County owned property located at 9301 S. Homestead Road, APN 45-411-02 – Nye County, Owner, to construct a Trail-head and Dog park.
76. **GENERAL PUBLIC COMMENT (second)**
77. **ANNOUNCEMENTS (second)**
78. **ADJOURN**