

# CLARK COUNTY BOARD OF COMMISSIONERS

## AGENDA ITEM

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**Petitioner:** Denis Cederburg, Director of Public Works

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**Recommendation:**

**Approve and authorize the Clark County Department of Public Works to use County snowplow equipment on the private road of Yellow Pine Avenue located in the unrecorded subdivision of Old Town in Kyle Canyon (Mount Charleston, Nevada) to provide access to Lundy Elementary School, on school days when school is in session, as deemed necessary by Public Works Road Division. (For possible action)**

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**FISCAL IMPACT:**

Fund #:	2020.000	Fund Name:	Road Fund
Fund Center:	1260210000	Funded PGM/Grant:	N/A
Amount:	TBD		
Description:	Snow Plow Activities: Yellow Pine Ave - Kyle Canyon/Mount Charleston		
Additional Comments:	N/A		

**BACKGROUND:**

Yellow Pine Avenue provides access to Lundy Elementary School within the unrecorded Old Town subdivision in Kyle Canyon (Mount Charleston, Nevada). Most subdivisions in the Mount Charleston area have public roads that are maintained by Clark County Department of Public Works. Yellow Pine Avenue has been privately owned since the subdivision was created in the 1950s. Private roads are not maintained by Clark County, but the owner of the road parcel has refused to provide the necessary maintenance or snowplowing. In the past there has been a desire by some neighborhood residents for the County to accept dedication of Yellow Pine Avenue. However, there was not unanimous agreement among the affected property owners, and bringing the road up to County right-of way standards is nearly impossible due to the narrow width and intrusions of buildings and trees into the roadway.

In 1975 a cooperative agreement was executed between Clark County and Clark County School District (CCSD) regarding the expansion of the school in which the County agreed "maintenance to and snow removal from" the access road to the school. It is undetermined whether this agreement is still in effect; however, in order to provide safe access to Lundy Elementary School, it has been the practice of Clark County to provide plowing of Yellow Pine Avenue. Nevada Revised Statute 244.273 provides that the Board of County Commissioners may authorize the use of County equipment (snowplows) on private roads if the Board deems such use to be in the best interest of the County in the absence of a contractor that is licensed to perform the work. Such use is deemed to be in the best interest of the County if the equipment is being used for routine County business in the area where the private roads are located, and the use of the equipment on the private roads does not interfere with the normal operations of the County. County snowplows and other associated equipment are used to maintain other roads in the area and plowing Yellow Pine Avenue will not interfere with other County operations.

CCSD is supportive of the Board's action to authorize the snowplowing of Yellow Pine Avenue, as it will provide safe access to Lundy Elementary School for the students, parents, faculty, and visitors.

Cleared for Agenda

**10/18/2022**

File ID#

**22-1519**