



**NYE COUNTY  
BOARD OF COMMISSIONERS MEETING  
101 Radar Rd, Tonopah NV 89049  
TUESDAY, November 1, 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:** All items are approximate except for bid openings, public hearings, and any other items agendized at a specific time. Items on the agenda without a time designation may be taken out of order. The Board may combine two or more agenda items for consideration. The Board may remove an item from the agenda or delay discussion relating to an item on the agenda at any time. **NOTICE: It is anticipated that the items of business before the Board of Commissioners on November 1, 2011 will be fully completed on those dates. 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 November 1, 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](http://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

"Communication for Hearing Impaired: Dial Nevada Relay Service 711 or for Voice to TTY (800) 326-6888 or TTY to Voice (800) 326-6868"

# NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

November 1, 2011

Gary Hollis, Chair  
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Joni Eastley, Commissioner

Butch Borasky, Commissioner  
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Sandra "Sam" Merlino, Ex-Officio Clerk of the Board

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](#) by Andrew Snyder, Tonopah High School student, regarding the National Youth Leadership Forum on National Security.
- 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)
- 10:45 a.m. For Possible Action:
- a. [Public Hearing](#), discussion, deliberation, and possible decision to adopt, amend and adopt, or reject 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.
  - b. [Public Hearing](#), discussion, deliberation, and possible decision to adopt, amend and adopt, or reject 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.
- 11:00 a.m. Community Development Block Grant Items:
- a. [Community Development Block Grant](#) (CDBG) Public Meeting
  - b. [For Possible Action](#) - Discussion, deliberation, and possible decision to: 1) Approve the Summary of Past Performance by Nye County with CDBG funding since 1982; 2) Select two preliminary project grant applications and rank by priority to be submitted as applications to the CDBG program for the 2012-2013 grant year; and 3) Approve publication of all submitted project descriptions and identify the two chosen projects in local newspapers to allow a two week public comment period.

# NYE COUNTY BOARD OF COMMISSIONERS AGENDA

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## NYE COUNTY BOARD OF COMMISSIONERS

- 1 Pledge of Allegiance
- 2 For Possible Action - Approval of the Agenda for the Board of County Commissioners' meeting of November 1, 2011.
- 3 [For Possible Action](#) - Approval of Minutes of the Board of County Commissioners' meeting(s) for [October 4, 2011](#) and [October 18, 2011](#).
- 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 For Possible Action - Emergency Items
- 8 For Possible Action - Commissioners'/Manager's Comments (This item limited to announcements or topics/issues proposed for future workshops/agendas)
- 9 Consent Agenda Items
  - a. For Possible Action – Discussion of any item from the Consent Agenda Items that needs review before a decision is made.
  - b. [For Possible Action](#) – Approval of Elected Official Collection Report
  - c. [For Possible Action](#) – Approval of Assessor’s Office Change Request
  - d. [For Possible Action](#) – Approval of Personnel Actions
  - e. [For Possible Action](#) – Approval to amend a Professional Service Agreement to increase the Not to Exceed (NTE) amount with Sambooka Group LLC to assist with the completion of the Museum Exhibit and is budgeted from Fund 284 Repository Project Office.
  - f. [For Possible Action](#) – Approval to surplus and dispose of the excess Nye County personal property that is no longer in use with proceeds to be deposited into Fund 490 Capital Projects.
  - g. [For Possible Action](#) – Approval of Change Order No. 1 to the Professional Services Agreement with SRK Consulting (U.S.), Inc. to provide technical support for the closure of the old Round Mountain and Amargosa landfills that provides for a one year no cost time extension.
  - h. [For Possible Action](#) – Approval to issue a Special Fireworks Permit to Amargosa Valley Town Board. Vern Gilliland, Applicant.
  - i. [Approval](#) of the: 1) Annual Software Support EagleOCR with Tyler Technologies in the amount of \$11,797.85 which is budgeted from Fund 101 General starting November 1, 2011 through October 31, 2012; and 2) Annual Software Support EagleRecorder with Tyler Technologies in the amount of \$13,449.36 which is budgeted from Fund 101 General starting November 1, 2011 through October 31, 2012.

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## PUBLIC OFFICIALS

### 10 Assessor

### 11 Board of Commissioners

- a. For Possible 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. (Non-Action)
- c. For Possible Action – Discussion, deliberation, and possible decision on labor negotiations, issues and other personnel matters presented in closed meeting.
- d. For Possible 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. (Non-Action)
- f. For Possible Action – Discussion, deliberation, and possible decision on conference with legal counsel regarding potential or current litigation presented in closed meeting.
- g. [For Possible Action](#) – Discussion, deliberation, and possible action in regards to Nye County’s participation in an upcoming meeting with the US Forest Service (USFS) for the Travel Management Project (TMP) impacting Elko County.
- h. [For Possible Action](#) – Discussion, deliberation, and possible action to revoke the authority to approve on utility hook-ups for new Nye County construction projects previously delegated to the Facilities Manager.

### 12 Clerk

### 13 District Attorney

### 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. [For Possible Action](#) – Discussion, deliberation, and possible action concerning a request to amend the Option to Lease Agreement to include the 180 acre portion of Section 8 lands

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located in Parcel #3 at the Tonopah Airport pursuant to Section 1 of the Option to Lease Agreement.

## 21 Emergency Services

- a. [For Possible Action](#) – Discussion, deliberation, and possible action to enter into a contract for providing pet food products and pet nutrition educational services to the Nye County Animal Shelter. There is a cost for shipping and handling, which fluctuates monthly, and is budgeted out of Fund 101 General.

## 22 Facilities

- a. [For Possible Action](#) – Discussion, deliberation, and possible action to approve purchase of a new Dodge 4-wheel drive ¾ ton diesel crew cab truck to be used for fleet mail delivery and is not budgeted but can be funded from Fund 491 Capital Projects.

## 23 Finance

## 24 Health & Human Services

## 25 H/R and Risk Management

- a. [For Possible Action](#) – Discussion, deliberation, possible action and direction to staff for the filling of the vacant Network Engineer position which is not budgeted.

## 26 Information Technology

## 27 Nuclear Waste Repository Project Office

## 28 Planning/Building

## 29 Public Administrator

## 30 Public Works

- a. [For Possible Action](#) – Discussion, deliberation and possible action to:
  - 1) accept a principal forgiveness loan from the State of Nevada Division of Environmental Protection (NDEP), Nevada Drinking Water State Revolving Fund (DWSRF) for improvements to the Gabbs water system with no County matching funds required; and
  - 2) approval of a Professional Services Agreement with Day Engineering for technical and construction oversight support on this work, funded through and contingent upon Board acceptance of the DWSRF principal forgiveness loan.

## 31 Senior Services

## OTHER BUSINESS

## 32 Town Boards/Town Advisory Boards

## 33 Public Petitioners

## 34 GENERAL PUBLIC COMMENT (second)

## 35 ANNOUNCEMENTS (second)

## 36 ADJOURNMENT

**NYE COUNTY BOARD OF COMMISSIONERS AGENDA**

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**November 1, 2011**

**AGENDA**  
**NYE COUNTY BOARD OF ROAD COMMISSIONERS**

**101 Radar Rd, Tonopah NV 89049**  
**TUESDAY, November 1, 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. [For Possible Action](#) - Public Hearing, discussion, deliberation, and possible action 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.

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](#)

1. [For Possible Action](#) - Approval of Minutes for the Nye County Board of Road Commissioners' meeting for October 4, 2011 and October 18, 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.)

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3. [Action](#) - General road report by Public Works Director
4. [Presentation](#) of a Letter of Appreciation to Asa & Ruthi Kelley, Doug Pope, Edward Tomany, and Dave & Bobbi Murphy for the assistance in the Minor County Roads Inventory Project.
5. Adjourn

**NYE COUNTY BOARD OF COMMISSIONERS AGENDA**

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**AGENDA  
NYE COUNTY LICENSING AND LIQUOR BOARD**

**101 Radar Rd, Tonopah NV 89049  
TUESDAY, November 1, 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. [For Possible Action](#) - Approval of Minutes for the Nye County Licensing and Liquor Board meeting for October 4, 2011 and October 18, 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. **Consent Agenda Items**
  - a. For Possible Action – Discussion of any item from the Consent Agenda Items that needs review before a decision is made.
4. Brothel
5. Gaming
6. Liquor
  - a. [For Possible Action](#) – Discussion, deliberation, and possible action to issue a Retail Liquor License to Sugar Magnolias. Daniel Schinhofen, Applicant.
7. Adjourn