



NYE COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM REQUEST FORM

Department: Public Works	Meeting Date:
Category: Regular Agenda Item	February 4, 2025
Prepared by: Public Works	Phone: (775) 751-6262
Presented by: Thomas Bolling	Phone: (775) 751-6262
Action requested: (Include what, with whom, when, where, why, and terms)	
<p>Discussion and deliberation to:</p> <p>a. Presentation on the Landfill Fee Fund and the potential budget improvements associated with adopting Nye County Resolution No. 2025-01: A Resolution amending the schedule of fees in Nye County Code Title 8, Health and Safety, Chapter 24, Solid Waste Management, including Sections 240, 440, and 580 related to disposal, application, monitoring, and load fees; and</p> <p>b. Adopt, amend and adopt, or reject Nye County Resolution No. 2025-01: A Resolution amending the schedule of fees in Nye County Code Title 8, Health and Safety, Chapter 24, Solid Waste Management, including Sections 240, 440, and 580 related to disposal, application, monitoring, and load fees.</p>	
Complete description of requested action: (Include, if applicable, background, impact, long-term commitment, existing county policy, future goals, obtained by competitive bid, accountability measures)	
<p>A. Presentation and discussion regarding the current budget shortfall of approximately \$736,000.00 in the Landfill Fee Fund. The shortfall is due to increased costs associated with landfill operation contracts, landfill cell excavation costs, higher financial assurance requirements for landfill closure/post closure, equipment replacement, inflation, and the parcel fee remaining relatively unchanged since 2002. The Landfill Fee Fund is projected to run out of funds in Fiscal Year 2027-2028 if no corrective action is taken.</p> <p>B. Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2025-01, which proposes amendments to the schedule of fees outlined in Nye County Code Title 8, Health and Safety, Chapter 24, Solid Waste Management.</p> <p>The proposed resolution includes an increase to residential and vacant parcel fees by \$5 per year. Commercial properties will be categorized into 5 classes (L, ML, M, MH, & H). Each class will be charged at a different rate per square foot with a minimum charge of \$35.00 for each parcel. These changes aim to address the current budget deficit, ensure the continued operation of existing landfill facilities, and plan for future landfill expansions, as the Pahrump Landfill is projected to reach capacity within the next 15 years.</p>	
Recommendation:	
Staff recommends adopting Resolution.	

Financial Impact

Cost:	Fund Name:	Fund #:
Budgeted: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	FY:	<input type="checkbox"/> One-Time <input type="checkbox"/> Recurring
Comments:		

Review & Approval

Legal Review Required: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Legal Approval Received: <input checked="" type="checkbox"/>	Date: 1/23/25
Financial Review Required: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Submitted to Finance: <input type="checkbox"/>	Date:
Administrative Manager Review: <input checked="" type="checkbox"/>	Place on Agenda: <input checked="" type="checkbox"/>	Initials: ST

Item # 11

NYE COUNTY RESOLUTION 2025-01

“ADDRESSING CHALLENGES AND ENSURING
SUSTAINABILITY FOR OUR SOLID WASTE
MANAGEMENT SYSTEM.”





INTRODUCTION

Proper management and maintenance of Nye County's landfills are essential for protecting public health, preserving the local environment, and supporting the long-term growth of our community.

This presentation highlights the importance of addressing critical operational needs, enhancing efficiency, and maintaining compliance with Federal and State regulations.

By taking proactive measures today, we can ensure a sustainable, well-managed solid waste system that meets community needs and supports Nye County's future development.

BACKGROUND

Nye County has three active landfills and 4 transfer bin stations. The landfills are in Pahrump, Tonopah, and Round Mountain and the bin stations are in Belmont, Manhattan, Amargosa Valley, and Beatty. These are all funded through the Landfill Fee Fund.

Currently, residential single-family homes pay \$30.00 per year, Multifamily pays \$30.00 for the first dwelling unit and \$15.00 for each additional dwelling unit per year, and Businesses pay \$30.00 plus \$30.00 for each rentable unit per year.

The Current Challenge

The Landfill Fee Fund is currently operating at a cash flow deficit, prompting Nye County to engage SCS Engineers to conduct a comprehensive financial analysis. As part of their assessment, SCS Engineers provided recommendations for adjusting parcel charges and tipping fees to better align with practices and rates observed in other municipalities.

This deficit stems from increasing costs associated with landfill operating contracts, landfill cell excavation costs, equipment maintenance and replacement, staffing, permitting compliance, and closure/post closure monitoring fees. If adjustments are not made, the waste management system faces significant challenges, including ongoing financial shortfalls, increased environmental risks, potential fines from the Nevada Division of Environmental Protection (NDEP), and the possibility of operational shutdowns.

Proactive measures are necessary to ensure the system's financial sustainability, maintain regulatory compliance, and safeguard public health and the local environment.



Pictured: Tonopah Landfill

NYE COUNTY RESOLUTION 2025-01

FEE STUDY KEY POINTS

Study Objectives:

- Perform a 10-year revenue sufficiency analysis for County landfill operations to establish the landfill's revenue needs to meet its cost requirements.
- Create a long-term financial plan. This plan should satisfy operating and capital requirements, maintain adequate operating reserves, and minimize rate increases to customers.
- Calculate a methodology for a parcel charge and tipping fee adjustments that could generate sufficient revenue to meet these cost requirements.

Recommendations:

- Nye County's current landfill tipping fees are not sufficient to fund its ongoing operations, capital, and reserve requirements without the need for revenue increases.
- Nye County should update its parcel charges.
- Nye County should consider adopting the recommended tipping fees.
- Nye County should evaluate its financial standing every 1-2 years to ensure that the recommended plan continues to be sufficient to fund County operations while meeting all its financial policies and goals.

TIMELINE OF LANDFILL FEES

Established basic fees for residential and commercial waste disposal, \$4.00 per month for curbside pickup, and tipping fees for truck loads.

1974

Landfill maintenance fees are increased, with varying rates based on property types and unit counts. Increased parcel fees to \$18 per parcel + \$5 per additional units.

1998

Fees remained relatively stable, with minimal adjustments in the rates for various waste types.

2007

Introduction of permit fees for solid waste management, including charges for haulers licenses, and added tipping fees for different waste categories. \$12 per parcel + \$5 per additional units.

1994

Several fees are adjusted upwards, including those for solid waste haulers, and increased parcel fees to \$30 per parcel + \$5 per additional units.

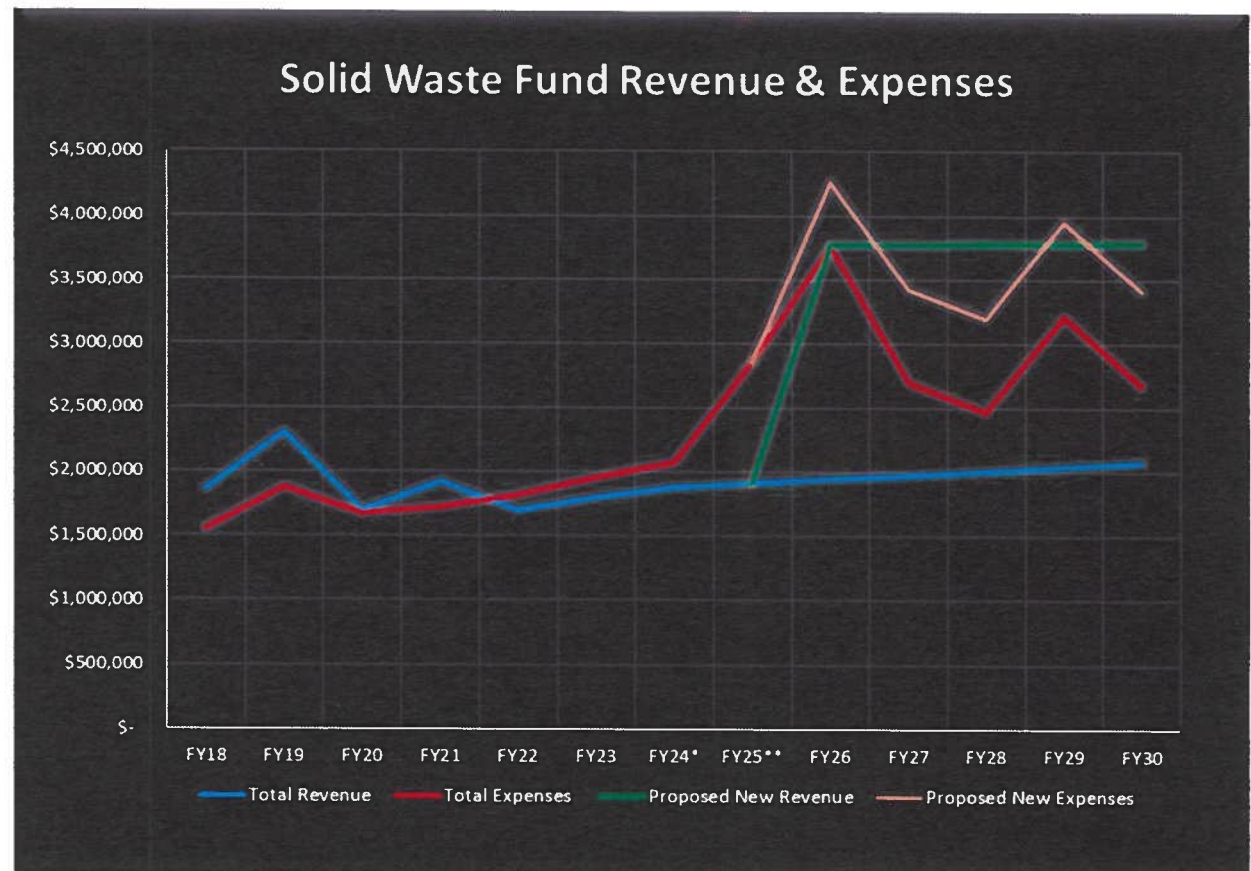
2002

Notable increase for hauler license fees, load fees for hazardous materials, and waste disposal rates. Additional unit fees adjusted to reflect unit type and number.

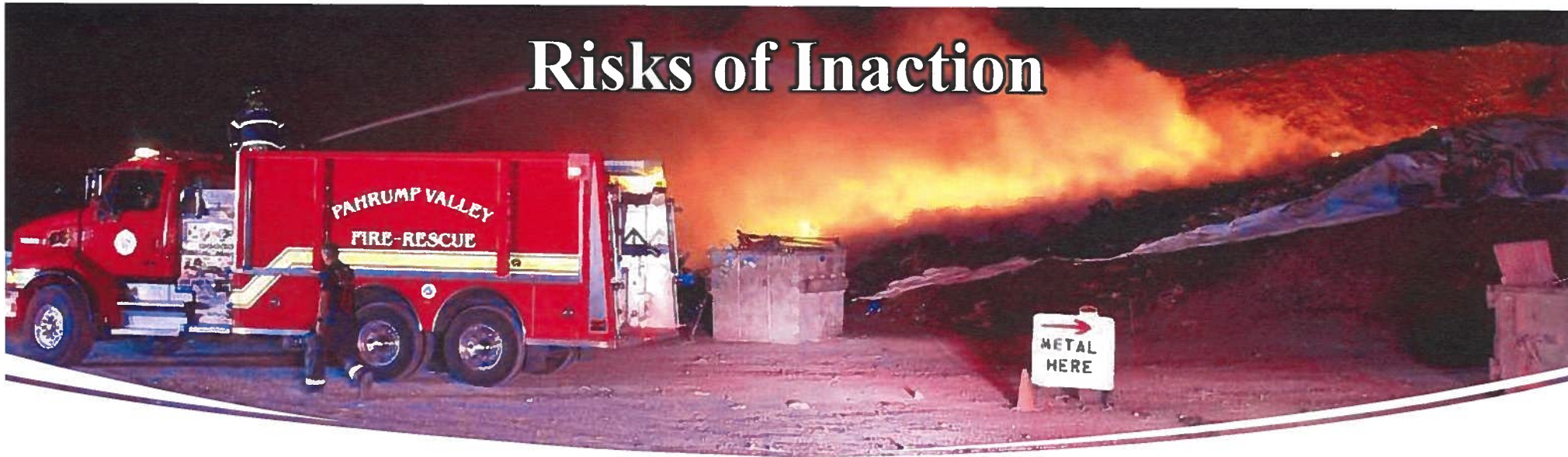
2017

FINANCIALS

- Expenses have been outpacing revenue since Fiscal Year 2022.
- The current fund balance is estimated to be depleted by Fiscal Year 2027/2028 if fees aren't increased.
- Existing equipment is very old and requires constant maintenance. Parts are increasingly difficult to find.
- Replacement equipment for the landfill is very expensive.
- Operation contract costs will continue to increase annually.
- Existing and future expansions will increase expenses even more. The Pahrump Landfill has approximately 15 years of site life.



Risks of Inaction



Financial Risks

Increased Cleanup Costs: Remediation of any environmental damage from a poorly managed landfill is expensive and can strain municipal budgets.

Regulatory Fines: Failing to meet environmental compliance regulations will result in fines and legal penalties from state or federal agencies.

Long-Term Liability: Municipalities may face lawsuits or claims from affected residents or businesses for health or property damage.

Operational Risks

Capacity Overruns: Inadequate funding will prevent expansion and timely upgrades, leading to the landfill reaching capacity sooner than expected.

Safety Hazards: Lack of proper equipment, staffing, training, and safety protocols can result in accidents or fires at the landfill site.

Environmental Risks

Groundwater Contamination: Landfill leachate can contaminate nearby groundwater posing risk to the drinking water supply and ecosystems.

Air Pollution: Poor management can lead to the release of harmful gases such as methane, and unpleasant odors that can affect nearby communities.

Soil Degradation: Toxic substances from waste can leach into the soil, reducing its fertility and usability for the future after closure.

STAKEHOLDER IMPACT

- There are approximately 61,749 residential and vacant parcels. The parcel charge will increase from \$30.00 per year to \$35.00 per year.
- There are approximately 14,563 Commercial properties that will be categorized into 5 classes (L, ML, M, MH, & H). Each class will be charged at a different rate per square foot with a minimum charge of \$35.00 for each parcel.
- The total proposed revenue from this increase is split approximately 23% from commercial properties and 77% from residential and vacant properties. This distribution reflects the proportion of waste generation, and the corresponding fees attributed to each category. For example, residential and vacant properties will see a modest \$5 annual increase, while commercial properties' annual fees will vary based on their square footage and waste generation category. This approach ensures that the revenue increase is fairly allocated based on usage and helps balance the financial burden across different property types.
- Constituents will have the ability to dispute the number of dwelling units, developed square footage, or parcel use that is being used to charge the fee.





WHAT DOESN'T THIS FEE INCREASE INCLUDE?



**PAHRUMP
LANDFILL SCALE
PROJECT (\$600K)
OR NEW LANDFILL
CELL EXCAVATION**



**NEW LANDFILL
LOCATION OR
FUTURE
EXPANSION**



**FUTURE
CLOSURE/POST
CLOSURE
FUNDING
REQUIREMENTS**



**ANY OTHER
CAPITAL
PURCHASES OR
NEW HIRES NOT
OUTLINED IN THE
FEE STUDY**



CONCLUSION

Passing this resolution to increase landfill revenue is vital to ensuring the effective management and maintenance of Nye County's landfills. Without adequate funding, we cannot meet the growing solid waste management demand, stay in compliance with environmental regulations, or protect public health and safety.

By adopting this resolution, we position Nye County to achieve several important goals:

Enhance Operational Efficiency: This funding will provide the resources needed to upgrade equipment, improve landfill operations, and ensure timely waste processing and disposal.

Protect Environmental Integrity: With these funds, we can implement measures to prevent contamination, reduce emissions, and support sustainable waste management practices.

Ensure Long-Term Sustainability: As our community grows, we must plan for future waste needs, maintain our current landfills, and expand or re-site facilities when necessary.

Improve Safety and Compliance: Proper funding allows us to equip our personnel with the tools and training required to operate safely and meet all regulatory standards, avoiding costly fines and legal risks.

Foster Community Trust: A well-managed waste system shows our commitment to the community's well-being, protects property values, and ensures public confidence in our operations.

Landfill management is not a one-time effort—it's an ongoing responsibility that evolves as our community grows. This resolution represents an initial step, but it's important to recognize that fees will be re-evaluated in a couple of years to ensure they align with operational needs and reflect changes in growth, waste volume, and costs.

This resolution is essential to building a well-funded, sustainable waste management system that meets both the current and future needs of Nye County. By taking this step, we are investing in the health, safety, and quality of life for our community.

NYE COUNTY RESOLUTION NO. 2025-01

A RESOLUTION AMENDING AND ENACTING THE SCHEDULE OF FEES REQUIRED BY NYE COUNTY CODE TITLE 8, TITLE HEALTH AND SAFETY, CHAPTER 24, TITLED SOLID WASTE MANAGEMENT, SECTIONS 240: FEES FOR DISPOSAL OF SOLID WASTE AT FACILITIES.

WHEREAS, on July 18, 2017 the Nye County Board of County Commissioners amended Title 8, titled Health and Safety, Chapter 8.24, titled Solid Waste Management, which said chapter places fee requirements to be adopted by Resolution; and

WHEREAS, on August 1, 2017 the Nye County Board of County Commissioners amended and enacted the schedule of fees in Title 8, Chapter 24 Section 240: Fees for Disposal of Solid Waste Facilities; and

WHEREAS, Title 8, Chapter 24 Section 240 Subsection B allows the Nye County Board of County Commissioners to amend the schedule of fees and penalties from time to time as deemed necessary or advisable by resolution; and

WHEREAS, the schedule of fees shall be amended and set by resolution;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF NYE COUNTY, NEVADA:

1. That the schedule of fees required by Nye County Code Title 8, Chapter 24 Section 240: Fees for Disposal of Solid Waste at Facilities are hereby amended and shall be collected per the schedule of fees as shown in the attached "Exhibit A", which is incorporated herein by reference.

APPROVED this 4th day of February, 2025.

NYE COUNTY BOARD OF
COUNTY COMMISSIONERS:

ATTEST:

Ron Boskovich, Chairman

Cori Freidhof, Nye County Clerk
and Ex-Officio Clerk of the Board

Exhibit A

Title 8 Chapter 24 Section 240 Fee Schedule for Disposal of Solid Waste at Facilities:

A. Solid Waste Hauler Fee:

An annual license fee shall be paid by each solid waste hauler operation within Nye County, other than the Franchisee, as follows:

1. Solid waste hauler license Local: \$250.00/year
 Out of County: \$1,000.00/year
2. Vehicle License \$100.00/year for each vehicle used by a solid waste hauler

B. Landfill Maintenance Fee: An annual landfill maintenance fee shall be assessed against each taxing parcel in Nye County, for the purpose of maintaining, permitting, and closing landfills owned and/or managed by Nye County.

1. Fees Included on Annual Tax Bills: The annual landfill maintenance fees shall be appended to or otherwise included on the annual tax bills sent to owners of real property by the Nye County Assessor.
2. Annual Fees: The following annual landfill maintenance fees shall be assessed:

Vacant & Residential Properties:		\$35.00 per dwelling (including single family, duplexes, and apartments)
Commercial Properties:		
Waste Categories Based on Pounds of Waste Generated per Square Foot per Year		
Low (L)		0-2 lbs/sf/yr
Medium Low (ML)		2-4 lbs/sf/yr
Medium (M)		4-6 lbs/sf/yr
Medium High (MH)		6-8 lbs/sf/yr
High (H)		Greater than 8 lbs/sf/yr
Class		Equivalent Waste Generation Unit (Rounded)
L		1.00
ML		1.80
M		3.30
MH		4.70
H		12.50
Waste Generation Category		Rate Per Square Foot*

L	\$0.0016
ML	\$0.0029
M	\$0.0053
MH	\$0.0075
H	\$0.0200
*Minimum charge of \$35.00 per property	

C. Tipping Fees: Except as provided in Section 8.24.250 of this Chapter, at any sanitary landfill or transfer station operated by Nye County, or its authorized representative, for which a person is employed to control access and use, the following tipping fees shall be charged:

Billed Waste	In-County Tipping Fee	In-County Tipping Fee (per Cubic Yard)	Out-of-County Tipping Fee	Out-of-County Tipping Fee (per Cubic Yard)
MSW (Ton)	50.00	7.50	100.00	15.00
C&D (Ton)	50.00	7.50	100.00	15.00
Sludge (Ton)	50.00	7.50	100.00	15.00
Medical Waste (Ton)	150.00	22.50	300.00	45.00
Yard Waste (Ton)	27.00	4.00	54.00	8.00
Tires				
Tires – Car Tire (Each)	5.00		10.00	
Tires – Large Truck Tire (Each)	20.00		40.00	
Tires – Loader Tire (Each)	110.00		220.00	
Tires – Earthmover Tire (Each)	220.00		440.00	
Tires – Mining Tire (Each)	440.00		880.00	
Tires (Ton)	355.00	53.25	710.00	106.50
Dead Animals				
Dead Animals <100 lbs (Each)	10.00		20.00	
Dead Animals >100 lbs (Each)	50.00		100.00	
Dead Animals (Ton)	200.00	30.00	400.00	60.00
Appliances (Each)				

1	Appliances with Freon	50.00	100.00
2	Appliances without Freon	25.00	50.00
3	Mattresses (Each)		
4	Twin	2.00	4.00
5	Full/Queen	4.00	8.00
6	King	6.00	12.00
7	Pillowtop of any size	6.00	12.00
8	Memory foam	10.00	20.00
9	Mobile Homes/Campers (Each)		
10	Singlewide	400.00	800.00
11	Doublewide	800.00	1600.00
12	Camper	200.00	400.00
13	Other Large Items (Each)		
14	Bulky Items	25.00	50.00

1. A person who disposes of solid waste at the landfill must provide proof of residency in Nye County to be eligible for in-county fees set forth above.
2. For any load of waste that is:
 - a) Comprised entirely of a single waste category described above, the corresponding base charge applies.
 - b) Comprised of two or more waste categories identified above, the highest corresponding base charge applies.

Title 8 Chapter 24 Section 440 Fee Schedule for Application, Monitoring and Loading Fees:

- A. Application Fee:** Each applicant for a hazardous waste permit shall pay an application fee sufficient to reimburse Nye County for all costs of processing the application, as follows:

Per application	\$1,500.00
Annual renewal fee	\$500.00

The application fee shall be in addition to any fees for expert evaluation, collected pursuant to section 8.24.420 of this article.

- B. Monitoring Fee:** Each facility importing, receiving and/or disposing of hazardous waste in the Nye County shall pay a monitoring fee sufficient to reimburse the Nye County for all costs of monitoring that facility. The monitoring fee may be waived by the Board of County Commissioners if State regulation and monitoring is deemed sufficient to protect the public health, safety, and welfare.

1 **C. Load Fee:** Each person or entity holding a hazardous waste permit shall collect and remit to Nye
2 County a fee for each load of hazardous waste imported to, received by and/or disposed of at the
3 permittee's facility, as follows:

All hazardous materials	\$1.40 per ton
All other wastes received	\$0.63 per ton

5 The facility importing, receiving and/or disposing of the hazardous wastes shall collect the load fee
6 and, on a monthly basis, shall remit the same to the Nye County Treasurer. Both of these fee
7 schedules shall be adjusted annually per the CPI (with a 5% maximum cap).

7 **D. Existing Facilities Waiver:** The Board of County Commissioners may waive all or a portion of the
8 fees and/or application procedures provided for in this Section for facilities in existence at the time
9 this Chapter is enacted. (Ord. 279 § 1, 2004)

9 **Title 8 Chapter 24 Section 580 Fee Schedule for Application, Monitoring and Loading Fees:**

10 Three (3) types of fees hereby are imposed upon private landfills, recycling facilities and other private
11 disposal or storage facilities which import, receive and/or dispose of solid waste in Nye County, as
12 follows:

13 **A. Application Fee:** Each applicant for a solid waste permit shall pay an application fee sufficient to
14 reimburse Nye County for all costs of process the application, as follows:

Per application	\$1,500.00
Annual renewal fee	\$500.00
Annual renewal fee, Class 3 mining landfills	\$250.00

16 The application fee shall be in addition to any fees for expert evaluation, collected pursuant to
17 Section 8.24.550 of this Article.

18 **B. Monitoring Fee:** Each private landfill, recycling facility, or other private disposal or storage
19 facility for solid waste located in Nye County shall pay a monitoring fee sufficient to reimburse
20 Nye County for all costs of monitoring that facility. The monitoring fee may be waived by the
21 Board of County Commissioners, if State regulation and monitoring is deemed sufficient to protect
22 the public health, safety, and welfare.

22 **C. Load Fee:** Each person or entity holding a solid waste permit shall collect and remit to Nye County
23 a fee for each load of solid waste imported to, received by and/or disposed of at the permittee's
24 facility, as follows:

Hazardous materials	\$50.00 per truckload
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1 The facility importing, receiving and/or disposing of the solid wastes shall collect the load fee and,
2 on a monthly basis, remit the same to the Nye County Treasurer.

3 **D. Waiver:** The Board of County Commissioners may waive all or a portion of the fees and/or
4 application procedures provided for in this Section for facilities in existence at the time this Chapter
5 is enacted. (Ord. 164, 1994)
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