

**PAHRUMP TOWN BOARD MEETING
NYE COUNTY ADMINISTRATIVE COMPLEX
2100 E WALT WILLIAMS DRIVE
TUESDAY – 7:00 P.M.
March 13, 2012
MINUTES**

PRESENT:

Town Board:

Vicky Parker
Harley Kulkin
Dr. Tom Waters
Carolene Endersby

Staff:

Bill Kohbarger, Town Manager
Michael Sullivan, Finance Director
Jennifer Gores, Attorney
Scott Lewis, Fire Chief
Samantha Carns, Executive Assistant

ABSENT:

Town Board:

Mike Darby

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

Vicky Parker called the meeting to order.

Tom Waters led in the Moment of Silence and Pledge of Allegiance.

Mr. Kohbarger announced Mike Darby was ill and therefore was not in attendance.

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

Dr. Waters asked to move item 9 to item 5.1.

There were no objections.

3. Announcements

Dr. Waters read the announcements.

Harley Kulkin announced an Open Meeting Law workshop in the County Commissioners Chambers on March 14th.

John Pawlak stated the Nuclear Waste & Environmental Advisory Board be taking applications for the Pahrump Cleanup scheduled for May 12th.

Butch Harper announced there would be a "Cadillac through the Years" event at Town Square in Las Vegas on March 25th which would showcase some of Pahrump's talent.

Sherrill Wondra made the public aware of the VITA program at the Nye Communities Coalition Complex on Tuesday, Wednesday, and Thursdays from 9am - 3pm.

Judith Holmgren announced a memorial service for Bob Smith on Friday at 11am at Central Valley Baptist Church.

4. Public/Board/Staff Comment

Public comment was heard.

Dr. Waters asked citizens to contact Town Board members prior to a meeting to speak about issues. He also asked anyone who suspected an OML violation contact Mr. Kohbarger as he could give an honest answer.

Mr. Kulkin addressed issues and comments from citizens stated during public comment stating he wished to hear from citizens before the meeting to express concerns. He said accusations and threats were not appreciated by any party.

Mrs. Parker expressed her condolences to Mrs. Janet Smith on the loss of her husband.

Mr. Kohbarger stated the Town had a request from a high school sophomore, Melina Dury, to become an intern for administration. Ms. Dury introduced herself and said she had an interest in politics and was looking forward to interning with the Town administration.

Mr. Kohbarger also mentioned Mr. George Taylor, a Senior Attorney with the Attorney General's Office, had called concerning two complaints on the Town Board as Open Meeting Law Violations due to public comment. After sending Mr. Taylor a copy of the agenda, Mr. Taylor said he would forward on the fact the Town Board was not in violation of the Open Meeting Law to the individual's elected official who filed the complaint.

5. Discussion and Possible Decision Consent agenda items:

- a. *Action – Approval of Town Vouchers.*
- b. *Action – Approval of Town Board Minutes for February 28, 2012.*
- c. *Action – Approval of Pahrump Tourism and Convention Council Funding for the Nevada Commission on Tourism Rural Roundup Conference in an amount not to Exceed the \$7,000.00*
- d. *Action – Accept the Resignation of Mr. William Garlough from the Pahrump Boundary Line Advisory Board.*

Dr. Waters motioned to approve.

Mr. Kulkin seconded.

Motion carried, 4-0.

5.5 Discussion and Possible Decision to Approve non-financial Support for a Potential Bus Service within the Town of Pahrump and All Other Matters Properly Related Thereto.

(was item 9)

County Commissioner Butch Borasky spoke of the Community Assessment which the Town and County jointly supported. He stated that, among other things, public transportation was expressed as a very important item in the final report.

Dr. Waters asked if the plan would be just for within the Pahrump Valley.

Mr. Borasky confirmed it was just the Pahrump Valley.

Mr. Kulkin said he felt it never hurt to look into something.

Mrs. Parker complimented Mr. Borasky and Mr. Mack for doing so much work looking into the possibilities of public transportation. She said she was willing to support the item however eventually it would go to finances and the Town was not in a financial position to ~~de~~ support public transportation.

Mr. Borasky confirmed he was asking for was their non-financial support at this time.

Mr. Kulkin motioned to approve non-financial support for a potential bus service within the Town of Pahrump and all other matters properly related thereto with two Town Board members appointed to the committee by the Chairperson.

Dr. Waters seconded.

Motion carried, 4-0.

Mr. Borasky said he would keep Mr. Kohbarger informed as to their progress.

6. Review and Approval of Resolution 2012-02, a Resolution Accepting and Approving the 2010-2011 Town Audit and Supplemental Materials.

Daniel MacArthur gave a brief summary and explanation of the report and audit within the backup.

Mrs. Parker commended staff on cutting expenditures down 19%.

She asked if \$1,000,000 in bad debts from ambulance fund was out of line with other towns and cities Mr. MacArthur serviced.

Mr. MacArthur said it was in tune with the other municipalities.

Carolene Endersby expressed her appreciation for Mr. MacArthur as he sat down and went over the information answering any questions.

Mr. Kulkin also thanked Mr. MacArthur, Mr. Kohbarger, and Mr. Sullivan. He spoke of needed changes for the Fire Department as the loss was extreme.

Mr. Kulkin motioned to approve Resolution 2012-02 as in the backup and direct the Town Manager to file the audit and necessary paperwork in a timely manner.

Mrs. Endersby seconded.

Motion carried, 4-0.

Dr. Waters read Resolution 2012-02 aloud.

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

Mrs. Endersby announced the Youth Advisory Board would be meeting the following night, March 14th, at 6:00pm in the 'A' room of the Bob Ruud Community Center. She invited anyone wishing to speak with the youth to please attend.

Mr. Kulkin said the Public Lands Advisory Boards was still working on identifying and labeling trails as well as the shooting park.

Mrs. Parker encouraged citizens to apply for any advisory boards they may be interested in.

Dr. Waters commented rooms 'A' and 'B' could be accessed through the back of the building as the front door was normally closed and locked.

8. Discussion and Possible Decision to Accept Quarterly Advisory Board Reports.

a. Action – Nuclear Waste & Environmental

b. *Action – Arena*

**Mr. Kulkin motioned to accept.
Dr. Waters seconded.**

Motion carried, 4-0.

9. Discussion and Possible Decision to Approve non-financial Support for a Potential Bus Service within the Town of Pahrump and All Other Matters Properly Related Thereto.
(heard as item 5.5)

10. Discussion on Town of Pahrump Economic Development Report.

There were no questions on the Economic Development Report.

11. Discussion and Possible Decision to Accept the Recommendation of the Pahrump Incorporation Advisory Board to move forward with Incorporating the Town of Pahrump.

Laurayne Murray, Chair of the Incorporation Advisory Board, and Bobby Hartman, Vice Chair of the Incorporation Advisory Board, spoke concerning the item stating they were available to answer any questions.

Mr. Hartman stated the IAB recommended the Board use the budget projections from the 2010 report which the Town Board had commissioned for looking into incorporation.

Dr. Waters asked how the vote of incorporation would go before the people.

Mrs. Murray said the first step would be to finalize document and make the necessary contacts in order to get the item before the legislature. She said after this the charter would be voted on by the general public rather than whether or not specifically to incorporation.

Dr. Waters said that after looking at the information he felt the IAB had done a great job of making sure the Town didn't just "dump" the County. He said he had previously been leery of the report with many questions however all of those questions had been answered by the IAB's presented report. He said with many cities in Nevada incorporated, Pahrump seemed far behind the times with at least twelve incorporated Nevada cities having lower populations than Pahrump.

Mrs. Endersby expressed appreciation for the IAB's hard work. She said it seemed that now they needed to appoint a commission and allow the citizens to be the real moving force toward going forward with incorporation.

Mr. Kulkin said ideally the Town and County would have a good working relationship and that incorporation was something the Town needed to seriously look into. He asked if the Board should make a motion or direction that evening or at the following meeting.

Jennifer Gores, legal counsel, stated Mr. Meich would be working on a recommended action for the next meeting.

Mrs. Parker recommended the report be accepted along with the IAB's recommendation and progression of the process be held until the following meeting when Mr. Meich would be present.

Dr. Waters said he did not like the way the item was written as it would mean moving forward with the process for incorporation.

Mrs. Endersby suggested the item be tabled and an item be placed on the following agenda to dissolve the IAB, thanking them for their work.

Mrs. Murray clarified the IAB did not recommend incorporation but presented the information showing it was feasible. She said their recommendation was to move forward to the next step of the process.

**Mr. Kulkin motioned to accept the IAB's recommendation and direct staff to come back with an item on the next agenda as to how they should move forward.
Dr. Waters seconded.**

Motion carried, 4-0.

Mrs. Parker called for a ten minute recess.

- 12. Discussion and Possible Decision to Add Sub-Section 6.1.1 to Town Board Policy stating, "When a vacancy occurs within an Officer position of the Town Board, the Town Board at the next available Town Board meeting will select a member to fill that vacancy by vote of the Town Board. In the interim the next officer in line will automatically step up to assume the roles and duties of the vacant position."**

Dr. Waters read a statement concerning why he proposed the agenda item.

Mrs. Endersby asked staff to look into an NRS which established how vacancies and appointments were made. She said there was no problem addressing this in the Town Board policies as well.

Mr. Kulkin stated anyone voted into office should be capable of performing the details of all three positions within the Board.

Dr. Waters felt it would be a more fair policy than simply moving up to fill vacancies.

He also asked if they could motion the Town Board policy add the same statement as in the NRS.

Mr. Kulkin said as the NRS could state the proper process it was optional to add and perhaps should be tabled.

**Dr. Waters motioned to table until the following meeting.
Mr. Kulkin seconded.**

Motion carried, 4-0.

- 13. Discussion and Possible Decision to hold a Separate Special Town Board Meeting or Workshop to receive the Next Quarterly Advisory Board Reports.**

Mrs. Parker spoke on this item, stating this had been done in the past in the Bob Ruud Community Center so more advisory board members could be present.

Dr. Waters said he felt it was a great idea and needed.

Mrs. Endersby stated there was already a workshop on an annual basis where joint advisory board conversation took place and could take place rather than having an additional meeting. She said she also had a concern as to how the open meeting laws would apply for that special meeting. She said she did, however, like the idea.

Mr. Kulkin said he felt it was a great idea and perhaps the Town could even offer refreshments to advisory board members from the newly remodeled kitchen of the Bob Ruud Community Center.

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

Motion carried, 4-0.

14. Discussion and Possible Decision to place the Economic Development Report under the Town Manager's Report.

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

Motion carried, 4-0.

15. Discussion and Possible Decision to submit Bill Draft Requests (BDR's) on behalf of the Town of Pahrump to the Nevada League of Cities for the upcoming 2013 Legislative Session.

Mrs. Parker said action did not need to be taken this evening and that the Nevada League of Cities would be taking action in the future.

She said she wished to ask legislation change for the backup to be completely digital as the amount of paper, staff time, and misc charges on printing the backup took up thousands of dollars per year.

Mr. Kohbarger stated the Nevada League of Cities was able to submit five BDR's to the legislature which only met every other year. He said all submitted BDRs would be gone over by the NLOC and the top five would be chosen to go forward with to the Nevada Legislature. He clarified the Town Board would vote to move forward with one BDR to submit to the Nevada League of Cities for discussion and possible approval to move forward with.

Mrs. Parker suggested members take this item and give it consideration to bring back at a later agenda as she felt it should be as much of a collective idea as possible.

Mr. Kohbarger requested this be tabled for the next 30 days so the Town Board had enough time to think it over.

Dr. Waters motioned to table the item for until the first meeting in April.
Mr. Kulkin seconded.

Motion carried, 4-0.

16. Discussion and Possible Decision to Approve a Mutual Aid Agreement (MAA) Between Town of Pahrump, Pahrump Valley Fire-Rescue Services and Southern Inyo Fire Protection District and All Matters Properly Related Thereto.

Fire Chief Scott Lewis announced he and a Lieutenant had flown to Florida over the weekend to fully inspect the two ambulances which had been ordered months before. He spoke with the company and they confirmed they would be hauling the chassis until they reached Utah in order to avoid incurring additional wear on the vehicles before transferring them over to PVFRS.

Chief Lewis went on to state the current MAA had been agreed upon around two decades ago and it no longer reflected the language of the departments.

Mrs. Endersby touched on the need for disaster preparedness through MAA's.
Chief Lewis said there was a set plan for disaster preparedness and this item was more of a use of resources.
Mrs. Endersby stated it needed to be clear that the citizens of Pahrump took priority.

Mr. Kulkin asked if the Town had the right to refusal within the MAA.
Chief Lewis confirmed they Town did have a right to refusal to extend resources.
Mr. Kulkin said he was concerned with a possible litigation from private entities should PVFRS become involved in an instance while servicing Inyo County.
Chief Lewis clarified the majority of what the MAA would affect would be accidents on the state line which was much closer for PVFRS than the SIFPD.

Mrs. Parker said she was very much in favor of this agreement.

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

Motion carried, 4-0.

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

- a. *Town Board Retreat – March 29, 2012 @ 9:00 a.m. Mt. Crest Recreation Center, 4701 North Durango Las Vegas, NV*

Mr. Kohbarger announced the Town Board Retreat.

He also announced the annual budget workshops would take place on April 4th, 5th, and 6th either at the Town Annex or County Chambers.

He said Dr. Waters and Mrs. Endersby would be unable to attend this however due to the time requirements these dates were necessary and those two Town Board members could meet with staff prior to the meetings.

18. Public/Board/Staff Comment

Public comment was heard.

Mr. Kulkin spoke of when the Town Board considered a private ambulance company however it was not advantageous.

Mr. Kohbarger stated the position of Community Business and Development Services Manager would be evaluated upon the final budget projections in May and June to see if it was economically feasible as Mr. Balloqui had resigned from his position.

19. Adjournment

Mrs. Parker adjourned the meeting at 10:29pm.