



**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**

101 Radar Road, Tonopah, NV 89049

August 6, 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 6, 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 6, 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 6, 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 6, 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 2, 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 Lee Jacoby of Horrocks Engineers regarding the upcoming construction project of rerouting Highway 95 around the Gemfield Resources new mining area just north of Goldfield.
8. **10:00** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation to: 1) adopt, amend and adopt, or reject the Nye County Management Employees Association Agreement to include the reporting of the fiscal impact of the agreement; and 2) approve the economic impact of the Nye County Management Employees Association Agreement to cover non-represented management employees.
9. **10:00** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation to issue an Outdoor Festival License to the Beatty Chamber of Commerce for the Beatty Days Festival to be held October 25-27, 2019 at 300 W. Amargosa Street, Beatty, Nevada.
10. **10:00** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation on SU-2019-000058: An application for a Special Use Permit to allow a marijuana establishment (retail store/dispensary) located at 2370 and 2380 S. Homestead Road, Pahrump, NV. Assessor Parcel Numbers 042-312-12 and 042-493-16. GNSL Pahrump, LLC/Trevor Gasser – Property Owner. Nevada Organic Remedies, LLC – Applicant. Andrew Jolley – Agent.
11. **10:00** – [For Possible Action](#) – Discussion and deliberation on appeal (pursuant to Nye County Code Title 6, Animals, Section 6.40.010) of the Nye County Sheriff's Office's classification of Vicious or Dangerous animal (pursuant to Nye County Code Title 6, Animals, Section 6.20.030) located at 810 E. Gamebird Rd., Pahrump, NV. Robert Carter – Appellant.
12. **10:15** – [For Possible Action](#) – Discussion and deliberation regarding the Treasurer's Report.

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13. **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.

SITTING AS THE NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS

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

SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

15. [For Possible Action](#) – Discussion and deliberation to approve a letter of support for the Pahrump Valley Academy (PVA), a College Preparatory "Public" Charter School, opening in August 2020.

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 Assessor’s Office Change Requests to allow the Nye County Treasurer to process and:
- 1) Issue an amended tax bill in the amount of \$258.86 to Donna Sineno, owner of Assessor’s Parcel Number 042-702-11.
 - 2) Issue an amended tax bill in the amount of \$1,482.04 to Donald E. Diamond, owner of Assessor’s Parcel Number 046-081-19.
 - 3) Apply a tax credit in the amount of \$331.64 to the balance owing on Assessor’s Parcel Number 010-394-05, owned by Oscar A. & Lynne E. McKendrick.
 - 4) Issue a refund in the amount of \$19,634.25 to Textron Financial Corporation, owners of personal property account number AC-000002.
17. [For Possible Action](#) – Approval to accept funding revenue in an amount not to exceed \$20,016.60 from the Nevada Housing Division for Affordable Housing Welfare Set-Aside Program. Agreement to run from July 1, 2019 through June 30, 2023. This Agreement is administered from Project G19002.
18. [For Possible Action](#) – Approval of a Grant Extension for the CDBG Pahrump Fairground Detention Basin. Grant Extension #1 grants a three (3) month extension through September 30, 2019 to allow for completion of the construction documents and close out per the grant requirements.
19. [For Possible Action](#) – Approval to accept the 2019 State of Nevada Community Development Block Grant (CDBG) award #19/PF/05 in the amount of \$411,950.00 for the Pahrump Fairgrounds Detention Basin Project, Phase II. Total match required is \$115,127.91 to be funded from Fund 25414 – Pahrump Room Tax Fairgrounds. This grant will be administered out of Fund 10340 Grants.
20. [For Possible Action](#) – Approval of a Grant Extension for the Kellogg Park Phase 1 Project. Grant Extension #1 grants a twelve (12) month extension through June 30, 2020, to allow for completion of the project in two (2) phases.

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21. [For Possible Action](#) – Approval to accept the 2020 State of Nevada, Office of Traffic Safety “Joining Forces” Grant award in the amount of \$25,000.00. This grant will be administered out of Fund 10340 Grants and the required matching funds in the amount of \$5,000.00 can be satisfied with the cost of vehicle use and maintenance.
22. [For Possible Action](#) – Approval to: 1) Accept the Tonopah Airport Improvement Program (AIP) grant to update the Airport Master Plan Study in the amount of \$469,687.00; and 2) Fund \$440,331.56 of the award out of Fund 10340 Grants and \$29,355.44 from Fund 10402 – Special Capital Projects.

BOARD OF COMMISSIONERS

23. 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.
24. 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.
25. For Possible Action – Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.
26. [For Possible Action](#) – Discussion and deliberation to approve letters of appreciation and support for five Emergency Medical Systems (EMS) volunteers for their efforts and success with teaching training classes for new volunteers.

CLERK

27. [For Possible Action](#) – Discussion and deliberation to appoint one member to the Smoky Valley Library District due to one resignation.
28. [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 23, 2019, regarding Assessor’s Parcel Number 008-291-07, 5 Warrior Road, Tonopah, 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.

SHERIFF

29. [For Possible Action](#) – Discussion and deliberation to designate at least one sheriff’s office, or part thereof, as a site at which two or more persons may meet to complete the sale of personal property initiated on the Internet pursuant to NRS 244.1609 due to the enactment of AB 297.

COUNTY MANAGER

30. [Presentation](#) by Siemens representatives regarding an update on the energy performance audit project.
31. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2019-23: A Resolution authorizing the transfer of Nye County property to the Northern Nye County Hospital District, a political subdivision; for the property located at 825 S. Main St., Tonopah, NV, Assessor’s Parcel Number 008-261-56 pursuant to NRS 277.053.

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32. [For Possible Action](#) – Discussion and deliberation to approve an Assignment of Lease to the Northern Nye County Hospital District, a certain lease dated May 11, 2016 between Nye County, a political subdivision of the state of Nevada and Renown Health, a domestic non-profit corporation for property located at 825 S. Main St., more particularly described as Assessor’s Parcel Number 008-261-56 Township 2 North, Range 42 East, Section 1 F# 852136 P. 1A, Tonopah, NV.
33. [Update](#) on outcomes of the 2019 Nevada Legislative Session including Nye County priorities, impacts to counties and actions that counties are required to take pursuant to new legislation.
34. [For Possible Action](#) – Discussion and deliberation to consider setting county-wide business hours of operation.
35. [For Possible Action](#) – Discussion and deliberation regarding approval of a Settlement Agreement between Nye County and Raymond G. Jensen and Grace Elaine Jensen concerning Case No. CV37936, asserting claims quiet title and damages relating to property near Sawtooth Road.

FINANCE

36. [For Possible Action](#) – Discussion and deliberation to: 1) Award RFP No. 2019-17 – Jail Food Services at the Nye County Detention Centers to Summit Food Service, LLC in the amount of \$1.529 per meal for all except staff and \$2.00 per meal for staff; 2) Execute the contract; and 3) Fund from 10236 – Nye County Jail Fund.

H/R AND RISK MANAGEMENT

37. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2019-25: A Resolution Adopting the Nye County Equal Employment Opportunity Plan.

PLANNING/BUILDING/CODE COMPLIANCE

38. [For Possible Action](#) – Discussion and deliberation on Tentative Commercial Subdivision TM-2018-000016: A tentative subdivision map application to allow a commercial subdivision on approximately 5.9 acres (net), located 2703 E. Highway 95, Amargosa Valley, NV. Assessor’s Parcel Number 021-021-16. Area 51 Land, Inc. – Property Owner/Applicant. Civilwise Services, Inc. – Agent.
39. [For Possible Action](#) – Discussion and deliberation regarding clarification of the Board’s action taken on July 16, 2019 relating to AP-2019-000020 regarding 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

PUBLIC WORKS

40. [For Possible Action](#) – Discussion and deliberation to approve the proposed FY 2019-20 Regional Transportation Commission (RTC) Budgets.

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- 41. GENERAL PUBLIC COMMENT (second)**
- 42. Commissioners'/Manager's Comments**
- 43. ADJOURN**