



**NYE COUNTY
BOARD OF COMMISSIONERS MEETING
2100 E. Walt Williams Drive, Pahrump, NV 89048
TUESDAY, December 20, 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. 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 December 20, 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 Board Meeting on December 20, 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 Board reserves the right to reduce the time or limit the total time allowed for public comment. The Board may prohibit comment if the content of the comments is a topic that is not relevant to, or within the authority of, the Board, 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 Board meeting.

Pursuant to NRS 241.020, the Agenda for the Board 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 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

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

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Gary Hollis, Chair
Lorinda Wichman, Vice-Chair
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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.](#) One Nevada Transmission Line Project Update.
- 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)
- [11:00 a.m.](#) Planning, Zoning, and Building Items (Agenda Attached)

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 December 20, 2011.
- 3 [For Possible Action](#) - Approval of Minutes of the Board of County Commissioners' meeting(s) for [November 15, 2011](#) Regular Meeting and [November 21, 2011](#) Teleconference.
- 4 Election of Officers
 - a. For Possible Action - Election of Chair of the Board of Commissioners.
 - b. For Possible Action - Election of Vice-Chair of the Board of Commissioners.
- 5 Awards and Presentations – N/A
- 6 Announcements (first)
- 7 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).
- 8 For Possible Action - Emergency Items
- 9 Commissioners'/Manager's Comments (This item limited to announcements or topics/issues proposed for future workshops/agendas)
- 10 Consent Agenda Items – These are items that Staff recommends for approval. The Board reserves the right to move any consent agenda item to the regular segment of the agenda should issues arise that need to be addressed.
 - a. For Possible Action – Discussion of any item from the Consent Agenda Items that needs review before a decision is made.

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- b. [For Possible Action](#) – Approval of Elected Official Collection Report
- c. [For Possible Action](#) – Approval of Assessor’s Office Change Request – N/A
- d. [For Possible Action](#) – Approval of Personnel Actions
- e. [For Possible Action](#) – Approval to set the date and location of the second meeting of the Board of Commissioners for Tuesday March 20, 2012 in Pahrump, Nevada.
- f. [For Possible Action](#) – Approval to purchase an air compressor for the Road Department shop in Pahrump that is budgeted from Fund 10205 Roads.
- g. [For Possible Action](#) – Approval for a one-year Maintenance Agreement with TransCore to perform preventative maintenance on traffic signals in Pahrump and is budgeted from Fund 10207 Regional Transportation Commission.
- h. [For Possible Action](#) – Approval to do a request for proposal to purchase a used one ton truck cab and chassis to replace an existing vehicle in the Manhattan Volunteer Fire Department and will be funded out of 10340 Grants.
- i. [For Possible Action](#) – Approval to do a request for proposal to purchase a new and/or used Pick-Up Truck Response Vehicle to be utilized to replace an existing response vehicle within the current fleet and will be funded from trade-in apparatus and Fund 10340 Grants.
- j. [For Possible Action](#) – Approval to do a request for proposal to purchase a new/used Polaris (2011 or 2012) Ranger Crew 800 off road vehicle to be utilized at the Pahrump Training Facility and for Emergency Response Efforts and will be funded from Fund 10340 Grants.
- k. [For Possible Action](#) – Approval to do a request for proposal to purchase two used Ambulances to be utilized to supplement the current fleet of ambulances and allow the surplus of some older vehicles and will be funded from trade-in apparatus and Fund 10340 Grants.
- l. [For Possible Action](#) – Approval to purchase voicemail system for Tonopah to replace failed system and can be funded from Fund 10402 Special Capital Projects.
- m. [For Possible Action](#) – Approval of Work Order with Pezonella Associates, Inc. to perform geotechnical forensic testing of the sewerline trench for the entire CCA sewer line section along Mesquite Road, Blagg Road, Wilson Road and Big 5 Road and is budgeted from Fund 10205 Roads.
- n. [For Possible Action](#) – Approval of a no-cost time extension with the Board of Regents of the Nevada System of Higher Education on behalf of the Desert Research Institute in support of Characterization of Indigenous Microorganisms from Nye County Wells and Assessment of their Utility as Hydrologic Tracers.
- o. [For Possible Action](#) – Approval of the Bill of Sale/Indemity Agreement with the Reno-Tahoe Airport Authority for various equipment to be provided to Nye County at no cost and to be used at the County's airports.
- p. [For Possible Action](#) – Approval to purchase a JAVS recording system for the: 1) Tonopah District Court and is not budgeted but can be Funded from Fund 10247 District Court Improvement; 2) Tonopah Justice Court and is not budgeted but can be funded from Fund

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10245 JP Court Fines and 10246 JP Facility Assessment; and 3) Beatty Justice Court and is not budgeted but can be funded from Fund 10246 JP Facility Assessment.

- q. [For Possible Action](#) – Approval to renew the communications license agreement with Microwave, Inc. The contract is for five years and is budgeted from Fund 10101 General.
- r. [For Possible Action](#) – Approval regarding a change order to the contract with Layton Construction, Inc. for the Nye County Jail Facility Project.

PUBLIC OFFICIALS

11 Assessor

12 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.
- 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.
- 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 and deliberation regarding a Resolution to Name the District Courtroom in Tonopah in Honor of the Late Judge John P. Davis.
- h. [For Possible Action](#) – Discussion and deliberation concerning a resolution amending composition of Central Nevada Museum Advisory Board.
- i. [For Possible Action](#) – Discussion and deliberation regarding supporting a special legislative session to adopt the redistricting maps.
- j. [For Possible Action](#) – Discussion and deliberation concerning a contract with Akerman Senterfitt for all federal representational lobbying activities starting January 1, 2012 through December 31, 2012 and is budgeted from Fund 10101 General.

13 Clerk

- a. [For Possible Action](#) – Discussion and deliberation to appoint seven members to the Central Nevada Museum Board due to seven vacancies beginning January 2012. These terms will expire January 2013.

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- b. [For Possible Action](#) – Discussion and deliberation to appoint one member to the Pahrump Regional Planning Commission due to resignation of Mark Kimball. This term will expire June 2012.

14 District Attorney

- a. [For Possible Action](#) – Discussion and deliberation on proposed settlement agreement regarding Western Best, Ltd., dba The Chicken Ranch, et. al. v. Nye County, United States District Court, District of Nevada, Case No. 2:09-cv-00433-JCM-GWF.
- b. [For Possible Action](#) – Discussion and deliberation on proposed legal action to challenge assessments for state services imposed during the 2011 legislative session.

15 Recorder

16 Sheriff

17 Treasurer

18 Justice(s) of the Peace

19 District Court

20 Juvenile Probation

GENERAL NYE COUNTY ADMINISTRATIVE STAFF

21 County Manager

- a. [Ongoing Project Report](#)
- b. [For Possible Action](#) – Discussion, deliberation, and direction to staff regarding application number 81272 for permit to appropriate the public waters of the State of Nevada.
- c. [For Possible Action](#) – Discussion, deliberation, and direction to staff regarding state representational lobbying activities.

22 Emergency Services

- a. [For Possible Action](#) – Discussion and deliberation to enter into a contract to conduct the adopted dog and cat spay and neuter program at the Pahrump Animal Shelter. The cost that will be incurred by the county will be reimbursed by the adoption fees collected from the individuals adopting the dog and/or cat.
- b. [For Possible Action](#) – Discussion and deliberation pertaining to putting a question on the November 6, 2012 General Election ballot to let the registered voters decide in favor and/or against establishing a parcel fee to fund Animal Services (Animal Control & 2 – Animal Shelters) within Nye County.

23 Facilities

- a. [For Possible Action](#) – Discussion and deliberation regarding quotes for the project at Calvada Eye Duck Pond to add a water feature at the ponds and selection of lowest most responsible and responsive quote and can be funded from approved Project PE0703 Fund 10204 Land Sale Costs.

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24 Finance

- a. [For Possible Action](#) - Discussion and deliberation regarding RFQ #2011-30 – Environmental Services for the Brownfields Coalition Assessment Grant to: 1) accept the fee schedule presented by BEC Environmental; and 2) authorize execution of the contract with BEC Environmental. The project is to be funded from Fund 10340 - Grants.
- b. [For Possible Action](#) - Discussion and deliberation regarding financial reporting formats.

25 Health & Human Services

26 H/R and Risk Management

- a. [For Possible Action](#) - Discussion and deliberation to adopt the revised 457(b) Deferred Compensation Plan.

27 Information Technology

28 Nuclear Waste Repository Project Office

29 Planning/Building - (See 11:00 am Agenda Items)

30 Public Administrator

31 Public Works

- a. [For Possible Action](#) – Discussion and deliberation of Agreement with Atkins North America, Inc. to perform a cultural resources survey at the Beatty Airport. The cost of this work will be covered by a combination of a future Federal Aviation Administration (FAA) Grant-Fund 10340 and Fund 10402, County Special Capital Projects.

32 Senior Services

OTHER BUSINESS

33 Town Boards/Town Advisory Boards

- a. [For Possible Action](#) – Discussion and deliberation to revise the Town Advisory Board Operating Guidelines to reflect an increased spending amount for operating expenses.
- b. [For Possible Action](#) – Discussion and deliberation to appoint three interim members to the Gabbs Town Advisory Board.

34 Public Petitioners

35 GENERAL PUBLIC COMMENT (second)

36 ANNOUNCEMENTS (second)

37 ADJOURN

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AGENDA
NYE COUNTY BOARD OF ROAD COMMISSIONERS

Commissioners Chambers, Pahrump, NV 89048
TUESDAY, December 20, 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.

1. Election of Officers
 - a. For Possible Action - Election of Chairperson of the Board of Road Commissioners.
 - b. For Possible Action - Election of Vice - Chairperson of the Board of Road Commissioners.
2. [For Possible Action](#) - Approval of Minutes for the Nye County Board of Road Commissioners' meeting for November 15 2011.
3. 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.)
4. [For Possible Action](#) - General road report by Public Works Director
5. [For Possible Action](#) – Discussion and deliberation 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:

Eagle Mountain Road No. [928433](#)

White Colt Road No. [928462](#)

Black Horse Road No. [928463](#)

Johnnie Mine Road No. [928473](#)

Sundance Mine Road No. [928477](#)

NGS Back Access Road No. [928479](#)

Jaybird Spring Road No. [928610](#)

Gap Spur Road No. [936956](#)

Timber Mountain Road No. [937905](#)

White River Sink Road No. [937920](#)

Goldyke Road No. [993900](#)

Old Traction Road No. [928533](#)

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West Moon River Road No. [935215](#)
Lower Perish Spring Road No. [935220](#)
Shingle Spring Road No. [935980](#)
Perry Spring Road No. [936935](#)
North Perry Spring Road No. [936940](#)

Cold Springs Reservoir Road No. [936951](#)
Big Fault Road No. [951100](#)
North Hicks Station Road No. [951105](#)
Crested Wheat Ridge Road No. [952100](#)
Cottonwood Spring Road No. [952110](#)

6. Adjourn

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December 20, 2011

AGENDA
NYE COUNTY LICENSING AND LIQUOR BOARD

Commissioners Chambers, Pahrump, NV 89048
TUESDAY, December 20, 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. Election of Officers
 - a. For Possible Action - Election of Chairperson of the Nye County Licensing and Liquor Board.
 - b. For Possible Action - Election of Vice-Chairperson of the Nye County Licensing and Liquor Board.
2. [For Possible Action](#) - Approval of Minutes for the Nye County Licensing and Liquor Board meeting for November 15, 2011.
3. 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.)
4. Consent Agenda Items
5. Brothel
6. Gaming
7. Liquor
8. Adjourn

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Tuesday, December 20, 2011 beginning at 11:00 a.m.

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PLANNING TIMED AGENDA ITEMS

Public Hearing Items: Action will be taken by the Board of County Commissioners (BOCC) on the following matters.

11:00 AM

1. Ex Parte Communications and Conflict of Interest Disclosure Statements
2. For Possible Action – Public Hearing, discussion, and deliberation on the following Planning and Zoning matters:
 - A. Master Plan Amendment and Related Zone Change Application(s):
 1. MP-11-0003: (Minor) Master Plan Amendment application to change approximately 56.0 acres from the Medium Density Residential land use category to the Low Density Residential land use category, for property located north of Thousandaire Blvd., south of Heritage Drive, east of Malibou Avenue and west of Golden Valley. AP#'s 45-101-11 thru -14, 45-101-16 thru -22, 45-101-23 thru -26 and 45-101-48 thru -50 (19 parcels total). Multiple Property Owners. Pahrump Regional Planning Commission (PRPC) – Applicant.
 2. ZC-11-0012: (Non-Conforming) Zone Change application to change approximately 56.0 acres from the Village Residential (VR-20) zoning district to the Rural Estates (RE-1) zoning district, for property located north of Thousandaire Blvd., south of Heritage Drive, east of Malibou Avenue and west of Golden Valley. AP#'s 45-101-11 thru -14, 45-101-16 thru -22, 45-101-23 thru -26 and 45-101-48 thru -50 (19 parcels total). Multiple Property Owners. Pahrump Regional Planning Commission (PRPC) – Applicant.