



**NYE COUNTY  
BOARD OF COMMISSIONERS MEETING  
101 Radar Rd, Tonopah NV 89049  
TUESDAY, July 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 July 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 July 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 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](http://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**

**July 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**

## 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 July 3, 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).**

## NOTICE OF TIMED AGENDA ITEMS

- 10:00 a.m. Presentation of certificate and/or plaques to seven (7) 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)
- 11:00 a.m. For Possible Action – AP-12-0001: Appeal of the decision of the Pahrump Regional Planning Commission to grant a Conditional Use Permit (CU-12-0005) to Ninja Fireworks, dba Blackjack Fireworks, allowing for Fireworks Sales in the General Commercial (GC) Zoning District, within a temporary tent facility, located at 4551 S. Nevada Highway 160, further described as a portion of Section 3, Township 21 South, Range 54 East. American Properties, LLC – Property Owner. Ninja Fireworks, dba Blackjack Fireworks – Applicant. Appellant – Ed Goedhart. AP# 45-011-11.
- 11:15 a.m. Presentation by Terri Knutson and Colleen Sievers from BLM on: 1) activities occurring with the Stillwater Field Office on lands in Nye County; and 2) the Carson City Resource Management Plan.

## NYE COUNTY BOARD OF COMMISSIONERS

- 4 For Possible Action - Approval of Minutes of the Board of County Commissioners' meeting(s) for June 5, 2012.**

# NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

July 3, 2012

- 5 Awards and Presentations – 10:00 a.m. and 11:15 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
  - d. [For Possible Action](#) – Approval of Personnel Actions
  - e. [For Possible Action](#) – Approval to accept a supplemental grant award from Division for Aging Services for Nutrition Services Incentive Program to provide commodity food for the nutrition program at the Tonopah Senior Center for the Esmeralda Nutrition Program. Matching funds are not required.
  - f. [For Possible Action](#) – Approval to accept a supplemental grant award from Division for Aging Services for Nutrition Services Incentive Program to provide commodity food for the nutrition program in Amargosa Valley, Beatty and Tonopah Senior Centers. Matching funds are not required.
  - g. [For Possible Action](#) – Approval to enter into a contract with the Response Network Training Program to provide mandated training hours at a fraction of the cost of traditional classroom based training and is budgeted from Fund 10101 General.
  - h. [For Possible Action](#) – Approval to issue a renewal Wholesale/Retail Fireworks Permit to Vegas of Pahrump, Inc. dba Phantom Fireworks. Raechelle Speaker, Applicant.
  - i. [For Possible Action](#) – Approval to accept the State of Nevada Division of Emergency Management (DEM) FY12 Emergency Preparedness Working Group (EPWG) grant to be utilized towards salaries for the Administrative Assistant and Secretary II positions within Emergency Management Services. This grant shall be administered from Fund 10340 Grants, and there is no match required.
  - j. [For Possible Action](#) – Approval to accept the State of Nevada Health Division’s Office of Emergency Medical Systems grant award to be used for training or equipment. This grant will be administered from Fund 10340 Grants and matching funds are budgeted from Fund 10282 Ambulance and Health.
  - k. [For Possible Action](#) – Approval of Change Order No. 2 to the JMA Architect, Inc contract for the Nye County Jail Facility project in Pahrump for the housing control pod, kitchen, parking lot, and women’s dorm redesign revisions and can be funded from Fund 10451 Bonds.

# NYE COUNTY BOARD OF COMMISSIONERS AGENDA

**ITEM # SUBJECT**

**July 3, 2012**

1. [For Possible Action](#) – Approval to renew a contract with Rexene Worrell M.D. for one year (July 17, 2012 through July 17, 2013) with a decrease in rate per case and is budgeted from Fund 10101 General.

## **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](#) – Discussion and deliberation to: 1) set a date, time, and location for a public hearing on Nye County Bill No. 2012-14: a Bill proposing to amend Title 8 of the Nye County Code by adding a new Chapter 8.40 creating the Nye County Raw Milk Commission, setting forth its powers and duties, establishing the numbers and terms of the members thereof; 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.
- e. [For Possible Action](#) – Discussion and deliberation to: 1) move the radio communication function from Public Safety to Information Technology; and 2) move the Radio Communications Tech position and funding which includes salary and benefits from Public Safety to Information Technology.
- f. [For Possible Action](#) – Discussion and deliberation concerning a request to place a question on the November 2012 General Election Ballot regarding discontinuance of the town board form of government for Pahrump, NV.
- g. [For Possible Action](#) – Discussion and deliberation on Bill Draft Requests (BDRs) Nye County proposes to submit for the 2013 Legislative Session.
- h. [For Possible Action](#) – Discussion and deliberation on approval of a rental service agreement with Joe’s Sanitation for three (3) standard chemical toilets.
- i. [For Possible Action](#) – Discussion and deliberation to submit a letter to the Governor of Nevada opposing unfunded mandates.

### **12 Clerk**

### **13 District Attorney**

### **14 Recorder**

### **15 Sheriff**

### **16 Treasurer**

# NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

July 3, 2012

- a. [Treasurer's](#) Report

**17 Justice(s) of the Peace**

**18 District Court**

**19 Juvenile Probation**

**GENERAL NYE COUNTY ADMINISTRATIVE STAFF**

**20 County Manager**

- a. [For Possible Action](#) – Discussion and deliberation to set the compensation of the Justices of the Peace within their respective townships for the subsequent term.
- b. [For Possible Action](#) – Discussion and deliberation concerning a request to investigate a complaint against the Public Administrator's office, regarding administration of Barbara Marie McSweeney's property after her death. Complainant, Linda Bromell.
- c. [For Possible Action](#) – Discussion and deliberation to renew the County's membership with Nevada Development Authority and can be funded from Fund 10101 General.
- d. [For Possible Action](#) – Discussion and deliberation to approve a contract with The Sidwell Company to provide professional GIS and mapping-related services and can be funded from approved Fund 10322 Assessor's Technology. This project was approved at the May 21, 2012 regular meeting.
- e. [For Possible Action](#) – Discussion and deliberation to appoint two (2) individuals to the Rural Nevada Development Corporation's Board of Directors. These terms will expire July 2013.

**21 Emergency Services**

**22 Facilities**

**23 Finance**

- a. [For Possible Action](#) – Discussion and deliberation to engage Independent County Auditor to do performance audit on Emergency Management funds and can be funded from Fund 10101 General.

**24 Health & Human Services**

**25 H/R and Risk Management**

**26 Information Technology**

**27 Nuclear Waste Repository Project Office**

**28 Planning/Building**

**29 Public Administrator**

**30 Public Works**

- a. [For Possible Action](#) – Discussion and deliberation regarding a request to: 1) Approve the Master Agreement with ATKINS to provide Airport Engineering and Consulting Services; 2) Approve Task No. 1 with ATKINS to provide General Engineering Services; and 3) Authorize the Public Works Director to direct ATKINS to perform assignments under Task

# NYE COUNTY BOARD OF COMMISSIONERS AGENDA

**ITEM # SUBJECT**

**July 3, 2012**

No. 1 up to a maximum fee of \$5,000.00 per assignment and is budgeted from Fund 10209 Airports.

- b. [For Possible Action](#) – Discussion and deliberation regarding a request for approval to: 1) award a contract to Aggregate Industries-SWR for placing an asphalt overlay on the runway at the Beatty Airport contingent on Federal Aviation Administration (FAA) approval; 2) authorize the County Manager to submit a grant application to the FAA to obtain federal funding for the project; and 3) execute the grant offer when it is received from the FAA. This grant shall be administered from Fund 10340 Grants and previously approved budgeted match from Fund 10402 Capital Projects.

## **31 Senior Services**

### **OTHER BUSINESS**

#### **32 Town Boards/Town Advisory Boards**

- a. [For Possible Action](#) – Discussion and deliberation to: 1) set a date, time and location for a Public Hearing on Nye County Bill No. 2012-13: A Bill proposing to repeal 68 Gabbs City Ordinances 7,8,12,14,15,16,19, 20, 22A, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82 and 83; and 2) reading of the title of bill into the record.
- b. [For Possible Action](#) – Discussion and deliberation to waive landfill tipping fees for the Belvada cleanup project in Tonopah for McGinley and Associates.

#### **33 Public Petitioners**

- a. [Presentation](#) by H.O.P.E. Counseling Services on mental health services for children and adults.

#### **34 GENERAL PUBLIC COMMENT (second)**

#### **35 ANNOUNCEMENTS (second)**

#### **36 ADJOURNMENT**

**NYE COUNTY BOARD OF COMMISSIONERS AGENDA**

**ITEM # SUBJECT**

**July 3, 2012**

**AGENDA**  
**NYE COUNTY BOARD OF ROAD COMMISSIONERS**

**101 Radar Rd, Tonopah NV 89049**  
**TUESDAY, July 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**

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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.)

**NOTICE OF 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 for the following:

Jolly Jane Road No. [926200](#)  
Pioneer Town Road No. [926210](#)  
Haul Connector Road No. [926220](#)  
Mayflower Mine Road No. [926230](#)  
Savage Valley Road No. [926240](#)

Goblin Knobs Road No. [947100](#)  
Reveille Range Road No. [947150](#)  
Rays Well Road No. [956500](#)  
Milk Spring Road No. [956550](#)  
Lost Burro Mine Road No. [957700](#)

2. [For Possible Action](#) - Approval of Minutes for the Nye County Board of Road Commissioners' meeting for June 5, 2012.
3. [For Possible Action](#) - General road report by Public Works Director

## NYE COUNTY BOARD OF COMMISSIONERS AGENDA

**ITEM # SUBJECT**

**July 3, 2012**

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 for the following:

Stone Cabin Prospect Road No. [966250](#)  
Cross Stone Cabin Valley Road No. [966265](#)  
Stone Cabin Jeep Road No. [967500](#)  
Clifford Spring Road No. [967810](#)  
North West Clifford Mine Road No. [967915](#)  
East Clifford Mine Road No. [967820](#)  
Saulsbury Well Road No. [967830](#)  
Well Three Road No. [967840](#)  
McKinney Tanks Road No. [967850](#)  
Stone Cabin Valley Cutoff Road No. [967900](#)

Bellehelen Road No. [967912](#)  
Taylor Well Road No. [967920](#)  
Ben Hur Mine Road No. [967922](#)  
Short Prospect Road No. [967932](#)  
Tobe Spring Road No. [967942](#)  
Ajax Mine Road No. 967950  
Craig Mine Road No. [967960](#)  
Longstreet Ranch Road No. [968110](#)  
South East Haws Canyon Road No. [968120](#)  
West Golden Arrow Road No. [968130](#)

5. Adjourn

**NYE COUNTY BOARD OF COMMISSIONERS AGENDA**

**ITEM # SUBJECT**

**July 3, 2012**

**AGENDA  
NYE COUNTY LICENSING AND LIQUOR BOARD**

**101 Radar Rd, Tonopah NV 89049  
TUESDAY, July 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**

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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 June 5, 2012.
3. [For Possible Action](#) - Discussion and deliberation to issue renewals of the existing Liquor and Gaming Licenses for 2012/2013.
4. Consent Agenda Items
5. Brothel
  - a. [For Possible Action](#) - Discussion and deliberation to issue renewals of the existing Brothel Licenses for 2012/2013.
6. Gaming
7. Liquor
8. Adjourn