



**JOINT MEETING OF THE
NYE COUNTY BOARD OF COMMISSIONERS
NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS
NYE COUNTY LICENSING AND LIQUOR BOARD
NYE COUNTY BOARD OF HEALTH
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 AND
AS THE BOARD OF TRUSTEES FOR THE PAHRUMP POOL DISTRICT
2100 E. Walt Williams Drive, Pahrump, NV 89048
February 19, 2020
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 February 19, 2020 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 February 19, 2020 will be for all matters off the agenda, and be limited to up to three minutes per person. Additionally, public comment of up to three minutes per person may be heard during individual action items. The Commission reserves the right to reduce the 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

Additional Posting Locations: Amargosa Valley Community Center, 821 E. Amargosa Farm Rd., Amargosa Valley, NV; Beatty Community Center, 100 South A Ave., Beatty, NV; Gabbs Town Hall, 503 Brucite St., Gabbs, NV; Round Mountain Community Center, 650 Civic Dr., Round Mountain, 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, or by calling Melissa Godfrey at (775) 482-8191

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

February 19, 2020

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 February 19, 2020 (Non-action item).**
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 regarding meeting minutes from the [December 17, 2019](#) joint regular meeting and [December 20, 2019](#) and [December 31, 2019](#) joint teleconferences of the Nye County Board of Commissioners, Board of Highway Commissioners, Nye County Licensing and Liquor Board, Nye County Board of Health, the Governing Body of the Unincorporated Town of Pahrump, the Governing Body of the Unincorporated Towns of Beatty, Belmont, Gabbs, Manhattan, and Railroad Valley, and the Board of Trustees for the Pahrump Pool District.

SITTING AS THE BOARD OF COUNTY COMMISSIONERS

5. **For Possible Action - Emergency Items**
6. **Commissioners'/Manager's Comments**

TIMED ITEMS

7. **10:00 a.m. – For Possible Action – Public Hearing**, discussion and deliberation on AP-2020-000023: An Appeal of the Pahrump Regional Planning Commission’s denial of the following applications:
 - a. CU-2019-000089: A Conditional Use Permit application to allow an Off-Premise Sign for Desert Signs, LLC. to be located on property at 961 E. Nevada Hwy 372, Pahrump, NV, Assessor’s Parcel Number 035-345-06. Desert Signs, LLC. – Property Owner, Ronnie Murphy – Applicant/Agent.
 - b. WV-2019-000104: An application for Waivers from Nye County Code 17.04.770, Signage Requirements, to allow an Off-Premise Sign to be located on property at 961 E. Nevada Hwy 372, Pahrump, NV with the following waivers of standards: 1) leading edge of the sign located within 15-feet of a property line where 25-feet is required; 2) Sign size allowance up to 672 square feet where 300 square feet is the maximum; and 3) Sign located within 500 feet of a residential zone boundary. Assessor’s Parcel Number 035-345-06. Desert Signs, LLC. – Property Owner, Ronnie Murphy – Applicant/Agent.
8. **10:00 a.m. – For Possible Action – Public Hearing**, discussion and deliberation on AP-2020-000024: An Appeal of the Pahrump Regional Planning Commission’s denial of the following application: CU-2019-000088: An application for a Conditional Use Permit to allow a Commercial Kennel for the breeding, boarding and training of security guard dogs (Russian Caucasian Shepherd dogs, also known as Caucasian Ovcharka) on property zoned Rural Estates (RE-2), located at 2790 E. Camellia Street, Pahrump, NV further known as Homestead Gardens, Lot 8, Block 2, Section 36, Township 21 South, Range 53 East, Assessor’s Parcel Number 044-811-08. Vasili Platunov / Est-Alfa K-9 Security Service, LLC. – Property Owner / Applicant (Appellant).

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- 9. **10:00 a.m.** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation on ZC-2019-000043: A request for a (Conforming) Zone Change from the Rural Estates (RE-1) Zone to the Rural Homestead (RH-4.5) Zone, for 4.83 acres (gross) located at 5731 S. Malibou Avenue, Pahrump, NV, Assessor’s Parcel Number 045-101-25. The Elkhorn Trust – Donald W. Charleboix, Jr. and Patricia R. Charleboix, Trustees – Property Owner / Applicant.
- 10. **10:00 a.m.** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation to: 1) Adopt, amend and adopt, or reject Nye County Bill No. 2020-02: A Bill proposing to amend Nye County Code Title 17, Comprehensive Land Use Planning and Zoning, by adding definitions of Commercial Farming, Subsistence Farming, and Class IV Liquor Manufacturer; and providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto; and 2) Set an effective date.
- 11. **10:15 a.m.** – [For Possible Action](#) – Discussion and deliberation regarding the Treasurer’s Report by Nye County Treasurer on bank reconciliation, Department of Taxation recommendations, and the balance in each county, state and special fund, together with a statement of all money on deposit, outstanding checks against that money and cash on hand pursuant to NRS 354.280.

SITTING AS THE NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS

- 12. [For Possible Action](#) – Discussion and deliberation regarding General Road Report by Public Works Director on General Road Maintenance, Gravel Road Maintenance, Asphalt Patching, Weed Mowing and direction regarding public work projects.

SITTING AS THE NYE COUNTY LICENSING AND LIQUOR BOARD

LIQUOR

- 13. [For Possible Action](#) – Discussion and deliberation to approve a 90-day Temporary Retail Liquor License for Cousin Curt’s Rock & Rodeo located at 52700 Nevada Highway 376, Round Mountain, NV, Curtis Hatcher – Owner/Applicant.
- 14. [For Possible Action](#) – Discussion and deliberation to approve a 90-day Temporary Retail Liquor License for Desert Cane, LLC. located at 921 S. Nevada Highway 160, #406, Pahrump, NV, Thomas Dahlman – Owner/Applicant.
- 15. [For possible Action](#) – Discussion and deliberation to approve a 90-day Temporary Beer and Wine License for Seattle Fish and Chips, LLC. located at 2050 Nevada Highway 160, Pahrump, NV, Guy and Marla Vallee – Owners/Applicants.

SITTING AS THE NYE COUNTY BOARD OF HEALTH

- 16. [Presentation](#) by Nye County Public Health Officer, Henry Melton regarding the Nevada State Health Needs Assessment.

SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

- 17. **10:00 a.m.** – [For Possible Action](#) – **Public Hearing**, discussion, deliberation and possible action pursuant to Pahrump Town Code Section 12-21 to: 1) Determine if allowing OptimuMedicine, a private ambulance service, to furnish service in the Town of Pahrump is in the best interest of the citizens of the town; and 2) Grant OptimuMedicine permission to furnish an ambulance service in the Town of Pahrump. [Additional Backup](#)

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18. For Possible Action – Discussion and deliberation of verbal activity reports provided by Town of Pahrump Committees: Pahrump Arena Advisory Committee, Nuclear Waste and Environmental Advisory Committee, Pahrump Parks and Recreation Advisory Committee, Pahrump Public Lands Advisory Committee, Pahrump Tourism Advisory Committee, or Pahrump Veterans Memorial Advisory Committee, and direction from the Board regarding the verbal activity reports.
19. [For Possible Action](#) – Discussion and deliberation regarding a fee waiver request to waive Pahrump Valley Fire Rescue standby fees for the Pahrump Valley High and Junior High School Rodeo Club for rodeo events to be held during the Pahrump Balloon Festival on February 21, 22 and 23, 2020 in the amount of \$1,500.00.
20. [For Possible Action](#) – Discussion and deliberation to consider selecting a design to replace the signage for “Welcome to Pahrump” and “Thank You for Visiting” at four entry and exit locations of Pahrump located at Hwy 160 North and South, Hwy 372 and Bell Vista.

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.

21. [For Possible Action](#) – Approval of the Elected Official Collection Report regarding fees collected from elected county departments for services rendered by or provided to county citizens.
22. [For Possible Action](#) – Approval to set the date and location for the second Board of Commissioners meeting in May for Tuesday, May 19, 2020 in Pahrump, Nevada.
23. [For Possible Action](#) – Approval to adopt Nye County Resolution No. 2020-04: 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 2020-2021.
24. [For Possible Action](#) – Approval to adopt Nye County Resolution No. 2020-05: A Resolution Directing the Levy of a Special Assessment on Each Water User Situated Within the Confines of the Groundwater Basins Within Nye County for Fiscal Year 2020-2021.

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. [For Possible Action](#) – Discussion and deliberation to approve, amend and approve, or reject the revisions of the BOCC Rules of Procedure.

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29. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt or reject Nye County Resolution No. 2020-06: A Resolution Recognizing President Trump’s Accomplishments While in Office.
30. [For Possible Action](#) – Discussion and deliberation regarding updating Nye County’s position on the uses of Yucca Mountain.
31. [For Possible Action](#) – Discussion and deliberation regarding: 1) Amending the existing Lease Agreement with First Choice Pregnancy to identify preferred space and square footage for the lease to better fit the needs of the Lessee; or 2) Direct staff to work with First Choice Pregnancy to start the lease development process over by conducting a walk-through to identify space that better suits the Lessee’s needs.

SHERIFF

32. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt or reject Nye County Resolution No. 2020-07: A Resolution Enacting the Schedule of Fees Required for the Ankle Monitoring Program.
33. [For Possible Action](#) – Discussion and deliberation to: 1) Approve the Memorandum of Understanding (MOU) with the Nevada School Districts and Sheriff’s Offices for the purpose of collaborating together to apply for the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance STOP School Violence Grant Program (BJA STOP); and 2) Execute the MOU.

COUNTY MANAGER

34. [For Possible Action](#) – Discussion and deliberation regarding proposed revisions to the Pahrump Commissioners Chambers Usage Policy.
35. [For Possible Action](#) – Discussion and deliberation regarding Nye County Proclamation No. P2020-04: A Proclamation Declaring the 2020 Census a Matter of Civic Responsibility.
36. [For Possible Action](#) – Discussion and deliberation regarding approval of the U.S. Census Bureau’s Census Boundary identifications and associated maps for Nye County.

FINANCE

37. [For Possible Action](#) – Discussion and deliberation to: 1) Award Bid 2019-21 Pahrump Janitorial Services to AtoZ Environmental Services, LLC. in the amount of \$150,862.00 for the purpose of providing Janitorial Services to the Pahrump County Offices Located in Pahrump, NV; 2) Execute the contract; and 3) Fund \$150,318.90 from 10101 General Fund and \$543.10 from 10340 Grants Fund.
38. [For Possible Action](#) – Presentation on the history of Nye County’s property tax rate by district and fund, and discussion, deliberation and direction to staff regarding the FY21 property tax rate for all entities the Board of County Commissioner’s govern.⁸⁹
39. [For Possible Action](#) – Discussion and deliberation regarding the budget status through December 2019 for Nye County and all sub-entities for Fiscal Year 2020.
40. [For Possible Action](#) – Discussion and deliberation regarding the budget status through Q2-FY20 and future projections for the Nye County Jail Fund-10236.

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41. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject budget transfer of appropriations between functions within Nye County General Fund (10101), General Government (10) function to Transfers function (97).
42. [For Possible Action](#) – Discussion and deliberation to augment the Nye County Buildings and Grounds FY20 budget from Nye County General Fund Contingency for an unbudgeted service contract for tree trimming and removal totaling \$19,300.00.
43. [For Possible Action](#) – Discussion and deliberation regarding options for earmarking or segregating Ishani Ridge bond monies released to Nye County pursuant to the Ishani Ridge development agreement.

H/R AND RISK MANAGEMENT

44. [For Possible Action](#) – Discussion and deliberation to approve filling a Payroll Administrator prior to realizing the accrual payouts and six-week waiting period.

PLANNING/BUILDING/CODE COMPLIANCE

45. [Presentation](#) of the Preliminary Revised Flood Insurance Study (FIS) and the Flood Insurance Rate Map (FIRM) Panels (8840, 8845, 8905, 8910) for the area of the Pahrump community known as Peak Springs Fan. The pending revised FIS and attendant mapping are the minimum area of applicability of the Flood Damage Prevention Chapter and may be supplemented by studies for other areas which allow implementation of this chapter and which will have an effective date of 03/06/2020.
46. [For Possible Action](#) – Discussion and deliberation on TM-2019-000020: A Tentative Subdivision Map application, creating 90 residential lots and 14 common element lots on approximately 13.01 acres net, on property zoned Specific Plan (SP) and located within the Mountain Falls Master Planned Community for an overall project density of 6.9 dwelling units/acre, aka: Planning Area 2, Assessor's Parcel Number 046-251-02. William Lyon Homes Inc. – Property Owner, Taney Engineering – Applicant.
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. 2020-03: A Bill Proposing to amend Nye County Code Title 1 General Provisions, Adding a definition under 1.01.090 for Business Day and Day, Adding Chapter 1.02 entitled Administrative Citations and Chapter 1.03 entitled Hearing Officer, 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.

PUBLIC WORKS

48. [For Possible Action](#) – Presentation, discussion and deliberation regarding the all-way stop analysis for the Mt. Charleston Drive and Sycamore Avenue intersection.
49. [For Possible Action](#) – Discussion, deliberation, and direction to staff to: 1) Consider adopting W. Quail Run Road, N. Cabo Street, and W. Blosser Ranch Road as county-maintained roads; and 2) Direct staff to draft a resolution for accepting the offers of dedication in accordance with NRS 278.390.
50. [For Possible Action](#) – Discussion and deliberation to: 1) Adopt, amend and adopt, or reject the Pahrump Valley Speed Limit Study; and 2) Direct staff to create a bill amending Pahrump Town Ordinance No. 14 (3/6/1981), Ordinance No. 4 (5/14/1971), and Amendment dated 9/28/2004, to revise and restate the Town's regulations regarding traffic and vehicles and other matters properly relating thereto.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

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PUBLIC PETITIONER

- 51. [For Possible Action](#) – Discussion and deliberation to consider mandated spay and neuter for dogs and cats and amending Nye County Code 20, Nye County Code 6, and Nye County Code 8, if applicable.
- 52. **GENERAL PUBLIC COMMENT (second)**
- 53. **Commissioners'/Manager's Comments**
- 54. **ADJOURN**