



NYE COUNTY
BOARD OF COMMISSIONERS MEETING
2100 E. Walt Williams Drive, Pahrump, NV 89048
TUESDAY, April 19, 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 April 19, 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 April 19, 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

April 19, 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. [Action](#) – Discussion, deliberation, and possible decision to affirm or reverse the decision to deny Medical Indigent benefits for the payment of a medical bill.
- 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. [Presentation](#) of certificate and/or plaques to seven (7) employees honored for their years of service.
- 10:50 a.m. [Action](#) – Public hearing, discussion, deliberation, and possible decision to adopt, amend and adopt, or reject Nye County Bill No. 2011-05: a Bill proposing to amend Nye County Code Title 2, Administration and Personnel, by repealing Chapter 2.12, Planning Commission, in its entirety and other matters properly related thereto. If adopted the effective date will be May 2, 2011.
- 11:00 a.m. Planning, Zoning, and Building Items (Agenda Attached)
- 11:15 a.m. [Presentation](#) on Teen Participation and Awards in the 2010 PACE (Prevent All Crashes Everyday) Program.
- 11:30 a.m. [Presentation](#) of information on Jaded Thunder by the United States Air Force.

NYE COUNTY BOARD OF COMMISSIONERS

- 1 **Pledge of Allegiance**
- 2 **Action - Approval of the Agenda for the Board of County Commissioners' meeting of April 19, 2011.**
- 3 **[Action](#) - Approval of Minutes of the Board of County Commissioners' meeting for January 18, 2011.**

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- 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
- 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 July 19, 2011 in Pahrump, Nevada.
 - f. [Action](#) – Approval to apply for the Mid-Cycle Small Rural Access Grant through Susan G. Komen for the Cure of Southern Nevada to assist uninsured, low-income women in Nye County with screening and diagnostic mammograms; other diagnostic testing such as ultrasound as well as surgical consultation when necessary in the amount of \$5,000.00. There is no match required by Nye County.
 - g. [Action](#) – Approval to apply for the State of Nevada, Department of Health and Human Services State Fiscal Year 2012 Community Service Block Grant (CSBG) to provide assistance for Nye County's very low to low-income population in the amount of approximately \$121,430.00. There is no match required by Nye County.
 - h. [Action](#) – Approval to purchase a 750 gallon double wall waste oil tank and materials needed for installation at the new Equipment Services shop located at 871. E. Boothill, Pahrump, Nevada in the amount not to exceed \$4,300.00 which can be funded in approved Project BP1102 Fund 492 Settlement Agreement to be reimbursed from Fund 499 Bond Proceeds.
 - i. [Action](#) – Approval to extend the option to lease agreement between Nye County and Aurora Solar, LLC. to June 16, 2012 for 225 acres at the Tonopah Airport.

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- j. [Action](#) – Approval of the following items to be purchased for the Nye County Multipurpose Training Facility located in Pahrump, Nevada in the amount of \$39,362.00 which is fully funded from Fund 490 Capital Projects and no additional funds are requested.
1. New 20’wide X 29’long metal shade to be located between the tactical training prop and the fire flashover prop. Relocation of a 20’wide X 20’ long metal shade from a Nye County Gravel Pit to the training site adjacent to the K-9 training area. Installation of an existing 14’ wide X 20’ wide shade that is in pieces located on the site. To be installed next to the vehicle extrication area. Lowest quote: TW Page General Contractor LLC \$10,155.00 (Nye County Vendor)
 2. New 8’ X 20’ Storage Container, painted green and delivered to training site. This container will be located in back of the solar trailer for storage and a wind block. Lowest quote: C & S Solutions of Nevada \$1,495.00 (Nye County Vendor)
 3. New portable Energy Trailer System, folding array of 10 solar panels, self contained panels, wiring, inverter, LED Flood lights, batteries and delivered to customer. The solar trailer will provide night security lighting to the facility as well as other misc. energy needs. This is also a portable trailer that can be moved throughout the county if a need arises due to an emergency situation. Lowest quote: SES Energy Depot \$24,800 (Nye County Vendor)
 4. New Keiser Force Machine. This specific type of fitness equipment is only manufactured by Keiser. The Force Machine is one utilized in the testing of firefighters in Nevada as well as throughout the country. Only quote: Keiser \$2,911.53
- k. [Action](#) – Approval to submit a letter of support for Arizona Nevada Tower Corporation’s application to the US Department of Agriculture Community Connect program for a grant to bring wireless broadband service to the Town of Gabbs.
- l. [Action](#) – Approval to accept a Grant Award from Nevada Commission on Economic Development, Local Development Grant Program to support economic development initiatives from July 1, 2010 – June 2011 in the amount of \$70,000.00. This grant will be administered in Fund 247 Grants.
- m. [Action](#) – Approval to enter into a new three year agreement with Frontier Communications for telephone service related to the Nye County 9-1-1 System and to accept a one-time payment from AT&T in the amount of \$32,231.52 to reimburse Nye County for charges from Frontier Communications for services necessary for the operation of the 9-1-1 system that were not previously anticipated. The AT&T 9-1-1 Agreement was approved by the Nye County Board of County Commissioners on November 10, 2008.
- n. [Action](#) – Approval to seek bids for: 1) the construction of intersection improvements and installation of a permanent traffic signal at SR 160 and Homestead & Winery Roads; and 2) the reconstruction of Dandelion Street from SR160 to Calvada Boulevard with both projects budgeted from Fund 205 Roads.

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- o. [Action](#) – Approval to renew the ESRI License Agreement which provides mapping and tracking of criminal activity within Nye County in the amount of \$1,000.00 and can be funded from Fund 101 General. The terms of this agreement are from October 5, 2010 through October 4, 2011.
- p. [Action](#) – Approval of Change Order No. 2 to the contract between Nye County and Tyler Technologies for a new financial software package for the County for an additional 28 hours of onsite payroll process review and module integration session in the amount of \$4,200.00 and can be funded from Fund 491 County Special Capital Projects.
- q. [Action](#) – Approval of Change Order No. 1 to the contract with Layton Construction Company for Construction Manager at Risk (CMAR) service for the construction of a new County jail in Pahrump to add the project pick list in the amount of \$359,410.56 and can be funded from Fund 499 Bond Proceeds and to increase the contract time by forty-eight (48) days.
- r. [Action](#) – Approval of a contract with Traffic Control Service, Inc. for a monthly rental of equipment to provide traffic control on Blagg Road in the amount of \$4,104.83 and can be funded from Fund 205 Roads.
- s. [Action](#) – Approval to appoint Gary Atkerson, Joe Cohan and Joe DeLee to the Amargosa Valley Town Advisory Board due to three expired terms. These are two year terms and will expire January 2013.
- t. [Action](#) – Approval to: 1) reclassify \$85,425.91 from Project PE1012 Fund 492 Settlement Agreement and \$25,595.24 from Project PE1012 Fund 101 General to be charged to Fund 284 Repository Project Oversight; and 2) increase Project PE1012 in the amount of \$88,978.85 for a project total of \$200,000.00; for the Historical Minor Road Documentation Project to document county roads including minor roads over which historical jurisdiction exists to help assure public access in the future.
- u. [Action](#) – Adoption of Nye County Resolution No. 2011-26: A Resolution, pursuant to NRS 228.130, requesting assistance from the Attorney General’s Office in the prosecution of Criminal Case No. 10CR00873, and to provide for the reimbursement of reasonable legal fees, expenses, and costs incurred thereto.

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.

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ITEM # SUBJECT

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- 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. [Agency Status Report](#)
- h. [Action](#) – Discussion, deliberation, and possible decision to send a letter to Chris Hanefeld of the Mohave-Southern Great Basin Resource Advisory Council (RAC) nominating Kenneth Plewe for a vacant seat on the RAC as a representative associated with transportation or rights-of-way.
- i. [Action](#) – Discussion, deliberation, possible decision, and direction to staff to move forward with obtaining one appraisal pursuant to NRS 244.2795 for the intent of selling property located at 3232 Golden Mountain Lane in Tonopah, Nevada in a not to exceed amount of \$1,500.00 and can be funded from Fund 269 Land Sales Cost.

12 Clerk

13 District Attorney

- a. [Action](#) – Discussion, deliberation, and possible decision to take all legal action necessary to enforce provisions of the Subdivision Improvement, Maintenance and Warranty Agreement for Ishani Ridge Subdivision.

14 Recorder

15 Sheriff

16 Treasurer

17 Justice(s) of the Peace

18 District Court

19 Juvenile Probation

GENERAL NYE COUNTY ADMINISTRATIVE STAFF

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

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20 County Manager

- a. [Ongoing Project Report](#)
- b. [Action](#) – Discussion, deliberation, and possible decision concerning a request to approve a Memorandum of Agreement between Nye County and Rural Nevada Development Corporation for the purpose of obtaining services and deliverables for the fulfillment of the Nevada Commission on Economic Development, Local Development Grant requirements in a not to exceed amount of \$20,000.00 and can be funded from Fund 247 Grants.

21 Emergency Services

22 Facilities

23 Finance

- a. [Action](#) – Discussion, deliberation, and possible decision concerning a request to set a date, time and location for a Public Hearing for approval of Final Budget for Fiscal Year 2011-12.
- b. [Action](#) – Discussion, deliberation, and possible decision to: 1) set a date, time, and location for a Public Hearing on Nye County Bill No. 2011-01: A Bill proposing to amend Nye County Code Title 18.08, Transient Lodging Business License Tax, by modifying Chapter 18.08.175: Use Of Proceeds Of Tax; By Creating Two Separate Funds Designated as Amargosa Valley Transient Lodging Tax Fund Economic Development Fund and Amargosa Valley Transient Lodging Tax Fund Parks And Recreation Fund, and other matters properly related thereto; and 2) reading of title of bill into the record.
- c. [Action](#) – Discussion, deliberation, and possible decision to: 1) award RFP # 2011-04/PWP #NY-2010-409(D) – Buildings & Grounds Fiber Optic Cable. The amount of the lowest bid for the trenching part of the bid \$31,228.96 and the low bid for the cabling part of the bid is \$14,331.00. \$45,559.96 of the project is to be funded from Fund 492 Settlement Agreement. The remaining \$7,106.00 is to be funded by the Town of Pahrump; 2) authorize execution of the contract.
- d. [Action](#) – Discussion, deliberation, and possible decision to augment the budget for the Nye County Animal Shelter on the basis of greater than budgeted revenue anticipated for the year. The requested augmentation is in the amount of \$30,000.00 and will cover increased expenses due to the volume of spay and neuter procedures exceeding budgeted levels.

24 Health & Human Services

25 H/R and Risk Management

- a. [Action](#) – Discussion, deliberation, possible decision and direction to staff to authorize the in-house advertising for an anticipated Deputy Justice Court Clerk position vacancy in the Pahrump Justice Court and filling of the vacancy once the resignation has been received. This position is budgeted in Fund 101 General.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

April 19, 2011

- b. [Action](#) – Discussion, deliberation, possible decision and direction to staff to authorize the in-house advertising and filling of one vacant Deputy Recorder position in the Tonopah Recorders Office. This position will become vacant April 20, 2011. This position is budgeted in Fund 101 General.

26 Information Technology

27 Nuclear Waste Repository Project Office

- a. [Action](#) – Discussion, deliberation, possible decision, and direction to staff to move forward with stakeholder coordination and planning for preparation and subsequent submission of a proposal for the Department of Energy (DOE) for an Energy Park at the Amargosa Valley Science and Technology Park (AVSTP) with a regional focus for: 1) the development of renewable energy storage and generation equipment and techniques; and 2) cost effective water treatment methods. If DOE accepts the proposal, the acceptance will be brought before the Board for approval.

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

- a. [Action](#) – Discussion, deliberation, and possible decision to approve funding for the Town of Round Mountain to help with the expansion of the public safety building located in the Hadley Subdivision, Round Mountain in the amount to \$200,000.00 to \$250,000.00 which has not been budgeted.

33 Public Petitioners

- a. [Action](#) – Discussion, deliberation, and possible decision to approve funding for the Nye County Water District (NCWD) in the amount of \$20,000.00 to cover operating expenses from May 1, 2011 to June 30, 2011 and can be funded from Fund 269 Land Sale Costs.
- b. [Action](#) – Discussion, deliberation, and possible decision concerning a request to approve an Interlocal Contract between Nye County and State of Nevada, acting by and through its Department of Public Safety, Records and Technology Division for the purpose of exchanging and sharing of non-proprietary and non-sensitive raster and vector GIS data.

34 GENERAL PUBLIC COMMENT (second)

35 ANNOUNCEMENTS (second)

36 ADJOURN

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

April 19, 2011

AGENDA
NYE COUNTY BOARD OF ROAD COMMISSIONERS

Commissioners Chambers, Pahrump, NV 89048
TUESDAY, April 19, 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 January 18, 2011.
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

April 19, 2011

AGENDA
NYE COUNTY LICENSING AND LIQUOR BOARD

Commissioners Chambers, Pahrump, NV 89048
TUESDAY, April 19, 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. Action - Approval of Minutes for the Nye County Licensing and Liquor Board meeting for January 18, 2011.
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

April 19, 2011

Tuesday, April 19, 2011 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

11:00 AM

1. Ex Parte Communications and Conflict of Interest Disclosure Statements

GENERAL PLANNING/BUILDING ITEMS (NOTE: THESE ITEMS ARE NOT TIMED AND ARE NOT CONSIDERED PART OF THE PUBLIC HEARING)

1. Action - Request to Set a Date, Time and Location for a Public Hearing on Bill No. 2010-16:
 - a. Discussion, deliberation and possible decision on a request to: 1) set a date, time and location for a Public Hearing on Nye County Bill No. 2010-16: A Bill proposing to amend Nye County Code 17.04, the Pahrump Regional Planning District Zoning Regulations, by amending Section 17.04.950 governing Site Development Plan Review and Approval Procedures (also known as 3-2-1 Site Development Plan Review), and other matters properly related thereto; and 2) reading of title of bill into the record