



**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, April 16, 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 April 16, 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).

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"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 April 16, 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).**
4. **For Possible Action - Discussion and deliberation of Minutes of the Joint Nye County Board of Commissioners, Board of Road Commissioners, Licensing and Liquor Board and as the Governing Body of Unincorporated Towns of Beatty, Belmont, Gabbs, Manhattan and Railroad Valley meeting for February 19, 2013 Regular Meeting and February 27, 2013 Teleconference.**
[Minutes 2013.02.19](#)
[Minutes 2013.02.27](#)

SITTING AS THE BOARD OF COUNTY COMMISSIONERS

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. **10:00 - Presentation of certificate and/or plaques to six (6) employees honored for their years of service.**
9. **10:00 - Presentation by Ken Brown with Western Counties Alliance regarding public lands update.**
10. **10:15 - 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:**

<ol style="list-style-type: none"> a. Unnamed Road No. <u>963203</u> b. Unnamed Road No. <u>963403</u>; c. Monitor Willow Creek Road N. <u>971900</u>; d. Bald Mountain Wash Road No. <u>974104</u>; e. East Tonopah Road No. <u>977910</u>; f. Golden Mountain Road No. <u>977930</u>; g. South Jett Road No. <u>982225</u>; h. North Wall Road No. <u>982235</u>; i. Wall Jeep Road No. <u>982240</u>; j. Belcher Canyon Road No. <u>982821</u>; k. Jefferson Creek Road No. <u>983520</u>; 	<ol style="list-style-type: none"> l. North Round Mountain Connector Road No. <u>983525</u>; m. Steigmeyer Mill Road No. <u>983530</u>; n. West Indian Creek Road No. <u>983535</u>; o. Carvers North Broad Road No. <u>983540</u>; p. Carvers South Broad Road No. <u>983545</u>; q. Carvers Foothill Road No. <u>983550</u>; r. Broad to Jett Road No. <u>983555</u>; s. North Jett Canyon Road No. <u>983560</u>; t. Toiyabe Spring Road No. <u>983565</u>
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11. 10:45 - [For Possible Action](#) - Public Hearing, discussion, and deliberation to: 1) adopt, amend and adopt, or reject Nye County Bill No. 2013-03: an Ordinance, which shall be known and may be cited as the "2nd Amendment Preservation Ordinance." to prevent federal infringement on the right to keep and bear arms; nullifying all federal action in violation of the 2nd Amendment of the Constitution of the United States and other matters relating thereto; and 2) set an effective date.
12. 11:00 - For Possible Action - Public Hearing on Appeal Case No. AP-13-0001: Appeal of the Pahrump Regional Planning Commission's decision to revoke Conditional Use Permit CU-12-0007 for an Animal Sanctuary containing Special Conditions Animals (Bengal Tigers, Ligers) on an 18.28 acre parcel, located at 6061 N. Woodchips Road, further described as Parcel 4 of File Map #56470. Raymond Mielzynski - Property Owner. Karl Mitchell - Appellant. AP# 27-241-26.
[Part 1](#)
[Part 2](#)
13. 11:00 - [For Possible Action](#) - Public Hearing, discussion, and deliberation to: 1) Adopt, amend and adopt, or reject 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) Set an effective date.

SITTING AS THE NYE COUNTY BOARD OF ROAD COMMISSIONERS

14. [For Possible Action](#) - General road report by Public Works Director
15. [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:
 - a. Old Boyd - Manhattan Road No. [984745](#)
 - b. South East Hadley Cutoff Road No. [984750](#)
 - c. Manhattan Gulch Road No. [984900](#)
 - d. Pablo Wall Road No. [984901](#)
 - e. Smoky Antelope Spring Road No. [984902](#)
 - f. North Boyd Road No. [984903](#)
 - g. North Manhattan Gulch Road No. [984905](#)
 - h. Mount Moriah Road No. [984910](#)
 - i. Slaughterhouse Gulch Road No. [984915](#)
 - j. April Fool Hill Road No. [984920](#)
 - k. Boyd Canyon Spring Road No. [984998](#)
 - l. Mustang Spring Road No. [985100](#)
 - m. South Mustang Spring Road No. [985110](#)
 - n. West San Antonio Road No. [985525](#)
 - o. East Monte Cristo Mountains Road No. [991700](#)
 - p. West Gabbs Wash Road No. [991705](#)
 - q. Sand Dune Road No. [991730](#)
 - r. Unnamed Road No. [991776](#)
 - s. Unnamed Road No. [991802](#)
 - t. War Eagle Road No. [991806](#)

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

BEATTY

16. [For Possible Action](#) - Discussion and deliberation to approve purchase of fireworks for the Beatty Volunteer Fire Department from Lantis Fireworks for the July 4, 2013 celebration.

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.

SITTING AS THE BOARD OF COUNTY COMMISSIONERS

17. [For Possible Action](#) - Approval of Elected Official Collection Report
18. [For Possible Action](#) - Approval of Assessor's Office Change Request
19. [For Possible Action](#) - Approval to set the date and location of the second meeting of the Board of Commissioners for Tuesday, July 16, 2013 in Pahrump, Nevada.

BOARD OF COMMISSIONERS

20. 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.
21. 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.
22. For Possible Action - Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.
23. [For Possible Action](#) - Discussion and deliberation to approve an appointment as representative to the Pahrump Regional Planning Commission as recommended by the Pahrump Town Board.
24. [For Possible Action](#) - Discussion and deliberation to submit a letter to the Bureau of Land Management Battle Mountain District regarding the Four County Coordination Coalition on Resource Management Plan (RMP) Revision.
25. [For Possible Action](#) - Discussion, deliberation and direction to staff to solicit bids for autopsy services.
26. [For Possible Action](#) - Discussion and deliberation to establish a budget for the implementation and the annual expense of a Grand Jury.
27. [For Possible Action](#) - Discussion and deliberation to establish a review process of the Nye County Code as it relates to zoning, building codes and public works.

CLERK

28. [For Possible Action](#) - Discussion and deliberation to appoint one (1) member to the Nye County Board of Equalization due to one (1) resignation.
29. [For Possible Action](#) - Discussion and deliberation to appoint one (1) member to the Beatty General Improvement District.

DISTRICT ATTORNEY

30. [For Possible Action](#) - Discussion and deliberation to adopt Nye County Resolution No. 2013-16: a Resolution requesting assistance from the Attorney General's office pursuant to NRS 228.130 regarding the prosecution of State of Nevada v. Anthony Grecco and Kathy Rinaldi.
31. [For Possible Action](#) - Discussion and deliberation on grant application for implementation of mediation program for child dependency court.

PUBLIC ADMINISTRATOR

32. [Quarterly Report](#) Period Ending March 31, 2013
33. [For Possible Action](#) - Discussion and deliberation to approve the Nye County Public Administrator's fee schedule.
34. [For Possible Action](#) - Discussion and deliberation to build ramp to comply with the standards of the 2010 American with Disabilities Act for the Public Administrator's Office located at 250 Highway 160, Suite 7 Pahrump, Nevada.
35. [For Possible Action](#) - Discussion and deliberation to purchase a secure storage area for weapons and valuables secured for safe keeping by the Public Administrator's office.

SHERIFF

36. [For Possible Action](#) - Discussion and deliberation on approval to hire Robert Balding as a part time (20 hours per week), no benefits employee to administer the Reserve Deputy Sheriff Program.
37. [For Possible Action](#) - Discussion and deliberation for approval to apply for the US Department of Justice, Bureau of Justice Assistance FY 2013 State Alien Criminal Assistance Program Award a reimbursement program for housing undocumented aliens.

DISTRICT COURT

38. [For Possible Action](#) - Discussion and deliberation on approval of Memorandum of Agreement with WestCare Nevada, Inc. to provide mental health and substance addiction counseling services to the Drug Court Program.

COUNTY MANAGER

39. Ongoing [Project Report](#)
40. For Possible Action - Discussion and deliberation on approval of Change Order No. 6 to the contract with Layton Construction, Inc. for the Nye County Jail Facility Project.
41. [For Possible Action](#) - Discussion and deliberation to fund improvements to Desert View Hospital for the purpose of securing rooms for psychiatric holds.

EMERGENCY SERVICES

- 42. [For Possible Action](#) - Discussion and deliberation to enter into a Cooperative Agreement with Nevada Park Service, Death Valley National Park to provide personal services and equipment required for prevention/suppression of vehicle and structural fires and the protection of life and property from these fires within Death Valley National Park.
- 43. [For Possible Action](#) - Approval to apply to the State of NV Department of Health and Human Services Health Division Emergency Medical Services Training Grant for Pediatric International Trauma Life Support (PITLS) training.
- 44. [For possible action](#) - Discussion and deliberation to adopt, amend and adopt or reject Nye County Resolution No. 2013-12: Amendment of Resolution 2012-52 No. Setting Schedule of Fees and Penalties Required by Nye County Code, Title 6, Animals and Schedule of Nye County Animal Shelter Adoption Fees.

FACILITIES

- 45. [For Possible Action](#) - Discussion and deliberation to furnish and install zone systems in three areas in the Health & Human Services Building at the Calvada Eye in Pahrump.

FINANCE

- 46. [Budget](#) to Actual Fund Balance Report
- 47. [Budget](#) to Actual Expenditure Analysis
- 48. [Budget](#) to Actual Revenue Report
- 49. [For Possible Action](#) - Discussion and deliberation regarding Bid #2013-06 - Six New Patrol Vehicles.
- 50. [For Possible Action](#) - Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2013-01: a Resolution to augment the Nye County General Fund.

HEALTH & HUMAN SERVICES

- 51. [For Possible Action](#) - Discussion and deliberation to apply for the Silver State Health Insurance Exchange grant for Navigators and Enrollment Assistants to assist in the enrollment of those persons below 400% poverty level into either Medicaid or other insurance.
- 52. [For Possible Action](#) - Discussion and deliberation of the Interlocal Contract among Department of Health and Human Services, Division of Health Care Financing and Policy (DHCFP); Department of Health and Human Services, Division of Welfare and Supportive Services (DWSS); and Nye County to authorize the DHCFP and the DWSS to provide the administrative services necessary to implement the program of medical assistance to individuals who meet financial and medical eligibility criteria.

INFORMATION TECHNOLOGY

- 53. [For Possible Action](#) - Discussion and deliberation to augment Information Technology budget to cover accrual payout expense of retiring radio communications technician which was not expected or budgeted.

NUCLEAR WASTE REPOSITORY PROJECT OFFICE

54. [For Possible Action](#) - Discussion and deliberation to provide a letter of support for Mr. William Hernstadt's application to the Bureau of Land Management (BLM) to offer for competitive bid 120 acres of BLM designated disposal land in Amargosa Valley for future development.

PUBLIC WORKS

55. [For Possible Action](#) - Discussion and deliberation to accept the quote from TransCore to replace the video detection cameras associated with the traffic signals at the intersection of SR160 and Basin in Pahrump.
56. [For Possible Action](#) - Discussion and deliberation to enter into a Cooperative Service Field Agreement with the United States Department of Agriculture Wildlife Services (USDA WS) to assist in the removal of nuisance birds (European Starlings) at/near the Tonopah landfill.
57. [For Possible Action](#) - Discussion and deliberation to implement mandatory outside water usage restrictions in the Town of Gabbs during the scheduled relining of the interior of the municipal water storage tank.
58. [For Possible Action](#) - Discussion and deliberation to accept the quote from TransCore to replace traffic signal equipment associated with the traffic signals at the intersection of SR160 and SR 372 in Pahrump.

PUBLIC PETITIONER

59. [For Possible Action](#) - Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2013-15: a Resolution approving an Interlocal Contract between the County of Nye and the Town Of Amargosa entitled, "Interlocal Contract for Use of 1.75 Cents Excise Tax."
60. [For Possible Action](#) - Discussion and deliberation concerning a request to extend the development period on property transferred to Change the World with Love Foundation for the purpose of housing seniors, disabled, and handicapped.

[See Additional Here](#)

61. GENERAL PUBLIC COMMENT (second)
62. ANNOUNCEMENTS (second)
63. ADJOURN