



togetherforbetter

Annotated Agenda
Clark County Air Pollution Control Hearing Board
Clark County Building Department
Presentation Room
4701 West Russell Road
Las Vegas, NV 89118

February 4, 2026 – 1:30 PM

Note:

- Items on the agenda may be taken out of order.
- The Air Pollution Control Hearing Board may combine two (2) or more agenda items for consideration.
- The Air Pollution Control Hearing Board may remove an item from the agenda or delay discussion relating to an item at any time.
- No action may be taken on any matter not listed on the posted agenda.
- Please turn off or mute all cell phones and other electronic devices.
- Please take all private conversations outside the room.
- With a forty-eight (48) hour advance request, a sign language interpreter or other reasonable efforts to assist and accommodate people with physical disabilities, may be made available by calling (702) 455-0354, TDD at (702) 385-7486, or Relay Nevada toll-free at (800) 326-6868, TD/TDD
- Supporting material provided to the Board members for this meeting may be requested from Sherrie Rogge, Administrative Secretary, aqenforcement@clarkcountynv.gov or (702) 455-0354.
- Supporting material is also available at the Clark County Department of Environment & Sustainability, 4701 West Russell Road, 2nd Floor, Las Vegas NV 89118.
- Supporting material is/will be available on the Department's website at:
https://www.clarkcountynv.gov/government/departments/environment_and_sustainability/compliance/enforcement-notices

Hearing Board Members	Daniel Sanders, Chair Ryan L. Dennett, Esq., Vice-Chair (Absent) Daniel Bartlett Donald Bordelove (Joined via MS Teams) Troy Hildreth Amy Lahav (Absent)
Hearing Board Counsel	Nichole Kazimirovicz
Air Quality Staff	Marci Henson, Director Shibi Paul, Deputy Director Anna Sutowska, Compliance Manager
Department Counsel	Timothy J. Allen
Administrative Secretary	Sheenaleigh Lucas, Phone: 702-455-5942; Email: aqenforcement@clarkcountynv.gov Business Address: Clark County Department of Environment & Sustainability, 4701 W. Russell Road, 2 nd Floor, Las Vegas NV 89118

1. **CALL TO ORDER** 1:30 p.m.

2. **PUBLIC COMMENT**
NONE

3. **APPROVAL OF MINUTES**
Approval of December 3, 2025 meeting minutes.
(For possible action)

ACTION: APPROVED MINUTES OF DECEMBER 3, 2025, MEETING AS RECOMMENDED

BY: Board Member Hildreth

SECOND: Board Member Bartlett

VOTE: 4-0

VOTING AYE: Daniel Sanders, Daniel Bartlett, Donald Bordelove, Troy Hildreth

VOTING NOE: None

ABSENT: Ryan Dennett, Amy Lahav

4. **ACCEPT HEARING BOARD ORDERS**

Review competing hearing board orders from hearing conducted on December 3, 2025, in the matter of Notice of Violation #10161 issued to Tonopah & Tidewater Railroad Co., Environmental Transportation of Nevada, LLC d/b/a ETON, and Mitchell Truman (Assessor's Parcel Numbers 161-07-103-014, 161-07-103-015, and 161-07-103-016), and decide which proposed orders, or parts thereof, to accept.
(For possible action)

ATTORNEY RUSSELL GUBLER, REPRESENTATIVE FOR APPELLANTS, WAS NOT IN ATTENDANCE, BUT HAD SUBMITTED A COMPETING HEARING BOARD ORDER FOR CONSIDERATION BY THE BOARD.

ACTION: APPROVED THE HEARING BOARD ORDER IN ITS ORIGINAL FORM, AS SUBMITTED BY AIR QUALITY, FROM THE DECEMBER 3, 2025 MEETING IN THE MATTER OF NOTICE OF VIOLATION #10161 ISSUED TO TONOPAH & TIDEWATER RAILROAD CO., ENVIRONMENTAL TRANSPORTATION OF NEVADA, LLC d/b/a ETON, AND MITCHELL TRUMAN.

BY: Board Member Sanders

SECOND: Board Member Bartlett

VOTE: 4-0

VOTING AYE: Daniel Sanders, Daniel Bartlett, Donald Bordelove, Troy Hildreth

VOTING NOE: None

ABSENT: Ryan Dennett, Amy Lahav

5. **APPEAL OF HEARING OFFICER DECISION**

A. PALM PROPERTIES, LLC AND ROBERT LAUER (APNs: 161-08-810-082 and 161-08-810-083)

NOV #10150 – On July 17, 2025, the Hearing Officer found Palm Properties, LLC and Robert Lauer, individually, in violation of Section 92.3.1 for operating an unpaved parking lot/storage yard on the property from January 9, 2025, through February 7, 2025, as identified by Air

Quality Specialist Allan Gutierrez while performing a routine inspection on September 18, 2024, and follow-up inspections on November 19, 2024, December 5, 2024, and January 9, February 24, and March 18, 2025, at the unpaved parcels of land (Assessor's Parcel Numbers 161-08-810-082 and 161-08-810-083) located at 3125 South Nellis Boulevard, in Clark County, Nevada. The Hearing Officer assessed a penalty amount of \$7,500.00. Respondents appealed.

Continued from 12/3/2025

Conduct Hearing and Render Decision
(For possible action)

B. PALM PROPERTIES, LLC AND ROBERT LAUER (APNs: 161-08-810-082 and 161-08-810-083)

NOV #10163 – On July 17, 2025, the Hearing Officer found Palm Properties, LLC and Robert Lauer, individually, in violation of Section 92.3.1 for operating an unpaved parking lot/storage yard on the property from February 8, 2025, through March 9, 2025, as identified by Air Quality Specialist Allan Gutierrez while performing follow-up inspections on January 9, February 24, March 18, April 2, May 6, and May 27, 2025, and a complaint investigation on April 15, 2025, at the unpaved parcels of land (Assessor's Parcel Numbers 161-08-810-082 and 161-08-810-083) located at 3125 South Nellis Boulevard, in Clark County, Nevada. The Hearing Officer assessed a penalty amount of \$7,500.00. Respondents appealed.

Continued from 12/3/2025

Conduct Hearing and Render Decision
(For possible action)

Attorney Amy Sugden, representative for appellants, requested that the Board consolidate the two appeals as they relate to the same property and same violation on different days. The Board agreed.

Air Quality submitted Exhibit AA - NOFA Request APNs email from Jennifer Ammerman dated May 21, 2025, as additional evidence.

ACTION: DENIED THE APPEALS. AFFIRMED THE HEARING OFFICER ORDERS IN THE MATTER OF NOVS #10150 AND #10163 AS THEY RELATE TO THE FINDINGS OF VIOLATION.

BY: Board Member Sanders

SECOND: Board Member Bartlett

VOTE: 4-0

VOTING AYE: Daniel Sanders, Daniel Bartlett, Donald Bordelove, Troy Hildreth

VOTING NOE: None

ABSENT: Ryan Dennett, Amy Lahav

ACTION: MODIFIED THE HEARING OFFICER ORDERS AS TO THE PENALTY ASSESSED. AN ADMINISTRATIVE PENALTY OF FIFTEEN THOUSAND AND NO/100 DOLLARS (\$15,000.00) WAS ASSESSED IN THE MATTER OF NOV #10150. AN

ADMINISTRATIVE PENALTY OF FIFTEEN THOUSAND AND NO/100 DOLLARS (\$15,000.00) WAS ASSESSED IN THE MATTER OF NOV #10163 WITH THE FULL AMOUNT OF \$15,000.00 TO BE HELD IN ABEYANCE FOR 180 DAYS. IF APPELLANTS SUFFICIENTLY PAVE THE PROPERTY OR DISCONTINUE USE OF THE PROPERTY AS AN UNPAVED PARKING LOT OR STORAGE YARD BY AUGUST 3, 2026, THE PENALTY THAT IS HELD IN ABEYANCE SHALL BE WAIVED. IF APPELLANTS CONTINUE TO USE THE PROPERTY AS AN UNPAVED PARKING LOT OR STORAGE YARD AFTER AUGUST 3, 2026, THE PENALTY THAT IS HELD IN ABEYANCE WILL BE DUE.

BY: Board Member Sanders
SECOND: Board Member Hildreth
VOTE: 4-0
VOTING AYE: Daniel Sanders, Daniel Bartlett, Donald Bordelove, Troy Hildreth
VOTING NOE: None
ABSENT: Ryan Dennett, Amy Lahav

6. **REPORT BY DEPARTMENT OF ENVIRONMENT & SUSTAINABILITY STAFF**
General update.

REPORT RECEIVED

7. **IDENTIFY EMERGING ISSUES TO BE DISCUSSED BY THE BOARD AT A FUTURE MEETING**

NONE

8. **PUBLIC COMMENT**

NONE

9. **ADJOURNMENT** 3:58 p.m.

The Presentation Room is accessible to individuals with disabilities. Within forty-eight (48) hour advanced request, a sign language interpreter may be made available by contacting (702) 455-0354 or TDD (702) 385-7486 or Nevada Relay toll-free (800) 326-6868, TT/TDD. Assistive listening devices are available upon request.

This meeting has been properly noticed and posted online at: https://www.clarkcountynv.gov/government/departments/environment_and_sustainability/compliance/hearings-notice and Nevada Public Notice at <https://notice.nv.gov/> and in the following location:

Clark County Operations Center, West, 4701 W. Russell Road, Las Vegas, Nevada (Principal Office)