

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

PRESENT:

Town Board:

Vicky Parker  
Harley Kulkin  
Dr. Tom Waters  
Mike Darby

Staff:

Scott Lewis, Fire Chief  
Matt Luis, Buildings & Grounds Manager  
Jennifer Gores, Attorney  
Samantha Carns, Executive Assistant

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.

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

Dr. Waters requested Item 9 be removed from the agenda per the request of the representative from the requesting organization

There were no objections.

3. Announcements

Announcements were read by Dr. Waters.

Sandy Jennings announced Nye Communities Coalition would still be hosting a free income tax service up until tax day.

Andy Alberti announced there would be a District 3 Commissioner candidate debate on April 16<sup>th</sup> starting at 9am in the Commissioner's Chambers.

4. Presentation by Mr. John Pawlak, Chairman of Nuclear Waste & Environmental Advisory Board Pertaining to Earth Day and the Town Clean-up.

John Pawlak, Chairman of the Nuclear Waste & Environmental Advisory Board, introduced himself and Cheryl Beeman, the Secretary for the NW&EAB.

Mr. Pawlak stated this would be the 9th year for the Earth Day event and spoke of the main purpose, and projected the events as well as sponsors and participants for the Earth Day celebration.

Dr. Waters asked as to the adoption of a burro from BLM.

Ms. Beeman clarified adopters could either pay to have adopted animals cared for or some individuals chose to take their adopted animal(s) home.

Mr. Kulkin and Mrs. Parker each thanked the NW&EAB for their service.

5. Public/Board/Staff Comment

Public comment was heard during which Samuel Jones and Andy Alberti each requested the documents they had read be accepted into the record.

The Board unanimously accepted the information.

Mrs. Parker read a Resolution from July 18, 1962 which had initiated the unincorporated Town of Pahrump. She said this meant the Town of Pahrump would have its 50th Birthday on July 18th of this year.

Dr. Waters asked citizens to send their questions to Town Board members. He addressed an email concerning CCA detainee's being released into the Town of Pahrump. He stated detainees could only be released by a federal court judge and there was none in Pahrump.

He asked Chief Lewis about the mention in this email about emergency medical services at the CCA detention center.

Chief Lewis stated there had been a medical emergency at the CCA facility which became an incident serious enough for the emergency helicopter services. He stated a guard accompanied the patient throughout the entire ordeal.

Mr. Kulkin addressed Mr. Jones' comments stating the reason he had received a certificate of appreciation for his service on the CCAB while the letter he had received concerning negative behavior reflected his actions at a Town Board meeting.

Chief Lewis stated two ambulances had been delivered to PVFRS and patients had already commented on the improved ride quality while in the ambulance.

6. Discussion and Possible Decision to Accept of a \$1,500 grant from the Southern Nevada Chapter of the International Code Council to provide toddler swimming lessons for the 2012 Pool season.

Valarie Loper and Brent Steed introduced themselves and gave brief information concerning their mission and work as well as statistics concerning water safety and drowning showing there has been a decrease in toddler drowning. She also spoke of key points to remember for drowning prevention.

**Mr. Darby motioned to accept.**

**Dr. Waters seconded.**

**Motion carried, 4-0.**

7. Discussion and Possible Decision Consent agenda items:

*a. Action – Approval of Town Vouchers.*

*b. Action – Approval of the Resignations of Mrs. Donna Cox and Mrs. Kim Clendenen from the Pahrump Boundary Line Advisory Board.*

*c. Action – Approval of Cancelling the Town Board meetings of November 27, 2012 and December 25, 2012 due to the Holiday Seasons and Approval of the Accounts Payable for the Aforementioned Dates.*

*d. Action – Approval of a Proclamation for the Benevolent and Protective Order of Elks Declaring the First Week of May as Youth Week to Honor America's Junior Citizens for their accomplishments and to give fitting recognition of their Community, State and Nation.*

**Dr. Waters motioned to accept.**

**Mr. Darby seconded.**

**Motion carried, 4-0.**

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

There were no advisory board reports.

9. Discussion and Possible Decision to Approve Waiving the Bob Ruud Community Center Fees for the Kiwanis Club of Pahrump Valley who are requesting to hold their Division Council Meeting at the BRCC on Saturday, May 12, 2012.

*(item removed)*

10. Discussion and Possible Decision to Approve Requesting a Joint Meeting between the Pahrump Town Board and Nye County Commissioners.

Dr. Waters stated he had contacted a Commissioner asking if they would be interested in holding a joint meeting as they had previously. He said the Commissioner was enthusiastic and the County Commissioners would have this on a future agenda.

Mr. Darby asked if this could be revised to set up an annual meeting.

Dr. Waters suggested they could propose setting an annual meeting on the joint meeting agenda.

**Mr. Darby motioned to approve.**

**Mr. Kulkin seconded.**

**Motion carried, 4-0.**

11. Discussion and Possible Decision to suggest a Bill Draft Request (BDR's) on behalf of the Town of Pahrump to the Nevada League of Cities for the upcoming 2013 Legislative Session.

- a. *All Agendas and Backup to only be distributed electronically. Eliminate the requirement to print voluminous pages of Backup for each meeting.*
- b. *Propose that a 1/2 % tax be put on gaming that goes to education. Gaming pays different taxes, so on what, or if on all, would be determined after an analyses is done to determine the goal amount and potential revenues are projected.*

Mrs. Parker spoke of the two items suggested.

She stated the education system was not controlled by municipalities therefore there was little control over the matter through the Nevada League of Cities.

She suggested a third option be available of a BDR be submitted to the League of Cities for incorporation of the Town of Pahrump.

Mr. Darby said he did not feel a policy for backup to be distributed electronically should be submitted as a BDR but more of leading by example as two Town Board members chose to receive the backup electronically while the other two chose to receive it in hard copy.

He also said he felt a 1/2% tax was a huge amount to put on gaming and municipalities did not have much authority over education.

He concluded by stating he could not support either.

Mr. Kulkin stated he would be in favor of tabling the item to bring it back at a later date.

He also said he had chosen the issue of education for a BDR as it was extremely important and a universal desire. He believed the gaming industry did not support the education system nearly as much as they should.

Mrs. Parker stated there would be plenty of time to discuss the matter therefore it could be brought back with more ideas in the future.

Dr. Waters said he supported item 'a' for the fact currently NRS required printed copies of the agendas and backups.  
Mrs. Parker agreed.

**Mr. Darby motioned to table.**  
**Dr. Waters seconded.**

**Motion carried, 4-0.**

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

**13. Public/Board/Staff Comment**

Public comment was heard.

Dr. Waters commented that he supported and defended the US Constitution stating the Constitution allowed everyone to have a vote. This was in response to the statement by several citizens that "We have already voted" on Incorporation when, in essence, 48% of the residents arriving in Pahrump since the 2000 vote have not had the opportunity to vote on this issue.

Mr. Darby said he did not like the arrangements of sitting higher than the public correcting misinformation.

Mr. Kulkin commented the Constitution did not guarantee the right to freedom of speech in every location and situation. He encouraged any individual who did not agree to try speaking freely in a court of law.

He also touched on the item of incorporation, stating every citizen had a right to have their say. He said he felt the Board was doing a good job representing the best interests of the public.

Mrs. Parker reiterated the fact that each Town Board members' phone number and email addresses were located on the front of each agenda.

She also stated the accounts payable was approved after two Town Board members each went through each bill and invoice and then, once they agreed, they each signed it. She said after the process it was then placed on the agenda for full board approval.

She also said if the November and December accounts payable were not approved beforehand the bills would then be late. She said they still would not be approved unless those two Board members each signed the bills after examining.

There were no comments from staff.

**14. Adjournment**

Mrs. Parker adjourned the meeting at 8:37pm.

***Attachments:***

- *Written information voted into the record from Mr. Jones.*
- *Written information accepted into the record from Mr. Alberti*

- My NAME is SAM JONES, AND Im A Pahrump RESIDENT.
- SEVERAL months ago, I RECEIVED A CERTIFIED LETTER FROM this TOWN BOARD informing me, they FEEL I AM disrupting the meeting AND if it happens AGAIN, they will HAVE me REMOVED FROM the meeting. This board FEELS that when I called "Point of Order" BECAUSE they were NOT ALLOWING ANYONE to COMMENT ON Agenda items, this was considered disruptive behavior.
- I tried to explain that under "Robert's Rules" AND the 1st Amendment, I had a RIGHT to SPEAK AND the ENTIRE board was in violation of the Open Meeting laws.
- It's APPARENT, this board is NOT happy with the way I SAY OR do things, AND WE ARE IN total disagreement ON MANY issues AND that is why I AM confused with the recent letter this board sent to me in the mail.
- Recently, I received in the mail, FROM this town Board, A Certificate of Appreciation FOR my participation in the Pahrump Community Center Advisory Board.
- I AM totally confused, because 1 moment, this board is threatening to BAN me FROM the meetings, AND then they ARE giving me AN Award FOR doing such A FINE job on the Advisory board.
- Since I AM NOT A WASTEFUL PERSON, I used that certificate of Appreciation in AN appropriate MANNER, AND I ~~hope~~ <sup>HOPE</sup> it won't clog up my septic tank.

What really supprises me is that the town Board did not cooperate in us trying to solve the issues concerning Mr Kolbarr's position on the ~~the~~ Executive Board of Pool Pac Insurance, his ~~the~~ refusal to the Open Record Act of Nevada. that to me shows how this Board is

Subject to the corruption in this matter  
Your blatant refusal to use transparency  
is a disgrace to the citizens & taxpayers  
of this community.

Town Board records won't be available online By CHRISTINA EICHELKRAUT

A service agreement to transfer historical town board meetings from audio cassette to digital format so they could be studied on the town board Web site was tabled unanimously by the board Tuesday, Nov. 14.

The town currently has 900 cassette recordings of previous meetings. The state only requires an audio record of meetings to be maintained for one year, and the written minutes of meetings to be retained for five years.

Town Manager Dave Richards had proposed that ITG Enterprises perform the two-step process of transferring audio files into digital format and then downloading the digital files to the Web site for a estimated cost of \$22,500.

In addition, Richards proposed an additional \$2,500 be allocated for additional cassettes that may be found in the future or other contingencies.

Board member Laurayne Murray motioned to deny the project, saying she saw "no reason to have audio records historically" and suggested donating the cassettes to the library or museum where they could still be used by the public but would not cost any additional money.

Ron Johnson conceded that "some of the issues are sufficiently important to keep (records) for more than one year" and asked what the standard time frame for keeping records was.

Richards gave the board an example, explaining when he had to find a tape of a meeting that took place in 1999 because the minutes were not clear, and argued for the convenience of having the records online.

Murray pointed out that "it didn't take \$25,000 to listen to the tape."

Murray's motion to deny the digital cataloguing was not seconded, but a motion to table the proposition was unanimously passed.

So now where are these tapes?

Andrew Alberti Jr