

**PAHRUMP TOWN BOARD MEETING  
NYE COUNTY ADMINISTRATIVE COMPLEX  
2100 E WALT WILLIAMS DRIVE  
TUESDAY – 7:00 P.M.  
January 24, 2012  
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  
Matt Luis, Buildings & Grounds Manager  
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 asked to delete consent agenda item 'B' as there were no minutes and move items 'A' and 'C' to 2.5.

Mr. Darby asked 'A' and 'C' be moved to 3.5 instead.

A consensus was reached among the Board members.

**3. Presentation of Certificates to the Pahrump Valley High School Cheerleading Squad USA Spirit Competition Champions for Varsity Pom Novice.**

Samantha Carns, Executive Assistant, presented framed certificates to the eight (8) varsity cheerleaders in attendance.

**3.5 Discussion and Possible Decision Consent agenda items:**

*a. Action – Approval of Town Vouchers.*

*b. Action – Approval of Town Board Minutes for January 10, 2012.*

*c. Action – Approval to Accept Mike Smith to the Pahrump Nuclear Waste & Environmental Advisory Board.*

**Mrs. Parker motioned to approve items ‘A’ and ‘C’.  
Harley Kulkin seconded.**

**Motion carried, 5-0.**

**4. Announcements**

Announcements were read by Mr. Kulkin.

Carolene Endersby announced Nye Communities Coalition would have an open house on Thursday, January 26<sup>th</sup> from 1-4pm at their new facility. She also announced the Nevada Department of Water Resources would hold an advanced water rights seminar at the Tuscany Casino in Las Vegas during the month of March.

Butch Harper announced, with the help of Rodney Camacho, the Mirror would begin a Nye County Child of the Week spotlight. Mr. Camacho said something as simple as an act of kindness from a child K-12 could result in this recognition and a certificate. For further information he asked Mr. Harper or himself be contacted.

Mr. Camacho also announced he had been invited to be Entertainment Director for a Findlay Cadillac event at Las Vegas Town Square on March 5<sup>th</sup>. He said he accepted the invitation and was excited to showcase various Pahrump entertainment groups.

**5. Public Comment**

Public comment was heard.

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

Mr. Kulkin announced the PLAB had been in Quartzside with the PTCC helping out.

Mrs. Endersby reported the IAB and YAB were working on their quarterly reports.

**7. Discussion on Town of Pahrump Economic Development Report.**

Mr. Kohbarger stated the Economic Development Report as well as the open and closed business general summaries were in the backup and would continue to be in each second monthly meeting.

Dr. Waters stated he was happy to see business general summaries in the Economic Development Report.

Mrs. Endersby thanked staff for providing this as well said she was glad to see there were new business possibilities on the full report.

8. Discussion and Possible Decision to Amend Pahrump Town Ordinance# 35 and Providing for Other Matters Properly Related Thereto.

Mr. Kohbarger said 345 revisions had been made on the ordinance and that it was now up to the Board for any additional changes which staff would be happy to make.

Mr. Darby stated he had an objection to the ordinance as workshops had been advertised primarily through the Chamber of Commerce, therefore non-Chamber members were generally excluded.

Mrs. Parker said she had attended many of the workshops and saw Mr. Kohbarger would take advice and requests to make changes to the proposed ordinance between each workshop which helped to show his fulfilled desire for community input in the process. She did say they needed a better system to notify businesses.

Mr. Kulkin said he did not feel they should vote immediately but rather submit changes. He stated the only exemption from the ordinance should be a government entity as it should be all have business licenses or none. He continued to address issues which he felt needed to be changed in the proposed ordinance.

Mrs. Endersby said creating an ordinance was one of the largest ordeals for staff to go through as it was so detailed. She asked if they were constitutionally able to do everything in the ordinance.

She said she felt the events section needed to be worked on and perhaps have an ordinance just for events.

Dr. Waters stated he felt the workshops, having also been published in the newspapers, were great. He said his goal was to make things easier for vendors and event coordinators.

Mrs. Parker said she agreed with Mrs. Endersby in working on the events section.

**Mrs. Parker motioned to pass the revised PTO 35 as in the backup with the exclusion of item 35.260 for staff to bring back as a separate ordinance.**

**Mrs. Endersby seconded.**

Mr. Darby expressed some of the issues he had with this ordinance and its process. He said he felt it was incredibly flawed.

Mr. Kulkin said he could not support the issues concerning prison as it was unnecessary.

Mrs. Endersby inquired as to the ordinance process.

Mr. Meich stated a new ordinance would need to be passed as an amendment if there were any changes after passing.

**Motion died, 1-4, with Dr. Waters, Mrs. Endersby, Mr. Darby, and Mr. Kulkin voting nay.**

Mr. Kohbarger stated one of the four members who voted the item down would need to put in the request for the item to go back on the agenda.

Mrs. Parker asked Town Board members submit their changes to staff as soon as possible.

**9. Discussion and Possible Decision to Approve Resolution #2012-01, A Resolution Adopting a Fee Structure Pursuant to Pahrump Town Ordinance No 35, as Amended.**

Mr. Kohbarger recommended the item be tabled until item 8 was brought back.

Mr. Kulkin requested there be discussion as they couldn't talk about this amongst one another outside of the meeting as his concern was business licensing prices should be based on number of employees, not type of ownership.

Mr. Kohbarger said he understood Mr. Kulkin's concerns.

**Mr. Darby said at the request of staff the item was being pulled.**

**10. Discussion and Possible Decision to Seek Applicants for the Position of Town Manager for the Period beginning July 01, 2012, Approval of a Job Description and Advertisement for the Town Manager position, Approval of Funds related to the Town Manager search in an amount not to exceed \$18,000 and Establish Procedures for the Town Manager Selection Committee and Appointment of Town Board Members to the Selection Committee and Other Matter Properly Related Thereto.**

Dr. Waters spoke of procedures from evaluation, adding it was a campaign promise he would have this item on the agenda.

He said he recommended Mrs. Parker and Mrs. Endersby as the selection committee due to their knowledge, attention to detail, and ability to set personal feelings aside. He proceeded to read the process.

Mrs. Parker showed objection to being on the committee as she and Mr. Darby would be ending their terms in 2012, therefore she felt the three remaining members who would be working most with the Town Manager should have the most say.

Mr. Kulkin stated that, along with having an issue with the proposed salary, he felt Mr. Kohbarger was the best Town Manager Pahrump had in alignment with one other former manager. He said he could not support this item for this reason and the unlikelihood of finding someone as capable for this job.

Mrs. Endersby said she appreciated both Dr. Waters' and Mr. Kulkin's views and that Pahrump was a great town with a wonderful atmosphere. As such, the town needed a great manager, not average. She said, for the betterment of the community, the Board needed to go forward with finding a new Town manager. She stated the process required by state for this was atrocious and she couldn't image Mr. Kohbarger having to listen to something so close to his livelihood and that of his family.

**Dr. Waters motioned to seek applicants for the position of Town Manager for a date beginning July 1, 2012.**

**Mrs. Endersby seconded.**

Mr. Kulkin asked those who were voting for this detail why they thought the Town Manager wasn't doing a good job.

Dr. Waters clarified that as the current contract ended June 30th, they could choose to do nothing and be pushing into the position they were in the past regarding the deadline for a contract.

Mr. Kulkin suggested asking Mr. Kohbarger if he was interested in continuing employment. He added it wasn't right someone could bid against his position.

Mrs. Parker said she believed there was duplicity going on and she was disappointed.

Mr. Darby said he planned to place an item on the agenda concerning negotiations for Mr. Kohbarger's contract.

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

**11. Discussion and Possible Decision Regarding the future of the Pahrump Boundary Line Advisory Board.**

Mr. Kohbarger stated that as the board was created on April 12, 2011 with a term of six months as specified in Article 3E, his recommendation was for the BLAB have a one month extension in order to submit a report at the second meeting of February.

Mr. Kulkin, as liaison, stated he would like to see the BLAB have one more meeting. He deferred to Donna Cox as BLAB representative.

Mrs. Cox, Vice Chair of BLAB, requested they have a six month extension as individuals were gradually bringing figures in from various sources on County, State, and Town levels. She said they had a slow start as they were unsure which direction to take and had seven members, one of which would be elected Chair at the next meeting after Mr. Garlough's resignation due to health reasons. She stated they were looking to see if changing the boundary line was foreseeable and should it be so, have the item on the November Ballot for the people to decide. She said she felt the best thing to come out of this would be to move the County seat to Pahrump.

Mrs. Parker said it was her understanding Mr. Garlough had originally requested the six month deadline however she had no problem extending the Board if they were planning to put the item on the ballot.

Mr. Kulkin agreed with the six month extension.

Mr. Kohbarger suggested a report be given at the following Town Board meeting on where the BLAB was.

Mrs. Cox said this could be done.

Dr. Waters said he would support the liaison's choice.

**Mrs. Parker motioned to extend the Boundary Line Advisory Board for a period of six months contingent upon a report at one of the next two Town Board meeting.**

Mr. Kulkin asked to amend the motion to state updated quarterly report rather than just 'report'.

**Mrs. Parker so amended.**

**Mr. Kulkin seconded.**

Mrs. Parker asked this be on the agenda as a presentation so they could have an oral report as well as written.

It was clarified this six month extension would be to June 26, 2012.

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

**12. Discussion and Possible Decision to Approve Acquiring Property Held in Trust by the Treasurer for the County of Nye for Economic Development or Recreational Purposes in an Amount Not to Exceed \$100,000.00 Pursuant to NRS 361.603.**

Mrs. Parker said it was her understanding after speaking with Mr. Sullivan these funds would come from the Room Tax Fund. She asked about the process of acquiring the property and if the Town Board would have the final approval.

Mr. Kohbarger stated, if approved, this would approve moving forward with purchasing the properties and to spend a total of around \$59,000 if all requested properties were acquired.

Mr. Darby made the public aware only three properties would be purchased with the Fair Grounds fund as they were in the vicinity of the fair grounds.

He added they were trying to acquire assets to further enhance the town with nine properties for economic development and property for a light industrial area. He also said the four properties from the Tourism fund would directly relate to Tourism such as kiosks.

Mrs. Endersby said she took exception to material staff had submitted to the Board last minute which had not been available to the public.

Mr. Kohbarger stated the information had been given to the Board on Monday with the only difference being the costs and funds which would be utilized.

Mr. Darby asked if the Town Board would accept the additional information.

They chose to accept 5-0.

**Mr. Kulkin motioned to approve.**

**Mrs. Parker seconded.**

Mr. Kohbarger commented they could speak about the individual properties, all of which were listed in the full backup, after the Town Board's approval so that it could be taken off the auction list. He offered to read the parcel numbers of all properties the Town was looking into.

The Board chose to vote without reading of parcel numbers.

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

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

- d. Action – Approval of Town Vouchers.*
- e. Action – Approval of Town Board Minutes for January 10, 2012.*
- f. Action – Approval to Accept Mike Smith to the Pahrump Nuclear Waste & Environmental Advisory Board.*  
(item heard as 3.5)

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

- a. Town Board Retreat – TBD*

Mr. Kohbarger announced the Town Board received an email today submitting possible dates for a retreat and bio of a gentleman who would like to do the retreat. He said he was looking to see if the Board liked the proposal and would like him to go forward with scheduling a date.

**15. Staff's Comments**

- a. Town Manager Report*

Mr. Kohbarger stated he had been attempting to make the report a little more detailed. He said he was trying to update goals and objectives on a daily basis to present at each second meeting of every month.

Mr. Kulkin asked for a projection of when the Ruud Center would open and if there was a plan for a grand re-opening celebration.

Matt Luis stated the Ruud Center should be opened by the first week of February.

Mrs. Endersby asked about the former projection which had work completed in December. Mr. Luis explained there had been unexpected hang-ups such as permitting. He said not all upgrades would be completed prior to opening, but completed during the week.

Mr. Kohbarger took his comment time to address public comments which had said he wrote his job description. He said he did not do this as in speaking with the Town Board at the time, they created and approved this description by combining duties.

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

Mrs. Parker stated she would head to Quartzside the following morning.

Mr. Kulkin said he believed the Town Board was a great team doing great things. He thanked all in attendance.

Mrs. Endersby stated she sat on various committees and subcommittees through Nye Communities Coalition and people were getting together to work on issues in this community which was probably more productive than asking government to take care of all these things. She suggested individuals with concerns about the community start working with a group involved with it.

She also thanked the community for being part of and supporting the process of the community assessment adding new work would now begin regarding infrastructure.

Dr. Waters said he had a few comments however most were previously mentioned by other Board members and Staff. He did say he was working with a County Commissioner concerning the fireworks ordinance.

Mr. Darby said there had been a lot of talk about Pahrump's image including how the highways looked. He stated Adopt A Highway was a two year contract and a small commitment which NDOT supplied bags and vests for. He challenged his fellow Board members to adopt a section of highway and look at the possibility of agenizing a day for cleanup.

Mr. Darby also said the Board was supposed to be unified and live by a decision once they made one. He brought up that, in a recent newspaper photo, two Board members were sitting on a transportation committee even though the Board had jointly voted not to pursue the issue. This showed they did not have continuity with the Board for Board members to go forward with another entity to pursue it.

Mr. Kohbarger specified that as a member of the Town Board, they would always be looked at as present or past Town Board members. This article specifically mentioned the Board member was chosen as a Town Board member. He suggested if members wished so serve on such committees, they request formally in an agendized item to do so.

Mrs. Endersby stated as she was the member in question the committee was no different than any other group of citizens looking at issues with no organized process therefore she took exception to an desire to sanction her. She said this could have been discussed in a private meeting and she was rather blindsided.

Mr. Kohbarger stated Mr. Darby could not have contacted her directly as there was an additional Board member involved which would have created a contention of quorum. He said Mr. Darby was just trying to make a point of the Board following their agreed upon decisions.

Mr. Darby added he was not chastising anyone as he did not make mention of a name.

Dr. Waters said he and Mrs. Endersby were both part of the meeting and members of the community outreach committee. He said they should have been more cautious of their meetings and that the group would not meet in official buildings anymore as he felt this was the main issue.

Mr. Darby state that when each Board member took their Oath of Office, they gave up their private citizenship to be considered a Town Board member and former Town Board member for the rest of their lives in Pahrump.

Mr. Kulkin asked staff what the solution would be to this issue.  
Mr. Kohbarger said it was up to Mrs. Endersby and Dr. Waters.

Mr. Darby made a final comment for the night concerning public comment, stating he had wanted to experiment with the format after listening to several City Councilmen on how they ran their meetings. He felt this could save time.

**17. Public Comment**

Public comment was heard.

**18. Adjournment**

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