

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, Nye County Board of Health, as the Governing Body of the Unincorporated Town of Pahrump, as the Governing Body of the Unincorporated Towns of Beatty, Belmont, Gabbs, Manhattan, and Railroad Valley, and as 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
Dan Schinhofen, Vice-Chair
Lorinda Wichman, Commissioner
Butch Borasky, Commissioner
Donna Cox, Commissioner
Sandra L. Merlino, Ex-Officio Clerk of the Board
Angela Bello, District Attorney
Sharon Wehrly, Sheriff
Tim Sutton, County Manager

Also Present: Lorina Dellinger, Assistant County Manager; Kelly Sidman, Deputy Clerk; Samantha Tackett, Administrative Manager; Marla Zlotek, Chief Deputy District Attorney; Ronni Boskovich, Deputy District Attorney

Not Present: Angela Bello, District Attorney; Sharon Wehrly, Sheriff

1. Pledge of Allegiance

The Pledge was recited.

2. Approval of the Agenda for July 17, 2018 (Non-action item)

Tim Sutton said items 5 and 25-27 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 expressed his concern about the safety of the children in the town on school break and old enough to ride bicycles. He said they were unsupervised and had no regard for the automobiles. He asked anyone who had children riding bicycles to please supervise them so they did not get hurt.

Diane Southworth said the fireworks were wonderful. She also extended a thank you to the Board from Desidero Trujillo for getting his veteran's banner up. Mrs. Southworth then talked about community outreach. In May they served over 9,000 individuals with food needs and almost 7,400 in June. They provided 42,000 gallons of water for showers in May and 6,000 gallons in June. On July 28, 2018, from 10:00 a.m. to 2:00

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)-Cont'd.

p.m. at the Lighthouse Covenant Church a girls' day event would be held to supply girls with clothes, hair products and schools things. On August 2, 2018, there would be a memory lane event which would help people understand healthy brains and how to prevent things.

Richard Goldstein, speaking on behalf of Zambelli Fireworks, thanked the Town of Pahrump, Scott Lewis, and Vern Van Winkle for the fireworks. He also thanked the County Manager for getting the banners up before the 4th of July.

Debra Strickland advised that State Engineer Jason King did amend Order 1293 and that it affected relinquishment and/or the affidavits to drill. People could contact pahrumpfairwater.com if they wanted to help.

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 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, on June 19, 2018.

Commissioner Koenig said he was confused with page 1 because the District Attorney was shown as being present and then shown as not present. Additionally, on page 18 "creation" should be "cremation."

Commissioner Cox said on page 6 in the second paragraph from the bottom it should say the ACLU "has" a lawsuit instead of "had" as it was still pending.

Commissioner Wichman made a motion to approve with those corrections; seconded by Commissioner Schinhofen; 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 Schinhofen asked staff to apply for the Byrne JAG grant as he understood one had not been applied for in four years. He stated his concern with the close rate as the law enforcement numbers provided by the State showed Nye's close

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

rate at 7.5% in 2017. He also asked staff to look into building a new shelter across the road from the current, very old shelter as they needed more room.

Commissioner Wichman advised the comment period to respond to BLM's four year land management evaluation and four year land segregation of about 50,000 acres of public land in Nye County for future military expansion ended on August 2, 2018. She wanted the Board to know she was going to make those comments back in time but could not get them on this meeting agenda.

TIMED ITEMS

7. 10:00 – Presentations of certificates and/or plaques to eight (8) employees honored for their years of service.

Certificates and/or plaques were presented to the following employees for their years of service:

5 Years:	Beau Gott
10 Years:	Laurel Dimings; Ryanne Gott; Levi Gregory; Jason Heaney; Andrew Johnson
25 Years:	Frank Raetz
35 Years:	William Sullivan

SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

12. 10:00 – Presentation of a plaque to one (1) employee honored for their years of service.

A plaque was presented to Jimmy Martin for his 15 years of service.

8. 10:15 – For possible Action – Community Development Block Grant (CDBG) Public Meeting: 1) Overview of the Community Development Block Grant (CDBG) program; 2) Summary of Past Performance by Nye County with CDBG funding since 1982; and 3) Invite public to provide project ideas, and input on past or potential projects.

Danielle McKee, Grants and Contracts Manager, reviewed the past performances and awards to Nye County. To date total CDBG funds awarded were \$3.8 million. She explained Nye County could apply for two projects and sponsor one for a total of three applications. Similar to last year all projects would be submitted for eligibility. After that determination the applications would be prioritized and the final submitted in January. Eligible activities included public facilities/services, planning and economic development. For the sponsored application it could be a non-profit, for-profit, or

8. 10:15 – For possible Action – Community Development Block Grant (CDBG) Public Meeting: 1) Overview of the Community Development Block Grant (CDBG) program; 2) Summary of Past Performance by Nye County with CDBG funding since 1982; and 3) Invite public to provide project ideas, and input on past or potential projects-Cont'd.

housing authority. Mrs. McKee reminded anyone with a project in mind that it had to be shovel ready so upon award the project had to start. Preliminary applications were in the back-up and people could contact her to discuss their projects. The first meeting for presentations would be August 7, 2018, at the Tonopah Commission meeting. The next would be September 18, 2018, at the Pahrump Commission meeting. From there the presentations would be submitted for eligibility and then prioritized at the meeting on October 23, 2018, but that could change depending on CDBG review of projects.

Commissioner Schinhofen suggested a children's community network to give the children a place to go after school and an expanded animal shelter.

Frank Carbone stated some work was needed with the shelters in both Pahrump and Tonopah. Both facilities were very much in need of renovation or replacement. The population had passed those facilities by leaps and bounds. Mr. Carbone knew it needed to be worded properly to fit into the CDBG guidelines and offered to help with it.

Debra Strickland asked about funds for the shooting range.

Samantha Altiero supported the shelter. She felt the problem was over-population and that an education program was needed as well as a spay/neuter clinic.

John Bosta pointed out the Patriot Act stated Emergency Management was supposed to have a plan on how to house people and their animals in case of an emergency. He thought that might fit in to adding the project.

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).-Reopened.

Luis Banuelos, President of P-Town Little League, thanked the Commissioners for getting the lights going. He said one of the four all star teams they sent to Las Vegas took the championship and the trophy, which Mr. Banuelos had with him. He advised the boys were traveling to Carson City to win state and if they did that then they would go to San Jose, California. If they won there they would go to Michigan for the United States Championship.

SITTING AS THE NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS

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

10. General road report by Public Works Director.

Commissioner Koenig stated he had discussed the signs Amargosa wanted with Public Works Director Tim Dahl.

Commissioner Borasky pointed out the intersections on the south side of town with gravels and stones on them and asked to have the sweepers check them out.

Commissioner Schinhofen asked about the bids for Pahrump Valley Boulevard along with Pablo Canyon, Belmont and Valley View up north before winter.

Mr. Dahl advised the three up north would come out July 20, 2018. Pahrump Valley was approved by the District Attorney's Office and it was also in line to be advertised.

Commissioner Schinhofen asked Mr. Dahl to please work with VEA to keep the bamboo down on the corner of Manse and Homestead as it was a sight issue.

SITTING AS THE BOARD OF COUNTY COMMISSIONERS

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

PUBLIC PETITIONER

59. Presentation by Pastor Nancy J. Brown regarding their efforts helping the homeless in Pahrump.

Pastor Nancy Brown from Covenant Lighthouse Church, which also oversaw You Matter Ministries, presented a slide show and described the various activities the ministry undertook to assist the homeless such as providing food, clothing, blankets, showers, haircuts, and personal care packages.

EMERGENCY MANAGEMENT

34. Presentation of the final Health Officer Report by the Nye County Health Officer.

Maureen Budahl, Nye County Health Officer, said since she was retiring she wanted to advise the Board of the status of the projects her office was working on. She first discussed the death registry and said as of January, 2016, everything was submitted electronically and the Health Officer had no responsibility as it related to the death registry and burial permits. Just for the record she advised that all death certificates could be obtained through the Nevada Division of Public and Behavioral Health Office of Vital Statistics in Carson City.

Ms. Budahl then discussed the dental van pilot project. It had provided eight clinics in Tonopah, Beatty and Pahrump as well as Goldfield in Esmeralda County. There were

34. Presentation of the final Health Officer Report by the Nye County Health Officer-Cont'd.

183 participants of all ages. Other services provided by the dental van were immunizations, vision screenings, blood sugar screenings, and blood pressure screenings which were well received. She thanked everyone for their help with the program.

Turning to the cross-jurisdictional sharing grant, Ms. Budahl explained it was an exploratory grant and the County's responsibility was in-kind participation only. The grant process had not been initiated yet, but it ended September, 2018. She had not been contacted about it, but said Dr. Iser would contact Administration when they were ready to start the process.

Lastly, Ms. Budahl discussed pertussis or whooping cough. An increase in activity was first noticed in the northern part of the County in September through November, 2017, which took a while to get under control. She said vaccination was the key to preventing whooping cough and if anyone had not received a whooping cough vaccine as an adult they needed to get one.

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

Commissioner Wichman said she noticed on the agenda there was nothing for licensing and asked if renewals needed to be done.

Samantha Tackett said the brothel licensing needed to be done and she had reached out to the Sheriff to have an item on an upcoming agenda.

TIMED ITEMS

9. 11:00 – For Possible Action – Public Hearing – Discussion and deliberation on Road Abandonment AB-2018-000006: A request to Vacate and Abandon an approximate 6,687 square foot portion of Mountain Falls Parkway located in Section 4, Township 21 South, Range 54 East, located within the Town of Pahrump, Nye County, Nevada. Mountain Falls LLC – Property Owner/Applicant. Taney Engineering – Agent.

Commissioner Schinhofen explained this was simply a redirection of a road and the County was not losing any road right-of-way.

Commissioner Schinhofen made a motion to approve AB-2018-000006; seconded by Commissioner Wichman.

Commissioner Koenig opened and closed the public hearing.

9. 11:00 – For Possible Action – Public Hearing – Discussion and deliberation on Road Abandonment AB-2018-000006-Cont'd.

The motion to approve AB-2018-000006 passed with 5 yeas.

PLANNING/BUILDING/CODE COMPLIANCE

42. For Possible Action – Discussion and deliberation regarding Recreational Marijuana Establishment License Annual Renewal Application RM-2018-000023: A request for renewal of a Recreational Marijuana Establishment License for a marijuana establishment (cultivation facility) located at 1261 E. Calvada Boulevard, Pahrump. Assessor Parcel Number 040-041-34. Howard N. Misle / ACC Enterprises, LLC – Applicant.

Commissioner Schinhofen made a motion to approve items 42-51 and 54-56; seconded by Commissioner Wichman.

John Bosta stated he had commented several times on the County taking licenses for marijuana projects inside of the towns. He believed that was an absolute violation of AB487 and it was his opinion the County was taking revenue from the towns. Mr. Bosta also thought Commissioner Schinhofen should recuse himself from voting on these matters as he had taken contributions from these companies.

Commissioner Koenig stipulated that Mr. Bosta's comments also applied to the remaining five items.

Commissioner Schinhofen said he had no conflict of interest. He had disclosed all of the donations for his campaign that were used for the campaign and he would not recuse himself.

Commissioner Cox asked the District Attorney's Office if they had any comments on what Mr. Bosta said as to whether the County was doing this legally or if there would be an issue if the Board approved this.

Deputy District Attorney Ronni Boskovich advised there were no issues with approving this.

The motion to approve items 42-51 and 54-56 passed with 4 yeas. Commissioner Borasky voted nay.

43. For Possible Action – Discussion and deliberation regarding Medical Marijuana Establishment License Annual Renewal Application MM-2018-000059: a request for renewal of a Medical Marijuana Establishment License for a medical marijuana establishment (cultivation facility) located at 1261 E. Calvada Boulevard, Pahrump, Assessor Parcel Number 040-041-34. Howard N. Misle / ACC Enterprises, LLC – Applicant.

Commissioner Schinhofen made a motion to approve items 42-51 and 54-56; seconded by Commissioner Wichman; 4 yeas. Commissioner Borasky voted nay.

44. For Possible Action – Discussion and deliberation regarding Recreational Marijuana Establishment License Annual Renewal Application RM-2018-000030: A request for renewal of a Recreational Marijuana Establishment License for a marijuana distributor, located at 1261 E. Calvada Boulevard, Pahrump, Assessor Parcel Number 040-041-34. Howard N. Misle / ACC Enterprises, LLC – Applicant.

Commissioner Schinhofen made a motion to approve items 42-51 and 54-56; seconded by Commissioner Wichman; 4 yeas. Commissioner Borasky voted nay.

45. For Possible Action – Discussion and deliberation regarding Recreational Marijuana Establishment License Annual Renewal Application RM-2018-000028: A request for renewal of a Recreational Marijuana Establishment License for a marijuana establishment (cultivation facility), Green Life Productions, LLC, located at 1205 S. Loop Road, Pahrump, Assessor Parcel Number 035-381-35. Green Life Productions, LLC – Applicant. Mike Floyd, Managing Member – Agent.

Commissioner Schinhofen made a motion to approve items 42-51 and 54-56; seconded by Commissioner Wichman; 4 yeas. Commissioner Borasky voted nay.

46. For Possible Action – Discussion and deliberation regarding Recreational Marijuana Establishment License Annual Renewal Application RM-2018-000029: A request for renewal of a Recreational Marijuana Establishment License for a marijuana distributor, Green Life Productions, LLC, located at 1205 S. Loop Road, Pahrump, Assessor Parcel Number 035-381-35. Green Life Productions, LLC – Applicant. Mike Floyd, Managing Member – Agent.

Commissioner Schinhofen made a motion to approve items 42-51 and 54-56; seconded by Commissioner Wichman; 4 yeas. Commissioner Borasky voted nay.

47. For Possible Action – Discussion and deliberation regarding Medical Marijuana Establishment Annual License Renewal Application MM-2018-000063: A request for renewal of a Medical Marijuana Establishment License for a medical marijuana (cultivation) facility, located in Amargosa Valley at 950 E. Anvil Road, Assessor Parcel Number 019-751-03. Acres Cultivation, LLC – Property Owner. Acres Cultivation, LLC / John Mueller – Applicant

Commissioner Schinhofen made a motion to approve items 42-51 and 54-56; seconded by Commissioner Wichman; 4 yeas. Commissioner Borasky voted nay.

48. For Possible Action – Discussion and deliberation regarding Medical Marijuana Establishment Annual License Renewal Application MM-2018-000064: A request for renewal of a Medical Marijuana Establishment License for a medical marijuana (production) facility, located in Amargosa Valley at 950 E. Anvil Road, Assessor Parcel Number 019-751-03. Acres Cultivation, LLC – Property Owner. Acres Cultivation, LLC / John Mueller – Applicant.

Commissioner Schinhofen made a motion to approve items 42-51 and 54-56; seconded by Commissioner Wichman; 4 yeas. Commissioner Borasky voted nay.

49. For Possible Action – Discussion and deliberation regarding Medical Marijuana Establishment License Annual Renewal Application MM-2018-000065: A request for renewal of a Medical Marijuana Establishment License for a medical marijuana establishment (cultivation), located at 101 Airport Road, Beatty, Nevada. Assessor Parcel Numbers 018-371-16 and 018-371-17. Applicant – MM Development Company, LLC, dba Medizin. Agent – Robert A. Groesbeck.

Commissioner Schinhofen made a motion to approve items 42-51 and 54-56; seconded by Commissioner Wichman; 4 yeas. Commissioner Borasky voted nay.

50. For Possible Action – Discussion and deliberation regarding Medical Marijuana Establishment License Annual Renewal Application MM-2018-000066: A request for renewal of a Medical Marijuana Establishment License for a medical marijuana establishment (production), located at 101 Airport Road, Beatty, Nevada. Assessor Parcel Numbers 018-371-16 and 018-371-17. Applicant – MM Development Company, LLC, dba Medizin. Agent – Robert A. Groesbeck.

Commissioner Schinhofen made a motion to approve items 42-51 and 54-56; seconded by Commissioner Wichman; 4 yeas. Commissioner Borasky voted nay.

51. For Possible Action – Discussion and deliberation on Recreational Marijuana Establishment License Annual Renewal Application RM-2018-000032: A request for renewal of a Recreational Marijuana Establishment License for a marijuana establishment (cultivation), located at 101 Airport Road, Beatty, Nevada. Assessor Parcel Numbers 018-371-16 and 018-371-17. Applicant – MM Development Company, LLC, dba Medizin. Agent – Robert A. Groesbeck.

Commissioner Schinhofen made a motion to approve items 42-51 and 54-56; seconded by Commissioner Wichman; 4 yeas. Commissioner Borasky voted nay.

54. For Possible Action – Discussion and deliberation regarding Recreational Marijuana Establishment License Annual Renewal Application RM-2018-000025: A request for renewal of a Recreational Marijuana Establishment License for a marijuana distributor located at 301 S. Oxbow Avenue, Unit #13, Pahrump, Nevada. Assessor Parcel Number 038-244-09. Eugene & Nelda Fay Toy Trust - Property Owner. Nye Natural Medicinal Solutions, LLC – Applicant.

Commissioner Schinhofen made a motion to approve items 42-51 and 54-56; seconded by Commissioner Wichman; 4 yeas. Commissioner Borasky voted nay.

55. For Possible Action – Discussion and deliberation regarding Recreational Marijuana Establishment License Annual Renewal Application RM-2018-000026: A request for renewal of a Recreational Marijuana Establishment License for a marijuana distributor located at 9680 S. Oakridge Avenue, Pahrump. Assessor Parcel Number 44-851-30. CW Nevada, LLC – Applicant.

Commissioner Schinhofen made a motion to approve items 42-51 and 54-56; seconded by Commissioner Wichman; 4 yeas. Commissioner Borasky voted nay.

56. For Possible Action – Discussion and deliberation regarding Recreational Marijuana Establishment License Annual Renewal Application RM-2018-000027: A request for renewal of a Recreational Marijuana Establishment License (distributor) located at 1541 E. Basin Avenue, Pahrump, Assessor Parcel #38-241-23. TGIG, LLC dba The Grove Wellness Center – Applicant.

Commissioner Schinhofen made a motion to approve items 42-51 and 54-56; seconded by Commissioner Wichman; 4 yeas. Commissioner Borasky voted nay.

39. For Possible Action – Discussion and deliberation regarding Medical Marijuana Establishment Annual License Renewal Application MM-2018-000060: A request for renewal of a Medical Marijuana Establishment License for a medical marijuana cultivation facility, located at 5101 S. Oakridge Avenue, Pahrump. Assessor Parcel Number 044-521-41. Green Cross of America, Inc. / Peter Gnecco – Applicant.

Commissioner Schinhofen advised this license was delinquent in the 2% tax.

39. For Possible Action – Discussion and deliberation regarding Medical Marijuana Establishment Annual License Renewal Application MM-2018-000060-Cont'd.

Commissioner Schinhofen made a motion to approve for 30 days with the stipulation they were not late again, even if they did not make a sale they had to turn the form in, and there were no inter-company transfers so whatever was grown and went out of the building the 2% fee was paid on; seconded by Commissioner Wichman; 5 years.

40. For Possible Action – Discussion and deliberation regarding Recreational Marijuana Establishment Annual License Renewal Application RM-2018-000024: A request for a renewal of a Recreational Marijuana Establishment License for a marijuana establishment (cultivation) located at 5400 N. Highway 160, Pahrump. Assessor Parcel Number 029-311-13. Nye Farm Tech, Ltd. – Applicant.

41. For Possible Action – Discussion and deliberation regarding Medical Marijuana Establishment Annual License Renewal Application MM-2018-000061: A request for renewal of a Medical Marijuana Establishment License for a medical marijuana establishment (cultivation) located at 5400 N. Highway 160, Pahrump. Assessor Parcel Number 029-311-13. Nye Farm Tech, Ltd. – Applicant.

Commissioner Schinhofen said he and Commissioner Koenig visited the property. They had not turned in their sales tax either, but more troubling was there were no products being grown and he witnessed no irrigation lines to grow even though they said they were moving forward on an expansion.

Commissioner Schinhofen made a motion to give them 90 days to get up, produce and again turn in their 2% tax form and not fail to do so in the next 90 days; seconded by Commissioner Wichman.

Commissioner Borasky stated when medical and recreational items were grouped together he would have to vote no on everything, but if the items were separated he would support medical.

The motion to give them 90 days to get up, produce and again turn in their 2% tax form and not fail to do so in the next 90 days passed with 4 yeas. Commissioner Borasky voted nay.

52. For Possible Action – Discussion and deliberation regarding Medical Marijuana Establishment License Annual Renewal Application MM-2018-000062: A request for renewal of a Medical Marijuana Establishment License for a marijuana (cultivation) establishment located at 1340 W. Highway 372, Pahrump. Assessor Parcel Number 036-381-02. Evelyn Tooley, Trustee, Tooley Family Trust – Property Owner. GWGA, LLC / Sandra Tiffany – Applicant

53. For Possible Action – Discussion and deliberation regarding Recreational Marijuana Establishment License Annual Renewal Application RM-2018-000031: A request for renewal of a Recreational Marijuana Establishment License for a marijuana (cultivation) establishment located at 1340 W. Highway 372, Pahrump. Assessor Parcel Number 036-381-02. Evelyn Tooley, Trustee, Tooley Family Trust – Property Owner. GWGA, LLC / Sandra Tiffany – Applicant.

Commissioner Schinhofen said this company was also delinquent and had been in the past.

Commissioner Schinhofen made a motion to approve with the stipulation that in the next 90 days they were not late in returning the form even if there were no sales; seconded by Commissioner Wichman; 4 yeas. Commissioner Borasky voted nay.

Commissioner Koenig noted for the record that Commissioner Borasky was voting nay generally as the items were combined.

57. For Possible Action – Discussion and deliberation regarding a request to: 1) Set a date, time and location for a Public Hearing on Nye County Bill No. 2018-09: A Bill proposing to amend Nye County Code Section 17.04.200.A.3 Building Separation, relating to the requirement to have a minimum of ten (10) feet of separation between all buildings on a single parcel in a residential zoning district; and providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto; and 2) Read the title of the Bill into the record.

Commissioner Schinhofen made a motion to set the date and time for August 21, 2018, at 11:00 a.m. in Pahrump; seconded by Commissioner Wichman; 5 yeas.

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

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

BEATTY

14. For Possible Action – Discussion and deliberation regarding Debt Management Policy Statements for Beatty Town for Fiscal Year 2018-2019 pursuant to NRS 350.013.

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

GABBS

15. For Possible Action – Discussion and deliberation regarding Debt Management Policy Statements for Gabbs Town for Fiscal Year 2018-2019 pursuant to NRS 350.013.

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

MANHATTAN

16. For Possible Action – Discussion and deliberation regarding Debt Management Policy Statements for Manhattan Town for Fiscal Year 2018-2019 pursuant to NRS 350.013.

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

AS THE BOARD OF TRUSTEES FOR THE PAHRUMP POOL DISTRICT

17. For Possible Action – Discussion and deliberation regarding approval to accept the Capital Improvement Plan and the Indebtedness Report for the Pahrump Pool District for Fiscal Year 2018-2019 pursuant to NRS 350.013.

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

SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

11. Committee Reports

There were none.

13. For Possible Action – Discussion and deliberation regarding Debt Management Policy Statements for Town of Pahrump for Fiscal Year 2018-2019 pursuant to NRS 350.013.

Commissioner Schinhofen made a motion to approve; 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.

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

Commissioner Schinhofen made a motion to approve items 18-24; seconded by Commissioner Wichman; 5 yeas.

19. For Possible Action – Approval of Assessor’s Office Change Requests to: 1) allow the Nye County Treasurer to issue a refund of \$666.57 to Horizon Market 6 in Pahrump, NV; 2) allow the Nye County Treasurer to issue a refund of \$138.91 to Sanders Family Winery in Pahrump, NV; and 3) allow the Nye County Treasurer to amend the values and issue the resulting tax bill of \$5,323.03 for Round Mountain Gold Corp., APN 006-201-38.

Commissioner Schinhofen made a motion to approve items 18-24; seconded by Commissioner Wichman; 5 yeas.

20. For Possible Action – Approval to set the date and location for the second September meeting of the Board of Commissioners for Tuesday, October 16, 2018 in Pahrump, Nevada.

Commissioner Schinhofen made a motion to approve items 18-24; seconded by Commissioner Wichman; 5 yeas.

21. For Possible Action – Approval to accept the Department of Energy (DOE) and State of Nevada Division of Emergency Management (DEM) FFY18 Emergency Preparedness Working Group (EPWG) grant award in the amount of \$92,000 for the purpose of providing funding for employee salaries and emergency services equipment. Funds from this grant come from the US Department of Energy’s Office of Environmental Management low-level waste grant program.

Commissioner Schinhofen made a motion to approve items 18-24; seconded by Commissioner Wichman; 5 yeas.

22. For Possible Action – Approval to accept a grant award #18/PCB/08 from the State of Nevada Community Development Block Grant (CDBG) program in the amount of \$124,000.00 for Town of Pahrump Fairgrounds Drainage Study and Flood Control Design at the Pahrump Fairgrounds. Total match required is \$14,737.91 to be funded from Pahrump Fairgrounds 25414. This grant will be administered out of Fund 10340 Grants.

Commissioner Schinhofen made a motion to approve items 18-24; seconded by Commissioner Wichman; 5 yeas.

23. For Possible Action – Approval to accept a grant award #18/PF/07 from the State of Nevada Community Development Block Grant (CDBG) program in the amount of \$390,000.00 for Nye County Public Works to install a fueling station at the Beatty Airport. Total match required is \$40,000.00 to be funded from Capital 10402. There is also an in-kind match required in the amount of \$14,112.75, which will be made up of staff time to administer and manage the grant. This grant will be administered out of Fund 10340 Grants.

Commissioner Schinhofen made a motion to approve items 18-24; seconded by Commissioner Wichman; 5 yeas.

24. For Possible Action – Approval to accept a change order to increase the total amount of the award by \$2,219.78 for the Joining Forces 2018 (G18022) grant.

Commissioner Schinhofen made a motion to approve items 18-24; seconded by Commissioner Wichman; 5 yeas.

BOARD OF COMMISSIONERS

25. 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.

26. 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.

27. 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.

28. For Possible Action – Discussion and deliberation to approve to Opt-In on the Class Action Lawsuit Kane County, Utah v. United States, Case Nos. 17-739C and 17-1991C regarding recovery of additional sums under the Payment In Lieu of Taxes Act (PILT Act) for fiscal years 2015, 2016 and 2017.28.

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

CLERK

29. Presentation of project expenditures of the money in the Clerk's Technology Fund to be used in the 2019 Fiscal Year.

Sam Merlino advised she had \$1,400.00 and planned to purchase a new printer and a new court file stamp.

30. For Possible Action – Discussion and deliberation to appoint one (1) member to the Beatty Library District due to the resignation of one (1) member. This term expires January 2021.

Commissioner Wichman made a motion to appoint David Brady; seconded by Commissioner Schinhofen; 5 yeas.

COUNTY MANAGER

31. For Possible Action – Discussion and deliberation to allow Justice of the Peace Judge Jasperson, as he deems necessary, to invite any available Justice of the Peace, within the confines of NRS 4.340(2), to provide him temporary assistance, until a new Justice of the Peace for the Pahrump Township is elected.

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

32. For Possible Action – Discussion and deliberation to consider directing Staff to proceed with exploring options for a managed shooting range located in Pahrump, NV.

Lorina Dellinger said staff had been exploring options, but had received conflicting feedback as far as what to provide to the citizens. POOL was in support as long as it was a managed shooting range. Mrs. Dellinger just wanted direction on how to proceed if the Board wanted to proceed with a managed range.

Commissioner Schinhofen thought it needed to be managed and that it should be a Town of Pahrump and County project with town funds being explored to help with it.

32. For Possible Action – Discussion and deliberation to consider directing Staff to proceed with exploring options for a managed shooting range located in Pahrump, NV-Cont'd.

Commissioner Wichman suggested approaching the VFW and see if they would like to manage it like they did in Beatty.

33. For Possible Action – Discussion and deliberation regarding approval of a Lease Agreement with the State of Nevada, Department of Administration, Public Works Division on behalf of the State of Nevada Department of Health and Human Services, Division of Public and Behavioral Health Section for office space located at 250 N Highway 160, Pahrump, NV.

Tim Sutton explained the State had been providing a health officer to do health inspections, but that person had to travel from Las Vegas. The State was requesting a space in a County building to house the person.

Commissioner Schinhofen made a motion to approve; seconded by Commissioner Wichman; 5 years.

FINANCE

35. For Possible Action – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2018-35: A Resolution directing the levy of the combined tax rate certified by the Nevada Tax Commission on June 25, 2018, for Fiscal Year 2018-2019.

Commissioner Wichman made a motion to approve; seconded by Commissioner Schinhofen; 5 years.

36. For Possible Action – Discussion and deliberation regarding Debt Management Policy Statements for Nye County for Fiscal Year 2018-2019 pursuant to NRS 350.013.

Commissioner Wichman made a motion to approve; seconded by Commissioner Schinhofen; 5 years.

PLANNING/BUILDING/CODE COMPLIANCE

37. 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. 2018-15: A Bill proposing to enter into a Development Agreement between Nye County and ARES Nevada, LLC. for the Regulation Energy Management Project located on a 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; and 2) Read the title of the Bill into the record.

Commissioner Schinhofen made a motion to set a date, time and location of August 21, 2018, at 11:00 a.m. in Pahrump; seconded by Commissioner Wichman; 5 years.

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

38. For Possible Action – Discussion and deliberation on Tentative Subdivision TM-2018-000012: A tentative subdivision map application containing 122 residential lots on approximately 25.5 acres gross, located within the Mountain Falls Master Planned Community, Planning Area 5B, Pahrump. Mountain Falls LLC – Property Owner/Applicant. Taney Engineering – Agent.

Commissioner Schinhofen made a motion to approve the tentative maps; seconded by Commissioner Wichman.

Planning Director Brett Waggoner said a few comments were received regarding the conditions of approval since the back-up was posted, which Planning was in agreement with. Mr. Waggoner read them into the record as follows:

1. Condition 1 currently referred to state and county statutes, codes and regulations, etc. They requested a revision to reference the master plan development agreement as well.
2. The second sentence of condition 10 required the incorrect utility easements on the map. The sentence needed to be amended to read “utility easements shall be provided 10 feet each side of the center line of all existing pole lines, 10 feet in width coincident with all public and private street rights of way, and 5 feet in width coincident with the side and rear lot lines.”
3. The applicant asked to strike condition 13 in its entirety given the fact this was a private community. Planning and Public Works were in agreement with that change.

38. For Possible Action – Discussion and deliberation on Tentative Subdivision TM-2018-000012-Cont'd.

Commissioner Schinhofen amended his motion to reflect those changes; Commissioner Wichman amended her second.

Commissioner Cox stated that since it was unknown if there was enough water to supply Pahrump she would not vote for any more of these items that had more than one house on an acre.

Commissioner Koenig said these were approximately 6,000 square foot lots and he had a problem with those.

Regarding the water, Scott Swapp, representing William Lyon Homes, explained they had an independent aquifer and wells had gone artesian because there was so much water.

Commissioner Cox said if he brought her evidence that was true she would be glad to look at it.

Addressing lot size, Mr. Swapp said they would have to start doing larger lots throughout the rest of the development because they were limited to 3,200 for the master plan, so the lot sizes were relative to what was selling and what made sense for them.

The motion to approve the tentative maps with the changes listed by the Planning Director passed with 3 yeas. Commissioners Koenig and Cox voted nay.

PUBLIC PETITIONER

58. 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.

No action was taken as the public petitioner was not present for the item.

60. For Possible Action – Discussion and deliberation to provide funding in the amount of \$50,000.00 to Southern Nye County Search and Rescue for the purpose of purchasing a vehicle to be used for search and rescue service and to fund from Contingency.

Commissioner Schinhofen made a motion to approve providing funding in the amount of \$50,000.00 to Southern Nye County Search and Rescue for the purpose of purchasing a vehicle for search and rescue; seconded by Commissioner Borasky; 5 yeas.

61. GENERAL PUBLIC COMMENT (second)

Commissioner Schinhofen was not present.

Horace Carlyle had a concern about public safety, health, and welfare. He said the old Midway Gold site off Belmont Road appeared to be reactivated. He explained how before the prior operation encountered financial trouble the Town of Tonopah was able to secure a new water source, Wells 9 and 10. The town was also able to construct 12 inch lines and another nine miles into town of 12 inch pipe for a cost of between \$13 million and \$15 million. One of the informal agreements was if there was any issue downstream on the old well field the town would be able to do another well or two if needed as it was far superior water on 9 and 10 than on the old well field. Mr. Carlyle said the old well field had a certain limited quantity of water, had nitrite and arsenic issues, and had mixing. He thought this was a really important project for both the town and the County based on economic development and revenue and hoped that the County would check on it and make sure that something did not get blocked just because it was tradition.

Commissioner Wichman said the next Water District meeting would be in Tonopah and she asked Mr. Carlyle to bring this up to them.

John Bosta asked when the report on the independent aquifer and artesian water mentioned earlier would be available for the public.

Commissioner Koenig said as soon as Commissioner Cox received it. He said he had the same concerns that Mr. Bosta had because if there was one it was a new source of water.

62. ADJOURN

Commissioner Koenig adjourned the meeting.

APPROVED this 21st day ATTEST:

Of August, 2018.


Chair


Nye County Clerk / Deputy