



**NYE COUNTY
BOARD OF COMMISSIONERS MEETING
101 Radar Rd, Tonopah NV 89049
TUESDAY, October 4, 2011
10:00 AM**

**Gary Hollis, Chair
Lorinda Wichman, Vice-Chair
Joni Eastley, Commissioner
Butch Borasky, Commissioner
Dan Schinhofen, Commissioner
Sandra "Sam" L. Merlino, Ex-officio Clerk of the Board**

NOTE: Items on the agenda without a time designation may not necessarily be considered in the order in which they appear on the agenda. **NOTICE:** It is anticipated that the items of business before the Board of Commissioners on October 4, 2011 will be fully completed on that date. However, should item(s) not be completed, it is possible item(s) could be carried over and be heard before the Board of Commissioners beginning at 8:30 a.m. on the next day.

Public Comment during the Commission Meeting on October 4, 2011 will be for all matters, both on and off the agenda, and be limited to three minutes per person. Additionally, public comment of three minutes per person will be heard during individual action items. The Commission reserves the right to reduce the time or limit the total time allowed for public comment. The Commission may prohibit comment if the content of the comments is a topic that is not relevant to, or within the authority of, the Commission, or if the content of the comments is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive, inflammatory, irrational or amounting to personal attacks or interfering with the rights of other speakers. Persons are invited to submit comments in writing on the agenda items and/or attend and make comment on that item at the Commission meeting.

Pursuant to NRS 241.020, the Agenda for the Commission Meeting has been posted at the following locations. Tonopah Convention Center, 301 Brougner Avenue, Tonopah, NV; U.S. Post Office, 201 Erie Main St., Tonopah, NV; Commissioners' Meeting Room, 101 Radar Road, Tonopah, NV; District Court, 101 Radar Road, Tonopah, NV; The Ian Deutch Government Complex, 1520 East Basin Road, Pahrump, NV; Commissioners' Chambers, 2100 E. Walt Williams Drive, Pahrump, NV; Beatty Community Center, 100 A Avenue South Beatty, NV; Beatty Justice Court, 426 C Avenue South, Beatty, NV.

Support documentation for the items on the agenda, provided to the Nye County Board of Commissioners is available to members of the public at the County Manager's Office (101 Radar Road, Tonopah, Nevada & 2100 E. Walt Williams Drive, Pahrump, Nevada) and on the County's website.

WEBSITE: www.nyecounty.net

The Nye County Board of Commissioners may take a short break every 1 ½ hours.

In accordance with Federal law and U.S. Department of Agriculture policy, Nye County is prohibited from discriminating on the basis of race, color, national origin, sex, religion, age, or disability. (Not all prohibited bases apply to all programs.) To file a complaint of discrimination write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider, employer, and lender

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NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

October 4, 2011

Gary Hollis, Chair
Lorinda Wichman, Vice-Chair
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Dan Schinhofen, Commissioner
Sandra "Sam" Merlino, Ex-Officio Clerk of the Board

NOTE: All times are approximate except for bid openings, public hearings, and any other items agendized at a specific time. Action may be taken on all items except where otherwise indicated. Items not scheduled for a specific time may be considered at any time and in any order.

Special Note: Any member of the public who is disabled and requires accommodation or assistance at this meeting is requested to notify the Nye County Manager's Office in writing or call 775-482-8191 prior to the meeting.

Please note: Blue text that is underlined indicates items are linked to supporting documentation

NOTICE OF TIMED AGENDA ITEMS

- 10:00 a.m. Presentation of certificate and/or plaques to six (6) employees honored for their years of service
- 10:15 a.m. Recess to the Nye County Board of Road Commissioners (Agenda Attached)
- 10:30 a.m. Recess to the Nye County Licensing and Liquor Board (Agenda Attached)

NYE COUNTY BOARD OF COMMISSIONERS

- 1 Pledge of Allegiance
- 2 Action - Approval of the Agenda for the Board of County Commissioners' meeting of October 4, 2011.
- 3 Action - Approval of Minutes of the Board of County Commissioners' meetings(s) for: August 16, 2011; Teleconference August 30, 2011; September 6, 2011; and September 19, 2011 Teleconference.
- 4 Awards and Presentations – 10:00 a.m.
- 5 Announcements (first)
- 6 GENERAL PUBLIC COMMENT (Three-minute time limit per person.) Action will not be taken on the matters considered during this period until specifically included on an agenda as an action item (first).
- 7 Action - Emergency Items
- 8 Action - Commissioners'/Manager's Comments (This item limited to announcements or topics/issues proposed for future workshops/agendas)
- 9 Consent Agenda Items
 - a. Action – Discussion of any item from the Consent Agenda Items that needs review before a decision is made.
 - b. Action – Approval of Elected Official Collection Report
 - c. Action – Approval of Assessor's Office Change Request – N/A

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

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- d. [Action](#) – Approval of Personnel Actions
- e. [Action](#) – Approval to accept a supplemental grant award from the State of Nevada, Aging and Disability Services Division to extend the end of the grant to December 31, 2010.
- f. [Action](#) – Approval of an increase to the Tyler project for software installation on all PCs in the County and can be funded from Fund 491 Capital Project PE1027.
- g. [Action](#) – Approval of Change Order No. 1 to the Professional Services Agreement with Stanley Consultants, Inc. for additional support tasks associated with the Dandelion Street improvement project in Pahrump and is budgeted from Fund 205 Roads.
- h. [Action](#) – Approval of the purchase of survey services to survey the Goldfinch area (Horse Heights) in Tonopah and is budgeted from Fund 205 Roads.
- i. [Action](#) – Approval to excess scrap metal materials from inoperable air conditioning units from the Pahrump Medical Center with proceeds to be placed in Fund 261 County Owned Building and Tonopah Jail with proceeds to be placed in Fund 491 Special Capital.
- j. [Action](#) – Approval to accept a Grant Award and Confidentiality addendum for congregate meals in Goldfield, Silver Peak and Fish Lake Valley, Esmeralda County from the Tonopah Senior Center.
- k. [Action](#) – Approval to accept a Grant Award and Confidentiality Addendum for home-delivered meals in Goldfield, Silver Peak and Fish Lake Valley, Esmeralda County from the Tonopah Senior Center.
- l. [Action](#) – Approval to accept a Grant Award and Confidentiality Addendum for congregate meals in Amargosa Valley, Beatty and Tonopah Senior Centers and match is budgeted from Fund 101 General.
- m. [Action](#) – Approval to accept a Grant Award and Confidentiality Addendum for home-delivered meals in Amargosa Valley, Beatty and Tonopah Senior Centers and match is budgeted from Fund 101 General.
- n. [Action](#) – Approval to accept a grant for a portion of the Director of Emergency Services salary and benefits. This grant will be administered out of Fund 247 and match is budgeted from Fund 101 General.
- o. [Action](#) – Approval to: 1) apply for a grant to provide for overtime on DUI enforcement and saturation patrols in Nye County. No match is required; and 2) accept grant.
- p. [Action](#) – Approval of a rental agreement for District Court furnishings in Pahrump and is not budgeted but can be funded from Fund 491 Capital Projects.
- q. [Action](#) – Approval of Change Orders to the contract with Mountain Vista Development, Inc. for additional work at the Pahrump District Court and is not budgeted but can be funded from Fund 491 Capital Projects.
- r. [Action](#) – Approval to repair the roof of the Beatty Old Ambulance Building and can be funded from the approved Project PE1013 from Fund 492 Settlement Agreement.
- s. [Action](#) – Approval for a letter of written consent to change ownership of the garbage collection services in Smoky Valley.

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- t. [Action](#) – Approval of Change Order No. 2 to the Professional Services Agreement with Nevada Geo-Tech, Inc. for Non-Invasive Inspection and Technical Testing at Jail Facility Project in Pahrump and can be funded from Fund 499 Bond Proceeds.
- u. [Action](#) – Approval of contract increase for professional services to continue professional services with White & Smith for Development Agreement review and is budgeted from Fund 101 General Fund.
- v. [Action](#) – Approval of Change Order No. 2 to the contract between Nye County and Nevada Health Centers, Inc. for an extension of services for one (1) month into Fiscal Year 2011-12 (new end date is October 30, 2011 and can be funded from Fund 260 County Health Clinics.
- w. [Action](#) – Approval of Change Order No. 1 to the contract with BT Conferencing Video, Inc. regarding the Tonopah Chambers video conferencing system and is not budgeted but can be funded from Fund 490 Capital Projects.
- x. [Action](#) – Approval of invoice #14 from Valley Electric Assn. regarding the well house at the Amargosa Valley Science and Technology Park in Lathrop Wells and can be funded from Fund 261 County Owned Buildings.

PUBLIC OFFICIALS

10 Assessor

11 Board of Commissioners

- a. Action – Closure of meeting, pursuant to NRS 288.220 for purposes of conferring with the County’s management representatives regarding labor negotiations, issues and other personnel matters.
- b. Closed meeting, pursuant to NRS 288.220 for purposes of conferring with the County’s management representatives regarding labor negotiations, issues and other personnel matters.
- c. Action – Discussion, deliberation, and possible decision on labor negotiations, issues and other personnel matters presented in closed meeting.
- d. Action – Closure of meeting, pursuant to NRS 241.015(2)(b)(2) for purposes of conferring with legal counsel regarding potential or current litigation.
- e. Closed meeting, pursuant to NRS 241.015(2)(b)(2) for purposes of conferring with legal counsel regarding potential or current litigation.
- f. Action – Discussion, deliberation, and possible decision on conference with legal counsel regarding potential or current litigation presented in closed meeting.
- g. [Action](#) – Discussion, deliberation and possible decision on a request setting a date, time and location for a Public Hearing on Nye County Bill No. 2011- 13: A bill proposing to amend, Title 17, Zoning, Chapter 17.04, Grandfathered Uses, Sections 21.04.905 to remove the sexually oriented business grandfather clause, to provide a reference to NCC subsection 17.08.120B, providing for the severability, constitutionality and effective date hereof; and other matters properly relating thereto; and 2) reading of the title of bill into the record.

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- h. [Action](#) – Discussion, deliberation, and possible decision on a request setting a date, time and location for a Public Hearing on Nye County Bill No. 2011-14: A bill proposing to amend title 17, Zoning, Chapter 17.08, entitled location of Sexually Oriented Businesses, Sections 17.08.120 to repeal the sexually oriented business grandfather clause, providing for the severability, constitutionality and effective date hereof; and other matters properly relating thereto; and 2) reading of the title of bill into the record
- i. [Action](#) – Discussion, deliberation and possible decision on method to be used for publication or mailing of list of taxpayers on the secured tax rolls and the valuation of the assessed properties.
- j. [Action](#) – Discussion, deliberation, and possible decision to direct staff regarding the grade and gravel of Woodchips Road in Pahrump.
- k. [Action](#) – Discussion, deliberation, and possible decision on approval of the proposed interlocal agreement with the State of Nevada regarding the roof of the Belmont Courthouse and can be funded from Fund 491 Capital Projects.
- l. [Agency](#) Status Report

12 Clerk

- a. [Action](#) – Discussion, deliberation, and possible decision to appoint one member to the Beatty Town Advisory Board due to the resignation of Justin LaPorte. This term will expire January 2013.

13 District Attorney

- a. [Action](#) – Discussion, deliberation, and possible decision to adopt, amend and adopt, or reject Nye County Resolution No. 2011-104: a Resolution amending Nye County Townships by amending Pahrump Township to include land given to Nye County by State Senate Bill 395, and temporarily consolidating the Tonopah and Beatty Townships into one Township from October 4, 2011 until December 31, 2012.

14 Recorder

15 Sheriff

16 Treasurer

17 Justice(s) of the Peace

18 District Court

19 Juvenile Probation

GENERAL NYE COUNTY ADMINISTRATIVE STAFF

20 County Manager

- a. [Action](#) – Discussion, deliberation, possible decision and direction to staff regarding a request from the Nye County School District (NCSD) to waive the traffic impact fees.
- b. [Action](#) – Discussion, deliberation, and possible decision regarding changing the office hours for the County Treasurer and County Recorder branch offices located in Pahrump.

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- c. [Action](#) – Discussion, deliberation, and possible decision regarding the recommendations by the Nye County Redistricting Committee.
- d. [Action](#) – Discussion, deliberation, and possible decision to delegate authority to the County Manager to approve short term storage agreements on behalf of county departments who have need of storage facilities.
- e. [Action](#) – Discussion, deliberation, possible decision and direction regarding a request to transfer County owned property and financial responsibility related to county owned buildings to the Town of Amargosa Valley.

21 Emergency Services

22 Facilities

- a. [Action](#) – Discussion, deliberation, and possible decision on bids for the slide gate at the Tonopah Sheriff's yard and awarding of bid and can be funded from Fund 491 Special Capital.
- b. [Action](#) – Discussion, deliberation, and possible decision on bids to complete side walk at Gabbs Library and awarding of bid and can be funded from Fund 491 Special Capital.

23 Finance

- a. [Action](#) – Discussion, deliberation and possible decision regarding bids for RFP # 2011-20 – Amargosa Valley Science and Technology Park Building and awarding of bid and is to be funded from Fund 261 County Owned Buildings.
- b. [Action](#) – Discussion, deliberation and possible decision regarding bids for RFP # 2011-16/NY-2011-344 – Completion of Beatty Ambulance Barn and awarding of bid and funding is available from Fund 247 Grants.
- c. [Action](#) – Discussion, deliberation and possible decision regarding bids for RFP # 2011-13 – Mobile Shelving Storage System and awarding of bid and can be funded from Fund 276 Court Improvements.
- d. [Action](#) – Discussion, deliberation and possible decision regarding bids for RFP # 2011-17 Mobile Office Trailers and awarding of bid and are to be funded from Fund 205 Road.
- e. [Action](#) – Discussion, deliberation and possible decision regarding change orders to the contract with Layton Construction, Inc. for the Nye County Jail Facility Project and can be funded from Fund 499 Bonds Proceeds.

24 Health & Human Services

- a. [Action](#) – Discussion, deliberation, and possible decision regarding a contract for medical assistance to individuals who meet financial and medical eligibility criteria and is budgeted from Fund 231 Dedicated Medical Indigent.

25 H/R and Risk Management

- a. [Action](#) – Discussion, deliberation, possible decision and direction to staff for the filling of the vacant Budget Fiscal Analyst position and is budgeted in Fund 284 Oversight.
- b. [Action](#) – Discussion, deliberation, possible decision and direction to staff for the filling of the vacant Detention Technician position and is budgeted in Fund 101 General.

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- c. [Action](#) – Discussion, deliberation, possible decision and direction to staff for the filling of the vacant Deputy Justice Court Clerk position and is budgeted in Fund 101 General.
- d. [Action](#) – Discussion, deliberation, possible decision and direction to staff to authorize Judge Maslach to cover for Judge Sullivan as needed.
- e. [Action](#) – Discussion, deliberation, possible decision and direction to staff to hire Lou Corona as a transport driver and is budgeted in Fund 250 Juvenile.
- f. [Action](#) – Discussion, deliberation, possible decision and direction to staff for the filling of the vacant Secretary I position and is not budgeted however it will be completely funded from Fund 278 Repository Project Oversight.
- g. [Action](#) – Discussion, deliberation, possible decision and direction to staff for the filling of the vacant Sanitation, Maintenance and Utilities Worker in Gabbs and is budgeted in Fund 790 Gabbs Public Works.
- h. [Action](#) – Discussion, deliberation, possible decision and direction to staff for the filling of the vacant Dispatch position and is budgeted in Fund 101 General.
- i. [Action](#) – Discussion, deliberation, possible decision and direction to staff to authorize the NCLEMA MOU.
- j. [Action](#) – Discussion, deliberation, possible decision and direction to staff for the filling of one vacant temporary Deputy Sheriff position and is budgeted in Fund 101 General.

26 Information Technology

27 Nuclear Waste Repository Project Office/Natural Resources

- a. [Action](#) – Discussion, deliberation, and possible decision regarding a letter from Nye County recognizing the STORM-OV efforts for protection of the Amargosa toad.
- b. [Action](#) – Discussion, deliberation, possible decision and direction regarding an agreement for interconnection of distributed generation for the net metering of the power produced by rooftop solar.

28 Planning/Building

29 Public Administrator

- a. [Action](#) – Discussion, deliberation, and possible decision for approval of the Nye County Public Administrator’s Fee Schedule as required by NRS 253.050

30 Public Works

31 Senior Services

OTHER BUSINESS

32 Town Boards/Town Advisory Boards

- a. [Action](#) – Discussion, deliberation, and possible decision to: 1) set a hearing date; or 2) direct the District Attorney to cause notice to the person responsible, pursuant to NRS 244.360 on a complaint for nuisance located at 34 Willow Street, Hadley subdivision, Round Mountain, Nevada and 17 Mahogany Boulevard, Hadley subdivision, Round Mountain, Nevada.

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- b. [Action](#) – Discussion, deliberation, and possible decision to approve the annual Inspection of the water pumps, on the Beatty Volunteer Fire Departments fire trucks, ladder truck aerial inspection, and ground ladders inspections in an amount not to exceed \$4,100.00 and is budgeted in Fund 710 Beatty Town.
- c. [Action](#) – Discussion, deliberation, and possible decision concerning a request to approve a temporary contract with Ray Dummar for the collection and disposal of solid waste, and maintenance of the water and sewer systems, in the Town of Gabbs which can be absorbed from Fund 790.

33 Public Petitioners

- a. [Action](#) – Discussion, deliberation, and possible decision concerning a request that the Nye County Commissioners write a letter to the Nevada State Board of Dental Examiners (NSBDE) requesting they (NSBDE) waive the Nevada clinical exam requirement for Crystal Shepherd in order to practice dental hygiene under NRS 631.274 (part 1a) in rural Nye County.

34 GENERAL PUBLIC COMMENT (second)

35 ANNOUNCEMENTS (second)

36 ADJOURNMENT

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

October 4, 2011

AGENDA
NYE COUNTY BOARD OF ROAD COMMISSIONERS

101 Radar Rd, Tonopah NV 89049
TUESDAY, October 4, 2011

10:15 A.M.

Lorinda Wichman, Chair
Dan Schinhofen, Vice-Chair
Joni Eastley, Member

Gary Hollis, Member
Butch Borasky, Member
Sandra "Sam" Merlino, Ex-Officio Clerk of the Board

NOTE: All times are approximate except for public hearings and any other items agendized at a specific time. Action may be taken on all items except where otherwise indicated. Items not scheduled for a specific time may be considered at any time and in any order.

NOTICE OF TIMED AGENDA ITEMS

10:15 a.m. Timed Agenda Items

Action - Public Hearing, discussion, deliberation, and possible decision to adopt, amend and adopt, or reject Nye County Road Commission Resolutions establishing County public roads pursuant to Nevada Revised Statutes 405.191, 403.170 and R.S. 2477 Right-of-Way for the following:

Cat Canyon Road No. [926033](#)
Colson Pond Road No. [926034](#)
Silicon Mine Road No. [926036](#)
South Mud Springs Road No. [926040](#)
Bullfrog Mine Road No. [926041](#)
South Bullfrog Mine Road No. [926042](#)
LV to Tonopah RR No. [926043](#)
Bombing Range Road No. [926045](#)
North Colson Pond Road No. [926046](#)
Fluorspar Wash Road No. [926060](#)
Crowell Mine Road No. [926061](#)
East Road Valley Wash Road No. [927030](#)
Rock Valley Connector Road No. [927035](#)
Horse Springs Road No. [928600](#)
Mt. Sterling Road No. [928601](#)

Ophir Canyon Road No. [982820](#)
Fluorspar Mine Road No. [926062](#)
South Indian Springs Road No. [926072](#)
Burton Mountain Road No. [926073](#)
Rainbow Mt. Road No. [926075](#)
Buck Spring Road No. [926077](#)
Box Canyon Road No. [926078](#)
RR Grade Road No. [926079](#)
Sutherland Mt. Road No. [926080](#)
Tunnel Road No. [927015](#)
Whataview Road No. [927020](#)
Turtle Road No. [928615](#)
Hughes Cabin Road No. [928650](#)
Specter Range Road No. [928695](#)
Baxter Springs Road No. [975800](#)

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

October 4, 2011

1. [Action](#) - Approval of Minutes for the Nye County Board of Road Commissioners' meeting for: August 16, 2011 and September 6, 2011.
2. [GENERAL PUBLIC COMMENT](#) (Three-minute time limit per person and requested to be limited to items not listed on the agenda. No action will be taken by the Board.)
3. [Action](#) - General road report by Public Works Director
4. [Action](#) – Discussion, deliberation, and possible decision to set a date, time, and location for a public hearing on Nye County Road Commission Resolutions establishing County public roads pursuant to Nevada Revised Statutes 405.191, 403.170 and R.S. 2477 Right-of-Way for the following:

Cabin Well Road No. [932105](#)

Cove Road No. [932110](#)

Big Brush Well Road No. [933100](#)

Four Wells Road No. [934100](#)

East Cove Gap Road No. [934105](#)

Central Cove Road No. [934125](#)

Cove Gap Road No. [934130](#)

Riordans Well Road No. [934135](#)

Central Flats Road No. [935200](#)

West White River Road No. [935210](#)

White River Connector Road No. [936100](#)

Golden Gate Road No. [936103](#)

Big Spring Wash Road No. [936105](#)

Gap Mountain Road No. [936925](#)

Northeast County Road No. [936930](#)

Hay Meadow Road No. [936945](#)

East Kirch Road No. [936954](#)

Jeep Trail Road No. [936960](#)

East Gap Mountain Road No. [936965](#)

Middle Wash Road No. [936970](#)

Coal Valley Road No. [937906](#)

Horse Range Road No. [943120](#)

Indian Creek Road No. [983110](#)

Tulle Creek Road No. [963100](#)

5. Adjourn

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

October 4, 2011

AGENDA
NYE COUNTY LICENSING AND LIQUOR BOARD

101 Radar Rd, Tonopah NV 89049
TUESDAY, October 4, 2011

10:30 A.M.

Butch Borasky, Chair
Gary Hollis, Vice-Chair
Joni Eastley, Member
Lorinda Wichman, Member

Dan Schinhofen, Member
Tony DeMeo, Member
Sandra "Sam" Merlino, Ex-Officio Clerk of the Board

NOTE: All times are approximate except for public hearings and any other items agendized at a specific time. Action may be taken on all items except where otherwise indicated. Items not scheduled for a specific time may be considered at any time and in any order.

1. [Action](#) - Approval of Minutes for the Nye County Licensing and Liquor Board meeting for: August 16, 2011; September 6, 2011; and September 19, 2011 Teleconference.
2. GENERAL PUBLIC COMMENT (Three-minute time limit per person and requested to be limited to items not listed on the agenda. No action will be taken by the Board.)
3. **Consent Agenda Items**
 - a. Action – Discussion of any item from the Consent Agenda Items that needs review before a decision is made.
 - b. [Action](#) – Approval to issue a 72 Hour Liquor Permit to Veterans of Foreign Wars, Post 10054. Thomas Vick, Applicant
 - c. [Action](#) – Approval to issue a 72 Hour Liquor Permit to Artesia Owners Association. Mary Caraza-Lyons, Applicant.
 - d. [Action](#) – Approval to issue a 72 Hour Liquor Permit to Railroad Valley Advisory Board. Patricia Knight, Applicant.
4. Brothel
5. Gaming
6. Liquor
7. Adjourn