



**NYE COUNTY
BOARD OF COMMISSIONERS MEETING
2100 E. Walt Williams Drive, Pahrump, NV 89048
MONDAY, May 21, 2012
10:00 AM**

**Lorinda Wichman, Chair
Dan Schinhofen, Vice-Chair
Joni Eastley, Commissioner
Gary Hollis, Commissioner
Butch Borasky, 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. 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 21, 2012 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 May 21, 2012 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 Brougher 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.

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

May 21, 2012

Lorinda Wichman, Chair
Dan Schinhofen, Vice-Chair
Joni Eastley, Commissioner

Gary Hollis, Commissioner
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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. For Possible Action – Public Hearing, discussion and deliberation to adopt, amend and adopt, or reject the Final Budget for Fiscal Year 2012-13.

Nye County Beatty Town Gabbs Town Manhattan Town

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. Timed Agenda Items:

a. For Possible Action - Public Hearing, discussion, and deliberation to adopt, amend and adopt, or reject Nye County Bill No. 2012-06: A Bill proposing to amend Title 1 of the Nye County Code by adding a new Chapter 1.01.175 incorporating all misdemeanors under the Nevada Revised Statutes as misdemeanors under the Nye County Code; providing for the severability, constitutionality and effective date hereof, and other matters properly relating thereto.

b. For Possible Action - Public Hearing, discussion, and deliberation to adopt, amend and adopt, or reject Nye County Bill No. 2012-07: A Bill proposing to repeal Gabbs City Ordinances 1, 2, 2A, 3, 4, 5, 6, 9, 10, 11, 13, 17, 18, 21, and 22.

c. For Possible Action Public Hearing, discussion, and deliberation to adopt, amend and adopt, or reject Nye County Bill No. 2012-08: A Bill amending Title 8, Chapter 8.24, Section 8.24.240 of the Nye County Code entitled: "Fees For Disposal of Solid Waste at Facilities" by permanently fixing the landfill maintenance parcel fee at \$30.00 and other matters properly relating thereto.

11:00 a.m. Planning, Zoning, and Building Items (Agenda Attached)

11:15 a.m. Presentation from NV Energy on construction status of ON Line Transmission line project.

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- 1:45 p.m. [Presentation](#) by Chris Brown regarding the Contour Phase II Project for the Town of Pahrump.
- 2:00 p.m. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject a Resolution to object to the consolidation of Workforce Investment Boards.

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 May 21, 2012
- 3 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).
- 4 [For Possible Action](#) - Approval of Minutes of the Board of County Commissioners' meeting(s) for April 17, 2012.
- 5 Awards and Presentations – N/A
- 6 Announcements (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 – N/A
 - d. [For Possible Action](#) – Approval of Personnel Actions
 - e. For Possible Action – Budget to Actual by Fund Report – N/A
 - f. [For Possible Action](#) – Approval to set the date and location of the second meeting of the Board of Commissioners for Tuesday August 21, 2012 in Pahrump, Nevada.
 - g. [For Possible Action](#) – Adoption of Nye County Resolution No. 2012-17: A Resolution directing the levy of a special assessment on each water user situated within the confines of the Duckwater Creek Groundwater Basin as prorated and assessed based upon the proportion which the water right of that water user bears to the aggregate water rights for Fiscal Year 2012-2013.
 - h. [For Possible Action](#) – Adoption of Nye County Resolution 2012-12: a Resolution that redefines the portion of the \$30.00 landfill parcel fee to be allocated for the opening, closure

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and post closure of County landfills and designate the new rate for purposes of opening new landfills.

- i. [For Possible Action](#) – Approval of Change Order No. 5 to the Contract with Bob Bottom which provides for assistance in the operation of the Manhattan water system as well as emergency snow removal services as requested by the County that extends the period of performance of the contract from July 1, 2012 through June 30, 2013 and is budgeted from Fund 27502 Manhattan Water and 10205 Roads.
- j. [For Possible Action](#) – Approval to enter into an Evaluation Agreement with Barracuda Networks to test the Barracuda Message Archiver for a period of 30 days. There is no cost to Nye County during this evaluation period.
- k. [For Possible Action](#) – Approval to enter into a three year maintenance agreement with Structured for the Barracuda Spam and Virus Firewall 300 and is budgeted from Fund 10101 General.
- l. [For Possible Action](#) – Adoption of Nye County Resolution No. 2012-16: A Resolution authorizing tax rate to support Agricultural Extension.
- m. [For Possible Action](#) – Approval to renew a contract with Rexene Worrell M.D. for one year beginning July 17, 2012 through July 17, 2013 with a decrease in rate per case and is budgeted from Fund 10231 Forensic Services.
- n. [For Possible Action](#) – Approval to request from the Nevada Division of Emergency Management (DEM) a no-cost extension to the: 1) unspent FFY10 Emergency Preparedness Working Group (EPWG) Supplemental grant through August, 2012; and 2) FFY10 EPWG Final Volume grant through August, 2012. The funds are administered out of Fund 10340 Grants.
- o. [For Possible Action](#) – Approval to enter into an Agreement for Professional Services with Sigma Engineering Solutions, Inc. to provide third party inspection services for the County during the removal and replacement of the Corrections Corporation of America (CCA) sewer line trench backfill along Blagg Road between Basin Avenue and Mesquite Avenue which is budgeted from approved Project PE1202 Fund 10493 Capital Projects.
- p. [For Possible Action](#) – Approval to apply for a State of Nevada, Aging and Disability Services Division Grant for funding to provide congregate meals in Goldfield, Silver Peak and Fish Lake Valley, Esmeralda County from the Tonopah Senior Center. Matching funds are provided by Esmeralda County.
- q. [For Possible Action](#) – Approval to apply for a State of Nevada, Aging and Disability Services Division Grant for funding to provide home-delivered meals in Goldfield, Silver Peak and Fish Lake Valley, Esmeralda County from the Tonopah Senior Center. Matching funds are provided by Esmeralda County.
- r. [For Possible Action](#) – Approval to apply for a State of Nevada, Aging and Disability Services Division Grant for funding to provide congregate meals in Amargosa Valley, Beatty and Tonopah senior centers and matching funds are budgeted from Fund 10101 General.

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- s. [For Possible Action](#) – Approval to apply for a State of Nevada, Aging and Disability Services Division Grant for funding to provide home-delivered meals in Amargosa Valley, Beatty and Tonopah and matching funds are budgeted from Fund 10101 General.
- t. [For Possible Action](#) – Approval to enter into a 1 (one) year JAVS – Safeguard Maintenance Agreement covering the 2 JAVS video recording, video conference and evidence presentation systems in the Pahrump Justice Courtrooms A and B and can be funded from Fund 10246 JP Facility Assessment.
- u. [For Possible Action](#) – Approval of: 1) a Contract for Services with Swanson Services Corporation dated October 7, 2005; 2) an Addendum to the Contract for Services with Swanson Services Corporation dated October 7, 2005; 3) Addendum's to use the TeleLink™ and Phone-it-in service to update and automate the administration of the inmate commissary; and 4) execution of the associated documents at no cost to Nye County.
- v. [For Possible Action](#) – Approval of a Right-of-Way Easement to Sierra Pacific Power Company, d/b/a NV Energy on Assessor's Parcel No. 012-751-01, Tonopah, Nevada for the distribution of electricity for the purpose of construction of a hangar. Nye County (Lessor) entered into a lease agreement with Pegasus Logistical Services, Ltd. (Lessee) on May 3, 2011 to use the premises for support of emergency medical transport and healthcare logistics purposes.
- w. [For Possible Action](#) – Approval of Change Order No. 1 to Contract # 2012-13/NY-2012-170 – CCA Sewer Line Trench Backfill – Blagg Road. The change order does not have any financial impact to the contract.
- x. [For Possible Action](#) – Approval of Change Order No. 5 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 10451 Bond Proceeds.
- y. [For Possible Action](#) – Approval to rent office space to No To Abuse for a three year term at \$1.00 per year. Office space dimensions are approximately 1440 square feet containing 5 offices which are located at #1 Frankie Street, Tonopah, Nevada 89049.

PUBLIC OFFICIALS

10 Assessor

- a. [Presentation](#) by Pictometry International Corp. for Aerials proposed beginning in September 2012.
- b. [For Possible Action](#) – Discussion and deliberation to approve an agreement with the Pictometry International Corp. for the purchase of Imagery, onsite training, support, unlimited installs of software, and hard drive from Fund 10322 Assessors Technology.

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.

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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. For Possible Action – Discussion, deliberation, and possible decision on labor negotiations, issues and other personnel matters presented in closed meeting.
- d. [For Possible Action](#) – Discussion and deliberation to direct staff to prepare a Comprehensive Land Bill.
- e. [For Possible Action](#) – Discussion, deliberation, and direction to staff to renew Recreation and Public Purposes (R&PP) Lease N-42531 for the Silver State Shooting Park, located near Beatty, Nevada for a period of 5 years, pending completion of the direct land sale requested by the County on November 15, 2011.
- f. [Agency Status Report](#)

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. [Ongoing Project Report](#)
- b. [For Possible Action](#) – Discussion and deliberation to award a Contract to Kaempfer Crowell, Attorneys at Law for State Lobbying Services and has not been budgeted.
- c. [For Possible Action](#) – Discussion and deliberation to select the lowest most responsible and responsive quote to provide professional GIS and mapping-related services and can be funded from Fund 10322 Assessor's Technology.

21 Emergency Services

22 Facilities

23 Finance

- a. [Report](#) on Audit Issues identified on Material Internal Control Issues
- b. [For Possible Action](#) – Discussion and deliberation regarding RFP # 2012-15 – Office Furniture for the new Pahrump Jail. The total amount of the bid is unknown at agenda deadline. The project will be funded from Fund 10451 Bonds.

24 Health & Human Services

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25 H/R and Risk Management

26 Information Technology

27 Nuclear Waste Repository Project Office

28 Planning/Building - (See 11:00 am Agenda Items)

29 Public Administrator

30 Public Works

- a. [For Possible Action](#) – Discussion and deliberation regarding Request for Statement of Interest and Qualifications for airport planning, engineering, and consulting services. The cost is unknown at this time because as per NRS 625.530 (3) the selection must be based on the competence and qualifications of the engineer and not on the basis of competitive fees.
- b. [For Possible Action](#) – Discussion and deliberation to waive or reduce the County's landfill fees for disposal of debris associated with a property located at 2471 W Larsen Drive in Pahrump.

31 Senior Services

OTHER BUSINESS

32 Town Boards/Town Advisory Boards

- a. [For Possible Action](#) – Discussion and deliberation to fund a portion of the contract between Nye County and Nevada Health Centers (NHC) in the amount of \$35,000.00 with the Town of Amargosa providing \$35,000.00 for a project total of \$70,000.00 for Fiscal Year 2013. This action will be contingent upon approval of a contract with NHC for FY 2013.

33 Public Petitioners

- a. [For Possible Action](#) – Discussion and deliberation concerning a request to approve providing tuition for four (4) Pahrump Valley High School drama students for Actor Training I, Actor Training II, and Tech Camp classes at the Utah Shakespeare Festival (through Southern Utah University) during summer 2012 from July 15-August 6, 2012 and can be funded from Fund 10301 Settlement.

34 GENERAL PUBLIC COMMENT (second)

35 ANNOUNCEMENTS (second)

36 ADJOURN

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

May 21, 2012

AGENDA
NYE COUNTY BOARD OF ROAD COMMISSIONERS

Commissioners Chambers, Pahrump, NV 89048
MONDAY, May 21, 2012

10:15 A.M.

Dan Schinhofen, Chair

Lorinda Wichman, Vice-Chair

Joni Eastley, Member

Gary Hollis, Member

Butch Borasky, Member

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

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TIMED AGENDA ITEMS

10:15 a.m. [For Possible Action](#) - Public hearing, discussion and deliberation to adopt, amend and adopt, or reject 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.

Oasis Prospect Road No. [926048](#)

East Stone Cabin Valley Road No. [967800](#)

East Pine Creek Road No. [973860](#)

Pasture Road No. [973870](#)

South Mosquito Creek Road No. [973880](#)

West Ziggurat Road No. [982803](#)

North Ziggurat Road No. [982806](#)

Jet Spring Road No. [982808](#)

North West Ziggurat Road No. [982811](#)

Smoky Stage Road No. [982817](#)

South Ziggurat Road No. [982823](#)

CentralSmith Creek Valley Road No. [991900](#)

Lodi Hills Road No. [992910](#)

Union Canyon Road No. [992955](#)

Illinois Creek Road No. [992960](#)

Alum Spring Road No. [993605](#)

South Berlin Road No. [993701](#)

Atwood Road No. [993800](#)

Shoshone Foothills Road No. [993819](#)

Paradise Spring Road No. [993820](#)

Merritt Canyon Road No. [993821](#)

Merritt Ruins Road No. [993823](#)

1. 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.)
2. [For Possible Action](#) - Approval of Minutes for the Nye County Board of Road Commissioners' meeting for April 17, 2012.
3. [For Possible Action](#) - General road report by Public Works Director

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

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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 on the following:

Ellsworth Canyon Road No. [992503](#)
Berlin to Grantsville Road No. [992507](#)
Sherman Peak Road No. [992509](#)
Craig Canyon Road No. [992511](#)
Fowler Spring Road No. [992513](#)
Downeyville Road No. [992516](#)
Marble Falls Canyon Road No. [992517](#)
Flagstaff Canyon Road No. [992519](#)
East Paradise Foothills Road No. [992600](#)
Fifteen Mile Spring Road No. [992610](#)
Bell Canyon Road No. [992620](#)
Old Downeyville Road No. [992625](#)

North Bullfrog Hills Road No. [926054](#)
Bullfrog Loop Road No. [926056](#)
Scenic Prospect Road No. [926065](#)
Little Bullfrog Road No. [926069](#)
Bullfrog Prospect Connector Road No. [926158](#)
Bullfrog Springs Road No. [926159](#)
Mud Lake Road No. [977900](#)
East Charnack Road No. [982813](#)
Mt. Ziggurat Road No. [982827](#)
Charnack Ranch Road No. [982829](#)
Abundant Springs Road No. [982831](#)
North Smoky Valley Road No. [982833](#)

5. Adjourn

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

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AGENDA
NYE COUNTY LICENSING AND LIQUOR BOARD

Commissioners Chambers, Pahrump, NV 89048
MONDAY, May 21, 2012

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

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1. 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.)
2. [For Possible Action](#) - Approval of Minutes for the Nye County Licensing and Liquor Board meeting for April 17, 2012.
3. Consent Agenda Items
4. Brothel
5. Gaming
6. Liquor
 - a. [For Possible Action](#) – Discussion and deliberation to issue a Retail Liquor License to Sourdough Saloon, 106 W. Main Street, Beatty, NV Richard DeBauche, Applicant.
 - b. [For Possible Action](#) – Discussion and deliberation to issue a Retail Liquor License to Maverick, 340 E. Mesquite Pahrump, NV. Diane Gibson, Applicant.
 - c. [For Possible Action](#) – Discussion and deliberation to issue a Retail Liquor License for the Bug Bar, 319 Cross Avenue Tonopah, NV. James Marsh, Applicant.
 - d. [For Possible Action](#) – Discussion and deliberation to issue a Retail Liquor License to Ruby Store Market Inc., 1578 S. Hwy 373 Amargosa, NV. Agustin Garcia and Alicia Garcia, Applicants.
7. Adjourn

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

May 21, 2012

Monday, May 21, 2012 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.

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

Planning/Building Regular Agenda Items:

1. [For Possible Action](#) – Discussion and deliberation to: 1) set a date, time, and location for a public hearing on Nye County Bill No. 2012-05: A Bill proposing to amend Nye County Code 15.16 “Building and Construction Codes Effective Within the Pahrump Regional Planning District” by amending Section 15.16.050 to allow the placement and use of portable restroom facilities in certain scenarios where permanent restroom facilities do not exist, and other matters properly relating thereto; and 2) reading of the title of the bill into the record.
2. [For Possible Action](#) – Discussion and deliberation to: 1) set a date, time, and location for a public hearing on Nye County Bill No. 2012-09: A Bill proposing to amend Nye County Code Section 8.24.240 “Fees for Disposal of Solid Waste at Facilities” for the purpose of clarifying the circumstances under which a property owner may be granted a waiver of the annual landfill maintenance fees, and other matters properly relating thereto; and 2) reading of the title of the bill into the record.
3. [For Possible Action](#) – Discussion and deliberation to: 1) set a date, time, and location for a public hearing on Nye County Bill No. 2012-10: A Bill proposing to amend Nye County Code 16.28 the Division of Land Within the Pahrump Regional Planning District, by amending Section 16.28.090 the definition of “Minor Parcel Map” and by amending Section 16.28.280 “Street Design Standards” to allow under certain circumstances the creation of not more than two additional parcels wherein the construction of new asphalt paved roads would not be required, and other matters properly relating thereto; and 2) reading of the title of the bill into the record.
4. [Code Compliance Nuisance Properties Report](#)