



**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  
April 17, 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 17, 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 17, 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](http://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.nycounty.net) 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](mailto:program.intake@usda.gov)

# NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

April 17, 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 17, 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 meeting 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 teleconference on March 16, 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 four (4) employees honored for their years of service.
8. **10:15** – [Presentation](#) on the Nevada National Security Site (NNSS) mission and economic impact.
9. **10:30** – [Quarterly report](#) from the Public Administrator.
10. **10:45** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation to approve the Nye County Association of Sheriff's Supervisors Agreement (NCASS).
11. **10:45** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation to approve the changes to the Nye County Law Enforcement Association Agreement (NCLEA).
12. **11:00** – [For Possible Action](#):
  - a. [For Possible Action](#) – **Public Hearing**, discussion and deliberation on Special Use Permit Application SU-2018-000047: A Special Use Permit to allow a marijuana establishment (cultivation), located at 3171 E. Tillman Street, Pahrump, NV. Assessor Parcel Number 045-441-15. Daniel Seid & S. Settlemyer Trust – Property Owner. MJ Distributing, Inc. – Applicant. Civilwise Services, Inc. – Agent.
  - b. [For Possible Action](#) – **Public Hearing**, discussion and deliberation on Special Use Permit Application SU-2018-000048: A Special Use Permit to allow a marijuana establishment (production), located at 3171 E. Tillman Street, Pahrump, NV. Assessor Parcel Number 045-441-15. Daniel Seid & S. Settlemyer Trust – Property Owner. MJ Distributing, Inc. – Applicant. Civilwise Services, Inc. – Agent.

**NYE COUNTY BOARD OF COMMISSIONERS AGENDA**

**ITEM # SUBJECT**

**April 17, 2018**

- 13. **11:00** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation to: 1) Adopt, amend and adopt, or reject Nye County Bill No. 2018-02: A Bill proposing to amend Nye County Code Title 17, Comprehensive Land Use Planning and Zoning, relating to Temporary Use Permits; providing for the severability, constitutionality and effective date thereof; and other matters properly related thereto; and 2) Set an effective date.
- 14. **11:00** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation to: 1) Adopt, amend and adopt, or reject Nye County Bill No. 2018-04: A Bill proposing to amend Nye County Code Title 15 Building and Construction, Chapter 15.32 Pahrump Regional Planning District Impact Fees, pertaining to the Impact Fee Deferral Option and the Early Payment Incentive; providing for the severability, constitutionality and effective date thereof; and other matters properly related thereto; and 2) Set an effective date.
- 15. **11:00** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation to: 1) Adopt, amend and adopt, or reject Nye County Bill No. 2018-05: A Bill proposing to amend Nye County Code Title 17, Comprehensive Land Use Planning and Zoning, relating to the requirement that accessory uses are permitted in conjunction with any principal use; accessory uses or structures are allowed prior to installation of the principal residence; providing for the severability, constitutionality and effective date thereof; and other matters properly related thereto; and 2) Set an effective date.
- 16. **11:00** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation to: 1) Adopt, amend and adopt, or reject Nye County Bill No. 2018-06: A Bill proposing to amend Nye County Code Title 17, Comprehensive Land Use Planning and Zoning, relating to the definition of Start of Construction; providing for the severability, constitutionality and effective date thereof; and other matters properly related thereto; and 2) Set an effective date.

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

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

**SITTING AS THE NYE COUNTY LICENSING AND LIQUOR BOARD**

**LIQUOR**

- 18. [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.
- 19. [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.
- 20. [For Possible Action](#) – Discussion and deliberation to issue a Temporary Retail Liquor License to Sullivan’s Pubs 2, located at 2450 Mesquite Ave, Pahrump, NV 89060 pending the processing of an application for a permanent license. Leilani L. Antoine is the Applicant.
- 21. [For Possible Action](#) – Discussion and deliberation to issue a Temporary Retail Liquor License to Nevada Treasure RV Resort LLC s, located at 301 W. Leslie Street, Pahrump, NV 89060 pending the processing of an application for a permanent license. Mark W. Johnson is the Applicant.

## NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

April 17, 2018

### SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

22. Committee Reports
23. [For Possible Action](#) – Discussion and deliberation to: 1) Adopt, amend and adopt, or reject Town of Pahrump Bill No. 2018-01: A Bill proposing to amend Town of Pahrump Code Chapter 22 Taxation; by amending Section 19, Definitions, Section 20, Tax Imposition and Rate, Section 24, License and Revocation, Section 29 Administration and Enforcement, and Section 30, Tax Proceeds, and providing for the severability, constitutionality and effective date thereof; and other matters properly related thereto; 2) Read the title of the Bill into the record; and 3) Set an effective date.
24. [For Possible Action](#) – Discussion and deliberation regarding the approval of 1) The Cooperative Fire Protection Agreement (CFPA); and 2) The Operating Plan (OP), between the Town of Pahrump and USDA, Forest Service Humboldt-Toiyabe National Forest and USDI Bureau of Land Management Southern Nevada District. This agreement shall remain in effect for five (5) years from the date signed, with yearly review of the OP by both parties.

### 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 for the second meeting in July of the Board of Commissioners for Tuesday, July 17, 2018 in Pahrump, Nevada.
28. [For Possible Action](#) – Approval to accept a Grant Award from the Aging and Disability Services Division (ADSD) for Nutrition Services Incentive Program (NSIP) to provide commodity food funds for the nutrition program at the Beatty and Tonopah Senior Centers in the amount of \$1,837.00. This grant will be administered out of Fund 10281 Senior Nutrition and there is no county match required.

### BOARD OF COMMISSIONERS

29. 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.
30. 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.
31. For Possible Action – Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.
32. [For Possible Action](#) – Discussion and deliberation regarding approval of the Memorandum of Understanding with the Bureau of Land Management (BLM) for the purpose of cooperating in conducting an environmental analysis and preparing the draft and final Environmental Impact Statement (EIS) for a potential amendment to the existing Nevada and Northeastern California Greater Sage-Grouse Approved Resource Management Plan Amendment.

# NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

April 17, 2018

## CLERK

33. [For Possible Action](#) – Discussion and deliberation to appoint two (2) members to the Smoky Valley Library District due to one (1) resignation and one (1) expiring term.

## EMERGENCY MANAGEMENT

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

## FINANCE

35. [For Possible Action](#) – Presentation, discussion and deliberation to: 1) read into the minutes the approval from the Department of Taxation for the Medium-Term obligation to replace fleet vehicles from Enterprise for Nye County; 2) approve the Master Lease Agreement with Enterprise; 3) execute the Lease Agreement and; 4) delegate authority to the County Manager to execute the quote for year 1 lease/purchases.
36. [For Possible Action](#) – Discussion and deliberation regarding RFQ #2018-03 – Qualified Environmental Professional for: 1) the response from BEC Environmental, Inc.; and 2) direction to staff to enter into fee negotiations. This project is to be funded from Fund 10340 Grants, using the Grant Award for Brownfields Assessment Grant.

## H/R AND RISK MANAGEMENT

37. [For Possible Action](#) – Discussion and deliberation to authorize the advertising and filling of a temporary Law Clerk in the District Court. This request is not budgeted and would require budget augmentation.

## PLANNING/BUILDING/CODE COMPLIANCE

38. [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. 2018-03: A Bill proposing to amend Nye County Code Title 17, Comprehensive Land Use Planning and Zoning, by adding Chapter 17.12 entitled Special Use Permits; 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

39. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject the Groundwater Management Plan for the Pahrump Basin (Basin 162) as requested by the Nye County Water District.
40. [Presentation](#) regarding the Mobile Showers Program in Pahrump, NV.
41. **GENERAL PUBLIC COMMENT (second)**
42. **ADJOURN**