



**NYE COUNTY
BOARD OF COMMISSIONERS MEETING
2100 E. Walt Williams Drive, Pahrump, NV 89048
October 19, 2010
10:00 AM**

**Gary Hollis, Chair
Butch Borasky, Vice-Chair
Joni Eastley, Commissioner
Lorinda Wichman, Commissioner
Fely Quitevis, 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 19, 2010 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 October 19, 2010 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. **NOTE: You will not be permitted to speak during Public Comment without completing and submitting the appropriate forms. Please fill out a Citizen Inquiry form for a general public comment or a Citizen Input form to comment on a specific agenda item located on the public information table.**

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

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.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

October 19, 2010

Gary Hollis, Chair
Butch Borasky, Vice-Chair
Joni Eastley, Commissioner

Lorinda Wichman, Commissioner
Fely Quitevis, 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

- 10:15 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)
- 10:35 a.m. Presentation from Nevada State Health Division to give a brief summary of Healthy People 2010 Objectives and to give a brief summary of the CHN contracts for the years 2012 and 2013.
- 10:45 a.m. Presentation of certificate and/or plaques to nineteen (19) employees honored for their years of service.
- 11:00 a.m. Planning, Zoning, and Building Items (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 19, 2010.**
- 3 Action - Approval of Minutes of the Board of County Commissioners' meeting(s) for - N/A**
- 4 Awards and Presentations – 10:45 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**

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

October 19, 2010

- 8 Action - Commissioners'/Manager's Comments (This item limited to announcements or topics/issues proposed for future workshops/agendas)**
- 9 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. 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
 - d. [Action](#) – Approval of Personnel Actions
 - e. [Action](#) – Approval to set the date and location of the second meeting of the Board of Commissioners for Tuesday January 18, 2011 in Pahrump, Nevada.
 - f. [Action](#) – Approval to purchase 100 Dell Desktop Computers to replace older desktop computers as part of the Information Technology Department’s standard computer rotation in the amount of \$73,200.00 which can be funded from Fund 491 County Special Capital Projects.
 - g. [Action](#) – Approval of the purchase and installation of hard drives to expand by 3.6 terabytes in support of the digitization and preservation of recorded documents in the amount of \$13,421.00 which is budgeted from Fund 840 Recorders Tech Fees.
 - h. [Action](#) – Approval to accept a grant from High Desert Resource Conservation and Development Council (HDRC&D) for landscape items for the Calvada Eye project in Pahrump. The grant is for \$6,000.00 and has a 100% match which will be in-kind. The grant will be administered in Fund 247 Grants.
 - i. [Action](#) – Approval of an amendment to extend the term of the contract to December 31, 2010 with Hydro Resources (Contract No. 10-021) a drilling project for the characterization of groundwater in the Pahrump, Amargosa, and Oasis Valleys. No additional funds are being requested.
 - j. [Action](#) – Approval to: 1) sell the retiring K-9 “Bady” to his handler, Deputy Robin Becht for \$8,500.00; and 2) purchase another K-9 utilizing the funds from the sale of K-9 “Bady”.
 - k. [Action](#) – Approval to replace carpeting in the previous Tonopah Planning Department /New Accounting area in the amount of \$2,338.50, as per the attached low bid, which is not budgeted but can be funded from Fund 491 County Special Capital Projects.
 - l. [Action](#) – Approval of an additional extension to the existing lease agreement with Tonopah Sand and Gravel for a period of two months expiring on December 19, 2010, allowing Tonopah Sand and Gravel to continue operations at the Tonopah Airport while Nye County

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

October 19, 2010

and Tonopah Sand and Gravel finalize details of the new lease agreement pursuant to Section 19 of the Lease Agreement.

- m. [Action](#) – Approval to surplus and dispose of the excess Nye County personal property, vehicles, that are no longer in use. Proceeds will be deposited into Fund 490 Capital Projects and Fund 216 Senior Nutrition Special Revenue.
- n. [Action](#) – Approval to accept a supplemental grant award from the State of Nevada, Aging and Disability Services Division for funding to repair the dishwasher at the Beatty Senior Center in the amount of \$604.00. This grant supersedes the grant award dated September 28, 2009 and approved at the October 20, 2009 BOCC meeting. Matching funds in the amount of \$107.00 can be funded from Fund 101 General.
- o. [Action](#) – Approval of: 1) Nye County Proclamation No. P2010-04: A Proclamation supporting the Marine Corps Reserve Toys for Tots Program; and 2) extending permission to the Marine Corps Reserve Toys For Tots Campaign to advertise and place collection boxes as well as maintain the collection boxes in four County buildings/locations; the Ian Deutch Government Complex in Pahrump, the Marilyn Galvin Complex in Pahrump, the Bill Sullivan Justice Center in Beatty, and the William P. Beko Justice Facility in Tonopah for the purpose of collecting toys for children during the 2010 holiday season.
- p. [Action](#) – Approval to accept “Enhancing Adult Drug Court Services, Coordination, and Treatment” combined grant through: 1) the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance in the amount of \$230,113.00. A 25% cash or in-kind match is required, the salary and benefits of the Specialty Court Coordinator paid by the Administrative Office of the Courts (AOC) through NRS 1.360 and NRS 176 will be used to fulfill the in-kind contribution; and 2) US Department of Health and Human Services, Substance Abuse and Mental Health Services Administration in the amount of \$300,000.00 per year for the next three years with no match required. There is no financial impact to Nye County. The grant will be administered under Fund 247 Grants.
- q. [Action](#) – Approval to modify source of funding to install a wireless infrastructure and upgrade the Pahrump EMS Building, the Pahrump Animal Shelter and the Pahrump Jail to Voice Over IP Telephones which was approved at the October 5, 2010 Board of County Commissioners meeting. Funding in the amount of \$23,478.60 can be funded from Fund 491 County Special Capital Projects, an amount of \$5,036.40 can be funded from Fund 499 Bond Proceeds, and a 10% contingency in the amount of \$2,851.50 can be funded from Fund 499 Bond Proceeds for a project total of \$31,366.50.
- r. [Action](#) – Approval of Change Order No. 1 to the agreement between Nye County and Pac-Van, Inc. for the Calvada Eye Administration Building Project in the amount of \$590.00 for additional sprinkler heads and is budgeted from the approved Project No. PE0703 Fund 269 Land Sale Costs.
- s. [Action](#) – Approval of Change Order No. 1 to the contract between Nye County and Dr. Devlin for medical director services for the five (5) volunteer ambulance services in Nye County – Amargosa Valley, Beatty, Gabbs, Tonopah, and Smoky Valley to extend the

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

October 19, 2010

- effective date to March 2010 and to remove the insurance requirements to be provided by the contractor.
- t. [Action](#) – Approval of Nye County Resolution No. 2010-101: a Resolution authorizing the Fifth Judicial District Adult Drug Court to establish a checking account through Bank of America.
 - u. [Action](#) – Approval of Nye County Resolution No. 2010-102: a Resolution directing the creation of a petty cash account for the Fifth Judicial District Adult Drug Court.
 - v. [Action](#) – Approval of Nye County Resolution No. 2010-103: a Resolution directing the County Assessor to prepare a list of the taxpayers on the 2011-2012 Secured Tax Assessment Roll in Nye County, Nevada and directing distribution of the same.
 - w. [Action](#) – Approval to: 1) accept the donation of five (5) modular classrooms and one school bus from Nye County School District (Modular classrooms 95109, 94420, 94421, 94422 and 94423). The cost to relocate these buildings can be absorbed in the Multipurpose Training Facility Project No. CP1038 Fund 490 Capital Projects; 2) accept the low bid from Best Set in the amount of \$13,600.00 to get the necessary work accomplished to move the (5) modular classrooms from Pahrump Valley High School to the county property East of 1510 Siri Lane, Pahrump, Nevada; and 3) donate (3) three of the modular classrooms to the Symphony Animal Foundation. The Foundation will reimburse the county for cost incurred to move the (3) three modular classrooms to the county property East of 1510 Siri Lane where their shelter facility is to be located to be reimbursed to Project No. CP1038, Fund 490 Capital Projects.
 - x. [Action](#) – Approval to: 1) enter into an agreement for a payroll deduction purchase plan between Purchasing Power, LLC and Nye County; and 2) authorize the Nye County Human Resource Manager to be the plan administrator for the agreement. Purchasing Power is a voluntary benefits program offered to employees using payroll deduction or cash to purchase name-brand computers, electronics, appliances and other products. There is no cost to Nye County for this voluntary benefit.

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.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

October 19, 2010

- 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.

12 Clerk

13 District Attorney

14 Recorder

15 Sheriff

16 Treasurer

17 Justice(s) of the Peace

18 District Court

- a. [Action](#) – Discussion, deliberation, and possible decision to: 1) approve the purchase of a jury program software from Judicial Systems Inc. for a quoted price of \$75,376.00 for the software, \$5,000.00 for the phone cards and server for at total of \$80,376.00. Technical support of \$5,000.00 will be separate and billed yearly. This is a non-budgeted item but can be funded from Fund 276 District Court Improvement; and 2) approve and execute the contract.

19 Juvenile Probation

GENERAL NYE COUNTY ADMINISTRATIVE STAFF

20 County Manager

- a. [Ongoing Project Report](#)
- b. [Action](#) – Discussion, deliberation, and possible decision to enter into an Option to Lease Agreement with Pegasus Logistical Services, LTD for a portion of property located at the Tonopah Airport for the purpose of developing a hangar for a fixed wing air ambulance facility. The initial term of the Option Agreement is six (6) months, with an option to extend the term of the Option Agreement an additional six (6) months. Pegasus Logistical Services, LTD will pay Nye County \$1.00 per six (6) months during the term of the Option Agreement. Revenues will be deposited into Fund 220 Airport.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

October 19, 2010

- c. [Action](#) – Discussion, deliberation, possible decision, and direction to staff to reconsider the lease agreement between Nye County and A Money Wizard ATMS.

21 Emergency Services

22 Facilities

23 Finance

- a. [Action](#) – Discussion, deliberation, and possible decision to: 1) accept or reject any or all responses and provide direction to staff for Request For Qualifications No. 2010-36 – Tonopah Public Utilities Professional Engineering Services. The amount of the services is not to exceed \$233,000.00 which \$190,000.00 is to be funded from Fund 247 Grants, \$33,000.00 is to be funded from approved Project No. CD1001 Fund 492 Settlement Agreement, and \$10,000.00 is to be funded from Fund 781 Town of Tonopah Capital Project Funds; and 2) authorize execution of the contract.
- b. [Action](#) – Discussion, deliberation, and possible decision to: 1) accept or reject any or all bids and provide direction to staff for Request For Proposals Bid No. 2010-34 – Tonopah Main Street Sidewalk Ramps. The amount of the lowest most responsive bid is \$40,337.37 and is to be funded from Fund 205 Roads; and 2) authorize execution of the contract.
- c. [Action](#) – Discussion, deliberation, and possible decision to: 1) accept or reject any or all bids and provide direction to staff for Request For Proposals Bid No. 2010-33 – 20' x 100' Storage Shed for the Town of Tonopah. The amount of the low bid is \$60,280.00. The project will be funded from Fund 285 Parks and Recreation; and 2) authorize execution of the contract.

24 Health & Human Services

25 H/R and Risk Management

- a. [Action](#) – Discussion, deliberation, possible decision and direction to staff to 1) authorize the filling of one dispatch position in Beatty due to the employee transferring to the vacant dispatch position in Tonopah. This position is not new however due to staffing changes, is not completely funded; and 2) authorize the filling of one dispatch position in Pahrump due to the employee resigning effective October 17, 2010. This position is funded in Fund 101 General.
- b. [Action](#) – Discussion, deliberation, possible decision, and direction to staff to authorize outside advertising and filling of the vacant Secretary I position in Pahrump Administration. This position was approved to be filled by the Board of County Commissioners at its August 17, 2010 meeting and was advertised in-house with limited response. This position is budgeted in Fund 101 General.

26 Information Technology

27 Nuclear Waste Repository Project Office

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

October 19, 2010

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

29 Public Administrator

30 Public Works

31 Senior Services

OTHER BUSINESS

32 Town Boards/Town Advisory Boards

33 Public Petitioners

- a. [Report](#) on EDEN Inc. of Nevada's Activities
- b. [Action](#) – Discussion, deliberation, and possible decision to approve closure of State Highway 318 on May 15, 2011 and on September 18, 2011 for the road events held by Silver State Classic Challenge.

34 GENERAL PUBLIC COMMENT (second)

35 ANNOUNCEMENTS (second)

36 ADJOURN

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

October 19, 2010

AGENDA
NYE COUNTY BOARD OF ROAD COMMISSIONERS

Commissioners Chambers, Pahrump, NV 89048
TUESDAY, October 19, 2010

10:15 A.M.

Lorinda Wichman, Chair
Fely Quitevis, 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. Action - Approval of Minutes for the Nye County Board of Road Commissioners' meeting for – N/A
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. RS2477 Update
5. Adjourn

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

October 19, 2010

**AGENDA
NYE COUNTY LICENSING AND LIQUOR BOARD**

**Commissioners Chambers, Pahrump, NV 89048
TUESDAY, October 19, 2010**

10:30 A.M.

**Butch Borasky, Chair
Fely Quitevis, Vice-Chair
Joni Eastley, Member
Gary Hollis, Member**

**Lorinda Wichman, Member
Tony DeMeo, Member
Sandra "Sam" Merlino, Ex-Officio Clerk of the Board**

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NOTICE OF TIMED AGENDA ITEMS

10:30 a.m. Action – Continued Order to Show Cause Hearing on the brothel license(s) and/or liquor license(s) for Joe Richards. Actions by the Board may include license suspension or revocation, imposition of conditions, or no action ([Part 1](#)) ([Part 2](#)) ([Part 3](#)) ([Part 4](#)) ([Part 5](#)) ([Part 6](#)) ([Part 7](#)) ([Part 8](#)) ([Part 9](#)) ([Part 10](#)) ([Part 11](#)) ([Part 12](#))

1. Action - Approval of Minutes for the Nye County Licensing and Liquor Board meeting for – N/A
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
4. Brothel
5. Gaming
6. Liquor
7. Adjourn

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

October 19, 2010

Tuesday, October 19, 2010 beginning at 11:00 a.m.

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.

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. [Action](#) - Public hearing, discussion, deliberation and possible decision on requests for approval of the following Planning and Zoning matters:
 - A. [Zone Change Application\(s\)](#):
 1. [ZC-10-0011](#): (Conforming) Zone Change application to change approximately 1.1-acres from the Rural Estates - 1 Acre (RE-1) Zoning District to the Neighborhood Commercial (NC) Zoning District for property Master Planned as Mixed Use, located at 1171 E. Gamebird Rd., situated approximately 795-feet east of the southeast corner of Pahrump Valley Boulevard and Gamebird Road, known as Block B, Lot 11 of the Gamebird Subdivision. Jack & Cindy Hey – Property Owner/Applicant. AP# 44-161-06.
 - B. [Master Plan and Related Zone Change Application\(s\)](#):
 1. [MP-10-0005](#): (Minor) Master Plan Amendment application to change approximately 4-acres from the General Commercial Land Use Category to the Mixed Use Land Use Category, located at 2030 E. Leslie Street, situated at the northwest corner of Leslie Street and Mesquite Ave., known as Lot 1 of Goose Neck Park, File Map #035764. Eric Denhard – Property Owner. Strickland Construction Co., Inc. –Applicant/Agent. AP# 29-571-06.
 2. [ZC-10-0012](#): (Non-Conforming) Zone Change application to change approximately 4-acres from the Neighborhood Commercial (NC) Zoning District to the Mixed Use (MU) Zoning District for property Master Planned as General Commercial, located at 2030 E. Leslie Street, situated at the northwest corner of Leslie Street and Mesquite Ave., known as Lot 1 of Goose Neck Park, File Map #035764. Eric Denhard – Property Owner. Strickland Construction Co., Inc. –Applicant/Agent. AP# 29-571-06.

ADJOURN