



**NYE COUNTY
BOARD OF COMMISSIONERS MEETING
2100 E. Walt Williams Drive, Pahrump, NV 89048
TUESDAY, November 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: All items are approximate except for bid openings, public hearings, and any other items agendized at a specific time. Items on the agenda without a time designation may be taken out of order. The Board may combine two or more agenda items for consideration. The Board may remove an item from the agenda or delay discussion relating to an item on the agenda at any time. **NOTICE: It is anticipated that the items of business before the Board of Commissioners on November 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 November 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.

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.

In accordance with Federal law and U.S. Department of Agriculture policy, Nye County is prohibited from discriminating on the basis of race, color, national origin, sex, religion, age, or disability. (Not all prohibited bases apply to all programs.) To file a complaint of discrimination write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider, employer, and lender

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NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

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Sandra "Sam" Merlino, Ex-Officio Clerk of the Board

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. For Possible Action:

- a. [Continued Public Hearing](#), discussion and deliberation to adopt, amend and adopt, or reject Nye County Bill No. 2011-13: A bill proposing to amend, Title 17, Zoning, Chapter 17.04, Grandfathered Uses, Sections 21.04.905 to remove the sexually oriented business grandfather clause, to provide a reference to NCC subsection 17.08.120B, providing for the severability, constitutionality and effective date hereof; and other matters properly relating thereto.
- b. [Continued Public Hearing](#), discussion and deliberation to adopt, amend and adopt, or reject Nye County Bill No. 2011-14: A bill proposing to amend Title 17, Zoning, Chapter 17.08, entitled location of Sexually Oriented Businesses, Sections 17.08.120 to repeal the sexually oriented business grandfather clause, providing for the severability, constitutionality and effective date hereof; and other matters properly relating thereto.
- c. [Public Hearing](#), discussion and deliberation to adopt, amend and adopt, or reject Nye County Bill No. 2011-15: A bill proposing to amend Title 5, Business Licenses and Regulations, Chapter 5.16, entitled Outdoor Festivals, Sections 5.16.010 to 5.16.300, to amend certain sections, providing for the severability, constitutionality and effective date hereof; and other matters properly relating thereto.

NYE COUNTY BOARD OF COMMISSIONERS

- 1 Pledge of Allegiance
- 2 For Possible Action - Approval of the Agenda for the Board of County Commissioners' meeting of November 15, 2011.
- 3 [For Possible Action](#) - Approval of Minutes of the Board of County Commissioners' meeting(s) for October 24, 2011.
- 4 Awards and Presentations – N/A
- 5 Announcements (first)

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- 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 **For Possible Action - Emergency Items**
- 8 **For Possible 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. For Possible Action – Discussion of any item from the Consent Agenda Items that needs review before a decision is made.
 - b. [For Possible Action](#) – Approval of Elected Official Collection Report
 - c. For Possible Action – Approval of Assessor’s Office Change Request
 - d. [For Possible Action](#) – Approval of Personnel Actions
 - e. [For Possible Action](#) – Approval to set the date and location of the second meeting of the Board of Commissioners for Tuesday, February 21, 2012 in Pahrump, Nevada.
 - f. [For Possible Action](#) - Approval of an agreement with Henry Melton to continue to act in the position of Air Quality Hearing Officer on an “as needed” basis and is budgeted from Fund 245 Building Dept.
 - g. [For Possible Action](#) - Adoption of Nye County Resolution No. 2011-108: a Resolution Finding Existence Of Nuisance Conditions.
 - h. [For Possible Action](#) - Approval of Change Order No. 5 to the contract with Mountain Vista Development, Inc. for additional work at the Pahrump District Court and is not budgeted but can be funded from Fund 491 County Special Capital Projects.
 - i. [For Possible Action](#) – Approval of Change Order No. 3 to the contract between Nye County and Tyler Technologies for an additional Payroll Resource training planned for 32 hours of on-site time and can be funded from Fund 491 County Special Capital Projects.
 - j. [For Possible Action](#) – Approval to accept Community Services Block Grant Notice of Grant Award Amendment #1 from the Nevada Department of Health and Human Services. This grant will be administered in Fund 247. No County match required.
 - k. [For Possible Action](#) – Approval of Change Order No. 3 to the Professional Services Agreement with Nevada Geo-Tech, Inc. for Non-Invasive Inspection and Technical Testing at Jail Facility Project in Pahrump and can be funded from Fund 499 Bond Proceeds.
 - l. [For Possible Action](#) – Approval of a change order to the contract with BEC Environmental, Inc. to continue to provide professional services in support of renewable energy, energy efficiency, and sustainability projects in Nye County under Fund 263 Renewable Energy.
 - m. [For Possible Action](#) – Approval to pay an invoice for maintenance with Tyler Technologies, Inc. from Fund 101 Contingency.

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PUBLIC OFFICIALS

10 Assessor

11 Board of Commissioners

- a. For Possible 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. For Possible Action – Discussion, deliberation, and possible decision on labor negotiations, issues and other personnel matters presented in closed meeting.
- d. For Possible 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. For Possible Action – Discussion, deliberation, and possible decision on conference with legal counsel regarding potential or current litigation presented in closed meeting.
- g. [For Possible Action](#) – Discussion, deliberation, and direction to staff concerning a Recreation and Public Purposes Lease N-42531 commonly known as the Silver State Shooting Park located near Beatty, NV.

12 Clerk

- a. [For Possible Action](#) – Discussion and deliberation to appoint one member to the Board of Equalization due to the resignation of Jan Cameron. This term will expire January 2013.

13 District Attorney

- a. [For Possible Action](#) – Discussion and deliberation on proposed settlement agreement in United States District Court matter -William Lyon Homes, Inc. v. Nye County.
- b. [For Possible Action](#) – Discussion and deliberation on a waiver of time requirements for posting of bond on repairs of Gabbs Pole Line Road related to the Tonopah Solar Energy, LLC – Crescent Dunes Solar Energy project.

14 Recorder

15 Sheriff

16 Treasurer

17 Justice(s) of the Peace

18 District Court

19 Juvenile Probation

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

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GENERAL NYE COUNTY ADMINISTRATIVE STAFF

20 County Manager

- a. [Ongoing Project Report](#)
- b. [For Possible Action](#) – Discussion and deliberation on a contract with Nevada Health Centers for the operation of the community health clinics in Amargosa Valley and Beatty for Fiscal Year 2011-12 through Fiscal Year 2012-13 which is budgeted from Fund 260 County Health Clinics.

21 Emergency Services

22 Facilities

- a. [For Possible Action](#) – Discussion and deliberation on quotes for floor and ventilation work at the modular building, occupied by Pahrump Medical Center, located at 1501 E. Calvada Blvd, Pahrump and selection of lowest most responsible and responsive quote and is not budgeted but can be funded from Fund 261 County Owned Building.

23 Finance

24 Health & Human Services

25 H/R and Risk Management

- a. [For Possible Action](#) – Discussion, deliberation, and direction to staff to authorize three (3) Deputy Assessor positions; and one (1) Data Collector position.
- b. [For Possible Action](#) – Discussion, deliberation, and direction to staff to authorize the purchase of 5 years of PERS service credit for Robert L. Jones to be funded from 492 Settlement Agreement.

26 Information Technology

27 Nuclear Waste Repository Project Office

- a. [For Possible Action](#) – Discussion and deliberation concerning an agreement to produce a video for the Nye County History Project and can be funded from Fund 284 Repository Project Oversight.

28 Planning/Building

29 Public Administrator

30 Public Works

- a. [For Possible Action](#) – Discussion and deliberation on an agreement to provide surveying services associated with the existing sewer facilities located within the County Right-of-Way (Blagg Road and Wilson Road) and is budgeted from Project PE1202, Fund 493 Capital Projects.

31 Senior Services

OTHER BUSINESS

32 Town Boards/Town Advisory Boards

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- 33 Public Petitioners**
- 34 GENERAL PUBLIC COMMENT (second)**
- 35 ANNOUNCEMENTS (second)**
- 36 ADJOURN**

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ITEM # SUBJECT

November 15, 2011

AGENDA
NYE COUNTY BOARD OF ROAD COMMISSIONERS

Commissioners Chambers, Pahrump, NV 89048
TUESDAY, November 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. For Possible 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. For Possible Action - General road report by Public Works Director
4. For Possible Action – Discussion and deliberation to set a date, time, and location for a public hearing on Nye County Road Commission Resolutions establishing County public roads pursuant to Nevada Revised Statutes 405.191, 403.170 and R.S. 2477 Right-of-Way.

South Fairbanks Spring Road No. [928930](#)
Jumbled Rock Gulch Road No. [953930](#)

Easter Blue Road No. [995210](#)
Otteson Road No. [995220](#)

5. Adjourn

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

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AGENDA
NYE COUNTY LICENSING AND LIQUOR BOARD

Commissioners Chambers, Pahrump, NV 89048
TUESDAY, November 15, 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. For Possible 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