



**NYE COUNTY  
BOARD OF COMMISSIONERS MEETING  
2100 E. Walt Williams Drive, Pahrump, NV 89048  
TUESDAY, July 17, 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 17, 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 July 17, 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](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 17, 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 17, 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)
- 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. 2012-12: a Bill Proposing to amend Nye County Code Title 6, Animals, by adding Chapter 6.05, Administration and Enforcement; by adding Chapter 6.06, General Provisions – Licensing, Vaccinations, Limits of Number Of Animals, Running at Large, Impoundment, Rabies Prevention; by adding Chapter 6.07, Cruelty to Animals; by adding Chapter 6.13, Animal Facility Regulations; by adding Chapter 6.20, Miscellaneous Animal Regulations; by adding Chapter 6.25 Animal Advisory Committee; by adding Chapter 6.30, Ownership and Possession of Special Conditions Animals; providing for the severability; constitutionality and effective date hereof; and other matters properly relating thereto.

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- b. [For Possible Action](#) – Public Hearing, discussion, and deliberation to: 1) to issue an Outdoor Festival License to PAVED, INC dba The Pahrump Fair and Festival for their annual Pahrump Fair and Festival to be held on September 27-30, 2012 at Petrack Park, the Rodeo area, the Annex area and the Ruud building in Pahrump, Nevada; and 2) approval to fund Nye County Sheriff's office deputies to cover the event requested by the applicant.

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

**11:30 a.m.** Dedication of the Nye County Health and Human Services/Health Clinic/Veteran Services Building

### NYE COUNTY BOARD OF COMMISSIONERS

- 4 [For Possible Action](#) - Approval of Minutes of the Board of County Commissioners' meeting(s) for June 19, 2012.
- 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 – 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 - NA
  - e. [For Possible Action](#) – Approval to set the date and location of the second meeting of the Board of Commissioners for Tuesday October 16, 2012 in Pahrump, Nevada.
  - f. [For Possible Action](#) – Approval to accept a grant award for the Community Services Block Grant (CSBG) Discretionary Funds to provide case management for clients enrolled in the CSBG Adult Employment Incentive Program. This grant will be administered in Fund 10340 Grants. There is no County match required.
  - g. [For Possible Action](#) – Approval of a lease agreement with State of Nevada Department of Administration, Division of Child and Family Services for the County owned facilities located at No. 2 Frankie Street, Tonopah, Nevada from September 1, 2012 through August 30, 2016.

## NYE COUNTY BOARD OF COMMISSIONERS AGENDA

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- h. [For Possible Action](#) – Approval to enter into a contract with Essential Learning, LLC for a distance based computer training program, with over 300 on line courses, that will allow the Nye County Sheriff’s Office to provide mandated training hours at a fraction of the cost of traditional classroom based training and has been budgeted from Fund 10101 General.
- i. [For Possible Action](#) – Approval to accept a grant award for the SFY 2013 State of Nevada, Department of Health and Human Services, Fund for a Healthy Nevada grant for specific Disability Services to fund fees for meals through Nye County Senior Nutrition, Inc., Senior Centers in Tonopah, Beatty and Amargosa Valley for qualified low-income disabled persons. There is no County match required.
- j. [For Possible Action](#) – Approval to: 1) accept the SFY 2013 grant award from the Nevada Aging and Disability Services Division (ADSD) to provide senior transportation services in Goldfield, Silver Peak and Fish Lake Valley, in Esmeralda County; and 2) accept the Confidentiality Addendum with Nevada Aging and Disability Services Division.
- k. [For Possible Action](#) – Approval to: 1) accept the SFY 2013 grant award from the Nevada Aging and Disability Services Division (ADSD) to provide senior transportation services in Amargosa Valley, Beatty, Gabbs, Smoky Valley and Tonopah in Nye County and matching funds are budgeted in our contract with Logisticare; and 2) accept the Confidentiality Addendum with Nevada Aging and Disability Services Division.
- l. [For Possible Action](#) – Approval to apply for the Mid-Cycle Small Rural Access grant through Susan G. Komen for the Cure of Southern Nevada to assist low-income residents in Nye County with screening and diagnostic mammograms; other diagnostic testing. It will also assist persons with travel expenses. This grant will be administered in Fund 10340 Grants. There is no County match required.
- m. [For Possible Action](#) – Approval to accept the State of Nevada Emergency Response Commissions (SERC) Hazardous Materials Emergency Preparedness (HMEP) FFY12 mid-cycle grant award to purchase training DVD’s. This grant will be administered from Fund 10340 Grants. There is no County match required.
- n. [For Possible Action](#) – Approval of Change Orders No. 15 through 20 to the contract with Wulfenstein Construction, Inc. for additional work and materials on the SR 160 and Homestead road improvement project and is budgeted from Fund 10250 Capital Improvements and Fund 10253 Public Improvement Fees.
- o. [For Possible Action](#) – Approval to amend a Professional Service Agreement (PSA) with Desert Research Institute (DRI). This amendment will increase the not-to-exceed amount to allow for further microbiological sampling, analysis and publication of professional papers in support of NWRPO hydrologic studies for FY 2012-2013 and has been budgeted from Fund 10336 Yucca Project Oversight.
- p. [For Possible Action](#) – Approval to accept a grant award from the US Environmental Protection Agency (EPA) for an Environmental Workforce Development and Job Training Grant (formerly Brownfields Job Training Grant). The grant will be administered from Fund 10340 Grants. There is no County match required.

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- q. [For Possible Action](#) – Approval to accept grant awards from the State of Nevada Community Development Block Grant (CDBG) program for the: 1) Nye County Public Works complete re-lining of the interior surfaces of the Town of Gabbs Community Potable Water Storage Tank; and 2) Pioneer Territory CASA, Inc. recruit, train and monitor volunteer advocates for children in foster care who have been abused or neglected. Both awards include in-kind Grant Administration costs and the Gabbs Water Tank project includes in-kind Public Works project management costs. The grants will be administered from Fund 10340 Grants.
- r. [For Possible Action](#) – Approval of Change Order No. 10 to the Service Contract Agreement with Southwest Environmental Services, Inc. (SES) to approve a Fiscal Year 2012/13 budget to continue to perform the task activities as amended to the Service Contract Agreement per Change Order #8 from Fund 10510, Solid Waste and from Fund 10511, Solid Waste – Open & Close.
- s. [For Possible Action](#) – Approval to surplus and auction excess equipment as per attached list. Proceeds from medical equipment to be placed in 10291 County-Owned Buildings. Proceeds from vehicle to be placed in 10401 Capital Projects.
- t. [For Possible Action](#) – Approval to purchase two Cisco 3560G 48 Port Switches for the new Pahrump Jail and is budgeted from Fund 10451 Bonds.
- u. [For Possible Action](#) – Approval of Change Orders No. 2 through 6 to the contract with Wulfenstein Construction, Inc. for additional work and materials on the Blagg Road Sewer Line Trench Backfill Replacement Project (\$57,083.88) as well as a no cost time extension and is budgeted from Project PE1202 Fund 10493 Capital Projects.
- v. [For Possible Action](#) – Approval of Change Order No. 1 to the contract with US Imaging, Inc. to scan Nye County records from 16mm microfilm jackets to add archiving 2010 and 2011 digital images to 16mm microfilm and is budgeted from Fund 10320 Recorder Technology.
- w. [For Possible Action](#) – Approval to accept a donation of a vehicle from Mojave County for the purpose of Medical Transportation Requirements and Performance Measures as required by the contract between Nye County and Clark County to provide medical and supportive services for HIV/AIDS infected and affected clients in the Las Vegas, Ryan White Transitional grant area.

### PUBLIC OFFICIALS

#### 10 Assessor

- a. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2012-32: a resolution changing the hours during which the Assessor’s Office will be kept open.

#### 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.

## NYE COUNTY BOARD OF COMMISSIONERS AGENDA

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- 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 on Bill Draft Requests (BDRs) Nye County proposes to submit for the 2013 Legislative Session.
- e. [For Possible Action](#) – Discussion and deliberation to appoint a Commissioner Liaison / Representative to the Nye County Water District Governing Board and to the Park and Recreation Commission.
- f. [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.
- g. [For Possible Action](#) – Discussion and deliberation to: 1) set a date, time, and location for a public hearing on Nye County Bill No. 2012-15: a Bill proposing to amend Title 5 of the Nye County Code by adding a new Chapter 5.30 allowing private business owners to designate clothing-optional areas on their premises, establishing regulations governing clothing-optional areas; 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.
- h. [For Possible Action](#) – Discussion and deliberation to approve the ballot question for the November 2012 General Election Ballot regarding the discontinuance of the town board form of government for Pahrump, NV.

### 12 Clerk

- a. [For Possible Action](#) – Discussion and deliberation to appoint one member to the Pahrump Library Board due to the resignation of James Mutton. This term will expire March 2014.

### 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](#)

## NYE COUNTY BOARD OF COMMISSIONERS AGENDA

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- b. [For Possible Action](#) – Discussion and deliberation to transfer the name of “Marilynn Gallivan Complex” from its current location at 250 N. Hwy 160 which currently houses Public Works, Planning, Health and Human Services offices to the new building at 1981 E. Calvada Blvd. North.

**21 Emergency Services**

**22 Facilities**

**23 Finance**

**24 Health & Human Services**

**25 H/R and Risk Management**

**26 Information Technology**

- a. [For Possible Action](#) – Discussion and deliberation to purchase a new Storage Area Network (SAN) to replace the current EMC SAN which has reached the end of life and needs to be replaced and has not been budgeted, but can be funded from Fund 10402 Special Capital Projects.

**27 Nuclear Waste Repository Project Office**

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

**29 Public Administrator**

**30 Public Works**

**31 Senior Services**

### OTHER BUSINESS

**32 Town Boards/Town Advisory Boards**

- a. [For Possible Action](#) – Discussion and deliberation concerning a request to approve a contract renewal with Valley TV & Communication for the maintenance of the television translator site operated by the Manhattan Town Board in the amount of \$2,500.00 beginning July 1, 2012 to June 30, 2013 which has been budgeted from Fund 27101 Manhattan Town.

**33 Public Petitioners**

**34 GENERAL PUBLIC COMMENT (second)**

**35 ANNOUNCEMENTS (second)**

**36 ADJOURN**

**NYE COUNTY BOARD OF COMMISSIONERS AGENDA**

**ITEM # SUBJECT**

**July 17, 2012**

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

**Commissioners Chambers, Pahrump, NV 89048**  
**TUESDAY, July 17, 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.

Gila Jeep Trail Road No. [957750](#)

East Reveille Valley Rod No. [957800](#)

Central Reveille Valley Road No. [957810](#)

Joe's Well Road No. [957815](#)

Reveille Cutoff Road No. [957820](#)

Fallini Well Road No. [957825](#)

Black Spring Road No. [957830](#)

Warm Springs Road No. [957835](#)

Cap Henry Spring Road No. [957840](#)

New Reveille Mine Road No. [958900](#)

Reveille Jeep Road No. [958910](#)

Kietzke Mine Road No. [958920](#)

West Reveille Valley Road No. [958930](#)

Reveille Mill Road No. [958940](#)

Gila Mine Road No. [958950](#)

East Gila Mine Road No. [958955](#)

Reveille Site Road no. [958960](#)

Dean Spring Valley Road No. [966100](#)

Dean Spring Road No. [966150](#)

Crystal Canyon Road No. [966200](#)

2. For Possible Action - Approval of Minutes for the Nye County Board of Road Commissioners' meeting for June 19, 2012.
3. For Possible Action - General road report by Public Works Director
4. For Possible Action – Discussion and deliberation to: 1) set a date, time and location for a public hearing on Resolution No. 2012-214: a Resolution designating minor county roads within Nye County pursuant to NRS 403.170; and 2) direct publication in a newspaper of general circulation within Nye County at least 10 days before time and place of the public hearing.
5. Adjourn

**NYE COUNTY BOARD OF COMMISSIONERS AGENDA**

**ITEM # SUBJECT**

**July 17, 2012**

**AGENDA  
NYE COUNTY LICENSING AND LIQUOR BOARD**

**Commissioners Chambers, Pahrump, NV 89048  
TUESDAY, July 17, 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 19, 2012.
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 to the Banc Club for their Parking Lot Party on August 11, 2012. Tina Paice, Applicant.
4. Brothel
  - a. For Possible Action – Discussion and deliberation to request from applicant reimbursement for additional cost of the services rendered by Mark Alden, CPA for the financial investigation of Dennis Hof’s Area 51/Death Valley Alien Cathouse. Dennis Hof, Applicant.
5. Gaming
6. Liquor
7. Adjourn

# NYE COUNTY BOARD OF COMMISSIONERS AGENDA

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ITEM #    SUBJECT

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July 17, 2012

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## **Tuesday, July 17, 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.

## **PLANNING TIMED AGENDA ITEMS**

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**Public Hearing Items: Action will be taken by the Board of County Commissioners (BOCC) on the following matters.**

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### **11:00 AM**

1. Ex Parte Communications and Conflict of Interest Disclosure Statements
2. [For Possible Action](#) – Continued Public Hearing, discussion, and deliberation to adopt, amend and adopt, or reject 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; providing for the severability, constitutionality and effective date hereof, and other matters properly relating thereto.