



**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**

**101 Radar Road, Tonopah, NV 89048
Tuesday, February 5, 2013
10:00 AM**

Public Comment during the Commission Meeting on February 5, 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 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

ITEM #	SUBJECT
---------------	----------------

February 5, 2013

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.

- 1. Pledge of Allegiance**
- 2. Approval of the Agenda for February 5, 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. [For Possible Action](#) - Discussion and deliberation of Minutes of the Board of County Commissioners' meeting for December 4, 2012.**
- 5. Announcements (first)**
- 6. For Possible Action - Emergency Items**
- 7. Commissioners'/Manager's Comments (This item limited to announcements or topics/issues proposed for future workshops/agendas)**

TIMED ITEMS

- 8. [For Possible Action](#) – Sitting as the Board of County Road Commissioners, conduct a public hearing; and that the Nye County Board of Commissioners and the Nye County Board of Road Commissioners approve 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 for:

North Mosquito Creek Road No. [973900](#);
South Moonshine Peak Road No. [962510](#);
South Seven Mile Road No. [962515](#);
Seven Mile Wash Well Road No. [962520](#);
North Stargo Road No. [962525](#);
Old Mosquito Creek Road No. [973910](#);
West Mosquito Creek Road No. [973920](#);
House Canyon Cutoff Road No. [974555](#);
North Wattles Spring Road No. [974560](#);
Barley Connector Road No. [974565](#) – **10:15 a.m.****
- 9. [For Possible Action](#) – Public Hearing, discussion, and deliberation to adopt, amend and adopt, or reject Nye County Bill No. 2012-23: 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 – **10:45 a.m.****

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

February 5, 2013

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.

10. [For Possible Action](#) – Approval of Elected Official Collection Report
11. [For Possible Action](#) – Approval of Assessor’s Office Change Request
12. [For Possible Action](#) – Approval of Personnel Actions
13. [For Possible Action](#) – Approval to apply for the 2013-2014 Office of Traffic Safety “Joining Forces” grant through the State of Nevada that provides overtime funding to participate in statewide, multi-jurisdictional traffic enforcement events that are focused on reducing fatalities and serious injury crashes in Nevada.
14. [For Possible Action](#) – Approval to return the 2011 Community Development Block Grant in the amount of \$250,000.00 for the Rehabilitation of the Belvada in Tonopah, NV back to the Governor’s Office of Economic Development.
15. [For Possible Action](#) – Approval to accept the amendment on the State of Nevada Division of Environmental Protection (NDEP), Drinking Water State Revolving Fund (DWSRF) resolution “9-2011 Nye County for the Town of Gabbs Project Loan Commitment”.
16. [For Possible Action](#) – Approval to select Mechanical Products Nevada Services, Inc. as the sole source provider for a replacement part for Lochinvar Heat Exchanger for the Ian Deutch Government Complex and is not budgeted but can be funded from Fund 10401 Capital Projects.
17. [For Possible Action](#) – Adoption of Nye County Resolution No. 2013-09: a Resolution in support of AB 68 Consolidated Tax Bill generated by the Interim Subcommittee to study the allocation of money distributed from the local government tax distribution account.

BOARD OF COMMISSIONERS

18. 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.
19. 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.
20. For Possible Action – Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.
21. [For Possible Action](#) – Discussion and deliberation on Nye County Resolution No. 2013-08: a Resolution designating the Tonopah Town Board as the redevelopment agency for the Tonopah taxing and library districts so the Tonopah Town Board may conduct activities described under Nevada Revised Statutes (NRS) Chapter 279 for the purpose of redevelopment of blighted areas in the Tonopah taxing and library districts.

CLERK

22. [For Possible Action](#) – Discussion and deliberation to: 1) determine the allowable costs incurred in connection with the abatement of the nuisance at 4080 W. Medicine Man Road, APN 028-732-25,

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM #	SUBJECT
--------	---------

February 5, 2013

legal owner, Nye County Treasurer Trustee; c/o Keith Sutherland, 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. 2013-02.

TREASURER

23. Treasurer's [Report](#)

COUNTY MANAGER

24. [For Possible Action](#) – Discussion and deliberation regarding a building for the IT department including communications personnel and a server room.
25. [For Possible Action](#) – Discussion and deliberation to consider a project to build a one stop shop at the Calvada Eye Government Complex.

EMERGENCY SERVICES

26. [For Possible Action](#) – Discussion and deliberation to approve the fee schedule for the 2013 Locate Assess Stabilize Transport (LAST) conference.

FINANCE

27. Budget to Actual Revenue [Report](#)
28. Budget to Actual Expenditure [Report](#)

NUCLEAR WASTE REPOSITORY PROJECT OFFICE

29. For Possible Action – Authorize Brief submittal – Hage Family Writ to Supreme Court

PUBLIC WORKS

30. [For Possible Action](#) – Discussion and deliberation to approve: 1) the County Manager to submit a Grant Application to the FAA for the design and bidding services for the 2013 Beatty Airport project titled “Grade Runway Safety Area, Runway Object Free Area, and Construct Drainage Berm - Design”; 2) Task No. 2 with ATKINS to provide design and bidding services for the 2013 Beatty Airport project contingent upon receiving the FAA Grant; 3) the County Manager to submit a Grant Pre-Application to the FAA for the 2013 Tonopah Airport project titled “Construct Helipad, Replace Segmented Circle, Replace Runway 15 PAPI’s, and Replace Two Manual Gates with Automatic Gates; and 4) Contract Amendment No 1 with ATKINS to provide design, bidding, and construction management services for the 2013 Tonopah Airport projects.

PUBLIC PETITIONER

31. [For Possible Action](#) – Discussion and deliberation to approve the appointment of Harley Kulkin as representative from the Town of Pahrump to the Pahrump Regional Planning Commission.
32. [For Possible Action](#) – Discussion and deliberation to submit a letter of support to the Nevada Division of Minerals for the Tonopah Historic Mining Park Fencing Project.
33. [For Possible Action](#) – Discussion and deliberation to 1) Approve the Novation Agreement of the Services Agreement for the management and operation of the solid waste landfill (Smoky Valley Landfill) from Roper’s Edge Inc.(dba Smoky Valley Services) to Abandoned Treasures, LLC(dba

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM #	SUBJECT
--------	---------

February 5, 2013

Valley Disposal), and 2) Amend the Services Agreement to extend the Services Agreement for 5 years.

SITTING AS THE NYE COUNTY BOARD OF ROAD COMMISSIONERS

34. [For Possible Action](#) - Discussion and deliberation of Minutes for the Nye County Board of Road Commissioners' meeting for December 4, 2012.
35. [For Possible Action](#) - General road report by Public Works Director
36. [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 –

Saulsbury Cutoff Road No. [978100](#);
Well Two Road No. [979100](#);
Unnamed Road No. [981050](#);
Unnamed Road No. [981351](#);
Unnamed Road No. [981480](#);
McLeod Creek Road No. [981500](#);
McLeod Shortcut Road No. [981505](#);
North McLeod Creek Road No. [981510](#);
Katie's Spring Road No. [981520](#);
Unnamed Road No. [981523](#);
Winter Stage Route Road No. [972850](#);
South McLeod Creek Road No. [981515](#);
North Park Canyon Road No. [981525](#);
.North Trail Road No. [981530](#);
Smoky Trail Canyon Road No. [981535](#);
North Timblin Road No. [981540](#);
Unnamed Road No. [981566](#);
Unnamed Road No. [981652](#);
Unnamed Road No. [981695](#);
North Summit Canyon Road No. [982110](#).

SITTING AS THE NYE COUNTY LICENSING AND LIQUOR BOARD

37. [For Possible Action](#) - Discussion and deliberation of Minutes for the Nye County Licensing and Liquor Board meeting for December 4, 2012.

SITTING AS THE GOVERNING BODY OF UNINCORPORATED TOWNS OF BEATTY, BELMONT, GABBS, MANHATTAN AND RAILROAD VALLEY

GABBS

38. [For Possible Action](#) - Discussion and deliberation to write-off the uncollectable utility accounts from the books of the Town of Gabbs.

SITTING AS THE NYE COUNTY BOARD OF COMMISSIONERS, THE NYE COUNTY BOARD OF ROAD COMMISSIONERS, THE NYE COUNTY LICENSING AND LIQUOR BOARD, AND AS THE GOVERNING BODY OF UNINCORPORATED TOWNS OF

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

February 5, 2013

**BEATTY, BELMONT, GABBS, MANHATTAN AND RAILROAD VALLEYSITTING AS
THE BOARD OF COUNTY COMMISSIONERS**

39. GENERAL PUBLIC COMMENT (second)

40. ANNOUNCEMENTS (second)

41. ADJOURN

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

February 5, 2013

CERTIFICATE OF POSTING

STATE OF NEVADA

COUNTY OF NYE

The undersigned deposes and says: That she is over the age of 21 years; that she posted or caused same to be posted, at the places below mentioned, the Agenda for the 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 Meeting for February 5, 2013, not later than 9:00 a.m. on January 31, 2013. The undersigned further deposes and says: That on or before January 31, 2013, she delivered or caused to be delivered, the notice of the Agenda to the above meeting to the Tonopah office of the United States Postal Service not later than 9:00 a.m.

This instrument was acknowledged before me
This 31st day of January, 2013

NOTARY PUBLIC

POSTED:

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
Commissioners' Chambers, 2100 E Walt Williams Drive, Pahrump, NV
Beatty Justice Court, 426 C Avenue South Beatty, NV