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 July 16, 2019 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 July 16, 2019 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 Brougher 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; Gabb’s 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.
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 July 16, 2019 (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 June 18, 2019.

5. **SITTING AS THE BOARD OF COUNTY COMMISSIONERS**

6. **Commissioners'/Manager's Comments**

7. **TIMED ITEMS**

   7. **10:00** – [Presentation](#) of certificates and/or plaques to four employees honored for their years of service.

   8. **10:00** – [For Possible Action](#) – **Public Hearing**, discussion, and deliberation to issue an Outdoor Festival License to Pahrump Disability Outreach Program for the PDOP Pumpkin Days to be held October 18-20, 2019 at the Ian Deutch Memorial Park, 1600 Honeysuckle Street, Pahrump, Nevada.

   9. **10:00** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation on ZC-2019-000034: A (Conforming) Zone Change application to change 2.22 acres from the Neighborhood Commercial (NC) zone to the Commercial Manufacturing (CM) zone, for property located at 1911 W. Simkins Road, Pahrump, NV. Assessor’s Parcel Number 029-401-01. Jim & Maria Trust – Property Owner. James S. Arntz – Applicant.

   10. **10:00** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation on ZC-2019-000035: A (Conforming) Zone Change application to change 1.9 acres from the Neighborhood Commercial (NC) zone to the Commercial Manufacturing (CM) zone, for property located at 941 W. Mesquite Road, Pahrump, NV. Assessor’s Parcel Number 035-091-03. MAD Living Trust – Property Owner. Walt Turner – Agent. Rick Ater – Applicant.

   11. **10:00** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation on SU-2019-000060: An application for a Special Use Permit Change of Location to allow an existing marijuana establishment (production facility) located at 301 S. Oxbow Avenue, Unit 13, Pahrump, NV, to relocate to 1620 W. Charleston Park Avenue, Pahrump, NV. Assessor’s Parcel Number 036-601-57. Jonman, LLC / Jonathan Johannes – Property Owner. Nye Natural Medicinal Solutions, LLC dba NuVeda / Pejman Bady – Applicant.
12. 10:00 – For Possible Action – Public Hearing, discussion and deliberation on SU-2019-000063: An application for a Special Use Permit Change of Location to allow an existing marijuana establishment (cultivation facility) located at 9680 S. Oakridge Avenue, to relocate to 301 S. Oxbow Avenue, Unit 13, Pahrump, NV. Assessor’s Parcel Number 038-244-09. Eugene and Nelda Fay Toy Trust – Property Owner. Nye Natural Medicinal Solutions, LLC dba NuVeda / Pejman Bady – Applicant.

13. 10:00 – For Possible Action – Public Hearing, discussion and deliberation on AP-2019-000021: An Appeal of the Pahrump Regional Planning Commission’s denial of the following application – RC-2019-000003: Public Hearing, discussion and deliberation on an application for Reconsideration of Conditions of Approval related to Conditional Use Permit CU-2019-000060 and Waiver WV-2019-000086 which allow a Fireworks Retail/Wholesale and Storage Facility (Area 51 Fireworks) on three (3) contiguous parcels zoned General Commercial (GC), located at 1381, 1361 and 1341 E. Nevada Highway 372, Pahrump, NV. Assessor’s Parcel Numbers 038-291-05, 038-291-04 and 038-291-03. Applicant is requesting reconsideration of Condition #16 which requires the removal of the cargo containers from 1380 E. Arrowhead Street within 30 days of approval of the Conditional Use Permit. D & T Partners, LLC; Timothy and Frank, Jr. McKoy; F & T, LLC and Luis Castelblanco – Property Owners. D & T Partners, LLC / Timothy McKoy – Applicant. Justin Casey Steinhart, General Manager, Area 51 Fireworks – Agent.

14. 10:00 – For Possible Action – Public Hearing, discussion and deliberation to: 1) Adopt, amend and adopt, or reject Nye County Bill No. 2019-04: A Bill proposing to amend Nye County Code 17.06 relating to the Zoning and Special Use Permit requirements for Marijuana Establishments; and providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto; and 2) Set an effective date.

15. 10:00 – For Possible Action – Public Hearing, discussion and deliberation to: 1) Adopt, amend and adopt, or reject Nye County Bill No. 2019-05: A Bill proposing to amend Nye County Code Title 5, Business Licensing and Regulations, Chapter 5.32 entitled Marijuana and Medical Marijuana Establishments; and providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto; and 2) Set an effective date.

16. 10:00 – For Possible Action – Public Hearing, discussion and deliberation to: 1) Adopt, amend and adopt, or reject Nye County Bill No. 2019-06: A Bill proposing to amend Title 8 of the Nye County Code by repealing Chapter 8.42, thereby removing the Chapter regarding Medical Marijuana; and providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto; and 2) Set an effective date.

17. 10:00 – For Possible Action – Public Hearing, discussion and deliberation to: 1) Adopt, amend and adopt, or reject Nye County Bill No. 2019-09: A Bill proposing to amend Nye County Code Title 17, Comprehensive Land Use Planning and Zoning, by amending Section 17.04.750 relating to Lighting; and providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto; and 2) Set an effective date.

18. 10:00 – For Possible Action – Public Hearing, discussion and deliberation to: 1) Adopt, amend and adopt, or reject Nye County Bill No. 2019-10: A Bill proposing to amend Nye County Code Section 17.04.407 relating to the Airport Overlay (AO) Zone; and providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto; and 2) Set an effective date.
19. 10:00 – For Possible Action – Public Hearing, discussion and deliberation to: 1) Adopt, amend and adopt, or reject Nye County Bill No. 2019-11: A Bill proposing to amend Nye County Code Title 17 Comprehensive Land Use Planning and Zoning, Chapter 17.06 Marijuana Establishments; Zoning Requirements; providing for the severability, constitutionality and effective date thereof, and other matters properly relating thereto; and 2) Set an effective date.

SITTING AS THE NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS

20. General road report by Public Works Director.

SITTING AS THE NYE COUNTY LICENSING AND LIQUOR BOARD

LIQUOR

21. For Possible Action – Discussion and deliberation to extend the Temporary Retail Liquor License issued to CourseCo, LLC, sole member of Pahrump Golf, LLC for the Lakeview Golf Course located at 1471 E. Mt. Charleston Dr., Pahrump, NV. William Peers – Manager/Applicant, John Telischak and Thomas Isaak – Owners/Applicants.

SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

22. Committee Reports

23. 10:00 – Presentation of certificates and/or plaques to eight employees honored for their years of service with the Town of Pahrump.


25. For Possible Action – Discussion and deliberation to appoint two members to the Pahrump Nuclear Waste and Environmental Advisory Committee due to one expired term and one vacancy.

26. For Possible Action – Discussion and deliberation to appoint Robert Adams as an Off-Highway Vehicle (OHV) Ambassador to the Town of Pahrump Tourism Department.

27. For Possible Action – Discussion and deliberation to provide a letter of support for the Las Vegas Valley Loop Trail.

28. For Possible Action – Presentation regarding the Southside Trailhead project

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

BEATTY


GABBS

MANHATTAN


AS THE BOARD OF TRUSTEES FOR THE PAHRUMP POOL DISTRICT


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.

33. **For Possible Action** – Approval of Elected Official Collection Report.

34. **For Possible Action** – Approval to set the date and location for the second Board of Commissioners meeting in October for Tuesday, October 15, 2019 in Pahrump, Nevada.

35. **For Possible Action** – Approval to: 1) Accept the 2019 Services-Training-Officers-Prosecutors (STOP) Grant; a Sub-Grant from the Nevada Office of the Attorney General 2019 Violence Against Women Act Formula Grant Award in the amount of $86,936.00, with a $28,978.67 match amount of monetary value of time contributed by DA Investigators and a DA Executive Legal Secretary; 2) Execute the Grant Award Documents; and 3) Fund $86,936.00 from 10340 Grant Fund and the $28,978.67 match amount from 10101 General Fund.

BOARD OF COMMISSIONERS

36. 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.

37. 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.

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

CLERK

39. **For Possible Action** – Discussion and deliberation pursuant to NRS 244.360(5) to: 1) direct the District Attorney to notify the person responsible for the nuisance to abate said nuisance as set forth in the complaint received by the County Clerk on July 9, 2019, regarding Assessor’s Parcel Number 043-203-13, 5475 N. Overlook Road, Pahrump, Nevada; and a) determine and specify a reasonable time for the person to abate said nuisance; and b) direct the District Attorney to bring legal proceedings for abatement of said nuisance if the notice to the person responsible fails to abate said nuisance; or, in the alternative 2) pursuant to NRS 244.360(1) and 244.360(2), direct the Clerk to set a public hearing not less than 30 nor more than 40 days subsequent to the filing of the complaint.
FINANCE

40. **For Possible Action** – Discussion and deliberation regarding the budget status through June 2019 for Nye County and all sub-entities for Fiscal Year 2019.
42. **For Possible Action** – Discussion and deliberation to: 1) Award Bid 2019-10 Furnishing and Delivery of Liquid Petroleum Gas (Propane) to Town and County Facilities and Service of Affiliated Equipment to Amerigas Propane, L.P. with a Laid in Cost plus $.55 per gallon, $125.00 per hour for service and a $59.00 travel rate per trip; 2) Execute the contract; and 3) Fund from the departments respective funds/budgets.
43. **For Possible Action** – Discussion and deliberation to: 1) Award Bid 2019-13 Beatty Airport Fueling Station to Petroleum Systems & Maintenance Inc. in the amount of $396,110.00; 2) Execute the contract; and 3) Fund $390,000.00 from 10340 Grants Fund and $6,110.00 from 10402 Capital.
44. **For Possible Action** – Discussion and deliberation regarding Bid Award 2019-03 Jail Food Services.

HUMAN RESOURCES

45. **For Possible Action** – Discussion and deliberation regarding Bailiff pay scale reclassification.

PLANNING/BUILDING/CODE COMPLIANCE

46. **For Possible Action** – Discussion and deliberation on TM-2019-000017: A Tentative Subdivision Map (Residential) application containing 52 residential lots and no Common Element lots on approximately 13.93 acres gross, on property zoned Specific Plan (SP) and located within the Mountain Falls Master Planned Community, aka: Planning Area 3-3B. Assessor’s Parcel Numbers 046-161-28 and 046-161-32. WF Development, LLC – Property Owner. Taney Engineering – Applicant.
47. **For Possible Action** – Discussion and deliberation on TM-2019-000018: A Tentative Subdivision Map application containing 3 parcels and 6 Common Element lots on approximately 7.99 acres gross, on property zoned Specific Plan (SP) and located within the Mountain Falls Master Planned Community. Assessor’s Parcel Numbers 045-031-19 & 045-021-50. Mountain Falls LLC – Property Owner, William Lyon Homes – Applicant. Taney Engineering – Agent.
48. **For Possible Action** – Discussion and deliberation regarding AP-2019-000020: An Appeal of a decision made by the Pahrump Regional Planning Commission (RPC) to affirm a decision of the Zoning Administrator that the Planning Department is unable to process applications for an Extension of Time and Reconsideration of Conditions of Approval related to Special Use Permits for marijuana cultivation and production due to the applicant failing to apply for an extension of time prior to the expiration of the Special Use Permits, and the zoning of the subject property having reverted to the Neighborhood Commercial (NC) zone which does not allow marijuana facilities. Located at 6041 S. Hafen Ranch Road, Pahrump, NV further described as a portion of Township 21 South, Range 54 East, Section 15, File #84221, Parcel 1. Assessor’s Parcel Number 045-131-48. R Land Company, LLC – Property Owner. Nevada Natural Medicines, LLC / Scott Sibley, Manager – Applicant/Appellant.
49. **For Possible Action:**
   
a. For Possible Action – Discussion and deliberation on RM-2019-000044: A request to approve the annual renewal of a Recreational Marijuana Establishment License (retail store) located at 1541 E. Basin Avenue, Pahrump, NV. Assessor’s Parcel Number 038-241-23. TGIG, LLC dba The Grove Wellness Center – Applicant. Amanda N. Connor, Esq. – Agent.

   b. For Possible Action – Discussion and deliberation on RM-2019-000045: A request to approve the annual renewal of a Recreational Marijuana Establishment License (distributor) located at 1541 E. Basin Avenue, Pahrump, NV. Assessor’s Parcel Number 038-241-23. TGIG, LLC dba The Grove Wellness Center – Applicant. Amanda N. Connor, Esq. – Agent.

   c. For Possible Action – Discussion and deliberation on MM-2019-000070: A request to approve the annual renewal of a Medical Marijuana Establishment License (dispensary) located at 1541 E. Basin Avenue, Pahrump, NV. Assessor’s Parcel Number 038-241-23. TGIG, LLC dba The Grove Wellness Center – Applicant. Amanda N. Connor, Esq. – Agent.

50. **For Possible Action:**
   
a. For Possible Action – Discussion and deliberation on MM-2019-000071: A request to approve the annual renewal of a Medical Marijuana Establishment License (cultivation) located at 950 E. Anvil Road, Amargosa Valley, NV. Assessor’s Parcel Number 019-751-03. Acres Cultivation, LLC – Property Owner. Acres Cultivation, LLC / John Mueller – Applicant. Amanda N. Connor, Esq. – Agent.

   b. For Possible Action – Discussion and deliberation on MM-2019-000072: A request to approve the annual renewal of a Medical Marijuana Establishment License (production) located at 950 E. Anvil Road, Amargosa Valley, NV. Assessor’s Parcel Number 019-751-03. Acres Cultivation, LLC – Property Owner. Acres Cultivation, LLC / John Mueller – Applicant. Amanda N. Connor, Esq. – Agent.

51. **For Possible Action:**
   
a. For Possible Action – Discussion and deliberation on MM-2019-000073: A request to approve the annual renewal of a Medical Marijuana Establishment License (cultivation) located at 801 S. Panorama Road, Pahrump, NV. Assessor’s Parcel Number 035-271-21. Wellness Orchards of Nevada, LLC – Applicant. Panorama Won, LLC – Property Owner. Amanda N. Connor, Esq. – Agent.

52. **For Possible Action:**

53. **For Possible Action:**
   a. For Possible Action – Discussion and deliberation on MM-2019-000076: A request to approve the annual renewal of a Medical Marijuana Establishment License (cultivation) located at 1205 S. Loop Road, Pahrump, NV. Assessor’s Parcel Number 035-381-35. Green Life Productions, LLC / Steven F. Cantwell – Applicant.
   b. For Possible Action – Discussion and deliberation on RM-2019-000047: A request to approve the annual renewal of a Recreational Marijuana Establishment License (distributor) located at 1205 S. Loop Road, Pahrump, NV. Assessor’s Parcel Number 035-381-35. Green Life Productions, LLC / Steven F. Cantwell – Applicant.
   c. For Possible Action – Discussion and deliberation on RM-2019-000048: A request to approve the annual renewal of a Recreational Marijuana Establishment License (cultivation) located at 1205 S. Loop Road, Pahrump, NV. Assessor’s Parcel Number 035-381-35. Green Life Productions, LLC / Steven F. Cantwell – Applicant.

54. **For Possible Action:**
   a. For Possible Action – Discussion and deliberation on MM-2019-000077: A request to approve the annual renewal of a Medical Marijuana Establishment License (cultivation) located at 101 Airport Road, Beatty, NV. Assessor’s Parcel Numbers 018-371-16 and 018-371-17. MM Development Company, LLC / Robert A. Groesbeck – Applicant.
   b. For Possible Action – Discussion and deliberation on MM-2019-000078: A request to approve the annual renewal of a Medical Marijuana Establishment License (production) located at 101 Airport Road, Beatty, NV. Assessor’s Parcel Numbers 018-371-16 and 018-371-17. MM Development Company, LLC / Robert A. Groesbeck – Applicant.
   c. For Possible Action – Discussion and deliberation on RM-2019-000049: A request to approve the annual renewal of a Recreational Marijuana Establishment License (cultivation) located at 101 Airport Road, Beatty, NV. Assessor’s Parcel Numbers 018-371-16 and 018-371-17. MM Development Company, LLC / Robert A. Groesbeck – Applicant.

55. **For Possible Action** – Discussion and deliberation on RM-2019-000050: A request to approve the annual renewal of a Recreational Marijuana Establishment License (cultivation) located at 1340 W. Highway 372, Pahrump, NV. Assessor’s Parcel Number 036-381-02. Evelyn Tooley, Trustee, Tooley Family Trust – Property Owner. GWGA, LLC / Sandra Tiffany – Applicant.
56. **For Possible Action:**
   
a. For Possible Action – Discussion and deliberation on MM-2019-000079: A request to approve the annual renewal of a Medical Marijuana Establishment License (cultivation) located at 5400 N. Highway 160, Pahrump, NV. Assessor’s Parcel Number 029-311-13. Nye Farm Tech, Ltd./ Rick Saga – Applicant.


57. **For Possible Action** – Discussion and deliberation on RM-2019-000052: A request to approve the annual renewal of a Recreational Marijuana Establishment License (cultivation) located at 1261 E. Calvada Boulevard, Pahrump, NV. Assessor’s Parcel Number 040-041-40. Howard N. Misle / ACC Enterprises, LLC – Applicant.

58. **Presentation** on the Status of the Development Agreement between Nye County and William Lyon Homes for the Mountain Falls Subdivision/Master Planned Community.

**PUBLIC WORKS**

59. **For Possible Action** – Discussion and deliberation to consider entering into a Cooperative Agreement with the State of Nevada, acting through its Department of Transportation (NDOT) to define each party’s responsibilities concerning the maintenance and operation of rectangular rapid flashing beacon systems at the intersection of Postal Drive and at the intersection of East Calvada Boulevard.

**PUBLIC PETITIONER**

60. **For Possible Action** – Discussion, deliberation and direction to staff to consider a request by the Northern Nye County Hospital District (NNCHD) to transfer Nye County owned property, more specifically identified as Assessor’s Parcel Number 008-261-44, Nye Regional Medical Center (NRMC) 825 S. Main Street in Tonopah, Nevada, to the NNCHD, a governmental agency.

61. **GENERAL PUBLIC COMMENT** (second)

62. Commissioners'/Manager's Comments

63. **ADJOURN**