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

AGENDA

Southern Nevada Health District
280 South Decatur Boulevard, Las Vegas, Nevada
WebEx Hearing – Calico Hills Room
9:00 AM – Thursday, January 14, 2021

NOTICES:

1. This meeting is being conducted consistent with the Governor's March 22, 2020; Declaration of Emergency Directive 006 as extended by the Governor's March 31, 2020 Declaration of Emergency Directive 010

From a computer, use the Webex Event Link:

<https://snhd.webex.com/snhd/onstage/g.php?MTID=e9baa43312d3d444a12041538ac7baab7>

Event password: SGgb55S9EwD

To call into the meeting: dial (415) 655-0001 and enter Access Code: 126 400 0868

For other governmental agencies who use video conferencing capability the Video Address is:

1264000868@snhd.webex.com

2. 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. **BRNV, LLC** – NOV #SW20-1527/C6- For failure to comply with the Order issued by the Solid Waste Management Authority on July 2, 2020. **(for possible action)**

Proposed Penalties/ 1) \$1,000.00

Corrective Action: 2) Removal and proper disposal of waste.

2. **Jeffrey Sellinger d.b.a. Affordable Backhoes** – NOV #SW20-1447/13- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about June 9, 2020; 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon public right of way located west of the intersection of South Edmund Street and West Diablo Drive, Clark County, Nevada on or about June 9, 2020; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on June 10, 2020. **(for possible action)**

Proposed Penalties/ 1) \$1,000.00

Corrective Action: 2) \$1,000.00

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.

3. **Jeffrey Sellinger d.b.a. Affordable Backhoes** – NOV #SW20-1452/13- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about June 10, 2020; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste public right of way located west of the intersection of West Martin Avenue and South Valley View Boulevard, Clark County, Nevada on or about June 10, 2020. **(for possible action)**

Proposed Penalties/ 1) \$1,000.00

Corrective Action: 2) \$1,000.00

3) Provide proof of 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.

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.

4. **Jeffrey Sellinger d.b.a. Affordable Backhoes** – NOV #SW20-1484/13- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about June 16, 2020; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located east of 6421 West Post Road, Clark County, Nevada on or about June 16, 2020. **(for possible action)**

Proposed Penalties/ 1) \$1,000.00

Corrective Action: 2) \$1,000.00

3) Provide proof of 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.

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.

5. **NASDAQ5 LLC** – NOV #SW20-1481/P9- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about June 16, 2020; 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 4480 West Spring Mountain Road, Clark County, Nevada on or about June 16, 2020; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on June 19, 2020. **(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.

5) 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. **Yosleidys Dominguez** – NOV #SW21-080/G4- 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, 2020; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at Charleston Gardens Apartments at 4860 East Charleston Boulevard, Las Vegas, Clark County, Nevada on or about July 19, 2020. **(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. **Julia Elizabeth Morales** – NOV # SW21-078/32- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about July 1, 2020; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 4860 East Charleston Boulevard, Las Vegas, Clark County, Nevada on or about July 1, 2020. **(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.

8. **Shalita Hines** – NOV #SW20-990/32- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about February 10, 2020; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the flood channel located south of 1404 North Sandhill Road, Las Vegas, Clark County, Nevada on or about February 10, 2020. **(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.

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.

- 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. **Jennifer Lynn Clark** – NOV #SW21-077/32- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about July 1, 2020; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at Charleston Gardens Apartments at 4860 East Charleston Boulevard, Clark County, Nevada on or about July 1, 2020. **(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.

2. **Rodrigo C. Perez and Patricia Ann Perez** – NOV #SW20-1331/G4- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about May 4, 2020; and 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 May 4, 2020. **(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.

3. **Nelson Dary Valiente Flores** – NOV #SW21-190/G4- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about August 10, 2020; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at Charleston Gardens Apartments at 4860 East Charleston Boulevard, Las Vegas, Clark County, Nevada on or about August 10, 2020. **(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.

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) MESQUITE CITY HALL, 10 E. Mesquite Boulevard, Mesquite, NV; and 6) 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.