



**Solid Waste Management Authority
Hearing Officer Administrative Hearing**

AGENDA

Southern Nevada Health District
280 South Decatur Boulevard, Las Vegas, Nevada
Red Rock Trail Conference Room
9:00 AM – Wednesday, July 10, 2019

NOTICE: Nevada Revised Statutes (NRS) 241.020 requires that written notice of all hearings of the Southern Nevada Health District Board of Health's Solid Waste Management Authority Hearing Officer be given at least three working days before the hearings. The notice shall include the time, place, location, and agenda of the hearing. Individuals may request notice, but a request for notice lapses six months after it is made. The Southern Nevada District Board of Health informs each requestor of this fact by this notation on the copy of the notice mailed to them.

NOTE:

- **Agenda items may be taken out of order at the discretion of the Hearing Officer.**
- **The Hearing Officer may combine two or more agenda items for consideration.**
- **The Hearing Officer may remove an item from the agenda or delay discussion relating to an item on the agenda at any time.**

I. CALL TO ORDER

- II. PUBLIC COMMENT:** A period devoted to comments by the general public about those items appearing on the agenda. Comments will be limited to five (5) minutes per speaker. Please step up to the speaker's podium, clearly state your name and address, and spell your last name for the record. The comment period may be lengthened at the discretion of the Hearing Officer.

III. MATTERS REQUIRING HEARING OFFICER ACTION

A. NOTICES OF VIOLATION WITH CONTESTED FACTS:

- 1. Debra Ann Zellis – NOV #SW19-328/Z3-** For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about September 8, 2018; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 2219 North Rancho Drive, Las Vegas, Clark County, Nevada on or about September 8, 2018. **(for possible action)**

Proposed Penalties/ 1) \$1,000.00

Corrective Action: 2) \$1,000.00

3) Cease and desist operating a solid waste disposal site without a permit issued by the solid waste management authority at this location or anywhere else in Clark County, Nevada.

4) Cease and desist placing, depositing, or dumping or causing to be placed, deposited or dumped solid waste upon property other than property designated or set aside for such purpose.

2. **Dane Linton Robinson – NOV #SW19-1199/Z3-** For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about March 20, 2019; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 2219 North Rancho Drive, Las Vegas, Clark County, Nevada on or about March 20, 2019. ***(for possible action)***

Proposed Penalties/ 1) \$1,000.00

Corrective Action: 2) \$1,000.00

3) Cease and desist operating a solid waste disposal site without a permit issued by the solid waste management authority at this location or anywhere else in Clark County, Nevada.

4) Cease and desist placing, depositing, or dumping or causing to be placed, deposited or dumped solid waste upon property other than property designated or set aside for such purpose.

3. **French Oaks Homeowners Association, Inc. – NOV #SW19-748/Z3-** For 1) causing or allowing sewage or accumulation of human excreta to overflow on property located at 3823 South Maryland Parkway, Clark County, Nevada on or about December 27, 2018; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on December 28, 2018. ***(for possible action)***

Proposed Penalties/ 1) \$1,000.00

Corrective Action: 2) \$1,000.00

3) \$425.00 plumbing cost reimbursement.

4) Cease and desist causing or allowing to cause any sewage or accumulation of human excreta to overflow and deposit at this property or any other property in Clark County, Nevada.

4. **Anderson Asphalt & Striping, LLC – NOV #SW19-1061/G4-** For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about March 5, 2019; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the public right of way located at North Lamont Street and Alto Avenue, Clark County, Nevada on or about March 5, 2019. ***(for possible action)***

Proposed Penalties/ 1) \$1,000.00

Corrective Action: 2) \$1,000.00

3) Cease and desist operating a solid waste disposal site without a permit issued by the solid waste management authority at this location or anywhere else in Clark County, Nevada.

4) Cease and desist placing, depositing, or dumping or causing to be placed, deposited or dumped solid waste upon property other than property designated or set aside for such purpose.

5. **Diane Lewis and Kirk Lewis Children's Trust** – NOV #SW19-094/24- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about July 19, 2019; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on August 2, 2018. *(for possible action)*

Proposed Penalties/ 1) \$1,000.00

Corrective Action: 2) \$1,000.00

3) Removal and proper disposal of waste.

4) Cease and desist operating a solid waste disposal site without a permit issued by the solid waste management authority at this location or anywhere else in Clark County, Nevada.

6. **Laquana Ajai Bolden and Bianca Alexis Bolden** – NOV #SW19-1011/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about February 20, 2019; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located northwest of West Ann Road and San Mateo Street, North Las Vegas, Clark County, Nevada on or about February 20, 2019. *(for possible action)*

Proposed Penalties/ 1) \$1,000.00

Corrective Action: 2) \$1,000.00

3) Cease and desist operating a solid waste disposal site without a permit issued by the solid waste management authority at this location or anywhere else in Clark County, Nevada.

4) Cease and desist placing, depositing, or dumping or causing to be placed, deposited or dumped solid waste upon property other than property designated or set aside for such purpose.

7. **La Villa MHP LLC** – NOV #SW19-930/C6- For 1) causing or allowing sewage or accumulation of human excreta to overflow on property located at 1190 South Mojave Road, Clark County, Nevada on or about February 5, 2019; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on February 5, 2019. *(for possible action)*

Proposed Penalties/ 1) \$1,000.00

Corrective Action: 2) \$1,000.00

3) Remediation of area affected by sewage overflow.

4) Cease and desist causing or allowing to cause any sewage or accumulation of human excreta to overflow and deposit at this property or any other property in Clark County, Nevada.

8. **Las Palmas MHP LLC – NOV #SW19-942/C6-** For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about February 19, 2019; 2) disposing of, abandoning or dumping motor vehicle battery, motor vehicle tire or motor vehicle oil at a site which has not been issued a permit for that purpose on or about February 19, 2019; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on February 20, 2019. **(for possible action)**

Proposed Penalties/ 1) \$1,000.00
Corrective Action: 2) \$1,000.00
3) \$1,000.00
4) Removal and proper disposal of waste.

9. **Las Palmas MHP LLC – NOV #SW19-1207/C6-** For 1) causing or allowing sewage or accumulation of human excreta to overflow on property located at 4487 East Lake Mead Boulevard, Clark County, Nevada on or about March 26, 2019; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on March 26, 2019. **(for possible action)**

Proposed Penalties/ 1) \$1,000.00
Corrective Action: 2) \$1,000.00
3) Remediation of area affected by sewage overflow.
4) Cease and desist causing or allowing to cause any sewage or accumulation of human excreta to overflow and deposit at this property or any other property in Clark County, Nevada.

- B. **NON-CONTESTED NOTICES OF VIOLATION:** *The Hearing Officer may approve or disapprove the agreed resolution. Upon disapproval of the agreed resolution, the Hearing Officer will set a date for the hearing of any such Notice of Violations.*

1. **Brady Linen Services, LLC – NOV #SW19-680/C6-** For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about December 6, 2018; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on March 17, 2019. **(for possible action)**

Penalty: 1) \$1,000.00
2) \$1,000.00
3) Removal and proper disposal of waste.

2. **Jose Manuel Barajas** – NOV #SW19-1176/G4- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about March 18, 2019; 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 2226 South Nellis Boulevard, Clark County, Nevada on or about March 18, 2019; and 3) disposing of, abandoning or dumping motor vehicle battery, motor vehicle tire or motor vehicle oil at a site which has not been issued a permit for that purpose on or about March 18, 2019. *(for possible action)*

Penalty: 1) \$1,000.00
2) Cease and desist placing, depositing, or dumping or causing to be placed, deposited or dumped solid waste upon property other than property designated or set aside for such purpose.

3. **Sparks CC, LLC** – NOV #SW19-838/Z3- For failure to comply with the Order issued by the Solid Waste Management Authority on January 24, 2019. *(for possible action)*

Penalty: 1) \$1,000.00
2) Removal and proper disposal of waste.

4. **J & J Enterprises Services, Inc.** – NOV #SW19-1180/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about January 30, 2019; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located southwest of South Tenaya Way and Coley Avenue, Clark County, Nevada on or about January 30, 2019. *(for possible action)*

Penalty: 1) \$500.00
2) Cease and desist placing, depositing, or dumping or causing to be placed, deposited or dumped solid waste upon property other than property designated or set aside for such purpose.

5. **Fastrack Construction, Inc.** – NOV #SW19-863/32- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about January 18, 2019; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located northwest of North Skye Canyon Park Drive and Log Cabin Way, Clark County, Nevada on or about January 18, 2019. *(for possible action)*

Penalty: 1) \$750.00
2) Written policies and training procedures.
3) Cease and desist placing, depositing, or dumping or causing to be placed, deposited or dumped solid waste upon property other than property designated or set aside for such purpose.

6. **Fastrack Construction, Inc.** – NOV #SW19-906/H3- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about January 28, 2019; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located south of North Parawan Street between Dublin Avenue and Cadiz Avenue, Henderson, Clark County, Nevada on or about January 28, 2019. *(for possible action)*

Penalty:

- 1) \$750.00
- 2) Written policies and training procedures.
- 3) Cease and desist operating a solid waste disposal site without a permit issued by the solid waste management authority at this location or anywhere else in Clark County, Nevada.

7. **Ann Road Farms, LLC** – NOV #SW17-644/K5- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about May 21, 2018, June 4, 2018, July 31, 2018, October 4, 2018, November 1, 2018 and December 5, 2018; 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located at 1290 North Henrie Road, Moapa, Clark County, Nevada on or about May 21, 2018, May 23, 2018, and June 1, 2018; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on July 27, 2018. *(for possible action)*

Penalty:

- 1) \$6,000.00
- 2) \$3,000.00
- 3) \$1,000.00
- 4) Cease and desist operating a solid waste disposal site without a permit issued by the solid waste management authority at this location or anywhere else in Clark County, Nevada.
- 5) Cease and desist placing, depositing, or dumping or causing to be placed, deposited or dumped solid waste upon property other than property designated or set aside for such purpose.

8. **Pipe Maintenance Service, Inc.** – NOV #SW19-1022/K5- For 1) failure to provide the annual recycling survey on or about February 15, 2019; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on March 1, 2019. *(for possible action)*

Penalty:

- 1) \$500.00
- 2) \$500.00
- 3) Submit Recycling Survey.

C. NOTICES OF VIOLATION – FURTHER PROCEEDINGS:

None.

IV. REPORT TO HEARING OFFICER

None.

V. **PUBLIC COMMENT:** A period devoted to comments by the general public, if any, and discussion of those comments, about matters relevant to the Solid Waste Management Authority, Hearing Officer's jurisdiction will be held. No action may be taken upon a matter raised under this item of this Agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken pursuant to NRS 241.020. Comments will be limited to five (5) minutes per speaker. Please step up to the speaker's podium, clearly state your name and address, and spell your last name for the record. The comment period may be lengthened at the discretion of the Hearing Officer.

VI. **ADJOURNMENT**

VII. **THIS AGENDA HAS BEEN POSTED IN THE MAIN LOBBY OF THE FOLLOWING LOCATIONS: 1) CLARK COUNTY GOVERNMENT CENTER, 500 S. Grand Central Parkway, Las Vegas, NV; 2) LAS VEGAS CITY HALL, 495 S. Main Street, Las Vegas, NV; 3) NORTH LAS VEGAS CITY HALL, 2250 N. Las Vegas Boulevard, North Las Vegas, NV; 4) HENDERSON CITY HALL, 200 Water Street, Henderson, NV; 5) BOULDER CITY, CITY HALL, 401 California Avenue, Boulder City, NV; 6) MESQUITE CITY HALL, 10 E. Mesquite Boulevard, Mesquite, NV; and 7) SOUTHERN NEVADA HEALTH DISTRICT, 280 S. Decatur Boulevard, Las Vegas, NV. This Agenda is also available on the Southern Nevada Health District Internet Website at <http://www.southernnevadahealthdistrict.org> and on the Nevada Public Notice website at <https://notice.nv.gov>. For copies of agenda material, please contact Amy Vega at (702) 759-0533. In addition, handouts will be available at each hearing date and time.**

NOTE: Disabled members of the public who require special accommodations or assistance at the hearing are requested to notify Amy Vega at the Southern Nevada Health District by calling (702) 759-0533.