



**NYE COUNTY
BOARD OF COMMISSIONERS MEETING
101 Radar Rd, Tonopah NV 89049
TUESDAY, August 3, 2010
10:00 AM**

**Gary Hollis, Chair
Butch Borasky, Vice-Chair
Joni Eastley, Commissioner
Lorinda Wichman, Commissioner
Fely Quitevis, Commissioner
Sandra "Sam" L. Merlino, Ex-officio Clerk of the Board**

NOTE: 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 August 3, 2010 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 August 3, 2010 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. **NOTE: You will not be permitted to speak during Public Comment without completing and submitting the appropriate forms. Please fill out a HCitizen Inquiry formH for a general public comment or a HCitizen Input formH to comment on a specific agenda item located on the public information table.**

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

The Nye County Board of Commissioners may take a short break every 1 ½ hours.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

August 3, 2010

Gary Hollis, Chair
Butch Borasky, Vice-Chair
Joni Eastley, Commissioner

Lorinda Wichman, Commissioner
Fely Quitevis, 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.

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. NACO Update

NYE COUNTY BOARD OF COMMISSIONERS

- 1 Pledge of Allegiance
- 2 Action - Approval of the Agenda for the Board of County Commissioners' meeting of August 3, 2010.
- 3 Action - Approval of Minutes of the Board of County Commissioners' meeting(s) for May 4, 2010; June 29, 2010 Teleconference.
- 4 Awards and Presentations – 10:45 a.m.
- 5 Announcements (first)
- 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 Action - Emergency Items
- 8 Action - Commissioners'/Manager's Comments (This item limited to announcements or topics/issues proposed for future workshops/agendas)
- 9 Consent Agenda Items
 - a. Action – Discussion of any item from the Consent Agenda Items that needs review before a decision is made.
 - b. Action – Approval of Elected Official Collection Report

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

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- c. Action – Approval of Assessor’s Office Change Request
- d. [Action](#) – Approval of Personnel Actions
- e. [Action](#) – Approval to accept a Community Development Block Grant (CDBG) in the amount of \$190,000.00 for the Town of Tonopah Effluent Storage and Reuse Design, with no cost to Nye County. Grant will be administered in Fund 247 Grants.
- f. [Action](#) – Approval to surplus and dispose of the excess Nye County personal property that is no longer in use. The vehicle will be auctioned and the proceeds will be deposited into Fund 490 Capital Projects.
- g. [Action](#) – Approval to: 1) enter into a Joint Funding Agreement (JFA) with the US Geological Survey (USGS) Nevada Water Science Center to collect, Quality Assurance/Quality Check (QA/QC), archive, and publish water level and spring-discharge data in Amargosa Desert not currently monitored by other agencies; and 2) authorize execution of the agreement. The total cost of this JFA to Nye County is \$20,000.00, and is budgeted from Fund 284 Repository Project Oversight. The term of the agreement is from October 1, 2010 to September 30, 2011.
- h. [Action](#) – Approval of Change Order No. 1 that extends the term of the Service Agreement with Roper's Edge Co., Inc. dba Smoky Valley Services for the operation of the Round Mountain Landfill for one year to August 8, 2011 with the option for three one year extensions at a fixed price of \$114,164.00 annually and is budgeted from Fund 610 Landfill Operations.
- i. [Action](#) – Approval to set the date and location of the second meeting of the Board of Commissioners for Tuesday October 19, 2010 Pahrump, Nevada.
- j. [Action](#) – Approval to accept a donation of four pieces of loaned U.S. Department of Energy (DOE) fire equipment to Nye County, currently in use by Nye County. DOE will be closing out this equipment associated with a Cooperative Agreement. There is no cost to Nye County.
- k. [Action](#) – Approval of criteria for placing citizens on the Nye County Animal Shelter’s Do Not Adopt List.

PUBLIC OFFICIALS

10 Assessor

11 Board of Commissioners

- a. 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.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM #	SUBJECT
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August 3, 2010

- 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. Action – Discussion, deliberation, and possible decision on labor negotiations, issues and other personnel matters presented in closed meeting.
- d. 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. Action – Discussion, deliberation, and possible decision on conference with legal counsel regarding potential or current litigation presented in closed meeting.
- g. [Action](#) – Discussion, deliberation, and possible decision to submit an Application for Land for Recreation or Public Purposes for a lease with the Bureau of Land Management to expand the useful footprint of the current Mt. Moriah Cemetery in Manhattan, Nevada.
- h. [Action](#) – Discussion, deliberation, and possible decision to adopt, amend and adopt, or reject Nye County Resolution No. 2010-30: a Resolution establishing Bowman Creek Road #981010 a County Public Road pursuant to Nevada Revised Statutes 405.191 and R.S. 2477.

12 Clerk

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. [Action](#) – Discussion, deliberation, and possible decision to approve a Lease Agreement with Bull Frog Land Development, Inc. for land at the Beatty Airport. Their plan is to construct a hangar. The initial term of the lease is twenty years, with a twenty year option to renew followed by a ten year option to renew.

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- b. [Action](#) – Discussion, deliberation, and possible decision to provide consent approval authorizing a sublease agreement between Medical Systems Management (MSM) and a third party for a portion of the space leased by Nye County to MSM under the Pahrump Medical Center Lease Agreement, such sublease to be upon the same terms and conditions as the primary lease.
- c. [Action](#) – Discussion, deliberation, and possible decision to delegate authority to Bob Jones, Facilities Manager, to apply for electric service on behalf of Nye County for all new Nye County projects.

21 Emergency Services

22 Facilities

23 Finance

- a. [Action](#) – Discussion, deliberation, and possible decision to: 1) accept or reject any or all bids and provide direction to staff for Request For Proposals Bid #2010-24/PWP #NY-2010-348 – Pahrump Area Chip Seal. The amount of the low bid is \$1,303,277.55 and is budgeted from approved project Fund 492 – Settlement Agreement; and 2) authorize execution of the contract with the successful bidder.
- b. [Action](#) – Discussion, deliberation, and possible decision to: 1) accept or reject any or all bids and provide direction to staff for Request For Proposals Bid #2010-28 – John Deere (Or Equivalent) Backhoe Loader. The amount of the low bid is \$71,452.00 and is budgeted from Fund 285 Parks and Recreation, Project number PA1003; and 2) waive the formality of returning the addendum acknowledgement.
- c. [Action](#) – Discussion, deliberation, and possible decision to apply for the Sustainable Communities Regional Grant Program through the Department of Housing and Urban Development. The maximum amount sought will be \$1,000,000.00. Matching funds are not required. However, applicants must provide 20 percent of the requested funding amount in leveraged resources in the form of cash and/or verified in-kind contributions or a combination of these sources. The program will support metropolitan and multijurisdictional planning efforts that integrate house, land use, economic and workforce development, transportation, and infrastructure investments. This grant will be administered in Fund 247 Grants.

24 Health & Human Services

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

August 3, 2010

25 H/R and Risk Management

- a. [Action](#) – Discussion, deliberation, and possible decision and direction to staff to authorize the sheriff to fill: 1) one Dispatch position in Tonopah due to the employee being selected to fill the vacant Receptionist/Secretary/Clerk position. This position is not budgeted; 2) one Patrol Deputy in Pahrump – a position which was reclassified from Assistant Sheriff to Deputy. This position is not budgeted; and 3) one Deputy in Tonopah Detention due to the Deputy being selected to fill the vacant Juvenile Probation Officer. This position is budgeted from Fund 101 General.
- b. [Action](#) – Discussion, deliberation, possible decision and direction to staff to authorize the advertising and filling of: 1) one Office Assistant due to the employee taking the PERS buyout; and 2) one Secretary II due to the employee resigning effective June 11, 2010, for the Public Works department in Pahrump. Both positions are budgeted in Fund 205 Road.

26 Information Technology

27 Nuclear Waste Repository Project Office

- a. [Action](#) – Discussion, deliberation, and possible decision to delegate authority to the Director of Nuclear Waste Repository Project Office to pursue transfer of permits and equipment from the Yucca Mountain Project.

28 Planning/Building

29 Public Administrator

30 Public Works

31 Senior Services

OTHER BUSINESS

32 Town Boards/Town Advisory Boards

- a. [Action](#) – Discussion, deliberation, and possible decision concerning a request to upgrade the existing TV Translators located in Manhattan, NV from analog to digital in the amount of \$60,000.00 which is not been budgeted but can come from Fund 492 Settlement Agreement.
- b. [Action](#) – Discussion, deliberation, and possible decision 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, 2010 to June 30, 2011 which has been budgeted from Fund 720 Manhattan Town.

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33 Public Petitioners

- a. [Action](#) – Discussion, deliberation, and possible decision concerning a request to support the Nevada Rural Counties R.S.V.P. Program, Inc. to assist seniors in the communities of Nye County in the amount of \$7,071.00 which has not been budgeted for in Fiscal Year 2010-11.
- b. [Presentation](#) by Cal McKee concerning the Fronteergold Northumberland Mine Update.

34 GENERAL PUBLIC COMMENT (second)

35 ANNOUNCEMENTS (second)

36 ADJOURNMENT

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

August 3, 2010

AGENDA
NYE COUNTY BOARD OF ROAD COMMISSIONERS

101 Radar Rd, Tonopah NV 89049
TUESDAY, August 3, 2010

10:15 A.M.

Lorinda Wichman, Chair
Fely Quitevis, Vice-Chair
Joni Eastley, Member

Gary Hollis, Member
Butch Borasky, 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.

NOTICE OF TIMED AGENDA ITEMS

- 10:15 a.m. a. [Side Hill Springs Road](#)
1. Action – Public Hearing, discussion, deliberation and possible decision to adopt, amend and adopt, or reject Acknowledgment and Notice of Acceptance of R.S. 2477 grant for road number 965022 commonly referred to as Side Hill Springs Road.
 2. Action – Approval of Nye County Road Commission Resolution 2010-05: A Resolution Designating Side Hill Springs Road; Nye County Road No. 965022 a Minor Road Pursuant to Nevada Revised Statutes 403.170 and R.S. 2477 Right-of-Way.
- b. [Barrel Springs Road](#)
1. Action – Public Hearing, discussion, deliberation, and possible decision to adopt, amend and adopt, or reject Acknowledgment and Notice of Acceptance of R.S. 2477 grant for road number 994810 commonly referred to as Barrel Springs Road
 2. Action – Approval of Nye County Road Commission Resolution 2010-01: A Resolution Designating Barrel Springs Road; Nye County Road No. 994810 a Minor Road Pursuant to Nevada Revised Statutes 403.170 and R.S. 2477 Right-of-Way.

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- c. [Morgan Creek Road](#)
 - 1. Action – Public Hearing, discussion, deliberation and possible decision to adopt, amend and adopt, or reject Acknowledgment and Notice of Acceptance of R.S. 2477 grant for road number 973610 commonly referred to as Morgan Creek Road.
 - 2. Action – Approval of Nye County Road Commission Resolution 2010-03: A Resolution Designating Morgan Creek Road; Nye County Road No. 973610 a Minor Road Pursuant to Nevada Revised Statutes 403.170 and R.S. 2477 Right-of-Way.

- d. [Longstreet Canyon Road](#)
 - 1. Action – Public Hearing, discussion, deliberation and possible decision to adopt, amend and adopt, or reject Acknowledgment and Notice of Acceptance of R.S. 2477 grant for road number 965110 commonly referred to as Longstreet Canyon Road
 - 2. Action – Approval of Nye County Road Commission Resolution 2010-04: A Resolution Designating Longstreet Canyon Road; Nye County Road No. 965110 a Minor Road Pursuant to Nevada Revised Statutes 403.170 and R.S. 2477 Right-of-Way.

- e. [Combination Springs Road](#)
 - 1. Action – Public Hearing, discussion, deliberation, and possible decision to adopt, amend and adopt, or reject Acknowledgment and Notice of Acceptance of R.S. 2477 grant for road number 974250 commonly referred to as Combination Springs Road.
 - 2. Action – Approval of Nye County Road Commission Resolution 2010-02: A Resolution Designating Combination Springs Road; Nye County Road No. 974250 a Minor Road Pursuant to Nevada Revised Statutes 403.170 and R.S. 2477 Right-of-Way.

- f. [Decker Creek Road](#)
 - 1. Action – Public Hearing, discussion, deliberation, and possible decision to adopt, amend and adopt, or reject Acknowledgment and Notice of Acceptance of R.S. 2477 grant for road number 981059 commonly referred to as Decker Creek Road.
 - 2. Action – Approval of Nye County Road Commission Resolution 2010-06: A Resolution Designating Decker Creek Road; Nye County Road No. 981059 a Minor Road Pursuant to Nevada Revised Statutes 403.170 and R.S. 2477 Right-of-Way.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

August 3, 2010

- g. [Last Chance Road](#)
1. Action – Public Hearing, discussion, deliberation, and possible decision to adopt, amend and adopt, or reject Acknowledgment and Notice of Acceptance of R.S. 2477 grant for road number 982610 commonly referred to as Last Chance Road.
 2. Action – Approval of Nye County Road Commission Resolution 2010-07: A Resolution Designating Last Chance Road; Nye County Road No. 982610 a Minor Road Pursuant to Nevada Revised Statutes 403.170 and R.S. 2477 Right-of-Way.
1. [Action](#) - Approval of Minutes for the Nye County Board of Road Commissioners' meeting for May 4, 2010.
 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. Action - General road report by Public Works Director
 4. [Action](#) – Discussion, deliberation, and possible decision to set a date, time and location for a Public Hearing on Acknowledgment and Notice of Acceptance of R.S. 2477 grant for road number 981010 commonly referred to as Bowman Creek Road.
 5. RS2477 Update
 6. Adjourn

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

August 3, 2010

**AGENDA
NYE COUNTY LICENSING AND LIQUOR BOARD**

**101 Radar Rd, Tonopah NV 89049
TUESDAY, August 3, 2010**

10:30 A.M.

**Butch Borasky, Chair
Fely Quitevis, Vice-Chair
Joni Eastley, Member
Gary Hollis, Member**

**Lorinda Wichman, 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. Action - Approval of Minutes for the Nye County Licensing and Liquor Board meeting for May 4, 2010.
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 Item**
 - a. Action – Discussion of any item from the Consent Agenda Items that needs review before a decision is made
 - b. Action – Approval to issue a 72 Hour Liquor Permit to Beatty Chamber of Commerce for the Annual Beatty Days Celebration October 29 - 31, 2010 to be held at the Cottonwood Park in Beatty, NV. Debbie Baker, Applicant.
 - c. Action – Approval to issue renewals for the existing Liquor and Gaming Licenses for 2010/2011.
4. Brothel
 - a. Action – Discussion, deliberation, and possible decision to approve: 1) a Nye County Brothel License application. Applicant, Dennis Hof; and 2) payment for services to conduct a full investigation of all information pertaining the license application in the amount of \$5,045.00 which is budgeted from Fund 101 General.
5. Gaming
6. Liquor
7. Adjourn