



**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
November 20, 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 November 20, 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 November 20, 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

November 20, 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 November 20, 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 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 regular meeting on October 2, 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** – [For Possible Action](#) – Discussion and deliberation on appeal (pursuant to Nye County Code Title 6, Animals, Section 6.40.010) of the Nye County Sheriff's Office's amended denial of a Special Conditions Animal Permit application (as required by Nye County Code Title 6, Animals, Section 6.30.030) to allow the possession of ten (10) special conditions animals (tigers) located at 6061 N. Woodchips Road, Pahrump, Nevada 89060, APN 027-241-26. Karl Mitchell/Kayla Mitchell/Big Cat Encounters – Appellants; Arlette Newvine, Esq. – Attorney for Appellants; Raymond Mielzynski – Property Owner.
8. **10:45** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation to: 1) Adopt, amend and adopt, or reject Nye County Bill No. 2018-21: A Bill proposing to amend Nye County Code Title 5 Business Licenses and Regulations, by amending Chapter 5.04, Liquor Regulations; and providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto; and 2) Set an effective date.
9. **10:45** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation to: 1) Adopt, amend and adopt, or reject Nye County Bill No. 2018-22: A Bill proposing to amend Nye County Code Title 5 Business Licenses and Regulations, by amending Chapter 5.14, Gaming Licenses; and providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto; and 2) Set an effective date.
10. **10:45** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation to: 1) Adopt, amend and adopt, or reject Nye County Bill No. 2018-23: A Bill proposing to amend Nye County Code Title 9 Public Peace, Morals and Welfare, Chapter 9.20, Prostitution; 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

November 20, 2018

- 11. **11:00** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation on WV-2018-000077: An application for a Waiver from Nye County Code 17.06.040.D.17 to allow a reduction of the security plan requirements for a Marijuana Establishment (production facility) 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.
- 12. **11:00** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation on SU-2018-000054: An application for a Special Use Permit to allow a marijuana establishment (dispensary/retail store), located at 1205 S. Loop Road, Pahrump, NV. Assessor Parcel Number 035-381-35. Floyd’s Construction Inc. – Property Owner. Green Life Productions, LLC – Applicant.
- 13. **11:00** – [For Possible Action](#):
 - a. For Possible Action – **Public Hearing**, discussion and deliberation on SU-2018-000055: An application for a Special Use Permit to allow a marijuana establishment (cultivation facility), located at 750 E. Betty Avenue, Pahrump, NV. Assessor Parcel Number 038-024-01. LHL Group, LLC/Item 9 Properties – Property Owner. Strive Wellness of Nevada, LLC – Applicant.
 - b. For Possible Action – **Public Hearing**, discussion and deliberation on SU-2018-000056: An application for a Special Use Permit to allow a marijuana establishment (production facility), located at 750 E. Betty Avenue, Pahrump, NV. Assessor Parcel Number 038-024-01. LHL Group, LLC/Item 9 Properties – Property Owner. Strive Wellness of Nevada, LLC – Applicant.

SITTING AS THE NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS

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

SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

- 15. Committee Reports
- 16. [For Possible Action](#) – Discussion and deliberation to appoint four (4) members and one (1) alternate to the Pahrump Veterans Memorial Advisory Committee due to five (5) expiring terms.
- 17. [For Possible Action](#) – Discussion and deliberation to: 1) Accept the Land and Water Conservation Fund (LWCF) grant award for the Simkins Park Phase III Lighting in the amount of \$277,320.00 with a 50% match requirement of \$277,320.00, and; 2) Fund from Fund 25401, Pahrump Capital Projects.

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.

- 18. [For Possible Action](#) – Approval of Elected Official Collection Report.
- 19. [For Possible Action](#) – Approval to set the date and location for the second February meeting of the Board of Commissioners for Tuesday, February 19, 2019 in Pahrump, Nevada.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

November 20, 2018

20. [For Possible Action](#) – Discussion and deliberation to: 1) Accept the Nevada Division of Emergency Management (NDEM) grant award for the Emergency Management Performance Grant (EMPG) in the amount of \$42,596.00 with a 50% match requirement of \$42,596.00 for the purpose of funding a portion of the Director of Emergency Management’s salary; 2) Fund the grant portion from 10340 Grants Fund and the match portion from 10101 General Fund; and 3) Delegate authority to Nye County Manager to execute the grant agreement.

BOARD OF COMMISSIONERS

21. 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.
22. 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.
23. For Possible Action – Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.

COUNTY MANAGER

24. [For Possible Action](#) – Discussion and deliberation to consider terminating the lease with Desert Haven Animal Society, Inc. for leased space at the Pahrump Animal Shelter located at 1511 E. Siri Lane, Pahrump, NV 89048.
25. [For Possible Action](#) – Discussion and deliberation to approve a Settlement Agreement between Nye County and the Nye County Management Employees Association (NCMEA) to allow the modification of the Collective Bargaining Agreement (CBA) for the purpose of adding and removing certain positions or classifications.

PUBLIC WORKS

26. [For Possible Action](#) – Discussion and deliberation to approve a Restrictive Covenant Running With The Land (RCRWTL) agreement between Nye County and the Tooley Family Trust. Evelyn Tooley – Trustee.
27. [For Possible Action](#) – Discussion and deliberation to approve a Restrictive Covenant Running With The Land (RCRWTL) agreement between Nye County and Acres Cultivation LLC. John Mueller – Manager.
28. GENERAL PUBLIC COMMENT (second)
29. ADJOURN