



**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
Monday, May 20, 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 May 20, 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 May 20, 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 April 2, 2013.

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 - **For Possible Action** - Public Hearing, discussion, and deliberation to adopt, amend and adopt, or reject Final Budget for Fiscal Year 2013-14.

[Final Budget – Manhattan 2013-14](#)

[Final Budget – Beatty 2013-14](#)

[Final Budget – Gabbs 2013-14](#)

[Power Point Part 1](#) [Part 2](#)

9. 10:00 - **For Possible Action** - Conduct interviews and discussion and deliberation to appoint a Treasurer.
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. Old Boyd - Manhattan Road No. <u>984745</u>; b. South East Hadley Cutoff Road No. <u>984750</u>; c. Manhattan Gulch Road No. <u>984900</u>; d. Pablo Wall Road No. <u>984901</u>; 	<ol style="list-style-type: none"> e. Smoky Antelope Spring Road No. <u>984902</u>; f. North Boyd Road No. <u>984903</u>; g. North Manhattan Gulch Road No. <u>984905</u>; h. Mount Moriah Road No. <u>984910</u>;
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- i. Slaughterhouse Gulch Road No. [984915](#); [991700](#);
- 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.
- 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](#)

- 11. **10:45 - [For Possible Action](#) - Continued Public Hearing, discussion, 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](#) - Discussion and deliberation to approve the audits of fiscal year 2011-2012 for Nye County and all component units of Nye County conducted by Daniel McArthur LTD.**

[Audit Part 1](#) [Audit Part 2](#) [Management Comments](#) [NRS Compliance Report](#)

SITTING AS THE NYE COUNTY BOARD OF ROAD COMMISSIONERS

- 13. **[For Possible Action](#) - General road report by Public Works Director**
- 14. **[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. South Penelas Mine Road No. [991975](#)
 - b. Shoshone Wood Road No. [991980](#)
 - c. South Underdown Road No. [991985](#)
 - d. West Yomba Road No. [991990](#)
 - e. North Riley Canyon Road No. [991995](#)
 - f. Shoshone Plug Road No. [991999](#)
 - g. Warner Spring Road No. [992100](#)
 - h. Shoshone Spanish Spring Road No. [992110](#)
 - i. Shoshone Spanish Spring Spur Road No. [992111](#)
 - j. Mitchell Canyon Road No. [992115](#)
 - k. Mudhole Spring Road No. [992120](#)
 - l. Bradley Spring Road No. [992125](#)
 - m. North Ione Prospect Road No. [992130](#)
 - n. Unnamed Road No. [992183](#)
 - o. Unnamed Road No. [992205](#)
 - p. Unnamed Road No. [992458](#)
 - q. North Cold Springs Road No. [992500](#)
 - r. Upper Phillips Well Road No. [992505](#)
 - s. Cobble Cuesta Road No. [992510](#)
 - t. Phillips Wash Road No. [992515](#)

SITTING AS THE BOARD OF COUNTY 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.

15. [For Possible Action](#) - Approval of Elected Official Collection Report
16. [For Possible Action](#) - Approval to set the date and location of the second meeting of the Board of Commissioners for Tuesday, August 20, 2013 in Pahrump, Nevada.

BOARD OF COMMISSIONERS

17. 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.
18. 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.
19. For Possible Action - Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.
20. [For Possible Action](#) - Discussion, deliberation, and direction to staff regarding liquor licensing procedures.

[Liquor Licensing Spreadsheet](#)

21. Sales Tax Increase

CLERK

22. [For Possible Action](#) - Discussion and deliberation to appoint three (3) members to the Nye County Wildlife Management Board due to three (3) expiring terms.

SHERIFF

23. [For Possible Action](#) - Discussion and deliberation regarding a Display Fireworks Event Permit for Town of Round Mountain. Dan Sweeney, Applicant.
24. [For Possible Action](#) - Discussion and deliberation regarding a Display Fireworks Event Permit for Beatty Volunteer Fire Department. Mike Harmon, Applicant.
25. [For Possible Action](#) - Discussion and deliberation regarding a renewal Wholesale/Retail Fireworks Permit for Red Apple Fireworks Co Ltd. Douglas Burda, Applicant.
26. [For Possible Action](#) - Discussion and deliberation to release for destruction ballistic vests that are out of warranty.
27. [For Possible Action](#) - Discussion and deliberation regarding an augment to the Sheriff's Office

budget to cover anticipated budget shortfall.

JUSTICE(S) OF THE PEACE

28. **For Possible Action** - Discussion and deliberation to authorize for programming and services provided by Advanced Data Systems to extract data for all four courts for the implantation of the JustWare Case Management Software.

COUNTY MANAGER

29. Ongoing **Project Report**
30. **For Possible Action** - Discussion and deliberation regarding the purchase of the Pahrump Utility Company, Inc.

EMERGENCY SERVICES

31. **For Possible Action** - Discussion and deliberation regarding a Professional Services Contract with Dr Devlin for Medical Director services for the five (5) Volunteer Ambulance Services in Nye County - Amargosa Valley, Beatty, Gabbs, Tonopah, and Smoky Valley.
32. **For Possible Action** - Discussion and deliberation regarding change orders and no-cost extensions for three (3) State of Nevada Division of Emergency Management (DEM) Emergency Preparedness Working Group (EPWG) grants.
33. **For Possible Action** - Discussion and deliberation regarding the State of Nevada Emergency Response Commission's (SERC) FY14 "United We Stand" Planning, Training & Equipment grant for emergency response equipment.
34. **For Possible Action** - Discussion and deliberation regarding the State of Nevada Emergency Response Commission (SERC), Mid-cycle Hazardous Materials Emergency Preparedness (HMEP) Federal Fiscal Year 2013 grant to support the attendance of first responders to the 2013 FireShowsReno Conference.

FINANCE

35. Fund **Balance Report**
36. **Budget** to Actual Expenditure Analysis
37. **Budget** to Actual Revenue Report
38. **For Possible Action** - Discussion and deliberation regarding authorizing a tax rate to support Agricultural Extension.

39. [For Possible Action](#) - Discussion and deliberation regarding Bid #2013-07-PWP #NY-2013-188 - Gabbs New Well Facility and Transmission Main.
40. [For Possible Action](#) - Discussion and deliberation regarding Change Order No. 1 to the contract with Perchetti Roofing and Construction for additional work to the Manhattan Church.
41. [For Possible Action](#) - Discussion and deliberation regarding revisions to the Nye County Purchasing Policies and Procedures Manual.
42. [For Possible Action](#) - Discussion and deliberation regarding augmentation to the Nye County General Fund.

HEALTH & HUMAN SERVICES

43. [For Possible Action](#) - Discussion and deliberation regarding the Interlocal Contract between Nye County and the Nevada State Health Division Public Health and Clinical Services to provide services for nursing, tuberculosis and sexually transmitted diseases to Nye County.

NUCLEAR WASTE REPOSITORY PROJECT OFFICE

44. [For Possible Action](#) - Discussion and deliberation regarding a comment letter to the Senate Energy and Natural Resources Committee on the draft bill to deal with nuclear waste.

PLANNING/BUILDING

45. [For Possible Action](#) - Discussion and deliberation to set a date, time, and location for a public hearing to discuss and review the revisions to the Project Priority Ranking List for roadway and transportation improvements as contained within the Streets and Highways Capital Improvement Plan, part of the Capital Improvement Plans and Impact Fees for the Pahrump Regional Planning District, Nye County, Nevada.

PUBLIC WORKS

46. [For Possible Action](#) - Discussion and deliberation regarding the proposed FY 2013-14 Regional Transportation Commission (RTC) Fund 10207 (4¢) budget.
47. [For Possible Action](#) - Discussion and deliberation regarding a Professional Services Agreement (PSA) with InterFlow Hydrology, Inc. to provide professional hydrological consulting services and, if necessary expert witness testimony, pending a State of Nevada water rights hearing.
48. GENERAL PUBLIC COMMENT (second)
49. ANNOUNCEMENTS (second)
50. ADJOURN

