

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, the 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, was held at 10:00 a.m. in the Commissioner Chambers, 2100 E. Walt Williams Drive, Pahrump, Nevada 89048.

John Koenig, Chair
Debra Strickland, Vice-Chair
Lorinda Wichman, Commissioner
Donna Cox, Commissioner
Leo Blundo, Commissioner
Sandra L. Merlino, Ex-Officio Clerk of the Board
Chris Arabia, District Attorney
Sharon Wehrly, Sheriff
Tim Sutton, County Manager

Also present: Lorina Dellinger, Assistant County Manager; Kelly Sidman, Deputy Clerk; Savannah Rucker, Comptroller; Samantha Tackett, Administrative Manager; Marla Zlotek, Chief Deputy District Attorney; Bradley Richardson, Deputy District Attorney

Not Present: Sharon Wehrly, Sheriff

A moment of silence was held for Cassandra Selbach and Hollis Harris.

1. Pledge of Allegiance

The Pledge was recited.

2. Approval of the Agenda for January 23, 2019 (Non-action item)

Tim Sutton said items 5, 7, 21-23 and 32 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).

Louis DeCanio described an encounter he had with former District Attorney Angela Bello when he tried to get a senior citizen some assistance with a contractor issue. She agreed with the deputy who took the complaint that it was a civil matter, not criminal. The senior citizen notified the contractor's board, which then contacted the District Attorney's Office resulting in the situation being resolved with prosecution. Mr. DeCanio said he heard Ms. Bello was back on the County payroll, which he felt was a slap in the face to the taxpayers of Nye County and whoever was responsible for hiring her should be ashamed.

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.

Bill Newyear said five community service organizations have joined together to do a combined project for the community. In order to find out what the town needed they put together a needs assessment which they had provided to Commissioner Blundo, Tim Sutton and Arnold Knightly to distribute. Mr. Newyear asked everyone to fill it out so they could get an accurate idea of what these organizations could do in Pahrump. The deadline for return of the assessment was March 1, 2019.

Richard Goldstein pointed out it had been 75 days since the election and there were still campaign signs up, the biggest one being Dennis Hof's on Homestead with Commissioner Strickland's face on it. He said there was an NRS stating if they were not down there could be a fine so Mr. Goldstein felt someone needed to be fined. He then spoke about the Board voting two years ago to allow Valley Electric to sell their transmission lines. Valley Electric was to build the town a \$10 million recreation center, which they had not done, and now rumors were floating around that they were trying to get out of it. Mr. Goldstein said the Board needed to find out what was going on because a lot of people voted for the item because of that and Valley Electric needed to be made to live up their agreement.

Diane Southworth advised the NyE Communities Coalition's Holiday Task Force served 450 people for Christmas with the leftovers going to You Matters. The next event would be on the Saturday before Easter at Petrack Park. Also, on February 23, 2019, the VFW was having a USO show at Saddle West and tickets were \$15.00. Additional outreach efforts included a program for life skills to teach people such things as food nutrition, stress reduction, budgeting, work readiness, and resume writing. A workshop for diabetes self management also started on January 17, 2019, and it was a six week program. As far as the food pantry, it served 7,128 people in the last month and that did not count two different places they did not get the numbers from. Ms. Southworth wished one of the Commissioners would join the outreach group.

John Bosta stated he had recently been informed Station 51 HAZ-MAT was disbanded and all of the equipment was districted to the fire departments in Pahrump and Beatty. He said DOE had approved Fire Station 51's use of PETT money to build that station for HAZ-MAT. Mr. Bosta thought disbanding that station had eliminated the HAZ-MAT protection of the County and he could not see how a County fire department could be disbanded at the action of the town manager and the head of Emergency Management.

George Cortell asked the Commissioners if they had ever checked the communication systems at the jail. He said the turnkey company the Board hired could not keep proper booking. He had made several payments and none of them were showing up on his printouts. Additionally, one could barely hear or understand an inmate and the system froze constantly. Mr. Cortell thought if there could be communication between the

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.

Sheriff's Office and their people on the road then certainly there could be a better system in the jail.

Commissioner Koenig asked if Mr. Cortell was speaking of CCA or the County jail. When Mr. Cortell said it was the County jail, Commissioner Strickland said the Commissioners could look at that at the next inspection.

Dwight Lilly discussed the new County employee and whether or not jobs had to be posted for positions to be hired by Nye County. He wondered if the Board could address that in their Commission report. He then advised that on February 2, 2019, the private well owners would have their meeting and annual their elections would take place. The ongoing public education program would discuss the proper maintenance of septic systems. Mr. Lilly also mentioned the Town of Belmont and the wildcat well drilling taking place one-tenth of an acre lots. He said that was something the private well owners would try to address through the County and the Water District. Lastly, Mr. Lilly said as Pahrump continued to grow he believed the town needed to hold regular town hall meetings.

Stanley Schaffer expressed his concerns about County employees who did not live in the County. As of January 10, 2019, there were 50 County employees who did not live in the County. Those 50 employees at \$20.00 an hour was close to \$3 million a year, which bled the County. Those employees were not homeowners or renters and did not frequent the local businesses. Mr. Schaffer suggested in the future that consideration be given to either setting a different pay category for those who did not live in the County, limit their overtime and longevity pay, or if the person did not live in the County they did not work for the County.

Debra Wright from Homeless Response of Nevada said they were sponsoring a veterans' service dog program. Tynia Dickson from Homeless Response of Nevada advised they had two veterans currently going through the program and they had over 80 hours of training so far with them. They were about four months into the program and in the final phase of training. The graduation would be open to the public with the date to be determined. The next class would begin February 4, 2019, and they were screening veterans for that class. Ms. Dickson said the program was designed to give veterans a way to receive service dogs in a timely fashion as well as to get them involved with their community by volunteering to train other dogs for other veterans as well as their own dogs.

Commissioner Koenig asked if they bought the dogs or got them from the pound.

Ms. Dixon said they were initially buying dogs, but they also trained individuals' dogs and both of the veterans in the program right now were training their own dogs.

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.

Ski Censke said his company had a contract with the County to conduct the town and County excess equipment auction, which was very challenging with vehicles and equipment spread out in eight different locations in the County. He wanted to give everyone the opportunity to bid, so he was going to do a live Web cast. The catalog was currently on-line. People could pre-bid and the auction would be conducted live and in simulcast in chambers on February 9, 2019, at 9:00 a.m. He thanked the County staff for assisting with setting this process up.

Robert Adams spoke about the Clark County federal land bill, which was a Nye County issue because it would re-designate significant land in Nye including Big Dune, which it would actually close. This was moving a lot faster than what Mr. Adams thought it would and while Clark claimed to be working with the citizens there, they were moving ahead with the bill in D.C. Mr. Adams asked the Board to let Clark know this was Nye, an equal entity, and to let Nye take care of its own public land.

Dave Stevens said the electric company was supposed to give the town \$5 million and the town really needed a swimming pool.

Doug Blackcock said there was a drainage issue on Blagg Road north of Atkinson. He was trying to figure out why there was a drain coming from the track that went nowhere. Regarding the work at Homestead and Highway 160, there was a water main break there and he wondered who controlled the roads in Pahrump, the utility company or the County, as that should have been repaired in a couple of weeks. Mr. Blackcock also wondered why the County had its barricades there rather than having the utility company pay for those. Lastly, he asked if anyone had ever heard of Pulse Point. It was a text messaging service that went through dispatch to the fire department and was all set up for CPR. It would allow for people on public property who had a CPR card to provide assistance before the fire department arrived.

Ron Gipson said the Web site to bid on the County vehicles was www.estates411.com.

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 December 18, 2018.

Commissioner Wichman made a motion to approve; seconded by Commissioner Cox; 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)

Regarding the billboards, Commissioner Strickland advised she had discussions with the owner of the billboard. She did not have the right to take that down as it was their billboard. They said it was part of the sale of the Love Ranch and the change would be made when that happened.

Commissioner Cox noted there was a law that required the signs to be taken down within 30 days if posted on public property, but if they were on private property there was no limit. She then thanked everyone for the information on Fire Station 51 as she did not know anything about that and thought it was a concern. Commissioner Cox would also contact the lady that took care of the phones at the jail as she may not know there was an issue.

Commissioner Blundo talked about the 4-H robotics competition that he enjoyed and said he would like to look at the funding that was cut from the Cooperative Extension. He then asked for an update on the situation with Homestead and Highway 160.

Tim Sutton said that had been going on for about a year and a half. The County did control its own roads, but the damage was done by the Great Basin Water Company and the fight had been about who should pay for the repair. He offered to invite Great Basin to come and answer some of the Commissioners' questions, which Commissioner Blundo agreed with.

Commissioner Koenig asked staff to come back with an agenda item to review the Pahrump committees. Some of the liaison positions had gone away and the committee should probably go away also. He then advised that yesterday he attended a meeting with the Comptroller and Treasurer in Carson with the Committee on Local Government Finance (CLGF) to discuss the problems in the Treasurer's Office. The decision they made was they wanted the County to come up with a plan with a schedule with timelines on how it would get caught up on the Treasurer's reports and get the numbers corrected. Commissioner Koenig would meet with the Treasurer and the Comptroller to come up with a plan, which he would bring back to the Board for approval. He would also report to the CLGF on a regular basis on how the County was doing with that plan. By agreeing to do that Commissioner Koenig stated it meant at the next meeting they would not put the County on fiscal watch.

Savannah Rucker reiterated the County was not on a fiscal watch but rather under advisory. The CLGF wanted to provide oversight and assistance to the County to get

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

over this hurdle. The audit would be to the Commissioners by January 31, 2019, which was a key component for CLGF. The CLGF requested that Commissioner Koenig, the Treasurer and she come together to develop a corrective action and timeline. Fiscal impacts as well as the timeline would be discussed when the Board heard that item, and any recommended changes would be made and then presented to the CLGF. Mrs. Rucker believed the next meeting would be in April and she would make sure the Board and Administration were aware of it.

TIMED ITEMS

7. 10:00 – Performance by the Pahrump Valley High School Band and presentation regarding their trip to Hawaii for a Pearl Harbor event.

This item was removed from the agenda.

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

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

5 Years: Kevin Jensen; Loyce Seastrunk; Dal Shemp
10 Years: Kelli Dahl; Cammy Leier; Amanda Van Houten
15 Years: Ross Beckman

9. 10:30 – Presentation from Michelle Caird with the Pahrump Valley Public Transportation Committee regarding the Pahrump Valley Public Transportation Program.

Michelle Caird, Sally Kerr, and Christine Shields were present. Ms. Caird said public transportation had been a challenge for many years and the implementation and success of their program was due to various organizations as well as the Commissioners. She explained the transportation came to the person's door, was affordable and convenient, and the staff was friendly. Rides were available to everyone in the community and were not only for medical issues. The hours of service were Monday through Friday, 7:00 a.m. to 4:00 p.m. and Saturday and Sunday from 8:00 a.m. to 2:00 p.m. with reservations. Trips could be scheduled up to two months out. Ms. Caird said in twelve months they travelled 223,872 miles with 17,152 vehicle revenue hours, so the need was there and the limited number of people that knew about the service were making use of it. They had also started sponsorship rider contracts. Ms. Caird invited everyone to their anniversary celebration on March 2, 2019, from 1:00 p.m. to 4:00 p.m. at the office located at 601 S. East Street.

9. 10:30 – Presentation from Michelle Caird with the Pahrump Valley Public Transportation Committee regarding the Pahrump Valley Public Transportation Program-Cont'd.

Commissioner Blundo wanted people to know this was supported by the RTC.

Commissioner Cox asked if the \$25.00 charge to Las Vegas was for a round trip.

Ms. Shields explained it would be round trip for medical, however, it would still be \$25.00 if they were in the area and could take someone one way if they chose.

10. 10:45 – For Possible Action – Public Hearing, discussion and deliberation to issue an Outdoor Festival License to Live A Little Productions, Inc. for the Monster Truck Insanity Tour to be held April 19-20, 2019 at the Petrack Park McCullough Arena, 150 Nevada Highway 160, Pahrump, Nevada.

Commissioner Koenig opened and closed the public hearing.

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

11. 11:00 – For Possible Action – Public Hearing, discussion and deliberation on ZC-2018-000028: a Zone Change application to change 5.0 acres from the Village Residential (VR-20) zone to the Rural Homestead Residential (RH-4.5) zone, located at 5150 S. Squaw Valley Road, Pahrump, NV. Assessor Parcel Number 045-091-09. Phillip L. Boggs – Property Owner/Applicant.

Commissioner Koenig opened the public hearing.

Harley Kulkin said he was on the planning commission during the creation of planning and zoning and he brought the rural homestead residential zoning forward. Through the years he had been watching it disappear. Mr. Kulkin believed the ruralness of the community was what kept it safe and he supported this conversion.

Commissioner Koenig closed the public hearing.

Commissioner Blundo made a motion to approve; seconded by Commissioner Strickland; 5 yeas.

12. 11:00 – For Possible Action:

12a. For Possible Action – Public Hearing, discussion and deliberation on MP-2018-000011: a Master Plan Amendment (Minor) application to change approximately 4.7 acres from Rural Density Residential (RDR) to Community Development Area (CDA), located at 5910 E. Kellogg Avenue, Pahrump, NV. Assessor Parcel Number 045-151-18. Loretta L. Banaszynski – Property Owner. Leaf Properties, Inc. – Applicant. Doug Kinsey – Agent.

12b. For Possible Action – Public Hearing, discussion and deliberation on ZC-2018-000029: a Zone Change application to change approximately 4.7 acres from the Rural Homestead Residential (RH-4.5) zone to the General Commercial (GC) zone, located at 5910 E. Kellogg Avenue, Pahrump, NV. Assessor Parcel Number 045-151-18. Loretta L. Banaszynski – Property Owner. Leaf Properties, Inc. – Applicant. Doug Kinsey – Agent.

Commissioner Koenig opened the public hearing.

Constance Plotkin said she lived on Kent Street near where this zoning was being requested. She was at the last hearing when the same company wanted to change the zoning on this piece of property and it was not approved. Ms. Plotkin did not think anything had changed since then and her concerns were still the same. She had spoken with neighbors and families as well as grandparents and parents of students who went to school at Hafen Elementary. They all shared the same concern that this was a small two lane road that they wanted to put a store on which would increase traffic and people coming into the area where there were a lot of elementary school children walking to and from school. She pointed out there was a lot of property down around the corner and up the block zoned for these kinds of businesses. Mrs. Plotkin was against this project.

Vince Hall lived right down the street from this lot and had a five year old that needed to walk to the elementary school. Knowing the traffic was going to increase Mr. Hall wanted to go on record that he was highly against this.

Dwight Lilly was in favor of the store because the town needed more operations of this type.

John Bosta thought the children would not use the crosswalk and would go straight across in the middle of the road. He feared a child would be hit if the Board approved this. Mr. Bosta suggested a caveat that a crosswalk be built from the school to the store.

Art Forester wanted to see the property stay residential because they were having a hard time with the speed limits now.

12. 11:00 – For Possible Action-Cont'd:

12a. For Possible Action – Public Hearing, discussion and deliberation on MP-2018-000011-Cont'd.

12b. For Possible Action – Public Hearing, discussion and deliberation on ZC-2018-000029-Cont'd.

Harley Kulkin said no one wanted the mini-storage on Gamebird and Homestead, but nothing happened after it opened. The town needed jobs and there was a flip side to everything people said. He did not think traffic would be a problem as these little stores did not seem to have a lot of people in them at one time. He said if there was a problem with speeding then the Sheriff should be sent out there. Mr. Kulkin did not want to stop progress and get the reputation of being against everything.

Jillian Springs said she did not see any need for a commercial property next door to a school.

Walt Turner said he was personally for progress, but the impact to the community had to be considered. He thought if there were already problems with the traffic this might fix that by having prerequisites going in.

Commissioner Koenig closed the public hearing.

Commissioner Strickland made a motion to deny MP-2018-000011 and ZC-2018-000029; seconded by Commissioner Cox.

Doug Kinsey said he was developer of the Dollar General Store on Highway 160. He explained one of the reasons they were looking into this area was because there was not a day that someone from the Hafen Road area asked for something there. Several people made comments at the Planning Commission about the school, traffic and safety. County staff thought Mr. Kinsey should come with some empirical data to address that situation so they had a traffic study done.

Ted Egerton with Lochsa Engineering said a traffic count was done during peak hours and those volumes were projected out to the opening date of this proposed store as per County standards. They then estimated the trips generated by this development and did a level of service analysis of Hafen and Kellogg. County standards called for at least a level of service C or better with the project completed. Their analysis indicated the overall level of service ranged from A to B in the morning and A in the afternoon. The levels of service at that intersection based upon the existing volumes, the growth factor, and the project were still level of service B. Mr. Egerton also researched the accident history at that intersection and learned that in the last three years there had not been a reported accident there. There were full crosswalks on the north and west ends of the intersection, there was appropriate signage, and in summary the impact of the store onto the intersection was minimal at best.

12. 11:00 – For Possible Action-Cont'd:

12a. For Possible Action – Public Hearing, discussion and deliberation on MP-2018-000011-Cont'd.

12b. For Possible Action – Public Hearing, discussion and deliberation on ZC-2018-000029-Cont'd.

Commissioner Koenig said the issue was the kids walking across the street to get to the store. He felt they should have done a traffic analysis of Highway 160 where the store was now. He thought that was the worst decision NDOT ever made and he was afraid the same problem would occur here but with children being hit instead of cars.

Commissioner Strickland pointed out the master plan for Pahrump had areas set aside for this type of development. This store would fit into neighborhood commercial, but there were no neighborhood commercial properties adjacent to a school and there was a reason for that. Commissioner Strickland said the County did want the business, but it needed to go in the areas already designated.

The motion to deny MP-2018-000011 and ZC-2018-000029 passed with 5 yeas.

SITTING AS THE NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS

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

The Board took a brief recess

13. General road report by Public Works Director.

Public Works Director Tim Dahl addressed Homestead and Highway 160. He had been working with Great Basin to come to a conclusion on what testing needed to be done to repair it. Great Basin would do some core drilling in the near future during three evenings to not impact traffic. Once Mr. Dahl knew when that would happen he would inform Arnold Knightly. When that core drilling was done a soils engineer recommendation would be obtained as to what the best thing to do with the intersection would be to remediate the damage caused by the water line break. At that point the determination would be made as to who would do the repair.

Commissioner Blundo asked about the pothole machine.

Mr. Dahl said they purchased a spray patcher last year with RTC funding which was primarily used in the northern part of the County. Oil for it was received yesterday and he would bring it south to use during the winter months. Mr. Dahl explained it was a much more permanent way to repair cracks or potholes in the road over cold mix.

13. General road report by Public Works Director-Cont'd.

Commissioner Cox asked if Mr. Dahl received her e-mail this morning about Winery Road.

Mr. Dahl said yes and as far as he knew Winery was the County's, but staff was looking into the specifics of the file maps. He said he would respond to the gentleman.

Commissioner Koenig asked what the dura-patcher cost and what the results of it were up north.

Mr. Dahl said it cost \$75,000.00 and people were stopping the crew while they were doing spray patching and thanking them for the attention they were getting on the roads up there.

Commissioner Wichman referred to the part of the report where the things taking place in Round Mountain were listed. She suggested putting that on the reports as Smoky Valley as the stuff listed was not Round Mountain. That would also anticipate the changes coming in the future if Hadley did a resolution.

SITTING AS THE BOARD OF COUNTY COMMISSIONERS

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

CLERK

26. For Possible Action – Discussion and deliberation to appoint one member to the Pahrump Regional Planning Commission due to one resignation.

Commissioner Koenig made a motion to appoint Pam Tyler; seconded by Commissioner Wichman; 4 yeas. Commissioner Strickland voted nay.

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

27. For Possible Action – Discussion and deliberation to appoint four members to the Beatty General Improvement District pursuant to NRS 318.095 due to no candidates filing to run for election and vacancies not being filled this past year.

Commissioner Wichman made a motion to appoint Rob Shirley, Allison Henderson, William Venter, and Linda Shirley; seconded by Commissioner Blundo.

Commissioner Cox believed there was a law that said relatives could not be on advisory boards. Linda Shirley and Rob Shirley were married or related and she thought that should be checked out.

27. For Possible Action – Discussion and deliberation to appoint four members to the Beatty General Improvement District pursuant to NRS 318.095 due to no candidates filing to run for election and vacancies not being filled this past year-Cont'd.

Erika Gerling from Beatty advised the general improvement district was not an advisory board.

Sam Merlino believed the relative issue had been looked into before and family members could be appointed in these small communities due to the difficulty in filling the positions.

Bradley Richardson advised he would have to check it out and recommended holding off on the appointment until he was able to look into it.

Commissioner Wichman withdrew her motion; Commissioner Blundo withdrew his second.

Mrs. Merlino thought the Board needed to appoint three members as right now there was only one.

Commissioner Wichman made a motion to appoint Rob Shirley, Allison Henderson, and William Venter; seconded by Commissioner Blundo; 5 yeas.

SITTING AS THE NYE COUNTY LICENSING AND LIQUOR BOARD

Commissioner Strickland assumed the Chair of the Licensing and Liquor Board.

LIQUOR

14. For Possible Action – Discussion and deliberation to approve a 90-day temporary Retail Liquor License for CourseCo., LLC., the 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.

Samantha Tackett advised the applicant had completed the application, had completed and passed the fire and health inspections, and had passed the cursory investigation by Detective Sehnert. She recommended approving the temporary license.

Commissioner Koenig made a motion to approve; seconded by Commissioner Blundo.

Detective Chris Sehnert advised there were still two fingerprint cards to go out to the FBI.

14. For Possible Action – Discussion and deliberation to approve a 90-day temporary Retail Liquor License for CourseCo., LLC-Cont'd.

Commissioner Strickland noted it was common and customary for the Board to allow for the temporary now until those results came back.

The motion to approve passed with 5 yeas.

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

The Board was in recess until 1:30 p.m.

Commissioner Cox was not present.

SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

15. Committee Reports

There were none.

16. For Possible Action – Discussion and deliberation regarding a request to waive the Pahrump arena use fees for ten days for the non-profit community club Pahrump Valley Rough Riders.

Commissioner Cox was present.

Commissioner Strickland made a motion to approve the waiver of the Pahrump arena usage fee for the Pahrump Valley Rough Riders; seconded by Commissioner Blundo; 5 yeas.

Bob Young requested the Board waive the use fees for ten days for the non-profit community club Pahrump Valley Rough Riders. He knew how important the use fees were to the success of a community horse event, but the absence of use fees could also benefit the Rough Riders by allowing the club to attract new members.

17. For Possible Action – Discussion and deliberation to: 1) determine that eleven (11) Town of Pahrump golf carts are no longer required for public use; and 2) determine it is in the best interest of the Town of Pahrump to allow Pahrump Golf, LLC. to trade the carts in on a lease agreement which Pahrump Golf, LLC. is going to enter into for Yamaha golf carts.

Commissioner Blundo made a motion to determine that the eleven Town of Pahrump golf carts were no longer required for public use and it was in the best interest of the Town of Pahrump to allow Pahrump Golf, LLC to trade the carts in on a lease agreement which Pahrump Golf, LLC was going to enter into for Yamaha golf carts; seconded by Commissioner Wichman.

17. For Possible Action – Discussion and deliberation to: 1) determine that eleven (11) Town of Pahrump golf carts are no longer required for public use; and 2) determine it is in the best interest of the Town of Pahrump to allow Pahrump Golf, LLC. to trade the carts in on a lease agreement which Pahrump Golf, LLC. is going to enter into for Yamaha golf carts-Cont'd.

Commissioner Cox said she did not see a cost for the new ones that the old ones were being traded in for.

Commissioner Koenig thought that was because the County was not buying or leasing them and was just giving permission.

The motion to determine the eleven Town of Pahrump golf carts were no longer required for public use and it was in the best interest of the Town of Pahrump to allow Pahrump Golf, LLC to trade the carts in on a lease agreement which Pahrump Golf, LLC was going to enter into for Yamaha golf carts passed with 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 Wichman made a motion to approve items 18-20; seconded by Commissioner Blundo; 5 yeas.

19. For Possible Action – Approval of Assessor’s Office Change Request to allow the Nye County Treasurer to process and send an amended tax bill of \$752.00 to the owners of APN 018-381-20, John E. and Ann Harness.

Commissioner Wichman made a motion to approve items 18-20; seconded by Commissioner Blundo; 5 yeas.

20. For Possible Action – Approval to set the date and location for the second April meeting of the Board of Commissioners for Tuesday, April 16, 2019 in Pahrump, Nevada.

Commissioner Wichman made a motion to approve items 18-20; seconded by Commissioner Blundo; 5 yeas.

BOARD OF COMMISSIONERS

21. 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.

22. 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.

23. 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.

24. For Possible Action – Discussion and deliberation regarding Commissioner Liaison / Representative positions.

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

25. For Possible Action – Discussion and deliberation to appoint one member and one alternate to the Tri-County Weed Control Board due to one resignation and one vacancy.

Commissioner Wichman made a motion to appoint Donna Motis as the full-time board member and Dennis Eastley as the alternate; seconded by Commissioner Blundo; 5 yeas.

TREASURER

28. Report from Treasurer.

Treasurer John Prudhont thought the CLGF meeting was very productive. He felt the problem in the Treasurer’s Office for years had been leadership which resulted in the bank reconciliations and Treasurer’s reports not being done since November, 2017. While the outside auditor was doing those bank reconciliations to bring the County current to June, 2018, that would still leave the County six months behind. One of the things Mr. Prudhont suggested at the CLGF meeting was to have Dan McArthur’s firm complete all the way up to December, 2018. Since there was concern with having the outside auditing firm do that, Mr. Prudhont thought another option would be to get another accounting firm to come in and do those reports so his office could get up to

28. Report from Treasurer-Cont'd.

date and start fresh. Another suggestion was to contact Kim Lara to have her come out of retirement and pay her to bring the County current those additional six months. However, Mr. Prudhont's concern with that was that Mr. McArthur's firm called out a number of issues about the process and the audit function when she was doing it. Mr. Prudhont explained he was bringing these ideas to the Board hopefully for discussion at a later date as to who could be utilized to bring the County current so his office could work on January and February and be up to date.

Commissioner Wichman found it odd that the first time Mr. Prudhont came to the Commissioners he wanted them to hire someone to do what he was supposed to do. She noted that to have Mr. McArthur come in and do the Treasurer's job by balancing the check register every month was not part of his duties and was a separate contract. She suggested that Mr. Prudhont do his best with Mr. McArthur's help, put his staff on task, and start producing the reports.

Mr. Prudhont noted that it had taken an average of one month for Mr. McArthur's firm to produce one report. If it took them that long to do one it would appear to him that reasonably his office would be six months behind all the time.

Savannah Rucker advised the October 2, 2018, meeting was the last time a Treasurer's report was supposed to be presented by Pam Webster, which was also the last day of her employment. That was the day Mrs. Rucker contacted the auditor and engaged with him to execute the bank reconciliations for fiscal year 2018 to facilitate the audit. Mr. McArthur's office started October 2, 2018, and had also been performing audit duties in conjunction with those bank reconciliations.

Commissioner Koenig said the agreement with the CLGF was the County would come back to them with a plan, part of which was to determine who was going to do what, when, and how long it would take. When Commissioner Koenig, Mrs. Rucker and Mr. Prudhont met they would come up with a recommendation for the Board as to how to fix the problems. He also pointed out if it the Treasurer's Office was to do something the fiscal impact would not be as large as hiring Mr. McArthur's firm.

Commissioner Strickland suggested asking Mr. McArthur what his billable hours were at this point without the auditing portion so that could be projected out for staff.

Mrs. Rucker said he was not done with the bank reconciliations yet as he was waiting on information from the Treasurer's Office.

Mr. Prudhont then discussed what he had discovered since he had been in office. He said there was never any cross training and there was no operations manual. The policy in the office for the last year at least was that each of the deputies were assigned to do a particular set of tasks and were not to communicate with other deputies about

28. Report from Treasurer-Cont'd.

their tasks or help to complete other tasks. There had also been no employee reviews in years.

Commissioner Koenig asked if the union required annual reviews.

Tim Sutton could not remember if it was required in the CBAs, but evaluations were supposed to happen per the personnel policy.

Commissioner Wichman said she looked forward to hearing the next report and the plan.

Commissioner Blundo said he appreciated the Treasurer's time here today, but he expected a little more in the presentation as to the path forward and would like to hear that path forward in two weeks. Commissioner Blundo was also disheartened as he heard more negative than leadership today and he suggested Mr. Prudhont watch what Mr. McArthur did.

There was discussion as to when the Treasurer's report had to be on the agenda. Commissioner Koenig said per NRS it had to be on the first meeting, but Mr. Prudhont thought it was not possible to report the prior month on the first meeting of the next month. Mrs. Rucker explained what had been done in the past, which was accepted by the auditor as well as the Department of Taxation, was at the first meeting of the month the Treasurer's Office reported on two month's prior, so January would be presented at the first meeting in March.

Commissioner Blundo asked to hear from the Treasurer every meeting.

Commissioner Koenig advised he had requested a standing agenda item on the first meeting of every month as long as he was Chairman for the Treasurer to talk to the Board.

COUNTY MANAGER

29. For Possible Action – Discussion and deliberation to approve a Settlement Agreement between Nye County and the Nye County Management Employees Association (NCMEA) to allow the modification of the Collective Bargaining Agreement (CBA) for the purpose of adding and removing certain positions or classifications.

Commissioner Koenig made a motion to approve.

Commissioner Koenig stated they had the right to the bargaining agreement and if the Board did not add them to this union then there would be another union formed next week.

29. For Possible Action – Discussion and deliberation to approve a Settlement Agreement between Nye County and the Nye County Management Employees Association (NCMEA) to allow the modification of the Collective Bargaining Agreement (CBA) for the purpose of adding and removing certain positions or classifications-Cont'd.

The motion failed for lack of a second.

30. For Possible Action – Discussion and deliberation to adopt, amend and adopt or reject Nye County Resolution No. 2019-05: A Resolution directing the levy of a special assessment on each water user situated within the confines of the Amargosa Valley Groundwater Basin for the Fiscal Year 2019-2020.

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

31. For Possible Action – Discussion and deliberation to adopt, amend and adopt or reject Nye County Resolution No. 2019-06: A Resolution directing the levy of a special assessment on each water user situated within the confines of the Big Smoky Valley – Northern Part Groundwater Basin for Fiscal Year 2019-2020.

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

FINANCE

32. For Possible Action – Discussion and deliberation regarding RFP #2018-13 – Property Abatement 2650 S. River Plate Dr.: 1) Award Bid #2018-13 – Property Abatement of Unhealthful Conditions to Morales Construction dba American Asbestos Remediation Specialists in the amount of \$58,886.00; 2) Execute the contract; and 3) Fund from 10101 Miscellaneous Overhead.

This item was removed from the agenda.

PLANNING/BUILDING/CODE COMPLIANCE

33. For Possible Action – Discussion and deliberation to issue a refund of the application fees paid by Lavon Salonic in the amount of \$375.00 for CU-2018-000055: a Conditional Use Permit to allow a Commercial Kennel/Rescue/Sanctuary Facility (Doggie Love Kennel) in the Light Industrial (LI) zone, on 2.27 acres located at 1170 W. Carrol Street, Pahrump, NV. Assessor Parcel Number 027-231-36. Lavon Salonic – Property Owner.

Commissioner Blundo made a motion to issue a refund of application fees paid by Lavon Salonic in the amount of \$375.00 for CU-2018-000055; seconded by Commissioner Koenig.

33. For Possible Action – Discussion and deliberation to issue a refund of the application fees paid by Lavon Salonic in the amount of \$375.00 for CU-2018-000055-Cont'd.

Commissioner Koenig said he was at the RPC meeting when this came up. This woman was 91 had been doing this since 2002. All of a sudden for some reason it was discovered she did not have a CUP. She was not adding any more dogs and just wanted to continue to do what she was doing until she passed away. She already made arrangements for the dogs when she passed. She was a retired teacher who lived off of her retirement and here government was telling her to pay \$375.00 to keep doing what she had been doing for the last 17 years. Commissioner Koenig thought that was grossly unfair so he asked for this item.

Commissioner Cox asked how this even came to the County's attention.

Planning Director Brett Waggoner explained she applied for her animal permit for the kennel, but the Code required the Sheriff's Office to ask for the CUP, which she did not have. Regardless of how things had been done in the past, the rules were followed this time. She was now in compliance and it was up to the Board if she should get her money back.

Commissioner Cox asked if there was a grandfather clause that could have been applied to this situation.

Mr. Waggoner said technically no. She had been at and owned the property since 2001 and Title 6 permits began to be issued in 2009. In order for it to have been grandfathered it would had to have been a non-complying grandfathered use initially.

Commissioner Cox thought Title 6 needed to be looked at to rework some of this.

The motion to issue a refund of application fees paid by Lavon Salonic in the amount of \$375.00 for CU-2018-000055 passed with 5 years.

34. For Possible Action – Discussion and deliberation on Medical Marijuana Establishment License Annual Renewal Application MM-2018-000069: a request for renewal of a Medical Marijuana Establishment License for a medical marijuana establishment (cultivation facility) located at 1205 S. Loop Road, Pahrump, NV. Assessor Parcel Number 035-381-35. Green Life Productions, LLC – Applicant. Mike Floyd, Managing Member – Agent.

Commissioner Blundo made a motion to approve the annual renewal application for MM-2018-000069; seconded by Commissioner Wichman; 5 years.

Mike Floyd asked the Board to consider moving all license renewal periods to one month so everything could be done at one time.

34. For Possible Action – Discussion and deliberation on Medical Marijuana Establishment License Annual Renewal Application MM-2018-000069-Cont'd.

Brett Waggoner said as of July 1, 2019, it would be on a yearly cycle where all applications came due at the same time.

35. For Possible Action:

35a. For Possible Action – Discussion and deliberation on Medical Marijuana Establishment License Initial Application MM-2016-000025: a request for issuance of a Medical Marijuana Establishment License (Initial) for a proposed medical marijuana establishment (cultivation facility) located at 6041 S. Hafen Ranch Road, Pahrump, NV. Assessor Parcel Number 045-131-48. Nevada Natural Medicines, LLC / Scott Sibley, Manager – Applicant.

35b. For Possible Action – Discussion and deliberation on Medical Marijuana Establishment License Initial Application MM-2016-000026: a request for issuance of a Medical Marijuana Establishment License (Initial) for a proposed medical marijuana establishment (production) located at 6041 S. Hafen Ranch Road, Pahrump, NV. Assessor Parcel Number 045-131-48. Nevada Natural Medicines, LLC / Scott Sibley, Manager – Applicant.

Brett Waggoner said it was the Planning Department's recommendation to continue this until one of the next two meetings to be determined by the applicant as special condition 19 for the SUP said grantee shall submit a security transportation plan, obtain approval of the Planning Department and the Sheriff's Office prior to the Commission issuing the medical marijuana establishment license.

Scott Sibley from Nevada Natural Medicines advised the State gave them approval last week pending licensing from the County. He said they also had a temporary building certificate of occupancy waiting on the fire department to sign off on the sprinklers, which was done this morning. Planning still had to sign off on two items, one of which was patching part of the street. Mr. Sibley advised they were using local contractors, but Wulfenstein's batch plant had been down and would be down for two more weeks. They had also used a local fencing company which took longer than anticipated, but the fence posts were in and they were just waiting on the fence. Mr. Sibley asked the Board to approve the business license suitability pending Planning signing off on their portion based on the recommendation of the Sheriff so they did not have to come back to the Commission.

Commissioner Blundo made a motion to approve 35a and 35b contingent on patching the street, approval through Planning with the fencing, and the recommendation of the Sheriff; seconded by Commissioner Wichman; 5 years.

PUBLIC WORKS

36. For Possible Action – Discussion and deliberation regarding a request to set a date, time and location for a Public Hearing on the results of Public Works identification and determination of improved roads and streets maintained by Nye County during Calendar Year 2018 for the purposes of compliance with Nevada Revised Statutes Chapter 365.550 with respect to Proceeds of Tax Levied pursuant to NRS 365.180; and other matters properly related thereto.

Commissioner Wichman made a motion to approve February 5, 2019, at 10:00 a.m.; seconded by Commissioner Blundo; 5 yeas.

37. GENERAL PUBLIC COMMENT (second)

Mike Floyd said licenses were issued last January by the State. He understood that was done error as did everyone in Nye County who read the advertisement. The understanding was that was for counties that did not have existing marijuana companies so Mr. Floyd's company did not apply, but another company applied and somehow got licenses in Nye. Mr. Floyd said their issue was not that the company got a license, but he wanted an opportunity to get one as well. Mr. Floyd said he wanted the Board to be aware and asked them to help them somehow by talking to the Department of Taxation as they needed to be able to apply.

Commissioner Wichman assured Mr. Floyd the Board was aware of it and it had been brought up at the State level.

Commissioner Blundo stated for the record that the Department of Taxation used Mr. Floyd's facility to train other staff and he was part of that gold standard.

John Bosta did not understand how the Board could give people licenses to grow marijuana based upon certificates issued by the health department that expired after 18 months. Two licenses were given today to a company that had not gotten a new certificate from the Department of Taxation.

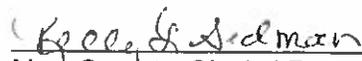
38. ADJOURN

Commissioner Koenig adjourned the meeting.

APPROVED this 19th day
Of February, 2019.

ATTEST:


Chair


Nye County Clerk / Deputy