



**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
November 5, 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 November 5, 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 November 5, 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

November 5, 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 November 5, 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 October 1, 2019.

SITTING AS THE BOARD OF COUNTY COMMISSIONERS

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

TIMED ITEMS

7. **10:00 – [For Possible Action](#) – Public Hearing**, discussion and deliberation to issue an Outdoor Festival License to the Pahrump Valley Chamber of Commerce for the Balloon Festival to be held February 21-23, 2020, at Petrack Park located at 150 Highway 160, Pahrump, Nevada.
8. **10:00 – [For Possible Action](#) – Public Hearing**, discussion and deliberation regarding Amargosa Enterprises, LLC's application to use water in a county other than that in which it is appropriated or currently diverted or used.
9. **10:00 – [For Possible Action](#) – Public Hearing**, discussion and deliberation on SU-2019-000065 (production): An application for a Special Use Permit Change of Location to allow an existing marijuana establishment, MJ Holdings, Inc. (production facility), located at 3171 E. Tillman Avenue, Pahrump, to change location to 5101 S. Oakridge Avenue, Pahrump, NV. Assessor's Parcel Number 044-521-41. Oakridge Enterprises, LLC. – Property Owner. Farhad Delrahim, Manager, Oakridge Enterprises, LLC. / Paris Balaouras, MJ Holdings, Inc. – Applicant.
10. **10:00 – [For Corrective Action](#)** – Discussion and deliberation to rescind adoption of Nye County Resolution No. 2019-30: A Resolution Authorizing a Temporary Interfund Loan for Fiscal Year 2019-2020; taken by the Board on October 1, 2019 as the Public Hearing required by NRS 354.6118 was not opened by the Board.
11. **10:00 – [For Possible Action](#) – Public Hearing**, discussion and deliberation to adopt, amend and adopt or reject Nye County Resolution No. 2019-34: A Resolution Authorizing a Temporary Interfund Loan for Fiscal Year 2019-2020.
12. **10:15 – [For Possible Action](#)** – Discussion and deliberation regarding the Treasurer's Reports by Nye County Treasurer on bank reconciliation, general ledger, Department of Taxation recommendations, and the balance in each county, state and special fund, together with a statement of all money on deposit, outstanding checks against that money and cash on hand pursuant to NRS 354.280

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SITTING AS THE NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS

- 13. [For Possible Action](#) – Discussion and deliberation regarding the General Road Report by Public Works Director on General Road Maintenance, Gravel Road Maintenance, Asphalt Patching, Weed Mowing and direction regarding public work 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.

- 14. [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 \$4,862.05 to Douglas Murphy, owner of Assessor’s Parcel Number 040-672-09.
 - 2) Issue an amended tax bill in the amount of \$639.77 to Steven K. & Janine Paul, owners of Assessor’s Parcel Number 027-591-06.
 - 3) Issue an amended tax bill in the amount of \$807.00 to Ronald & Elizabeth Robinson, owners of Assessor’s Parcel Number 029-492-14.
 - 4) Issue an amended tax bill in the amount of \$0.00 to Sandra Musselman, Etal., owner of Assessor’s Parcel Number 044-164-26.
- 15. [For Possible Action](#) – Approval to: 1) Accept the State of Nevada State Emergency Response Commission (SERC) FY19 grant in the amount of \$24,738.00 to send employees to the FireShows West training conference in Reno, NV; and, 2) Delegate authority to Director of Emergency Management, Scott Lewis, to execute the grant award; and, 3) Fund from 10340 Grants Fund. There is no County Match required.
- 16. [For Possible Action](#) – Approval to accept a Notice of Subaward from the Nevada Department of Health and Human Services, Division of Public and Behavioral Health to fund the Women, Infants, and Children (WIC) Clinics in Pahrump and Tonopah. WIC is a federally funded program providing nutrition education information to participants, a food delivery system, and facilitates the delivery of health services to participants in the program. The Subgrant award is in the amount of \$210,924.00. This subgrant shall be administered out of Fund 10340 Grants and there is no County match required. Subgrant period of time is October 1, 2019 through September 30, 2020.

BOARD OF COMMISSIONERS

- 17. 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.
- 18. 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.
- 19. For Possible Action – Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.

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- 20. [For Possible Action](#) – Discussion and deliberation to: 1) Disperse to the affected towns the Marijuana licensing funds which have been collected by the County, who is responsible for the licensing; and 2) Decide how to disperse further licensing funds until July 1, 2020 when the funds will belong to the County.
- 21. [For Possible Action](#) – Discussion and deliberation to decide if the Board of County Commissioners should send a letter to the Department of Taxation asking that the Marijuana license issued to CW Nevada be allowed to remain in Nye County with the court appointed receiver.
- 22. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt or reject Nye County Resolution No. 2019-35: A Resolution in Support of United States Congressional Actions on Public Lands in Nye County, Nevada.

DISTRICT ATTORNEY

- 23. [For Possible Action](#) – Discussion and deliberation to: 1) Opt-out of the Negotiation Class in the opioid litigation known as IN RE: National Prescription Opiate Litigation (MDL No. 2804), United States Judicial Panel on Multistate Litigation (Nye County’s case is Nye County, Nevada v. AmerisourceBergen Drug Corporation et al NV/2:18-cv-02050/1:18-OP-46238; or 2) Remain in the Negotiation Class.
- 24. [For Possible Action](#) – Discussion and deliberation to approve the 2019 Violence Against Woman Act STOP/SASP Project Change Notice changing the budget totals.

RECORDER

- 25. [For Possible Action](#) – Discussion and deliberation to: 1) Approve the Merchant Processing Agreement with Automated Merchant Systems (AMS) for processing of debit and credit card transactions; and 2) Execute the agreement. Fees are listed on the agreement, however, these fees are passed through to the customer, so there will be no cost for Nye County to utilize this processing system.

SHERIFF

- 26. [For Possible Action](#) – Discussion and deliberation to: 1) Approve the Limited Use Agreement No. 48-09-0038 with the US Department of Justice, United States Marshals Service, Prisoner Operations Division, for the purpose of receiving funding for holding US Marshal inmates; 2) Execute the agreement; and 3) Receive funds to 10236 Jail Fund.

COUNTY MANAGER

- 27. [For Possible Action](#) – Discussion and deliberation to: 1) Determine that an excess Nye County vehicle is no longer required for public use; and 2) Determine it is in the best interest of Nye County to dispose of the excess vehicle through salvage with any resulting proceeds being deposited into 10402 Capital Projects.

HEALTH & HUMAN SERVICES

- 28. [For Possible Action](#) – Discussion and deliberation regarding an Amended Interlocal Contract with the State of Nevada, Division of Health Care Financing and Policy (DHCFP) and Division of Welfare and Supportive Services (DWSS) to provide the administrative services necessary to implement the program of medical assistance to individuals who meet financial and medical eligibility criteria.

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INFORMATION TECHNOLOGY

29. [For Possible Action](#) – Discussion and deliberation to: 1) Approve the revised Memorandum of Understanding between Nye County and Southern Nevada Area Communication Council (SNACC) for the purpose of transitioning MCC7500 Dispatch radio console support/maintenance to SNACC for Motorola maintenance as part of their Motorola agreement along with other SNACC linked Dispatch centers; 2) Execute the Memorandum of Understanding for an additional \$11,574.00 per year for a revised annual contract amount of \$24,170.80; and 3) Fund from 10213 Emergency Systems.

PLANNING/BUILDING/CODE COMPLIANCE

30. [For Possible Action](#) – Discussion and deliberation on PM-2019-000054: A request for a Parcel Map proposing to divide a 627.460-acre parcel into three parcels as follows: Parcel 1 – 356.797 acres (net), Parcel 2 – 26.955 acres (net) and Parcel 3 – 243.707 acres (net), and a Waiver (WV-2019-000101) from the requirements to provide contour data, on property located approximately 60 miles East of Tonopah, NV on US Highway 6 and South of Tybo Road. Assessor's Parcel Number 009-071-02. Hellen Fallini Living Trust – Property Owner. David A. Richards, PLS – Agent.
31. [For Possible Action](#) – Discussion and deliberation on: 1) Status check and update from Code Enforcement on inspection of the property known as 5 Warrior Road, Tonopah, Nevada as to the gate, refrigerators and fuel tanks; and 2) additional action and direction regarding the property known as 5 Warrior Road, Tonopah, Nevada.

PUBLIC WORKS

32. [For Possible Action](#) – Discussion and deliberation regarding a request to release the bond amount associated with the Roadway Use and Damage Remediation Agreement between Nye County and Intor Resources Corporation.
33. [For Possible Action](#) – Discussion and deliberation to: 1) Approve the lease agreement with Societe Internationale De Telecommunications Aeronautiques (SITA) for installation of radio equipment at the Beatty and Tonopah Airports in the amount of \$350.00 per month; 2) Execute the lease agreement; and 3) Deposit the revenues to Fund 10209 Airport Fund.
34. [For Possible Action](#) – Discussion and deliberation to set a date, time, and location for a public hearing to discuss and review the revisions to the Project Priority Ranking List for roadway and transportation improvements as contained within the Streets and Highways Capital Improvement Plan (CIP), part of the Capital Improvement Plans and Impact Fees for the Pahrump Regional Planning District.

PUBLIC PETITIONER

35. [For Possible Action](#) – Discussion and deliberation regarding an Interlocal Contract between Nye County and Nye County School District (NCSD) for the purpose of NCSD tying into the existing reclaimed water facilities and distribution line currently being used to deliver reclaimed water to the Lakeview Executive Golf Course under the Water Agreement between Nye County and Great Basin Water Co. to deliver reclaimed water to a storage and pumping facility proposed for the Pahrump Valley High School to service the existing sports fields.
36. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt or reject Nye County Resolution No. 2019-36: A Resolution Opposing Sections 702 and 703 in the September 4th Draft of the Southern Nevada Economic Development and Conservation Act.

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37. [For Possible Action](#) – Discussion and deliberation regarding Nye County Proclamation No. P2019-08: A Proclamation Recognizing November 30, 2019 as Small Business Saturday in Nye County.
38. [For Possible Action](#) – Discussion and deliberation regarding a request to support the closure of State Highway 318 on May 17, 2020 and September 20, 2020 for the road events held by the Silver State Classic Challenge.
39. **GENERAL PUBLIC COMMENT (second)**
40. **Commissioners'/Manager's Comments**
41. **ADJOURN**