



**NYE COUNTY
BOARD OF COMMISSIONERS MEETING
101 Radar Rd, Tonopah NV 89049
MONDAY, January 3, 2011
10:00 AM**

**Gary Hollis, Chair
Butch Borasky, Vice-Chair
Joni Eastley, Commissioner
Lorinda Wichman, 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 January 3, 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 January 3, 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. **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

January 3, 2011

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

Lorinda Wichman, Commissioner
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

- 10:15 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. Action - Public Hearing, discussion, deliberation, and possible decision to adopt, amend and adopt, or reject Nye County Bill No. 2010-22: a Bill proposing to amend Nye County Code Title 19, Beatty, by adding Chapter 19.02 entitled Town Government, approving and adopting the formation of the Unincorporated Town of Beatty, County of Nye, State of Nevada, providing for services to be supplied to the residents therein, and other matters properly related thereto. If adopted the effective date will be January 24, 2011.
- 10:50 a.m. Presentation of certificate and/or plaques to six (6) employees honored for their years of service

NYE COUNTY BOARD OF COMMISSIONERS

- 1 Pledge of Allegiance
- 2 Action - Approval of the Agenda for the Board of County Commissioners' meeting of January 3, 2011.
- 3 Action - Approval of Minutes of the Board of County Commissioners' meeting(s) for: September 21, 2010; October 5, 2010; November 23, 2010 Teleconference; and December 13, 2010 Emergency Teleconference.
- 4 Election of Officers
 - a. Action – Election of Chair of the Board of Commissioners.
 - b. Action – Election of Vice-Chair of the Board of Commissioners.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

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- 5 Awards and Presentations – 10:50 a.m. timed item**
- 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 Action - Emergency Items**
- 9 Action - Commissioners'/Manager's Comments (This item limited to announcements or topics/issues proposed for future workshops/agendas)**
- 10 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
 - d. [Action](#) – Approval of Personnel Actions
 - e. [Action](#) – Approval of funding for maintenance work on the 500,000 gallon storage water tank associated with the Gabbs municipal water system that includes: 1) the purchase of a liquid level indicator to replace the water level staff gauge that was destroyed by high winds at a cost of \$990.00; 2) diving services for the inspection and cleaning of the tank's interior as well as installation assistance of the liquid level indicator at a cost of \$3,070.00; and 3) a \$1,000.00 budget to cover unanticipated problems during the cleaning of the tank and the welding of the liquid level indicator to the water tank outer wall. The estimated cost of these maintenance activities is not to exceed \$5,060.00 and is not budgeted but can be funded from Fund 794 Gabbs Utility.
 - f. [Action](#) – Approval to accept Subgrant Amendment No. 1 from the Nevada Department of Health and Human Services to fund the Women, Infants, and Children (WIC) Clinic in Pahrump and Tonopah, a federally funded program to provide nutrition education information to participants, a food delivery system, and facilitate the delivery of health services to participants in the program in the amount of \$23,438.00, with no match required. This subgrant will be administered in Fund 247 Grants.
 - g. [Action](#) – Approval of Change Order No. 1 to the contract between Nye County and B&B Chemdry for the Tonopah Janitorial Services for: 1) change of contractor name; and 2) an additional contract amount of \$300.00 per month/ \$3,600.00 per year for janitorial services at the Child Protective Services Office. The contract is budgeted in Fund 101 General. The Change Order will be funded from Fund 261 County Owned Buildings.

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- h. [Action](#) – Adoption of Nye County Resolution 2010-148: a Resolution for establishing Elkhorn Canyon Road No. 974275 a County public road pursuant to Nevada Revised Statutes 405.191 and R.S. 2477.
- i. [Action](#) – Adoption of Nye County Resolution 2010-147: a Resolution for establishing White Sage Road No. 971023 a County public road pursuant to Nevada Revised Statutes 405.191 and R.S. 2477.
- j. [Action](#) – Adoption of Nye County Resolution 2010-150: a Resolution to create a fund entitled Nye County District Attorney Bad Check Program Fund.
- k. [Action](#) – Approval to apply for the U.S. Fish and Wildlife Life Desert Tortoise Monitoring and Sampling grant to assist in joint field projects related to monitoring and related activities for collection of data for the desert tortoise occurring in Nevada, California, Arizona, and Utah in the amount of \$100,000.00. No match is required by Nye County. The grant would be administered from Fund 247 Grants.

PUBLIC OFFICIALS

11 Assessor

12 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 to set the time of regular Board of County Commissioner meetings.
- h. [Action](#) – Appointment of Commissioner liaison / representatives with:

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

January 3, 2011

1. Nevada Association of Counties (NACO)
2. Pahrump Regional Planning Commission and one alternate
3. Nye County Park and Recreation Commission
4. Economic Development Authority for Nye County
5. Nevada Public Agency Insurance Pool/Compensation Trust and one alternate
6. Regional Transportation Commission (RTC)
7. Nuclear Waste Issues
8. Tri-County Working Group
9. Tri-Party Formal Interaction Agreement Working Group
10. Capital Improvements Advisory Committee
11. Four-County Regional Forum
12. Nye County Jails – Needs Assessment – Inspection North and South
13. Local Emergency Planning Committee (LEPC)
14. Nevada Business Services (NBS)
15. Southern Nevada Workforce Investment Board (SNWIB)
16. Public Utilities Commission
17. Quad State County Government Coalition
18. Central Nevada Regional Water Authority

13 Clerk

- a. Action – Discussion, deliberation, and possible decision to appoint three members and one alternate to the Nye County Board of Equalization to fill four, (4) year terms beginning in January 2011 and to expire in January 2015, and appoint a Chairman and Vice-Chairman to the Board.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

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14 District Attorney

- a. [Action](#) – Discussion, deliberation, and possible decision to authorize the Nye County District Attorney to pursue court action to determine the legal relationships and interests between parties (Nye County) regarding the ownership/use controversy of the roads or roadways located in the town of Belmont, Nye County, Nevada.

15 Recorder

16 Sheriff

17 Treasurer

- a. [Treasurer's](#) Report

18 Justice(s) of the Peace

19 District Court

20 Juvenile Probation

GENERAL NYE COUNTY ADMINISTRATIVE STAFF

21 County Manager

22 Emergency Services

- a. [Action](#) – Discussion, deliberation, and possible decision to appoint one member to the Animal Advisory Committee (ACC) due to a recent vacancy. This position is a three (3) year term.

23 Facilities

24 Finance

- a. [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 #2010-31/PWP #NY-2010-409(C) – Paving and striping of the Pahrump Buildings and Grounds Facilities Parking Lot. The amount of the low bid is \$26,565.26. It is to be paid from Fund 492 Settlement Agreement, Project #BP1102; and 2) authorize execution of contract with successful bidder.
- b. [Action](#) – Discussion, deliberation and possible decision to: 1) award Request for Proposals #2010-42/PWP #NY-2011-118 – Health Clinic/Health and Human Services Modular Building. The amount of the low bid is \$544,850.00. It is to be paid from Fund 260 County Health Clinics, Project #CP1114; and 2) authorize execution of contract with successful bidder.

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- c. [Action](#) – Discussion, deliberation, and possible decision for Nye County Ambulance Billing to accept a settled amount of \$482.21 in lieu of the original bill of \$2503.00.

25 Health & Human Services

26 H/R and Risk Management

- a. [Action](#) – Discussion, deliberation, and possible decision and direction to staff to authorize the filling of one Office Assistant in the Pahrump Road (Engineering & Administration) Department. This position became vacant on December 2, 2010 and is an approved, budgeted position in the 2010/2011 Fiscal Year Fund 205 Road.
- b. [Action](#) – Discussion, deliberation, possible decision and direction to staff to reclassify the current Utility Superintendent position from management NCMEA Grade 18 to non-management NCEA Grade 17. After further review of the duties & responsibilities of the position it does not meet the requirements of an exempt status. Reclassification maintains compliance with the FLSA regarding position classification.

27 Information Technology

28 Nuclear Waste Repository Project Office

29 Planning/Building

30 Public Administrator

31 Public Works

32 Senior Services

OTHER BUSINESS

33 Town Boards/Town Advisory Boards

34 Public Petitioners

- a. [Action](#) – Discussion, deliberation, and possible decision to re-instate the agreement that was terminated on December 7, 2010 between Nye County and Eugene Entertainment Inc. dba Trac-On also representing Wide Open Nevada.
- b. [Action](#) – Discussion, deliberation, and possible decision concerning a request to approve a GIS Cooperative Agreement between Nye County and State of Nevada, acting by and through its Department of Conservation and Natural Resources for the purpose of exchanging and sharing of non-proprietary and non-sensitive raster and vector GIS data and parcel datasets.

35 GENERAL PUBLIC COMMENT (second)

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36 ANNOUNCEMENTS (second)

37 ADJOURNMENT

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ITEM # SUBJECT

January 3, 2011

AGENDA
NYE COUNTY BOARD OF ROAD COMMISSIONERS

101 Radar Rd, Tonopah NV 89049
MONDAY, January 3, 2011

10:15 A.M.

Lorinda Wichman, Chair
Vacant, Vice-Chair
Joni Eastley, Member

Gary Hollis, Member
Butch Borasky, Member
Dan Schinhofen, 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

- a. [Action](#) – Public hearing, discussion, deliberation, and possible decision to adopt, amend and adopt, or reject Nye County Road Commissioner Resolution No. RC2010-41: a Resolution designating White Rock Canyon South Road No. 974270 a minor road pursuant to Nevada Revised Statutes 403.170 and R.S. 2477.
- b. [Action](#) – Public hearing, discussion, deliberation, and possible decision to adopt, amend and adopt, or reject Nye County Road Commission Resolution No. RC2010-42: a Resolution designating Elkhorn Cutoff Road No. 974271 a minor road pursuant to Nevada Revised Statutes 403.170 and R.S. 2477.
- c. [Action](#) – Public hearing, discussion, deliberation, and possible decision to adopt, amend and adopt, or reject Nye County Road Commission Resolution No. RC2010-43: a Resolution designating White Rock Canyon Road No. 974272 a minor road pursuant to Nevada Revised Statutes 403.170 and R.S. 2477.

1. Election of Officers

- a. Action – Election of Chairperson of the Board of Road Commissioners.
- b. Action – Election of Vice – Chairperson of the Board of Road Commissioners.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

| ITEM # | SUBJECT |
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January 3, 2011

2. [Action](#) - Approval of Minutes for the Nye County Board of Road Commissioners' meeting for: September 21, 2010 and October 5, 2010.
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. [Action](#) - General road report by Public Works Director
5. [Action](#) - Discussion, deliberation and possible decision to set a date, time and location for a public hearing on Nye County Road Commission Resolution No. RC2010-63: a Resolution designating Elkhorn Canyon Road No. 974275 a minor road pursuant to Nevada Revised Statutes 403.170 and R.S. 2477.
6. [Action](#) - Discussion, deliberation, and possible decision to set a date, time and location for a public hearing on Nye County Road Commission Resolution No. RC2010-62: a Resolution designating White Sage Road No. 971023 a minor road pursuant to Nevada Revised Statutes 403.170 and R.S. 2477.
7. Adjourn

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

January 3, 2011

AGENDA
NYE COUNTY LICENSING AND LIQUOR BOARD

101 Radar Rd, Tonopah NV 89049
MONDAY, January 3, 2011

10:30 A.M.

Butch Borasky, Chair
Vacant, Vice-Chair
Joni Eastley, Member
Gary Hollis, 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. Action – Election of Chairperson of the Nye County Licensing and Liquor Board.
 - b. Action – Election of Vice-Chairperson of the Nye County Licensing and Liquor Board.
2. [Action](#) - Approval of Minutes for the Nye County Licensing and Liquor Board meeting for September 21, 2010 and October 5, 2010.
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**
 - a. Action – Discussion of any item from the Consent Agenda Items that needs review before a decision is made.
 - b. [Action](#) – Approval to issue 72 Hour Liquor Permits to the Our Lady of the Valley Catholic Church for their Fish Fry Dinners throughout the year on the following dates: January 7th; February 4th; March 4th, 11th, 18th & 25th; April 1st, 8th & 15th; May 6th; September 2nd; October 7th; November 4th and December 2nd 2011. Jean Lynch, Applicant.
5. Brothel
6. Gaming
7. Liquor
8. Adjourn