



**NYE COUNTY
BOARD OF COMMISSIONERS MEETING
2100 E. Walt Williams Drive, Pahrump, NV 89048
TUESDAY, February 15, 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: 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 February 15, 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 February 15, 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; 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.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

February 15, 2011

Gary Hollis, Chair
Lorinda Wichman, Vice-Chair
Joni Eastley, Commissioner

Butch Borasky, 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

10:00 a.m. Timed Agenda Items

- a. Action – Discussion, deliberation, and possible decision to approve the audits of 2009-2010 for Nye County and all component units of Nye County conducted by Daniel McArthur LTD
- b. Action – Report by Daniel McArthur LTD on the findings of the audit for the Amargosa Valley financial records; and discussion, deliberation and possible decision concerning a request to approve recommendations of Daniel McArthur LTD to take corrective action on the findings of the audit for Amargosa Valley.

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)

NYE COUNTY BOARD OF COMMISSIONERS

- 1 Pledge of Allegiance
- 2 Action - Approval of the Agenda for the Board of County Commissioners' meeting of February 15, 2011.
- 3 Action - Approval of Minutes of the Board of County Commissioners' meeting(s) for N/A.
- 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 Action - Emergency Items

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

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- 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](#) – Discussion, deliberation, and possible decision to set the date and location of the second meeting of the Board of Commissioners for Monday May 16, 2011 in Pahrump, Nevada.
 - f. [Action](#) – Approval of a contract amendment with Mr. Robert Anderson (Contract No. 10-015) revising the fee schedule from \$210.00 per hour to \$500.00 per hour and based upon a sliding cap. There is no change to the contract not to exceed amount of \$600,000.00 and is budgeted in Fund 284 Repository Project Oversight.
 - g. [Action](#) – Approval to apply to the Fiscal Year 2012 State of Nevada Emergency Response Commission (SERC) Planning, Training, Equipment and Operations grant. The total grant application shall not exceed \$30,000.00. This grant shall be administered out of Fund 247 Grants, and there is no match required by Nye County.
 - h. [Action](#) – Approval of Change Order No. 1 to the contract between Nye County and Top Rank Builders for the Remodel of the Tonopah Fitness Center in the amount of \$2,335.03 to comply with ADA requirements by changing the single bathroom to an Americans with Disabilities Act (ADA) unisex restroom which is budgeted in approved project GT0703 Fund 247 Grants.
 - i. [Action](#) – Approval to purchase a 200k BTU Oil Burner with 250 gallon Storage Tank to burn waste oil and provide heat to the new Equipment Services Shop located at 871. E. Boothill, Pahrump in the amount of \$7,800.00 which is budgeted in approved Project BP1102 Fund 492 Settlement Agreement to be reimbursed from Fund 499 Bond Proceeds.
 - j. [Action](#) – Approval to surplus and dispose of excess Nye county cleaning equipment. The cleaning equipment consists of one auto-scrubber, two floor buffer scrubbers, and one industrial carpet shampooer. The donation is contingent upon award of a contract for Pahrump janitorial services in lieu of providing custodial service in-house for County buildings in Pahrump. The equipment will be donated to the Nye County School District.

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- k. [Action](#) – Approval to purchase a heavy-duty industrial floor coating kit from Armorgarage.com to be installed by County staff for the new Equipment Services Shop located at 871. E. Boothill, Pahrump in the amount of \$6,360.00 which is budgeted in approved Project BP1102 Fund 492 Settlement Agreement to be reimbursed from Fund 499 Bond Proceeds.
- l. [Action](#) – Approval to apply for the Nevada Aging and Disability Services Division (ADSD) Social Services Competitive Grant for Fiscal Year 2012 to provide senior transportation services in Amargosa Valley, Beatty, Gabbs, Smoky Valley and Tonopah in Nye County. Grant amount requested approximately \$127,970.00. This grant application also includes our Long Distance Medical Transportation Program providing non-emergency medical rides to the larger cities. There is no match required by Nye County.
- m. [Action](#) – Approval to apply for the Nevada Aging and Disability Services Division (ADSD) Social Services Competitive Grant for Fiscal Year 2012 to provide senior transportation services in Goldfield, Silver Peak and Fish Lake Valley, in Esmeralda County. Grant amount requested approximately \$31,020.00 along with estimated matching funds of \$5,475.00, which are provided by Esmeralda County Commissioners in their budget for Fiscal Year 2011-2012.
- n. [Action](#) – Approval to enter into a Professional Services Agreement with Glorieta Geoscience, Inc. to provide support to the Nuclear Waste Repository Project Office in the areas of hydrogeologic data analysis, groundwater model analysis and development, evapotranspiration study support, water resources, and water quality. The not-to-exceed amount of this agreement is \$36,000.00 and is budgeted in Fund 284 Repository Project Oversight.
- o. [Action](#) – Approval of Amendment No. 2 to the Interlocal Agreement RFP601268-08 to provide transportation to fund medical appointments for clients affected with HIV/AIDS as well as case management between Clark County and Nye County to renew and extend the agreement for a one-year period to February 29, 2012 and to reduce the current grant award to from \$70,000.00 to \$60,000.00. There is no match required by Nye County.
- p. [Action](#) – Approval to accept a proposal from Scrapnridge Construction Inc. for architectural plans and site determination for the proposed addition to the Beatty Library, and all matters pertaining thereto in the amount of \$8,200.00 and is budgeted in Fund 710 Beatty Town.
- q. [Action](#) – Approval to purchase three Dodge pickup trucks to replace existing high mileage vehicles at a total cost of \$101,225.75 and is budgeted in Fund 205 Roads.
- r. [Action](#) – Approval to pay one (1) Inmate inpatient hospital bill in excess of \$12,500.00 and is budgeted in Fund 230 Medical and General Indigent.

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- s. [Action](#) – Approval to accept Subgrant Amendment No. 2 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 \$8,000.00, with no match required by Nye County. This subgrant will be administered in Fund 247 Grants.

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.
- 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 prioritize and submit projects to the Resource Advisory Committee for consideration under Title II of the Secure Rural Schools Program At least 50% of the funding must be used for projects that are primarily for purposes of “Road maintenance, decommissioning, or obliteration; or Restoration of streams and watersheds.” There is no match required by Nye County.
- h. [Action](#) – Discussion, deliberation, and possible decision to approve a project for \$50,000.00 to Kaempher, Crowell, Attorneys at Law to develop a strategic plan to acquire, rehabilitate, expand and maintain water and sewer infrastructure in the Pahrump Regional Planning Area for Nye County. This project includes scope of work items 1 through 6 from the attached proposal, and is limited to 6 months. After completion of the strategic plan, the Board of County Commissioners will review the plan and determine if additional work in the form of scope of work item 7 will be authorized. The project is not budgeted but can be funded in Fund 101 General.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

February 15, 2011

- i. [Commissioner Agency Report](#)

12 Clerk

13 District Attorney

14 Recorder

15 Sheriff

16 Treasurer

- a. Treasurer's Report

17 Justice(s) of the Peace

18 District Court

19 Juvenile Probation

GENERAL NYE COUNTY ADMINISTRATIVE STAFF

20 County Manager

- a. [Ongoing Project Report](#)
- b. [Action](#) – Discussion, deliberation, and possible decision on a request to appoint Maureen Budahl to the position of Nye County Public Health Officer; and approval of a contract in the amount of \$1,000.00 per month for her services which is budgeted from Fund 260 County Health Clinics.
- c. [Action](#) – Discussion, deliberation, and possible decision to approve a Change Order No. 2 to the contract between Nye County and BEC Environmental, Inc. to provide professional services in support of renewable energy, energy efficiency, and sustainability projects in Nye County to increase the amount by \$100,000.00 and also to extend the activities through August 15, 2011 and is budgeted in Fund 263 Renewable Energy.
- d. [Action](#) – Discussion, deliberation, and possible decision to: 1) terminate the Memorandum of Agreement between Nye County and EDEN, Inc.; and 2) approve shifting the remaining economic development-related responsibilities from EDEN, Inc. to the Nye County Manager by submitting the Application for Local Development Grant Program (LDGP) and Scope of Work to the Nevada Commission on Economic Development to enable redirection of funding entirely to Nye County.
- e. [Action](#) – Discussion, deliberation, and possible decision concerning a request to set a date, time and location for a Public Hearing regarding the Southern Nevada Water Authority's (SNWA) applications to use water in a county other than that in which it is appropriated or currently diverted or used.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

February 15, 2011

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 Proposals #2010-44 – Pahrump Janitorial Contract. The low bid is \$92,374.92 per year. The cost will be paid from Buildings & Grounds – Pahrump; 2) accept the change in payment terms from Net 30 days as originally proposed to Net 14 days; and 3) authorize execution of a contract with the successful bidder.

24 Health & Human Services

25 H/R and Risk Management

- a. [Action](#) – Discussion, deliberation, and possible decision and direction to staff to: 1) authorize the “in-house” advertising and filling of one dispatch position in the Pahrump Sheriff’s Office; and 2) allow the Sheriff’s Office to incorporate the in-house applicants into the current hiring list the Sheriff’s office currently has established. This position became vacant January 28, 2010 due to the current employee failing to confirm probationary status. This position is budgeted in Fund 101 General.
- b. [Action](#) – Discussion, deliberation, possible decision and direction to staff to authorize the hiring of one deputy sheriff in the Pahrump Sheriff’s Office. This position will become vacant March 15, 2011 due to the employee retiring. The position is budgeted in Fund 101 General.

26 Information Technology

27 Nuclear Waste Repository Project Office

28 Planning/Building

29 Public Administrator

30 Public Works

31 Senior Services

OTHER BUSINESS

32 Town Boards/Town Advisory Boards

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

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33 Public Petitioners

- a. [Action](#) – Discussion, deliberation, and possible decision to direct the Nye County Treasurer to sell at auction the property particularly described as Block 10, Lot 28 (E 1/2?) Lot 27 APN 008-213-08, after giving notice of sale, for a total amount not less than the amount of \$2,050.00, being the amount of taxes, costs, penalties and interest legally chargeable against the property as stated in the order.

- b. [Action](#) – Discussion, deliberation, and possible decision concerning a request to approve Amendment No. 1 to the 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 to change the party to the agreement from the Department of Conservation and Natural Resources to the Bureau of Air Quality Planning.

34 GENERAL PUBLIC COMMENT (second)

35 ANNOUNCEMENTS (second)

36 ADJOURN

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

February 15, 2011

AGENDA
NYE COUNTY BOARD OF ROAD COMMISSIONERS

Commissioners Chambers, Pahrump, NV 89048
TUESDAY, February 15, 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. 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. Adjourn

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

February 15, 2011

AGENDA
NYE COUNTY LICENSING AND LIQUOR BOARD

Commissioners Chambers, Pahrump, NV 89048
TUESDAY, February 15, 2011

10:30 A.M.

Butch Borasky, Chair

Dan Schinhofen, Vice-Chair

Joni Eastley, Member

Gary Hollis, Member

Lorinda Wichman, 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. 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. Brothel
4. Gaming
5. Liquor
 - a. Action – Discussion, deliberation, and direction to staff to set an Order to Show Cause hearing for Lawanna Jean Hendrix, who holds up to a total of six liquor and gaming licenses in Nye County, Nevada. Hendrix was arrested for the alleged possession of a firearm while under the influence of alcohol, controlled substance or other intoxicating substance, a violation of NRS 202.257, at the Just Country Bar, 2730 North Blagg Rd., Pahrump, on December 7, 2010.
6. Adjourn