



**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
February 19, 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 February 19, 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 February 19, 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](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

February 19, 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 February 19, 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 January 23, 2019.

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. **10:00** – [Performance](#) by the Pahrump Valley High School Band and presentation regarding their trip to Hawaii for a Pearl Harbor event.
8. **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 amended denial of a Special Conditions Animal Permit application (as required by Nye County Code Title 6, Animals, Section 6.30.030) to allow the possession of ten (10) special conditions animals (tigers) located at 6061 N. Woodchips Road, Pahrump, Nevada 89060, Assessor's Parcel Number 027-241-26. Karl Mitchell/Kayla Mitchell/Big Cat Encounters – Appellants. Arlette Newvine, Esq. – Attorney for Appellants. Raymond Mielzynski – Property Owner.
9. **10:45** – [For Possible Action](#) – Discussion and deliberation to revoke, pursuant to Nye County Code Chapter 5.32, Marijuana and Medical Marijuana Licensing: 1) Medical Marijuana License MM-2018-000060; and 2) Recreational Marijuana License RM-2018-000022 located at 5101 S. Oakridge Ave. Pahrump, NV, Assessor Parcel Number 044-521-41, pursuant to Nye County Code 5.32.100(B) for failure to comply with Nye County Code 5.32.110, Transferability. Oakridge Enterprises, LLC – Property Owner. Peter Gnecco, Green Cross of America, Inc. – Licensee. [Additional Backup](#)
10. **11:00** – [For Possible Action](#) – **Public Hearing**, discussion and deliberation to: 1) adopt, amend and adopt, or reject Nye County Bill No. 2019-02: A Bill proposing to amend Nye County Code Title 9 Public Peace, Morals, and Welfare by adding Chapter 9.30 Noise Control, to conserve and promote the public health, safety, morals and general welfare of the present and future inhabitants of Nye County providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto; and 2) Set an effective date.

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SITTING AS THE NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS

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

SITTING AS THE NYE COUNTY LICENSING AND LIQUOR BOARD

BROTHEL

12. [For Possible Action](#) – Discussion and deliberation regarding adding Harry V. Mahoney and Kimberly A. Penny to the Western Best Inc., dba Chicken Ranch Brothel license as key personnel. Brothel License number BR10-000129 located at 10511 Homestead Road, Pahrump, NV. Kenneth Green – Applicant.

LIQUOR

13. [For Possible Action](#) – Discussion and deliberation to approve two 90-day 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.

SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWN OF PAHRUMP

14. Committee Reports
15. [For Possible Action](#) – Discussion and deliberation regarding a request to waive the Pahrump arena use fees for the events to be held on March 30, 2019, April 27, 2019, September 7, 2019, and October 5, 2019 for the non-profit community club Pahrump Open Schooling Show.
16. [For Possible Action](#) – Discussion and deliberation regarding approval of placing a memorial rock at Simkins Park to honor the life of Cassandra Selbach.
17. [For Possible Action](#) – Discussion and deliberation regarding approval of a Settlement Agreement between the Town of Pahrump and Michael Sullivan concerning longevity pay accrued during employment and contributions into the Nevada Public Employees Retirement System (PERS).

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

BEATTY

18. [For Possible Action](#) – Discussion and deliberation to approve funding for the purchase of three radar speed signs in an amount not to exceed \$20,000.00 from Fund 24402 Beatty Special Capital Projects.

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.

19. [For Possible Action](#) – Approval of Elected Official Collection Report.
20. [For Possible Action](#) – Approval to set the date and location for the second May meeting of the Board of Commissioners for Tuesday, May 21, 2019 in Pahrump, Nevada.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

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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.
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.
23. For Possible Action – Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.
24. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt or reject Nye County Resolution No. 2019-08: A Resolution Supporting Senate Bill 48 Authorizing Certain Local Governments to Increase Diesel Taxes Under Certain Circumstances.

CLERK

25. [For Possible Action](#) – Discussion and deliberation to appoint one member to the Pahrump Regional Planning Commission due to one resignation.

DISTRICT ATTORNEY

26. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt or reject Nye County Resolution No. 2019-07: A Resolution Requesting the Assistance of the Attorney General Regarding Fifth Judicial District Court Case No. CR7837, State v. Carmelo Motta; to review pursuant to NRS 228.130 to review and if determined appropriate, to handle the prosecution of said case.
27. [For Possible Action](#) – Discussion and deliberation regarding: 1) retaining counsel to be selected by the District Attorney as counsel for handling of civil litigation in case Nye County Management Employees Association v Nye County, Case 2018-012, State of Nevada, Local Government Employee-Management Relations Board; 2) authorize District Attorney to execute contract for counsel legal services; and 3) fund from Contingency.

COUNTY MANAGER

28. [For Possible Action](#) – Discussion and deliberation on approval of the Public Defender Reporting Tool to be used by all contracted Public Defenders to carry out reporting provisions.
29. [For Possible Action](#) – Discussion and deliberation to approve providing grant match funding in an amount not to exceed \$11,500.00 to the Nye Communities Coalition (NCC) for the United States Department of Agriculture (USDA) grant to support community facility technical assistance across Nye County and fund from Fund 10291 County Owned Buildings.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

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FINANCE

30. [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 OR; 1) Reject the bid received; and 2) Direct Staff how to proceed with the Abatement Process.
31. [For Possible Action](#) – Discussion and deliberation to: 1) Award Bid #2018-15 Bound and Mechanical Book and Newspaper Scanning to US Imaging, Inc in the amount of \$228,705.40; 2) Execute the contract; and 3) Fund from 10320 Recorder Tech.

HEALTH AND HUMAN SERVICES

32. [For Possible Action](#) – Discussion and deliberation regarding a Contract for Services with Consolidated Agencies of Human Services to transport USDA commodities to remote areas of Nye County including the Yomba Indian Reservation, Ione and Gabbs.

H/R AND RISK MANAGEMENT

33. [For Possible Action](#) – Discussion and deliberation to authorize the filling of the vacant Deputy Justice Court Administrator Position, #15004-002 in the Pahrump Justice Court prior to realizing the accrual payouts.
34. [For Possible Action](#) – Discussion and deliberation to authorize the advertising and filling of a Deputy Clerk I Position, #08023-002 in the Tonopah Clerk’s Office. This position is not budgeted and will increase headcount if approved.
35. [For Possible Action](#) – Discussion and deliberation to grant approval to the District Attorney to hire and appoint an Executive Legal Secretary III as required for the execution of duties and operation of the office, pursuant to NRS 252.070. There is no adverse financial impact.

PLANNING/BUILDING/CODE COMPLIANCE

36. [For Possible Action](#) – Discussion and deliberation regarding a request to accept an offer of dedication of road right-of-way for the east thirty (30) feet of Assessor’s Parcel Number 045-091-09, Squaw Valley Road, Pahrump, NV, for public street/road purposes and to designate as a General County Road. Phillip L. Boggs – Property Owner/Applicant.
37. [For Possible Action](#) – Discussion and deliberation on DA-2018-000008 to: 1) Set a date, time and location for a Public Hearing on Nye County Bill No. 2019-03: A Bill proposing to adopt a Development Agreement between the County of Nye and Canyon Mesa Solar, LLC, as the Developer of an 18 MW photovoltaic (PV) solar power generation plant with integrated battery storage systems including the installation of up to 80,000 PV panels on private land generally located at the Nye-Clark County line on the southern tip of the Pahrump Regional Planning District on properties addressed as; 7750 E. Weepah Avenue, 8251 E. Klondike Avenue and 14250 S. Countyline Road, all located within T22S, R54E, and Sections 25 and 26, situated off of Hidden Hills Road, west of Tecopa Road located within Nye County on the following Assessor Parcel Numbers: 047-121-06, 047-121-09, 047-121-12; providing for the severability, constitutionality and effective date thereof; and other matters properly related thereto; and 2) Read the title of the Bill into the record.

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PUBLIC WORKS

- 38. [For Possible Action](#) – Discussion and deliberation concerning a request to approve a Letter of Agreement between Nye County and Dyer Engineering Consultants, Inc. for the purpose of authorizing use of Nye County GIS data as it relates to the Pahrump Fairgrounds Drainage Study Flood Control Design for the Community Development Block Grant (CCBG) Application; and approval to waive fees.
- 39. **GENERAL PUBLIC COMMENT (second)**
- 40. **ADJOURN**