CURRENT FAA ADVISORY CIRCULARS REQUIRED FOR USE IN AIP FUNDED AND PFC APPROVED PROJECTS

Dated: 6/2/2010

View the most current versions of these ACs and any associated changes at:
http://www.faa.gov/airports_airtraffic/airports/resources/advisory_circulars

NUMBER	TITLE
70/7460-1K	Obstruction Marking and Lighting
150/5000-13A	Announcement of Availability—RTCA Inc., Document RTCA-221, Guidance and Recommended Requirements for Airports Surface Movement Sensors
150/5020-1	Noise Control and Compatibility Planning for Airports
150/5070-6B Change 1	Airport Master Plans
150/5070-7	The Airport System Planning Process
150/5200-28D	Notices to Airmen (NOTAMS) for Airport Operators
150/5200-30C	Airport Winter Safety and Operations
150/5200-33B	Hazardous Wildlife Attractants On or Near Airports
150/5210-5D	Painting, Marking and lighting of Vehicles Used on an Airport
150/5210-7D	Aircraft Fire and Rescue Communications
150/5210-13B	Water Rescue Plans, Facilities, and Equipment
150/5210-14B	Airport Fire and Rescue Personnel Protective Clothing
150/5210-15A	Airport Rescue & Firefighting Station Building Design
150/5210-18A	Systems for Interactive Training of Airport Personnel
150/5210-19A	Driver's Enhanced Vision System (DEVS)
150/5220-4B	Water Supply Systems for Aircraft Fire and Rescue Protection
150/5220-13B	Runway Surface Condition Sensor Specification Guide
150/5220-16C	Automated Weather Observing Systems for Non-Federal Applications
150/5220-17A And Change 1	Design Standards for Aircraft Rescue Firefighting Training Facility

NUMBER	TITLE
150/5220-18A	Buildings for Storage and Maintenance of Airport Snow and Ice Control Equipment and Materials
150/5220-20 and Change 1	Airport Snow and Ice Control Equipment
150/5220-21B	Guide Specification for Lifts Used to Board Airline Passengers With Mobility Impairments
150/5220-22A	Engineered Materials Arresting System (EMAS) for Aircraft Overruns
150/5220-23	Frangible Connections
150/5220-24	Foreign Object Detection Equipment
150/5300-13 and Changes 1 –15	Airport Design
150/5300-14B	Design of Aircraft Deicing Facilities
150/5300-16A	General Guidance and Specifications for Aeronautical Surveys: Establishment of Geodetic Control and Submission to the National Geodetic Survey
150/5300-17B	General Guidance and Specifications for Aeronautical Survey Airport Imagery Acquisition
150/5300-18B	General Guidance and Specifications for Submission of Aeronautical Surveys to NGS: Field Data Collection and Geographic Information System (GIS) Standards
150/5320-5C and Changes 1	Surface Drainage Design
150/5320-6E	Airport Pavement Design and Evaluation
150/5320-12C and Changes 1 through 8	Measurement, Construction, and Maintenance of Skid Resistant Airport Pavement Surfaces
150/5320-14	Airport Landscaping for Noise Control Purposes
150/5320-15A	Management of Airport Industrial Waste
150/5325-4B	Runway Length Requirements for Airport Design
150/5335-5A	Standardized Method of Reporting Pavement Strength PCN
150/5340-1J and Changes 2	Standards for Airport Markings (Change 1&2)
150/5340-5C	Segmented Circle Airport Marker System
150/5340-18E	Standards for Airport Sign Systems

NUMBER	TITLE
150/5340-30D	Design and Installation Details for Airport Visual Aids
150/5345-3F	Specification for L821 Panels for Control of Airport Lighting
150/5345-5B	Circuit Selector Switch
1505345-7E	Specification for L824 Underground Electrical Cable for Airport Lighting Circuits
150/5345-10F	Specification for Constant Current Regulators Regulator Monitors
150/5345-12E	Specification for Airport and Heliport Beacon
150/5345-13B	Specification for L841 Auxiliary Relay Cabinet Assembly for Pilot Control of Airport Lighting Circuits
150/5345-26D	Specification for L823 Plug and Receptacle, Cable Connectors
150/5345-27D	Specification for Wind Cone Assemblies
150/5345-28F	Precision Approach Path Indicator (PAPI) Systems
150/5345-39C	FAA Specification L853, Runway and Taxiway Retroreflective Markers
150/5345-42F	Specification for Airport Light Bases, Transformer Housings, Junction Boxes and Accessories
150/5345-43F	Specification for Obstruction Lighting Equipment
150/5345-44H	Specification for Taxiway and Runway Signs
150/5345-45C	Low-Impact Resistant (LIR) Structures
150/5345-46D	Specification for Runway and Taxiway Light Fixtures
150/5345-47B	Specifications for Series to Series Isolation Transformers for Airport Lighting System
150/5345-49C	Specification L854, Radio Control Equipment
150/5345-50B	Specification for Portable Runway and Taxiway Lights
150/5345-51A	Specification for Discharge-Type Flasher Equipment
150/5345-52A	Generic Visual Glideslope Indicators (GVGI)
150/5345-53C	Airport Lighting Equipment Certification Program

NUMBER	TITLE
150/5345-54B	Specification for L-1884, Power and Control Unit for Land and Hold Short
150/5345-55A	Specification for L893, Lighted Visual Aid to Indicate Temporary Runway Closure
150/5345-56A	Specification for L-890 Airport Lighting Control and Monitoring System (ALCMS)
150/5360-9	Planning and Design of Airport Terminal Facilities at NonHub Locations
150/5360-12E	Airport Signing and Graphics
150/5360-13 and Change 1	Planning and Design Guidance for Airport Terminal Facilities
150/5370-2E	Operational Safety on Airports During Construction
150/5370-10E	Standards for Specifying Construction of Airports
150/5370-11A	Use of Nondestructive Testing Devices in the Evaluation of Airport Pavement
150/5380-6B	Guidelines and Procedures for Maintenance of Airport Pavements
150/5390-2B	Heliport Design
150/5390-3	Vertiport Design
150/5395-1	Seaplane Bases

THE FOLLOWING ADDITIONAL APPLY TO AIP PROJECTS ONLY
DATED: 6/2/2010

NUMBER	TITLE
150/5100-14D	Architectural, Engineering, and Planning Consultant Services for Airport Grant Projects
150/5100-15A	Civil Rights Requirements for the Airport Improvement Program
150/5100-17 and Changes 1 through 6	Land Acquisition and Relocation Assistance for Airport Improvement Program Assisted Projects
150/5200-37	Introduction to Safety Management Systems (SMS) for Airport Operators
150/5300-15A	Use of Value Engineering for Engineering Design of Airports Grant Projects
150/5320-17	Airfield Pavement Surface Evaluation and Rating (PASER) Manuals
150/5370-6D Change 1-4	Construction Progress and Inspection Report – Airport Grant Program
150/5370-12A	Quality Control of Construction for Airport Grant Projects
150/5370-13A	Offpeak Construction of Airport Pavements Using Hot-Mix Asphalt
150/5380-7A	Airport Pavement Management Program
150/5380-8A	Handbook for Identification of Alkali-Silica Reactivity in Airfield Pavements

THE FOLLOWING ADDITIONAL APPLY TO PFC PROJECTS ONLY
DATED: 6/2/2010

NUMBER	TITLE
150/5000-12	Announcement of Availability – Passenger Facility Charge (PFC) Application (FAA Form 5500-1)

35. **Relocation and Real Property Acquisition**. (1) It will be guided in acquiring real property, to the greatest extent practicable under State law, by the land acquisition policies in Subpart B of 49 CFR Part 24 and will pay or reimburse property owners for necessary expenses as specified in Subpart B. (2) It will provide a relocation assistance program offering the services described in Subpart C and fair and reasonable relocation payments and assistance to displaced persons as required in Subpart D and E of 49 CFR Part 24. (3) It will make available within a reasonable period of time prior to displacement, comparable replacement dwellings to displaced persons in accordance with Subpart E of 49 CFR Part 24.

36. **Access By Intercity Buses**. The airport owner or operator will permit, to the maximum extent practicable, intercity buses or other modes of transportation to have access to the airport; however, it has no obligation to fund special facilities for intercity buses or for other modes of transportation.

37. **Disadvantaged Business Enterprises.** The recipient shall not discriminate on the basis of race, color, national origin or sex in the award and performance of any DOT-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. The Recipient shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure non discrimination in the award and administration of DOT-assisted contracts. The recipient's DBE program, as required by 49 CFR Part 26, and as approved by DOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the recipient of its failure to carry out its approved program, the Department may impose sanctions as provided for under Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801).

38. **Hangar Construction.** If the airport owner or operator and a person who owns an aircraft agree that a hangar is to be constructed at the airport for the aircraft at the aircraft's owner's expense, the airport owner or operator will grant to the aircraft owner for the hangar a long term lease that is subject to such terms and conditions on the hangar as the airport owner or operator may impose.

39. **Competitive Access.**

    a. If the airport owner or operator of a medium or large hub airport (as defined in section 47102 of title 49, U.S.C.) has been unable to accommodate one or more requests by an air carrier for access to gates or other facilities at that airport in order to allow the air carrier to provide service to the airport or to expand service at the airport, the airport owner or operator shall transmit a report to the Secretary that:

        (1) Describes the requests;

        (2) Provides an explanation as to why the requests could not be accommodated; and

        (3) Provides a time frame within, if any, the airport will be able to accommodate requests.

    b. Such report shall be due on either February 1 or August 1 of each year if the airport has been unable to accommodate the request(s) in the six month period prior to the applicable due date.

IV. Standard DOT Title VI Assurances

The sponsor hereby agrees that as a condition to receiving Federal financial assistance from the Department of Transportation (DOT), it will comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) and all requirements imposed by 49 CFR Part 21, - Nondiscrimination in Federally Assisted Programs of the Department of Transportation -- Effectuation of Title VI of the Civil Rights Act of 1964

(hereinafter referred to as the "Regulations") to the end that no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives Federal financial assistance and will immediately take any measures necessary to effectuate this agreement. Without limiting the above general assurance, the sponsor agrees concerning this grant that:

A. Each "program" and "facility" (as defined in Sections 21.23(e) and 21.23 (b)) will be conducted or operated in compliance with all requirements of the Regulations.

B. It will insert the following clauses in every contract subject to the Act and the Regulations:

"During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. Compliance with Regulations. The contractor shall comply with the Regulations relative to nondiscrimination in federally assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.

2. Nondiscrimination. The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.

3. Solicitations for Subcontracts, Including Procurements of Materials and Equipment. In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.

4. Information and Reports. The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the sponsor or the Federal Aviation Administration (FAA) to be pertinent to ascertain compliance with such Regulations, orders, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to the sponsor or the FAA, as appropriate, and shall set forth what efforts it has made to obtain the information.

5. Sanctions or Noncompliance. In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, the sponsor shall impose such contract sanctions as it or the FAA may determine to be appropriate, including, but not limited to:

a. Withholding of payments to the contractor under the contract until the contractor complies, and/or

b. Cancellation, termination, or suspension of the contract, in whole or in part.

6. Incorporation of Provisions. The contractor shall include the provisions of paragraphs 1 through 5 in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the sponsor."

C. Where Federal financial assistance is received to construct a facility, or part of a facility, the assurance shall extend to the entire facility and facilities operated in connection therewith.

D. Where Federal financial assistance is in the form or for the acquisition of real property or an interest in real property, the assurance shall extend to rights to space on, over, or under such property.

E. It will include the following clauses, as appropriate:

"1. The (grantee, licensee, lessee, permitee, etc., as appropriate) for himself, his heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add "as a covenant running with the land") that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this (deed, license, lease, permit, etc.) for a purpose for which a DOT program or activity is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, leasee, permitee, etc.) shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to 49 CFR Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation, and as said Regulations may be amended.

2. The (grantee, licensee, lessee, permitee, etc., as appropriate) for himself, his personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add "as a covenant running with the land") that: (1) no person on the grounds of race, color, or national origin shall be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land and the furnishing of services thereon, no person on the grounds of race, color, or national origin shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) shall use the premises in compliance with all other requirements imposed by or pursuant to 49 CFR Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation, and as said Regulations may be amended, of the FAA may direct as a means of enforcing such provisions including sanctions or noncompliance. Provided, however, that in the event a contract becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the sponsor to enter into such litigation to protect the interests of the sponsor and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States."

as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the sponsor with other parties:

1. for the subsequent transfer of real property acquired or improved with Federal financial assistance under this Project; and

2. for the construction or use of or access to space on, over, or under real property acquired or improved with Federal financial assistance under this Project.

F. This assurance obligates the sponsor for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of personal property or real property or interest therein or structures or improvements thereon, in which case the assurance obligates the sponsor or any transferee for the longer of the following periods.

1. the period during which the property is used for a purpose for which Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits, or

2. the period during which the sponsor retains ownership or possession of the property.

G. It will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he delegates specific authority to give reasonable guarantee that it, other sponsors, subgrantees, contractors, subcontractors, transferees, successors in interest, and other participants or Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations, and this assurance.

H. It agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations, and this assurance.

This assurance is given in consideration of and for the purpose of obtaining Federal financial ACE-1450 Standard DOT Title VI Assurance 8/29/96 assistance for this Project and is binding on its contractors, the sponsor, subcontractors, transferees, successors in interest and other participants in the Project. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the sponsor.

V. Sponsor Acceptance of Terms and Conditions

I certify that, for any and all projects with federal participation to be undertaken by the Sponsor, the Sponsor agrees to accomplish the projects within the terms and conditions contained herein.

Town of Pahrump
Name of Sponsor

_____
Signature Sponsor's Designated Official Representative

_____
Title

_____
Dated

AGENDA ITEM REQUEST

Requests and backup must be into the Town Office by **3:00 p.m. ten (10) business days before the preceding Town Board meeting** you wish the item presented. Town Board meetings are held on the second and fourth Tuesday of each month at 7:00 p.m. in the County Complex.

DATE AGENDA ITEM SUBMITTED
5/26/2011

DATE OF DESIRED BOARD MEETING
6/14/2011

CIRCLE ONE: (Action Item) Non-Action Item Presentation

ITEM REQUESTED FOR CONSIDERATION:
Approval to accept Town Board minutes for May 19, 2011 (Final Public Budget Hearing) and May 24, 2011.
Consent Agenda Item

If request for funding is approved by the Town Board, an invoice or letter from the requestor to Town of Pahrump/Accounts Payable is required to receive funding.

BRIEF SUMMARY OF ITEM:
See attached copy of the above listed minutes.

BACKUP ATTACHED: ☒ YES ☐ NO

NAME OF PRESENTER(s) OF ITEM: Pahrump Town Board

SPONSORED BY:

Pahrump Town Board
Print Name

Pahrump Town Board
Signature

400 N. Hwy 160
Mailing Address

(775) 727-5107
Telephone Number

15b

SPECIAL MEETING AND PUBLIC HEARING ON THE FISCAL YEAR 2011-2012 BUDGETS OF THE TOWN OF PAHRUMP AND THE PAHRUMP SWIMMING POOL DISTRICT

PAHRUMP TOWN BOARD
Pahrump Town Annex
270 N. Highway 160
Thursday – 6:00 PM
May 19, 2011
MINUTES

PRESENT:

Town Board:
Mike Darby
Vicky Parker
Carolene Endersby
Dr. Tom Waters
Harley Kulkin

Staff:
Bill Kohbarger, Town Manager
Michael Sullivan, Finance Director
Matt Luis, Building & Grounds Manager
Samantha Carns, Administrative Assistant
Carla Yoder, Financial Assistant

1. Call to Order and pledge of allegiance.

Mike Darby called the meeting to order and lead in the pledge of allegiance.

2. Public hearing, discussion, and decision to adopt, amend and adopt, or reject the Final Budgets for Fiscal Year 2011/2012 Town of Pahrump and Pahrump Swimming Pool District budgets.

Michael Sullivan spoke about the information which he had brought to the meeting. He also detailed the difference between the Town Budget and the Pool District Budget.

Mr. Sullivan continued by detailing information provided in the backup.

Dr. Tom Waters asked what the repercussions would be should the Board choose not to agree to the rate increase.
Mr. Sullivan said the current budget was $3.4 million and if the rate was not approved, the Town would need to cut $1.5 million in expenditures. The main source for cutting these expenditures would be in staffing numbers and wages.
Dr. Waters then asked how citizens would be affected if the Board chose to agree to the rate increase.
Mr. Sullivan explained that the same dollar amount would be collected from taxes in the upcoming year as the previous year. The reason for this rate increase was because of the housing market alone.
Dr. Waters said it appeared as though the Town's budget had been organized and taken care of much better than other government entities which recently had to significantly reduce staff and resources.

Carolene Endersby asked if Capital Outlay Funds were still within the same budgets as they were in March.
Mr. Sullivan confirmed nothing had changed in the Capital Outlay Funds. He spoke of the difference between Capital Outlay Funds and Capital Project Funds.

Harley Kulkin addressed the increase in property taxes, explaining how it affected citizens. He also spoke of possible cuts if the tax increase was not approved.

Mr. Kulkin motioned to adopt the final budgets for fiscal year 2011/2012 Town of Pahrump and Pahrump Swimming Pool District budgets with an added sunset clause to raise the rate from .3711 for 12 months and, unless the Board takes action, it will revert to .243.

Vicky Parker stated the sunset clause was not needed because they must address the tax rate every year, therefore it was redundant.

Motion died due to lack of a second.

Mrs. Parker motioned to adopt the final budgets for fiscal year 2011/2012 Town of Pahrump and Pahrump Swimming Pool District budgets as presented.
Dr. Waters seconded.

Public comment was heard.

Bill Kohbarger read a letter on record from Warner Ambrose, Budget Analyst for the State of Nevada Department of Taxation. (See attached)
Dr. Waters said the letter detailed the same information Mr. Ambrose had given him verbally the previous day.
Mr. Kulkin stated the question shouldn't be who came up with the rate increase, but if the Town could survive without it.

Further public comment was heard.

Mr. Darby stated he definitely felt the pain of the citizens and in the course of the last couple years as he had spent a year on unemployment before finding a job which resulted in a $9 an hour pay cut. He said he could not vote for this motion.

Mr. Kulkin said the economic state of the country was based on citizen voting habits. He added that Pahrump was one of the lowest towns in the state for property taxes. If the increase was not approved, the general fund would need to be half of what it had been the previous year. He said he would not be voting for the motion due to the public reaction and comments, even though he did not agree with them in the slightest.

Dr. Waters mentioned citizens would be paying the same amount as before in order to maintain services. He added that Board members do not make a salary for sitting on the board but rather it costs them.

Mrs. Parker gave figures from the previous two years showing the Town had already cut $1.5 million in the budget even though expenses had been going up.
She also mentioned that salaries had not been raised in two years and that Social Security had been raised more recently than Town of Pahrump employees. She noted the population of Pahrump had

increased, however the number of staff members had not. Not approving this rate increase would result in 20% layoffs.

Motion carried, 3-2, with Mr. Darby and Mr. Kulkin voting nay.

3. Discussion and decision regarding approval of Resolution 2011-07 approving the Final Budgets for Fiscal Year 2011-2012 for the Town of Pahrump and Pahrump Swimming Pool District, as amended.

   Mr. Kohbarger spoke saying the Resolution simply approves Item 2.

   Mrs. Parker motioned to approve.
   Mr. Kulkin seconded.

   Public comment was heard.

   Motion carried, 4-1, with Mr. Darby voting nay.

4. Public Comment: Action may not be taken on matters considered during this period until specifically included on an agenda as an action item - NRS 241.020 (2)(C)(3).

   No one from the public came forward to comment.

5. Adjournment.

   Mr. Darby adjourned the meeting at 7:32pm

STATE OF NEVADA
DEPARTMENT OF TAXATION
Web Site: http://tax.state.nv.us

1550 College Parkway, Suite 115
Carson City, Nevada 89706-7937
Phone: (775) 684-2000 Fax: (775) 684-2020

BRIAN SANDOVAL
Governor
ROBERT R BARENGO
Chair, Nevada Tax Commission
CHRISTOPHER G. NIELSEN
Interim Executive Director

LAS VEGAS OFFICE
Grant Sawyer Office Building, Suite1300
555 E. Washington Avenue
Las Vegas, Nevada 89101
Phone: (702) 486-2300 Fax: (702) 486-2373

RENO OFFICE
4600 Kietzke Lane
Building L, Suite 235
Reno, Nevada 89502
Phone: (775) 687-9999
Fax: (775) 688-1303

HENDERSON OFFICE
2550 Paseo Verde Parkway, Suite 180
Henderson, Nevada 89074
Phone: (702) 486-2300
Fax: (702) 486-3377

May 18, 2011

Mr. Michael Sullivan, Finance Director
Town of Pahrump
400 North Highway 160
Pahrump, Nevada 89048

Re: Property Tax Rates for Fiscal Year 2011-2012 Budget

Dear Mr. Sullivan:

I am writing to clarify the Department's position regarding the proposed tax rate in the Town's tentative budget for fiscal year 2011-12. The undersigned has received numerous telephone calls from both town board members and concerned town citizens regarding the proposed property tax rate increase. When the preliminary revenue projections were distributed on February 15, 2011, the total maximum allowed rate for the town was $0.3711 per $100 of assessed value. Due to the decline in the assessed value of property in Pahrump, an increase in the allowed operating rate was automatically made in order to provide the statutorily mandated 6.0% increase in revenues for the upcoming fiscal year.

Each entity is requested to inform the Department by February 20th in writing of its proposed rate for the upcoming fiscal year. If no notice is received, the Department uses the previous year's rate to calculate the effects of property tax abatement. In previous years, the Town has sent a proper notice of its intentions. The undersigned, improperly assuming the notice would be forthcoming, used the higher rate in the preparation of the initial abatement calculations for FY2011-12.

When the final projections report was distributed on March 15th, the maximum allowed rate had declined to $0.3704. Attached to this correspondence are the pages from the final projections which result in the maximum allowed rate. This is the rate which you used in constructing the tentative budget for FY2011-12, which was approved by the Town Board on March 29, 2011.

Please be reminded that the Department's role in the budgeting process is to provide the maximum allowed revenue projections; but each entity's governing board must make the final decision on it budget, including assuring that the combined tax rate does not exceed the statutory cap. Also be reminded that the public hearing is the proper place for the board to receive public comments on the proposed budget and to take appropriate action based on the discussions. The board has the option to adopt a budget with a substantially lower ad valorem tax rate.

Thank you for including this letter in the minutes of the public hearing. If you should have any questions, do not hesitate to call me at (775) 684-2077. My e-mail address is as follows: wambrose@tax.state.nv.us.

Sincerely yours,

Warner R. Ambrose, Budget Analyst
Local Government Finance Section
Division of Assessment Standards

Attachments

PAHRUMP TOWN BOARD MEETING
NYE COUNTY ADMINISTRATIVE COMPLEX
2100 E WALT WILLIAMS DRIVE
TUESDAY – 7:00 P.M.

MAY 24, 2011

MINUTES

PRESENT:

Town Board:

Mike Darby
Vicky Parker
Carolene Endersby
Harley Kulkin
Tom Waters

Staff:

Bill Kohbarger, Town Manager
Seaton J. Curran, Attorney
Matt Luis, Building & Grounds Manager
Al Balloqui, Community Business Economic Development
Michael Sullivan, Finance Director
Scott Lewis, Fire Chief
Samantha Carns, Administrative Assistant

1. Call to Order, Moment of Silence, and Pledge of Allegiance.

Mike Darby called the meeting to order.
Tom Waters led in the moment of silence and Pledge of Allegiance.

2. Discussion and Possible Decision Regarding Moving the Order of or Deleting an Agenda Item(s).

Vicky Parker motioned to move item 7, a presentation, to item 2.5.
Harley Kulkin seconded.

Motion carried, 5-0.

2.5 Discussion and Possible Decision to Approve an Agreement Between the Town of Pahrump and Contour Entertainment Inc. & The Vercitas Group for a Entertainment Concept Preliminary Investigation and Project Potential Assessment and All Matters Properly Related Thereto. *(Was item 7)*

Mr. Kulkin gave a brief history of how had had begun efforts on this idea.

Mr. Kohbarger introduced Don Holbrook, Economic Developer, and gave a brief history on him.

Mr. Holbrook began his presentation by speaking of a unique process used by the company which has proven to be successful.

Dr. Waters asked for examples of successful projects through the company in question.
Mr. Holbrook said the Earthquest Adventures project in Houston was the most recent project which could be deemed their most successful as it is creating 17,000 jobs. He also stated they had worked on various projects such as MGM and Disney as well as projects in Europe, India, and Australia. He added the company also had worked on numerous exhibits, such as the Titanic and Star Trek.

Dr. Waters asked what Mr. Holbrook thought the company could do for Pahrump.
Mr. Holbrook said with Las Vegas being less than an hour away and having an estimated forty million (40,000,000) visitors a year, a development such as the proposed would be extremely advantageous.
He said visitors needed a reason to come to Pahrump, and this is a very compelling reason. He said he would not sign himself to be part of this project if he didn't believe it would be very successful and followed through with. The team, which is comprised of a variety of proven successful specialists from around the world along with former lead Disney Imaginears, would undoubtedly build a famous world class and compelling tourism experience.

Mrs. Endersby asked if Mr. Holbrook was aware of the projects which were being talked about and happening in Las Vegas, also asking if he had had the opportunity to meet with the Pahrump Tourism and Convention Council. She also asked, with the knowledge of challenges the Town of Pahrump had, how did he feel about those challenges.
Mr. Holbrook said he had intelligence specialists who kept a close eye on all proposed and possible projects in the Las Vegas and surrounding areas. He added that Las Vegas had embraced their image as an adult playground which was working for them.
As to the second question, Mr. Holbrook said in the first phase due diligence would be done and would include a complete assessment. He added there weren't many challenges he could foresee that he had not dealt with in the past. Due to this fact, they could pull from previous processes which had worked with similar challenges in other locations.

Dr. Waters asked how many of the hundreds of projects Mr. Holbrook had been involved in had been successful.
Mr. Holbrook replied one hundred percent (100%) of the projects had been successful therefore he had never had a failed project. He said he had walked away from three (3) to four (4) times as many proposed projects as he had worked on. He added that he would not be in Pahrump if he thought the project could fail. He said he believed in the project and it was his professional as well as personal opinion that this was the perfect time to get the process started before another surrounding area chose to do so.

Mrs. Endersby expressed appreciation for Mr. Kulkin's views and passion concerning the project along with his perseverance in finding the appropriate company and people to spearhead such an operation. She said although she had no doubt the project would be successful, she felt making a decision at the present time would be premature as they had yet to hear from the tourism advisory board on the issue.

Mr. Holbrook told the Town Board this was an investment and that the due diligence package required the private sector to buy that investment from the Town one hundred percent (100%) as a first step in confirming investment. He said the price may be high but the comprised team involved would most certainly be world class with proven success in multiple situations. He added that they had nine to ten (9-10) investment followers who were actively looking for investment opportunities from the company. He said they were very confident the investment community would start asking questions about the project and have interest in Pahrump as they are knowledgeable enough to know the company would not be putting the energy into a project which would not result in a world class facility.

Mrs. Parker left the room.

Mrs. Endersby spoke of an issue of transportation being as Pahrump did not have transportation infrastructure, saying she felt it was a real challenge.
Mr. Holbrook said her concerns were very valid however part of the investigation would include transportation and he did not see it as nearly big of an issue as Mrs. Endersby did. He added that we are a driving nation and one of the largest airports in the world was within an hour of the Town. He added that with Earthquest, the Hwy leading toward it had previously been four (4) lanes but was expanded to eight (8) after the project was initiated. The company actively visits all avenues including the state road departments to make sure all necessary adjustments are made in order to support the project. He also said the objective was to get visitors to spend the night in Pahrump.

Mr. Kulkin clarified the meaning of 'intellectual property'.

Dr. Waters mentioned he was very impressed by Mr. Holbrook's presentation however his only concern was that the advisory board had not been consulted.
Mr. Holbrook responded saying he could absolutely appreciate that and agreed a project must be gone in to wholeheartedly. He warned that imminently something would be happening in the Las Vegas area and that timing was everything. He also warned that he could not promise that within two (2) weeks another entity would not step up as an interested party which could very likely result in initiating an area other than Pahrump and the company would not participate in competing projects.

Mrs. Parker returned to the room, saying the discussion had moved on from the area she had wished and not been given the opportunity to comment on.

Mr. Kulkin stated the Tourism Advisory Board would be part of the proposed project as it progressed and asked for a ten (10) minute break to digest information.

Dr. Waters agreed the item needed to be carefully thought about but he would like to table it.

Dr. Waters motioned to table.
Mrs. Endersby seconded.

Motion carried, 3-2, with Mr. Kulkin and Mrs. Parker voting nay.

Mr. Darby called for a ten (10) minute recess.

3. Announcements

Carolene Endersby read the announcements.

Dr. Waters announced business meetings at the Chamber to look at revisions of business license ordinance.

Paula Elefante announced the Pahrump Powwow was collecting used ink cartridges to recycle in order to pay for this year's PowWow.

Butch Borasky said on June 3rd there would be an orientation and sign up from 3pm-8pm at the Pahrump Nugget for the Pahrump Youth Organization. He also announced June 5th starting at noon in the Pahrump Nugget Poker Room there would be a charity poker tournament to benefit the organization.

Sidney Howard announced the Seventh-Day Adventist Church would be hosting the program "Babylon is Rising" from speaker John Bradshaw May 25th-28th starting at 7pm. The program would take place at 477 N. Blagg and also streamed lived on babylonisrising.com for citizens unable to physically attend.
Butch Harper announced the Smiles Across Pahrump event would be on July 23rd this year from 11am-6pm at Ian Deutch Park. He asked if anyone was interesting in helping with donations or sponsoring the event, to contact him.

4. Public Comment: Action May Not Be Taken on Matters Considered During This Period Until Specifically Included on an Agenda as an Action Item – NRS241.020(2)(c)(3).

Public comment was heard.

5. Advisory Board Reports from Advisory Board Chairpersons and/or Town Board Liaisons on the Status of Advisory Boards.

There were no advisory board reports.

6. Town of Pahrump Economic Development Report.

There were no questions on the report.

7. Discussion and Possible Decision to Approve an Agreement Between the Town of Pahrump and Contour Entertainment Inc. & The Vercitas Group for a Entertainment Concept Preliminary Investigation and Project Potential Assessment and All Matters Properly Related Thereto.

(see above, heard as item 2.5)

8. Discussion and Possible Decision to Repeal Pahrump Town Ordinance #35, Relating to Business Licenses.

Mr. Kulkin motioned to keep Ordinance 35.

Mrs. Parker asked to table the item because there were workshops being done on business licensing which would continue through the month of June.

Dr. Waters asked for the motion to be modified to bring the item back at the June 25th meeting, which would be after all workshops.

Mr. Darby clarified that a motion was being made before the presenter had even been given the opportunity to present.
In light of this, **Mr. Kulkin withdrew his motion.**

Jim Duncing presented, speaking of the cost of business licensing and lack of revenue the program created.

Mr. Kulkin stated a decision should be made to repeal or not to repeal the Ordinance as changes could be made at any time.

Seaton Curran, Legal Counsel, said an ordinance could not be repealed simply by a vote, however the Board could direct staff to start paperwork to begin the process.

Mr. Kulkin motioned to keep Ordinance 35.
Mrs. Parker seconded.

Dr. Waters said the Ordinance needed to be kept, but did most certainly need to be fixed and with the upcoming workshops for local businesses, the input they receive should be very good.

Mrs. Endersby said the budget and audit showed a decline in business licensing, however the economy itself was also on a decline. She said due to the fact that business licensing had previously created positive revenue and had been a growing fund on its own, there was money in that special revenue fund to take care of all losses until the economy picked up. She added that the ending balance was still a positive one because of this fact.

Al Balloqui spoke stating there was no factual information or evidence to support the presenter's case while mentioning Mr. Duncing had also not spoken with staff. He asked that the Board require this before accepting an agenda item from a presenter.

Public comment was heard.

Motion carried, 4-1, with Mr. Darby voting nay.

9. Discussion and Possible Decision to Direct Staff to Move Forward with the Adoption and Enactment of the Speed Limit Study as Presented by Nye County Roads Department and All Matters Properly Related Thereto.

Mr. Kohbarger stated that each Town Board member had taken the opportunity to review the study and spoke of the three options the board had in making a motion.

Mrs. Parker spoke of the history on the item, recommending the Town stay with 45 mph on paved roads and 25 mph on non-paved roads. She said there was a sign placed at every conventional entrance to Pahrump stating exactly that.

Dr. Waters said he would like to move forward with the adoption of speed limits the County had given and leave the signs as they were because the roads were owned by the County, therefore they should be responsible for changing them.

Mrs. Parker said the County had seemed to be very persistent in the Town needing to change the signs, as it was a Town Ordinance.

Mr. Kohbarger said the Board would be directing the attorney to create an ordinance and then follow through in that full process meaning a vote would not suddenly put an Ordinance in affect.

Mr. Darby asked if the Town would be liable for costs if they changed the speed limits, even though they were county roads.
After clarifying that because the roads were within Town boundaries, the Town had jurisdiction of setting speed limits, Mr. Kohbarger said there would need to be more research on liabilities.

Mrs. Endersby said an Ordinance was already in place (Ordinance 4) concerning speed limits and that several others had been passed in previous years addressing traffic and traffic control.
Mr. Kohbarger specified that each ordinance repeals all previous concerning the topic.

Dr. Waters motioned to direct staff, in this case being the attorney, to create an ordinance to adopt the speed limit study as presented and to begin the ordinance process.

Mrs. Parker asked the phrase "provided the Town doesn't have to pay for the signs" be added to the motion as she wanted it in writing the Town would not be paying.
Mr. Kohbarger stated if the Board moved forward with creating a motion, staff could get the research before bringing it back to them for Ordinance editing and approval.

Mrs. Endersby seconded the motion.

Mr. Kulkin expressed concerns with all road taxes going to the County while they asked the Town to pay for the new signs. He said this needed to be looked into more and understood this was a move forward. He also expressed concern about possible liability of the Town.

Public comment was heard.

Motion carried, 4-1, with Mrs. Parker voting nay.

10. Discussion and Possible Decision on Approving the MOU for the Family Movie Night in the Park Series Program in an Amount Not to Exceed $8,400 From the Parks

and Room Tax Fund.
Mr. Kulkin said that, based on these figures, the cost per movie would be over $1000 to put on what seemed to be a charity event. He added that if American stopped getting handouts they might work harder.

Mrs. Parker said she was glad to see they had expanded to eight (8) movies as the event had been in heavy attendance in previous years. She also said this was the one thing apart from maybe a free night at the pool that the Town had to sponsor any recreation. The event was important to people in Pahrump and particularly to family which may be unemployed or underemployed.

Mrs. Parker motioned to approve.
Dr. Waters seconded.

Mr. Kohbarger said a member of the Parks and Recreation Advisory Board was in the audience as well as Matt Luis if the Board would like to ask them any questions.

Mrs. Endersby asked Nick Moore, Chairman of the Parks and Recreation Advisory Board, if Entertainment Concept was the same company used the previous year.
He confirmed it was as it had been out to bid once again and Entertainment Concepts gave a rate which was half as much as any interested competitor.

Mrs. Endersby asked if volunteers would be operating the snack bars as in previous years.
Mr. Moore replied that volunteering was open to any non-profit youth group as a first chance but also would like help from any volunteer. He asked any interested parties meet with the Parks and Recreation Advisory Board.

Mr. Luis said there would be an extension on the Town Office phone line dedicated to Movie Night information.

Mr. Kulkin asked Mr. Luis if members of staff would need to be present during the event.
Mr. Luis replied that there would not be any more staff required than of a normal event in the park.

Mrs. Endersby asked about security.
Mr. Luis said security would be as it had in previous years as the community policing themselves with backup of the police department. He added that there had never been any major issues at the Movie Night.

Mr. Kulkin commented that he had a problem understanding a raise in tax percentage being a result rather than laying off staff but the Town was able to spend money on a charity movie night. He said he didn't think they were doing justice to the children in teaching them to work for what they get. Finally, he thanked the Parks and Recreation Advisory Board for their processes.

Public comment was heard.

Motion carried, 4-1, with Mr. Kulkin voting nay.

11. Discussion and Possible Decision to Approve a Contract with Anthony Roofing & Waterproofing to Re-Roof the Town Annex Building in an Amount Not to Exceed $7,000.00.

Mr. Darby asked if the annex roof would be completely stripped to bare sheeting.
Mr. Luis replied yes.

Mr. Kulkin asked Mr. Luis if he had felt any weak spots on the roof when walking on it in the past.
Mr. Luis said no, that was not the case. He added the new roofing would be a commercial type application with a five (5) year warranty with an expectancy of twenty (20) years.

Mr. Kulkin motioned to approve.
Mrs. Parker seconded.

Mrs. Endersby said she saw on the proposal there would be a start date within three (3) days of acceptance, however asked if there was an estimate as to how long the process would take as the Annex was the only source of public space with the Ruud Center unavailable.
Mr. Luis said so long as everything went correctly the entire process should take seven (7) days, however problems may arise delaying this.

Mrs. Endersby asked what would be done for interior repairs.
Mr. Luis replied the Buildings and Grounds staff would be working on the interior around events.

Public comment was heard.

Motion carried, 5-0.

12. Discussion and Possible Decision to Approve Placing a Bid in the Local Newspapers for Two (02) Ambulances to be Funded From the Capital Outlay Ambulance Fund.

Mr. Kohbarger clarified the request was to go out to bid, not to purchase. He said the funds had been set aside in the ambulance fund which was compromised of brothel fees collected over the years. He added this fund would pay the entire amount for the ambulances and if the Board had any questions, Fire Chief Scott Lewis was present.

Mr. Kulkin asked Chief Lewis to state the need for new ambulances.
Chief Lewis said while the newer Dodge ambulances occasionally need maintenance, they are using the older Ford models as backup. These older Ford models routinely have problems and have had mechanical failures during interfaculty transfers. He added the bid would consider all available chassis including Chevy, Dodge, and Ford.

Mrs. Endersby inquired about the issue of $250,000 being budgeted for new ambulances while they planned to go out to bid for up to $260,000.
Chief Lewis said he had spoken with Mr. Sullivan and had been assured there was enough money in the enterprise fund compiled of brothel fees to completely cover the expenses.

Mr. Kulkin motioned to approve.
Dr. Waters seconded.

No one came forward for public comment.

Motion carried, 5-0.

13. Discussion and Possible Decision to Approve Creating a "Chain of Command" Policy.

Mr. Kulkin said he had felt there may have been confusion as to the chain of command and proposed one which had a clear path to the Chairman of the Town Board.

Dr. Waters asked who in turn would contact the Town Manager to ensure proper procedure was followed. If the issue was not resolved the Chairman could bring it to one fellow Board member if he so chose however speaking with five (5) Board members would result in a violation of Open Meeting Law.
Mr. Kulkin clarified if an issue came up it would result in a personnel item in closed sessions.

Mr. Kohbarger asked if this would be for any personnel issue or just termination. He noted all decisions go through human resource specialists with Pool Pact as well as the attorney. He added the Board could be opening themselves up to liability of personnel issues.

Mr. Kulkin said as the ultimate authority, the Town Board should be included as part of the involved persons in personnel issues.

Dr. Waters clarified they were talking about personnel issues and almost ignoring the NRS which they would not want to do as the Town Board should not be in personnel business other than those of the Town Manager.

Mrs. Endersby stated the current chain of command chart was in the backup, not the information Mr. Kulkin had given.

After this realization, **Mr. Kulkin motioned to table because the paper was not included in the backup.**
Mrs. Endersby seconded.

Motion carried, 5-0.

14. Discussion and Possible Decision to Direct Staff to Move Forward with Repealing All Town of Pahrump Ordinances Related to Animal Control/Enforcement and All Matters Properly Related Thereto.

Mrs. Parker said the County had been working on an ordinance for two (2) years however because of the Town's ordinance, it would not prevail. Mrs. Parker read information from the March 22nd Minutes while quoting Mr. Kunzi concerning animal control. She said that because the County had the funds and means to enforce animal control, they should have control of the ordinances concerning it.

Dr. Waters motioned to approve.
Mr. Kulkin seconded.

Mr. Kulkin expressed similar views as Mrs. Parker.

Mr. Darby mentioned there were other Town Ordinances which conflicted with the County and should be addressed.
Mrs. Parker said she concurred.

Public comment was heard.

Motion carried, 4-1, with Mrs. Endersby voting nay.

15. Discussion and Possible Decision Consent Agenda Items:

a. *Action – Approval of Town Vouchers.*
b. *Action – Approval of Town Board Minutes for March 22, 2011, March 29, 2011, April 12, 2011, and May 10, 2011.*
c. *Action – Approval to accept Mr. George Demas, Mr. Tim McCall, Mr. Robert Smith and Mr. Joel McMillin to the Pahrump Boundary Line Advisory Board.*
d. *Action – Approval to accept Mr. Will Bond to the Pahrump Public Lands Advisory Board.*
e. *Action – Approval to accept the Resignation of Mr. Chuck Hackley from the Pahrump Public Lands Advisory Board.*

Mr. Kulkin motioned to approve consent agenda items a – e.
Mrs. Endersby seconded.

Motion carried, 5-0.

16. Future Meetings/Workshops: Date, Time and Location

Mr. Kulkin announced the meeting of the Pahrump Boundary Line Advisory Board on May 26th.

17. Staff's Comments

There were no comments from staff.

18. Town Manager Report

Mrs. Endersby commended and showed appreciation to Chief Lewis and the Fire Department on response times for emergency services.
Chief Lewis said the longer response times reported were those to Clark and Inyo County. He said the community was doing a great job of pulling to the side and making way for services.

19. Town Board Member's Comments

Dr. Waters said one citizen had mentioned the Town Board was in their position to make tough decisions and tabling items was not doing this. Dr. Waters' reply was that choosing to table an item is in itself a tough decision.
He also addressed public statements which had said taxes were raised by clarifying taxes had not been raised but left stable.
Before thanking all for attending Town Board meetings, Dr. Waters mentioned that in some instances in our history when regulations were done away with, as members of the public suggested concerning business licensing, it has proven to cost us and have negative effects.

Mr. Darby publically apologized to Mrs. Parker for not recognizing her comments/questions during the item concerning Contour Entertainment.

Mr. Kulkin apologized to the Board for getting upset earlier in the meeting. He said he felt the quality of life in Pahrump had gone down and it was up to the Board to make the necessary changes.
In reply to comments concerning the budget he asked if citizens recognized something was wrong and why they would want to add to the problem by adding to the high unemployment rate of the community and/or making it harder for other citizens, in this case being Town employees, to live.
Lastly, Mr. Kulkin said it can get tough to make the decisions the Board may be faced with but the best part of the Board was that they were able to get past disagreements and issues. He said he felt this Board would be remembered for doing big things.

Mrs. Endersby stated reasonable and responsible decisions required all available information and research to make proper decisions. She said all information should be available with a reasonable amount of time so the Board could make an informed decision rather than needing to table an item in order to obtain further information.

20. Adjournment

Mr. Darby adjourned the meeting at 10:46pm.

AGENDA ITEM REQUEST

Requests and backup must be into the Town Office by **3:00 p.m. ten (10) business days before the preceding Town Board meeting** you wish the item presented. Town Board meetings are held on the second and fourth Tuesday of each month at 7:00 p.m. in the County Complex.

DATE AGENDA ITEM SUBMITTED 5/11/2011

DATE OF DESIRED BOARD MEETING 5/24/2011

CIRCLE ONE: (Action Item) Non-Action Item Presentation

ITEM REQUESTED FOR CONSIDERATION:
Approval to accept the resignation of Mrs. Paula Glidden from the Pahrump Tourism And Convention Council Advisory Board (PTCC).
Consent Agenda Item

If request for funding is approved by the Town Board, an invoice or letter from the requestor to Town of Pahrump/Accounts Payable is required to receive funding.

BRIEF SUMMARY OF ITEM:
See below excerpt from the PTCC Regular meeting on January 13, 2011.
Discussion and possible decision to accept the resignation of alternate board member Paula Glidden. Alice Eychaner motioned to accept the resignation of Paula Glidden. Seconded by James Horton. Motion passed 5/0.

BACKUP ATTACHED: ☐ YES ☒ NO

NAME OF PRESENTER(s) OF ITEM: Mrs. Parker, Town Board Member

SPONSORED BY:

William A. Kohbarger, Town Manager
Print Name

Signature

400 N. Hwy 160
Mailing Address

(775) 727-5107 ext. 305
Telephone Number

15c