

**PAHRUMP TOWN BOARD MEETING  
NYE COUNTY ADMINISTRATIVE COMPLEX  
2100 E WALT WILLIAMS DRIVE  
TUESDAY – 7:00 P.M.  
January 10, 2012  
MINUTES**

PRESENT:

Town Board:

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

Staff:

Bill Kohbarger, Town Manager  
Seaton Curran, 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 on Electing a Chair, Vice-Chair and Town Clerk for the 2012 Pahrump Town Board Pursuant to the Town Board Policy.

Mr. Darby said it had been requested for offices to be voted on once at a time.

**Carolene Endersby nominated Mr. Darby as Chairman.**

Harley Kulkin requested procedure clarification.

Dr. Waters said he believed the Town Board worked well together and that each position should have two years of service. His recommendation was to re-appoint existing positions to their current title.

**Dr. Waters seconded the nomination of Mr. Darby as Chairman.**

Mr. Kulkin stated he felt each board member who wished to have the experience of an office should have the opportunity and that this opportunity should be available each year in order for all to receive the most experiences as possible whilst on the Board.

He said Mr. Darby had not fulfilled all requirements as Chairperson including attending County Commissioner Meetings and, although he respected that Mr. Darby had a career, the Board had made a point on many issues to enforce and follow rules and regulations. He said Mr. Darby had done a good job as Chairperson in general however he felt other Board members should have the opportunity of serving as Chairperson.

**Mr. Kulkin nominated Mrs. Parker as Chairperson and Dr. Waters as Vice Chairperson.**

Mrs. Parker commented that in the ten (10) years she had been attending Pahrump Town Board meetings it had been normal policy to rotate offices therefore she concurred with Mr. Kulkin.

**Mrs. Parker accepted the nomination of Chairperson.**

**Motion carried for Mr. Darby to remain as Chairperson at a 3-2 vote with Mr. Kulkin and Mrs. Parker voting nay.**

**Dr. Waters nominated Mrs. Parker as Vice Chair.  
Mr. Kulkin seconded.**

**Motion carried, for Mrs. Parker to remain Vice Chairperson at a 3-2 vote with Mrs. Parker and Mrs. Endersby voting nay.**

**Mrs. Parker nominated Mr. Kulkin as Clerk.  
Mr. Darby seconded.**

**Motion carried for Mr. Kulkin to become Clerk, 5-0.**

**3. Discussion and Possible Decision regarding Moving the Order of or Deleting an Agenda Item(s).**

Mr. Kulkin requested Town Board member comments be moved directly following public comments, making number 14 to 5.5.

There were no objects therefore number 14 was moved to 5.5.

**4. Announcements**

Announcements were read by Mr. Kulkin.

Mrs. Endersby reminded citizens of the Community Assessment meeting on January 17<sup>th</sup>, 6pm, at the Nugget.

Dr. Waters stated the advisory board workshop the previous night had at least one volunteer from each board and added more volunteers for advisory boards were needed.

Andy Alberti announced a lawsuit had been served to members of the Town Board, the Town Manager, and Armstrong Teasdale for negligence. He said he was not at liberty to further discuss as he was only announcing adding that any questions should be directed toward the involved parties.

Phil Huff announced the museum would initiate its sixth 6<sup>th</sup> year of lecture series the following Saturday. He said lectures would take place each 2<sup>nd</sup> Saturday for a period of six (6) months at 1:00pm. He added the first lecture would be by Commissioner Gary Hollis concerning Yucca Mountain.

**5. Public Comment**

Public comment was heard.

## 5.5 Town Board Member's Comment.

Dr. Waters commented that in talking to local business owners who had job openings, the education level in Town was not up to par to provide qualified applicants. He used Denny's as an example.

Mrs. Endersby said she knew people had their personal view points concerning the community but often times it was not always inclusive of what was going on outside of their direct view. She said from the national governments to local, they were working together on economic development.

Mr. Kulkin wished all a happy new year filled with prosperity and good health. He said there was an epidemic in town of people stealing air conditioners during the day as to be less suspicious. He asked citizens to pay attention to what was happening in their neighbors' yards.

Mr. Kulkin also said perhaps staff could find if the prisoners at CCA could help clean up the trash problem which was getting worse on Highway 160. He also felt it was part of his duty to help bring job opportunities to Pahrump and felt the Fair Grounds was a great avenue to bring something great to the community. He said that although Contour Entertainment was comprised of knowledgeable people, he was not happy with the proposal as it did not produce a "wow" factor or anything which truly stood out therefore he did not feel comfortable moving forward with them.

Mr. Darby wished all a Happy 2012 and said he was looking forward to working with everyone to move forward.

Dr. Waters commented that in talking to businesses, owners were looking for qualified applicants however the local education level did not meet with many requirements.

Mrs. Endersby said although many people had their personal view point concerning the community however these views were not always inclusive of all factors including national and local efforts on items including economic development.

Mr. Kulkin wished all a happy new year filled with prosperity and good health. He said there had been an epidemic of individuals stealing local air conditioners in broad daylight in order to appear less suspicious. He asked citizens to start paying attention to what was going on in their neighborhood in order to try to start preventing future thefts.

He asked staff if perhaps the CCA prisoners may be able to aid in trash clean up on HWY 160.

Mr. Kulkin also said he felt it was part of his duty to help bring job opportunities to Pahrump. He stated citizens regularly asked him how the theme park project was going and let them know while Contour Entertainment was comprised of very knowledgeable and creative individuals, their proposal did not stand out with a "wow factor" therefore he did not feel comfortable moving forward with them.

Mr. Darby said he was looking forward to working with everything and moving forward in 2012.

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

Dr. Waters stated they had heard great information from advisory boards the previous night and was looking forward to reports at a future Town Board meeting.

Mr. Darby stated Mr. Kohbarger had done a wonderful job the previous night at the advisory board workshop and said hopefully all in attendance would take the information they learned and exchanged back to their advisory boards.

Bob Adams, PLAB Chairperson, spoke of a BLM cleanup.

7. Discussion on Town of Pahrump Economic Development Report.

Mr. Kohbarger said he was able to answer any questions as Mr. Balloqui was out sick. He commented the Town Board gave very eloquent responses to citizens concerning economic development and stated there was not adequate infrastructure for many businesses. He said staff had been working diligently to bring additional businesses to Pahrump with regular ribbon cuttings for smaller businesses, however larger companies required larger vacant buildings and there was not a sufficient supply in Pahrump.

Mrs. Endersby said she had attended economic development workshops and during these it had been suggested that should it not work in your community, make it work in your state. She also asked for further information on the economic development report such as whether or not terminated businesses located to another part of Nevada as well as seeing how many new and closed businesses there were each period.

Dr. Waters agreed with Mrs. Endersby concerning the report.

8. Discussion and Possible Decision to accept into the record the Town Manager's Performance Evaluation from January 01, 2011 to December 31, 2011 Pursuant to the Town Manager's Contract Section 12 "Performance Evaluation" and Town Board Policy Section 11 "Town Manager Evaluation".

Mr. Darby stated the evaluations had been completed, taken to Human Resources, and discussed between himself and Mr. Kohbarger who requested the results be brought to a Town Board meeting.

Mr. Kulkin said he did not feel one Town Board member fairly evaluated the Town Manager with consistently low results.

Mrs. Endersby stated she felt this was probably the most important duty the Board was charged with and it was their responsibility to ensure the great citizens of Pahrump had a local government they deserved which would openly listen to and reflect them.

Dr. Waters stated the comments he had to make would normally be brought up in a retreat however they had yet to have one. He said with his experience with the evaluation process, dating back thirty-one (31) years, he learned the process of a fair evaluation and proceeded to detail this. He said evaluations should be based on patterns, not instances and each rating of one (1) as well as five (5) should have a comment. As the evaluation was for the year of 2011, comments concerning incidents of previous years should not have been mentioned.

Mr. Kulkin stated his evaluation was based on experiences and personal observations and felt he could not use his position to reflect revenge as some individuals may. He said if Mr. Kohbarger was not doing something right perhaps the Town Board needed to realize they weren't doing something right as they collectively were his boss. He said he had given Mr. Kohbarger a five (5) on handling stress as he was able to contain composure when attacked directly or even indirectly through rumors. He also said he felt it was important to speak with staff regularly to be able to give a proper evaluation.

**Mr. Kulkin motioned to accept all evaluations into the record with the exception of Mr. Darby's.  
Motion died due to lack of a second.**

Mrs. Parker said she felt Mr. Kohbarger had not been judged fairly and while she may not agree with some ratings, all Board members had the right to their own opinions and she therefore could not support excluding Mr. Darby's evaluation.

**Mrs. Parker motioned to accept the full evaluation.  
Dr. Waters seconded.**

Mr. Kohbarger stated that throughout the evaluation, Mr. Darby had said he responded well under pressure, which was actually about 85% of the Town Manager position, and appreciated he noticed this despite the low rating.

Mr. Kohbarger stated he felt he needed to work on follow up, follow through, and communications. He said he was taking Dr. Waters' advice in keeping a notepad on him at all times to help ensure follow up and follow through.

He stated Mrs. Endersby gave him one of the nicest compliments concerning his encouragement of staff. As he tried to speak with Town Board members multiple times weekly, Mr. Kohbarger said he was a little disappointed with the evaluations however he did expect this result with the exception of Mr. Darby's.

He said he liked a lot of the positive comments and took many of the negative comments to heart noting he had an issue with the comment of distrust with staff. He said he believed this first became an issue when the Town Board took months to approve a new contract resulting in staff contacting Mr. Sullivan rather than the Town Manager due to uncertainty on whether or not his contract would be renewed. This issue then turned after a staff member filed an unfounded complaint which took about nine (9) weeks from file to end.

Mr. Darby asked legal counsel if he could skip public comment and call for the vote while still being in compliance with open meeting law.

Seaton Curran, legal counsel, stated it was at the discretion of the Chair however he recommended public comment be allowed as it had been allowed on each other item. He said in order to comply with open meeting law there needed to be an agendaized public comment both at the start and finish of the meeting.

Mr. Kulkin and Mrs. Parker asked public comment focus on the motion and agenda item rather than making attacks on the Town Manager and/or Town Board.

Public comment was heard with one (1) speaking for the motion and eight (8) speaking neither for nor against it.

Mrs. Parker asked what the ramifications would be if the Board chose not to accept the report. Mr. Curran said failure to accept would result in a passing evaluation and raise in salary by default.

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

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

9. Discussion and Possible Decision to Select and Award RFP#2011-05 to purchase one Ambulance for PVFRS and Approval of Funding as Budgeted and Payable from the Ambulance Fund.

Fire Chief Scott Lewis introduced himself and Firefighter Scott Perry. He said they were recommending the RFP be awarded to Rocky Mountain Ambulance.

Mrs. Endersby thanked the team for working on the issue and knew they had done so to the best of their ability. She asked how the transfer from Florida would transpire. Chief Lewis stated Rocky Mountain Ambulance would transport the ambulance to Pahrump therefore any problems which may arise would be their responsibility to fix as the vehicle would still be under their name and care. Any issues would all be addressed and mileage reset prior to PVFRS receiving the ambulance.

Mrs. Parker commented that she liked fact the company would be driving the apparatus to Pahrump as previously they had spent further funds for staff to do this.

**Mrs. Parker motioned to select and award RFP #2011-05 to Rocky Mountain Wheeled Coach in an amount not to exceed \$134,500 and approval of funding as budgeted and payable from the ambulance fund.**

**Mr. Kulkin seconded.**

Mrs. Parker mentioned the ambulance fund was collected from businesses and insurance proceeds, not tax payers.

Public comment was heard with one (1) speaking for the motion, and two (2) speaking neither for nor against.

**Motion carried, 5-0.**

10. Discussion on where future Town Board meetings will be conducted: County Complex, Bob Ruud Community Center or other location.

Mr. Darby said he had asked Mr. Kohbarger for information concerning staff costs to set up the Ruud Center each Town Board meeting in comparison with the BOCC. After receiving a response, he found that along with being much less costly, the BOCC chambers provided the opportunity for televised and internet broadcasted meetings.

Mrs. Parker said she wished to hear from the public to see if their opinions had changed as citizens previously had spoken against transferring the meetings from the Ruud Center to the BOCC. Mr. Kulkin said he recalled when the Town Board had the item on the agenda and part of the reason he had personally not wanted to change venue was due to harsh feelings toward the County however with the communication availability at the BOCC it was a positive move for Pahrump.

Mrs. Endersby said with the technological services available along with the graciousness of the County to allow the Town Board to use the meeting facility she saw it was desired and important to the Board, Staff, and Pahrump. She said the Ruud Center did not allow for as much transparency of meetings especially when considering those citizens who were unable to attend.

Dr. Waters agreed with Mrs. Endersby and Mrs. Parker. He said all of the emails he had received concerning the matter expressed the desire for meetings to remain in the Commissioners Chambers.

He also added set up in the Community Center took an average of seven (7) hours of staff time whereas the BOCC took only 45 minutes.

Mr. Kohbarger said in a Department Head meeting Town staff expressed their concerns to stay considering technology as citizens seemed to be happy with the convince it offered.

Mr. Darby asked for clarification concerning if the item needed to be brought back as an action item in order to finalize the decision.

Mr. Kohbarger stated it was at the Board's discretion as they could chose to leave the item and simply continue in the current facility.

The Board chose to leave this item and continue meetings at the current facility.

**11. Discussion and Possible Decision Consent agenda items:**

- a. *Action – Approval of Town Vouchers.*
- b. *Action – Approval of Town Board Minutes for December 13, 2011.*
- c. *Action – Approval to Accept Ms. Cassandra Radwich's resignation from the Pahrump Public Lands Advisory Board.*
- d. *Action – Approval to Accept Mr. Frank Maurizio's resignation from the Pahrump Nuclear Waste & Environmental Advisory Board.*

**Mrs. Parker motioned to approve.**

**Mr. Kulkin seconded.**

**Motion carried, 5-0.**

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

- a. *Town Board Retreat – TBD*

Mr. Kohbarger said he was working on a date, location, and some farther information on the Town Board retreat.

Mrs. Parker said the PTCC would put together materials for Quartzsite the following week and would be emailing more information to those who would like to help once the date was confirmed.

**13. Staff's Comments**

There were no comments from staff.

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

*(item moved to 5.5)*

**15. Adjournment**

Mr. Darby adjourned the meeting at 9:44pm.