



**JOINT MEETING OF THE
NYE COUNTY BOARD OF COMMISSIONERS
NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS
NYE COUNTY LICENSING AND LIQUOR BOARD
NYE COUNTY BOARD OF HEALTH
AS THE GOVERNING BODY OF THE UNINCORPORATED TOWN OF PAHRUMP
AS THE GOVERNING BODY OF UNINCORPORATED TOWNS OF BEATTY BELMONT GABBS
MANHATTAN AND RAILROAD VALLEY AND
AS THE BOARD OF TRUSTEES FOR THE PAHRUMP POOL DISTRICT
2100 E. Walt Williams Drive, Pahrump, NV 89048
August 20, 2019
10:00 AM**

NOTE: All items are approximate except for bid openings, public hearings, and any other items agendized at a specific time. Items on the agenda without a time designation may be taken out of order. The Board may combine two or more agenda items for consideration. The Board may remove an item from the agenda or delay discussion relating to an item on the agenda at any time. Items on the agenda without a time designation may not necessarily be considered in the order in which they appear on the agenda. **NOTICE: It is anticipated that the items of business before the Board of Commissioners on August 20, 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 August 20, 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 Brougner Avenue, Tonopah, NV; U.S. Post Office, 201 Erie Main St., Tonopah, NV; Commissioners' Meeting Room, 101 Radar Road, Tonopah, NV; District Court, 101 Radar Road, Tonopah, NV; Commissioners' Chambers, 2100 E. Walt Williams Drive, Pahrump, NV

Additional Posting Locations: Amargosa Valley Community Center, 821 E. Amargosa Farm Rd., Amargosa Valley, NV; Beatty Community Center, 100 South A Ave., Beatty, NV; Gabbs Town Hall, 503 Brucite St., Gabbs, NV; Round Mountain Community Center, 650 Civic Dr., Round Mountain, NV

Support documentation for the items on the agenda, provided to the Nye County Board of Commissioners is available to members of the public at the County Manager's Office (101 Radar Road, Tonopah, Nevada & 2100 E. Walt Williams Drive, Pahrump, Nevada) and on the County's website, or by calling Melissa Godfrey at (775) 482-8191

WEBSITE: www.nyecounty.net

The Nye County Board of Commissioners may take a short break every 1 ½ hours.

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [How to File a Program Discrimination Complaint](#) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

August 20, 2019

Special Note: Any member of the public who is disabled and requires accommodation or assistance at this meeting is requested to notify the Nye County Manager's Office in writing or call 775-482-8191 prior to the meeting.

1. **Pledge of Allegiance**
2. **Approval of the Agenda for August 20, 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 July 16, 2019.

SITTING AS THE BOARD OF COUNTY COMMISSIONERS

5. **For Possible Action - Emergency Items**
6. **Commissioners'/Manager's Comments**

TIMED ITEMS

7. **10:00** – [Presentation](#) by Arlene Alvarez of the United States Census Bureau regarding the 2020 Census.
8. **10:00** – [Presentation](#) by Ashley Jeppson of the Nevada Department of Agriculture regarding the state's requirements for hemp.
9. **10:00** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation to issue an Outdoor Festival License to David Van Der Beek for the Peacestock51 event to be held September 20-21, 2019 at 1266 S. White Road, Amargosa Valley, Nevada.
10. **10:00** – [For Possible Action](#):
 - a. For Possible Action – **Public Hearing**, discussion and deliberation on MP-2019-000013: An application for a (Minor) Master Plan Amendment to change an approximately 1.12-acre portion of a 30.0-acre parcel from Rural Density Residential (RDR) to Rural Development Area (RDA), located at 9381 S. Homestead Road, Pahrump, NV, Assessor's Parcel Number 045-411-03. Agee and Karen Spidle – Property Owner. Paul Thomas/GATA HF, LLC – Applicant.
 - b. For Possible Action – **Public Hearing**, discussion and deliberation on ZC-2019-000036: An application for a Zone Change to change an approximately 1.12-acre portion of a 30.0-acre parcel from Rural Homestead Residential (RH-4.5) to Commercial Manufacturing (CM), located at 9381 S. Homestead Road, Pahrump, NV, Assessor's Parcel Number 045-411-03. Agee and Karen Spidle – Property Owner. Paul Thomas/GATA HF, LLC – Applicant.

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11. **10:00** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation on ZC-2019-000037: An application for a Zone Change to change 0.85 acres (37,026 square feet) from Neighborhood Commercial (NC) to Commercial Manufacturing (CM), located at 1270 W. Charleston Park Avenue, Pahrump, NV. Assessor’s Parcel Number 036-323-22. Desert Myst, LLC – Property Owner. Thomas and Janice Maher/Desert Myst, LLC – Applicant.
12. **10:00** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation on ZC-2019-000038: A Zone Change application to change approximately 5.0 acres from the Neighborhood Commercial (NC) zone to the Commercial Manufacturing (CM) zone, 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.
13. **10:00** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation on ZC-2019-000039: A request for a Conforming Zone Change of the northern 5-acre portion situated along N. Blosser Ranch Road (660 ft by 330 ft.) of a 19.68-acre parcel from General Commercial (GC) to Light Industrial (LI), to allow the development of a processing facility for hemp on property located at 2461 N. Avenue of the Stars, Pahrump, NV. Assessor’s Parcel Number 027-411-60. Nye Valley LLC – Property Owner. Rene Morales – Applicant.
14. **10:00** – [For Possible Action](#):
 - a. For Possible Action – **Public Hearing**, discussion and deliberation on SU-2019-000061: An application for a Special Use Permit to allow a marijuana establishment (cultivation) on 5.0 gross acres (4.29 net acres) 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.
 - b. For Possible Action – **Public Hearing**, discussion and deliberation on SU-2019-000062: An application for a Special Use Permit to allow a marijuana establishment (production) on 5.0 gross acres (4.29 net acres) 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.

SITTING AS THE NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS

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

SITTING AS THE NYE COUNTY LICENSING AND LIQUOR BOARD

LIQUOR

16. [For Possible Action](#) – Discussion and deliberation to extend the two 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.
17. [For Possible Action](#) – Discussion and deliberation to approve to extend the Temporary Retail Liquor License for Johnny’s Taco Shop, LLC located at 1330 S. Highway 160, Pahrump, NV. Victor A. Zepeda and Juan Ramirez – Owners/Applicants.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

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SITTING AS THE NYE COUNTY BOARD OF HEALTH

18. [For Possible Action](#) – Presentation by Nye County Public Health Officer, Henry Melton. [Additional Backup](#)

SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

19. Committee Reports
20. [For Possible Action](#) – Discussion and deliberation regarding Town of Pahrump Proclamation P2019-02: A Proclamation Recognizing August 7, 2019 as Purple Heart Day in the Town of Pahrump.
21. [For Possible Action](#) – Discussion and deliberation to appoint two alternates to the Pahrump Parks and Recreation Advisory Committee due to two resignations.

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

BEATTY

22. [For Possible Action](#) – Discussion and deliberation to: 1) Approve up to \$3,000.00 for the purchase of ten grave liners for the Desert Hills Cemetery in Beatty; and 2) Fund from Fund 24101 Beatty Town.

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.

23. [For Possible Action](#) – Approval of Elected Official Collection Report.
24. [For Possible Action](#) – Approval of Assessor’s Office Change Requests to allow the Nye County Treasurer to process and:
- 1) Issue an amended tax bill in the amount of \$1,011.58 to the Wilburn & Madeline Prince Trust, owner of Assessor’s Parcel Number 042-691-04.
 - 2) Issue an amended tax bill in the amount of \$1,808.51 to M. Lee & Tona Renegar, owners of Assessor’s Parcel Number 019-121-32.
 - 3) Issue an amended tax bill in the amount of \$1,048.02 to Leslie & Barbara Peterson, owners of Assessor’s Parcel Number 039-022-37.
 - 4) Issue an amended tax bill in the amount of \$779.93 to the Frank & Joan Snow Trust, owner of Assessor’s Parcel Number 029-912-10.
 - 5) Issue an amended tax bill in the amount of \$36.08 to Leonard & Jan Dee Smith, owners of Assessor’s Parcel Number 044-321-03.
 - 6) Issue an amended tax bill in the amount of 394.78 to Marvin Schueller, owner of Assessor’s Parcel Number 027-541-47.
 - 7) Issue an amended tax bill in the amount of \$1,093.41 to Gabbs Enterprises, owner of Assessor’s Parcel Number 001-285-04.
 - 8) Issue an amended tax bill in the amount of \$1,669.62 to Burton Gigoux, owner of Assessor’s Parcel Number 029-871-29.
 - 9) Issue an amended tax bill in the amount of \$934.46 to Robert John, & Karen R. Snell, owners of Assessor’s Parcel Number 035-033-18.

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- 10) Issue an amended tax bill in the amount of \$1,125.43 to Michael Robert Mathews, Sr., owner of Assessor's Parcel Number 038-692-20.
- 11) Issue an amended tax bill in the amount of \$4,078.58 to Arthur J. & Charyl A. Madeline, owners of Assessor's Parcel Number 039-162-08.
25. [For Possible Action](#) – Approval to set the date and location for the second Board of Commissioners meeting in November for Tuesday, November 19, 2019 in Pahrump, Nevada.
26. [For Possible Action](#) – Approval of a No-Cost Grant Extension for the Community Oriented Policing Services (COPS) Grant. Grant Extension #1 grants a twelve-month extension through August 31, 2020, to allow for complete spend down of grant funds.
27. [For Possible Action](#) – Approval to: 1) Accept the 2019-2020 State Substance Abuse Primary Prevention (SAPP) Grant; a Sub-Grant from the Nye Communities Coalition, in the amount of \$27,310.00; 2) Execute the Grant Award documents; and 3) Fund \$27,310.00 from 10340 Grant Fund. There is no match required.

BOARD OF COMMISSIONERS

28. 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.
29. 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.
30. For Possible Action – Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.
31. [For Possible Action](#) – Discussion and deliberation to approve a letter of support for Aurelia Skipwith being nominated as the Director of U.S. Fish and Wildlife Service.

CLERK

32. [For Possible Action](#) – Discussion and deliberation to appoint one member to the Amargosa Valley Town Board due to one resignation.
33. [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 August 8, 2019, regarding the high nitrate levels in the water in Belmont, Nevada, and the wells that were drilled there illegally, 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.

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DISTRICT ATTORNEY

34. [For Possible Action](#) – Discussion and deliberation pursuant to Nye County Code section 17.04.860 (M)(2)(b) to: 1) Determine if the costs and expenses for abating the nuisance at 2650 S. River Plate Drive; Pahrump, Nevada Assessor’s Parcel Number 040-252-16 were proper; and 2) Adopt, amend and adopt, or reject Nye County Resolution No. 2019-28: A resolution adopting the verified statement of expenses and cost incurred by Nye County for abating the nuisance at 2650 S. River Plate Drive, Pahrump, NV, Assessor’s Parcel No. 040-252-16.

COUNTY MANAGER

35. [For Possible Action](#) – Discussion and deliberation to ratify a Memorandum of Agreement between Nye County and the Nye County Management Employees Association (NCMEA) allowing modifications to Article 11 (Probation), Article 16 (Retirement Contributions), Article 20 (Sick Leave), Article 22 (Annual Leave) and Article 28 (Layoff Procedure) of the Collective Bargaining Agreement for the purpose of bringing the Town of Pahrump employees into that Agreement.
36. [For Possible Action](#) – Discussion and deliberation to ratify a Memorandum of Agreement between Nye County and the Nye County Employees Association (NCEA) allowing modifications to Article 14 (Probation), Article 16, paragraph 5 (Sick Leave upon Separation), Article 19, paragraph 5 (Retiree Health Insurance), Article 25 (Layoff), Article 27, paragraph 5 (Annual Leave Accrual Rate) of the Collective Bargaining Agreement for the purpose of bringing the Town of Pahrump employees into that Agreement.

FINANCE

37. [For Possible Action](#) – Discussion and deliberation regarding the budget status through June 2019 for Nye County and all sub-entities for Fiscal Year 2019.
38. [For Possible Action](#) – Discussion and deliberation regarding segregation of District Court FY20 budget by department.
39. [For Possible Action](#) – Discussion and deliberation regarding a funding source for the Animal Shelter Contract.
40. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject budget transfer of appropriations between departments within Nye County General Fund (10101), Judicial Function.

H/R AND RISK MANAGEMENT

41. [For Possible Action](#) – Discussion and deliberation to approve filling a vacant Sargent position assigned to Mercury prior to realizing the accrual payouts and six-week waiting period.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

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PLANNING/BUILDING/CODE COMPLIANCE

42. [For Possible Action](#):

- a. For Possible Action – Discussion and deliberation on Recreational Marijuana Establishment License Renewal Application RM-2019-000053: A request to approve the annual renewal of a Recreational Marijuana Establishment License (production) located at 301 S. Oxbow Avenue, Unit 13, Pahrump, NV. Assessor’s Parcel Number 038-244-09. Eugene & Nelda Fay Toy Trust – Property Owner. Nye Natural Medicinal Solutions, LLC dba NuVeda LLC – Applicant.
- b. For Possible Action – Discussion and deliberation on Medical Marijuana Establishment License Renewal Application MM-2019-000080: A request to approve the annual renewal of a Medical Marijuana Establishment License (production) located at 301 S. Oxbow Avenue, Unit 13, Pahrump, NV. Assessor’s Parcel Number 038-244-09. Eugene & Nelda Fay Toy Trust – Property Owner. Nye Natural Medicinal Solutions, LLC dba NuVeda LLC – Applicant.
- c. For Possible Action – Discussion and deliberation on Medical Marijuana Establishment License Renewal Application MM-2019-000081: A request to approve the annual renewal of a Medical Marijuana Establishment License (distributor) located at 301 S. Oxbow Avenue, Unit 13, Pahrump, NV. Assessor’s Parcel Number 038-244-09. Eugene & Nelda Fay Toy Trust – Property Owner. Nye Natural Medicinal Solutions, LLC dba NuVeda LLC – Applicant.

43. [For Possible Action](#) – Discussion and deliberation pursuant to Nye County Code 17.06.040.A.4 and 5.32.095 to set a date, time and location for a Show Cause Hearing to determine if there is sufficient cause to 1) revoke the Special Use Permits granted to Green Cross of America, Inc., for medical and recreational marijuana cultivation, and 2) revoke the Marijuana Licenses granted to Green Cross of America, Inc., for medical and recreational marijuana cultivation, on 3.78 acres located at 5101 S. Oakridge Avenue, Pahrump. Assessor’s Parcel Number 044-521-41. Grantee - Green Cross of America, Inc. / Peter Gnecco, CEO.

44. [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. 2019-12: A Bill proposing to amend Nye County Code Section 17.04.770 relating to Signage Requirements; 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.

45. [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. 2019-13: A Bill proposing to repeal and replace in its entirety Nye County Code Chapter 15.17.010, the Building and Construction Codes Effective within Nye County, and amend Nye County Code Chapter 15.16 the Building and Construction Codes Effective within the Pahrump Regional Planning District by repealing the previously adopted building and construction codes, listed appendices, and related amendments thereto and sections therein, and adopting new international and uniform building and construction codes, listed appendices, and amendments thereto, to be applicable and effective within all of Nye County, as specifically noted herein; and other matters properly relating thereto; and 2) Read the title of the Bill into the record.

PUBLIC WORKS

46. [For Possible Action](#) – Discussion and deliberation for staff to describe how speed limits are established in Nye County.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

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PUBLIC PETITIONER

47. [For Possible Action](#) – Discussion and deliberation regarding Nye County Proclamation P2019-05: A Proclamation Recognizing August 7, 2019 as Purple Heart Day in Nye County.
48. [For Possible Action](#) – Discussion and deliberation to 1) Consider First Choice Pregnancy Center’s proposal to lease space at the Pahrump Medical Center (PMC) building located at 1501 E. Calvada Blvd., Pahrump, NV for a discounted rate; and 2) Direct to staff to draft a lease and rate for the board to consider at a later date.
49. **GENERAL PUBLIC COMMENT (second)**
50. **Commissioners'/Manager's Comments)**
51. **ADJOURN**