

PAHRUMP TOWN BOARD MEETING
BOB RUUD COMMUNITY CENTER
150 NORTH HIGHWAY 160
TUESDAY – 7:00 P.M.
MARCH 23, 2010

AGENDA

1. **Call to Order and Pledge of Allegiance.**
2. **Discussion and possible decision** regarding moving the order of, or deleting an agenda item(s). (Action)
3. **Announcements** (Non-Action)
4. **Advisory Board Reports**, from Advisory Board Chairpersons and/or Town Board Liaisons on the status of Advisory Boards. (Non-Action)
5. **Town Manager Report.** (Non-Action)
6. **Town Board Member's Comments.** (Non-Action)
7. **Presentation by Jack Wood** regarding 2010 Census. (Non-Action)
8. **Presentation by Harvey Caplan** from Pahrump Radio. (Non-Action)
9. **Discussion and possible decision** to approve Resolution 2010-04, a resolution designating Daniel C. McArthur Ltd., as the Town's external auditor for the fiscal year 2009-2010 and approving the proposed audit engagement letter. (Action)
10. **Discussion and possible decision** to approve final reading of PTO #39, An Amendment to Ordinance #39 of the Unincorporated town of Pahrump to revise and restate the management and maintenance of the Town's cemetery, and providing for other matters properly relating thereto. (Action)
11. **Discussion and possible decision** concerning request from Nuclear Waste and Environmental Advisory Board for funds for Earth Day, April 17, 2010; \$750.00 for advertising and \$100.00 for prizes. (Action)
12. **Discussion and possible decision** Consent agenda items: (Action)
 - a. Action – approval of Town vouchers.
 - b. Action – approval of Town Board meeting minutes of March 9, 2010.
 - c. Action – approval of \$750 to Pahrump Valley Chamber of Commerce (PVCC) for the Baker to Las Vegas run.

- d. Action – approval of \$1,250 to PVCC for Nevada Commission on Tourism grant match for advertising in the RV Journal.
- e. Action – approval of \$5,000 for Threadz 2010 event marketing.

13. **Future Meetings/Workshops: Date, Time and Location.** (Action)

14. **Public Comment.** Action may not be taken on matters considered during this period until specifically included on an agenda as an action item – NRS241.020 (2)(c)(3). (Non-Action)

15. **Discussion and decision** regarding closed session for the Town Attorney to advise the Town Board regarding pending litigation pursuant to NRS 241.015(2)(b)(2). (Action)

16. **Closed session.**

17. **Discussion and decision** regarding issues addressed in closed session. (Action)

18. **Adjournment.**

A quorum of Advisory Board members may be present at any Town Board meeting but they will not take any formal action.

Any member of the public who wishes to speak during public comment or on an agenda item, at the appropriate time, will be limited to three (03) minutes.

Any member of the public who is disabled and requires accommodations or assistance at this meeting is requested to notify the Pahrump Town Office in writing, or call 775-727-5107 prior to the meeting. Assisted listening devices are available at Town board meetings upon request.

This notice and agenda has been posted on or before 9:00 a.m. on the third working day before the meeting at the following locations: PAHRUMP TOWN OFFICE, COMMUNITY CENTER, TOWN ANNEX, COUNTY COMPLEX, FLOYD'S ACE HARDWARE, CHAMBER OF COMMERCE

Town Manager Report
03/23/10

1. Repeater for Tower – This item has been ordered and according to Mr. Luis, B&G Manager should be installed within the next week.
2. FY2011 Budget – Budget workshops have been set for April 7, 8, and 9, 2010 at 6:00 p.m. Town Annex. If you should have any questions pertaining to the current or upcoming budgets please get with Mr. Sullivan and/or me to discuss your questions.
 - a. To ensure that the current budget (FY2010) stays on track, I have instituted a limit on expenditures for each department of \$500.00. No expenditures can be made with prior approval of the Town Manager on items over \$500.00.
3. UICN/PUC – I attended the Consumer Session held on Thursday, March 11, 2010 from 6:00 p.m. to 8:00 p.m. I spoke on behalf of the Town Board as instructed and gave the following speech:

The Town of Pahrump is against the proposed Utilities, Inc. rate increase. The increase is not justified by the company's capital investment, disproportionate to the cost of providing water and sewer services, and would negatively impact the community at a time of great hardship.

Nye County has been ranked as the 6th most depressed county in the nation, the Town's unemployment rate stands at 14.6%, and the Nye County School District reports that kids attending the free or reduced breakfast and lunch is at 57% and climbing.

An increase of 78% (\$16.90 a month to \$30.08 a month based a 7,000 gallon usage formula) would cause more hardship to those families struggling in these unsure economic times.

The Town would like to add something positive to this comment. We thank Utilities, Inc. for its request to eliminate the "fixture count" charge on businesses. Revoking the fixture count method would help businesses that are struggling to stay open. The Town, however, cannot consent to the proposed overall increase in rates at a time where municipal governments, businesses, and families are reducing their budgets just to stay solvent.
4. Airport – The Town is currently in talks with the FAA about setting up the RFQ process for obtaining a consultant to execute the EIS. This RFQ process is set to start within the next 30-days.
5. Simkins Park Project – GC Wallace resubmitted three original sets of Simkins Park Improvements and Technical Drainage Memorandum to the Nye County - Planning Department this past Friday, 3/12/10. They do not expect to receive any

additional comments from either the Planning Department or the Public Works. We are getting very close to starting actual construction.

6. POOL/PACT – The Town Manager will be attending the Annual POOL/PACT Board meeting on April 26 & 27, 2010 in Sparks, NV.
7. Last Chance Park – In speaking with the BLM on Friday, February 26, 2010, I was informed that the Last Chance application is in their E-Planning stage. This stage is supposed to take no more than thirty days. The BLM and staff have a meeting set for Friday, March 26, 2010 at which time we will be updated on this project.
8. Department Head Reports attached:
 - a. Finance Director.
 - b. Human Resources.
 - c. Fire-Rescue Service.
 - d. Building & Grounds.
 - e. Community Development/Business License/Code Enforcement
9. Correspondence(s):
 - a. Laura Taylor – Realty Town (I participated in the Pahrump Valley High School's Reality Town, which teaches the 9th grade students how to handle a checkbook and a little about real life)
10. See attached my March and April calendars.

FINANCE DIRECTOR MONTHLY REPORT

@ 03/17/10

A.	1	<u>Current Issues</u>	<u>Comment</u>
	2	FY10 External Auditor Designation	Dtax requirement for TB approval of Daniel McArthur as external auditor for FY10 Audit.
	3	PTCC Grant Approval Recommendations	(a) Threadz @ \$5,000 (b) PVCC/RV Journal @ \$1,250 (c) PVCC/LV-Baker Run @ \$750.
	4	FY11 Budget Preparations	Meetings with Department Heads to discuss budget reduction areas and efficiencies.
	5	FY11 TB Budget Workshops	Tentative TB Budget Workshops 4/7-4/9.
B.	6	<u>Pending Issues</u>	<u>Comment</u>
	7	IAFF Negotiations	Dates to be determined.
	8	FY11 Final Budget Public Hearing	Required hearing is scheduled for 5/20/10.
	9	\$500,000 FAA Airport Grant Pending	FAA closing and transferring current \$475,000 FAA Grant Balance to new 2010 Grant.
	10	Reports from PAVED for RT & USDA Grants	Town Manager to send follow up letter requesting deliverables and delinquent quarterly grant disbursement reports.
	11	Wallace Engineering	Review to coordinate TB funding and approval process for project engineering services agreements and projects as part of the FY11 Budget process.
	12	Pool Deck Replacement Project	Budget funding to be determined after Wallace Engr completes bid process and as part of the FY11 Budget process.
	13	Incorporation Study 50% Payment	Town Manager to follow up with Nugget.
	14	Simkins Park Project	Responses to NC Planning on Project.
	15	2005 Congressional Grants for Fairgrounds	Updated EA required by HUD (MEG.)
	16	NC Capital Projects Advisory Committee	Alternate
	17	\$291,700 Simkins Park - Phase 1 PETT Grant Project	Timeline for drawings & bid & permitting & construction from Wallace.
	18	\$225,000 Simkins Park - Phase 2 PETT Grant Project	Timeline for drawings & bid & permitting & construction from Wallace.
		\$75,000 Community Center - PETT Grant Project	Timeline for drawings & bid & permitting & construction from Wallace.

TO: William A. Kohbarger
FROM: Terry Bostwick
Human Resources Coordinator
DATE: March 16, 2010

RE: MARCH ACTIVITY REPORT

- Various standard processes, including: personnel evaluation forms x 4, PCR's x 6, timesheets entry, insurance change forms, W-4s, workers comp matters and HR matters
- Training on Avoiding Litigation Landmines
- Research Performance Evaluation forms & software
- Recruit for Pool Manager position
- Revise interview questions & job description for Pool Manager
- Interview for Pool Manager position
- Create Annual Activity Tracking form
- Met with County on payroll matters
- Work with County on setting up HTE access
- Coordinate USDA Housing benefits meeting
- Research for budget

ONGOING PROJECTS

- Personnel policy updates
- Accruals
- Code of Ethics policy/ordinance

Pahrump Fire - Rescue Service



Monthly Report Feb-10

Scott F. Lewis
Fire Chief

Department Responses: Monthly Response Total:

Fire: 110
EMS: 440

Total: 550

Response Type:

Fire Incident Type:

	Month
Fires (structures, vehicles, brush, etc.)	6
Rescue/MVAs/Medical Assists	47
Hazardous Conditions/No Fire:	1
Service Assignments:	39
Good Intent Calls:	4
False Calls(alarms & intentional)	10
Special Incidents (miscellaneous)	3

Total: 110

EMS Responses:

	Month
911 Calls	212
Interfacility Transf.	147
AMA:	81
Totals:	440
Civilian Fire Death:	0
Civilian Fire Injury	0
Other Public Servant	0

Apparatus and Facilities:

Apparatus Issues:

* All apparatus in service

Building Issues:

- * Station 1: No changes
- * Station 5: No changes.
- * Station 3: No changes.
- * Station 2: No changes.

Activities:

Completed:

- * Pahrump fire hosted U.S. Senator Ensign during his recent visit to Pahrump. The Fire Chief provided a tour of Station 1 and an inspection of Tower Ladder 1.
- * Cadets completed State of Nevada Testing. Awaiting written test results
- * Annual Hose Testing Completed
- * Completed mandatory day drills, EMS CEUs, and HAZ Mat training
- * Fire Chief attended several additional meetings at Desert View Hospital
- * Fire Chief attended Senior Center Lunch
- * Fire Chief completed a walk-thru at the Detention Center
- * Fire Chief completed Fire Pre-Plans for the First International Bank
- * Fire Chief completed Fire Pre-Plans for Carl's Jr.
- * Fire Chief and TB B. Dolan met with UI re: fire hydrant inspections and maintenance
- * Chief attended numerous meetings with Nye Planning, Buildings and Safety, VEA/Utility, DV Hospital, etc.

Upcoming:

- * Continue Pre-Fire Plans
- * Schedule for EMT-Intermediate Training in mid 2010.

Miscellaneous:

- * Received an e-mail regarding an outstanding service by FF/Paramedic Harrelson and FF/ EMT Javier Soto.
- * Fire Chief received a letter regarding personnel seat belt usage. The letter and Fire Chief's response are attached.

Scott Lewis

From: Tim Murray [tmurray@pahrumprnv.org]
Sent: Tuesday, February 16, 2010 4:06 PM
To: Fire Chief Lewis
Subject: Customer Commendation

Chief,
I received a very complementary call from Mrs. Roger [REDACTED] (727-[REDACTED]) regarding Kristin & Javier. Her husband was transported from DVRMS to St. Rose (St. Martin I think) at 0700 Sunday the 14th. She could not say enough great things about their skills and compassion during this incident.

I assured her that I would get the message to you and we will pass along her thanks for a great job.

Lt. Timothy C. Murray
Training Coordinator
Pahrump Valley Fire Rescue
300 N. Hwy 160
Pahrump, NV 89060
(775) 727-5658 ext. 224
tmurray@pahrumprnv.org

1437
1435
1433
First

MEMORANDUM
EMAIL: WY101PULLIT@KACD.COM

Chief Scott E. Lewis
Parkway Valley Fire Rescue Services
300 North Highway 44
Parkway, Nevada 89260

Dear Chief Lewis:

Do Parkway Valley Fire Rescue Services personnel wear seatbelts while traveling in emergency vehicles?

If not, are there plans to incorporate the practice into daily operations?

I am not affiliated with the fire service, just personally interested in seat belt usage by incident responders.

I would appreciate hearing from your agency in the County. Thank you.

Sincerely,

Jay Logan D'Agostino

7

Scott Lewis

From: Scott Lewis [slewis@pahrumprv.org]
Sent: Tuesday, March 02, 2010 9:49 AM
To: 'jaydippolito@yahoo.com'
Cc: 'bkohbarger@pahrumprv.org'
Subject: Seatbelts Useage

Dear Jay,

I am in receipt of your February 27, 2010 letter.

Pahrump Valley Fire-Rescue is committed to wearing seatbelts while riding in our emergency vehicles. Not only do we enforce a Standard Operating Guideline that specifically addresses personal restraint devices (seat belts), we also have a signed pledge from our members stating their personal commitment to seatbelt usage. Even some of our newer apparatus were designed with visual and audible warnings if a seatbelt is not worn by a rider.

Thank you for your interest in emergency responder safety and specifically your interest in Pahrump Valley Fire-Rescue.

Scott F. Lewis
Pahrump Fire Chief
300 North Highway 160
Pahrump, Nevada 89060
(775) 727-5658
slewis@pahrumprv.org

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Scott Lewis

From: Jay Joseph Dippolito [jaydippolito@yahoo.com]
Sent: Tuesday, March 02, 2010 6:23 PM
To: Scott Lewis
Subject: Re: Seatbelts Useage

Chief Lewis,

Thank you for making seat belt use standard operating procedure in conjunction with a pledge. Your reply was appreciated.

Best regards,

Jay

--- On Tue, 3/2/10, Scott Lewis <slewis@pahrumpnv.org> wrote:

From: Scott Lewis <slewis@pahrumpnv.org>
Subject: Seatbelts Useage
To: jaydippolito@yahoo.com
Cc: bkohbarger@pahrumpnv.org
Date: Tuesday, March 2, 2010, 12:48 PM

Dear Jay,

I am in receipt of your February 27, 2010 letter.

Pahrump Valley Fire-Rescue is committed to wearing seatbelts while riding in our emergency vehicles. Not only do we enforce a Standard Operating Guideline that specifically addresses personal restraint devices (seat belts), we also have a signed pledge from our members stating their personal commitment to seatbelt usage. Even some of our newer apparatus were designed with visual and audible warnings if a seatbelt is not worn by a rider.

Thank you for your interest in emergency responder safety and specifically your interest in Pahrump Valley Fire-Rescue.

Scott F. Lewis
Pahrump Fire Chief

300 North Highway 160

**TOWN OF PAHRUMP
BUILDINGS AND GROUNDS
MANAGER REPORT**

March 15, 2010

1. Community Center

- Order replacement door for south east corner \$1,163.22

2. Town office

- Town office stone sign on hwy 160 (waiting for stone slab).

3. Town Pool

a. Pool deck

- B&G staff will need to do some small deck repairs
- Pool Manager selected for 2010 season.

4. TV Building

- Fire radio repeater will be installed this week.

5. Cemetery

- Working with V.E.A on power upgrade.
- Veterans Advisory Board working on drawing for columbarium
- Weed control

6. Parks

a. Honeysuckle Park

- Pump station pumps plugged. Confined space. \$680.00 (plus pumping charge.)
- Baseball and Softball have begun their summer league
- Special Olympics practicing Bocce ball
- Weed control

b. Petrack Park

- Back up well located @ snack bar A is filed as inactive with the State till it is brought to required standards. B&G staff has been working on project all week.
- PYSA Girls Softball and Adult Softball have begun their summer league
- Working with Michael Fang (G.C.Wallace) to complete site plan for Petrack Park.

c. Simkins Park

- Nye County holding up plans (wants town to remove all trees on Point Av.).
- Project time line?

d. Kellogg Park

- Low cost environmental Report?
- All 58 trees moved from cemetery doing well(Mondale Pines)
- Mesquite trees cleanup.

7. Training

- Loading and tying down heavy equipment. Class was done by Trooper Scott Cobel N.H.P
- A.T.V. safety

Department Head October Town Manager Report

Community Business Services & Economic Development Report

15 March 2010

**Suggestions for Town board All agenda items, MUST BE typed can be downloaded from web site & brought in to town office for Town Managers Approval & decision on what board meeting to place on agenda. All submissions MUST have back up.

Town Manager Report on meeting with Board Members to answer questions. Topic, date time "if any"

Recent Accomplishments

- 1) Meet with BLM on Wild Horse & Burro Program. Potential partners BLM, Parks & Forest Service. Interest in expanding the Nevada Herd Management Area to include the Johnnie Mine and both springs as tourism attraction. Potential grant of \$12 Million. Meeting again on 19 March with BLM & Forest Service on establishing a citizen coalition in April to begin feasibility study.

Current Projects:

- 1) Main Street Survey. Working with Nye County Coalition on presenting a forum question. Where is "Pahrump's Main Street" 17 March 8:30AM. Will be conducting 6 or more community organization outreach meetings. Follow up meeting 21 April at Great Basin College with NCC. Town Board by end of April for "My Town" grant.
- 2) Set meeting with BLM on establishing a off road facility park on towns south side.
- 3) Set up logging system for PTO #56 & Property Clean Up, PTO 43, DA, reporting, fines data base vacant property. Working on Guide lines. System almost complete. Need legal review of process and enforcement citation.
- 4) B) Work swiftly at securing a municipal water/sewer facility. C) Focus on Death Valley as a Pahrump attraction & the PARC project by establishing a regional economic co operative.
- 5) Consideration on Marketing Attracting Pahrump for Economic Development "MAPPED" (Pahrump Civic Center) Working on Comprehensive Feasibility Study.
- 6) Securing Broadband Grant for valley. USDA. Working with KEYON, CMA & Praxis on redundant fiber line. Collecting support letters, presently over 26 received
- 7) Town Staff day visit Bullhead City & Laughlin regarding recreational facilities operation. Funding and revenue generating potential. Dates/Topics TBD.
- 8) Working on departmental operational review to cut expense & increase revenue. Reducing business application requirement to streamline & complete online processing license. Pending legal opinion.

Future Projects:

- 1) Airport Economic Impact Analysis & Master strategic plan (Road/commercial Development)
- 2) Public Water/Sewer Facility (Possible cooperation with County & Utility Inc private/public agreement)
- 3) Fairgrounds Project (Public Utility Water/Sewer & Renewable Energy) County Support \$& HUD Grants Expire Town Manager follow up.
- 4) Organize Town of Pahrump pre-grant preparedness file.

Team Discussion

- 1) Highway 160 Beautification Corridor (landscape NDOT set back)
- 2) Australia Zoo (Fairgrounds site)
- 3) Organize/outline Development of Town 5 year Strategic Plan.

Open Business Licenses

	2006		2007		2008		2009		2010	
	# open	% Change	# open	% Change	# open	% Change	# open	% Chg Mo	# open	% Chg Mo
January	1973	1.60%	2138	-0.14%	2109	-0.57%	2061	0.15%	2061	0.15%
February	1986	1.17%	2145	0.33%	2111	0.09%	2034	-1.31%	2034	-1.31%
March	2032	1.80%	2147	0.09%	2113	0.09%	2034	0.00%	2034	0.00%
April	2053	1.03%	2149	0.09%	2115	0.09%				
May	2077	1.17%	2149	0.00%	2096	-0.90%				
June	1997		2150	0.05%	2100	0.19%				
July	1976	-1.05%	2145	-0.23%	2082	-0.86%				
August	1912	-3.24%	2150	0.23%	2052	-1.44%				
September	1957	2.35%	2145	-0.23%	2047	-0.24%				
October	1829	-6.54%	2132	-0.61%	2048	0.05%				
November	1874	2.46%	2127	-0.23%	2056	0.39%				
December	1942	3.63%	2121	-0.28%	2058	0.10%				

Note: Previous to July 1, 2007, all Business Licenses expired on 6/30 and had to be renewed by 7/1. They would have gone non-compliant in September or October of that year. As of January 1, 2008, all Business Licenses are renewed on their anniversary and would go non-compliant 61 days later.

New Business Licenses Issued

	2007	2008	2009	2010
January	38	32	27	22
February	38	39	35	30
March	46	42	32	
Avg 1st Qtr	41	38	31	
April	50	47	32	
May	53	38	31	
June	44	26	29	
Avg 2nd Qtr	49	37	31	
July	40	36	26	
August	39	35	22	
September	21	17	31	
Avg 3rd Qtr	33	29	26	
October	33	34	24	
November	32	28	28	
December	28	21	25	
Avg 4th Qtr	31	28	25	
Total for Year	462	395	342	52

Business Counter Activity*

	2009		2010	
	Daily Avg	Work Days	Daily Avg	Work Days
January	Not Started		215	10.8
February	Not Started		208	10.9
March	328	14.9	22.0	23.0
Avg 1st Qtr	328	14.9	22.0	22.0
April	327	14.9	22.0	20.0
May	312	15.6	20.0	20.0
June	342	15.5	22.0	22.0
Avg 2nd Qtr	327	15.3	21.3	22.0
July	330	15.0	22.0	21.0
August	319	15.2	21.0	20.0
September	374	17.8	21.0	21.0
Avg 3rd Qtr	341	16.0	21.3	21.0
October	269	12.8	21.0	20.0
November	189	10.5	18.0	19.0
December	147	6.7	22.0	22.0
Avg 4th Qtr	202	10.0	20.3	21.0
Total Year	2937	13.9	211.0	211.0

Started Tracking March 5, 2009
 This does not include activity for directions to County Offices, B & G, Fire Dept, etc.
 Estimated 15-25% fail to register

Started Tracking January
01, 2009

As of June 2009 includes
packets requested over
website only.

Requests for Business License Packets* in addition to those licenses issued				
	2009	2010	2011	
January	41	24		
February	39	21		
March	55			
Avg 1st Qtr	45			
April	48			
May	34			
June	5			
Avg 2nd Qtr	29			
July	15			
August	6			
September	45			
Avg 3rd Qtr	22			
October	35			
November	21			
December	26			
Avg 4th Qtr	27			
Avg Year	31			

Business Licenses Closed				
	2007	2008	2009	2010
January	-15	-25	-25	-49
February	-2	-37	-33	-30
March	-25	-40	-30	
Avg 1st Qtr	-14	-34	-29	
April	-26	-47	-51	
May	-11	-37	-27	
June	-32	-31	-47	
Avg 2nd Qtr	-23	-38	-42	
July	-24	-31	-56	
August	-34	-40	-27	
September	-44	-30	-30	
Avg 3rd Qtr	-34	-34	-38	
October	-34	-39	-16	
November	-19	-34	-26	
December	-31	-33	-22	
Avg 4th Qtr	-28	-35	-21	
Total for Year	-297	-424	-390	-79

William Kohbarger

From: Laura Taylor [ltaylor@nye.k12.nv.us]
Sent: Monday, March 01, 2010 3:06 PM
To: Sny34d11@allstate.com; Fanny6342@aol.com; Mcmanon1@aol.com; Mom4life247@aol.com; Cynthia.slgh@att.net; brian@brianstrain.com; marty@classicrealtynv.com; bill@dolanranch.com; James.oscarson@dvrnc.org; jonathon.kopera@dvrnc.org; rworden@farmersagent.com; kclayton@fibtx.com; jgeyre@gmail.com; jgwyre@gmail.com; Widget6121@gmail.com; Deborah-371@hotmail.com; impressionsnv@hotmail.com; juliehargis@hotmail.com; news@kcpv.org; Colucci10@mac.com; judewigs12@mac.com; thedreysers@mac.com; wulfman12@mac.com; lmeadwarranty@msn.com; Abbie Brown; cece@nyecc.org; bkohbarger@pahrumpnv.org; burdla@sbcglobal.net; pahrumpflorist@sbcglobal.net; Tommasino1@sbcglobal.net; hartofgriffin@yahoo.com; sarcasmqueenmary@yahoo.com; Slymema8@yahoo.com; utesnumberone@yahoo.com
Subject: Thank you volunteers

Thank you to all of the volunteers who sacrificed their time to our community service project, Reality Town. It was a HUGE success! FBLA is so grateful to you for your help. So many businesses also helped with financial donations and in-kind donations. We could not have done it without you!

Two more things. If you could reply with your address, we would like to send out a proper thank you.

Also, we are writing up our project as part of a FBLA competitive event. We hope to win state and go on to Nashville for nationals. We are in need of letters of comment and support from you to include in our presentation. If you are so inclined, please send us an email or mail to Laura Taylor, PVHS, 501 E. Calvada Blvd, 89048.

We look forward to doing this again next year and hope you will join us.

With great gratitude,
Laura

Laura Taylor
ESL teacher
Pahrump Valley High School
FBLA adviser
Renaissance adviser
775-727-7737

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Laura Taylor
ESL teacher
Pahrump Valley High School
FBLA adviser
Renaissance adviser
775-727-7737

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March 2010

March 2010							April 2010						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
1	2	3	4	5	6	7	8	9	10	11	12	13	14
14	15	16	17	18	19	20	21	22	23	24	25	26	27
28	29	30	31										

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Feb 28	Mar 1 3:00pm Dept Head M	2 9:00am Tom-VEA 10:00am Ribbon Cuttir 11:00am GC Wallace	3 11:30am Rotary 6:00pm Public Lands	4 9:30am Jury Duty	5 Jeremy/Nugget	6
7	8 9:00am Meeting to di 1:00pm Joint POOL/P	9 9:00am Utility Meetin 2:00pm Ribbon Cuttir 7:00pm Town Board	10 10:00am CTE-College 11:30am Rotary 1:30pm R Mendonca 6:00pm Regional Plar	11 7:00am Tourism 10:15am Updated: 10: 6:00pm Consumer Se	12 7:00am Nellis Air For 1:30pm NDOT	13
14	15 3:00pm Dept Head M	16 11:30am Chamber Lur	17 11:00am Potuck 11:30am Rotary 3:00pm High School 5:30pm Chamber Aftu 7:00pm GBC	18 10:00am Ad Hoc Comr	19 1:00pm Meeting with	20
21	22 10:30am Attorney	23 1:00pm Branding; To 2:30pm CIP 7:00pm Town Board	24 7:00am USDA 10:00am Parent/Teac 11:30am Rotary 4:00pm CEO	25 3:00pm Training-Ethi	26 9:30am BLM/Patrick;	27
28	29 5:00pm Nevada Outri	30 10:00am Curt Cooper	31 11:30am Rotary	Apr 1	2	3

April 2010

April 2010							May 2010						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
4	5	6	7	8	9	10	2	3	4	5	6	7	8
11	12	13	14	15	16	17	9	10	11	12	13	14	15
18	19	20	21	22	23	24	16	17	18	19	20	21	22
25	26	27	28	29	30		23	24	25	26	27	28	29

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Mar 28		29	30	31	Apr 1	2	3
Apr 4 - 10	4	5	6	7	8	9	10
		3:00pm Dept Head M	9:00am Tom-VEA	11:30am Rotary 7:00pm Public Lands	7:00am Tourism		
Apr 11 - 17	11	12	13	14	15	16	17
		6:30am Court-Meeks;	9:00am Utility Meetin 7:00pm Town Board	11:30am Rotary 6:00pm Regional Plar	10:00am Ad Hoc Comr		
Apr 18 - 24	18	19	20	21	22	23	24
		3:00pm Dept Head M		11:30am Rotary			
Apr 25 - May 1	25	26	27	28	29	30	May 1
		5:00pm Nevada Outr	POOL/PACT Annual Meeting 7:00pm Town Board	11:30am Rotary	10:00am Ad Hoc Comr	9:30am BLM/Patrick;	

AGENDA ITEM REQUEST

Requests and backup must be in the Town Office by Noon, Wednesday of the week preceding the Town Board meeting you wish the item presented. Town Board meetings are held on the second and fourth Tuesday of each month at 7:00 p.m. in the Bob Ruud Community Center.

DATE AGENDA ITEM SUBMITTED

MARCH 16, 2010

DATE OF DESIRED BOARD MEETING

MARCH 23, 2010

CIRCLE ONE:

Action

or

Non-Action

ITEM REQUESTED FOR CONSIDERATION:

Presentation from Pahrump Radio

If request for funding is approved by the Town Board, an invoice or letter from the requestor to Town of Pahrump/Accounts Payable is required to receive funding.

BRIEF SUMMARY OF ITEM:

Put Town Board Meetings on Talk Radio of Pahrump

BACKUP ATTACHED:

YES

NO

NAME OF PRESENTER(S) OF ITEM:

HARVEY CAPLANO

SPONSORED BY:

Frank J. Mancino

Print Name

FRANK J MANCINO

Signature

Frank J Mancino

Mailing Address

Bt160 Pahrump NV

Telephone Number

209 5898

Proposal/Agreement to Pahrump Town Board

Talk Radio of Pahrump, a Nevada Non-Profit Corporation, serving Pahrump since July, 2000 by broadcasting/webcasting locally-produced educational, informational, and entertainment talk radio programs via the internet proposes to perform the following services for the Pahrump Town Board:

1. Receive digital audio recordings of the twice monthly town board meetings from the Town Board and convert them to digital audio files appropriate for uploading and posting on the internet.
2. Editing such audio files to trim from them long periods of silence and/or delete unnecessary portions as/if instructed by a designated representative of the Town Board.
3. Provide space on and upload the processed audio files to a dedicated page of the web site, www.pahrumpradio.com.
4. Structure the page in a manner to provide public access to the audio files 24 hours a day, 7 days a week.
5. Keep files available for recording on compact discs (CDs) for those who may request copies for portability.

Talk Radio of Pahrump will charge a fee for materials and labor to manufacture such copies.

Terms And Conditions

The Town of Pahrump will pay to Talk Radio of Pahrump a flat fee of three-hundred dollars (\$300.) per month, in advance of each month, during a trial period ending December 31, 2010.

If, after the trial period, the Town Board desires to continue the above services, those services and terms will continue at the same monthly rate for one year, commencing after the trial period.

It is understood that Talk Radio of Pahrump is not responsible for:

delay of service caused by situations clearly beyond its control. Examples of such situations include internet service provider outages, fires, floods, weather storms, illnesses, terrorism, or acts of God;

the technical quality of recordings made by anyone other than Talk Radio of Pahrump;

the content of recordings made by anyone other than Talk Radio of Pahrump;

the quality of the internet connection(s) used by the public to access the audio files.

Any additions/enhancements to the above services that may be desired will be discussed and agreed upon by both parties, put into writing, and charged for, accordingly.

Examples of such additions would be: adding streaming video; live webcasts; recordings/webcasts made at locations other than the Bob Rudd Community Center.

Submitted on February 19, 2010 by

Harvey Caplan
Manager, Talk Radio of Pahrump, Inc.

MEMO
TOWN OF PAHRUMP
TOWN BOARD MEETING AGENDA ITEM
MEETING DATE: 03-23-2009

TO: Town Board

FROM: William Kohbarger, Town Manager
Michael Sullivan, Finance Director

DATE: March 09, 2010

RE: Designation to the Nevada Department of Taxation of Daniel C. McArthur as the External Auditor for Fiscal Year 2009-2010 by Resolution 2010 – 04, and approval of

1.) Background

Each year in March, the Town Board is required by the Nevada Department of Taxation to designate who will serve as the external auditor for the current fiscal year.

Dan McArthur has served as the Town's external auditor since 1995, and has done an outstanding job assisting the Town each year. By statute, our books of original entry are maintained by Nye County. Since Dan McArthur also serves as the County's external auditor, it has been advantageous to utilize his services for both efficiency and cost reasons. His fee per the attached engagement letter remains the same as the FY09 audit cost at \$22,700. We believe his experience and continuity are valued by both the staff and Town Board.

2.) Fiscal Impact

There currently are sufficient funds available and budgeted in the General Fund to make the payments per the engagement letter attached in an amount not to exceed \$22,700.

3.) Town Manager Recommendation and Board Action Requested

The Town Manager recommends that the Town Board *move to approve, by the attached Resolution, the engagement letter and designation of Daniel C. McArthur as the Town's external auditor for Fiscal Year 2009-2010; and that the Town Board should further direct the Town Manager to file this Resolution with the Department of Taxation and execute the engagement letter agreement for a fee not to exceed \$22,700.*

If you have any additional questions, I would be happy to answer them.

Attachment A: Resolution 2010 - 04

Attachment B: Daniel C. McArthur, Ltd Engagement Letter

#9

MEMO
TOWN OF PAHRUMP
TOWN BOARD MEETING AGENDA ITEM
MEETING DATE: 03-23-2009

(ATTACHMENT A – RESOLUTION NO. 2010 -04)

RESOLUTION NO. 2010 - 04
TOWN OF PAHRUMP, NEVADA

A RESOLUTION DESIGNATING DANIEL C. MCARTHUR LTD AS THE TOWN'S EXTERNAL AUDITOR FOR THE FISCAL YEAR 2009-2010 AND APPROVING THE PROPOSED AUDIT ENGAGEMENT LETTER.

WHEREAS, the Town is required annually by the Nevada Department of Taxation to designate an external auditor to prepare and submit an independent audit of its financial statements; and

WHEREAS, the Certified Public Accounting firm of Daniel C. McArthur, Ltd., has proposed to conduct that audit in accordance with generally accepted accounting and auditing standards and practices, and to render an opinion as to the presentation of the Towns financial statements pursuant to an engagement letter dated March 3, 2010 and which is attached and made part of this resolution by reference; and

WHEREAS, the fee and expenses for the audit services outlined and proposed is an amount not to exceed \$22,700; now

THEREFORE, BE IT RESOLVED:

SECTION 1. The Town Board of Pahrump approves the designation and appointment of the Certified Public Accounting firm of Daniel C. McArthur, Ltd., as the Town external auditor for the fiscal year 2009-2010.

SECTION 2. Additionally the Town Board of Pahrump accepts and approves the terms and fees per the Audit Engagement Letter of Daniel C. McArthur CPA Ltd dated as of March 3, 2010.

Approved and adopted this _____ day of _____, 2010

Motion proposed by Town Board Member: _____

Motion seconded by Town Board Member: _____

VOTE:

YES:

NAYS:

ATTEST:

Nicole Shupp

Town Board Chairperson

MEMO
TOWN OF PAHRUMP
TOWN BOARD MEETING AGENDA ITEM
MEETING DATE: 03-23-2009

**(ATTACHMENT B – ENGAGEMENT LETTER FOR DANIEL C. MCARTHUR,
LTD FOR FY11 AUDIT.)**

DANIEL C. McARTHUR, LTD.

Certified Public Accountant

Quail Park III • 501 So. Rancho Dr., Ste. E-30 • Las Vegas, NV 89106 • (702) 385-1899 • FAX (702) 385-9619

March 3, 2010

Town of Pahrump

400 North, Highway 160
Pahrump, Nevada 89048

We are pleased to confirm our understanding of the services we are to provide Town of Pahrump (the Town) for the year ended June 30, 2010. We will audit the financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information, which collectively comprise the basic financial statements of [Name of Governmental Unit] as of and for the year ended June 30, 2010. Accounting standards generally accepted in the United States provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to accompany the Town's basic financial statements. As part of our engagement, we will apply certain limited procedures to the Town's RSI. These limited procedures will consist principally of inquiries of management regarding the methods of measurement and presentation, which management is responsible for affirming to us in its representation letter. Unless we encounter problems with the presentation of the RSI or with procedures relating to it, we will disclaim an opinion on it. The following RSI is required by generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited:

1) **Management's Discussion and Analysis.**

Supplementary information other than RSI also accompanies the town's basic financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the basic financial statements and will provide an opinion on it in relation to the basic financial statements:

1) **Schedule of unfunded other post employment benefits.**

Audit Objective

The objective of our audit is the expression of opinions as to whether your basic financial statements are fairly presented, in all material respects, in conformity with generally accepted accounting principles and to report on the fairness of the additional information referred to in the first paragraph when considered in relation to the basic financial statements taken as a whole. Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America and will include tests of the accounting records and other procedures we consider necessary to enable us to express such opinions. If our opinions on the financial statements are other than unqualified, we will fully discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or to issue a report as a result of this engagement.

Management Responsibilities

Management is responsible for the basic financial statements and all accompanying information as well as all representations contained therein. You are also responsible for making all management decisions and performing all management functions; for designating an individual with suitable skill, knowledge, or experience to oversee our assistance with the preparation of your financial statements and related notes and any other nonattest services we provide; and for evaluating the adequacy and results of those services and accepting responsibility for them.

Management is responsible for establishing and maintaining effective internal controls, including monitoring ongoing activities; for the selection and application of accounting principles; and for the fair presentation in the financial statements of the respective financial position of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the Town and the respective changes in financial position and where applicable, cash flows, in conformity with U.S. generally accepted accounting principles.

Management is also responsible for making all financial records and related information available to us and for the accuracy and completeness of that information. Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud or illegal acts affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud or illegal acts could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, regulators, or others. In addition, you are responsible for identifying and ensuring that the entity complies with applicable laws and regulations.

Audit Procedures—General

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. We will plan and perform the audit to obtain reasonable rather than absolute assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the entity or to acts by management or employees acting on behalf of the entity.

Because an audit is designed to provide reasonable, but not absolute, assurance and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements may exist and not be detected by us. In addition, an audit is not designed to detect immaterial misstatements, or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements. However, we will inform you of any material errors and any fraudulent financial reporting or misappropriation of assets that come to our attention. We will also inform you of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will require certain written representations from you about the financial statements and related matters.

Audit Procedures—Internal Control

Our audit will include obtaining an understanding of the entity and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. An audit is not designed to provide assurance on internal control or to identify deficiencies in internal control. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards.

Audit Procedures—Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the Town of Pahrump's compliance with applicable laws and regulations and the provisions of contracts and agreements. However, the objective of our audit will not be to provide an opinion on overall compliance and we will not express such an opinion.

Engagement Administration, Fees, and Other

We understand that your employees will prepare all cash or other confirmations we request and will locate any documents selected by us for testing.

We expect to begin our audit on approximately June 1, 2010 and to issue our reports no later than November 30, 2010. Daniel C. McArthur is the engagement partner and is responsible for supervising the engagement and signing the report or authorizing another individual to sign it. Our fee for these services will be at our standard hourly rates plus out-of-pocket costs (such as report reproduction, word processing, postage, travel, copies, telephone, etc.) except that we agree that our gross fee, including expenses will not exceed \$22,700. Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. In accordance with our firm policies, work may be suspended if your account becomes 90 days or more overdue and may not be resumed until your account is paid in full. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our report. You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs.

We appreciate the opportunity to be of service to the Town of Pahrump and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Very truly yours,

DANIEL C. MCARTHUR, LTD.



RESPONSE:

This letter correctly sets forth the understanding of Town of Pahrump.

By: _____

Title: _____

Date _____

ORDINANCE NO. 39

AN AMENDMENT TO ORDINANCE NO. 39 OF THE UNINCORPORATED TOWN OF PAHRUMP TO REVISE AND RESTATE THE MANAGEMENT AND MAINTENANCE OF THE TOWN'S CEMETERY, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO

WHEREAS, the current regulations regarding the management and maintenance of the Town Cemetery must be updated to reflect, among other things, additional definitions, enhancement of cemetery services, maintenance of cemetery grounds, establishment of burial provisions for veterans, and maintenance of records; and

WHEREAS, to carry this out, it is appropriate to replace, update, or add provisions to this ordinance.

NOW, THEREFORE, the Town of Pahrump, Nevada does ordain:

39.000 **Declaration of Town Policy.** It is declared to be the policy of this Town to establish uniform regulations regarding the management and maintenance of the Town Cemetery in a manner consistent with the Nevada Revised Statutes as well as all other applicable law.

39.100 **Short Title.** The title by which this ordinance shall be known is the "Pahrump Cemetery Ordinance."

39.105 **Authority to Operate.** The Pahrump Cemetery shall operate under the authority of the Town Board of the Town of Pahrump by and through its designated sexton or manager pursuant to this ordinance.

39.110 **Definitions.** Definitions within this ordinance shall be understood as follows:

"Cemetery" means any enclosure or plot of land that is or may be used for the burial of the dead and includes an individual plot.

"Cemetery Purpose" means a purpose necessary or incidental to establishing, maintaining, managing, operating, improving, or conducting a cemetery, interring remains, or caring for, preserving, and embellishing cemetery purposes.

"Columbarium" means a durable, fireproof structure, or a room or other space in a durable fireproof structure, containing niches and used or intended to be used to contain cremated remains.

"Crypt" means a chamber in a mausoleum of sufficient size to inter human remains.

“Grave” means a space of ground that is in a burial park and that is used or intended to be used for interment in the ground.

“Human Remains” or “Remains” means the body of a deceased person, and includes the body in any stage of decomposition and the cremated remains of a body.

“Interment” means the permanent disposition of remains by entombment, burial, or placement in a niche.

“Lawn Crypt” means a subsurface receptacle installed in multiple units for ground burial of human remains.

“Mausoleum” means a durable, fireproof structure used or intended to be used for entombment.

“Niche” means a space in a columbarium used or intended to be used for the placement of cremated remains in an urn or other container.

“Plot” means space in a cemetery owned by an individual or organization that is used or intended to be used for internment, including grave or adjoining graves, a crypt or adjoining crypts, a lawn crypt or adjoining lawn crypts, or a niche or adjoining niches.

“Sexton” means the individual assigned by the Town of Pahrump to manage cemetery property and shall not connote any religious affiliation whatsoever.

“Urn” means a vessel in which cremated remains can be placed and which can be closed to prevent leaking or spilling of the remains or the entrance of a foreign material.

“Veteran” means a member or former member of the United States Armed Forces (Army, Navy, Air Force, Marine Corps, Coast Guard) or the Reserve Components and Reserve Officers’ Training Corps, a commissioned officer of the National Oceanic Atmospheric Administration or the Public Health Service, or a World War II Merchant Mariner, subject to certain eligibility requirements.

39.200

Plots. Standard plot sizes shall be utilized in the cemetery as follows:

- A. Standard Plot: Ten feet by five feet (10’ x 5’). Will fit one (1) standard or one (1) double vault. Ability to place two (2) cremated remains on top of standard or double burial.
- B. Infant Plot: Five feet by five feet (5’ x 5’)

- C. Cremation Plot: Two feet by four feet (2' x 4'). Each cremation plot will hold four (4) cremated remains.
- D. Columbarium Eleven and one-fourth inches cubed (11 ¼"). A columbarium will hold two (2) cremated remains.

39.210 **Liners Required for Standard and Infant Plots.** A concrete liner shall be required for each burial in a standard or infant plot. The charge of the liner shall be included in the fee for opening and closing of the plot. However, there is no liner required for cremation burials.

39.215 **Authority to Order Burial.** The cemetery must recognize the proper authority to order a burial as follows:

- A. The following persons, in the following order of priority, may order the burial of human remains of a deceased person:
 1. a person designated as the person with authority to order the burial of the human remains of the decedent in a legally valid document or in an affidavit executed in accordance with NRS 451.024(5);
 2. the spouse of the decedent;
 3. an adult son or daughter of the decedent;
 4. either parent of the decedent;
 5. an adult brother or sister of the decedent;
 6. a grandparent of the decedent;
 7. a guardian of the person of the decedent at the time of death; and
 8. a person who held the primary domicile of the decedent in joint tenancy with the decedent at the time of death.
- B. If the deceased person was an indigent or other person for whom the final disposition of the decedent's remains is a responsibility of Nye County or the State of Nevada, the appropriate public officer may order the burial of the remains and provide for the respectful disposition of the remains.
- C. If the deceased person donated his or her body for scientific research or, before his death, a medical facility was made responsible for his or her final disposition, a representative of the scientific institution or medical facility may order the burial of his or her remains.
- D. A living person may order the burial of human remains removed from his or her body or the burial of his or her body after death.

- E. A person 18 years of age or older wishing to authorize another person to order the burial of his or her remains in the event of death may execute an affidavit in accordance with NRS 451.024(5).

39.220

Burial Permits Required. Prior to burial, a permit must be obtained as follows:

- A. When a death occurs within the boundaries of Nye County, the undertaker, or the person acting as the undertaker, shall be responsible for obtaining and filing the certificate of death with the County Health Officer, or his designee, in the registration district in which the death occurred and for securing a burial or removal permit prior to any disposition of the body.
- B. When a certificate of death is properly executed and completed, the County Health Officer, or his designee, shall then issue a burial or removal permit to the undertaker. Such a permit shall indicate the name of the cemetery, mausoleum, columbarium, or other place of burial where the human remains will be interred or buried.
- C. No Sexton, Town employee, or other person in charge of the cemetery shall inter or permit the interment or other disposition of any body therein, unless it is accomplished by a burial, removal, or transit permit. The permit shall state the name, age, sex, social security number, cause of death, and the name of the place where the human remains will be interred or buried. Such name or location shall be specific as to describing the place for interment of burial. Should there be locations closely associated or commonly named, a more precise description shall be used.
- D. A burial permit shall not be required from the County Health Officer when a body is removed from another district of Nevada for burial in the cemetery.
- E. The funeral director or family must provide any and all paperwork required for burial by the Town of Pahrump.

39.230

Disinterment Permits Required. Prior to disinterment or removal of human remains, these procedures must be followed:

- A. The local health officer must issue a permit for the disinterment or removal of human remains, indicating the name of the cemetery, mausoleum, columbarium or other place of burial where the remains will be interred or buried.
- B. The Sexton or Town shall not disinter or remove or permit disinterment or removal of human remains without a copy of such a permit.

C. A violation of this section is a misdemeanor under NRS 451.045(3) or NRS 451.050(1).

D. A written indemnification and hold harmless form is required from the mortuary on an annual basis.

39.300

Grave Digging and Setting of Headstones. Except as otherwise provided by funeral homes or mortuaries as authorized by the Town of Pahrump, it shall be the Town's responsibility to handle grave digging and headstones as follows:

A. The Town shall open and close all graves in the cemetery.

1. A minimum of two (2) working days or forty-eight (48) hours notice must be provided for all burials, except that Town may waive the notice requirement and provide expedited burials for an additional fee if the required personnel are available.
2. Burials shall not be performed on holidays or weekends without seventy-two (72) hours notice, except that Town may waive the notice requirement and provide expedited burials for an additional fee if the required personnel are available.
3. Except as provided above, all burials will take place during normal working daylight hours (Summertime) (8:00 a.m. – 4:00 p.m.) and Wintertime (8:00 a.m. to 2:00 p.m.).
4. Funeral services may be conducted in designated areas and buildings only, unless written permission is obtained for grave site services.
5. The practice of stacking one occupant on top of another will be permitted. In case of burial of others than the spouse, the person desiring to be stacked must have the written permission from the next of kin of the first person interred prior to the second burial or have prearranged burial instruction prior to first interment.
6. Special circumstances will be considered, but not mandatory, for weekend or holiday burials.

B. The Town shall set all headstones and markers in the cemetery.

1. Except as otherwise provided below, upright headstones will not be permitted. In the veterans' section, all headstones shall be flush with the ground.
2. Markers and headstones will be permitted in the grassy areas only if flush to the ground with a concrete foundation of four (4) inches plus four (4) inches of concrete on all sides of the stone as set by the Town of Pahrump.
3. Pursuant to Nye County Resolution 94-28, a portion of the cemetery has been designated as being part of the aboriginal lands of the Pahrump Paiute Tribe and will be perpetually maintained in the "natural" manner of the Southern Paiutes. Headstones and

markers of any type may be used in this area, so long as the grave site is maintained in a natural desert condition.

4. Certain areas of the cemetery (generally older, non-grassy sections) have been designated as permitting upright headstones.
5. All headstones will be imbedded to the concrete foundation.
6. All Veteran's plaques will be set in concrete at the same expense as others. Headstones should be provided for the veteran, at no cost, by the Department of Veteran's Affairs (brass flat plate style inlaid in concrete with flower holder on each side). Only plaques set in concrete foundation will be recognized as headstones.
7. All temporary markers must be replaced with a permanent marker or headstone within one (1) year from the date of the burial or within thirty (30) days from the time the headstone is ready for placement.

39.340 **Veterans Columbarium Services.** A special columbarium dedicated to veterans shall have the following interment requirements:

- A. Each niche shall have an interior dimension of 11 ¼ inches cubed (28.5 cm) with a 10 ¼ inches squared (26.0 cm) opening.
- B. The urn shall have the following specifications, which allow for both single and double interment:

<u>Urn Type</u>	<u>Dimension</u>	<u>Measurement</u>
All	Height	10 ¼ inches (26.0 cm) maximum
Round	Girth	6 ½ inches (16.5 cm) diameter maximum
Rectangular	Depth	11 inches (28.0 cm) maximum
Rectangular	Width	5 3/8 inches (13.6 cm) maximum

- C. Marker plaques given by the Department of Veteran's Affairs for those veterans that choose the columbarium will be placed upon the wall located to the northwest of the memorial.
- D. Only those religious symbols authorized by the Department of Veteran's Affairs may be placed on the granite face plate covering the columbarium niche.
- E. Purchases of columbarium niches are on a first come basis.

39.350 **Construction of Mausoleums, Vaults, and Crypts.** Any new construction of mausoleums, vaults, or crypts shall comply with NRS Chapter 452 and NAC Chapter 452 and must be approved by the Sexton.

39.400 **Duties of the Sexton.** The Sexton shall manage the cemetery property as follows:

- A. Plots in the cemetery will be reserved and assigned only by the Sexton.

1. A person reserving a plot or plots in the cemetery shall be responsible for notifying the Sexton of current contact information.
 2. The Sexton shall be notified every five (5) years to reconfirm intentions of plot reservations.
 3. In the event that the Sexton determines that a previously reserved plot is untraceable, the Sexton may petition the Town Board for permission to allow the plot to be used or reserved by another person.
- B. The Sexton will keep a record of all plots assigned and reserved. These records will be open to the public.
- C. The Sexton will keep all records relating to the cemetery in accordance with NRS 440.590: name of deceased person, place of death, date of burial, and the name and address of the funeral director. These records will be open to the public.

39.500 **Indigent Burials.** The burial of indigent remains shall be handled as follows:

- A. Indigent burials shall be coordinated between the Nye County Health and Human Services and the Town of Pahrump.
- B. The Town shall be notified of all indigent burials through Town Staff and the Sexton.

39.600 **Eligibility for Burial as a Veteran.** The following criteria shall establish eligibility for burial of a veteran:

- A. United States Armed Forces (Army, Navy, Air Force, Marine Corps, Coast Guard)
 1. Any member of the Armed Forces who dies while on active duty.
 2. Any veteran of the Armed Forces who was discharged under conditions other than dishonorable and entitled to veteran's benefits by the Veteran's Administration. With certain exceptions, service beginning after September 7, 1980, as an enlisted person, and service after October 16, 1981, as an officer, must be for a minimum of 24 months of the full period for which the person was called to active duty. (Examples include those persons serving less than 24 months in the Gulf War or reservists who were federalized by Presidential Act.)
- B. Members of Reserve Components and Reserve Officers' Training Corps
 1. Reservists and National Guard members who, at the time of death, were entitled to retire pay under 10 U.S.C. 1223, or would have

been entitled, but for being under the age of 60 years. Specific categories of individuals eligible for retired pay are set forth in 10 U.S.C. 12731.

2. Members of reserve components who die while hospitalized or undergoing treatment at the expense of the United States for injury or disease contracted or incurred under honorable conditions while performing active duty for training or inactive duty training, or undergoing such hospitalization or treatment.
3. Members of the Reserve Officers' Training Corps of the Army, Navy, or Air Force who die under honorable conditions while attending an authorized training camp or an authorized cruise, while performing authorized travel to or from that camp or cruise, or while hospitalized or undergoing treatment at the expense of the United States for injury or disease contracted or incurred under honorable conditions while engaged in one of those activities.
4. Members of reserve components who, during a period of active duty for training, were disabled or died from a disease or injury incurred or aggravated in the line of duty, or during a period of inactive duty training, were disabled or died from an injury incurred or aggravated in the line of duty.

C. Commissioned Officers of the National Oceanic and Atmospheric Administration

1. A commissioned officer of the National Oceanic and Atmospheric Administration (fka the Coast and Geodetic Survey and the Environmental Science Services Administration) with full-time duty on or after July 29, 1945.
2. A commissioned officer who served before July 29, 1945, and (i) was assigned to an area of immediate military hazard while in a time of war, or of a Presidentially declared national emergency as determined by the Secretary of Defense; (ii) served in the Philippine Islands on December 7, 1941, and continuously in such islands thereafter; or (iii) transferred to the Army or the Navy under the provisions of the Act of May 22, 1917 (40 Stat. 87; 33 U.S.C. 85).

D. Public Health Service

1. A commissioned officer of the Regular or Reserve Corps of the Public Health Service who served on full-time duty on or after July 19, 1945. If the service of the particular Public Health Service Officer falls within the meaning of activity duty for training, as defined in 38 U.S.C. 101, the person must have been disabled or died from a disease or injury incurred or aggravated in the line of duty.

2. A commissioned officer of the Regular or Reserve Corps of the Public Health Service who performed full-time duty prior to July 29, 1945: (i) in time of war; (ii) on detail for duty with the Army, Navy, Air Force, Marine Corps, or Coast Guard; or (iii) while the service was part of the military forces of the United States pursuant to Executive Order of the President.
3. A commissioned officer serving on inactive duty training as defined in 38 U.S.C. 101(23), whose death resulted from an injury incurred or aggravated in the line of duty.

E. World War II Merchant Mariners

United States Merchant Mariners with oceangoing service during the period of armed conflict, December 7, 1941, to December 31, 1946. Prior to the enactment of Public Law 105-368, United States Merchant Mariners with oceangoing service during the period of armed conflict of December 7, 1941 to August 15, 1945, were eligible. With enactment of Public Law 105-368, the service period is extended to December 31, 1946, for those dying on or after November 11, 1998. A DD-214 documenting this service may be obtained by submitting an application to Commandant (G-MVP-6), United States Coast Guard, 2100 2nd Street SW, Washington, DC 20593. Notwithstanding, the mariner's death must have occurred after the enactment of Public Law 105-368 and the interment not violate the applicable restrictions while meeting the requirements held therein.

F. Persons NOT Eligible for Burial

1. Disqualifying Characters of Discharge: A person whose only separation from the Armed Forces was under dishonorable conditions or whose character of service results in a bar to veteran's benefits.
2. Discharge from Draft: A person who was ordered to report to an induction station, but was not actually inducted into military service.
3. Conviction or Commission of Federal Capital Crime:
 - a. Any person who was convicted of a federal capital crime for which a sentence of imprisonment for life or the death penalty may be imposed and whose conviction is final (other than pardon or commutation by the President); or
 - b. Any person who would have been convicted of a federal capital crime but was not because of the person's unavailability for trial due to death or flight from prosecution.
4. Conviction or Commission of State Capital Crime:
 - a. Any person who was convicted of the willful, deliberate, or premeditated unlawful killing of another human being

for which a sentence of imprisonment for life or the death penalty may be imposed and whose conviction is final (other than a pardon or commutation by the Governor of a State); or

- b. Any person who would have been convicted of a state capital crime but was not because of the person's unavailability for trial due to death or flight to avoid prosecution.
5. Active or Inactive Duty for Training: A person whose only service is active duty for training or inactive duty training in the National Guard or Reserve Component, unless the individual meets the eligibility criteria set forth in Section B(1), B(2), B(3), or B(4) above.
6. Other Groups: Members or groups whose service has been determined by the Secretary of the Air Force under the provisions of Public Law 95-202 as not warranting entitlement to benefits administered by the Secretary of Veteran's Affairs.

39.650 **Indemnification.** Prior to burial or removal of human remains, cemetery must obtain written indemnification from the funeral home, mortuary, undertaker, or other party in charge of said burial or removal that the Town, Town Board, Town Staff, and its employees and representatives shall have no liability and be held harmless from and against any and all claims, liabilities, actions, suits, proceedings, liens, levees, judgments and damages arising from any act or omission in the burial or removal of human remains.

39.700 **Fees.** The Town Board may by resolution adopt a schedule of fees for Town Cemetery goods and services.

39.710 **Maintenance of Records.** The Sexton or Town, as the case may be, shall maintain cemetery records as follows:

- A. An Interment File shall be maintained in alphabetical order listing all persons buried at the cemetery, listing interment number and the information required by NRS 440.590.
- B. A Plot Map shall be maintained depicting all sections, plots, graves, crypts, lawn crypts, and niches, with descriptive names where applicable.
- C. A Cemetery Map shall be maintained depicting all sections of the cemetery to include plots, mausoleums, and columbariums, and the location of halls, rooms, corridors, elevations, and other divisions, with descriptive names where applicable, in conformance with NRS 452.360.
- D. A Receipt Book shall be maintained to track all fees collected for services provided by the cemetery.

- E. Any historical records of the cemetery shall be maintained and made available for the public.

39.720 **Maintenance of Cemetery Grounds.** The Sexton or Town shall maintain the cemetery grounds as follows:

- A. The Sexton or Town shall direct generally all improvements within the grounds and upon all plots and graves, before as well as after interments have been made therein. The Sexton or Town shall have charge of the planting, sodding, surveying, and improvements generally.
- B. No one other than the Sexton, Town, or designated agent shall be allowed to perform any work on any plot, grave, crypt, or niche within the grounds without a permit by the Town or other regulatory agency.
- C. No person shall pluck or remove any flower or plant, wild or cultivated, from any part of the cemetery.
- D. The Sexton or Town must address all immediate and long-range landscape concerns to ensure a balanced landscape in the future.

39.740 **Use of Cemetery for Gatherings.** Any gatherings on cemetery grounds, other than funerals, shall be subject to the following:

- A. Families which are interested in the cemetery may hold ceremonies during daylight hours on the cemetery grounds in the areas dedicated for such public use with prior permission.
- B. Such meetings shall be under the supervision of the Sexton or other designated official, and shall conform to accepted standards for taste and decorum.
- C. Proper respect for the burial areas shall be maintained or the group or gathering shall be requested to leave the cemetery grounds.
- D. No alcoholic beverages shall be permitted upon the cemetery grounds.
- E. Any group using the Veteran's Memorial shall clean up the building before leaving, which consists of removal of all food and beverages, all trash and debris placed in outside containers, and removal of all items left on the floor.
- F. Prior to each event at the Veteran's Memorial, the premises shall be inspected by the Town or its representative set forth in a written report.

- G. Tables and chairs may be used at the Veteran's Memorial by request to the Town at least fourteen (14) business days prior to any event.

39.760

Miscellaneous Regulations. The following additional regulations must be followed:

- A. No coping, borders, or other decorative installations shall be allowed in the cemetery without the written approval of the Sexton or Town.
- B. Old and/or faded flowers will be disposed of by the Sexton or other designated official when he or she deems appropriate.
- C. No trees, shrubs, coping, decorations, fences, or stones may be placed on the graves in the cemetery. The Town will approve and designate where any such installations may be set on the cemetery grounds. Submission of plans or drawings must be provided to the Sexton prior to installation.
- D. The cemetery is reserved for the interments of the citizens and residents of the Town who have resided in the Town for a minimum of twelve (12) months and his/her spouse with reservations.
- E. Military honors for veterans may be provided by military units, as coordinated with the funeral director, mortuary, undertaker, or other authorized person.
- F. No person shall be permitted to enter or exit the cemetery grounds except through the public gate or entryway during the designated hours.
- G. Any person found on the cemetery grounds before or after designated hours without proper authorization shall be subject to prosecution for trespass.
- H. No dogs shall be permitted on the cemetery grounds except a dog trained to assist a handicapped person.
- I. The Sexton or other designated official shall have the authority to enter upon any plot and to remove any objectionable item that may have been placed contrary to the regulations of the cemetery or applicable law.
- J. No person shall be permitted to use profane or boisterous language or in any way disturb the quiet and good order of the cemetery.
- K. All persons are to be reminded that the grounds are sacredly devoted to the burial of the dead and that provisions and penalties of the law, as

provided by ordinance or statute, will be strictly enforced in all cases of wanton injury, disturbance and disregard of the rules.

- 39.800** **General Violation.** Any person who violates any of the provisions of this ordinance shall be guilty of a misdemeanor.
- 39.810** **Penalties.** Any person convicted of a violation of this ordinance shall be punished as provided by the Nevada Revised Statutes for misdemeanors crimes. In addition to being subject to fines and any other penalties which may be assessed by a court of competent jurisdiction, any person who is found guilty of a violation of this ordinance shall be liable for the costs of any subsequent removal and relocation of remains necessitated by the person's violation of this ordinance. Every day that a violation occurs, exists, or is allowed to exist or continue, constitutes a separate offense.
- 39.820** **Severability.** If any section, subsection, subdivision, paragraph, clause, or provision of this ordinance shall for any reason be held invalid or unenforceable, the invalidity or unenforceability of such section, subsection, paragraph, clause, or provision shall not affect any of the remaining provisions of this ordinance.
- 39.825** **Injunctive Relief.** The Town, in addition to the remedies and penalties provided above, may seek injunctive relief against any violator of this ordinance, with or without prior notice, to prevent or correct any cemetery problem.
- 39.830** **No Conflict.** All ordinances, parts of ordinances, or chapters, sections, subsections, or paragraphs or resolutions previously adopted by the Town which are in conflict herewith are hereby repealed.

Proposed by Town Board Member _____

Seconded by Town Board Member _____

Adopted on the _____ day of _____, 20____.

Vote

Ayes

Nays

ATTEST:

Town Board Clerk

Town Board Chairperson

AGENDA ITEM REQUEST

Requests and backup must be in the Town Office by Noon, Wednesday of the week preceding the Town Board meeting you wish the item presented. Town Board meetings are held on the second and fourth Tuesday of each month at 7:00 p.m. in the Bob Ruud Community Center.

DATE AGENDA ITEM SUBMITTED

MARCH 16, 2010

DATE OF DESIRED BOARD MEETING

MARCH 23, 2010

CIRCLE ONE:

Action

or

Non-Action

ITEM REQUESTED FOR CONSIDERATION:

NUCLEAR WASTE & ENVIRONMENTAL BOARD IS REQUESTING FUNDS FOR EARTH DAY, APRIL 17, 2010. \$750 FOR ADVERTISING AND \$100 FOR PRICES.

If request for funding is approved by the Town Board, an invoice or letter from the requestor to Town of Pahrump/Accounts Payable is required to receive funding.

BRIEF SUMMARY OF ITEM:

REQUEST IS FOR ADVERTISING AND PRICES TO MAKE EARTH DAY A SPECIAL DAY FOR THE RESIDENTS OF THE COMMUNITY.

BACKUP ATTACHED:

YES

NO

NAME OF PRESENTER(S) OF ITEM:

John Pawlak*

SPONSORED BY:

Frank Maschered

Print Name

FRANK MASCHERED

Signature

[Signature]

Mailing Address

Rt 160 Pahrump NV

Telephone Number

775 209 5898

#11

MEMO
TOWN OF PAHRUMP
TOWN BOARD MEETING AGENDA ITEM
MEETING DATE: 03/23/2010

TO: Town Board

FROM: John M. Pawlak, Chair: Nuclear Waste and Environmental Advisory Board

DATE: 03/23/2010

RE: Request for funding for Annual Earth Day event.

1. Background

In past years the Town has allocated and approved funding for this event in order to increase awareness for local recycling, reducing energy consumption, reusing resources already available, while eliminating the need to create more waste locally.

Creating a sense of awareness for energy and resource management in the Town has been the message successfully brought forth by this worthwhile endeavor in past years.

2. Funding

The requested funding is needed for minimal advertising in the two local newspapers and also for a minimum gifting of environmental aware products that will appeal to the youth who will be attending this event.

Both local newspapers have also supported these two events with numerous briefs and personal interviews, which are not paid for.

Alongside the requested funding for advertising the Pahrump Television and Radio stations have enthusiastically promoted these events with free public service announcements and interviews in support of both in past years.

3. Conclusion

This agenda request is for the advertising for the Earth Day Event. Advertising will consist of two days of advertising for the PV Times and one day of advertising in the Mirror newspaper prior to the April 17th event date. All other promotion will be from volunteers and is provided free of charge to the Community.

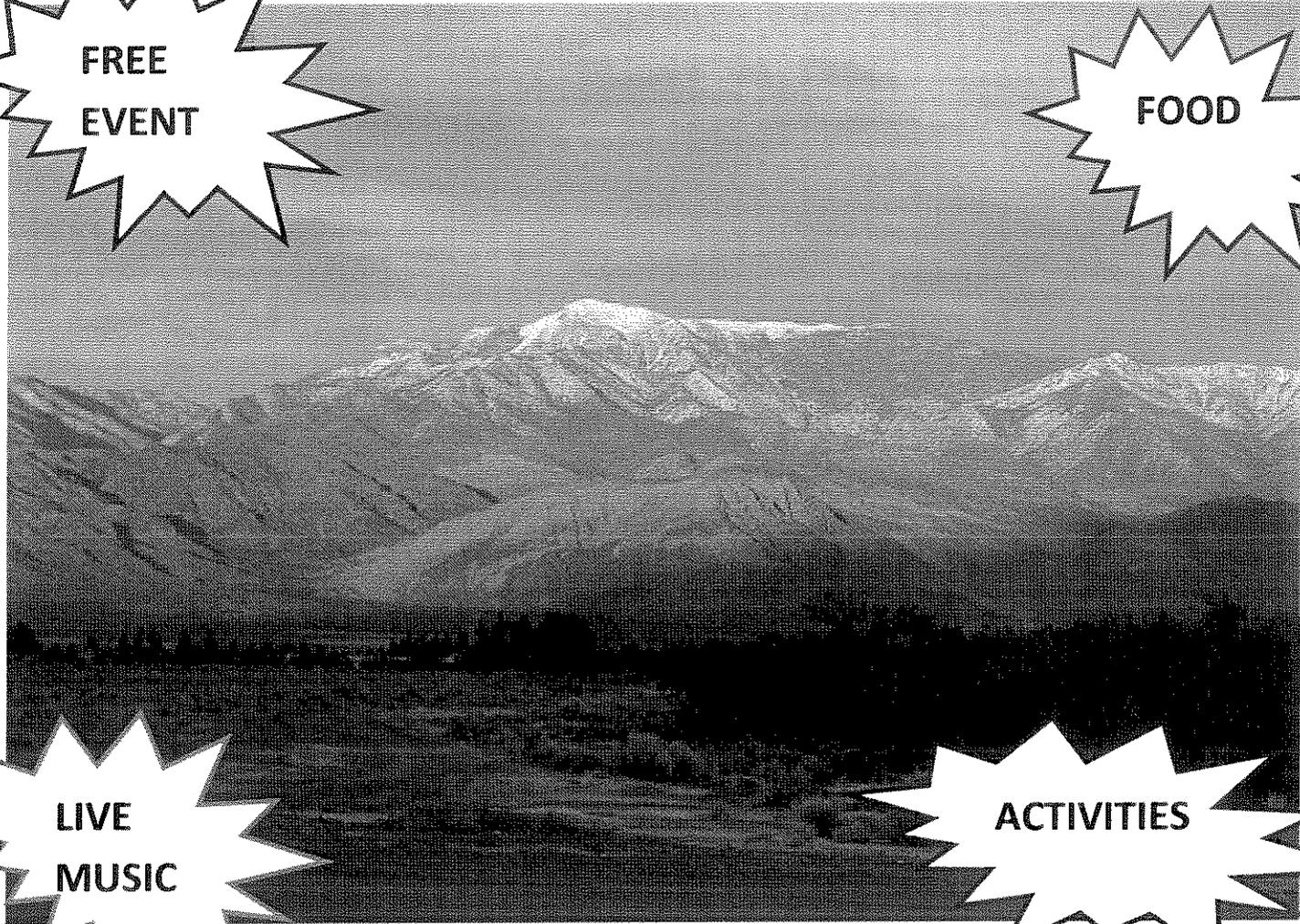
Thank You,
John M. Pawlak, Chair
Nuclear Waste and Environmental Advisory Board

4.) Fiscal Impact

There are sufficient funds available in the Economic Development Room Tax Fund for this grant. Grantee will be required to provide receipts and an evaluation form.

5.) Town Manager Recommendation and Board Action Requested:

The Town Manager recommends that the Town Board *move to approve the request for a grant in an amount not to exceed \$1,000 from the Economic Development Room Tax Fund, as presented in this memo.*



**FREE
EVENT**

FOOD

**LIVE
MUSIC**

ACTIVITIES

EARTH DAY 2010 APRIL 17

HONEYSUCKLE PARK 10 AM - 4PM



Great Basin College



Pahrump Nuclear Waste & Environmental Advisory Bd.

**PAHRUMP
DISPOSAL**

VALLEY

**SOUTHERN NYE
COUNTY
CONSERVATION**



**Nuclear Waste Repository
Project Office**

