



**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
August 21, 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 August 21, 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 August 21, 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](http://www.usda.gov) 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

August 21, 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 August 21, 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, Licensing and Liquor Board, 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, on July 17, 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. **10:45 – [For Possible Action](#) – Public Hearing** – Discussion and deliberation to issue an Outdoor Festival License to the Pahrump Chamber of Commerce for the Fall Festival to be held September 27-30, 2018 at Petrack Park, 150 Highway 160, Pahrump, Nevada.
8. **11:00 – [For Possible Action](#) – Public Hearing** – Discussion and deliberation regarding Extension of Time Application ET-2018-000032, to extend the time for Special Use Permit SU-14-0018 to allow a medical marijuana establishment (cultivation) and Special Use Permit SU-14-0019 to allow a medical marijuana establishment (production) located at 6041 S. Hafen Ranch Road, Pahrump, NV. Assessor Parcel Number 045-131-48. R Land Company, LLC – Property Owner. Nevada Natural Medicines – Applicant. Scott Sibley – Agent.
9. **11:00 – [For Possible Action](#) – Public Hearing** – Discussion and deliberation regarding Special Use Permit Application No. SU-2018-000052: A request to allow a marijuana establishment (production) in a Heavy Industrial (HI) zoning district, on 3.98 acres located at 1340 W. Highway 372, Pahrump. Assessor Parcel Number 36-381-02. Evelyn Tooley, Trustee, Tooley Family Trust – Property Owner. GWGA, LLC / Sandra Tiffany – Applicant.
10. **11:00 – [For Possible Action](#) – Public Hearing** – Discussion and deliberation to: 1) Adopt, amend and adopt, or reject 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) Set an effective date.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

August 21, 2018

11. **11:00 – [For Possible Action](#) – Public Hearing** – Discussion and deliberation to: 1) Adopt, amend and adopt, or reject Nye County Bill No. 2018-15: A bill proposing to adopt a Development Agreement between the County of Nye and ARES Nevada LLC, as the Developer of the Regulation Energy Management Project, to construct and operate an Access Road, Maintenance and Control Buildings, Rail Line, Rail Line Corridor/Maintenance Roadway, Overhead Catenary Powerline and Interconnection Line, Laydown Yard and Temporary Construction Areas on approximately six-acres of public lands located within Nye County on Bureau of Land Management parcel APN: 045-011-13 and generally located at the Nye-Clark County line in the southeast area of the community on property addressed as 8500 E Manse Road and located within T21S, R54E, Section 1; providing for the severability, constitutionality and effective date thereof; and other matters properly related thereto.

SITTING AS THE NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS

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

SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

13. Committee Reports

14. [For Possible Action](#) – Discussion and deliberation to 1) accept or reject any or all bids and provide direction to staff regarding Bid #2018-02 – Golf Course Management for the Lakeview Executive Golf Course; 2) execute the contract; and 3.) Fund from 25521, Lakeview Golf Course. There was one bid received. The amount of the bid is \$4,500 per month for base management fee, \$1,000 per month for Accounting Fee.

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.

15. [For Possible Action](#) – Approval of Elected Official Collection Report.
16. [For Possible Action](#) – Approval of Assessor’s Office Change Request to: 1) allow the Nye County Treasurer to process and send an amended tax bill of \$446.42 to the owners of APN 043-511-08; 2) allow the Nye County Treasurer to process and send an amended tax bill in the amount of \$306.30 to the owners of APN 040-032-07; 3) allow the Nye County Treasurer to process and send an amended tax bill in the amount of \$307.31 to the owners of APN 045-272-32.
17. [For Possible Action](#) – Approval to accept the State of Nevada Emergency Response Commission’s (SERC) FY19 United We Stand (UWS) grant in the amount of \$25,000 to provide security cameras for buildings/offices and one Chemical Detector to members within our Local Emergency Planning Committee (LEPC). Nye County Department of Emergency Management (DEM) will assist the LEPC in managing this grant. This grant will be administered out of Fund 10340 grants. A match of \$2,150 is not required, but is budgeted out of Fund 10101, should it be necessary to cover additional costs.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

August 21, 2018

18. [For Possible Action](#) – Approval to accept the FY 2019 State of Nevada Emergency Response Commission’s (SERC) Planning, Training, Equipment and Operations grant award in the amount of \$15,975.19 to provide solar batteries, one portable gas monitor, and personal protective equipment to members within our Local Emergency Planning Committee (LEPC). Nye County Dept of Emergency Mgmt. will assist the LEPC in managing this grant. This grant shall be administered out of Fund 10340 Grants and there is no match required.
19. [For Possible Action](#) – Approval to accept a grant award 2016-SAKI-10 from the State of Nevada Office of the Attorney General in the amount of \$8,681.00 to cover officer overtime and travel relating to the Sexual Assault Kit Initiative 2016. There is no match requirement for this grant. This grant will be administered out of Fund 10340 Grants.

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 ratify the letter and comments that have been submitted for Nye County Comments for the May 2018 Bureau of Land Management (BLM) Draft Environmental Assessment (EA), Land Withdrawal for Land Management Evaluation Purposes (LME) for the Fallon Range Training Complex, Document No. DOI-BLM-NV-C010-2018-0009-EA.
24. [For Possible Action](#) – Discussion and deliberation to: 1) move the first Nye County Board of County Commissioners meeting in November to November 13, 2018; and 2) reschedule or cancel the second Nye County Board of County Commissioners meeting for November 2018, tentatively scheduled for November 20, 2018.

TREASURER

25. [Treasurer’s Report.](#)

COUNTY MANAGER

26. [For Possible Action](#) – Discussion and deliberation regarding any and all action that might arise from discussions regarding Bill Draft Requests (BDRs) for Nye County for the 2019 Legislative Session.
27. [For Possible Action](#) – Discussion and deliberation concerning a request to investigate a complaint against the Public Administrator's office, regarding administration of Francis Melvin Cox’s property after his death. Complainant, Cheryl Beeman.
28. [For Possible Action](#) – Discussion and deliberation and possible enforcement action to respond to non-conforming use of the property at 2790 E. Camellia Street, Pahrump, Nevada regarding revocation of Conditional Use Permit CU-10-0013.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

August 21, 2018

FINANCE

29. [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).
30. [For Possible Action](#) – Discussion and deliberation to: 1) Award Bid 2018-06 – Northern Nye County Road Projects to Wulfenstein Construction. The amount of the bid, is \$457,175.68; 2) Execute the contract; and 3) Fund from 10205 Nye County Road Fund.
31. [For Possible Action](#) – Discussion and deliberation to: 1) Award Bid 2018-09 – Pahrump Valley Blvd., Resurfacing to Wulfenstein Construction. The amount of the bid is \$991,992.10, not including optional items at this time; 2) Execute the contract; and 3) Fund from 10205 Nye County Road Fund.

PLANNING/BUILDING/CODE COMPLIANCE

32. [For Possible Action](#) – Discussion and deliberation on Tentative Commercial Subdivision TM-2018-000013: A tentative subdivision map application (pursuant to NRS 278.325 mapping for industrial or commercial development), on land zoned Neighborhood Commercial (NC), located at 351 W. Basin Avenue, 201 W. Basin Avenue, and 150 S. Blagg Road. Property Owner/Applicant – Pahrump Lands, LLC. Agent – Civilwise Services, Inc. Assessor Parcel Numbers 035-331-02, 035-331-68 and 035-331-70.
33. [For Possible Action](#) – Discussion and deliberation on Tentative Residential Subdivision TM-2018-000015: a tentative subdivision map application containing 138 residential lots and 20 Common element lots on approximately 35.5 acres gross, located within the Mountain Falls Master Planned Community, Assessor Parcel Numbers: 045-021-052 & 053, aka: Mountain Falls Planning Area 5A.
34. [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. 2018-07: A Bill proposing to amend Nye County Code Title 17, Comprehensive Land Use Planning and Zoning, by adding Section 17.04.820 relating to the standards for the placement of Manufactured Homes and Factory-Built Homes; 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

35. [For Possible Action](#) – Discussion and deliberation to: 1) extend the period of performance for Wulfenstein Construction Co., Inc. contract 10-00133, through June 30, 2019; 2) increase the contract amount by \$250,000 for a total contract amount of \$1,660,750.00; and 3) provide the County Manager authorization to execute all future change orders for this contract.

PUBLIC PETITIONER

36. [For Possible Action](#) – Discussion and deliberation regarding approval of a Nathan Adelson Hospice Memorial Garden at the Calvada Eye 2100 E. Walt Williams Dr. Pahrump, NV 89048.
37. [For Possible Action](#) – Discussion and deliberation regarding reinstating the annual stipend to the Southern Nye County Conservation District (SNCCD) in the amount of \$1,000.00 annually, and to provide funding in the amount of \$4,000.00 for past Fiscal Years 2018 through 2019.
38. [For Possible Action](#) – Discussion and deliberation regarding a fund donation request in the amount of \$30,000.00 to the Pahrump Valley High School Band to aid in travel expenses for a trip to Hawaii for a Pearl Harbor event.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

August 21, 2018

39. GENERAL PUBLIC COMMENT (second)

40. ADJOURN