



**NYE COUNTY
BOARD OF COMMISSIONERS MEETING
101 Radar Rd, Tonopah NV 89049
TUESDAY, April 3, 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 April 3, 2012 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 April 3, 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 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.

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

"Communication for Hearing Impaired: Dial Nevada Relay Service 711 or for Voice to TTY (800) 326-6888 or TTY to Voice (800) 326-6868"

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

April 3, 2012

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

Gary Hollis, Commissioner
Butch Borasky, 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. Presentation of certificate and/or plaques to five (5) employees honored for their years of service.
- 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 **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).**
- 3 **For Possible Action - Approval of the Agenda for the Board of County Commissioners' meeting of April 3, 2012.**
- 4 For Possible Action - Approval of Minutes of the Board of County Commissioners' meeting(s) for March 6, 2012 Regular Meeting and March 12, 2012 Teleconference.
- 5 Awards and Presentations – 10:00 a.m.
- 6 Announcements (first)
- 7 For Possible Action - Emergency Items
- 8 Commissioners'/Manager's Comments (This item limited to announcements or topics/issues proposed for future workshops/agendas)
- 9 Consent Agenda Items
 - 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

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

April 3, 2012

- d. [For Possible Action](#) – Approval of Personnel Actions
- e. [For Possible Action](#) – Fund Balance Report
- f. [For Possible Action](#) – Approval to amend the Professional Services Agreement (Contract # 10-002) with BEC Environmental, Inc. to provide support to the NWRPO for certain oversight, impact assessment, planning, and other professional tasks and is budgeted from Fund 10336 Yucca Project Oversight.
- g. [For Possible Action](#) – Approval to release the performance bond related to the completion of Off-Site Improvements to Mesquite Avenue and Panorama Road, as required in the Development Agreement between Nye County and Corrections Corporation of America (Nye County Ordinance 368, recorded document #721864). Applicant – Corrections Corporation of America.
- h. [For Possible Action](#) – Approval to apply for SFY 2013 Federal Transit Administration Section 5310 grant for two vehicles for the Esmeralda Transportation program. There is no match required by Nye County.
- i. [For Possible Action](#) – Approval to apply for SFY 2013 Federal Transit Administration Section 5310 grant for two vehicles for Smoky Valley and Gabbs.
- j. [For Possible Action](#) – Approval to apply for SFY 2013 Federal Transit Administration Section 5311 grant for operating expenses, specifically assistance with fuel costs. The matching funds are in-kind funds already expended for vehicle maintenance that is furnished by Nye County, as well as County paid staff. There is no additional Nye County match required.
- k. [For Possible Action](#) – Adoption of Nye County Resolution No. 2012-07: A Resolution Establishing A Program For The Donation Of Surplus Computers and Peripheral Equipment.
- l. [For Possible Action](#) – Approval to purchase 4,000 gallons of CSS-1h bituminous emulsion material for road maintenance work in the Pahrump area and is budgeted from Fund 10205 Roads.
- m. [For Possible Action](#) - Approval to: 1) delegate authority to the Tonopah Town Board to administer the bidding and procurement process for the Belvada Rehabilitation project; 2) delegate authority to the Tonopah Town Board to select a contractor and execute a contract; and 3) require the Tonopah Town Administration submit required paperwork to the Nye County Grant Administrator as needed.
- n. [For Possible Action](#) - Approval of Change Order No. 1 to extend the Professional Services Agreement with Charles Abbott Associates, Inc. for a two year term through April 6, 2014 as provided for in Section 3. Term and Extensions of the current Agreement that is budgeted through Project PW1001 and has a fund balance of approximately \$27,800.00.
- o. [For Possible Action](#) – Approval to: 1) accept the fee schedule presented by Farr West Engineering; and 2) authorize execution of the contract with Farr West Engineering and is to be funded from Fund 10301 Settlement Agreement.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

April 3, 2012

- p. [For Possible Action](#) – Approval to submit an application for grant funding to the US Environmental Protection Agency (EPA) for an Environmental Workforce Development and Job Training Grant (formerly Brownfields Job Training Grant) to continue and expand Nye County’s existing Job Training Program. The application will focus on providing training in support of the renewable energy and energy efficiency industries. There is no match required.
- q. [For Possible Action](#) – Adoption of Proclamation No. P2012-01: A proclamation in support of Wildfire Awareness Week April 28-May 5, 2012.
- r. [For Possible Action](#) – Approval of matching funds for a Desert Research Institute (DRI) project to update the Pahrump Valley Groundwater Flow Model completed in 2010. Funding is requested for the 2013 fiscal year, and can be budgeted from Fund 10336 Yucca Project Oversight
- s. [For Possible Action](#) – Approval to pay maintenance agreements with Tyler Technologies for the Eden financial software for the period of January – December 2012, which is not budgeted but can be funded from Fund 10101 General.
- t. [For Possible Action](#) – Approval to purchase three Dell File Servers to replace the current Active Directory Domain Controllers and can be funded from Fund 10402 Special Capital Projects.
- u. [For Possible Action](#) – Approval to award RFP # 2012-12/NY-2011-190 – Manhattan Water Improvements – Phase 2 to A & K Earthmovers of Sparks, NV and can be funded from fund 10340 Grants.
- v. [For Possible Action](#) – Adoption of Nye County Resolution No. 2012 – 08: A resolution to augment the Nye County General Fund.
- w. [For Possible Action](#) – Approval to appoint Kevin Kleinworth as the representative for Nye, Esmeralda, Mineral and Lincoln Counties for the position on the Nevada Homeland Security Working Group.

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.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

April 3, 2012

- 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. [Agency](#) Status Report
- h. [For Possible Action](#) – Discussion and deliberation on a request to: 1) setting a date, time and location for a Public Hearing on Nye County Bill No. 2012-04: A Bill proposing to amend, Title 15, entitled building and construction, Chapter 15.17, entitled codes adopted within Nye County, section 15.17.010, by adopting and adding additional building and construction codes; to subsection “a”, providing for the severability; constitutionality and effective date hereof; and other matters properly relating thereto; and 2) reading of the title of bill into the record.

12 Clerk

- a. [For Possible Action](#) – Discussion and deliberation to appoint one member to the Nye County Parks and Recreation Commission to fill one of the two (2) remaining vacancies. This term will expire December 31, 2012.
- b. [For Possible Action](#) – Discussion and deliberation to appoint one member to the Pahrump Regional Planning Commission due to the resignation of Marvin Minnick. This term will expire June, 2014.

13 District Attorney

- a. [For Possible Action](#) – Discussion and deliberation on approval of professional services contract with Roxanne Flanagan for completing maintenance and necessary improvements to New Dawn case management database and participate on behalf of the District Attorney in the integration of the courts and clerks into the New Dawn system; and to work closely with the District Attorney to create and produce website improvements.
- b. [For Possible Action](#) – Discussion and deliberation to approve minutes of the Board of County Commissioners' meeting(s) for December 6, 2011 Regular Meeting, December 14, 2011 Teleconference, December 20, 2011 Regular Meeting, December 27, 2011 Teleconference, January 3, 2012 Regular Meeting, January 17, 2012, February 7, 2012 and February 21, 2012.

14 Recorder

15 Sheriff

16 Treasurer

17 Justice(s) of the Peace

18 District Court

19 Juvenile Probation

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

April 3, 2012

GENERAL NYE COUNTY ADMINISTRATIVE STAFF

20 County Manager

- a. [For Possible Action](#) – Discussion and deliberation to approve a Utility Service Agreement with Utilities Inc. of Central Nevada for the purpose of the Nye County impound lot in the amount of \$2,822.55 which has been budgeted for in approved Project BP1102 Fund 10451 Bond Proceeds.

21 Emergency Services

- a. [For Possible Action](#) – Discussion and deliberation concerning a request to modify the Emergency Preparedness Working Group (EPWG) grant funded items that have been approved by the State of Nevada Emergency Management Office and the Department of Energy grant oversight representatives.

22 Facilities

23 Finance

- a. [For Possible Action](#) – Discussion and deliberation concerning a request to approve the Corrective Action Letter for the Annual Audit Report for Fiscal Year ending June 30, 2011 to be submitted to the Department of Taxation.
- b. [For Possible Action](#) – Discussion and deliberation to piggyback the contract between Nye County and US Imaging, Inc. to scan Nye County records from 16mm microfilm jackets and is budgeted from Fund 10320 Recorder Technology.
- c. [Presentation](#) of the Nye County Tentative budget figures for the General Fund.

24 Health & Human Services

25 H/R and Risk Management

- a. [For Possible Action](#) – Discussion and deliberation to reclassify a vacant Justice Court Executive Assistant to Deputy Justice Court Clerk and is funded in Fund 10101 General.

26 Information Technology

27 Nuclear Waste Repository Project Office

- a. [For Possible Action](#) – Discussion and deliberation to approve, amend and approve, or reject a letter from Nye County supporting Esmeralda County's non-competitive land purchase from the Bureau of Land Management (BLM).
- b. [For Possible Action](#) – Discussion and deliberation concerning an agreement with KPVM Television, Inc. to produce a video for the Nye County History Project and can be funded from Fund 10336 Yucca Project Oversight.
- c. [For Possible Action](#) – Discussion and deliberation to increase the not to exceed (NTE) amount of the services performed by Robert M. Andersen in the mandamus action filed in the United States Court of Appeals for the DC Circuit and can be funded from Fund 10301 Settlement Agreement.

28 Planning/Building

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

April 3, 2012

29 Public Administrator

30 Public Works

31 Senior Services

OTHER BUSINESS

32 Town Boards/Town Advisory Boards

33 Public Petitioners

34 GENERAL PUBLIC COMMENT (second)

35 ANNOUNCEMENTS (second)

36 ADJOURNMENT

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

April 3, 2012

AGENDA
NYE COUNTY BOARD OF ROAD COMMISSIONERS

101 Radar Rd, Tonopah NV 89049
TUESDAY, April 3, 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

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.

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.

North Ralston Valley Road No. [985725](#)
Central Ralston Road No. [986510](#)
Orizaba Road No. [995110](#)
Arragonite Road No. [995120](#)
Blue Moon Mine Road No. [995200](#)
Royston Hills Road No. [996900](#)
South Royston Road No. [996910](#)
Turquoise Road No. [996920](#)
Otteson Mine Road No. [996925](#)
Mine Shack Road No. [996930](#)
North Haystack Road No. [973780](#)
Pine Creek Ranch Road No. [973810](#)
South Haystack Road No. [973820](#)
West Barley Creek Road No. [973830](#)

South Pine Creek Road No. [973840](#)
North Pine Creek Road No. [973850](#)
North Henry's Well Road No. [986917](#)
Southeast San Antonio Road No. [986923](#)
Jack Spring Road No. [991010](#)
Riley Canyon Road No. [991800](#)
Becker Canyon Road No. [991805](#)
North Becker Road No. [991810](#)
Bonita Canyon Road No. [991815](#)
Underdown Canyon Road No. [991903](#)
Mountain Springs Road No. [991905](#)
Peterson Spring Road No. [991910](#)
Lebeau Creek Road No. [991915](#)

1. [For Possible Action](#) - Approval of Minutes for the Nye County Board of Road Commissioners' meeting for March 6, 2012.
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.)

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

April 3, 2012

- 3. [For Possible Action](#) - General road report by Public Works Director
- 4. Adjourn

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

April 3, 2012

**AGENDA
NYE COUNTY LICENSING AND LIQUOR BOARD**

**101 Radar Rd, Tonopah NV 89049
TUESDAY, April 3, 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**

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 – 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
 - 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 to issue a 72 Hour Liquor Permit for VFW Post 10054. Thomas Vick, Applicant.
 - c. [For Possible Action](#) – Approval to issue a 72 Hour Liquor Permit for VFW Post 10054. Thomas Vick, Applicant.
4. Brothel
5. Gaming
6. Liquor
7. Adjourn