



**NYE COUNTY
BOARD OF COMMISSIONERS MEETING
2100 E. Walt Williams Drive, Pahrump, NV 89048
TUESDAY, November 20, 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 November 20, 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 November 20, 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

"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

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Lorinda Wichman, Chair
Dan Schinhofen, Vice-Chair
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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.

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 20, 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).

Please note: Blue text that is underlined indicates items are linked to supporting documentation

NOTICE OF TIMED AGENDA ITEMS

- 10:00 a.m. [Presentation](#) by U.S. Fish & Wildlife regarding introductions, recognition award, and opportunities for future desert tortoise translocations in Nye County.
- 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. [Community Development Block Grant \(CDBG\) Public Meeting](#)
 - b. [For Possible Action](#) – Discussion and deliberation to: 1) Approve the Summary of Past Performance by Nye County with CDBG funding since 1982; 2) rank preliminary project grant applications and approve to submit applications to the CDBG program for the 2013-2014 grant year; 3) sponsor Rural Nevada Development Corporation application; and 4) approve publication of all submitted project descriptions in local newspapers to allow a two week public comment period.
 - c. [For Possible Action](#) – Discussion and deliberation to apply for the United States Department of Agriculture (USDA) Rural Development Community Facilities Grant Program. Match required is budgeted from Fund 10282 Ambulance and from a grant award received by POOL/PACT. This grant shall be administered from Fund 10340 Grants.

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

1:30 p.m. [For Possible Action](#) – Presentation, discussion and deliberation on approving a contract with Gilbert, Gaetke, and Associates of Nevada, MD LTD d/b/a ARC Health & Wellness Centers for the purpose of Occupational Health Services and is budgeted from Fund 10101 General.

NYE COUNTY BOARD OF COMMISSIONERS

4 For Possible Action - Discussion and deliberation of Minutes of the Board of County Commissioners' meeting(s) – N/A

5 Awards and Presentations – N/A

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
- e. [For Possible Action](#) – Approval for Nye County Ambulance to write off eight (8) uncollectible accounts for a total of \$15,255.00.
- f. [For Possible Action](#) – Approval to accept Subgrant Amendment No. 1 from the Nevada Department of Health and Human Services to fund the Women, Infants, and Children (WIC) Clinic in Pahrump and Tonopah, a federally funded program to provide nutrition education information to participants, a food delivery system, and facilitate the delivery of health services to participants in the program, with no match required. This subgrant shall be administered in Fund 10340 Grants.
- g. [For Possible Action](#) – Approval to renew a subscription with “LeadsOnLine” the nation's largest web-based system used by law enforcement to investigate crimes from burglary/theft to narcotics and homicide and is budgeted from Fund 10101 General.
- h. [For Possible Action](#) – Approval to enter into Grantee’s Agreement with State of Nevada, acting by and through its Department of Transportation for SFY 2013 Federal Transit Administration Section 5311 for transportation operating expenses, specifically assistance

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with fuel costs and transportation wages. The matching funds will be in-kind funds from vehicle maintenance and County paid staff. No additional County match required.

- i. [For Possible Action](#) – Approval to select Grainger as the lowest most responsible and responsive quote to purchase five (5) door locks for the Tonopah Volunteer Fire and Ambulance Station and can be funded from Fund 10282 Ambulance.
- j. [For Possible Action](#) – Approval to renew the contract with Legacy Environmental Concepts, Inc. for an additional one year term and execute the contract for the additional one year term and is budgeted from Fund 10101 General.
- k. [For Possible Action](#) – Approval to submit an application for grant funding to the US Environmental Protection Agency for a Brownfields Coalition Revolving Loan Fund grant to establish a revolving loan fund for cleanup activities at brownfields sites. There is a 20% match required, which can be met through private capital from loan recipients for cleanup and redevelopment, program income generated from interest payments on loans issued, the waiving of tipping fees for materials disposed of at local landfills, and other qualifying “in-kind” match.
- l. [For Possible Action](#) - Approval to enter into Grantee’s Agreement with the State of Nevada, acting by and through its Department of Transportation for SFY 2013 Federal Transit Administration Section 5311 Agreement to transfer a 2010 Startrans Candidate Ford E350 Cutaway vehicle for use by the Nye County Senior Nutrition Program, Inc. to replace an existing vehicle in Fish Lake Valley, Esmeralda County. Costs to operate and maintain the vehicle would be through Esmeralda County Transportation Grant and Esmeralda County. No County Match Required.

PUBLIC OFFICIALS

10 Assessor

- a. [For Possible Action](#) - Discussion and deliberation to select Technic Business Solutions as the lowest most responsible and responsive quote for a new line matrix printer and to select ABC Office as the lowest most responsible and responsive quote for a new forms burster for printing Notices of Assessment Values, Veterans Exemption Renewal Cards and Owner Occupancy Verification Cards and can be funded from Fund 10322 Assessor’s Technology Fund.

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 and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.
- d. [For Possible Action](#) – Discussion and deliberation to change the time of the second meeting of the regular Board of County Commissioner meetings.

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- e. [For Possible Action](#) – Discussion and deliberation to set the date and location of the second meeting of the Board of Commissioners for Tuesday, February 19, 2013 in Pahrump, Nevada.
- f. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt or reject Nye County Resolution No. 2012-47: a Resolution directing the County Assessor to prepare a list of the taxpayers on the 2012-2013 secured tax assessment roll in Nye County, Nevada and directing distribution of the same.

12 Clerk

- a. [For Possible Action](#) – Discussion and deliberation pursuant to NCC 17.04.860 to: 1) determine the allowable costs incurred in connection with the abatement of the nuisance at 561 W. Irene St., APN 035-161-31, legal owner, Rick Flores, in order for the Board to determine the amount to attach as a lien to the property; and 2) adopt, amend and adopt or reject Resolution No. 2012-46.

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](#)

21 Emergency Services

22 Facilities

23 Finance

- a. [For Possible Action](#) – Discussion and deliberation regarding Bid #2012-30 – 100 mobile and 20 portable radios and awarding of bid. The amount of the bid is unknown at agenda deadline. The purchases will be made from Fund 10401 Capital Projects.
- b. [For Possible Action](#) – Discussion and deliberation regarding RFP #2012-31 – Publishing or Distribution of the 2013 Tax Roll and awarding of bid. The amount of the bid is unknown at agenda deadline and can be funded from Fund 10101 General.
- c. [Budget to Actual Revenue Report](#)
- d. [Budget to Actual by Fund](#)

24 Health & Human Services

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25 H/R and Risk Management

- a. [For Possible Action](#) – Discussion and deliberation to approve emergency hire of a temporary part time / no benefits office clerk for a not to exceed six month period for the Tonopah Sheriff's Office. Cost is estimated by HR to be \$14,612.00 for 40 hours per week not to exceed 1039 hours and is not budgeted.

26 Information Technology

27 Nuclear Waste Repository Project Office

- a. [For Possible Action](#) – Discussion and deliberation to: 1) approve an updated Access Agreement between Nye County and IMV Nevada allowing Nye County personnel access to private land in Amargosa Valley for the purposes of drilling additional wells under the Groundwater Evaluation program; and 2) execute the agreement.
- b. [For Possible Action](#) – Discussion and deliberation to: 1) award a contract to Great Basin Drilling for the drilling and completion of one monitoring well in Amargosa Valley and is budgeted from Fund 10336 Yucca Project Oversight; and 2) execute the contract.

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

33 Public Petitioners

- a. [For Possible Action](#) – Discussion and deliberation to approve a Memorandum of Understanding with Round Mountain Gold Corporation for providing mutual assistance to a broad range of medical emergencies.
- b. [For Possible Action](#) – Presentation, discussion, and deliberation to provide a recommendation to the Nevada Division of Environmental Protection for endorsement of the “Community Source Water Protection Plan for Public Water Systems in Nye County, Nevada” (November 2012).

Due to the large amount of backup for this item, it will have 5 sections:

[Section 1](#) [Section 2](#) [Section 3](#) [Section 4](#)

- c. [For Possible Action](#) – Discussion and deliberation on a request of a variance on the dumping fees charged in the amount of \$900.00 to Ron Murphy Construction for carrying off the debris from property (045-091-27, 045-091-28).

34 GENERAL PUBLIC COMMENT (second)

35 ANNOUNCEMENTS (second)

36 ADJOURN

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ITEM # SUBJECT

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AGENDA
NYE COUNTY BOARD OF ROAD COMMISSIONERS

Commissioners Chambers, Pahrump, NV 89048
TUESDAY, November 20, 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.

North Butler Homestead Road No. [971200](#)

East Butler Creek Road No. [971210](#)

North Butler Creek Road No. [971215](#)

Butler Willow Road No. [971220](#)

North Willow Creek Road No. [971225](#)

Monitor Long Canyon Road No. [971230](#)

Short Well Road No. [971235](#)

Willow Creek Wash Road No. [971240](#)

South West Monitor Connector Road No. [971245](#)

North Johnny Potts Springs Road No. [971250](#)

Prospect Springs Road No. [972910](#)

Meadow Creek Road No. [973800](#)

Box Springs Road No. [973805](#)

Soldier Springs Road No. [973815](#)

A Spring Road No. [974110](#)

Toll Canyon Road No. [974415](#)

Sage Hen Springs Road No. [974425](#)

Anderson Cemetery Road No. [974550](#)

Trudgen Well Road No. [975250](#)

2. For Possible Action - Discussion and deliberation of Minutes for the Nye County Board of Road Commissioners' meeting for – N/A
3. For Possible Action - General road report by Public Works Director

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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 for the following:

Red Mountain Road No. [943349](#)

East Red Mountain Road No. [943353](#)

South Black Rock Summit Road No. [945256](#)

Cinder Pit Road No. [945313](#)

Little Pancake Road No. [945484](#)

Black Prospect Road No. [945788](#)

South Lunar Lake Road No. [946021](#)

West Wall Road No. [946581](#)

Stone Corral Well Road No. [946700](#)

Little Smoky Valley Road No. [951905](#)

North Little Smoky Valley Road No. [951910](#)

East Willow Creek Ranch Road No. [951915](#)

Little Smoky Valley Well Road No. [951920](#)

Hildebrand Canyon Road No. [952500](#)

Pritchard Jeep Road No. [953905](#)

West Old Dominion Canyon Road No. [955225](#)

East Old Dominion Canyon Spur Road No. [955230](#)

Flagstaff Mountain Jeep Road No. [955235](#)

South Flagstaff Mountain Road No. [955240](#)

Keystone Sidehill Road No. [955245](#)

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 20, 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. 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 - Discussion and deliberation of Minutes for the Nye County Licensing and Liquor Board meeting for – N/A
3. Consent Agenda Items
4. Brothel
5. Gaming
6. Liquor
7. Adjourn

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

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Tuesday, November 20, 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

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

11:00 AM

1. Ex Parte Communications and Conflict of Interest Disclosure Statements
2. [For Possible Action](#) - Public Hearing, discussion and deliberation on the following Planning and Zoning matters:
 - A. (Conforming) Zone Change Application:
 1. [For Possible Action](#) – ZC-12-0008: (Conforming) Zone Change application to change approximately 9.63 acres from the Village Residential (VR-20) Zoning District to the Mobile Home Park (MH) Zoning District for property described as Parcel 2 of File Map #135959, the Southwest ¼ of the Southwest ¼ of Section 3, Township 20 South, Range 53 East, located at 1221 N. Blagg Road. Middleton LLC – Property Owner/Applicant. Civilwise Services – Agent. AP# 035-041-19.
 - B. Master Plan Amendment and Zone Change Applications:
 1. [For Possible Action](#) – MP-12-0007: (Minor) Master Plan Amendment to change the land use designation from Business Park/Light Industrial to Heavy Industrial for nine (9) parcels totaling approximately 60.0 acres (gross), generally located north of Basin Avenue, east of Oyster Street, and west of Panorama Road. PV Raceway LLC; Wulfco & Wulfenstein Trust; PDMV1 LLC; and Wulfenstein, Ray & Irene Trust – Property Owner(s). Nye County Zoning Administrator – Applicant. AP#'s 035-191-45, -51, -52, -53, -54, -58, -59, -60, and -61.
 2. [For Possible Action](#) – ZC-12-0009: (Non-Conforming) Zone Change application to change approximately 60.0 acres (gross) from the Light Industrial (LI) Zoning District to the Heavy Industrial (HI) Zoning District for nine (9) parcels totaling approximately 60.0 acres (gross), generally located north of Basin Avenue, east of Oyster Street, and west of Panorama Road. PV Raceway LLC; Wulfco & Wulfenstein Trust; PDMV1 LLC; and Wulfenstein, Ray & Irene Trust – Property Owner(s). Nye County Zoning Administrator – Applicant. AP#'s 035-191-45, -51, -52, -53, -54, -58, -59, -60, and -61.

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C. Public Hearing on Bill 2012-11:

1. [For Possible Action](#) – Public Hearing, discussion and deliberation to adopt, amend and adopt, or reject Nye County Bill No. 2012-11: A Bill proposing to amend Nye County Code 16.28 the Division of Land Within the Pahrump Regional Planning District, by amending Article VIII “Improvement, Maintenance and Warranty Guarantees” for the purpose of providing the Pahrump Regional Planning Commission with the authorization to approve partial releases of financial security for completed improvements (e.g., water/sewer lines, streets, etc.), providing for the severability, constitutionality and effective date hereof; and other matters properly relating thereto.

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. [Report](#) on Status of Development Agreements

CONSENT

Consent Agenda: 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. **THESE ITEMS ARE NOT CONSIDERED PART OF THE PUBLIC HEARING.**

1. [For Possible Action](#) – Offer of Dedication OD-12-0001. Approval to accept an Offer of Dedication and maintenance for a thirty (30) foot wide portion of Powerline Road, Pahrump, Nevada. File Map #36187, Lot 13, Commercial Park Subdivision. Hafen Family Limited Partnership/M. Kent Hafen – Property Owner/Applicant. A portion of AP# 35-431-13.
2. [For Possible Action](#) – Road Abandonment AB-12-0001. Approval to Vacate and Abandon a portion of Powerline Road containing a total land area of approximately 14,580 square feet, Pahrump, Nevada. Hafen Family Limited Partnership and Thousandaire Inc. – Property Owner/Applicant.