



**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
September 18, 2018
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 September 18, 2018 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 September 18, 2018 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](http://www.usda.gov) 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

September 18, 2018

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 September 18, 2018 (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, 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 August 21, 2018.

SITTING AS THE BOARD OF COUNTY COMMISSIONERS

5. **For Possible Action - Emergency Items**
6. **Commissioners'/Manager's Comments (This item limited to announcements or topics/issues proposed for future workshops/agendas)**

TIMED ITEMS

7. **10:15** – [For Possible Action](#) – 3rd Community Development Block Grant (CDBG) Public Meeting: 1) Presentation of potential projects; and 2) Invite public to participate by providing ideas, comments and suggestions concerning the proposed projects.
8. **10:30** – [Quarterly report](#) from the Public Administrator.
9. **11:00** – [For Possible Action](#) – **Public Hearing** – Discussion and deliberation on Appeal AP-2018-000015: An Appeal of the Pahrump Regional Planning Commission's denial of Conditional Use Permit CU-2018-000050 an application for a swap meet/farmer's market on a Neighborhood Commercial (NC) zoned parcel approximately 1.20 acres in size, located at 2401 South Homestead Road, Pahrump, NV, APN: 042-391-17. Bertha Galan Kern – Property Owner/Appellant.
10. **11:00** – [For Possible Action](#) – **Public Hearing** – Discussion and deliberation on an application for a Conforming Zone Change from Neighborhood Commercial (NC) to General Commercial (GC), on approximately 1.20 acres located at 2401 S. Homestead Road, Calvada Valley Unit 1, Block 1, Lot 3, Assessor Parcel Number 042-391-17. Bertha Galan Kern – Property Owner/Applicant.
11. **11:00** – [For Possible Action](#) – **Public Hearing** – Discussion and deliberation regarding Extension of Time Application ET-2018-000032: A request to extend the time for Special Use Permit SU-14-0018 to allow a medical marijuana establishment (cultivation) and Special Use Permit SU-2014-000001 to allow a medical marijuana establishment (production) located at 6041 S. Hafen Ranch Road, Pahrump, NV. Assessor Parcel Number 045-131-48. R Land Company, LLC – Property Owner. Nevada Natural Medicines – Applicant. Scott Sibley – Agent.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

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12. **11:00** – [For Possible Action](#) – **Public Hearing** – Discussion and deliberation regarding Special Use Permit Application SU-2018-000053: A request to allow a marijuana establishment (retail store/dispensary) located at 1241 E. Calvada Boulevard, Pahrump, NV. Assessor Parcel Number 040-041-35. Calvada Partners, LLC – Property Owner. ACC Enterprises, LLC – Applicant. Howard N. Misle – Agent
13. **11:00** – [For Possible Action](#) – **Public Hearing** – Discussion and deliberation to: 1) Adopt, amend and adopt, or reject Nye County Bill No. 2018-07: A Bill proposing to amend Nye County Code Title 17, Comprehensive Land Use Planning and Zoning, by adding Section 17.04.820 relating to the standards for the placement of Manufactured Homes and Factory-Built Homes; and 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

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

SITTING AS THE NYE COUNTY LICENSING AND LIQUOR BOARD

BROTHEL

15. [For Possible Action](#) – Discussion and deliberation to extend the Temporary 30-Day License for two additional weeks for Pahrump Homestead Partners/DBA Sheri’s Ranch. The current Brothel License number is BR10-000407. The Sheri’s Brothel is located at 10551 Homestead Road, Pahrump, NV 89041. Mr. Charles Lee is the applicant.
16. [For Possible Action](#) – Discussion and deliberation to change the name of Pahrump Homestead Partners/DBA Sheri’s Ranch to Mid Valley Enterprises LLC/DBA Sheri’s Ranch. The current Brothel License number is BR10-000407. The Sheri’s Brothel is located at 10551 Homestead Road, Pahrump, NV 89041. Mr. Charles Lee is the applicant.
17. [For Possible Action](#) – Discussion and deliberation to change the name of Western Best LLC/DBA Chicken Ranch Brothel to Western Best Inc/ DBA Chicken Ranch Brothel. The current Brothel License number is BR10-000129. The Brothel is located at 10511 Homestead Road, Pahrump, NV 89041. Mr. Kenneth Green is the applicant.
18. [For Possible Action](#) – Discussion and deliberation to add Harry V. Mahoney and Kimberly A. Penny to the Western Best Inc/ DBA Chicken Ranch Brothel License number is BR10-000129. The Brothel is located at 10511 Homestead Road, Pahrump, NV 89041. Mr. Kenneth Green is the applicant.

LIQUOR

19. [For Possible Action](#) – Discussion and deliberation to change the name of Western Best LLC/DBA Leghorn Bar to Western Best Inc/ DBA Leghorn Bar. The current Bar License number is LQ10-000044. The Leghorn Bar is located at 10511 Homestead Road, Pahrump, NV 89041. Mr. Kenneth Green is the applicant
20. [For Possible Action](#) – Discussion and deliberation to add Harry V. Mahoney and Kimberly A. Penny to the Western Best Inc/ DBA Leghorn Bar License number is LQ10-000044. The Leghorn Bar is located at 10511 Homestead Road, Pahrump, NV 89041. Mr. Kenneth Green is the applicant.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

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21. [For Possible Action](#) – Discussion and deliberation to issue a Temporary Package Liquor License to A Market located at 1971 S. Pahrump Valley Blvd, Pahrump, NV 89061. Mr. Nick Ablahad is the Applicant.

SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

22. Committee Reports
23. [For Possible Action](#) – Discussion and deliberation to appoint one (1) member to the Pahrump Arena Advisory Committee due to one (1) vacancy.

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.

24. [For Possible Action](#) – Approval of Elected Official Collection Report
25. [For Possible Action](#) – Approval to set the date and location for the second December meeting of the Board of Commissioners for Tuesday, December 18, 2018 in Pahrump, Nevada.
26. [For Possible Action](#) – Approval to: 1) Accept Assistance to Firefighters Grant for the purchase of emergency equipment for vehicles in the amount of \$295,759.00 with a match requirement of 5%, \$14,787.00, 2) Fund the grant portion from 10340 Grants Fund and the match portion from 10101 General Fund.
27. [For Possible Action](#) – Approval to: 1) Accept Nevada Department of Public Safety NDEM grant for funding for the Nye County Multihazard Mitigation Plan Update in the amount of \$103,757.06 with a match requirement of 25%, \$26,294.77; 2) Fund the grant portion from 10340 Grants Fund and the match portion from 10101 General Fund.

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.

COUNTY MANAGER

31. [License Department](#) Updates

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

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FINANCE

32. [For Possible Action](#) – Discussion and deliberation regarding the unaudited budget status through June 2018 for Nye County and all sub-entities for fiscal 2018.
33. [For Possible Action](#) – Discussion and deliberation to: 1) enter into an agreement with OpenGov for a cloud based software program to provide financial reporting, performance management, citizen engagement, and increased transparency; 2) approve the cost of the software program as outlined in the proposal attached in the amount of \$155,000 over a five-year period; and 3) Fund from 10401 – Capital in FY19, and fund from 10101 – General Fund Comptroller Department in FY20-23.

PLANNING/BUILDING/CODE COMPLIANCE

34. [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. 2018-16: A Bill proposing to amend Nye County Code Title 15, Building and Construction, by amending Chapter 15.28 entitled Dust Control Regulations Within the Pahrump Regional Planning District, relating to Section 15.28.090 Construction Activities and Section 15.28.160 Posting of Informational Signs on Construction Sites; 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.
35. [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. 2018-20: A Bill proposing to amend Nye County Code Title 17, Comprehensive Land Use Planning and Zoning, by amending Chapter 17.04 entitled Pahrump Regional Planning District, relating to Section 17.04.910 Zoning Review Required; 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.
36. [For Possible Action](#) – Discussion and deliberation on Tentative Residential Subdivision TM-2018-000015: a tentative subdivision map application containing 138 residential lots and 20 Common element lots on approximately 35.5 acres gross, located within the Mountain Falls Master Planned Community, Assessor Parcel Numbers: 045-021-052 & 053, aka: Mountain Falls Planning Area 5A.
37. [For Possible Action](#) – Discussion and deliberation regarding Recreational Marijuana Establishment License Renewal Application RM-2018-000033: A request to approve the annual renewal of a Recreational Marijuana Establishment License (cultivation) located at 9680 S. Oakridge Avenue, Pahrump, NV. Assessor Parcel Number 044-851-30. Fortress Oakridge, LLC – Property Owner. CW Nevada, LLC – Applicant.
38. [For Possible Action](#) – Discussion and deliberation regarding Recreational Marijuana Establishment License Renewal Application RM-2018-000034: 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 Parcel Number 038-244-09. Eugene & Nelda Fay Toy Trust - Property Owner. CW Nevada LLC – Applicant.
39. [For Possible Action](#) – Discussion and deliberation regarding Recreational Marijuana Establishment License Renewal Application RM-2018-000036: 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 Parcel Number 038-244-09. Eugene & Nelda Fay Toy Trust - Property Owner. Nye Natural Medicinal Solutions, LLC dba NuVeda LLC – Applicant.

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40. [For Possible Action](#) – Discussion and deliberation regarding Recreational Marijuana Establishment License Renewal Application RM-2018-000035: A request to approve the annual renewal of a Recreational Marijuana Establishment License (cultivation) located at 9680 S. Oakridge Avenue, Pahrump, NV. Assessor Parcel Number 044-851-30. Fortress Oakridge, LLC – Property Owner. Nye Natural Medicinal Solutions, LLC dba NuVeda LLC – Applicant.
41. [For Possible Action](#) – Discussion and deliberation regarding Recreational Marijuana Establishment License Renewal Application RM-2018-000037: A request to approve the annual renewal of a Recreational Marijuana Establishment License (cultivation) located at 801 S. Panorama Road, Pahrump, NV. Assessor Parcel Number 035-271-21. Wellness Orchards of Nevada LLC – Applicant. Panorama Won LLC – Property Owner.
42. [For Possible Action](#) – Discussion and deliberation regarding Recreational Marijuana Establishment License Renewal Application RM-2018-000038: A request to approve the annual renewal of a Recreational Marijuana Establishment License (retail store) located at 1541 E. Basin Avenue, Pahrump, NV. Assessor Parcel Number 038-241-23. TGIG, LLC dba The Grove Wellness Center – Applicant.
43. [For Possible Action](#) – Discussion and deliberation regarding Recreational Marijuana Establishment License Renewal Application RM-2018-000039: A request to renew a Recreational Marijuana Establishment License (cultivation), located 340 E. Mesquite Avenue, Pahrump, Assessor Parcel Number 029-601-28. Janet L. Jensen – Property Owner. NCMM, LLC – Applicant. Valarie Small – Agent.
44. [For Possible Action](#) – Discussion and deliberation regarding Recreational Marijuana Establishment License Renewal Application RM-2018-000040: A request to renew a Recreational Marijuana Establishment License (production), located 340 E. Mesquite Avenue, Pahrump, Assessor Parcel Number 029-601-28. Janet L. Jensen – Property Owner. NCMM, LLC – Applicant. Valarie Small – Agent.
45. [For Possible Action](#) – Discussion and deliberation regarding Medical Marijuana Establishment License Renewal Application MM-2018-000067: A request to renew a Medical Marijuana Establishment License (cultivation), located 340 E. Mesquite Avenue, Pahrump, Assessor Parcel Number 029-601-28. Janet L. Jensen – Property Owner. NCMM, LLC – Applicant. Valarie Small – Agent.
46. [For Possible Action](#) – Discussion and deliberation regarding Medical Marijuana Establishment License Renewal Application MM-2018-000068: A request to renew a Medical Marijuana Establishment License (production), located 340 E. Mesquite Avenue, Pahrump, Assessor Parcel Number 029-601-28. Janet L. Jensen – Property Owner. NCMM, LLC – Applicant. Valarie Small – Agent.
47. **GENERAL PUBLIC COMMENT (second)**
48. **ADJOURN**