

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

**August 23, 2011**

**MINUTES**

**PRESENT:**

**Town Board:**

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

**Staff:**

Bill Kohbarger, Town Manager  
Brett Meich, Attorney  
Scott Lewis, Chief  
Michael Sullivan, Finance Director  
Samantha Carns, Executive 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 and Dr. Waters asked to move items 22c-e of the consent agenda to item 4.5.

Harley Kulkin requested to move Town Board Member comments from item 25 to item 6.5.

He added it was at the Chair's discretion to have the comments after public comment as well as at the end of the meeting.

Carolene Endersby asked to move item 17 to 8.5 as well as items 14, 15, and 16 as one.

With no objections to the proposed moving of items, carried, 5-0.

**3. Presentation by Dr. Nancy Yu, Southwest Medical, on the services they offer in Pahrump.**

Dr. Nancy Yu introduced herself, thanking the Town Board for the opportunity to give a presentation.

Dr. Yu went on to show a PowerPoint which detailed much information including history, goals, and the workings of Southwest Medical Center.

Mr. Kulkin asked what insurance agencies were accepted by the center and if they could aid patrons who had difficulty affording services.

Dr. Yu responded that most insurances including Medicaid were accepted and they had workers on location who could help patrons get in contact with the appropriate and best services to aid in financial difficulties.

Mrs. Endersby thanked Dr. Yu and said she had been able to tour the clinic which she felt was most certainly state of the art.

Dr. Waters asked how someone would update their medical record.

Dr. Yu responded the record could be updated upon request.

4. Presentation by Mr. Robert Adams, Chairman of the Public Lands Advisory Board, on Identifying Recreational Opportunities on Public Lands Around Pahrump.

Mr. Bob Adams, Chairman of the Public Lands Advisory Board, spoke as a PLAB representative in coalition with the PTCC and having been endorsed by the League of Women Voters.

He stated the new tagline of “Your base camp to Adventure” placed on the upcoming ads for the Town of Pahrump invited people to participate in outdoor activities within and around the community, therefore recreation needed to be looked at.

Mr. Adams went on to detail areas which could soon be restricted by the Bureau of Land Management despite the trails which were perfect for recreational vehicles.

Mrs. Parker thanked Mr. Adams for all of his hard work and asked as to who was requesting a trail from Pahrump to Beatty.

Mr. Adams stated Mark Sanchez had asked for a trail from Sandy Valley although Primm made much more sense. He said he felt it would be easiest to mark the trail into three separate portions especially considering the involved parties.

As he went on to speak of and show the proposed trail plans, Mr. Adams gave various positive facts concerning trail usage and the effect of outdoor activities on health and wellness.

Mr. Kulkin stated it was wonderful to see someone who cared so much sharing and doing something about it as well as coordinating with other entities to get things accomplished.

Mrs. Endersby asked about the possibility of this being part of the Nye Community Master Plan. She suggested Mr. Adams sit in on the steering committee meeting to add the proposed form of recreation into the master plan.

Dr. Waters said he appreciated the presentation and asked what action they were looking for.

Mr. Adams said they were looking for an endorsement from the Town Board to take to the federal agencies in putting together a trail and recreation program.

Mr. Kohbarger stated they could approve the endorsement and contact the agencies to inform them with the information.

**Mrs. Parker motioned the Town work with the federal agencies to set up a comprehensive trail system.**

**Mr. Kulkin seconded.**

Public comment was heard with three (3) speaking for the motion, one (1) speaking against the motion, and one (1) neither for nor against.

**Motion carried, 5-0.**

**4.5 Discussion and Possible Decision Pulled Consent Agenda items.**

- a. *Action – Approval of Mr. Bill Dolan attending the Nevada League of Cities as a Representative of the Pahrump Veterans Memorial Advisory Board.*  
(was item 22c)

Mrs. Parker said she did not feel the Board should set the precedent of sending an Advisory Board member to the League of Cities.

**Mrs. Parker motioned not to approve.**  
**Dr. Waters seconded.**

Dr. Waters said he signed the agenda request because he was the Veterans Memorial Board sponsor; however he did not agree with sending Mr. Dolan to the Nevada League of Cities at the Town's expense.

Mr. Darby said due to the fact he had sent letters to members of the audience, including Mr. Dolan, for disruptive behavior he would be abstaining from voting.

Mr. Kulkin and Dr. Waters spoke of putting an advisory board member's name in to go if they paid their own way.

Mr. Kohbarger stated that as the conference was that of the Nevada League of Cities, permission to attend could only be granted by the Nevada League of Cities staff.

Mrs. Endersby asked Dr. Waters if it was relevant a Veteran Memorial Advisory Board member be present.

Dr. Waters responded the item had not even been on their agenda and the request to go was done outside of the Veterans Memorial Advisory Board.

Mr. Kohbarger said the reason it had been on the agenda was because he had already denied the request however administratively he could not be refused to have the item placed on the Town Board agenda.

Public comment was heard with two (2) speaking neither for nor against the motion.

**Motion carried, 4-0-1, with Mr. Darby abstaining from voting.**

- b. *Action – Approval of the Community Center Task Force changing their By-laws from the Town Board established By-laws to Advisory Board By-laws.*  
(was item 22d)

Dr. Waters asked the by-laws be approved without limitations as to the name and location.

**Mrs. Parker motioned to accept and approve the by-laws adopted by the Community Center Task Force, deleting the words "Bob Ruud" from them.**  
**Dr. Waters seconded.**

Mrs. Endersby asked who the representative for the Community Center Task Force was to which Mrs. Parker stated Mr. Butch Clendenen was the Chairman of the Task Force and representative.

Mrs. Endersby asked if there were any minutes on record for the two meetings which the Task Force had. She also asked Mr. Clendenen to come forward.

Mrs. Parker verified the minutes were on the agenda for approval at the next Task Force meeting.

Mr. Clendenen stated that during the first meeting of the Task Force the group looked at the guidelines handed down to them from the Town Board and other entities. At the second meeting they chose to adopt the Advisory Board bylaws while still being a Task Force. He said he agreed with a statement Dr. Waters had made that a community center should be for the future of Pahrump.

Dr. Waters said under membership it should state an end date rather than two year terms. He suggested the wording be “until the task is completed or two years per term”.

Mr. Kulkin said should the Task Force be dissolved, the Town Board would still need to vote on it.

Public comment was heard, with one (1) speaking neither for nor against the motion.

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

- c. *Action – Approval of the Bob Ruud Community Taskforce removing Mrs. Parker and Mr. Kulkin, Town Board members from the Taskforce.*  
(was item 22e)

Mrs. Parker spoke stating as the Task Force had adopted the by-laws stating they only needed seven (7) members.

Mr. Kulkin added the Task Force members had an issue with the fact the Board members would first be voting on the issue as Task Force members, then as Town Board members.

**Mrs. Parker motioned to approve the Community Task Force removal of Mrs. Parker and Mr. Kulkin, Town Board members, from the Task Force.**

**Mr. Kulkin seconded.**

Dr. Waters brought up that the Town Board resolution stated there would be two Town Board members and one County Commissioner therefore the Task Force could not remove the Town Board members as Task Force members.

Mr. Kulkin stated their presence as voting members of the Task Force was not desired and disruptive to the meetings.

Legal Counsel stated the Resolution would stand until it was taken care of by the Town Board. A few weeks difference between the removal and the change of the Resolution would not be a big deal however he agreed with Dr. Waters that the Resolution needed to be changed in order for the removal to be legitimate.

Mrs. Endersby asked as to the County Commissioner’s membership on the Task Force.

Mr. Clendenen stated there was no opposition to his placement on the Task Force at this time as Mr. Borasky would not be voting on items as during a Commissioners meeting.

Mrs. Endersby stated that perhaps the Task Force should be dissolved into an advisory board and proceeded to ask staff preference on what the established entity of the Task Force should be.

Mr. Kohbarger responded he would have no problem with it becoming whatever the Town Board wished.

Mr. Kulkin suggested the item be tabled.

Mrs. Parker stated the simplest thing would be to approve the removal and return an item to the next meeting for changing the resolution.

Mr. Darby called for the vote.

**Motion failed, 2-3, with Mr. Darby, Mrs. Endersby, and Dr. Waters voting nay.**

**5. Announcements**

Announcements were read by Mrs. Endersby.

Mr. Kulkin clarified the meeting day for the Community Center Task Force.

Dr. Waters expanded as to the Prostate Support Group meeting and also spoke of the NDOT signs dedication Highway 160 to US Veterans.

Carl Dahlen stated the Community Assessment would be holding listening sessions October 10-14, with the 14<sup>th</sup> being a presentation to the community of Pahrump.

Phil Huff announced the Pahrump Valley Museum had added a new Yucca Mountain Exhibit and was open from 10am to 4pm Tuesdays through Sundays with free admission.

He also announced PAVED was going ahead in full force with the Pahrump Fair and Festival occurring September 29<sup>th</sup> through October 2<sup>nd</sup>. He said there would of course be the carnival, food, and lots of entertainment including a children's section, but also a full rodeo with bull riding twice each night. Proceeds would go to the fairgrounds.

**6. Public Comment:**

Public comment was heard.

**6.5 Town Board Member Comment:**

*(was item 25)*

Mrs. Parker said she had concern for a gentleman who spoke because a number of people who were employed may have items they felt strongly to speak on however these items may not come up until late into the evening.

Mr. Kulkin stated that some things which were said during public comments were incorrect although they were stated as facts.

Louis DeCanio called for a point of order, stating this comment was aimed at him.

Mr. Kulkin clarified he understood the figures presented may be believed to be fact by Mr. DeCanio however his source had been incorrect.

Mrs. Endersby asked staff to bring a report concerning the swimming pool to the Board at a later date. She asked a clear investigation be made on agenda items if it would eliminate future grants.

Dr. Waters had no comment along with Mr. Darby.

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

Mrs. Parker had none.

Mr. Kulkin stated the Community Center Task Force was doing a great job with Mr. Clendenen doing an excellent job as Chair. He added the meeting he had with Mr. Kohbarger and PTCC chair, Kelly Buffi, the previous day had gone very well.

Mrs. Endersby said the Incorporation Advisory Board had canceled their next meeting however they requested the Boundary Line Advisory Board have a joint meeting with the IAB the following month.

Dr. Waters said the Nuclear Waste and Environmental Advisory Board would be having Mr. Borasky as a guest at their next meeting.

Jose Telles, Vice Chairman of the Veteran's Memorial Advisory Board, stated they were working on a presentation for the Town Board concerning the columbarium as well as the difference in cemetery types with cost figures and projects. He added that Carl Jones had done a great job getting information on the columbarium.

Lastly, Mr. Telles thanked Dr. Waters and Mr. Borasky for their involvement in the placing of the sign dedicating Hwy 160 to veterans.

Robert Adams, Public Lands Advisory Board Chairman, said the BLM was seeking public comment concerning the sand dunes and that the PLAB was accessing it to some extent even though it was not within the Town of Pahrump.

#### **8. Discussion on Town of Pahrump Economic Development Report.**

Mr. Kohbarger stated the list of businesses was growing and very positive.

Dr. Waters asked if there was anything new from Contour Entertainment to which Mr. Kohbarger responded they would be having a web meeting the following Friday after which the Town Board would be given access to Contour's submitted report.

#### **8.5 Discussion and Possible Decision to Approve Resolution #2011-10, a Resolution to Establish a Blue Ribbon Committee on Rural Transit Transportation and All Matters Properly Related Thereto.** *(was item 17)*

Mrs. Endersby said the purpose of developing a Blue Ribbon Committee vs. an advisory board was that under an advisory board structure only Pahrump residents would be able to participate whereas a Blue Ribbon Committee could also consist of experts from outlying areas. She proceeded to give history on the item.

Mrs. Endersby motioned to approve with an amendment with the removal of the phrase "consisting of Town Board members and the Town Manager."

**Dr. Waters seconded.**

Mrs. Parker said this had been in the works for quite some time and the reason it had not happened in the past was because it was not economically viable. She added she felt the last thing the Town needed was to be involved in a bus service as there was no money to invest. She stated she also had a problem with the fact the Resolution said a secretary would be supplied by the Town.

Mr. Kulkin agreed many had tried in the past to run a bus service however as a rural community which is rather spread out the maintenance for such a system would be costly. He said he appreciated the intent however he could not see it happening.

Dr. Waters stated transportation was needed in Pahrump referencing the Wright brothers who persevered when others said flight could not happen. He said if they gave up on the idea it would never happen.

Mrs. Endersby said there were funding options and means to seek grants in order to get some sort of transportation, even if only a small shuttle service. The committee would entertain various options and look at all resources in the community, out of state, and on the national level. Without

transportation our community fell far below others throughout Nevada many of which had a smaller population. She added that to say Pahrump would never have public transportation was short sighted and did not meet the needs of the community.

Public comment was heard with four (4) speaking for the motion, one (1) speaking against it, and one (1) speaking neither for nor against.

Mrs. Parker stated a bus service did not stand as something which should be done by the Town Board adding Pahrump would need a lot of buses.

Mr. Kulkin said when making the choice to move to a rural community, this is something a person chooses to give up. He proposed inviting a company from Las Vegas to address why they did not want to serve Pahrump.

Mrs. Endersby said transportation was a necessity if the community was going to grow and this need should be recognized. She added that if the Town Board was short sighted and could not recognize their part in helping address such a major issue they had failed their citizens.

Dr. Waters stated several people had spoken to him about the need for busses and this agenda item would only be to establish a committee to look into transportation, not to spend any money or go ahead and bring services to Pahrump. The committee would simply look into the options.

Mr. Darby said he had been bothered for quite a while that nothing the Board did was simple as it seemed they did everything but make things simple. Stating he believed in keeping things simple, he said it was Pahrump, not Washington DC.

**Motion died, 2-3, with Mr. Darby, Mrs. Parker, and Mr. Kulkin voting nay.**

Mrs. Parker requested, along with Dr. Waters, that items 12-15 be heard before items 9 and 10.

**9. Discussion and Possible Decision on Creating the 2011-2012 Town Board Goals and Performance Objectives.**

**Mrs. Endersby motioned to table the item until the next meeting.**

**Mr. Kulkin seconded.**

**Motion carried, 4-1, with Mrs. Parker voted nay.**

**10. Discussion and Possible Decision to Create a Town Manager Evaluation Form and process.**

**Mrs. Endersby motioned to table the item for two meetings so Pool & Pact could bring forward comparables.**

**Mr. Kulkin seconded.**

**Motion carried, 5-0.**

**11. Discussion and Possible Decision to Change the words "Representative Democracy" to "Constitutional Republic" in the paragraph on the cover page of Town Board Agendas.**

**Mr. Kulkin motioned to approve.**

**Dr. Waters seconded.**

Mrs. Parker stated since some citizens found the words “representative democracy” offensive, there should be a change.

Mrs. Endersby said she was against changing the wording.

Dr. Waters asked Mr. Phil Hider to make a presentation.

Mr. Darby said in reviewing the opening page of the agenda it looked as though quite a bit of the statement could be eliminated.

Mr. Hider stated that as a naturalized citizen who had to earn and fight for his citizenship, it took him quite some time to study in order to accomplish these things therefore he appreciated them. As a person who swore allegiance to the Constitution he intended to uphold it to the best of his ability, stating that words were critical.

After referencing the Constitution under Article 4, Item 4, he stated he had to fight in order to be an American citizen and to change the wording of our government form to “representative democracy” or getting rid of the entire paragraph was unconstitutional and sacrilegious.

Public comment was heard with five (5) speaking for the motion and three (3) speaking against.

Mr. Hider requested to give his presentation in full which the Chairman denied as the presentation was considered to have ended prior to public comment.

Public comment continued, beginning with Mr. Hider.

Mr. Kulkin asked legal counsel if the paragraph could be removed. Brett Meich, legal counsel, replied that it could not be removed at that point in time however an amendment could be made.

Mrs. Endersby said she would like to read that Thomas Jefferson referred to the nation as a representative democracy on a number of occasions. She added that she understood Mr. Hider.

Dr. Waters put emphasis on the words contained in the Pledge of Allegiance which said, “and to the Republic for which it stands.”

**Motion carried, 3-1-1, with Mrs. Endersby voting nay and Mr. Darby abstaining from voting.**

**12. Discussion and possible decision to Approve Funding for the PTCC to purchase travel show equipment not to exceed \$1,500 payable from the Town Tourism Room Tax Fund.**

Kelli Buffi, Chairperson of the PTCC, introduced herself.

**Mr. Kulkin motioned to approve.**

**Mrs. Parker seconded.**

No members of the public chose to comment.

**Motion carried, 5-0.**

**13. Discussion and possible decision to Approve Funding for participation in the Quartzite RV Travel Show in the amount not to exceed \$6,500 payable from the Town Tourism Room Tax Fund.**

Kelly Buffi re-introduced herself, speaking of the chart provided in the backup as well as the importance of Pahrump's representation at Quartzite.

Mrs. Parker said thousands of pages of information had been given out at Quartzside the year before and there had been an incredibly massive amount of people in attendance.

**Dr. Waters motioned to approve.**

**Mrs. Parker seconded.**

No members of the public chose to come forward for comment.

**Motion carried, 5-0.**

**14. Discussion and possible decision to Approve a Grant Application for trade show expenses from Preferred RV Resort for Quartzsite RV Show in an amount not to exceed \$5,000 payable from the Town Tourism Room Tax Fund.**

Jeremy of Preferred RV introduced Jeffery of Golden Gaming.

Jeffery stated Quartzside was a massive tourism event and found it a viable place to promote Pahrump with a group of businesses involved in tourism coming together for a strong presence.

Mrs. Parker said she had a problem with the idea of awarding these grants due to the fact they were all private for profit businesses and it would set precedence she did not feel comfortable setting. This could result in multiple requests for grants to go to an event which the Town would not have the means to facilitate. She suggested more booths be purchased by the Town for use by public businesses.

Mr. Kulkin stated he had a problem with funding private entities however he felt perhaps Mrs. Parker had a good idea to purchase more booths for the town as it would provide availability for anyone want to promote Pahrump to do so. He said supporting an individual business was problematic and he did not support it, however this suggestion was a fair compromise which could be used by anyone.

Mrs. Endersby said she had been to Quartzite seven years in a row and worked with the Chamber to accomplish something such as this. She said she completely supported the presented idea as a big footprint is needed to ensure we didn't get lost in the crowd.

Dr. Waters said he too had a problem with setting such a precedent of funding private enterprises and wouldn't have a problem with the compromise.

Jeffery stated there was a group of business people finally willing to go to Quartzite for the first time and the opportunity should not be subject to discrimination just because it hadn't been done in the past.

Mr. Kulkin said he was comfortable with four booths in a row being purchased for the Town of Pahrump in general.

Mr. Kohbarger suggested the Board deny the three grants in question and bring back an item to purchase a number of booths for general use.

Jeffery asked if the Town would be paying for the booths to be manned and labored.

Mr. Darby asked for clarification that if the Town purchased booths he was asking the Town to also man the booth in order to promote the Nugget.

**Mr. Kulkin motioned to table the item and bring back a new item for the Town to purchase four general booths.**

**Mrs. Parker seconded the motion.**

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

15. Discussion and possible decision to Approve a Grant Application for trade show expenses from Pahrump Nugget Hotel and Casino for Quartzsite RV Show in an amount not to exceed \$5,000 payable from the Town Tourism Room Tax Fund.  
*(heard with items 14 & 16)*
16. Discussion and possible decision to Approve a Grant Application for trade show expenses from Mountain Falls Golf Club for Quartzsite RV Show in an amount not to exceed \$5,000 payable from the Town Tourism Room Tax Fund.  
*(heard with items 14 & 15)*
17. Discussion and Possible Decision to Approve Resolution #2011-10, a Resolution to Establish a Blue Ribbon Committee on Rural Transit Transportation and All Matters Properly Related Thereto.  
*(heard as item 8.5)*
18. Discussion and Possible Decision to Approve the Re-Appointments of: Robert Behrman, Steven Pastorelli, Broc "Arthur" Rodriguez, Scot Tibbits, and Robert Tibbits to the Arena Advisory Board; Jeff Bobeck and Janice Painter to the Incorporation Advisory Board; Cheryl Beeman, Dale Griffith, John Pawlak, and George Sausman to the Nuclear Waste and Environmental Advisory Board; Dan Kelly and Nick Moore to the Parks and Recreation Advisory Board; Robert Adams, Dorothy Smithers, and Claire Toomey to the Public Lands Advisory Board; Kelly Buffi, Alice Eychaner, and Karen Spalding to the Tourism and Convention Council and Reginald Knight to the Pahrump Veterans Memorial Advisory Board.

**Mrs. Parker motioned to approve.**

**Dr. Waters seconded.**

Mr. Kulkin said he didn't like the fact the advisory boards weren't recommending this as the Town Board couldn't tell if those boards even wanted those up for reappointment to remain on their boards.

Mr. Darby said it was his understanding this had not happened in a number of years as it was supposed to therefore it was almost as if it were a new occurrence. He added a policy change could be made so that re-appointments must come with recommendations from the select advisory boards.

Dr. Waters stated these were volunteers would were choosing to continue their volunteerism therefore it should be approved.

**Motion carried, 5-0.**

19. Discussion and Possible Decision to Approve Term Expirations of Heather Gang of the Nuclear Waste and Environmental Advisory Board, George Gingell of the Public Lands Advisory Board, Pat Kerby of the Incorporation Advisory Board, Lloyd Peugh of the Arena Advisory Board, and Maryanna Smith of the Tourism and Convention Council.

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

Mr. Kulkin asked for public clarification that each of the members had been notified of their need to submit for reappointment prior to the deadline to which staff responded yes.

**Motion carried, 5-0.**

**20. Discussion and Possible Decision to Allow the PVFRS to participate in the “9/11 Remembrance” in the City of Las Vegas by placing the Town’s Ladder Truck on display at the Fremont Street Experience on September 09th.**

Fire Chief Scott Lewis stated the event was not only held in Las Vegas but throughout the country and knowing the truck in question had served in both attacks on the World Trade Center it was requested PVFRS participate in a number of events throughout the weekend including the Remembrance held at the Pahrump Fire Station on Sunday, September 11<sup>th</sup>. He added he felt it was prudent to get the Board’s opinion.

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

Mr. Kulkin asked if paid staff would be manning the event to which the Chief responded it would be manned by volunteers or he would man it himself at no extra pay.

No members of the public chose to comment.

**Motion carried, 5-0.**

**21. Discussion and Possible Decision to Approval to Transfer Ambulance Fund Delinquent Accounts for May through June, 2011 for Further Collection and Related Accounting Adjustments.**

Mrs. Parker stated this was merely a standard accounting transfer.

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

Mr. Kulkin said he didn’t believe people who couldn’t afford to pay their ambulance bills should be forced to pay the full amount and turned over to collections.

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

**22. Discussion and Possible Decision Consent Agenda items:**

- d. Action – Approval of Town Vouchers.*
- e. Action – Approval of Town Board Minutes for August 09, 2011.*
- f. Action – Approval of Mr. Bill Dolan attending the Nevada League of Cities as a Representative of the Pahrump Veterans Memorial Advisory Board.*
- g. Action – Approval of the Community Center Task Force changing their By-laws from the Town Board established By-laws to Advisory Board By-laws.*
- h. Action – Approval of the Bob Ruud Community Taskforce removing Mrs. Parker and Mr. Kulkin, Town Board members from the Taskforce.*

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

**Motion carried, 5-0.**

**23. Future Meetings/Workshops: Date, Time and Location**

*a. Town Board Retreat: October 4, 2011 Noon to 8:00 p.m. Mesquite, NV.*

**24. Staff's Comments**

*(moved to item 6.5)*

**25. Town Board Member's Comments**

Mr. Kohbarger stated the Town Manager's Report would be listed under staff's comments and asked if there were any questions.

Dr. Waters asked for clarification on item 3b to which Mr. Kohbarger responded the Town had stopped the acquisition of a forty (40) acre site located at Kellogg and Homestead because Growponics was no longer in an agreement with the Town.

**26. Discussion and Possible Decision regarding a Closed Session, to receive information advice from the Town Attorney regarding potential or existing litigation pursuant to NRS 241.015(2)(b)(2).**

**Mrs. Parker motioned to go into closed session.**

**Mr. Kulkin seconded.**

**Motion carried, 5-0.**

**27. Closed Session.**

*(closed session)*

**28. Discussion and Possible Decision on potential or existing litigation presented in the closed session regarding issues addresses in closed session.**

**Mr. Kulkin motioned to direct staff and legal under a separate retainer to move forward with a clerestory relief action.**

**Mrs. Parker seconded.**

**Motion carried, 5-0.**

**29. Adjournment**

Mr. Darby adjourned the meeting at 12:14am.