



**NYE COUNTY
BOARD OF COMMISSIONERS MEETING
101 Radar Rd, Tonopah NV 89049
TUESDAY, December 4, 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 December 4, 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 December 4, 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

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NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

December 4, 2012

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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.

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 December 4, 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

10:15 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. Public Hearings:

- a. For Possible Action – Public Hearing, discussion, and deliberation to adopt, amend and adopt, or reject Nye County Bill No. 2012-18: a bill proposing to amend Chapter 9.20 of the Nye County Code related to the licensing and regulation of prostitution, by removing the residency requirement for brothel license applicants and mandating annual, rather than quarterly, registration of employees; providing for the severability, constitutionality and effective date hereof, and other matters properly relating thereto.
- b. For Possible Action – Public hearing, discussion, and deliberation pursuant to NRS 244.360 on a complaint alleging the existence of a nuisance located at 6880 Oakridge Ave, Pahrump, Nevada.

11:00 a.m. Report by Senator Goicoechea and Assemblyman Oscarson on Bill Draft Requests.

NYE COUNTY BOARD OF COMMISSIONERS

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

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- 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 – N/A
 - c. [For Possible Action](#) – Approval of Assessor’s Office Change Request
 - d. [For Possible Action](#) – Approval of Personnel Actions
 - e. [For Possible Action](#) – Approval of a contract with Akerman Senterfitt for all federal representational lobbying activities.
 - f. [For Possible Action](#) – Approval of Change Order No. 16 to the contract with Wulfenstein Construction, Inc. on the Blagg Road Sewer Line Trench Backfill Replacement Project PE1202.
 - g. [For Possible Action](#) – Approval to grant perpetual and temporary easements for Valley Electric Association transmission lines, Pahrump, Nye County, Nevada.
 - h. [For Possible Action](#) – Approval of the Amended and Restated Solid Waste Franchise Agreement with Beatty Disposal for the collection and disposal of solid waste in the Beatty area.
 - i. [For Possible Action](#) – Approval of change orders and no-cost extensions for three (3) State of Nevada Division of Emergency Management (DEM) Emergency Preparedness Working Group (EPWG) grants.
 - j. [For Possible Action](#) - Approval of Change Order No. 1 to the contract with Nye County School District to provide fleet courier services.
 - k. [For Possible Action](#) - Approval to accept a Software License Agreement with The Center for Applied Management Practices, Inc. to use Version 2.0 of the eLogic Model Manager for the Community Service Block Grant Programs.
 - l. [For Possible Action](#) - Approval to submit the Certification of Expenditure of Funds under Public Law 111-85 of 2012.
 - m. [For Possible Action](#) - Approval to pay state obligated assessments for Fiscal Year 2012-2013 from Fund10301 Special Projects Endowment.
 - n. [For Possible Action](#) - Approval to issue a Display Fireworks Event Permit to the Amargosa Town.
 - o. [For Possible Action](#) – Approval of Change Order No. 1 to the contract with Beatty Graphics SM Productions for the conversion of Nye County History Project documents and cassettes to electronic format.

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- p. [For Possible Action](#) – Approval to enter into a contract with the United States Department of the Interior, National Park Service, Death Valley National Park (DEVA) to allow the National Park Service to install two microwave dishes and associated hardware at the Nye County West Side Tower in Pahrump.
- q. [For Possible Action](#) – Approval to authorize for programming and services provided by Advanced Data Systems to develop web services to serve DMV on-line renewal process by interfacing with exemption files.
- r. [For Possible Action](#) – Approval to renew Recreation and Public Purposes (R&PP) Lease N-3472601 Round Mountain Solid Waste Site, N-3682101 Tonopah Solid Waste Disposal Site, and N-3563901 Beatty Bin Station for a period of 5 years.

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 and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.
- d. [For Possible Action](#) – Discussion and deliberation to approve to designate an additional 10 acres of 2871 E. Mesquite Ave. for the Multipurpose Training Facility project.
- e. [For Possible Action](#) – Discussion and deliberation on approval of an employment agreement with Mark Hatfield.

12 Clerk

- a. [For Possible Action](#) – Discussion and deliberation to appoint three members to the Gabbs Town Advisory Board due to two (2) terms expiring in January 2013 and one (1) resignation with the term expiring January 2014.
- b. [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 Nye County Resolution No. 2012-46.

13 District Attorney

14 Recorder

15 Sheriff

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

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16 Treasurer

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: 1) approve funding for an appraisal on the Pahrump Utility Company, Inc.; and 2) identification of company to perform the appraisal.

21 Emergency Services

22 Facilities

23 Finance

- a. [For Possible Action](#) – Discussion and deliberation regarding Bid #2012-32 – Scrap Metal Disposal for the Tonopah Landfill.
- b. [General](#) Fund Cost Performance Report
- c. [Budget](#) to Actual by Fund

24 Health & Human Services

25 H/R and Risk Management

26 Information Technology

27 Nuclear Waste Repository Project Office

28 Planning/Building

- a. Ex Parte Communications and Conflict of Interest Disclosure Statements
- b. [For Possible Action](#) – Discussion and deliberation on a request for: 1) approval of an Application for a Parcel Map proposing to divide approximately 4.10 acres into one 3.47 acre parcel and one .62 acre parcel. Raymond G. & Grace Elaine Jensen – Owners, AP #08-261-48 located in Tonopah (PM-12-0005); 2) request for one waiver: WV-12-0003 request for a waiver of the requirement to provide contour information pursuant to Nye County Code 16.20.115.A.6

29 Public Administrator

30 Public Works

- a. [For Possible Action](#) – Discussion and deliberation concerning setting a date, time, and location for a Public Hearing on the results of Public Works identification and determination of improved roads and streets maintained by Nye County during Calendar Year 2012 for the purposes of compliance with Nevada Revised Statutes Chapter 365.550 with respect to Proceeds of Tax Levied pursuant to NRS 365.180; and other matters properly related thereto.

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31 Senior Services

OTHER BUSINESS

32 Town Boards/Town Advisory Boards

- a. [For Possible Action](#) – Discussion and deliberation to appoint three members to the Beatty Town Advisory Board due to three expiring terms on December 31, 2012.
- b. [For Possible Action](#) – Discussion and deliberation regarding a request to set a date, time and location for a Public Hearing on Nye County Bill No. 2012-19: a Bill proposing to amend Nye County Code Title 19, Beatty, by amending Chapter 19.04 Section 19.04.050 regarding appointment and removal of the fire chief, Section 19.04.110 records and reports, Section 19.04.130 badges, Section 19.04.140 insignia and Section 19.04.250 empowerment; and other matters properly relating thereto.

33 Public Petitioners

- a. [For Possible Action](#) – Discussion and deliberation on contract with Rural Nevada Economic Development LLC to help fund the efforts to develop and lobby for bill draft request to allow local governments to pursue economic development activities through the use of tax incentives and other funding alternatives.
- b. [Presentation](#) of letter from the Nye County Safety Committee to the Nye County Board of Commissioners regarding the safety and staffing levels in the Pahrump and Tonopah jails.

34 GENERAL PUBLIC COMMENT (second)

35 ANNOUNCEMENTS (second)

36 ADJOURNMENT

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ITEM # SUBJECT

December 4, 2012

AGENDA
NYE COUNTY BOARD OF ROAD COMMISSIONERS

101 Radar Rd, Tonopah NV 89049
TUESDAY, December 4, 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

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
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:

Mountain View Canyon Road No. [955250](#)
West Blue Jay Spring Road No. [955255](#)
Blue Jay Well Road No. [955260](#)
Sandy Summit Road No. [955505](#)
Sandy Summit Spring Road No. [955525](#)
West Little Lunar Cuesta Road No. [955530](#)
Little Lunar Crater Cuesta Road No. [955535](#)

Easy Chair Crater Road No. [955540](#)
Lunar Crater Well Road No. [955545](#)
Rawhide Springs Road No. [956555](#)
Cockalorum Wash Road No. [951900](#)
Borrow Pit Road No. [956560](#)
Buckwheat Rim Road No. [956905](#)
Mt. Moriah Cemetery Road No. [984360](#)

5. Adjourn

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

December 4, 2012

AGENDA
NYE COUNTY LICENSING AND LIQUOR BOARD

101 Radar Rd, Tonopah NV 89049
TUESDAY, December 4, 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 - 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