



**NYE COUNTY
BOARD OF COMMISSIONERS MEETING
101 Radar Rd, Tonopah NV 89049
TUESDAY, May 3, 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 May 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 May 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 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

May 3, 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

- 10:15 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 on completed Parks and Recreation Commission projects.

NYE COUNTY BOARD OF COMMISSIONERS

- 1 Pledge of Allegiance
- 2 Action - Approval of the Agenda for the Board of County Commissioners' meeting of May 3, 2011.
- 3 Action - Approval of Minutes of the Board of County Commissioners' meeting(s) for: March 14, 2011 Special Meeting; March 25, 2011 Teleconference; March 31, 2011 Teleconference; April 5, 2011 Regular BOCC Meeting; and April 8, 2011 Teleconference.
- 4 Awards and Presentations
- 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

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- 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 Change Order No. 7 to the Contract with RDM Associates to write and publish three books, produce and print 10 oral histories, record video of Nye County, and include reimbursement for business related travel expenses in accordance with the Nye County Travel Reimbursement Policy in the approximate amount of \$190,000.00 which can be funded from Fund 284 Repository Project Office.
- f. [Action](#) – Approval to award a contract to Tonopah Sand & Gravel to repair the sidewalks in the Sierra Vista Estates Development in Tonopah for a cost of \$19,998.00 and can be funded from Fund 205 Roads.
- g. [Action](#) – Approval to apply for the Nevada Commission on Economic Development (NCED), Local Development Grant Program (LDGP) in the amount of \$100,000.00 to support local efforts to diversify Nevada’s rural economies and broaden the local tax base. A 1:1 match is required. The match will be met by in-kind staff involvement and Nye County’s existing contract with BEC Environmental, Inc. This grant will be administered in Fund 247 Grants.
- h. [Action](#) – Approval to redirect funds in the amount of \$65,246.00 previously approved from Fund 492 Settlement Agreement to revise the Fiscal Year 2011 approved Chip Seal Plans to chip seal approximately 6,400’ of additional roads (segments of Canyon, Navajo, Charity and Faith) in Amargosa Valley instead of approximately one mile of White Boulevard in Crystal.
- i. [Action](#) – Approval to accept the State of Nevada Division of Emergency Management (DEM) Fiscal Year 2010 Emergency Preparedness Working Group (EPWG) Final Volume Funding grant in the amount of \$100,000.00 to go towards completion of the Beatty Ambulance Barn. Funds from this grant come from the National Nuclear Security Administration Nevada Site Office (NNSA/NSO) low-level waste grant program and there is no match required. This grant will be administered in Fund 247 Grants.
- j. [Action](#) – Approval to accept the Restrictive Land Covenant with Calvada Investment LLC (SD 11-0003) to defer off-site improvements until such time that the County deems them necessary.
- k. [Action](#) – Approval to issue a Special Fireworks Permit to the Town of Tonopah for an Aerial Display that will be set off by the Tonopah Volunteer Fire Department at the Annual Celebration on July 4, 2011 at the Joe Friel Complex located in Tonopah, NV. James Eason, Applicant.

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- l. [Action](#) – Approval to issue a Wholesale/Retail Fireworks Permit to Red Apple Fireworks Co., LTD located at 3610 S. Hwy. 160 in Pahrump, NV. Douglas Burda Applicant. This is a new applicant that has paid all fees and has their insurance policy in order.
- m. [Action](#) – Approval to continue renting facilities on a month-to-month basis with Advantage Self Storage, Pahrump, Nevada in order to continue housing the Nye County Sheriff's Office impound yard materials until their new impound lot is ready in the amount of \$1,750.00 per month and is budgeted from Fund 499 Bond Proceeds.
- n. [Action](#) – Approval to purchase fifty (50), twenty (20) foot long concrete K-Rail sections to be used for traffic control along closed segments of Blagg Road at a cost of \$36,325.00 and can be funded from Fund 205 Roads. This is considered an exception to the requirements for Competitive bidding per NRS 332.112 Emergency Contracts.
- o. [Action](#) – Approval to transfer a 2003 Dodge Dakota 4-wheel drive vehicle from the Nuclear Waste Repository Project Office to the Information Technology (IT) department.
- p. [Action](#) – Approval to enter into an Agreement with the State of Nevada, acting through its Department of Transportation (NDOT) that: 1) permits access onto County easements as necessary in order to construct ADA compliant sidewalks and ADA compliant curb ramps along a section of US 95 in Beatty, Nevada; and 2) transfers maintenance responsibility for the sidewalk and curb improvements to the County.
- q. [Action](#) – Approval to renew the Extended Warranty Plan with Goserco, Inc. in the amount of \$1,651.05 and is budgeted from Fund 101 General. The term of this agreement is good from March 1, 2011 through February 28, 2012. This contract would be for the maintenance of the recording device located in the Beatty sub-station.
- r. [Action](#) – Approval of the following items to be purchased for the Nye County Multipurpose Training Facility located in Pahrump, Nevada in the amount of \$17,363.41 which is fully funded from Fund 490 Capital Projects and no additional funds are requested:
 1. New 40 Gallon Utility Vehicle Skid Sprayer to be utilized to control weeds within and around the perimeter of the training facility. Lowest quote: Buy Farm Stuff. com \$694.36 with free shipping;
 2. Signage for K-9 Training area: Valley Signs \$182.33;
 3. 2 New 3Row X 15' Aluminum Bleachers for K-9 and Tactical / Fire Training areas: GSA Vendor - Aluminum bleachers. com, Price including shipping \$2,259.78;
 4. Fit-Trail equipment for perimeter of the facility. The ½ mile perimeter of the facility will be utilized by volunteers and staff to maintain their fitness level to meet the criteria of their response task. Exercise stations will be positioned periodically throughout the course to give the person working out the option to continue running / jogging / walking or to stop and do the fitness task presented at that particular station. There will be approximately 12 fitness stations throughout the ½ mile course consisting of 20 different

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- exercises and/or challenges. This GSA contractor would be providing the Sit-Up Bench, Multi-Bench, Horizontal ladder, Step and Twist and the Seated Chest Machine: GSA Price plus delivery \$10,176.94;
5. Furniture. 32 utility tables, 50 folding chairs and storage rack, 3 marker boards, total price \$4,050.00.
- s. [Action](#) – Approval of a time and materials Professional Services Agreement with Nevada Geo-Tech Inc. to provide non-invasive inspections and technical testing for the Nye County jail facility project in the amount of \$25,000.00 and can be funded from Fund 499 Bond Proceeds.
- t. [Action](#) – Adoption of Nye County Resolution No. 2011-27: a Resolution for establishing Jefferson Summit Road No. 974710 a County public road Pursuant to Nevada Revised Statutes 405.191 and R.S. 2477.
- u. [Action](#) – Adoption of Nye County Resolution No. 2011-28: a Resolution for establishing North Twin River Road No. 982800 a County public road Pursuant to Nevada Revised Statutes 405.191 and R.S. 2477.

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. [Agency](#) Status Report

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- h. [Action](#) – Discussion, deliberation, and possible decision authorizing the Board of County Commissioners to submit a request to Nevada Department of Transportation (NDOT) to consider dedicating a portion of SR 160 from Nye/Clark county line to US 95 to be dedicated as the Veterans Memorial Highway.
- i. [Action](#) – Discussion, deliberation, possible decision, and direction to staff to: 1) proceed with the process of applying for a Recreation and Public Purposes (R&PP) Lease; or 2) consider requesting a direct land sale for the Mount Moriah Cemetery located in Manhattan, Nevada.

12 Clerk

13 District Attorney

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

- a. [Action](#) – Discussion, deliberation and possible decision on a request to set a date, time, and location for a Public Hearing on Nye County Bill No. 2011- 06: A bill proposing to amend Title 1, General Provisions, Chapter 1.01 of the Nye County Code entitled Code Adoption, Sections 1.01.010, 1.01.040 and 1.01.090 to make the general county ordinances applicable to all unincorporated areas of Nye County except Nye County Code titles applicable to specific areas and areas where a town board form of government has exercised its authority over a subject matter as provided by and in conformance with Nevada Revised Statutes, to redefine the term town, and other matters properly relating thereto; and 2) reading of title of bill into the record.
- b. [Action](#) – Discussion, deliberation, and possible decision concerning a request to approve a 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 Agreement is twenty (20) years, with an option to extend the term of the Agreement an additional twenty (20) years. Pegasus Logistical Services, LTD will pay Nye County \$2.00 per year during the term of the Agreement. Revenues will be deposited into Fund 220 Airport.

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- c. [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 to: 1) accept or reject the fee schedule presented by the finalist for Request For Qualifications #2011-03 – Information Technology Expansion. The cost of the services is a fixed fee of \$58,500. It will be funded from Fund 492 Settlement Agreement initially and will be reimbursed by Fund 499 Bond Proceeds; and 2) authorize execution of a contract.
- b. [Action](#) – Discussion, deliberation, and possible decision to take action on the PERS buyout program.
- c. [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 \$20,000.00 and will cover increased expenses due to the volume of spay and neuter procedures exceeding budgeted levels.

24 Health & Human Services

- a. [Action](#) – Discussion, deliberation, and possible decision to enter into an Information Systems Access Agreement with the State of Nevada Department of Health and Human Services Welfare Division for access to the State’s Nevada Operations of Multi-Automated Data Systems (NOMADS) a system to determine, track and case manage public assistance and child support enforcement cases. Nye County would be responsible for any costs associated with establishing communications connectivity to the system and any costs associated with continued access.

25 H/R and Risk Management

- a. [Action](#) – Discussion, deliberation, possible decision and direction to staff to authorize the advertising and filling of the vacant Town Support Staff in Amargosa Valley. This position has been vacant since April 15, 2011. This position is currently budgeted at 32 hours per week in Fund 701 Amargosa Town.
- b. [Action](#) – Discussion, deliberation, possible decision, and direction to staff to authorize the advertising and filling of the vacant Station Superintendent & Emergency Responder position in Amargosa Valley. This position has been vacant since October 6, 2010. This position is currently budgeted at 32 hours per week in Fund 701 Amargosa Town.

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- c. [Action](#) – Discussion, deliberation, possible decision, and direction to staff to approve two temporary B&G Maintenance Worker III's to complete the skirting on the props, paint the props and installing the fix-it equipment on the skirting on the Multipurpose Training Facility on Mesquite Avenue in Pahrump. These positions can be charged to Project CP1038, Fund 490 Capital Projects.
- d. [Action](#) – Discussion, deliberation, possible decision, and direction to staff to authorize the advertising and filling of the vacant District Court Bailiff in the Pahrump District Court. This position became vacant on April 8, 2011 when the employee failed to meet probation. This position is currently budgeted in Fund 101 General however ability to sustain the position in the 2011-2012 fiscal year has not been determined.
- e. [Action](#) – Discussion, deliberation, possible decision, and direction to staff to authorize the in-house advertising and filling of the vacant Chief Deputy Assessor in the Assessor's Office. This position is vacant due to the prior employee retiring. This position is budgeted in Fund 101 General.
- f. [Action](#) – Discussion, deliberation, possible decision, and direction to staff to: 1) authorize two (2) new Deputy Assessor's positions in the Assessor's Office (NCEA Grade 7); and 2) approve the in-house advertising and filling of the approved Deputy Assessor positions. These positions are not budgeted.

26 Information Technology

- a. [Action](#) – Discussion, deliberation, and possible decision to pay invoices for the Maintenance Agreement with Sungard H T E, Inc. in the amount of \$43,120.40 from Fund 101 Contingency.

27 Nuclear Waste Repository Project Office

28 Planning/Building

29 Public Administrator

30 Public Works

- a. [Action](#) – Discussion, deliberation, and possible decision regarding a request to adopt, amend and adopt, or reject Nye County Resolution No. 2011-30: a Resolution authorizing the exchange of Nye County Property - for - Public Road and Utility Easements and a water storage tank site in support of the Manhattan Water Project Phase II. Should the Board approve the exchange, a Real Property Transfer Tax will apply in the amount of approximately \$400 and is budgeted under GT-0803 Fund 492, Settlement Agreement. (Due to the size of the document the Exhibits are listed separately). [Ex 1](#), [Ex 2](#), [Ex 3.1](#), [Ex 3.2](#), [Ex 4](#), [Ex 5](#), [Ex 6](#), [Ex 7](#)

31 Senior Services

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

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OTHER BUSINESS

32 Town Boards/Town Advisory Boards

- a. [Action](#) – Discussion, deliberation, and possible decision to write off the uncollectable utility accounts from the books of the Town of Gabbs in the total amount of \$109.96.
- b. [Action](#) – Discussion, deliberation, and possible decision to approve the Beatty Town Advisory Board decision to assist with funding the Beatty High School Student trip to the National Leadership Conference and Competition for Family, Career, and Community Leaders of America in the amount of \$2,000.00 to come from Fund 710 General.

33 Public Petitioners

- a. [Action](#) – Discussion, deliberation, and possible decision to authorize the Treasurer to place a five dollar (\$5.00) per parcel charge as a line item on the property tax bill and to collect those monies on behalf of the Governing Board of the Nye County Water District, beginning with the Fiscal Year 2011-2012 tax bill and future tax bills.

34 GENERAL PUBLIC COMMENT (second)

35 ANNOUNCEMENTS (second)

36 ADJOURNMENT

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ITEM # SUBJECT

May 3, 2011

AGENDA
NYE COUNTY BOARD OF ROAD COMMISSIONERS

101 Radar Rd, Tonopah NV 89049
TUESDAY, May 3, 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.

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 Commission Resolution No. RC2011-13: a Resolution designating Hunt’s to Barley Connector No. 975110 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. RC2011-14: a Resolution designating Spanish Pipeline Well Road No. 975900 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. RC2011-15: a Resolution designating San Antonio Road No. 976720 a minor road pursuant to Nevada Revised Statutes 403.170 and R.S. 2477.
1. Action - Approval of Minutes for the Nye County Board of Road Commissioners’ meeting for April 5, 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

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4. [Action](#) – Discussion, deliberation, and possible decision to set a date, time, and location for a public hearing on Nye County Road Commission Resolution No. RC2011-16: a Resolution designating Jefferson Summit Road No. 974710 a minor road pursuant to Nevada Revised Statutes 403.170 and R.S. 2477.
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. RC2011-17: a Resolution designating North Twin River Road No. 982800 a minor road pursuant to Nevada Revised Statutes 403.170 and R.S. 2477.
6. Adjourn

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

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**AGENDA
NYE COUNTY LICENSING AND LIQUOR BOARD**

**101 Radar Rd, Tonopah NV 89049
TUESDAY, May 3, 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: April 5, 2011 and April 8, 2011 Teleconference.
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. Action – Discussion of any item from the Consent Agenda Items that needs review before a decision is made.
 - b. Action – Approval to issue a 72 Hour Liquor Permit to Our Lady of the Valley for the Anniversary Fund Raiser on June 4, 2011 to be held at the Church located at 781 E. Gamebird Road in Pahrump, NV. Jean Lynch, Applicant.
 - c. Action – Approval to issue a 72 Hour Liquor Permit to the Beatty Volunteer Fire Department for the Death Valley History Conference and Reception on November 4-6, 2011 to be held at the Beatty Community Center located at 100 ‘A’ Avenue South in Beatty, NV. Mike Harmon, Applicant.
4. Brothel
5. Gaming

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6. Liquor

- a. [Action](#) – Discussion, deliberation, and possible decision to issue a Retail Liquor License to Maverick located at 340 E. Mesquite, Pahrump, NV. Janet Jensen, Applicant. All paperwork is in order, all fees paid, and there is nothing in her background to preclude her from receiving a license.
- b. [Action](#) – Discussion, deliberation, and possible decision to issue a Package Liquor License to Liquor & Tobacco Express located at 1190 W. Hwy 372, Pahrump, NV. Avtar Sodhi, Applicant. All paperwork is in order, all fees paid, and there is nothing in his background to preclude him from receiving a license.

7. Adjourn