

AMARGOSA VALLEY TOWN BOARD MEETING

AGENDA

Amargosa Community Center

821 E. Amargosa Farm Road Thursday 12/13/2018 7:00 P.M.

Jimmy Thomas, Chairman Mike Cottingim, Vice Chairman Pat Minshall, Town Clerk Trevor Dolby, Member Carmen Brown, Member

NOTE: Items on the agenda without a time designation may not necessarily be considered in the order in which they appear on the agenda. The items may be combined. The items may be removed. The discussion of an item may be delayed. NOTICE: It is anticipated that the items of business before the Town Board December 13

, 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 Town Board beginning at 8:30 a.m. on the next day.

Public Comment during the Town Board Meeting on December 13, 2018 will be for all matters, both on and off the agenda, and be limited to three minutes per person. Additionally, public comment of three minutes per person will be heard during individual action items. The Town Board reserves the right to reduce the time or limit the total time allowed for public comment. The Town Board may prohibit comment if the content of the comments is a topic that is not relevant to, or within the authority of, the Town Board, 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 Town Board meeting.

Pursuant to NRS 241.020, the Agenda for the Town Board Meeting has been posted at the following locations.

Amargosa Community Center 821 E. Amargosa Farm Road, Amargosa Valley NV, Amargosa Library 829 E. Amargosa Farm Road, Amargosa Valley, NV 89020, Amargosa Clinic, 845 E. Amargosa Farm Road, Amargosa Valley, NV 89020, Amargosa Valley, NV 89020, U.S. Post Office 750 E. Sage Avenue, Amargosa Valley, NV 89020, Amargosa Senior Center, 443 E. Desert Seniors Lane, Amargosa Valley, NV 89020.

Support documentation for the items on the agenda, provided to the Town Board is available to members of the public at the Amargosa Valley Town Office 821 E. Amargosa Farm Road, Amargosa Valley, and NV 89020, Amargosavalleynv.com

AMARGOSA VALLEY TOWN BOARD AGENDA

ITEM# SUBJECT

December 13, 2018

<u>NOTE:</u> All times are approximate except for bid openings, public hearings, and any other items agenized at a specific time. Action may be taken on all items except where otherwise indicated. Items not scheduled for a specific time may be considered at any time and in any order. Items may be pulled or removed from the agenda at any time.

Special Note: Any member of the public who is disabled and requires accommodation or assistance at this meeting is requested to notify the Amargosa Valley Town Office in writing or call (775) 372-5459 prior to the meeting.

AMARGOSA VALLEY TOWN BOARD

- 1. Pledge of Allegiance
- 2. Approval of the Agenda for October 25, 2018
- 3. Public Comment: (Three-minute time limit per person.) Action will not be taken on matters considered during this period until specifically included on an agenda as an action item.
- **4.** For Possible Action Review and Possible approve minutes of Amargosa Valley Town Board meeting November 15, 2018.

5. Fire Department Report

A. Discussion on Fire Department Report.

6. Town Office Report

- A. Status Office Report
- **B.** For Possible Action Discussion and Deliberation on approving the Vouchers for payment.
- C. Discussion Expenditure Report

7. Committee Reports

- A. Economic Development Discussion on Economic and Tourism
 Committee Report.
- B. Human Resource Discussion on Human Resource Committee Report.
- C. Events Committee Discussion on Events Committee report.
- D. Cemetery Committee Discussion on Cemetery Committee report.

December 13, 2018

- E. Planning Committee Discussion on Planning Committee report.
- F. Senior Center Report
- 8. For Possible Action Board Member's Comments (This item limited to announcements or Topics/issues proposed for future workshops/agendas).

9. General Business

- **A.** Closure of meeting, pursuant to NRS 288.220 for purposes of discussion regarding labor negotiations, issues and other personnel matters.
- **B.** Closed meeting pursuant to **NRS 288.220** for purposes of conferring with town's management representatives regarding labor negotiations issues and other personnel matters.
- C. For Possible Action Discussion and Deliberation of administrative action pursuant to NRS 241.034.
- D. For Possible Action Discussion and Deliberation Motion to adopt Bill No. 2018-03; Amargosa Town Board Ordinance No. 3, pertaining to the Licensing of marijuana and Medical Marijuana Establishment. (John Bosta).
- E. For Possible Action Discussion and Deliberation Motion to adopt Bill No. 2018-04; Amargosa Town Board Ordinance No. 4, enacting the codification of the general ordinances of the town of Amargosa Valley and other matters properly related thereto. (Jimmy Thomas).
- F. For Possible Action Discussion and Deliberation Motion to hold a special Town Board Meeting January 10, 2018 to adopt Bill No. 2018-3 and 2018-4. (John Bosta).
- **G. For Possible Action** Discussion and Deliberation Motion to proceed with fact finding mission to purchase and install emergency 125kw generator for town complex. (*Pat Minshall*)
- H. For Possible Action Discussion and Deliberation: Motion to sell pool table currently being stored in Conex. (Pat Minshall)
- I. For Possible Action Discussion and Deliberation: Motion to sell Captor 4300 cleaner/sweeper. (Pat Minshall)

- J. For Possible Action Discussion and Deliberation: Motion to reimburse Volunteers for fees associated with certifications/recertifications, physicals, fit for duty. (Bruce Jensen)
- K. For Possible Action Discussion and Deliberation: Motion to print 2-4 pages of January Newsletter in color. (Pat Minshall)
- L. For Possible Action Discussion and Deliberation: Sign attached letter to Mueller Hinds & Associates, Attn: Craig Mueller, requesting a Request for Proposal (RFP) to mailed out by Deputy Clerk. (Trevor Dolby)
- M. For Possible Action Discussion and Deliberation: Motion we create Fire Safety and Health Codes and pay tuition fee to enable one of our two paid employees to be certified to carry out inspection. (Pat Minshall)
- N. For Possible Action Discussion and Deliberation: Motion we hire a part time Building and Groundskeeper for 19 hours per week. (Jimmy Thomas)
- O. For Possible Action Discussion and Deliberation: Motion to "Declare Amargosa Valley Town Board extends their full support to the Hemp Growers in Amargosa Valley. write a letter of support from AVTB for grow hemp growers. (Jimmy Thomas)
- P. For Possible Action Discussion and Deliberation: Motion to send a request to auditor, Daniel McArthur asking if he can assist us by obtaining the dates and amounts of tax fees received from Acres Cultivation for FY 16/17 and 17/18 (Trevor Dolby)
- Q. For Possible Action Discussion and Deliberation: Information only. We received the following item from the County Manager regarding the I-11, requesting we provide concerns we may have. (Jimmy Thomas)
- R. For Possible Action Discussion and Deliberation: Information only. Updates to County Bill 18-167, Minimum Standards for Manufactured Homes. (Jimmy Thomas)
- S. For Possible Action Discussion and Deliberation: Request to purchase two cameras and tripods for the purpose of recording and live streaming AVTB Meetings. (Jimmy Thomas)

ITEM# SUBJECT

December 13, 2018

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.

11 For Possible Action—Adjournment

AMARGOSA VALLEY TOWN BOARD AGENDA

ITEM # SUBJECT

December 13, 2018

AFFIDAVIT OF POSTING

STATE OF NEVADA

COUNTY OF NYE

The undersigned deposed and says: That he or she is over the age of 21 years; that he or she posted at the places below mentioned, the Agenda for "Amargosa Town Board Meeting. In addition, it is on the town website @ "Amargosavalley.nv.com" Support documentation for the items on the agenda, provided to the Town Board is available to members of the public at the Amargosa Valley Town Office, 821 E. Farm Road, Amargosa Valley, NV 89020/ The agenda was posted for the **December 13, 2018** meeting no later than 9:00 am PDT on December 7, 2018.

Debbera L. Mendyk, Deputy Town Clerk

POSTED:

Amargosa Community Center 821 E. Farm Road, Amargosa Valley, NV Amargosa Library 829 E. Farm Road, Amargosa Valley, NV89020 Amargosa Clinic, 845 E. Farm Road, Amargosa Valley, NV89020 American First National Bank, 1600 S. Highway 373, Amargosa Valley, NV89020 U.S. Post Office 750 E. Sage Avenue, Amargosa Valley, NV89020 Amargosa Senior Center, 443 E. Desert Seniors Lane, Amargosa Valley, NV 89020

AGENDA ITEM REQUEST FORM

PETITIONER: John Bosta

AGENDA ITEM MOTION DESIRED: Motion to adopt Bill No. 2018-03; Amargosa Town Board Ordinance No. 3, pertaining to the Licensing of Marijuana and Medical Marijuana Establishments.

FISCAL IMPACT: Total revenue to be collected unknown at this time.

BACKGROUND: A workshop was held October 11, 2018 to gather information to allow for rewrite of current Ordinance No. 2 and update accordingly.

Submitted by: John Bosta Date Submitted: November 26, 2018

AMARGOSA TOWN BOARD ORDINANCE NO. 3

SUMMARY: An Ordinance adopting the Amargosa Town Code Chapter 5.32, pertaining to Licensing of Marijuana and Medical Marijuana Establishments; and providing for the severability, constitutionality and effective date thereof; and other matters as properly related thereto.

TITLE: AN ORDINANCE ENACTING AND CODIFICATION OF AMARGOSA CODE CHAPTER 5.32 PERTAINING TO LICENSING OF MARIJUANA AND MEDICAL MARIJUANA AND PROVIDING FOR THE SEVERABILITY, CONSTITUTIONALITY AND EDDECTIVE DATE THEREOF; AND OTHER MATTERS PROPERLY RELATED THERETO.

WHEREAS, pursuant to NRS 269.167 the Town Board of the Town of Amargosa Valley desires to provide for the revision and codification, including such restatements and substantive changes as are necessary for clarity and consistency, of all general ordinances of the unincorporated town of Amargosa and provide for the indexing and publication of such ordinances in the form of a town code.

NOW, THEREFORE, the Town Board of the unincorporated Town of Amargosa Valley, Nye County, Nevada, does hereby ordain as follows:

Chapter 5.32 MARIJUANA AND MEDICAL MARIJUANA ESTABLISHMENTS

5.32.000: MARIJUANA AND MEDICAL MARIJUANA LICENSING:

5.32.005: **DEFINITIONS**:

5.32.010: APPLICATION:

5.32.020: DENIAL CONDITIONS:

5.32.030: BOARD DETERMINATION PROCEDURE:

5.32.040: BOARD DETERMINATION; DENIAL:

5.32.050: MEDICAL MARIJUANA LICENSE FEES:

5.32.055: MARIJUANA LICENSE FEES (RECREATIONAL MARIJUANA ESTABLISHMENTS):

5.32.060: FEES; DISBURSEMENT:

5.32.070: PUBLIC DISPLAY REQUIRED:

5.32.080: RENEWAL PROCEDURE:

5.32.090: PROHIBITED ACTS:

5.32.100: PENALTY FOR VIOLATION:

5.32.110: TRANSFERABILITY:

5.32.000: MARIJUANA AND MEDICAL MARIJUANA LICENSING:

- A. Any license required by this chapter is a separate and distinct license from all other Town licenses and is in addition to any other license required for conducting or carrying on any other business in connection with or separate from the activities licensed by this chapter.
- B. It is unlawful within the boundaries of Town of Amargosa for a marijuana establishment or medical marijuana establishment to acquire, possess, cultivate, manufacture, process, package, deliver, transfer, transport, supply, dispense or sell marijuana for any purpose without first making application and securing a marijuana license or medical marijuana license to do so.

AGENDA ITEM REQUEST FORM

PETITIONER: John Bosta

AGENDA ITEM MOTION DESIRED: Motion to adopt Bill No. 2018-04; Amargosa Town Board Ordinance No. 4, enacting the codification of the general ordinances of the town of Amargosa Valley and other matters properly related thereto.

FISCAL IMPACT: This will save funds for any future updates to Town Ordinances. Current costs of generating an ordinance is approximately \$3,000.

BACKGROUND: This is to allow for future growth and management of town business.

Submitted by: John Bosta Date Submitted: November 26, 2018

BILL NO. 2018-04

AMARGOSA TOWN BOARD ORDINANCE NO. 4

SUMMARY: An Ordinance adopting the Amargosa Town Code, by adding Chapter Codes within Town of Amargosa specifically noted herein, and all other matters as properly related thereto.

TITLE: AN ORDINANCE ENACTING THE CODIFICATION OF THE GENERAL ORDINANCES OF THE TOWN OF AMARGOSA VALLEY AND OTHER MATTERS PROPERLY RELATED THERETO.

WHEREAS, the Town Board of the Town of Amargosa Valley desires to provide for the revision and codification, including such restatements and substantive changes as are necessary for clarity and consistency, of all general ordinances of the unincorporated town of Amargosa and provide for the indexing and publication of such ordinances in the form of a town code.

NOW, THEREFORE, the Town Board of the unincorporated Town of Amargosa Valley, Nye County, Nevada, does hereby ordain as follows:

Section 1. Enactment of Revision and Codification of the General Ordinances of the Town of Amargosa Valley.

The Town Board of Amargosa revises and codifies the general ordinances of the Town of Amargosa Valley as provided in the attached code.

Section 2. Severability

If any section, sentence, clause, or phrase of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, it shall in no way affect the validity of any remaining portions of this Ordinance.

Section 3. Effective Date

This Ordinance shall be in full force and effect from and after its passage, adoption, filing of at least three copies of the code with the town clerk, reproduction of at least 25 copies of the code have been accomplished, and second publication of the code by title only in a newspaper printed and published within the Town of Amargosa Valley, County of Nye, State of Nevada, stating that copies of the code may be examined by the general public at the office of the town clerk.

Motion Proposed b	y Town Board Member	·
Motion Seconded b	by Town Board Member	·
Vote:	Ayes: Nayes:	
Approved on	_day of, 2019.	
Chairman		Town Board Clerk

CODE OF ORDINANCES

Chapter 1 - GENERAL PROVISIONS

Chapter 2 - ADMINISTRATION

Chapter 3 - RESERVED

Chapter 4 - RESERVED

Chapter 5 - MARIJUANA AND MEDICAL MARIJUANA LICENSING

Chapter 6 - BUILDINGS AND BUILDING REGULATIONS

Chapter 7 - RESERVED

Chapter 8 - BUSINESS REGULATIONS

Chapter 9 - RESERVED

Chapter 10. - RESERVED

Chapter 11 - RESERVED

Chapter 12 - EMERGENCY SERVICES

Chapter 13 - RESERVED

Chapter 14 - ENVIRONMENT-RESERVED

Chapter 15 - RESERVED

Chapter 16 - FIRE PREVENTION AND PROTECTION

Chapter 17 - RESERVED

Chapter 18 - OFFENSES

Chapter 19 - RESERVED

Chapter 20 - SOLID WASTE

Chapter 21 - RESERVED

Chapter 22 - TAXATION

Chapter 23 - RESERVED

Chapter 24 - TRAFFIC AND VEHICLES

<u>CHAPTER 1 - GENERAL PROVISIONS</u>

Sec. 1-1. Designation and citation.

Sec. 1-2. Definitions.

Sec. 1-3. Construction and use of language.

Sec. 1-4. Catchlines of sections and other headings.

Sec. 1-5. History notes.

Sec. 1-6. State law references.

Sec. 1-7. Certain ordinances and acts not affected by Code.

Sec. 1-8. Penalties.

Sec. 1-9. Severability.

Sec. 1-10. Amendments or additions to Code.

Sec. 1-11. Supplementation of Code.

Sec. 1-1. Designation and citation.

The ordinances embraced in this and the following chapters and sections shall constitute and be designated the "Code of Ordinances, Town of Amargosa Valley, Nevada" and may be so cited. Such Code may also be cited as the "Amargosa Town Code."

(State law reference—Codification authority, NRS 269.166 et seq.)

Sec. 1-2.Definitions.

The following words, terms and phrases, when used in this Code, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Board or town board. The term "board" or "town board" means the town board of the unincorporated Town of Amargosa, County of Nye, State of Nevada. The term "all its members" or "all members" means the total number of board members holding office. "Board member" or "member" means a person duly elected to the town board and holding office at the time.

Code. The term "Code" means the Code of Ordinances, Town of Amargosa, Nevada, as amended.

County. The term "county" means Nye County, Nevada.

Fiscal year. The term "fiscal year" means the period starting July 1 of any year through June 30 of the following year.

Health department. The term "health department" means the county district health department of the board of health.

Health officers. The term "health officers" means the county district health officer or health administrator of the board of health or their designee.

Law. The term "law" denotes the applicable federal law, the Constitution of the United States, the Constitution of the State of Nevada, statutes of the State of Nevada, ordinances of Nye County, ordinances of the Town of Amargosa, and, when appropriate, any and all rules and regulations which may be promulgated thereunder.

May. The term "may" is permissive.

Month. The term "month" means calendar month.

Must and shall. The terms "must" and "shall" are each mandatory.

NRS. The abbreviation "NRS" means the Nevada Revised Statutes, as amended.

Oath. The term "oath" includes any affirmation or declaration in all cases in which by law an

AGENDA ITEM REQUEST FORM

PETITIONER: John Bosta

AGENDA ITEM MOTION DESIRED: Motion to hold a special Town Board Meeting January 10. 2018 to adopt Bill No. 2018-3 and 2018-4

FISCAL IMPACT: Unknown

BACKGROUND: This is to allow for future growth and management of town business.

Submitted by: John Bosta Date Submitted: November 26, 2018

AMARGOSA TOWN BOARD ORDINANCE NO. 4

SUMMARY: An Ordinance adopting the Amargosa Town Code, by adding Chapter Codes within Town of Amargosa specifically noted herein, and all other matters as properly related thereto.

TITLE: AN ORDINANCE ENACTING THE CODIFICATION OF THE GENERAL ORDINANCES OF THE TOWN OF AMARGOSA VALLEY AND OTHER MATTERS PROPERLY RELATED THERETO.

WHEREAS, the Town Board of the Town of Amargosa Valley desires to provide for the revision and codification, including such restatements and substantive changes as are necessary for clarity and consistency, of all general ordinances of the unincorporated town of Amargosa and provide for the indexing and publication of such ordinances in the form of a town code.

NOW, THEREFORE, the Town Board of the unincorporated Town of Amargosa Valley, Nye County, Nevada, does hereby ordain as follows:

Section 1. Enactment of Revision and Codification of the General Ordinances of the Town of Amargosa Valley.

The Town Board of Amargosa revises and codifies the general ordinances of the Town of Amargosa Valley as provided in the attached code.

Section 2. Severability

If any section, sentence, clause, or phrase of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, it shall in no way affect the validity of any remaining portions of this Ordinance.

Section 3. Effective Date

This Ordinance shall be in full force and effect from and after its passage, adoption, filing of at least three copies of the code with the town clerk, reproduction of at least 25 copies of the code have been accomplished, and second publication of the code by title

only in a newspaper printed and published within the Town of Amargosa Valley, County of Nye, State of Nevada, stating that copies of the code may be examined by the general public at the office of the town clerk.

Motion Proposed b	y Town Board Me	ember		
Motion Seconded b	y Town Board Me	ember		
Vote:	Aye:	Nay:	+	
Approved on	_day of, 20	019.		
Chairman			Town Board Clerk	

CODE OF ORDINANCES

Chapter 1 - GENERAL PROVISIONS

Chapter 2 - ADMINISTRATION

Chapter 3 - RESERVED

Chapter 4 - RESERVED

Chapter 5 - MARIJUANA AND MEDICAL MARIJUANA LICENSING

Chapter 6 - BUILDINGS AND BUILDING REGULATIONS

Chapter 7 - RESERVED

Chapter 8 - BUSINESS REGULATIONS

Chapter 9 - RESERVED

Chapter 10. - CEMETERIES

Chapter 11 - RESERVED

Chapter 12 - EMERGENCY SERVICES

Chapter 13 - RESERVED

Chapter 14 - ENVIRONMENT-RESERVED

Chapter 15 - RESERVED

Chapter 16 - FIRE PREVENTION AND PROTECTION

Chapter 17 - RESERVED

Chapter 18 - OFFENSES

Chapter 19 - RESERVED

Chapter 20 - SOLID WASTE

Chapter 21 - RESERVED

Chapter 22 - TAXATION

Chapter 23 - RESERVED

Chapter 24 - TRAFFIC AND VEHICLES

1 GENERAL PROVISIONS

Sec. 1-1. Designation and citation.

Sec. 1-2. Definitions.

Sec. 1-3. Construction and use of language.

Sec. 1-4. Catch lines of sections and other headings.

Sec. 1-5. History notes.

Sec. 1-6. State law references.

Sec. 1-7. Certain ordinances and acts not affected by Code.

Sec. 1-8. Penalties.

Sec. 1-9. Severability.

Sec. 1-10. Amendments or additions to Code.

Sec. 1-11. Supplementation of Code.

AGENDA ITEM REQUEST FORM

PETITIONER: Pat Minshall

AGENDA ITEM MOTION DESIRED: Motion to proceed with fact finding mission to purchase and install emergency 125kw generator for town complex.

FISCAL IMPACT: None

BACKGROUND: Previous information and costs are now outdated.

Submitted by: Bruce Jensen Date Submitted: December 5, 2018

AGENDA ITEM REQUEST FORM

PETITIONER: Pat Minshall

AGENDA ITEM MOTION DESIRED: Motion to sell pool table currently being stored in Conex.

FISCAL IMPACT: Uncleared Gain

BACKGROUND: The pool table was donated to the Town by Jon DeLee, who has given us permission to sell

Submitted by: Pat Minshall Date Submitted: December 5, 2018

AGENDA ITEM REQUEST FORM

PETITIONER: Pat Minshall

AGENDA ITEM MOTION DESIRED: Motion to sell Captor 4300 cleaner/sweeper.

FISCAL IMPACT: Uncleared Gain

BACKGROUND: The was donated to the Town, however we cannot make use of it.

Submitted by: Pat Minshall Date Su

Date Submitted: December 5, 2018

AGENDA ITEM REQUEST FORM

PETITIONER: Bruce Jensen

AGENDA ITEM MOTION DESIRED: Motion to reimburse Volunteers for fees associated with certifications/recertifications, physicals, fit for duty.

FISCAL IMPACT: Presently the cost is \$54.00 for each new EMR. The following individuals have all taken their classes and passed:

Alena Hernandez Juan Femat Bruce Jensen Benny Sanchez Melanie Morales

BACKGROUND: Presently each volunteer must pay a total of \$54 for to be certified with State of Nevada as an EMR. These people give of their time, which includes hours of training, to serve the residents of Amargosa Valley. These fees are renewable every two years.

Submitted by: Bruce Jensen Date Submitted: December 5, 2018

Amt Rec'd:_			
Check/MO:_	DEPARTMENT OF HEALTH	AND HUMAN SERVICES	
Check/MO	DIVISION OF TOBERS AND		
Receipt No.:	EMERGENCY MED	OICAL SYSTEMS	NV EMS #:
Please	pplication must be completed and submitted to te indicate below if this is an initial, a renewal or a cumentation requested for that process.	n upgrade from Driver (Only to Attendant and include
☑ Ini	ial Attendant Application A check or money order for \$30.00** made payable to: Division of Public and Behavioral Health EMS.	Renewal Attenda A. A check or n payable to: [Behavioral H	noney order for \$10.00** made Division of Public and
	Submit a driving record, issued within the last 6 months by the Department of Motor Vehicles, or if you were a resident of another state during the past 6 months, a driving record from that state.	last 6 month Vehicles, or another stat	ving record, issued within the is by the Department of Motor if you were a resident of educing the past 6 months, a ord from that state.
C.	One of the following:	Upgrade from D	river Only to Attendant
	a. Two full sets of fingerprints and a check or money order in the amount of \$36.25** made payable to: Division of Public	A. A check or n	noney order for \$10.00** made Division of Public and Behavioral

OR

b. Proof of having completed the

LiveScan fingerprint process and a check or

money order in the amount of \$36.25** made

B. Submit a driving record, issued within the

last 6 months by the Department of Motor

state during the past 6 months, a driving

round from that etata

Vehicles, or if you were a resident of another

				974-2017
Amt Rec'd: Check/MO: Receipt No.:_	DEPARTMENT OF H DIVISION OF PUBL		RAL	L HEALTH NREM I #:
This applic Behaviora Nevada Di include the	cation for certification must be comp	leted and submitte ied by a check or h. Please indicate	ed to mor e be	to the Division of Public and oney order for \$24.00** payable to the elow if this is an initial or a renewal and entification Upgrade
A. (B.	National Registry Certification OR Course Completion Report for EMR Copy of Healthcare Provider CPR Provider Card For Paramedics, Copy of ACLS, PAI and ITLS Provider Cards		A. B.	National Registry Certification Copy of Healthcare Provider CPR Provider Card For Paramedics, Copy of ACLS, PALS and ITLS Provider Cards.
Certification	Level you are applying for:	EMD Advanced	El	EMR DEMT MT Deramedic —

AGENDA ITEM REQUEST FORM

PETITIONER: Pat Minshall

AGENDA ITEM MOTION DESIRED: Motion to print 2-4 pages of January Newsletter in color.

FISCAL IMPACT: .05 per page. We currently print 631 copies of newsletter. Max cost of 4 pages per newsletter will \$126.

BACKGROUND: This would be for Xmas shots, particularly the dinner and all the fantastic decorations, maybe some of the park and décor there. Hopefully some good people shots enjoying. Let's put it out there in color.

Submitted by: Pat Minshall Date Submitted: December 5, 2018

AGENDA ITEM REQUEST FORM

PETITIONER: Trevor Dolby

AGENDA ITEM MOTION DESIRED: Sign attached letter to Mueller Hinds & Associates, Attn: Craig Mueller, requesting a Request for Proposal (RFP) to be mailed out by Deputy Clerk.

FISCAL IMPACT: Unknown currently

BACKGROUND: AVTB is requesting a quote for services from Mueller Hinds & Associates, as we find that AV is often in need of legal counsel. Proposed letter attached.

Submitted by: Trevor Dolby Date Submitted: December 5, 2018



TOWN OF AMARGOSA VALLEY, NEVADA

Mueller Hinds & Associates Attn: Craig Mueller 600 S. 8th Street Las Vegas, NV 89101

Dear Sir:

We see in the November 30, 2018 issue of the Pahrump Valley Times that you are willing to sue the Nye County Commissioners, or at least challenge them in court. We, the Town government in Amargosa Valley have our own conflict with the Nye County Commissioners and need of legal counsel. For an impartial summary of our conflict with the county, see the enclosed headline article in the September 28, 2018 of the Pahrump Valley times.

The county's treasurer and auditor have been delayed in submitting an audited report to Carson City due to incomplete or unreconciled bank deposits for Fy17/18. The Auditor is helping them with that. They are also unable to tell us with certainty how much they have collected in fees and taxes from Acres Cultivation LLC. The Amargosa Valley Town Board, Public Information Office, John Bosta (bostajohn@gmail.com,) has researched some tentative numbers but with their expanded production this season FY18/19 might exceed \$100k. The town of Amargosa has received none of that, Nye County has it all.

For the Record, in an open meeting, Commissioner Wickman has stated that the county is entitled to that money because they stepped forward to regulate & issue permits to Acres Cultivation, never-mind that according to the LRB, the Town, not the County has jurisdiction.

Management at Acres Cultivation is sympathetic to the Town's claim but will continue to pay its fees and taxes to the county until they hear definitively who has the authority, as SB486 is not yet codified. Acres Cultivation has expanded it product to include Recreational as well as Medical marijuana (Medical, was what our ordinance originally fit).

Please review these issues and let us know if you can or are willing to advise or litigate this issue. We are requesting information regarding your fees and or a contingency settlement.

Thank you in advance for your curtesy, interest and reply.

821 East Farm Road, Amargosa Valley, NV 89020

Jimmy Thomas, Chairman, Amargosa Valley Town Board

Mike Cottingim, Vice Chairman Amargosa Valley Town Board

Pat Minshall, Clerk Amargosa Valley Town Board Trevor Dolby, Member Amargosa Valley Town Board

Carmen Brown, Member Amargosa Valley Town Board

encl

Amargosa Town Office

From:

trevordolby@aol.com

Sent:

Monday, December 3, 2018 10:09 AM

To:

Amargosa Town Office

Subject:

Town Board Agenda, back-up, digital

Pahrump Valley Times, front page 30 November.

The Nye County Commission is poised to make its selection to fill the late Dennis Hof's Nevada Assembly District 36 seat next week but former Assemblyman and Nye County resident Ed Goedhart is striving to stop the board in its tracks. Goedhart sought an injunction with the Fifth Judicial District Court on Nov. 27 to request the selection be delayed until the newly elected commissioners are seated in 2019.

Hof passed away on Oct. 16 but by law his name remained on the 2018 general election ballot and he ultimately secured the win over his Democratic opponent Lesia Romanov. Now, the choice of who is to hold the position is with the commissions for the three counties that are included in the district, Nye, Clark and Lincoln counties. However, as Nye County residents comprise the majority of the District 36 population at approximately 64 percent, the Nye County Commission's vote will have the most weight and the appointment is essentially in its hands.

Each of the three commissions is tentatively scheduled to meet over the next week, with Lincoln set for Dec. 3, Clark planned for Dec. 4 and Nye scheduled for Dec. 5.

During these meetings, each body is expected to name one of a pool of applicants as nominee. Once the boards have hosted their separate meetings, a joint meeting between all three is anticipated to take place on Dec. 7 when the appointment would be made official.

However, if Goedhart prevails in his attempt to legally tie the current commission's hands, the District 36 appointment could be put off until after the start of the new year when commissioners-elect Leo Blundo of Nye County District 4 and Debra Strickland of Nye County District 5 will replace outgoing commissioners Butch Borasky and Dan Schinhofen.

"I have retained the services of Craig Mueller to ensure that the will of the voters will be reflected in the appointment process to fill the District 36 vacancy created by Mr. Hof's sudden and unexpected passing. I will be pursuing all legal remedies available," Goedhart told the Pahrump Valley Times on Nov. 20. One week later, he filed with the courts.

In the document filed under case number CV39773, Goedhart and Mueller argue, "Blundo and Strickland, the newly elected members of the board, will commence their terms on Jan. 7, 2019 pursuant to NRS 244.030.

The Nevada legislative session will commence February 4, 2019. Accordingly, in order to ensure that the interests of the plaintiff and other registered voters of District 4 are properly represented, the meeting to determine who will ultimately be appointed to represent District 36 in the 2019 legislative session pursuant to NRS 218a.260 must be conducted with the newly elected commissioners during the regular board meeting on January 7, 2019."

As of press time, it was unknown if this matter will be heard by Fifth Judicial District Court Department 1 Judge Kimberly Wanker in time to halt the appointment. According to Nye County Clerk Sandra Merlino, when Goedhart's injunction was filed, the hearing date was originally set for Jan. 15 but this would obviously be far too long after the fact.

No further filings to request an emergency hearing were reported as of 10 a.m. Thursday but it is possible that the judge could decide to hold a more immediate meeting of her own volition. An update will be provided once more details have emerged.

In the meantime, Nye County residents will undoubtedly be very interested to learn who has put their name forward in search of the appointment.

In order to be eligible for the seat, all applicants are required to be registered Republicans who reside within District 36.

A list obtained from Nye County detailed a total of 19 candidates for the post.

They are Adam Huckeby, Bailey Kesl, Brent Leavitt, Brigitte Dubin, Charles Navarro, Denise Mraz, Greg Hafen II, Jared Fisher, Joe Bradley, Joe Burdzinski, Jonathan Hernandez, Nathan Taylor, Patrick Nary, Sandra Tulley, Thomas Duryea, Tina Bond-Kuglin, Walt Grudzinski, Wayne Villines and William Gray.

While some of these names may be familiar to Nye County residents, others will be less well known.

Those interested in reviewing the information submitted by each applicant, including employment history and endorsements, can do so by visiting www.nyecounty.net and clicking on the "meeting center" link.

Select the agenda for the Dec. 5 meeting and then click on the "for possible action" link that accompanies the agenda item addressing the Assembly District 36 appointment.

Contact reporter Robin Hebrock at rhebrock@pvtimes.com

See Also: http://www.craigmuellerlawyer.com/

Posted on: Community, News

AGENDA ITEM REQUEST FORM

PETITIONER: Pat Minshall

AGENDA ITEM MOTION DESIRED: Motion we create Fire Safety and Health Codes and pay tuition fee to enable one of our Fire Department employees to be certified to carry out inspection.

FISCAL IMPACT: \$1,200

BACKGROUND: Freedom to do is what we want on our own property is important but we must have some regulation to protect all. The recent fire that occurred November 21, 2018 revealed much lacking in this area of safety, that could be possibly be avoided if had someone in Amargosa Valley to advise residents of issues. If there had been wind, we would have of had a huge disaster

Submitted by: Jimmy Thomas Date Submitted: December 5, 2018

AGENDA ITEM REQUEST FORM

PETITIONER: Jimmy Thomas

AGENDA ITEM MOTION DESIRED: Motion we hire a part time Building and Groundskeeper for 19 hours per week.

FISCAL IMPACT: \$11,400 per year (includes SSA & Workman's comp)

BACKGROUND: We have one person taking care of the Park, Arena, Cemetery, Senior Center grounds. This person takes care of Community Center, Fire Department, Ambulance hall, etc. Also, responsible for building maintenance throughout the Town Complex. Job is too big and time consuming for one person. We need at least one more. and

Submitted by: Jimmy Thomas Date Submitted: December 5, 2018

AGENDA ITEM REQUEST FORM

PETITIONER: Michael DeLee

AGENDA ITEM MOTION DESIRED: Motion to declare, that states "Amargosa Valley Town Board Supports all Hemp Growers".

FISCAL IMPACT: None

BACKGROUND: Support has been extended to marijuana growers, question is being we going to offer the same support to hemp growers. Possibilities for growing hemp are enormous and could result in a processing plant. This would bring lots of jobs and grow our economy. Marijuana laws seem to cripple Hemp growers.

Submitted by: Jimmy Thomas Date Submitted: December 5, 2018

AGENDA ITEM REQUEST FORM

PETITIONER: Trevor Dolby

AGENDA ITEM MOTION DESIRED: Motion to send a request to auditor, Daniel McArthur asking if he can assist us by obtaining the dates and amounts of tax fees received from Acres Cultivation for FY 16/17 and 17/18.

FISCAL IMPACT: None

BACKGROUND: John Bosta has gotten a report from the County, but it was on it "tentative", it does not cover FY 16/17 and it is not verifiable.

Submitted by: Trevor Dolby Date Submitted: December 5, 2018

AGENDA ITEM REQUEST FORM

PETITIONER: Jimmy Thomas

AGENDA ITEM MOTION DESIRED: Information only currently. We received the following item from the County Manager regarding the I-11, requesting we provide concerns we may have.

FISCAL IMPACT: None

BACKGROUND: Yes, Tim, I/we do have concerns. I am bringing it up at our next TB meeting (12/13/18). We believe we should have entry/exits for Valley View Bvd, some sort of interchange at Hwy 373 so the Alien Travel Center and Fort Amargosa don't dry up, and an entry/exit at Hwy 160. Those are starters, given a little more time, we may be able to provide more. Thanks for asking.

Jimmy Thomas

Chair, Amargosa Town Board

Submitted by: Jimmy Thomas Date Submitted: December 5, 2018

From: Timothy Sutton < tsutton@co.nye.nv.us > Sent: Friday, November 30, 2018 4:15 PM

Subject: I-11 Questions

Good afternoon,

I wanted to touch base with each of you to regarding the I-11 project. As you know, the proposed highway has significant potential benefits and impacts for each of your respective communities and for Nye County as a whole. In the past, the county had been taking the lead in communicating with NDOT and the BOCC even approved an initial comment package. A few months ago, I tasked Darrell Lacy with staying apprised of I-11 trainings/presentations from NDOT, coordinating with the affected communities (i.e. yours), and bringing back a revised/updated comment package for BOCC approval so we have a unified front when making our recommendations to NDOT. The goal was to be deferential to local needs and allow as much community input as possible. I know Tonopah and Beatty have been actively engaged in the process (not sure about Amargosa) but I wanted to reach out to see how it's going and if additional help is needed. Specifically, I'm wondering:

- 1. Do you believe the county has adequately gathered your comments and concerns regarding I-11?
- 2. If not, what support would you have like to have seen?
- 3. Moving forward, what support would you like to see from the county?

This email is limited to the I-11 project but please know that if any of you need help from the County or have concerns you'd like to discuss please know that you can always reach out. Have a great weekend.

Sincerely,

Tim

Tim Sutton

Nye County Manager

Pahrump Town Manager

2100 E. Walt Williams Dr., Ste. 100

Pahrump, NV 89048

(775) 751-7075 (Office)

AGENDA ITEM REQUEST FORM

PETITIONER: Jimmy Thomas

AGENDA ITEM MOTION DESIRED: Information only. Updates to County Bill 18-167, Minimum Standards for Manufactured Homes.

FISCAL IMPACT: None

BACKGROUND: See attached documentation received from the Nye County Planning Department.

Submitted by: Jimmy Thomas Date Submitted: December 5, 2018



Nye County Planning Department

250 N. Hwy 160, Ste. 1
Pahrump, NV 89060
Phone · 775-751-4249 Fax · 775-751-4324

18-167-BW(L)

December 5, 2018

To All Towns,

First, I would like to thank all of you that have taken the time to review and provide comments and recommendation letters to the board on the draft bill that was circulated to amend NCC 15.17.060, Minimum Standards for Manufactured Homes.

I am writing this letter to provide further explanation as to why Nye County has drafted this bill to revise the minimum standards for new installations of manufactured homes. Per NRS 278.02095, which I have provided below, Nye County is required to at the very least adopt the standards which are out lined in sections 2(a) and 2(b). Given the current population of Nye County being less than 45,000, Nye County can adopt standards that are less restrictive then the standards set forth in subsections 2(a) and 2(b) of the NRS which is what Nye County is attempting to do with this draft bill. Without the adoption of the draft bill Nye County is bound to adopt the standards set forth in the NRS.

Taking into consideration some of the feedback that was provided by the Town's I have revised the draft bill to provide options for waivers and exceptions to promote affordable housing options when recommended by the Town boards. We will have this item on the December 18, 2018 BOCC agenda to schedule a public hearing on this bill for February 5, 2019. Please take the time to review the revised draft and provide your comments and recommendation letters. To be included in the backup for the public hearing that will be scheduled for February 5, 2019 we must receive your recommendation letters no later than January 15, 2019. In the meantime, please contact me directly if I can answer any questions you may have either by email or phone at bwaggoner@co.nye.nv.us or 775-751-4244.

NRS 278.02095 Manufactured homes: Inclusion in definition of "single-family residence"; governing body to adopt standards for placement outside mobile home park; surrender of certificate of ownership of certain manufactured homes to Housing Division; limitations.

- 1. Except as otherwise provided in this section, in an ordinance relating to the zoning of land adopted or amended by a governing body, the definition of "single-family residence" must include a manufactured home.
- 2. Notwithstanding the provisions of subsection 1, a governing body shall adopt standards for the placement of a manufactured home that will not be affixed to a lot within a mobile home park which require that:
 - (a) The manufactured home:
 - (1) Be permanently affixed to a residential lot;
- (2) Be manufactured within the 6 years immediately preceding the date on which it is affixed to the residential lot;
- (3) Have exterior siding and roofing which is similar in color, material and appearance to the exterior siding and roofing primarily used on other single-family residential dwellings in the immediate vicinity of the manufactured home, as established by the governing body;
 - (4) Consist of more than one section; and
- (5) Consist of at least 1,200 square feet of living area unless the governing body, by administrative variance or other expedited procedure established by the governing body, approves a lesser amount of square footage based on the size or configuration of the lot or the square footage of single-family residential dwellings in the immediate vicinity of the manufactured home; and

Nye County is an Equal Opportunity Employer and Provider

- (b) If the manufactured home has an elevated foundation, the foundation is masked architecturally in a manner determined by the governing body.
- The governing body of a local government in a county whose population is less than 45,000 may adopt standards that are less restrictive than the standards set forth in this subsection.
- 3. Standards adopted by a governing body pursuant to subsection 2 must be objective and documented clearly and must not be adopted to discourage or impede the construction or provision of affordable housing, including, without limitation, the use of manufactured homes for affordable housing.
- 4. Before a building department issues a permit to place a manufactured home on a lot pursuant to this section, other than a new manufactured home, the owner must surrender the certificate of ownership to the Housing Division of the Department of Business and Industry. The Division shall provide proof of such a surrender to the owner who must submit that proof to the building department.
- 5. The provisions of this section do not abrogate a recorded restrictive covenant prohibiting manufactured homes, nor do the provisions apply within the boundaries of a historic district established pursuant to NRS 384.005 or 384.100. An application to place a manufactured home on a residential lot pursuant to this section constitutes an attestation by the owner of the lot that the placement complies with all covenants, conditions and restrictions placed on the lot and that the lot is not located within a historic district.
 - 6. As used in this section:
 - (a) "Manufactured home" has the meaning ascribed to it in NRS 489.113.
 - (b) "New manufactured home" has the meaning ascribed to it in NRS 489.125.

(Added to NRS by 1999, 3464; A 2001, 1119, 1964; 2007, 2334; 2011, 1176; 2017, 3613)

Sincerely,

Brett Waggone

Director of Planning, Nye County

CC: Timothy Sutton – County Manager
John Koenig – Commissioner Chairman
Lorinda Wichman - Commissioner
Daniel Schinhofen - Commissioner
Butch Borasky - Commissioner
Donna Cox - Commissioner

DRAFT

BILL NO. 2018-xx

NYE COUNTY ORDINANCE NO. _____

SUMMARY: A Bill proposing to amend Nye County Code Section 15.17.060, Minimum Standards for Manufactured Homes; and providing for the severability, constitutionality and effective date thereof; and other matters properly

relating thereto.

TITLE: A BILL PROPOSING TO AMEND NYE COUNTY CODE SECTION 15.17.060, MINIMUM STANDARDS FOR MANUFACTURED HOMES; AND PROVIDING FOR THE SEVERABILITY, CONSTITUTIONALITY AND EFFECTIVE DATE THEREOF; AND OTHER MATTERS PROPERLY RELATING THERETO.

WHEREAS, pursuant to NRS 244.119, the Nye County Board of County Commissioners ("Board") is authorized to amend the Nye County Code; and

WHEREAS, pursuant to NRS 278.020, for the purpose of promoting the health, safety, morals and the general welfare of the residents of Nye County, the Board is authorized and empowered to regulate and restrict the improvement of land and to control the location and soundness of structures; and

WHEREAS, any such regulation, restriction and control must take into account the potential impairment of natural resources and the total population which the available natural resources will support without unreasonable impairment; and

WHEREAS, the Board finds these changes to be appropriate and an improvement to the regulations;

NOW, THEREFORE, pursuant to NRS 244.110, the Board of County Commissioners of the County of Nye, State of Nevada, does ordain:

NYE COUNTY CODE SECTION 15.17.060 IS HEREBY AMENDED AS FOLLOWS, with Deletions shown in strike-through red font, and additions and modifications shown in underscored blue font:

15.17.060: MINIMUM STANDARDS FOR MANUFACTURED HOMES:

- A. The following minimum standards shall apply to the placement of a manufactured home that will not be affixed to a residential lot in a mobile home park:
 - 1. A soils report shall be required for the pad site and the manufactured home pad shall be certified by a professional engineer, pursuant to Nye County Building Code applicable to the location of installation;

- 2. A manufactured home shall be permanently affixed to a residential lot by the use of poured in place reinforced concrete footings, and shall be mechanically connected or anchored in accordance with the manufacturer's specifications and the requirements of the State of Nevada Housing Division, Manufactured Housing; and (Ord. 374, 2009)
- 3. A manufactured home shall be manufactured within the twenty (20) years immediately preceding the date on which it is affixed to the residential lot.

B. Waivers and Special Exceptions:

- 1. The installation of any manufactured home more than twenty (20) years old on the date which it is affixed to the residential lot shall require approval of a Waiver application by the Planning Director. When applicable, Town Boards, both elected and advisory, may make a recommendation of either approval, approval with conditions, or denial to the Planning Director prior to the Planning Director making a decision on the Waiver application.
- 2. An exception to sections A(1), (2), (3), or a combination thereof, may be granted to promote affordable housing options or for elevated (above-ground) installations only in FEMA designated flood zone areas, areas of poor soils, or rough terrain where permanently affixing to the land is not practical, provided installation would not have an adverse impact on surrounding properties. If an exception to section A(1) is applied for, the manufactured home owner must receive an approval of an alternative pad design from the Nye County Building and Safety Department. The Planning Director shall determine whether an exception shall be granted. If the applicant disagrees with the Planning Director's determination, the applicant may appeal the Planning Director's decision in accordance with Title 16, Chapter 16.36 of Nye County Code.
- C. Under no circumstances shall the new placement of a pre-HUD mobile home (factory-built homes produced prior to the June 15, 1976 United States Department of Housing and Urban Development manufactured home construction standards) be allowed anywhere within the Nye County.
- D. Compliance With Applicable Laws: All manufactured homes must be installed in accordance with Federal and Nevada state regulations and Nye County Code, inspected by the appropriate government agency, and have the appropriate Installation Label(s) placed in the window, as required by the Nevada Housing Division, Manufactured Housing, prior to occupancy.

<u>SEVERABILITY</u>. If any provision of this ordinance or amendments thereto, or the application to any person, thing or circumstance is held to be invalid, such invalidity shall not affect the validity or provisions or applications of the ordinance or amendments thereto which can be given effect without the invalid provisions or applications, and to this end the provisions of this ordinance and amendments thereto are declared to be severable.

<u>CONSTITUTIONALITY</u>. If any section, clause or phrase of this ordinance shall be declared unconstitutional by a court of competent jurisdiction, the remaining provisions of this ordinance shall continue in full force and effect.

EFFECTIVE DATE.	This Ordinance sh	all be in full force and	effect from	and after passage, a	pproval,
		it, from and after the			, 2018.

Prop	osea on t	ne day of		, 2018.	
Prop	osed by:	Commissioner			2
Ador	oted on th	ne day of _		_, 2018	
	Vote:	Ayes:	Commissioners:		
		Nays:	Commissioners:		
		Absent:	Commissioners:		
BY:				ATTEST:	
D 1.		enig, Chairman	- !	ATTEST.	Sandra "Sam" Merlino
		unty Board of	-		Clerk and Ex-Officio
		Commissioners			Clerk of the Board

AGENDA ITEM REQUEST FORM

PETITIONER: Debbera Mendyk

AGENDA ITEM MOTION DESIRED: Motion to allow purchase of two camcorders and tripods for recording and live streaming of AVTB meetings.

FISCAL IMPACT: Approximately \$300

BACKGROUND: Currently we only reach approximately 30 individuals during town board meetings. By live streaming meetings will allow our residents to review these meetings and allow residents to be involved when physical restrictions prevent their attendance,

Submitted by: Jimmy Thomas Date Submitted: December 5, 2018