



**NYE COUNTY
BOARD OF COMMISSIONERS MEETING
101 Radar Rd, Tonopah NV 89049
TUESDAY, March 6, 2012
10:00 AM**

**Lorinda Wichman, Chair
Dan Schinhofen, Vice-Chair
Joni Eastley, Commissioner
Gary Hollis, Commissioner
Butch Borasky, 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 March 6, 2012 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 March 6, 2012 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 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”

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

March 6, 2012

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

Gary Hollis, Commissioner
Butch Borasky, 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. [For Possible Action](#) – Discussion and deliberation to approve the audits of fiscal year 2010-2011 for Nye County and all component units of Nye County conducted by Daniel McArthur LTD. Financial Statement [Part 1](#) [Part 2](#) [Part 3](#) [Additional documents](#)
- 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](#) – Public hearing, discussion, and deliberation to adopt, amend and adopt, or reject Nye County Bill No. 2012-02: a Bill proposing to amend Chapter 8.04 of the Nye County Code related to licensing, regulating and controlling the use and sale of fireworks, by removing the limitation on consumer/display permits issued by Nye County, reducing the fee for consumer/display fireworks, allowing “safe and sane” fireworks by the general public; providing for the severability, constitutionality and effective date hereof, and other matters properly relating thereto.

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 March 6, 2012.
- 3 [For Possible Action](#) - Approval of Minutes of the Board of County Commissioners' meeting(s) for February 7, 2012.
- 4 Awards and Presentations – N/A
- 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

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

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8 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 – N/A
- 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 apply for the 2012-2013 Office of Traffic Safety “Joining Forces” grant through the State of Nevada to provide funding for overtime to enhance enforcement of safety belt and child safety seat laws, speed enforcement, and to reduce impaired driving and match can be funded from Fund 10101 General. This grant shall be administered out of Fund 10340 Grants.
- f. [For Possible Action](#) – Approval to apply for the 2013 Byrne Memorial Justice Assistance Grant (JAG) through the Nevada Office of Criminal Justice Assistance to assist in the costs of two full time Narcotics Detectives, fully fund one part time Administrative Technician, training costs and confidential funds and can be funded from Fund 10101 General. This grant shall be administered out of Fund 10340 Grants.
- g. [For Possible Action](#) – Approval to amend the Professional Services contract with Glorieta Geoscience, Inc. to provide support to the NWRPO in the areas of hydrogeologic data analysis, groundwater model analysis and development, evapotranspiration study support, water resources, and water quality and is budgeted from Fund 10336 Yucca Project Oversight.
- h. [For Possible Action](#) – Approval to augment the Nye County General Fund Account No. 10101-20-10-39-5361 Professional Services (Attorneys other than PD) in the amount of \$100,000.00 from General Fund Contingency.
- i. [For Possible Action](#) – Approval to paint and replace graphics on twenty (20) Nye County Sheriff’s Office (NCSO) marked patrol vehicles and is not budgeted but can be funded from Fund 10402 Special Capital.
- j. [For Possible Action](#) – Approval to apply for the Nevada Aging and Disability Services Division (ADSD) Social Services Non-Competitive Grant for Fiscal Year 2013 to provide senior transportation services in Goldfield, Silver Peak and Fish Lake Valley, in Esmeralda County. There is no match required by Nye County.
- k. [For Possible Action](#) – Approval to apply for the Nevada Aging and Disability Services Division (ADSD) Social Services Non-Competitive Grant for Fiscal Year 2013 to provide senior transportation services in Amargosa Valley, Beatty, Gabbs, Smoky Valley and Tonopah in Nye County. There is no match required by Nye County.
- l. [For Possible Action](#) – Approval to award Bid #2012-07/PWP #NY-2012-138 – Gabbs Replacement Well to Drill Tech Inc, of Chino Valley, AZ in the amount of \$142,610.00. This project shall be funded and administered from Fund 10340 Grants.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

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- m. [For Possible Action](#) – Approval to issue a Special Fireworks Permit to the Town of Tonopah. Mariah Rivero, Applicant.
- n. [For Possible Action](#) – Approval of a Frontier communication proposal to bring Nye County's radio system into compliance with FCC's mandated requirement to comply with narrow banding in the amount of \$21,629.45 and can be funded from Fund 10402 Special Capital Projects.
- o. [For Possible Action](#) – Approval of a contract with the Nevada State Health Division Public Health and Clinical Services to provide consumer health protection in the amount of \$157,346.00 and is budgeted in Fund 10101 General.

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.
- 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 of proposed letter in support of H.R. 4019, Federal Forests County Revenue, Schools, and Jobs Act of 2012.
- h. [For Possible Action](#) – Discussion, deliberation, and possible decision concerning a request to purchase a membership for Western Counties Alliance in an amount not to exceed \$5,000.00 annually and is not budgeted.
- i. [For Possible Action](#) – Discussion and deliberation on pursuing the transfer of ownership of the Belmont Courthouse from the Nevada Division of Parks to Nye County.

12 Clerk

- a. [For Possible Action](#) – Discussion and deliberation to appoint two members to the Pahrump Library Board due to expired terms of Ron Eason and Harold Tokerud. These terms will expire March 2016.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

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13 District Attorney

- a. [For Possible Action](#) – Discussion and deliberation on proposed settlement agreement regarding Ted Holmes, et. al. v. Nye County, et. al., United States District Court, District of Nevada, Case No. 2:10-cv-01794-PMP-RJJ.
- b. [For Possible Action](#) – Discussion and deliberation on proposed settlement agreement regarding Manuel Mairs, et. al. v. Nye County, et. al., United States District Court, District of Nevada, Case No. 2:10-cv-00874-JCM-PAL.

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

21 Emergency Services

- a. [For Possible Action](#) – Discussion and deliberation to allow public and private agencies, departments, and contractor’s to utilize the Nye County Multi-Purpose Training Facility located at 2871 E Mesquite in Pahrump, Nevada and approve the waiver of Indemnification.

22 Facilities

- a. [For Possible Action](#) – Discussion and deliberation to approve Change Order No. 2 to the contract with Pac-Van for the design and construction of the Health Clinic/Health & Human Services Modular Building Project to which is not budgeted but can be funded from Fund 10402 Special Capital Projects.

23 Finance

- a. [For Possible Action](#) – Discussion and deliberation regarding Bid #2012-03 – Two Previously Owned Ambulances and awarding of bid and no funding to be spent on the units.
- b. [For Possible Action](#) – Discussion and deliberation regarding Bid #2012-01 – State Lobbying Services and awarding of bid.
- c. [For Possible Action](#) – Discussion and deliberation regarding Bid #2012-06 – Pick-Up Truck Response Vehicle and awarding of bid to Fire Trucks Plus, Inc. of Rancho Cucamonga, CA. The purchase price for the vehicle is \$54,827.54, the trade in credit for a 1994 Freightliner Type I Structure Engine is \$20,000.00, leaving a balance due of \$34,827.54 and can be funded from 10340 Grants.

24 Health & Human Services

25 H/R and Risk Management

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

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26 Information Technology

27 Nuclear Waste Repository Project Office

- a. [For Possible Action](#) – Discussion and deliberation to approve budget for the laboratory analysis of water samples collected as part of the NWRPO’s 2012 water sampling event and can be funded from Fund 10336 – Yucca Project Oversight.
- b. [For Possible Action](#) – Discussion and deliberation to reaffirm Nye County’s resolve to “actively and constructively” engage the Department of Energy to advance the nation’s deep geologic repository program, specifically the tenants of the Nuclear Waste Policy Act of 1982, as amended and the recommendations of the Blue Ribbon Commission (BRC).
- c. [For Possible Action](#) – Discussion and deliberation regarding a proposal for the Pahump History Video Project and can be funded from Fund 10336 Yucca Project Oversight.

28 Planning/Building

29 Public Administrator

30 Public Works

- a. [For Possible Action](#) – Discussion and deliberation to enter into a Professional Services Agreement with Oscar Wichman to provide technical support to Nye County Employees at the direction of the Director of Public Works regarding all issues related to water in a not to exceed amount of \$10,000.00 and can be funded from Fund 10205 Roads.

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

ITEM # SUBJECT

March 6, 2012

AGENDA
NYE COUNTY BOARD OF ROAD COMMISSIONERS

101 Radar Rd, Tonopah NV 89049
TUESDAY, March 6, 2012

10:15 A.M.

Dan Schinhofen, Chair
Lorinda Wichman, 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.

TIMED AGENDA ITEMS

10:15 a.m. [For Possible Action](#) - Public hearing, discussion, and deliberation 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.

North Morey Road No. [954500](#)
Luther Waddles Road No. [962100](#)
Jumping Jack Road No. 982935
North Beatty Wash Road No. [926026](#)
Oasis Bench Road No. [926029](#)
Wells Windmill Road No. [934115](#)
Devil's Gate Road No. [974500](#)
McCann Canyon Road No. [974700](#)
Spanish Spring Road No. [974800](#)
Toquima Indian Spring Road No. [974810](#)
East Baxter Road No. [974820](#)
Spanish Spur Road No. [974830](#)
Rocky Dell Road No. [974835](#)
Middle Spanish Road No. [974840](#)
South Ralston Valley Road No. [976201](#)
Far South Ralston Road No. [976500](#)

North Barker Creek Road No. [983905](#)
North Barker Spur Road No. [983910](#)
North Baxter Springs Road No. [984853](#)
North East Willow Spur Road No. [984857](#)
South Manhattan Road No. [984859](#)
Willow Spring Road No. [984899](#)
East Smoky Valley Road No. [984950](#)
Bald Mountain Road No. [984955](#)
Mariposa Creek Road No. [984960](#)
North Bald Mountain Road No. [984965](#)
Wall Canyon Spring Road No. [984980](#)
North Manhattan Road No. [984985](#)
Boyd Canyon Road No. [984990](#)
South Boyd Canyon Road No. [984995](#)
Antelope Canyon Road No. [984997](#)

1. [For Possible Action](#) - Approval of Minutes for the Nye County Board of Road Commissioners' meeting for February 7, 2012.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

March 6, 2012

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. For Possible Action - General road report by Public Works Director
4. 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:

North Ralston Valley Road No. 985725	South Pine Creek Road No. 973840
Central Ralston Road No. 986510	North Pine Creek Road No. 973850
Orizaba Road No. 995110	North Henry’s Well Road No. 986917
Arragonite Road No. 995120	Southeast San Antonio Road No. 986923
Blue Moon Mine Road No. 995200	Jack Spring Road No. 991010
Royston Hills Road No. 996900	Riley Canyon Road No. 991800
South Royston Road No. 996910	Becker Canyon Road No. 991805
Turquoise Road No. 996920	North Becker Road No. 991810
Otteson Mine Road No. 996925	Bonita Canyon Road No. 991815
Mine Shack Road No. 996930	Underdown Canyon Road No. 991903
North Haystack Road No. 973780	Mountain Springs Road No. 991905
Pine Creek Ranch Road No. 973810	Peterson Spring Road No. 991910
South Haystack Road No. 973820	Lebeau Creek Road No. 991915
West Barley Creek Road No. 973830	
5. Adjourn

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

March 6, 2012

**AGENDA
NYE COUNTY LICENSING AND LIQUOR BOARD**

**101 Radar Rd, Tonopah NV 89049
TUESDAY, March 6, 2012**

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**

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1. [For Possible Action](#) - Approval of Minutes for the Nye County Licensing and Liquor Board meeting for February 7, 2012
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.
 - b. [For Possible Action](#) – Approval to issue a 72 Hour Liquor Permit for Gabbs Volunteer Fire Department. Crystal Howell, Applicant.
 - c. [For Possible Action](#) – Approval to issue a 72 Hour Liquor Permit for Beatty Volunteer Fire Department. Mike Harmon, Applicant.
4. Brothel
5. Gaming
6. Liquor
7. Adjourn

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

March 6, 2012

CERTIFICATE OF POSTING

STATE OF NEVADA

COUNTY OF NYE

The undersigned deposes and says: That she is over the age of 21 years; that she posted or caused same to be posted, at the places below mentioned, the Agenda for the Nye County Board of Commissioners' Meeting for March 6, 2012, (including the Agenda(s) for the Nye County Board of Road Commissioners' and the Nye County Licensing and Liquor Board) not later than 9:00 a.m. on March 1, 2012. The undersigned further deposes and says: That on or before March 1, 2012, she delivered or caused to be delivered, the notice of the Agenda to the above meeting to the Tonopah office of the United States Postal Service not later than 9:00 a.m.

This instrument was acknowledged before me
This day of _____, 2012

NOTARY PUBLIC

POSTED:

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
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