



**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**

101 Radar Road, Tonopah, NV 89049

April 3, 2018

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 April 3, 2018 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 April 3, 2018 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

April 3, 2018

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 April 3, 2018 (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 of the minutes of the joint meetings 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 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 regular meetings on **February 20, 2018** and **March 12, 2018**.

SITTING AS THE BOARD OF COUNTY COMMISSIONERS

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** – **Presentation** of certificate and/or plaques to three (3) employees honored for their years of service.
8. **10:30** – **For Possible Action** – **Public Hearing** on the results of Public Works identification and determination of improved roads and streets maintained by Nye County as of December 31, 2017 for the purposes of compliance with Nevada Revised Statutes Chapter 365.550 Paragraph 8 regarding Proceeds of Tax Levied pursuant to NRS 365.180; and other matters properly related thereto.
9. **10:45** – **For Possible Action** – **Public Hearing**, discussion and deliberation to issue an Outdoor Festival License to Live A Little Productions, Inc. for the Monster Truck Insanity Tour to be held on April 21, 2018 at the Petrack Park Arena, 150 Nevada Highway 160, Pahrump, Nevada.
10. **11:00** – **For Possible Action**:
 - a. **Public Hearing**, discussion and deliberation on Special Use Permit Application SU-2018-000049: A request for a Special Use Permit to allow an expansion of an existing marijuana establishment (cultivation), to add 228,000 square feet of new outdoor cultivation areas located at 950 E. Anvil Road, Amargosa Valley, NV. Assessor Parcel Number 019-751-03. Acres Cultivation, LLC – Property Owner/Applicant.
 - b. **Public Hearing**, discussion and deliberation on Waiver Application WV-2018-000067: A request for a Waiver to allow the cultivation of marijuana outdoors, where Nye County Code currently requires all marijuana to be cultivated inside of an enclosed building located at 950 E. Anvil Road, Amargosa Valley, NV. Assessor Parcel Number 019-751-03. Acres Cultivation, LLC – Property Owner/Applicant.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

April 3, 2018

SITTING AS THE NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS

11. General [road report](#) by Acting Public Works Director.

SITTING AS THE NYE COUNTY LICENSING AND LIQUOR BOARD

LIQUOR

12. [For Possible Action](#) – Discussion and deliberation to issue a Temporary Retail Liquor License to Highway 95 Fuel & Food Inc dba Area 51 Alien Center, located at 2711 US 95, Amargosa Valley, NV 89020, pending the processing of an application for a permanent license. Nadiya Alibha & Monika Sharma are the Applicants.
13. [For Possible Action](#) – Discussion and deliberation to issue a Temporary Retail Liquor License to Mercury Steakhouse Bar & Mercury/Cafeteria, located at PO Box 677 M/S NNSS 137, Mercury, NV 89023, pending the processing of an application for a permanent license. Daniel A. Mykovich is the Applicant.
14. [For Possible Action](#) – Discussion and deliberation to issue a Permanent Retail Liquor License to O’Happy Bread LLC, located at 1231 E. Basin Ave, Pahrump, NV 89060 pending the processing of an application for a permanent license. Richard P. Candillier is the Applicant.

SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

15. [For Possible Action](#) – Discussion and deliberation concerning a request to set a date, time, and location for a Public Hearing on the Fiscal Year 2018-2019 tentative budget for the Town of Pahrump.

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

BEATTY

16. [For Possible Action](#) – Discussion and deliberation concerning a request to set a date, time, and location for a Public Hearing on the Fiscal Year 2018-2019 tentative budget for the Town of Beatty.

GABBS

17. [For Possible Action](#) – Discussion and deliberation concerning a request to set a date, time, and location for a Public Hearing on the Fiscal Year 2018-2019 tentative budget for the Town of Gabbs.

MANHATTAN

18. [For Possible Action](#) – Discussion and deliberation concerning a request to set a date, time, and location for a Public Hearing on the Fiscal Year 2018-2019 tentative budget for the Town of Manhattan.

AS THE BOARD OF TRUSTEES FOR THE PAHRUMP POOL DISTRICT

19. [For Possible Action](#) – Discussion and deliberation concerning a request to set a date, time, and location for a Public Hearing on the Fiscal Year 2018-2019 tentative budget for the Pahrump Pool District.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

April 3, 2018

BOARD OF COMMISSIONERS

20. 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.
21. 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.
22. For Possible Action – Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.
23. [For Possible Action](#) – Discussion and deliberation to appoint a Commissioner liaison / representative to the Indigent Defense Program.
24. [For Possible Action](#) – Discussion and deliberation to consider expanding the use of the shooting range for public use located on the Nye County Multi-Purpose Training Facility site located at 2871 E. Mesquite in Pahrump, Nevada.

SHERIFF

25. [For Possible Action](#) – Discussion and deliberation to: 1) determine Nye County Sheriff’s Office K-9 Bendix (Ben) is no longer required for public use; 2) surplus K-9 Bendix due to medical issues; 3) determine it is in the best interest of Nye County to retire and transfer ownership and medical responsibility of K-9 Bendix to Deputy John Teeter pursuant to NRS 332.185; and 4) delegate authority to the Sheriff to execute the agreement between the Nye County Sheriff’s Office and John Teeter for the transfer of ownership of K-9 Bendix.

TREASURER

26. [For Possible Action](#) – Treasurer’s Update.

COUNTY MANAGER

27. [For Possible Action](#) – Discussion and deliberation to allow Justice of the Peace Judge Jaspersen, as he deems necessary, to invite any available Justice of the Peace, within the confines of NRS 4.340(2), to provide him temporary assistance, until a new Justice of the Peace for the Pahrump Township is elected.
28. [For Possible Action](#) – Discussion and deliberation to: 1) determine that a public purpose may be served by the acquisition of the real property more particularly described as Assessor’s Parcel Nos. 035-722-27 & 035-722-28 held in trust by the Nye County Treasurer; and 2) consider the application to the Board of County Commissioners for permission to acquire the real property described as Assessor’s Parcel Nos. 035-722-27 & 035-722-28.
29. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2018-16: A Resolution directing the transfer of Nye County Treasurer Trust property to Nye County for public purposes.
30. [For Possible Action](#) – Discussion and deliberation regarding Bill Draft Requests (BDRs) Nye County submits for the 2019 Legislative Session.
31. [For Possible Action](#) – Discussion and deliberation regarding Nye County Proclamation No. P2018-03: A Proclamation Recognizing April 2018 as National County Government Month.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

April 3, 2018

EMERGENCY MANAGEMENT

32. [Presentation](#) regarding the Tonopah Ambulance Service status.

FINANCE

33. [For Possible Action](#) – Discussion and deliberation concerning a request to set a date, time, and location for a Public Hearing on the Fiscal Year 2018-2019 tentative budget for Nye County.
34. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2018-15: A Resolution Authorizing the Granting of Funds to Nonprofit Organizations to Facilitate Adoption of Animal Events and Spay and Neuter Clinics.

HEALTH & HUMAN SERVICES

35. [For Possible Action](#) – Discussion and deliberation for approval of Amendment Number 1 to the Interlocal Agreement between Clark County and Nye County for the Ryan White RFQ No. 604274-16 for Medical, Core and Support Services for HIV/AIDS Infected and Affected Clients in the Las Vegas, Ryan White, Transitional Grant Area. The Amendment is to renew and extend the agreement for a one-year period from 03/01/2018 to 02/28/2019. This grant is administered out of Project G17061 and there is no County match required.

PLANNING/BUILDING/CODE COMPLIANCE

36. [For Possible Action](#) – Discussion and deliberation on Medical Marijuana Establishment License Annual Renewal Application MM-2018-000055: A request for annual renewal (pro-rated to June 30, 2019) of a Medical Marijuana Establishment License for a medical marijuana establishment (cultivation) located at 9680 S. Oakridge Avenue, Pahrump, NV. Assessor Parcel Number 044-851-30. Fortress Oakridge, LLC – Property Owner. CW Nevada, LLC – Applicant.
37. [For Possible Action](#) – Discussion and deliberation on Medical Marijuana Establishment License Annual Renewal Application MM-2018-000056: A request for annual renewal (pro-rated to June 30, 2019) of a Medical Marijuana Establishment License for a medical marijuana establishment (production) located at 301 S. Oxbow Avenue, Pahrump, NV. Assessor Parcel Number 038-244-09. Eugene & Nelda Fay Toy Trust – Property Owner. CW Nevada LLC – Applicant.
38. [For Possible Action](#) – Discussion and deliberation on Medical Marijuana Establishment License Annual Renewal Application MM-2018-000057: A request for annual renewal (pro-rated to June 30, 2019) of a Medical Marijuana Establishment License for a medical marijuana establishment (cultivation) located at 9680 S. Oakridge Avenue, Pahrump, NV. Assessor Parcel Number 044-851-30. Fortress Oakridge, LLC – Property Owner. Nye Natural Medicinal Solutions, LLC dba NuVeda LLC – Applicant.
39. [For Possible Action](#) – Discussion and deliberation on Medical Marijuana Establishment License Annual Renewal Application MM-2018-000058: A request for annual renewal (pro-rated to June 30, 2019) of a Medical Marijuana Establishment License for a medical marijuana establishment (production) located at 301 S. Oxbow Avenue, Pahrump, NV. Assessor Parcel Number 038-244-09. Eugene & Nelda Fay Toy Trust – Property Owner. Nye Natural Medicinal Solutions, LLC dba NuVeda LLC – Applicant.

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40. [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. 2018-08: A Bill proposing to amend Nye County Code Chapter 17.04, the Zoning Ordinance of the Pahrump Regional Planning District, by removing the 40-acre minimum area requirement of the Suburban Estates Residential (SE) zoning district; 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.
41. [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. 2018-09: A Bill proposing to amend Nye County Code Section 17.04.200.A.3 Building Separation, relating to the requirement to have a minimum of ten (10) feet of separation between all buildings on a single parcel in a residential zoning district; 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 PETITIONER

42. [For Possible Action](#) – Discussion and deliberation regarding Nye County Proclamation No. P2018-01: A Proclamation Recognizing May 2018 as Nevada Wildfire Awareness Month.
43. [For Possible Action](#) – Discussion and deliberation regarding Nye County Proclamation No. P2018-02: A Proclamation Recognizing April 8-14, 2018 as National Crime Victims’ Rights Week.
44. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2018-17: A Resolution providing for the Transfer of the County’s 2018 Private Activity Bond Volume Cap to the Director of the Department of Business and Industry and other matters properly related thereto.
45. **GENERAL PUBLIC COMMENT (second)**
46. **ADJOURN**