



BOARD OF COMMISSIONERS MEETING

101 Radar Rd, Tonopah NV 89049

TUESDAY, October 3, 2006

8:30 AM

Gary Hollis, Chair

Joni Eastley, Vice-Chair

Midge Carver, Commissioner

Patricia Cox, Commissioner

Candice Jordan, 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 October 3, 2006 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 October 3, 2006 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, Nye County Administration, 1510 East Basin Road, Pahrump, NV, Bob Ruud Community Center, 150 North Highway 160, 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 & 1510 East Basin Road, Pahrump, Nevada) and on the County's website.

WEBSITE: www.nyecounty.net

www.co.nye.nv.us

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

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

October 3, 2006

Gary Hollis, Chair
Joni Eastley, Vice-Chair
Midge Carver, Commissioner

Patricia Cox, Commissioner
Candice Jordan, 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.

NOTICE OF TIMED AGENDA ITEMS

- 8:45 a.m. Recess to the Nye County Board of Road Commissioners (Agenda Attached)
- 9:00 a.m. Recess to the Nye County Licensing and Liquor Board (Agenda Attached)
- 9:30 a.m. Presentation of certificate and/or plaques to one (1) employee honored for his/her years of service.
- 10:00 a.m. Action – Public Hearing, discussion, deliberation and possible decision to adopt, amend and adopt, or reject Nye County Bill 2006-19: A Bill proposing to amend Nye County Code Title 6, Animals, by amending and revising Chapters 6.04.020 the General Provisions, Chapter 6.08 Licensing, Chapter 6.16 Impoundment, Chapter 6.20 Miscellaneous Animal Regulations, and Chapter 6.24 Administration and Enforcement; and other matters properly related thereto.
- 10:30 a.m. Action – Continued Public Hearing, discussion, deliberation, and possible decision on requests for approval of the following Planning and Zoning matters (Note: This matter is continued from the September 20, 2006 Public Hearing):
- A. Master Plan Amendment and Related Zone Change:
1. MP-06-0021: (Major) Master Plan Amendment application for approximately 120-acres of property from Low Density Residential to Medium Density Residential, located at 5400 E. Turner Blvd. on property situated approximately ½-mile south of Kellogg Road, between Fox Avenue, Sandy Lane and north of Turner Blvd., situated in Section 21, Township 21 South, Range 54 East. Louie Sharp – Property Owner, Kragar Equipment Company, Inc. – Applicant, AP# 45-361-01.
 2. ZC-06-0075: (Non-conforming) Zone Change application for approximately 120-acres of property from the Open Use (OU) District to Village Residential-8 (VR-8) for property Master Planned as Low Density Residential, located at 5400 E. Turner Blvd. on property situated approximately ½-mile south of Kellogg Road, between Fox Avenue, Sandy Lane and north of Turner Blvd., situated in Section 21, Township 21 South, Range 54 East. Louie Sharp – Property Owner, Kragar Equipment Company, Inc. – Applicant, AP# 45-361-01.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

October 3, 2006

- B. Master Plan Amendment and Related Zone Change:
 - 1. MP-06-0022: (Major) Master Plan Amendment application for approximately 40-acres of property from Low Density Residential to General Commercial, located at 5400 E. Turner Blvd. on property situated approximately ½-mile south of Kellogg Road, between Fox Avenue, Sandy Lane and north of Turner Blvd., situated in Section 21, Township 21 South, Range 54 East. Louie Sharp – Property Owner, Kragar Equipment Company, Inc. – Applicant, AP# 45-361-01.
 - 2. ZC-06-0076: (Non-conforming) Zone Change application for approximately 40-acres of property from the Open Use (OU) District to General Commercial (GC) for property Master Planned as Low Density Residential, located at 5400 E. Turner Blvd. on property situated approximately ½-mile south of Kellogg Road, between Fox Avenue, Sandy Lane and north of Turner Blvd., situated in Section 21, Township 21 South, Range 54 East. Louie Sharp – Property Owner, Kragar Equipment Company, Inc. – Applicant, AP# 45-361-01.

NYE COUNTY BOARD OF COMMISSIONERS

- 1 Pledge of Allegiance
- 2 Action - Approval of the Agenda for the Board of County Commissioners' meeting of October 3, 2006
- 3 Action - Approval of Minutes of the Board of County Commissioners' meeting(s) for N/A
- 4 Awards and Presentations
- 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.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

October 3, 2006

- b. Action – Approval of Elected Official Collection Report
- c. Action – Approval of Assessor's Office Change Request
- d. Action – Approval of Personnel Actions
- e. Action – Approval for Emergency Services to apply to the State of Nevada, Division of Emergency Management for the Emergency Management Performance Grant (EMPG). This grant will reimburse 50% of the Director's salary and benefits up to the amount awarded. This is a 50% match grant and is budgeted within Emergency Services Salaries and Benefits budget.
- f. Action – Approval to continue Professional Services contract with dba MaryEllen C. Giampaoli, Environmental Compliance Specialist, effective immediately, to support air quality ordinance implementation in the Pahrump Regional Planning District. Contract extension is proposed through June 30, 2007, for an amount not to exceed \$45,000.
- g. Action – Approval for the Sheriff's Office to renew a service maintenance agreement with AMREL System LLC for fifty-three (53) rugged notebook computers and docking stations. These are for the patrol units. This contract will be invoiced quarterly at a cost of \$3,825.09 with a total annual contract cost of \$ 15,300.36 and is budgeted.
- h. Action – Approval to accept the US Department of Justice COPS Office technology grant # 2006CKWX0056 in the amount of \$ 500,000.00 (Federal amount \$ 493,614.00, NCSO \$ 6,386.00. A match is not required, however funds in support of the grant are required to meet the increased cost of equipment since the grant was submitted). The NCSO match of \$6,386.00 is budgeted.

PUBLIC OFFICIALS

10 Assessor

11 Board of Commissioners

- a. Action – Closure of meeting, pursuant to NRS 241.030(2) and 288.220(1-4) for purposes of conferring with the County's management representatives regarding labor negotiations, issues and other personnel matters.
- b. Closed meeting, pursuant to NRS 288.220(4) for purposes of conferring with the County's management representatives regarding labor negotiations, issues and other personnel matters.
- c. Action – Closure of meeting, pursuant to NRS 241.015 2 (b)(2) for purposes of conferring with counsel regarding potential or current litigation.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

October 3, 2006

- d. Closed meeting, pursuant to NRS 241.015 (b)(2) for purposes of conferring with counsel regarding potential or current litigation.
- e. Action – Discussion, possible decision and direction to staff on a request to waive the tipping fees for the Tonopah Middle School parking lot resurfacing project.
- f. Action – Discussion, possible decision and direction to staff concerning a request to acquire road Right of Way #N41927 currently held by Bruce Larson. Right of way being 1291 feet in length and 30 feet in width and falls in the SW ¼ of the NW ¼ of Section 4 Township 10 North Range 43 East being a portion of Senita Court Road near Carvers, Nevada.
- g. Action – Discussion, deliberation and possible decision concerning setting a date, time and location for a Public Hearing on Nye County Bill 2006-26: A Bill proposing to amend Nye County Code Title 8, Management of Cemeteries, by amending and revising Chapter 8.36 providing for the management and maintenance of the cemeteries owned or maintained by Nye County; promulgating standardized policies relating to those cemeteries; providing for the payment of certain fees for use of cemeteries; and other matters properly relating thereto.
- h. Action – Discussion, possible decision and direction to staff regarding possible revision of Nye County Code Section 8.24.240 FEES FOR DISPOSAL OF SOLID WASTE. Possible actions include: (1) increase fees for disposal of solid waste originating outside the State of Nevada; or (2) prohibit the importation of solid waste originating from outside the State of Nevada into Nye County-owned and/or operated waste management or recycling facilities; or (3) take no action at this time.
- i. Action – Discussion, deliberation and possible decision concerning setting a date, time and location for a Public Hearing on Nye County Bill 2006-27: A Bill proposing to amend Nye County Code Chapter 3.28, the regulations related to the Special Revenue Funds for Payments Equal to Taxes disbursements and Mineral Lands Acts disbursements, by revising the disbursement formula and restrictions on the use of the funds; and other matters properly related thereto.
- j. Action – Discussion and possible decision to approve Proclamation P26-03, proclaiming October 23, 2006 through October 29, 2006 Childhood Cancer Awareness Week.
- k. Action – Discussion, possible decision and direction to staff to prepare a Reuse Plan for the Tonopah Airport. The Plan would be prepared by the Nye County Brownfields Team using approximately \$25,000 in funding from that program (pending authorization from EPA Region 9).

12 Clerk

- a. Action – Discussion and possible decision to appoint five (5) members to the Railroad Valley Advisory Board due to terms that have expired.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

October 3, 2006

13 District Attorney

14 Recorder

15 Sheriff

- a. Action – Discussion and possible decision to purchase a microwave system (Phase II) from Harris Corporation, Microwave Communications Division that would connect Pahrump to Beatty and Tonopah with a spur out of Warm Springs. The cost of the system is \$2,040,042.00 and is not budgeted, however a grant for 1.485 million dollars has been awarded and \$450,000.00 has been approved through PETT which leaves a remainder of \$105,042.00 not budgeted.
- b. Action – Discussion and possible decision considering a request for Nye County to enter into a ten (10) year lease agreement with the Town of Pahrump for additional space in the Pahrump Fire Station No. 2 to enlarge the Communications building. The Town of Pahrump waives payment of rent on the described premises for the term of ten (10) years.
- c. Action – Discussion and possible decision considering a request to enter into an annual service agreement with Motorola for continued maintenance of the existing and future radio equipment now being used for the Nye County Communications system. The cost for the service agreement will be \$34,233.00 on an annual payment cycle. This is a budgeted item.
- d. Action – Discussion and possible decision considering a request to enter into a Memorandum of Understanding (MOU) with the Southern Nevada Area Communications Council (SNACC). The term of this contract is set for five (5) years. The cost is set at a per radio price of \$60.00 per radio for a total of 300 radios with a total cost of \$18,000.00 as of this date with a cap not to exceed \$24,000.00 by the end of the five year period.

16 Treasurer

- a. Treasurer's Report

17 Justice(s) of the Peace

18 District Court

19 Juvenile Probation

GENERAL NYE COUNTY ADMINISTRATIVE STAFF

20 Building Department

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

October 3, 2006

21 County Manager

- a. Communication Project Update
- b. Action – Discussion and possible decision on ratification of the selection of the Director of Nuclear Waste Repository Project Office.
- c. Action – Discussion, possible decision and direction to staff on a request for approval to: 1) determine facility option for the completion of a Detention Facility to include the housing of Juveniles; 2) authorize the development of an Architectural and/or Design Builder Request for Qualifications (RFQ) for the project; 3) determine financing option to move forward with the project; or 4) take no action.
- d. Action – Report on Nye County cellular phone service provider(s) to include discussion, possible decision and direction to staff on a request for approval to allow County departments to utilize whichever cellular phone service provider that best meets their requirements and is most cost effective within their approved departmental budget(s) and any other matters properly related thereto.

22 Emergency Services

- a. Emergency Services Update

23 Facilities

24 Finance

- a. Finance Director Update

25 Health & Human Services

26 H/R and Risk Management

- a. Human Resources Update
- b. Action – Discussion, possible decision and direction to staff to authorize the reclassification of Sherry Dudley from Secretary I (NCEA Grade 4) to Administrative Technical Coordinator (NCEA Grade 12) for the Nuclear Waste Repository Project Office and can be absorbed in the departments current budget.
- c. Action – Discussion, possible decision and direction to staff to authorize (1) the new position of Database Administrator (NECA Grade 12) as part of the Finance Department (2) reclassify the current Budget Fiscal Analyst into the newly created Database Administrative position (3) approve the additional position of Budget Fiscal Analyst II (Grade M-16) and can be absorbed into the current department budget.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

October 3, 2006

- d. Action – Discussion and possible decision to approve hiring a part time, non-benefited position for the Pahrump Sheriff's Office front office (Administration Technician). The funding for this position would come from a rebate check from the State of Nevada for \$15,800.00 for items purchased through capital outlay from the General Fund in a prior year.

27 Management Information Systems

28 Natural Resources Office

29 Nuclear Waste Repository Project Office

- a. Action – Discussion and possible decision to approve an expanded NWRPO program to identify the impact on the communities surrounding the Yucca Mountain Project (YMP) should the Department of Energy (DOE) receive permission to begin construction of the nuclear waste repository. The proposed program will require the creation of a new professional position and possible contractual assistance from specialty consulting firms. The necessary budget exists in NWRPO's oversight program for this work.

30 Planning

- a. Action – Discussion, deliberation and possible decision on a request for approval of an application for a Parcel Map proposing to divide approximately .41 acres into one .23 acre lot and one .17 acre lot, located on Aloma Circle at E Avenue North and Elliott Avenue in the Town of Beatty (PM-06-0022) and discussion, deliberation and possible decision on a request for a waiver of the requirement to construct a cul-de-sac with a fifty (50) foot radius pursuant to Nye County Code 16.20.070.A (Cul-de-sacs shall have a minimum fifty foot (50') radius) and instead construct with a forty (40) foot radius. Gregg D. & Deborah L. Nimmo – Owners, AP# 18-381-11.
- b. Action – Discussion, deliberation and possible decision on a request for approval of an application for a Parcel Map proposing to divide approximately .94 acres into two .27 acre lots and one .39 acre lot, located on Aloma Circle at E Avenue North and Elliott Avenue in the Town of Beatty (PM-06-0023) and discussion, deliberation and possible decision on a request for a waiver of the requirement to construct a cul-de-sac with a fifty (50) foot radius pursuant to Nye County Code 16.20.070.A (Cul-de-sacs shall have a minimum fifty foot (50') radius) and instead construct with a forty (40) foot radius. Gregg D. & Deborah L. Nimmo – Owners, AP# 18-381-12.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

October 3, 2006

- c. Action – Discussion, deliberation and possible decision on a request for approval of an application for a Parcel Map proposing to divide approximately .78 acres into two .23 acre lots and one .32 acre lot, located on Aloma Circle at E Avenue North and Elliott Avenue in the Town of Beatty (PM-06-0024) and discussion, deliberation and possible decision on a request for a waiver of the requirement to construct a cul-de-sac with a fifty (50) foot radius pursuant to Nye County Code 16.20.070.A (Cul-de-sacs shall have a minimum fifty foot (50') radius) and instead construct with a forty (40) foot radius. Gregg D. & Deborah L. Nimmo – Owners, AP# 18-381-13.
- d. Action – Discussion, deliberation and possible decision on a request for approval of an application for a Parcel Map proposing to divide 76.60 acres into one 8.79 acre lot, one 19.36 acre lot, one 9.68 acre lot and one 38.72 acre lot, located on Amargosa Farm Road in Amargosa Valley (PM-06-0030). AMI Land Group 80 LLC – Owner, AP# 19-521-17.
- e. Action – Discussion, deliberation and possible decision on a request for approval of an application for a Parcel Map proposing to divide 10 acres into two 5 acre lots, located on Paiute Street and Maverick Street in Amargosa Valley (PM-06-0031). LCF Horticulture Holdings LLC – Owner, AP# 19-551-30.

31 Public Works

- a. Action – Discussion on the draft Report on Adequate Public Facilities Plan and Policy for the Pahrump Regional Planning District, and possible decision concerning setting a date, time, and location for a public hearing and adoption of the Report.

32 Senior Services

OTHER BUSINESS

33 Town Boards/Town Advisory Boards

- a. Action – Discussion and possible decision to approve transfer of Town of Beatty translator equipment to the Towns of Gabbs and Manhattan.

34 Public Petitioners

- a. Action – Discussion, deliberation and possible decision to adopt, amend and adopt, or deny Nye County Resolution No. 2006-58: A Resolution adopting a Regional Economic Development Strategy as the Nye County Comprehensive Economic Development Strategy 2006.

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

October 3, 2006

35 GENERAL PUBLIC COMMENT (second)

36 ANNOUNCEMENTS (second)

37 ADJOURNMENT

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

October 3, 2006

AGENDA
NYE COUNTY BOARD OF ROAD COMMISSIONERS

101 Radar Rd, Tonopah NV 89049
TUESDAY, October 3, 2006

8:45 A.M.

Midge Carver, Chair
Patricia Cox, Vice-Chair
Joni Eastley, Member

Candice Jordan, Member
Gary Hollis, 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 N/A
- 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

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

October 3, 2006

**AGENDA
NYE COUNTY LICENSING AND LIQUOR BOARD**

**101 Radar Rd, Tonopah NV 89049
TUESDAY, October 3, 2006**

9:00 A.M.

**Patricia Cox, Chair
Joni Eastley, Vice-Chair
Midge Carver, Member
Candice Jordan, Member**

**Gary Hollis, 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 N/A
- 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 Brothel
- 4 Gaming
- 5 Licensing
- 6 Liquor

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

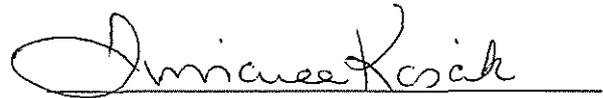
October 3, 2006

AFFIDAVIT OF POSTING

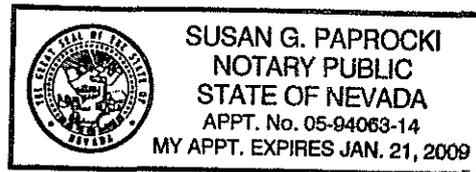
STATE OF NEVADA

COUNTY OF NYE

The undersigned, being duly sworn according to law, 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 Nye County Board of Commissioners' Meeting for October 3, 2006, (including the Agenda(s) for the Nye County Board of Road Commissioners' and the Nye County Licensing and Liquor Board) not later than 9:00 a.m. on September 28, 2006. The undersigned further deposes and says: That on or before September 28, 2006, 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.



Subscribed and sworn before me
This 26th day of September, 2006 .


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
Nye County Administration, 1510 East Basin Road, Pahrump, NV
Bob Ruud Community Center, 150 North Highway 160, Pahrump, NV
Beatty Community Center, 100 A Avenue South Beatty, NV