



**JOINT MEETING OF THE
NYE COUNTY BOARD OF COMMISSIONERS
NYE COUNTY BOARD OF ROAD COMMISSIONERS
NYE COUNTY LICENSING AND LIQUOR BOARD
AND AS THE GOVERNING BODY OF UNINCORPORATED TOWNS OF BEATTY,
BELMONT, GABBS, MANHATTAN AND RAILROAD VALLEY**

**2100 E. Walt Williams Drive, Pahrump, NV 89048
Tuesday, March 19, 2013
10:00 A.M.**

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 (date), 2013 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 March 19, 2013 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 1½ hours.

**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.**

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"

1. **Pledge of Allegiance**
2. **Approval of the Agenda for March 19, 2013.**
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).**

SITTING AS THE BOARD OF COUNTY COMMISSIONERS

4. **Announcements (first)**
5. **For Possible Action - Emergency Items**
6. **Commissioners'/Manager's Comments (This item limited to announcements or topics/issues proposed for future workshops/agendas)**

TIMED ITEMS





7. **10:00 a.m. - For Possible Action - Presentation, discussion, and deliberation by Dr. Russell Myers, President, Corvus Gold Nevada, on the company's North Bullfrog Project and to request a letter of support in response to BLM's Environmental Assessment and request for public comments on the proposed exploration drilling project.**

[Item.07.1](#) 

[Item.07.2](#) 

8. **10:15 a.m. - Sitting as the Board of County Road Commissioners - 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**

[Item.08](#) 

- | | |
|--|---|
| a. Ophir Twin Connector Road No. 982115
<u>Item.08.982115</u>  | g. Pablo Shortcut Road No. 983215
<u>Item.08.983215</u>  |
| b. South Ophir Road No. 982120
<u>Item.08.982120</u>  | h. Short Jeep Road No. 983220
<u>Item.08.983220</u>  |
| c. Smoky Well Road No. 982215
<u>Item.08.982215</u>  | i. Round Mountain Cemetery Road No. 983500
<u>Item.08.983500</u>  |
| d. Pablo Jett Connector Road No. 982220
<u>Item.08.982220</u>  | j. South Shoshone Road No. 983505
<u>Item.08.983505</u>  |
| e. West Smoky Jeep Road No. 982230
<u>Item.08.982230</u>  | k. Shone Canyon Road No. 983510
<u>Item.08.983510</u>  |
| f. North Pablo Canyon Road No. 983210
<u>Item.08.983210</u>  | |

9. **10:45 a.m. - For Possible Action - Public Hearing, discussion, and deliberation to: 1) adopt, amend and adopt, or reject Nye County Bill No. 2013-02: a bill proposing to amend, Title 5, Business Licenses and Regulations, Chapter 5.16, entitled Outdoor Festivals, to amend certain sections, providing for the severability, constitutionality and effective date hereof; and other matters properly relating thereto; and 2) set an effective date.**

[Item.09](#) 


SITTING AS THE NYE COUNTY BOARD OF ROAD COMMISSIONERS

10. **For Possible Action - General road report by Public Works Director**

[Item.10](#) 

11. **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.**

[Item.11](#) 

- | | |
|--|---|
| a. Unnamed Road No. 963203
Item.11.963203  | Item.11.983520  |
| b. Unnamed Road No. 963403
Item.11.963403  | l. North Round Mountain Connector Road No. 983525
Item.11.983525  |
| c. Monitor Willow Creek Road N. 971900
Item.11.971900  | m. Steigmeyer Mill Road No. 983530
Item.11.983530  |
| d. Bald Mountain Wash Road No. 974104
Item.11.974104  | n. West Indian Creek Road No. 983535
Item.11.983535  |
| e. East Tonopah Road No. 977910
Item.11.977910  | o. Carvers North Broad Road No. 983540
Item.11.983540  |
| f. Golden Mountain Road No. 977930
Item.11.977930  | p. Carvers South Broad Road No. 983545
Item.11.983545  |
| g. South Jett Road No. 982225
Item.11.982225  | q. Carvers Foothill Road No. 983550
Item.11.983550  |
| h. North Wall Road No. 982235
Item.11.982235  | r. Broad to Jett Road No. 983555
Item.11.983555  |
| i. Wall Jeep Road No. 982240
Item.11.982240  | s. North Jett Canyon Road No. 983560
Item.11.983560  |
| j. Belcher Canyon Road No. 982821
Item.11.982821  | t. Toiyable Spring Road No. 983565
Item.11.983565  |
| k. Jefferson Creek Road No. 983520 | |

SITTING AS THE NYE COUNTY LICENSING AND LIQUOR BOARD LIQUOR

- 12. For Possible Action - Discussion and deliberation to issue a Temporary Retail Liquor License to DLODD Inc., dba Coyote's Den, 3971 E. Kellogg, Pahrump, NV pending the processing of an application for a permanent license. Wendy Black, Applicant.**

[Item.12](#) 

SITTING AS THE NYE COUNTY BOARD OF COMMISSIONERS

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. Discussion of any item from the Consent Agenda Items that needs review before a decision is made.

- 13. For Possible Action - Approval of Elected Official Collection Report**

[Item.13](#) 

- 14. For Possible Action - Approval to set the date and location of the second meeting of the Board of Commissioners for Tuesday, June 18, 2013 in Pahrump, Nevada.**

[Item.14](#) 


BOARD OF COMMISSIONERS

- 15. 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.**
- 16. 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.**
- 17. For Possible Action - Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.**
- 18. For Possible Action - Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2013-10: a Resolution to preserve and defend the Second Amendment of The United States Constitution of the Board of County Commissioners of Nye County, Nevada.**

[Item.18](#) 

CLERK

- 19. For Possible Action - Discussion and deliberation to appoint seven (7) members to the Nye County Parks and Recreation Advisory Board.**

[Item.19](#) 

20. For Possible Action - Discussion and deliberation to appoint two (2) members to the Beatty General Improvement District due to vacancies that were not filled when terms expired.

[Item.20](#) 

DISTRICT COURT

21. For Possible Action - Discussion and deliberation to augment the District Court budget due to expense of criminal trials that are scheduled and have taken place.

[Item.21](#) 

COUNTY MANAGER

22. Ongoing Project Report

[Item.22](#) 

23. For Possible Action - Discussion and deliberation to approve an Assignment of Lease, a certain lease dated December 7, 2010 between Nye County and Madonna I. Gallagher for property at the Tonopah Airport, more particularly described as Assessor's Parcel No. 012-722-21 Lot 21, Block B, of the Tonopah Airport Estates for residential use.

[Item.23](#) 

24. For Possible Action - Discussion and deliberation regarding directing the transfer of Nye County Treasurer Trust property for public purposes.

[Item.24](#) 

25. For Possible Action - Discussion and possible decision to: 1) appoint an interim Treasurer until such time as the Board appoints a Treasurer to complete the unexpired term of Michael Maher; 2) approve a contract with Gary Budahl; and 3) Advertise for letters of interest for Treasurer to fill the unexpired term of Michael Maher.

[Item.25](#) 
[2013.03.19.Item.25.additional](#) 

26. For Possible Action - Discussion and deliberation to increase project PE1012 Historical Minor Road Documentation to continue to document county roads including minor roads over which historical jurisdiction exists to help assure public access in the future.


[Item.26](#) 

27. For Possible Action - Discussion and deliberation concerning a Resolution for the proposed Pahrump Valley General Aviation Airport.

[Item.27](#) 

EMERGENCY SERVICES

28. **For Possible Action - Discussion and deliberation to enter into a new agreement with Hill's Pet Nutrition, Inc to provide pet food products and pet nutrition educational services to the Nye County Animal Shelter.**

[Item.28](#) 

FACILITIES

29. **For Possible Action - Discussion and deliberation to select a vendor to remove existing carpet, prep floor and install new carpet at Gabbs Library.**

[Item.29](#) 

30. **For Possible Action - Discussion and deliberation to surplus and auction excess furnishings from the Pahrump NCSO Dispatch area that were recently replaced with new furnishings.**

[Item.30](#) 

FINANCE

31. **Budget to Actual by Fund Balance Report**

[Item.31](#) 

32. **Budget to Actual Expenditure Analysis**

[Item.32](#) 

33. **For Possible Action - Discussion and direction to staff regarding the purchase of six new vehicles for the Sheriff's Office.**

[Item.33](#) 

HEALTH & HUMAN SERVICES

34. **For Possible Action - Discussion and deliberation to accept a grant award from Division for Aging Services for Nutrition Services Incentive Program to provide commodity food for the nutrition program at the Tonopah Senior Center for the Esmeralda Nutrition Program.**

[Item.34](#) 

35. **For Possible Action - Discussion and deliberation to accept a grant award from Division for Aging Services for Nutrition Services Incentive Program to provide commodity food for the nutrition program in Amargosa Valley, Beatty and Tonopah Senior Centers.**

[Item.35](#) 

INFORMATION TECHNOLOGY

36. For Possible Action - Discussion and deliberation to enter into an Interlocal Agreement with the Nevada Department of Public Safety to allow the Nevada Highway Patrol to use certain Nye County radio frequencies.

[Item.36](#) 

NUCLEAR WASTE REPOSITORY PROJECT OFFICE

37. For Possible Action - Discussion and deliberation to approve formal written comments on DOE's Nevada National Security Site (NNSS), Site Wide Environmental Impact Statement (SWEIS) and direction to staff to submit comments to DOE as approved.

[Item.37](#) 

PLANNING/BUILDING

38. For Possible Action - Discussion and deliberation to: 1) Set a date, time, and location for a Public Hearing on Nye County Bill No. 2013-04: A Bill proposing to amend Nye County Code Title 17, the Zoning Ordinance of the Pahrump Regional Planning District, by amending Section 17.04.905 "Grandfathered Uses" to allow for the expansion of grandfathered uses of land; providing for the severability, constitutionality and effective date hereof; and other matters properly relating thereto, and 2) Reading of the title of the Bill into the record.

[Item.38](#) 


39. For Possible Action - Discussion and deliberation to release the final 15% of the financial security related to the Subdivision Improvement Agreement for Artesia @ Hafen Ranch Phase I, located within the Pahrump Regional Planning District. M. Kent Hafen - Applicant. IA-99-0001.2.

[Item.39](#) 

40. For Possible Action - Discussion and deliberation to release the final 100% of the financial security related to the Subdivision Improvement Agreement for Cottonwoods @ Hafen Ranch Phase 1, located within the Pahrump Regional Planning District. M. Kent Hafen - Applicant. IA-95-0001.2.

[Item.40](#) 

41. For Possible Action - Discussion and deliberation to release the final 100% of the financial security related to the Sewer System Maintenance and Operations Agreement for sewer system operations for Cottonwoods @ Hafen Ranch Phases I & II, located within the Pahrump Regional Planning District. M. Kent Hafen - Applicant.

[Item.41](#) 

42. **For Possible Action - Discussion and deliberation to release the final 15% of the financial security related to the Water and Sewer System Maintenance and Operations Agreement for the water and sewer systems operations for Artesia @ Hafen Ranch Subdivisions, located within the Pahrump Regional Planning District. M. Kent Hafen - Applicant.**

[Item.42](#) 

43. **For Possible Action - Discussion and deliberation to approve Change Order No. 3 to the Professional Services Agreement with Charles Abbott Associates, Inc. for Building/Safety and related services.**

[Item.43](#) 

44. **For Possible Action - Discussion and deliberation to increase the budget for the conversion to electronic Charles Abbott Associates, Inc. files.**

[Item.44](#) 

PUBLIC WORKS

45. **For Possible Action - Discussion and deliberation to approve: 1) Change Order No. 1 to the Contract with Wulfenstein Construction Co. for the purchase of an additional 1,300 tons of MC800 cold mix; and 2) the purchase of 8 tons of CSS-1H emulsion from Ergon Asphalt & Emulsions, Inc.**

[Item.45](#) 

46. **GENERAL PUBLIC COMMENT (second)**

47. **ANNOUNCEMENTS (second)**

48. **ADJOURN**