

Pursuant to NRS a joint meeting of the Nye County Board of Commissioners, Nye County Board of Highway Commissioners, Nye County Licensing and Liquor Board, the 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, was held at 10:00 a.m. in the Commissioner Chambers, 2100 E. Walt Williams Drive, Pahrump, Nevada 89048.

John Koenig, Chair
Debra Strickland, Vice-Chair
Lorinda Wichman, Commissioner
Donna Cox, Commissioner
Leo Blundo, Commissioner
Sandra L. Merlino, Ex-Officio Clerk of the Board
Chris Arabia, District Attorney
Sharon Wehrly, Sheriff
Tim Sutton, County Manager

Also present: Kelly Sidman, Deputy Clerk; Samantha Tackett, Administrative Manager; Marla Zlotek, Chief Deputy District Attorney

Not Present: Chris Arabia, District Attorney

1. Pledge of Allegiance

The Pledge was recited.

2. Approval of the Agenda for May 21, 2019 (Non-action item)

Tim Sutton said items 5 and 18-20 could be removed from the agenda.

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).

Wade Hinden invited everyone to the private well owners' meeting on May 23, 2019, at 10:00 a.m. at the museum where AB95, 1293A and three or four other water laws would be discussed.

Richard Goldstein said the DAV would hold a sunset memorial service at the Pahrump Veterans Memorial at Chief Tecopa Cemetery on May 27, 2019, at 6:00 p.m., and invited the Commissioners as well as County and town staff. Also on June 2, 2019, would be the annual Veterans Appreciation Barbecue at Ian Deutch Memorial Park. Lastly, Mr. Goldstein said about three or four week weeks ago a new speed limit sign was put on Pahrump Valley Boulevard indicating the speed limit was 25 mph when children were present. He pointed out there were no children on that street and nobody

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)-Contd.

actually drove that slow, but he had been stopped twice. He suggested removing "when children were present."

Sam Jones asked the Board to schedule another special meeting about the ICE contract so the public had a chance to speak on it.

Doug Campbell said he operated Las Vegas Balloon Rides in Las Vegas. He was closing on a home in Pahrump and just wanted to introduce himself. He specialized in hot air balloon rides, advertising, and flight training.

Rich Lauver thanked Tim Sutton and Matt Luis for leveling the softball field to allow them to host the regional tournament for baseball and softball for the first time in almost 20 years.

Dave Stevens talked about the dog pound and the need for a new one.

Tom Waters advised the prostate cancer support group met the fourth Tuesday of every month at Desert View Hospital from 6:00 p.m. to 7:30 p.m.

Debbie Butterfield asked about the lease with Desert Haven as she thought it was up for public bidding at the end of the lease.

Commissioner Koenig advised there was an item on today's agenda. It was out for public bidding right now.

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 April 16, 2019.

Commissioner Wichman made a motion to approve; seconded by Commissioner Blundo; 5 yeas.

SITTING AS THE BOARD OF COUNTY COMMISSIONERS

5. For Possible Action - Emergency Items

This item was removed from the agenda.

6. Commissioners'/Manager's Comments (This item limited to announcements or topics/issues proposed for future workshops/agendas)

Commissioner Wichman advised Assemblyman Ellison called moments before the meeting started. The County's bill for the five cent diesel tax was pulled and he wanted to make sure everyone knew they could put it on the ballot the next election and she thought that was a good idea.

Commissioner Cox mentioned President Trump's pardon of Dwight Hammond and his son, who were involved with the Bundys in Oregon. She thought that spoke loudly for the President and the fact he was allowing innocent people to lead their lives again.

Commissioner Strickland explained meetings held that were not on the normal schedule of the first and third Tuesdays were because something had to get done. The Open Meeting Law was followed and everything required was done to let the public know. She said she was sorry if people felt the Board superseded the public in any way with the ICE contract. She still thought it was a great contract and she supported it.

Commissioner Blundo said he would sponsor a Memorial Day barbeque at the Senior Center on Friday starting at 11:00 a.m. He then asked the County Manager to confirm the ICE contract was properly agendized.

Tim Sutton stated it was. He said for every meeting the Board held the agenda had to be posted at least three days prior at various physical locations, the County's Web site, and the State's public meeting Web site. If anyone was concerned about meetings being held without proper notice there was a subscription service for the public to sign up for through the Web site to get notification any time an agenda came out.

Commissioner Blundo said being a small business owner when his staff was out in the public he expected a certain level of respect as his staff represented his business. He also expected County staff to conduct themselves in a way that reflected well on everyone when in public.

Commissioner Koenig spoke of the hazardous waste collection event on Saturday. It was very well attended and they were talking about having more and going out to the adjacent communities in the future.

Public Information Officer Arnold Knightly added 233 cars came through the event and the plan was to do it again with U.S. Ecology in another area next year. He then talked about the Jim Butler Days in Tonopah this week. The parade would be on Saturday starting at 9:00 a.m. There would also be a championship mining event and the stampede.

Sam Merlino advised the Governor signed AB482 which gave the Clerk's Offices an additional \$5.00 on applications to perform marriages, fictitious firm names and candidate filing for the technology fund.

6. Commissioners'/Manager's Comments (This item limited to announcements or topics/issues proposed for future workshops/agendas)-Cont'd.

Mr. Knightly said the groundbreaking for Kellogg Park was tomorrow at 9:00 a.m. at the corner of Squaw Valley and Bridger.

TIMED ITEMS

7. 10:00 – For Possible Action – Public Hearing, discussion and deliberation on ZC-2019-000033: a (Conforming) Zone Change application to change 4.80 acres from the General Commercial (GC) zone to the Rural Homestead Residential (RH-4.5) zone, located at 1410 E. Manse Road, Pahrump, NV. Assessor Parcel Number 044-201-10. Midland Trust Company as Custodian FBO Richard Warrington – Property Owner. Dawn Reali/Dragonfly Tranquility, LLC – Applicant.

Commissioner Koenig opened and closed the public hearing.

Commissioner Strickland made a motion to approve ZC-2019-000033 based on the RPC recommendations, staff findings and subject to all conditions as outlined; seconded by Commissioner Wichman.

Commissioner Blundo felt this was spot zoning and wondered if creating an agricultural zone had been considered. He also pointed out that one of these applications was denied at a previous meeting.

Commissioner Koenig had similar concerns and wanted to look at some type of rezoning. He had a telephone call scheduled with the gentleman at the Department of Agriculture who handled hemp. Commissioner Koenig was sent a map that showed 70 licensed hemp installations in the County, some of which were on 1.2 acres. They were licensed by the State while the County had nothing to do with it and Commissioner Koenig had a problem with that.

Commissioner Blundo said it also raised the question of whether they were operating a commercial business on a domestic well, which was a problem. He wondered if there was an attitude to continue this for a little while.

Commissioner Wichman said she believed the recommendations from staff and the RPC were correct with the County's current guidebook and the County had to follow its own rules until those rules changed.

Commissioner Cox said just because the State gave people a license or a permit did not mean they could just put it anywhere. They came to the Board for the final decisions. She pointed out this particular piece of property had what appeared to be houses around it. She knew how bad hemp smelled and she would not want it across the street from her. Commissioner Cox thought maybe the County was lax in what they were allowed to do.

7. 10:00 – For Possible Action – Public Hearing, discussion and deliberation on ZC-2019-000033-Cont'd.

Commissioner Strickland said there was a 10-acre grow less than half a mile from this location on the corner of Vicki Ann and Manse. She questioned the reasoning for disallowing this particular person from another. She felt if the County took the incentive to make an ordinance change it was stopping an industry that made money for an individual and the Board was disallowing them to make a living. She agreed it was a concern, but did not think this was the time to get in the way of this particular industry.

Commissioner Cox felt these operations should be conducted inside like the marijuana industry did.

Commissioner Koenig said right now hemp could only be grown on residential property, which he had a problem with. There was talk about changing that to make it on a commercial piece of property and this property right now was zoned commercial.

The motion to approve ZC-2019-000033 based on the RPC recommendations, staff findings and subject to all conditions as outlined passed with 3 yeas. Commissioners Cox and Blundo voted nay.

8. 10:15 – For Possible Action – Discussion and deliberation regarding the Treasurer's Report.

Chief Deputy Treasurer Raelyn Powers from the Treasurer's Office was present.

Commissioner Wichman had a question about the petty cash fund. The amount in the fund on the March, 2019, reconciliation report was \$120,520.23. She said that figure had not changed since 2012 and it was becoming a sore spot for her and she did not want it to be a plugged in number.

Ms. Powers explained that generally petty cash was replenished on a monthly basis so if someone used their fund they submit a voucher to Finance and it was replenished. The current bank reconciliation and Treasurer's report were still being researched for items that had changed and items that the auditor identified as being reconciling items. Having come from the Finance Department into the Treasurer's Office Ms. Power said she knew the offices were working together to get the petty cash fund audited 110%. She knew of a couple of things that needed to be addressed, like the dissolution of the Mercury petty cash fund.

Commissioner Wichman asked Ms. Powers to send her an e-mail with the transactions in that account for a period of time so she could learn what transactions were occurring.

Commissioner Cox asked about the \$1,800.00 for fraudulent checks.

8. 10:15 – For Possible Action – Discussion and deliberation regarding the Treasurer’s Report-Cont’d.

Ms. Powers advised an individual fraudulently wrote checks on the County’s account in Las Vegas. Until the reimbursement from the bank came in and the investigation was completed those items would appear as reconciling items.

Commissioner Blundo made a motion to accept the Treasurer’s report; seconded by Commissioner Wichman; 5 yeas.

SITTING AS THE NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS

Commissioner Blundo assumed the Chair of the Board of Highway Commissioners.

9. General road report by Public Works Director.

Public Works Director Tim Dahl advised they were working on a few different projects, including the rehabilitation of some taxiways at the Tonopah Airport, demolition of the fixed base operations building at the Tonopah Airport, and the two public works yards had been demolished. They continued to work on the weeds and were compiling a list of streets and intersections for that. Mr. Dahl was also hoping for warmer weather to get started on the chip seal/slurry projects this summer.

Commissioner Wichman asked about the timeframe for Belmont and Senita Courts.

Mr. Dahl said the goal would be the end of July.

Commissioner Wichman asked him if he had any documentation from Hadley yet, to which Mr. Dahl responded no.

Commissioner Cox thanked Richard Goldstein for bringing up the speed limit sign on Pahrump Valley Boulevard. She thought the deputies should look a little closer at the sign before they wrote tickets and felt the speed limit should be 45 mph.

Mr. Dahl explained that sign was put up at the request of the parents of the children who used that park. He then advised that a couple of weeks ago they were able to get a grant from CDBG for \$411,000.00 to continue developing the Pahrump fairgrounds. The money would be used to construct channels and a detention basin.

Commissioner Blundo said chip sealing and the durapatcher would be discussed at the RTC meeting tomorrow at 11:00 a.m. He then asked Mr. Dahl if he had a number of how many maintenance issues had been resolved.

Mr. Dahl said it was in the neighborhood of 260 maintenance requests since the beginning of the year, of which 140 had been completed. He explained some of the requests were for roads that were not County maintained roads.

SITTING AS THE NYE COUNTY LICENSING AND LIQUOR BOARD

Commissioner Strickland assumed the Chair of the Licensing and Liquor Board.

GAMING

10. For Possible Action – Discussion and deliberation to approve a Gaming License for Pahrump Hotel Partners, Inc., dba Pour House located at 1101 S. Highway 160, Pahrump, NV. Sukhbir Dhillon – Owner/Applicants.

Detective Chris Sehnert advised all requirements had been met.

Commissioner Koenig made a motion to approve; seconded by Commissioner Wichman.

Commissioner Blundo asked if the applicant was operating gaming without a license.

Detective Sehnert said yes. The applicant had initially set up with a slot route through Shawn Lou, but then he wanted to change and have his own route. Detective Sehnert investigated and got a report of an issue with it, so he pulled the license off the wall, shut the machines down and documented it. At that time they put in their application for their own route.

Samantha Tackett added the applicant had received their license from the State Gaming Control Board.

The motion to approve passed with 4 yeas. Commissioner Blundo and Sheriff Wehrly voted no.

Sheriff Wehrly explained she voted against the item as she had not seen the background yet.

LIQUOR

11. For possible Action – Discussion and deliberation to extend the two 90-day temporary Retail and Package Liquor Licenses for Nevada Desert Lounge located at 1481 E. Nevada Highway 372, Units B and C, Pahrump, NV. Nicholay Panchev – Manager/Applicant and Peter Panchev – Owner/Applicant.

Commissioner Strickland asked Planning Director Brett Waggoner to see if they had a sign permit for the banner

Samantha Tackett said they did get a temporary use permit for their banner. She then advised the applicant had seemingly unofficially changed their business name. The application was made under Nevada Desert Lounge, but they were currently advertising as Nick's Bars and Pizza Slots. She said the background check had not been received

11. For possible Action – Discussion and deliberation to extend the two 90-day temporary Retail and Package Liquor Licenses for Nevada Desert Lounge located at 1481 E. Nevada Highway 372, Units B and C, Pahrump, NV. Nicholay Panchev – Manager/Applicant and Peter Panchev – Owner/Applicant-Cont'd.

from the State yet. Additionally, the applicant had not been approved by the Gaming Control Board, had not registered with the Nevada Secretary of State, had not updated their Pahrump business license, and had not gone through Planning.

Detective Chris Sehnert said the backgrounds were received recently and were good.

Nick Panchev, manager of Nevada Desert Lounge, said according to the Gaming Control Board approval was given on December 12, 2018, which entitled him to operate, but the County had a secondary approach. He felt it needed to be synchronized to occur at the same time. Mr. Panchev's impression was because they applied for liquor and gaming it should have been investigated at the same time.

Ms. Tackett explained he did apply for gaming, but that was not brought before the Board for consideration as he had not received his State gaming license at that time. Additionally, his floor plan and game count had changed and an updated plan had not been received.

Commissioner Strickland pointed out the signage did not match the business license. It was recently changed and the Commissioners were confused by it.

Mr. Panchev said he went to the Planning Department and got a permit for the name. The company is one thing and this was just a sign.

Commissioner Strickland wondered if this should be tabled and further meetings held with the applicant.

Ms. Tackett said that could be done, however, their temporary license expired today and they would not be able to operate. She asked Mr. Panchev if he knew he did not notify anyone of the name change.

Mr. Panchev stated he went to the Planning Department and was told that was all he had to do.

Brett Waggoner explained Mr. Panchev brought in a sign review application, which only had to do with the sign and Planning only looked at size, location, and illumination. They did not approve the business name change.

Commissioner Blundo instructed Mr. Panchev to go to the County Clerk and file a new dba with the name he wanted to operate his business under. He would then file that with the Secretary of State, with the County, and update the town business license.

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Commissioner Strickland said if he did that he would be out of business today because there was no way for him to stay in business. She wondered if the signs could be taken down.

In response to Commissioner Koenig's question, Mr. Panchev said the name of the business was Nevada Desert Lounge and the name had not changed. It was just a sign that he could take down today. He was not advertising under any other name.

Commissioner Blundo made a motion to extend the temporary retail package liquor license for 30 days so things could get understood with the applicant, contingent upon operating as Nevada Desert Lounge and name changes could be addressed in the future; seconded by Commissioner Koenig; 6 yeas.

Ms. Tackett said the item would be heard again on June 18, 2019.

SITTING AS THE BOARD OF COUNTY COMMISSIONERS

Commissioner Koenig assumed the Chair of the Board of County Commissioners.

COUNTY MANAGER

27. For Possible Action – Presentation, discussion and deliberation of the monthly progress report for Desert Haven Animal Shelter.

Commissioner Koenig noted the loss of \$9,000.00 as of March, 2019. He asked about the changes that had been made.

Jane Carbone said one of the changes they made was starting the inmate program, which had been a huge help. Another change was how the cage cards were presented on the dog runs. They still had the same amount of volunteers and staff. She thought everyone just stepped up and started doing their job.

Leah Aldridge said this past Saturday they had a supply drive at Wal-Mart hosted by Purina. They also had some new board members as Ellen Arntz and Tina Trenner resigned. Yvonne Smith had joined as an interim manager and turned the place upside down. A room was set up for in-house low-cost spay/neuters and they were searching for a veterinarian to come in and use the room for free. Ms. Aldridge said that was an opportunity for the shelter make money. Also, on Sunday 1,050 pounds of dry dog food was donated. Ms. Aldridge said the other new board members were Gail Clampett and Jessica Suto.

27. For Possible Action – Presentation, discussion and deliberation of the monthly progress report for Desert Haven Animal Shelter-Cont'd.

Jessica Suto introduced herself and said she had worked with animals since 1995 as an animal control officer and animal cruelty investigator. She started a county animal response unit in New Jersey for natural disasters and also had experience in adoptions, public outreach, and trap and return for feral cats. Ms. Suto hoped to help with the public outreach.

Commissioner Koenig noted that in March the insurance was \$2,097.87 and in April it was down to \$369.00. He asked for the reason for that.

Barbara Gordon explained insurance payments were due at certain times and sometimes they paid a lot so next time not so much was owed.

Commissioner Wichman suggested since there was a bookkeeper to have a beginning and ending balance on the reports to help the Board track them.

Commissioner Cox said she had seen that the name was going to change and asked if that had happened or was just a rumor.

Ms. Aldridge said the board voted to change it to the Pahrump Animal Support Society. They were in the process of filing the paperwork so it would not change for a while.

Commissioner Cox made a motion to approve; seconded by Commissioner Blundo.

Dave Stevens felt the progress report showed good things, but he wanted to see progress on a new animal shelter with air conditioning.

John Bosta talked about the money provided through LEPC. Part of that program was to have a shelter for animals and he asked if any money had been sought from the federal government to help pay for the shelter.

Ms. Suto commented she was part of starting a county animal response team and she would be willing to help get a program started in Nye.

Commissioner Cox suggested she talk with the Sheriff about it.

The motion to approve passed with 5 yeas.

PUBLIC PETITIONER

35. For Possible Action – Presentation, discussion and deliberation regarding: 1) Nye County School District's (NCSD) proposed reclaimed water project that would allow NCSD access to the existing pumping facilities and reclaimed water used for the Lakeview Golf Course for watering of athletic fields at Pahrump Valley High School; and 2) approval to move forward with drafting an agreement to define the use and responsibilities for NCSD, the Town of Pahrump/Nye County, and Great Basin Water Co.

Cameron McRae, Maintenance and Operations Director for the School District, said the District would like to enter into an agreement with the County and town to gain access to the reclaimed water currently transmitted between the pumping station operated at the utility site to the Lakeview Executive Golf Course to replace the domestic water the District was using to irrigate the athletic fields. The proposed plan would cost share the continuing daily operations of the pumping station and for any future maintenance and other items that might arise from the operation of that pumping station. The District was looking at an alternate method to using domesticated water to do this including doing its own well and use of reclaimed water. Mr. McRae said they got the authority from the Public Utilities Commission to have access to the water under the same arrangement the County had. Their application for reclaimed water use was filed with the appropriate authorities and they had gone through engineering for a pumping facility at the school site to redistribute the water.

Commissioner Wichman made a motion to approve talks with staff to continue to move forward with drafting an agreement; seconded by Commissioner Blundo.

Commissioner Cox was concerned with using reclaimed water at the athletic fields and asked what kinds of activities took place.

Mr. McRae said softball, baseball, soccer, and other forms of recreation. He noted this was not something new. The State had a process for using reclaimed water and this type of recreational use was governed and regulated by them.

Wendy Barnett, president of the Great Basin Water Company, defined Class A water for Commissioner Koenig as the highest category of reclaimed water available. There were Classes A, B, C and D and while they treated to Class A every day they were permitted as Class B and preferred to stay that way. She had talked with two different people at the Bureau of Water Pollution Control about bringing water to Lakeview and the School District. She had in writing that her plant was a gold standard for all utilities for what they did in producing their reclaimed water. They had never had a notice of violation for the quality of any operation at the plant. Ms. Barnett said she was happy to answer any questions.

35. For Possible Action – Presentation, discussion and deliberation regarding: 1) Nye County School District’s (NCSD) proposed reclaimed water project that would allow NCSD access to the existing pumping facilities and reclaimed water used for the Lakeview Golf Course for watering of athletic fields at Pahrump Valley High School; and 2) approval to move forward with drafting an agreement to define the use and responsibilities for NCSD, the Town of Pahrump/Nye County, and Great Basin Water Co.-Cont’d.

Commissioner Cox said she always had an issue putting this where children were playing. She was also concerned about the liability if someone with an autoimmune disease was adversely affected.

Ms. Barnett guaranteed her reclaimed water was cleaner than what Commissioner Cox was putting on her grass. She personally had no concerns as this water was more highly disinfected than what she drank out of her well every day.

Commissioner Strickland asked if Great Basin Water Company was capable of supporting the needs of Lakeview as well as the needs in the future.

Ms. Barnett said yes and engineers had been hired to look at that very thing. Lakeview’s contract guaranteed them up to 425,000 gallons a day, which they would continue to get. She had enough to support the School District and had another well also.

Commissioner Blundo said when staff did this agreement he would like to have the cost per month for maintenance.

Mr. McRae said the proposal was to share that cost based upon metered pumping of the facilities.

Rich Lauver talked about how every parent was excited this was about to happen. He mentioned that the money used to pay for water could now be spent on the children.

The motion to approve talks with staff to continue to move forward with drafting an agreement passed with 5 yeas.

36. For Possible Action – Presentation by the Chairman of the Southern Nye County Conservation District regarding educational weed identification and removal work in the Town of Pahrump and Southern Nye County.

John Pawlak, chair of Southern Nye County Conservation District, and Donna Lamm were present. Mr. Pawlak talked about their promotion on public media about water and air quality, tamarisk removal, ISDS proper care and maintenance, conservation education, field trips and environmental events such as Earth Day and Arbor Day. They had partnerships with various agencies and everything they did was geared toward water conservation.

COUNTY MANAGER

29. For Possible Action – Discussion and deliberation to: 1) approve a Cooperative Agreement with the Southern Nye County Conservation District to aid the County in conserving renewable resources in the amount of \$2,000 annually; and 2) determine a funding source.

Commissioner Blundo made a motion to approve the cooperative agreement and fund it out of miscellaneous overhead if that fund still existed and if not fund out of the general fund; seconded by Commissioner Cox; 5 yeas.

The Board was in recess until 1:30 p.m.

SITTING AS THE NYE COUNTY BOARD OF HEALTH

12. Presentation by Nye County Public Health Officer, Henry Melton regarding: 1) Nye County's Health Ranking; 2) the measles outbreak in the United States and abroad; and 3) recommendations.

County Public Health Officer Henry Melton said the health ranking prior to this year was 16 out of 17 and the current ranking was 15 out of 17. He said the County moved up primarily because others did not report. He would work with entities to encourage that reporting and one of the impact variables to be concerned with was the reporting methodology and keeping track of people with drug-related problems leaving and returning to an area. A secondary impact variable was represented by medical professionals and the need to have more medical people to help take care of the population. To assist in that area Mr. Melton was working on an internship program. Priority areas would be access to health care, chronic diseases, and funding.

Mr. Melton then discussed the measles outbreak. He said a lot of the information reported lacked some accuracy and he wanted to show the Board some information gathered from the CDC and other organizations. While a 20% increase was relatively small, it could not be ignored because of the danger it posed. In 2018 the number was 372 cases. As of 2019 the number was 704 cases. Mr. Melton said that number was a significant concern when this was a virus that was supposedly basically destroyed.

PLANNING/BUILDING/CODE COMPLIANCE

33. For Possible Action:

33a. For Possible Action – Discussion and deliberation on Recreational Marijuana Establishment License Annual Renewal Application RM-2019-000041: a request for renewal of a Recreational Marijuana Establishment License for a marijuana establishment (cultivation) located at 950 E. Anvil Road, Amargosa Valley, NV, Assessor Parcel Number 019-751-03. Acres Cultivation, LLC – Property Owner. John Mueller – Applicant. Amanda N. Connor, Esq. – Agent.

33b. For Possible Action – Discussion and deliberation on Recreational Marijuana Establishment License Annual Renewal Application RM-2019-000042: a request for renewal of a Recreational Marijuana Establishment License for a marijuana establishment (production) located at 950 E. Anvil Road, Amargosa Valley, NV, Assessor Parcel Number 019-751-03. Acres Cultivation, LLC – Property Owner. John Mueller – Applicant. Amanda N. Connor, Esq. – Agent.

Commissioner Wichman made a motion to renew; seconded by Commissioner Cox.

Commissioner Koenig stated he would not be able to vote for this without the applicant present to answer questions.

Commissioner Wichman withdrew her motion; Commissioner Cox withdrew her second.

Commissioner Strickland made a motion to table this item and put it on another agenda when Acres could represent themselves; seconded by Commissioner Wichman.

John Bosta expressed his disappointment that this item was being postponed. He said this action was in violation of Section 65.6(2) of AB422 and Section 15(2) of SB487 as the County had no authority to issue licenses inside of a town.

Commissioner Koenig pointed out it said incorporated city.

Mr. Bosta stated there were no incorporated cities in Nevada and SB487 gave authority to the towns. The County had collected money and put it into a reserved fund, but now it was put in the general fund to spend.

The motion to table this item and put it on another agenda when Acres could represent themselves passed with 5 yeas.

34. For Possible Action – Discussion and deliberation on Recreational Marijuana Establishment License Initial Application RM-2019-000043: a request for issuance of a Recreational Marijuana Establishment License for a marijuana establishment (production) located at 101 Airport Road, Beatty, NV. Assessor Parcel Numbers 018-371-16 and 018-371-17. MM Development Company, Inc. – Property Owner. MM Development Company, Inc.– Applicant. Robert A. Groesbeck – Agent.

Commissioner Blundo made a motion to approve; seconded by Commissioner Wichman.

Commissioner Blundo asked to have the 2% show on all of these items in the future and he wondered if there was difficulty with information coming from the Treasurer's Office.

Brett Waggoner advised that information was included now. He explained there was a kink in the system and he did not know where it came from. He also did not know why the 2% fees were ever directed to the Treasurer rather than the Planning Department which processed the applications.

The motion to approve passed with 5 yeas.

SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

13. Committee Reports

There were none.

14. For Possible Action – Discussion and deliberation regarding approval of amendments to the Pahrump Public Lands Advisory Committee By-Laws.

Commissioner Strickland made a motion to approve; seconded by Commissioner Blundo.

Commissioner Strickland explained the change in wording would allow them to reach out further than just the township. They were currently working on connecting trails between Las Vegas and Pahrump.

The motion to approve passed with 5 yeas.

15. For Possible Action – Discussion and deliberation to appoint two alternates to the Pahrump Veterans Memorial Advisory Committee due to one resignation and one vacancy.

Commissioner Koenig made a motion to appoint Cles Saunders and Janice Saunders to the Pahrump Veterans Memorial Advisory Committee; seconded by Commissioner Wichman; 5 yeas.

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.

16. For Possible Action – Approval of Elected Official Collection Report.

Commissioner Blundo made a motion to approve items 16-17; seconded by Commissioner Strickland; 5 yeas.

17. For Possible Action – Approval to set the date and location for the second Board of Commissioners meeting in August for Tuesday, August 20, 2019 in Pahrump, Nevada.

Commissioner Blundo made a motion to approve items 16-17; seconded by Commissioner Strickland; 5 yeas.

BOARD OF COMMISSIONERS

18. 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.

This item was removed from the agenda.

19. 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.

This item was removed from the agenda.

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

This item was removed from the agenda.

21. For Possible Action – Presentation by Bill Cookston and Bob Cunningham of Front Sight Firearms Training Institute regarding the Unmanned Aerial Systems and Robotics Range and discussion and deliberation to approve a Letter of Support for the Unmanned Aircraft Systems (UAS) Operations at the Front Sight UAS Range.

Bill Cookston from Front Sight said Front Sight was looking to create inner space to allow individuals or corporations to come in and practice their drones. This was found to be a need when a group was looking for space to practice. Front Sight partnered with Bob Cunningham, who had set up quite a few around the country.

Bob Cunningham said these ranges were being set up across the country, but most were associated with counties and universities. Those he had set up in Nevada were associated with the Nevada Institute of Autonomous Systems. He reviewed his credentials and experience with autonomous systems. Mr. Cunningham felt Front Sight had excellent indoor and outdoor facilities and vast open rural land area for an unmanned aerial system (UAS) and robotics operation and training range. The industry was growing and both NASA and the FAA were putting in place all the processes and procedures to ensure it was done carefully. Mr. Cunningham said today they wanted to achieve the agreement of the County.

Commissioner Blundo made a motion to approve a letter of support for the UAS operations at Front Sight UAS range; seconded by Commissioner Strickland.

Commissioner Blundo said given Front Sight was a member only facility it would not be open to the public and was focused on being for governmental and commercial training.

Mr. Cunningham said it was not open to the public to just show up. They would have to make an appointment and be FAA compliant and licensed, but they did not have to be a member of Front Sight.

Dave Stevens thought someone was going to get hurt doing this.

The motion to approve a letter of support for the UAS operations at Front Sight UAS range passed with 5 yeas.

DISTRICT ATTORNEY

22. 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. 2019-08: a Bill proposing to amend Title 9 of the Nye County Code, titled Public Peace Morals and Welfare by adding a new Chapter 9.05 titled Panhandling, Vagrancy and Disorderly Conduct; 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.

Commissioner Blundo made a motion to set the date, time and location as June 18, 2019, at 10:00 a.m. in Pahrump; seconded by Commissioner Strickland; 5 yeas.

Commissioner Blundo read the title of the bill into the record.

23. For Possible Action – Discussion and deliberation regarding: 1) retaining the law firm of Erickson, Thorpe & Swainston, Ltd. to continue as counsel for handling of civil litigation in case Vasili Platunov v Nye County, Case 2:18-cv-00917-GMN-PAL US District Court, District of Nevada, and 2) delegate authority to District Attorney to execute a retainer agreement.

Commissioner Blundo made a motion to approve retaining the law firm of Erickson, Thorpe and Swainston, Ltd., to continue as counsel and delegate the authority to the District Attorney to execute a retainer agreement; seconded by Commissioner Cox.

Commissioner Wichman wondered if a not to exceed amount could be put on it for budget purposes.

Marla Zlotek recommended \$10,000.00 to \$15,000.00 at this point noting it may be significantly less.

Commissioner Wichman asked Commissioner Blundo to consider amending his motion to include a not to exceed amount of \$20,000.00.

Commissioner Strickland said she would rather do \$10,000.00 and then augment later if needed.

Commissioner Blundo amended his motion to approve retaining the law firm of Erickson, Thorpe and Swainston, Ltd., to continue as counsel and delegate the authority to the District Attorney to execute a retainer agreement with a not to exceed amount of \$15,000.00; Commissioner Cox amended her second; 4 yeas. Commissioner Strickland voted nay.

24. For Possible Action – Discussion and deliberation to issue a Display Fireworks Event Permit to the Town of Round Mountain for an Aerial Display at their annual Fourth of July Event on Thursday, July 4, 2019. This event is being held in the Hadley Subdivision in Round Mountain, NV. Peal Olmedo – Applicant.

Commissioner Wichman made a motion to approve; seconded by Commissioner Blundo; 5 yeas.

25. For Possible Action – Discussion and deliberation regarding a renewal of a Wholesale/Retail Fireworks Permit for Blackjack Fireworks located at 1181 S. Highway 160, Pahrump, NV. Robert Dodge – Applicant.

Commissioner Blundo made a motion to approve; seconded by Commissioner Wichman; 5 yeas.

26. For Possible Action – Discussion and deliberation regarding a renewal of a Wholesale/Retail Fireworks Permit for Alamo Fireworks located at 2641 E. Highway 95 in Amargosa Valley, NV. Patrick James – Applicant.

Commissioner Cox made a motion to approve; seconded by Commissioner Wichman; 5 yeas.

COUNTY MANAGER

28. For Possible Action – Discussion and deliberation regarding nominating a member of the Board of County Commissioners to apply for an elected position to serve on a Bureau of Land Management Resource Advisory Council.

Commissioner Blundo nominated Commissioner Strickland; seconded by Commissioner Wichman; 5 yeas.

30. For Possible Action – Discussion and deliberation to: 1) approve the Community Work Experience Program (CWEP) agreement with the State of Nevada, Division of Welfare and Supportive Services, Employment and Supportive Services Unit (DWSS) for the purpose of providing people with job preparation, work opportunities and support services; and 2) delegate authority to the County manager to execute this and future CWEP agreements.

Commissioner Blundo made a motion to approve the Community Workforce Experience Program (CWEP) and delegate authority to the County Manager to execute this and future CWEP agreements; seconded by Commissioner Strickland; 5 yeas.

HEALTH & HUMAN SERVICES

31. For Possible Action – Discussion and deliberation to accept Amendment No. 1 to the Interlocal Agreement with the Nevada Department of Health and Human Services Aging and Disability Services Division for services provided to children with intellectual and developmental disabilities. This amendment revises Attachment B - Service Billing which currently reflects services and rates and will change to reflect services and indicate current rates on website. Services included in Amendment No. 1 to the Interlocal Agreement are budgeted in Fund 10283 – Indigent.

Commissioner Strickland made a motion to approve; seconded by Commissioner Blundo; 5 yeas.

INFORMATION TECHNOLOGY

32. For Possible Action – Discussion and deliberation regarding a proposal by Intelcom to complete a tower structural modification upgrade to the Nye County West Site tower per the engineered structural modification report completed by Paul J. Ford and Company (PJF) in the amount of \$83,600.00 to be funded from Fund 10402 – Special Capital Projects.

Commissioner Blundo made a motion to approve; seconded by Commissioner Strickland.

Commissioner Blundo stated for the record that this was exempt from competitive bid requirements as public safety communication equipment per NRS 332.115.

The motion to approve passed with 5 yeas.

6. Commissioners'/Manager's Comments (This item limited to announcements or topics/issues proposed for future workshops/agendas)-Reopened.

Commissioner Blundo mentioned the e-mail exchange regarding signage for the Public Administrator's Office and said he would like to give direction to staff. He felt the proposal was fair and would like to get it done.

PUBLIC PETITIONER

37. Presentation by Gerry Hellier, Executive Director of QuadState Local Governments Authority regarding past accomplishments and future plans.

Gerry Hillier explained the Authority provided intermediate services in things like the Endangered Species Act and payment in lieu of taxes. Its purpose was to augment in terms of specific issues involving the member counties. They operated on a fairly limited basis in terms of budget as the whole staff was him. Things they had been

37. Presentation by Gerry Hellier, Executive Director of QuadState Local Governments Authority regarding past accomplishments and future plans-Cont'd.

involved in included the management oversight group for desert tortoises and legislation for RS2477. Mr. Hillier had left material for the Commissioners to review that provided additional information on the Authority's mission and activities. He said in that packet was a draft letter to support the RS2477 legislation.

Commissioner Koenig was not present.

Commissioner Strickland assumed the Chair of the Board of County Commissioners. She asked staff to work on the letter regarding RS2477 so she could run with it when meeting with the BLM.

38. GENERAL PUBLIC COMMENT (second)

Pat Minshall talked about hemp and how Amargosa Valley had five registered hemp growers along with some possible illegal ones. She had been speaking with the Department of Agricultural and while it had not been a rule it was recommended that hemp not be grown within five miles of a marijuana establishment. Ms. Minshall said she represented the town board on the LEPC committee and last week there was a presentation of a 911 call from a residential area in Stockton, California, about an explosion in a garage and a man on the ground on fire. It turned out to be a hemp processing lab in a residential neighborhood. She was on the phone the next morning to the Agriculture Department to find out if anyone in Amargosa Valley had a permit to have a processing lab and they did not know. Ms. Minshall felt people needed to be very aware of the potential for explosions in those labs just like in meth labs.

John Bosta said on item 24 Brett Waggoner let the cat out of bag when he said the 2% fee money did not go to the Treasurer. The Treasurer was supposed to receive all revenue. If that 2% did not go to the Treasurer Mr. Bosta asked who it went to, how much it was and where it was reflected in the budget. As to the illegal lab Ms. Minshall referred to, Mr. Bosta said one day when he and Trevor Dolby left the Road House there was commotion around a building and it was an illegal unlicensed lab in Pahrump. What Ms. Minshall talked about was a building that could explode that was right across the street from a marijuana grow house.

Commissioner Blundo said he understood from what Mr. Waggoner said it was 2% and it was paid to the Treasurer's Office, but Commissioner Blundo was concerned why it was not paid through the Planning Department.

Nick Panchev was concerned about how people survived in this town without having some improvements. He felt cleaning the town up would attract businesses.

39. ADJOURN

Commissioner Koenig adjourned the meeting.

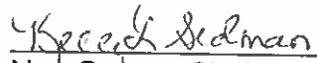
APPROVED this 18th day

ATTEST:

Of June, 2019.



Chair



Nye County Clerk / Deputy