



**NYE COUNTY
BOARD OF COMMISSIONERS MEETING
2100 E. Walt Williams Drive, Pahrump, NV 89048
TUESDAY, February 21, 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 February 21, 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 February 21, 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

February 21, 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

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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

NOTICE OF TIMED AGENDA ITEMS

- 10:00 a.m. For Possible Action – Discussion and deliberation to approve the audits of fiscal year 2010-2011 for Nye County and all component units of Nye County conducted by Daniel McArthur LTD.
- 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. For Possible Action – Public hearing, discussion, and deliberation to adopt, amend and reject Nye County Bill No. 2012-01: a Bill proposing to amend Title 15 Chapter 15.32 Article I sections 15.32.080 through 15.32.100 of the Nye County Code related to impact fees within the Pahrump Regional Planning District, by placing a one-year moratorium on the imposition of impact fees and allowing developers to pay impact fees through extended payment agreements; and other matters properly relating thereto.
- 11:00 a.m. Planning, Zoning, and Building Items (Agenda Attached)
- 11:15 a.m. Presentation by Octavio Morales with St. Therese Mission

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 February 21, 2012.
- 3 For Possible Action - Approval of Minutes of the Board of County Commissioners' meeting(s) for January 17, 2012.
- 4 Awards and Presentations – N/A
- 5 Announcements (first)

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

February 21, 2012

- 6 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).**
- 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 to set the date and location of the second meeting of the Board of Commissioners for Monday May 21, 2012 in Pahrump, Nevada.
 - f. [For Possible Action](#) – Approval to accept the Governor’s Office of Economic Development, formally known as Nevada Commission on Economic Development, Local Development Grant Program (LDGP) and will be administered from Fund 10340 Grants.
 - g. [For Possible Action](#) – Approval to enter into Grantee’s Agreement between State of Nevada, acting by and through its Department of Transportation and Nye County Senior Nutrition Program, Inc., acting by and through Nye County, Nevada.
 - h. [For Possible Action](#) – Approval for necessary electrical work associated with facilities at the County's Road Department yard in Currant Creek and is budgeted from Fund 10205 Roads.
 - i. [For Possible Action](#) – Approval of Change Order No. 2 to the Professional Services Agreement with Stanley Consultants, Inc. that adds the tasks to provide construction management support and survey services for the Dandelion Street improvement project between SR 160 and Calvada Blvd and is budgeted from Fund 10205 Roads.
 - j. [For Possible Action](#) – Approval to retain National Trench Safety, LLC (NTS) to perform part time maintenance of the traffic control equipment along the closed sections of Blagg Road and is budgeted from Fund 10205 Roads.
 - k. [For Possible Action](#) – Approval to apply for the FY 2013 State of Nevada Emergency Response Commission’s (SERC) Planning, Training, Equipment and Operations grant and there is no match required. This grant shall be administered out of Fund 10340 Grants.
 - l. [For Possible Action](#) – Approval to apply to the State of Nevada Emergency Response Commission’s (SERC) FY13 “United We Stand” Planning, Training & Equipment grant and there is no match required. This grant shall be administered out of Fund 10340 Grants.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

February 21, 2012

- m. [For Possible Action](#) – Approval to allow public and private agencies, departments, and contractor’s to utilize the Nye County Multi-Purpose Training Facility located at 2871 E Mesquite in Pahrump, Nevada and approve the Waiver of Indemnification.
- n. [For Possible Action](#) – Approval to award Bid #2012-04/PWP #NY-2012-130 – Dandelion Street Improvement Project to Wulfenstein Construction of Pahrump and is budgeted from Fund 10205 – Road.
- o. [For Possible Action](#) – Approval to notify State of Nevada Department of Taxation that the county does not intend to increase tax rates for fiscal year 2012-2013.
- p. [For Possible Action](#) – Approval of: 1) a resolution in support of the Bright Source Energy, Inc. Hidden Hills Project; and 2) sending a letter of request to the California Energy Commission (CEC) for agency participation status for Nye County in the proceedings for the Bright Source Energy, Inc. Hidden Hills project.

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.
- 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. [For Possible Action](#) – Discussion and deliberation regarding the median on Calvada Boulevard where the oleanders have been removed.
- h. [For Possible Action](#) – Discussion and deliberation to appoint a Commissioner Liaison/ Representative to the Nye County Water District Governing Board.

12 Clerk

13 District Attorney

14 Recorder

15 Sheriff

16 Treasurer

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

February 21, 2012

17 Justice(s) of the Peace

18 District Court

19 Juvenile Probation

GENERAL NYE COUNTY ADMINISTRATIVE STAFF

20 County Manager

- a. [Ongoing Project Report](#)
- b. [For Possible Action](#) – Discussion and deliberation to staff on maintenance of appurtenant water rights associated with Nye County Treasurer Trust properties within the Little Nevada Subdivision located in Amargosa Valley and coordinate with Nye County Water District.

21 Emergency Services

- a. [For Possible Action](#) – Discussion and deliberation to appoint one (1) deputy registrar for Pahrump and one (1) registrar for Northern Nye County to assist the Nye County Health Officer with Burial Transit Permits.

22 Facilities

23 Finance

- a. [For Possible Action](#) – Discussion and deliberation regarding Bid #2012-05 – MC800 Cold Mix and awarding of bid and is budgeted from Fund 10205 Road.
- b. [For Possible Action](#) – Discussion and deliberation regarding Bid #2012-03 – Two Previously Owned Ambulances and awarding of bid and no funding to be spent on the units.
- c. [For Possible action](#) - Discussion, deliberation and decision regarding RFQ #2012-32 – Engineering/Environmental Services for the service area of Pahrump Utilities. The amount of the project is unknown until we have entered into negotiations with the successful respondent to the Request for Qualifications.
- d. [For Possible action](#) - Discussion and deliberation to select Aon Fire Protection Engineering Corporation as the lowest most responsible and responsive quote to provide special inspection (Special Inspector) smoke control testing services and can be funded from approved Project BP1102 Fund 10451 Bond Proceeds.

24 Health & Human Services

25 H/R and Risk Management

- a. [For Possible Action](#) – Discussion, deliberation, and direction to staff to reimburse the members of the NCLEA for insurance coverage and is not budgeted but can be paid for from Fund 10101 General Contingency.

26 Information Technology

27 Nuclear Waste Repository Project Office

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

29 Public Administrator

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

February 21, 2012

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 ADJOURN

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

February 21, 2012

AGENDA
NYE COUNTY BOARD OF ROAD COMMISSIONERS

Commissioners Chambers, Pahrump, NV 89048
TUESDAY, February 21, 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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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.

Jett Canyon Road No. [983200](#)
Blind Spring Road No. [943900](#)
Fishhook Road No. [953530](#)
Hobble Canyon Road No. [954006](#)
Needles Road No. [954100](#)
Cottonwood Canyon Road No. [964901](#)
B & C Spring Road No. [993810](#)
Little Prospect Road No. [928630](#)

Pretty Day Road No. [928645](#)
Stirling Mine Road No. [928651](#)
Side Hill Mine Road No. [928655](#)
Jaybird Road No. [928665](#)
Calloway Well Road No. [944115](#)
Rusty Motor Road No. [953520](#)
East Wood Canyon Road No. [954002](#)

1. [For Possible Action](#) - Approval of Minutes for the Nye County Board of Road Commissioners' meeting for January 17, 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.)
3. [For Possible Action](#) - General road report by Public Works Director
4. Adjourn

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

February 21, 2012

AGENDA
NYE COUNTY LICENSING AND LIQUOR BOARD
Commissioners Chambers, Pahrump, NV 89048
TUESDAY, February 21, 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. [For Possible Action](#) - Approval of Minutes for the Nye County Licensing and Liquor Board meeting for January 17, 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.)
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 72 Hour Liquor Permits for Our Lady of the Valley Church. Jean Lynch, Applicant.
 - c. [For Possible Action](#) – Approval to issue a 72 Hour Liquor Permit for Our Lady of the Valley Church. Jean Lynch, Applicant.
 - d. [For Possible Action](#) – Approval to issue a 72 Hour Liquor Permit for The Pink Buffalo Boutique. Stacey Kushniruk, Applicant
 - e. [For Possible Action](#) – Approval to issue 72 Hour Liquor Permits for Our Lady of the Valley Church. Jean Lynch, Applicant.
 - f. [For Possible Action](#) – Approval to issue 72 Hour Liquor Permits for Pahrump Valley Speedway. Chad Broadhead, Applicant.
4. Brothel

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

February 21, 2012

5. Gaming

- a. [For Possible Action](#) – Discussion and deliberation to issue a Gaming License for Golden Gaming, Inc., a Slot Route Company out of Las Vegas, NV. Rodney Atamian and Blake Sartini are the applicants.

6. Liquor

- a. [For Possible Action](#) – Discussion and deliberation of a Change of Licensee for The Miners Saloon, 422 W. Main Street, Manhattan, NV. Sharon Pauley applicant.
- b. [For Possible Action](#) – Discussion and deliberation of a Change of Licensee for The Nevada National Security Site. John F. Sullivan applicant.

7. Adjourn

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

February 21, 2012

Tuesday, February 21 2012 beginning at 11:00 a.m.

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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, deliberation and possible decision on requests for approval of the following Planning and Zoning matters:
 - A. (Conforming) Zone Change and Conditional Use (CU) Permit Applications:
 1. ZC-11-0013: (Conforming) Zone Change application to change approximately 18.37-acres from the Rural Homestead Residential (RH-4.5) zoning district to the Neighborhood Commercial (NC) zoning district, for property located at 2370 & 2470 E. Thousandaire Blvd., AP#'s 44-551-39 & 44-551-40. Cliffwood Realty Nevada LLC – Property Owner. Megalith Consulting LLC – Applicant. Darrin Pappa – Agent.
 2. CU-11-0016: Conditional Use Permit (CUP) application to allow for development of a Recreational Vehicle Park, per NCC 17.04.310.E., for property located at 2370 & 2470 E. Thousandaire Blvd., AP#'s 44-551-39 & 44-551-40. Cliffwood Realty Nevada LLC – Property Owner. Megalith Consulting LLC – Applicant. Darrin Pappa – Agent.