

Town Manager Report
04/27/10

1. Town Manager Evaluation – Mrs. Bostwick has sent out the necessary forms to all Town Board members. I have attached in this report a summary of the Goals & Objectives along with a copy of my job description.
2. Federal Communications Commission – The Town received of copy of the FCC response to a complaint filed by Mrs. Donna Cox alleging wrong doing on behalf of KNYE, which involved the Town and three (03) Town Board members. The FCC found that there was no violations and accordingly DENIED the complaint. The Town was also exonerated in the letter of any wrong doing by the FCC. **The Good Guys win again!**
 - a. See attached a copy of the FCC letter.
3. FY2011 Budget – The Final Public Budget Hearing was held on May 20, 2010. The meeting went surprising quick with very little comment from the Town Board and/or public.
 - a. The I.A.F.F. came to the table and agreed to a 4% concession, which the Town Board also approved at the budget hearing.
 - b. The Town Manager cut an additional \$602,000.00 from the tentative budget with the assistance of the Department Heads. (\$39k from Admin, \$175k from B&G, and \$388k from PVFRS) Staff will continue to closely monitor their budgets over the upcoming fiscal year.
4. Airport –The Town went out for RFQ on Monday, May 17, 2010.
 - a. See attached copies of the Request for Qualifications.
5. Simkins Park Project – The Park has finally obtained approval from Nye County to move forward. We are in the process of going to bid! YEA. The work on this Park should start within the next 30-days.
6. POOL/PACT – The Town Manager attended the Annual POOL/PACT Board meeting on April 26 & 27, 2010 in Sparks, NV. I sit on the Executive Board and found that the Town's rates are increasing. Mr. Wayne Carlson, Executive Director of POOL/PACT will be present at the June 22, 2010 Town Board meeting to present the Town's renewal.
7. Last Chance Park – In speaking with the BLM on Wednesday, May 19, 2010, I was informed that the Last Chance application has been held up do to issues surrounding Cultural Resources. Staff is currently working with the BLM to rectify the issues.
8. Department Head Reports attached:
 - a. Finance Director.
 - b. Human Resources.

- c. Fire-Rescue Service.
- d. Buildings & Grounds.

9. Correspondences

- a. State of Nevada Division of Environmental Protection RE: Issuance of Discharge Permit #NEV2004518 for the Lakeview Golf Course, Pahrump, Nye County, NV.
- b. USDA letter pertaining to Business & Industry Loan Guarantee program.
- c. Department of Energy RE: Boulder Canyon Project.
- d. United States Department of the Interior RE: Request for Cooperating Agency Status.
- e. Two letters from Valley Cruisers of Pahrump.
 - i. Thank you – Commendation letter for two staff – Jimmy Martinez and Carl Bruno.
 - j. Letter addressed to Mr. Gerald “Bear” Smith.

10. See attached my May and June calendars.



Town of Pahrump

400 North Highway 160 • Pahrump, Nevada 89060 • 775-727-5107 • Fax 775-727-0345 • townoffice@pahrumnv.org

Memorandum

To: Mrs. Shupp, Mr. Dolan, Mrs. Parker, Mr. Maurizio & Mr. Darby

From: William A. Kohbarger

Date: Friday, May 21, 2010

Subject: Town Board 2009-2010 Goals and Performance Objectives

Town Board,

Attached is a summary of the 2009-2010 Town Board Goals and Performance Objectives. These G&O's were approved by the Town Board on July 14, 2009 and were given to me to accomplish over the preceding twelve months.

These Goals and Performance Objectives are part of the evaluation process that you are currently performing on me.

I have listed each Town Board member's G&O's followed by a summary of each.

I have also attached a copy of my current job description which was approved by the Town Board in November 2008.

If you should have any questions on the above material, please do not hesitate to contact me at your earliest convenience.

William A. Kohbarger
Pahrump Town Manager

2009-2010 Town Board Goals & Performance Objectives
July 01, 2009 to June 30, 2010

Nicole Shupp:

1. Continue work on the PARC Project
2. Completion of Last Chance Park
3. Get all Economic Development organization on the same page to work for the betterment of Pahrump.
4. Work on improving Public Relations for the Town
5. Improve Security at Town Board meetings
6. Continue working toward Incorporation

1. Continue work on the PARC Project

This goal has been accomplished. The Town staff (B. Kohbarger and A. Balloqui) has continued to work on this project via attempts to locate a developer or two to finance and build the PARC.

A Developer will be on the May 25, 2010 Town Board agenda to talk about his project along with how it coincides with the PARC project.

In addition, the Town has had continued talks with Mrs. Giampaoli, Town Consultant about the EA process and setting dates to move forward on the EA process. The latest date being April 27, 2010.

2. Completion of Last Chance Park

This goal is in the process of being accomplished. The completed R&PP (Recreation & Public Purpose) Lease application was turned into the BLM on December 4, 2009. The following is the BLM application process:

1. BLM Received Application (December 04, 2009) NOTE: In mid January 2010 the BLM after reviewing the Town's application requested an additional map of the area and extra markings added to another map already in the application packet. On February 04, 2010 the aforementioned requested information was given to the BLM. Mid February 2010 the Town's application was sent to the BLM E-Planning stage.
2. BLM sends Lease paperwork to their E-Planning Dept. (30 day process)
3. BLM then publishes the Notice of Reality Action (NORA) (180 day process)
4. The approved paperwork is then sent to the BLM – Washington DC Headquarters for Final approval. (no time limit given)
5. Then once the Town receives notice from Washington DC, Construction starts (120 day process)

On March 23, 2010 the Town received the final report from National Park Service pertaining to Last Chance Park. Next meeting review with BLM is planned prior to end of May 2010

2009-2010 Town Board Goals & Performance Objectives
July 01, 2009 to June 30, 2010

3. Economic Development Agencies on same Page

This goal is in the process of being accomplished. Now that several key positions have changed within organizations, this is becoming a reality. EDEN, RNDC, the Chamber, Great Basin College, a few key business owners and staff (W. Kohbarger & A. Balloqui) met as a Team on May 12, 2010 to talk with a developer to get that developer to look at Pahrump. After the meeting all above mentioned groups stuck around and shared their solidarity in working together to create a better Pahrump.

Staff (W. Kohbarger & A. Balloqui) has combined to attend most of the PAVED Roundtable sessions.

4. Work on improving Public Relations for the Town

This goal is in the process of being accomplished. Being that I have no control over the Town Board members and citizens this Goal has been quite hard to accomplish for several reasons. Several incidents have caused the Town to get "black eyes" in the media and community. One, both Town Board members and citizens have caused quite a stir on several occasions with comments back and forth to each other during Town Board meetings which have ended up in the news media. Two, Town Board members have been in the media for being involved in issues that are not considered appropriate i.e., operating a business without a license and Ethical charges. Three, citizens following the Town Manager around taking pictures of him then placing those pictures in the newspaper with a caption that creates a perception of wrong doing. Four, pictures in the newspaper of the Fire Department posing with Senator Reid which were taken out of content.

However, staff (W. Kohbarger, A. Balloqui, & S. Lewis) have all appeared on KNYE promoting the town in a positive light as well as staff (A. Balloqui) had his own TV show which again shined a positive light on Pahrump.

Staff (W. Kohbarger, A. Balloqui, S. Lewis, M. Luis and M. Sullivan) have attended events (Fall Fest, Baker to Vegas Run, Charity Poker events, Biz Expo, etc..) held throughout Pahrump representing the Town in a favorable light. In addition, staff (W. Kohbarger and A. Balloqui) have combined to attend all Chamber events as Town representatives, fielding question from the Chamber membership.

2009-2010 Town Board Goals & Performance Objectives
July 01, 2009 to June 30, 2010

NOTE: Members of the Town Board have also attended events, appeared on KNYE and conducted their own TV shows which have brought about good thoughts on Pahrump.

5. Improve Security at Town Board meetings

This goal is in the process of being accomplished. Staff (Town Manager and Department Heads) has held several meetings discussing numerous ways to make the Town Board meetings a friendlier environment and safer one. We have involved the Nye County Sheriff's Department on several occasions, started moving the meeting around the community and as of May 25, 2010 are rearranging the meeting room at the Ruud Center.

We have supplied the Chair (Mrs. Shupp) with statements to read at the beginning of meetings that spelled out the standards of what is expected from the audience.

Unfortunately, this has not always worked due to the crowd and their deliberate attacks on Town Board members, other citizens and staff.

Even though the crowd and Town Board members have on several occasions been disrespectful to one another inside the Ruud Center, there have not been any threatening physical attacks or verbal attacks on Town Board members or staff upon walking out of the Town Board meetings to their vehicles in the last eight months.

6. Continue working toward Incorporation

This goal has been accomplished. The Town conducted an RFP for an organization to conduct an Incorporation study. The Town chose ESP (Mr. Berkson) to conduct the study. The study was conducted and given to the Town Board. The Town Board requested several workshops be held by the IAB to gather questions pertaining to the study and about incorporation as a whole. These workshops were held, questions were gathered and sent to Mr. Berkson for answers and a final report will be on the May 25, 2010 Town Board agenda.

2009-2010 Town Board Goals & Performance Objectives
July 01, 2009 to June 30, 2010

Bill Dolan:

1. Attend a conference on communications skills and sensitivity training within the next 3-months.
 2. Attend all the Advisory Board Meetings and hold a session on what an AB can and cannot do as an AB, there seems to be some real confusion out there within the next three months.
 3. Review the towns (all Departments) expenditures and contracts for items like (but not limited too) office supplies, copiers, pool supplies & auto parts suppliers. To see where we can save funds by getting the best deals from one or two companies in each area instead of multi companies in each area within the next six months.
1. Attend a conference on communications skills and sensitivity training within the next 3-months

This goal was in the process of being accomplished within the time frame set until the Chairman of the Board interceded. Training had been arranged by Mrs. Bostwick for me to attend a one on one session with a trainer out of San Francisco on communication and sensitivity. However, the trainer wanted to talk with members of the Town Board to see exactly what the perceived issues were. When Mrs. Bostwick spoke with Mrs. Shupp, Mrs. Shupp stopped the training. Mrs. Shupp advised it was too expensive and that I didn't need to attend this type of training. Mrs. Bostwick and I spoke with Mrs. Shupp and after much discussion, Mrs. Shupp advised us to find a less expensive program and one closer to home. NOTE: Mrs. Bostwick and I have both checked into to these types of trainings and have yet to find a training that is less expensive and closer to home. Therefore this Goal is on going until an appropriate course (financially) is available in the Las Vegas/State of Nevada area.

2. Attend all the Advisory Board Meetings and hold a session on what an AB can and cannot do as an AB, there seems to be some real confusion out there within the next three months

This goal is in the process of being accomplished but not within the established time frame set. In order to thoroughly accomplish this educational requirement it requires a continuous series of follow-up meetings with all Advisory Boards members. This is due primarily because of the periodic change in memberships of the seven boards plus the airport project, economic development, planning and PARC project.

The visiting of each AB will be accomplished before the end of June 2010.

2009-2010 Town Board Goals & Performance Objectives
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3. Review the towns (all Departments) expenditures and contracts for items like (but not limited too) office supplies, copiers, pool supplies & auto parts suppliers. To see where we can save funds by getting the best deals from one or two companies in each are instead of multi companies in each area within the next six months

This Goal is under a continuous review process and being monitored bi monthly. Adjustments are undertaken immediately when and if staff finds pertinent information to rectify an issue.

2009-2010 Town Board Goals & Performance Objectives
July 01, 2009 to June 30, 2010

Vicky Parker:

1. Completion of Last Chance Park
2. Complete a Five-year Strategy Plan for the following departments:
 - a. Fire Department
 - b. Parks (Building & Grounds)
 - c. Administration/Business License
 - d. Economic Development

1. Completion of Last Chance Park

This goal is in the process of being accomplished. The completed R&PP (Recreation & Public Purpose) Lease application was turned into the BLM on December 4, 2009. The following is the BLM application process:

- a. BLM Received Application (December 04, 2009) NOTE: In mid January 2010 the BLM after reviewing the Town's application requested an additional map of the area and extra markings added to another map already in the application packet. On February 04, 2010 the aforementioned requested information was given to the BLM. Mid February 2010 the Town's application was sent to the BLM E-Planning stage.
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- d. The approved paperwork is then sent to the BLM – Washington DC Headquarters for Final approval. (no time limit given)
- e. Then once the Town receives notice from Washington DC, Construction starts (120 day process)

On March 23, 2010 the Town received the final report from National Park Service pertaining to Last Chance Park. Next meeting review with BLM is planned prior to end of May 2010

2. Complete a Five-year Strategy Plan for the following departments

The Goal is in its beginning stage.

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July 01, 2009 to June 30, 2010

Frank Maurizio:

1. Research and development a new website design
2. Research for a new e-mail delivery system
3. Finds ways to get information out to the public about the Town Meetings
4. Find and implement ways to help people who are disabled to get to the meetings
5. Start researching for flood control in the valley
6. Research ways to start getting infrastructure for Pahrump Valley for business and Industry
7. Start making progress to get industry in the valley for jobs for the community

1. Research and development a new website design

This goal is in the process of being accomplished. The Town conducted an RFP for an organization to construct a website for the Town. The Town Board after much discussion and several meetings (Negotiations & Town Board) chose Brian K. Shoemake (Brian K Media) to construct the Town's website. Mr. Shoemake has been in the process of constructing the website for the past two months and the site will soon be operational.

2. Research for a new e-mail delivery system

This Goal was investigated with no outcome reached.

3. Finds ways to get information out to the public about the Town Meetings

This goal has been accomplished. The dates and times of Town Board meetings are being announced by all media outlets, is in the Town's Newsletter, and is being announced at group events (CEO Club, Rotary, & Chamber). Some of the media outlets have ran stories or talked about upcoming agenda items.

In addition, the agendas and agenda backup material is being e-mailed out to more individual as well as being available at the Town Office for pickup.

4. Find and implement ways to help people who are disabled to get to the meetings

This goal was not started.

5. Start researching for flood control in the valley

This goal has been accomplished. This Goal was actually accomplished by Nye County in July and August 2008. The County presented an entire plan to the Town Board designed to control flooding in the Valley. NOTE II: The BoCC and Town Board both tabled this item indefinitely. The estimated costs of the

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improvements were \$365 million to be funded by charging each parcel in the Town of Pahrump \$180.00 to \$240.00 annually. See July 08, 2008 Town Board agenda Item #7.

6. Research ways to start getting infrastructure for Pahrump Valley for business and Industry

This goal is an ongoing process. Staff (A. Balloqui) was involved in a grant to bring more Broadband support into the community. Unfortunately, the group Mr. Balloqui was assisting did not receive a grant.

Staff (W. Kohbarger) has met with representatives of a major railroad company discussing the railroad and Pahrump. Staff (W. Kohbarger & A. Balloqui) have also discussed with BLM acquiring more land and with both Senator Reid and Senator Ensign on the possibilities of bringing more infrastructure to Pahrump through appropriations.

In addition, staff (W. Kohbarger, Chief Lewis and M. Sullivan) all sit on the Nye County's Capital Improvement Plan Advisory Committee (CIP) which is responsible for making recommendations to the BoCC for the construction of streets/roads in Pahrump.

7. Start making progress to get industry in the valley for jobs for the community

This goal is an ongoing process. Staff (W. Kohbarger, A. Balloqui, & M. Sullivan) have all met with potential developers and businesses marketing Pahrump. Two of the above mentioned staff are currently involved in three (03) recruitment processes (RP). One of those RP's is a joint collaboration with the Nye County while yet another RP is a collaboration with EDEN, GBC and RNDC.

Staff (W. Kohbarger) is also involved with the County's Ad Hoc committee working on County Codes to ensure an improved business friendly Pahrump/Nye County.

2009-2010 Town Board Goals & Performance Objectives
July 01, 2009 to June 30, 2010

Mike Darby:

1. Spend more time in Pahrump and less time out of town where the people of Pahrump cannot reach you
2. Make yourself more available by delegating responsibility
3. Improve the lines of communication such as e-mail reminders of events or meetings. Send your working calendar for each month to the Board and updates when necessary by e-mail so the Board knows what you are doing for them.
4. Contact local business to do a "health check" as to how to better improve relations between the Town and business.
5. Meet with local organizations/registered citizens groups to relay to the Board the top 5 concerns of such groups. (at least)
6. Visit advisory boards regularly. (each advisory board)
7. Link town website to county sex offender site so people know who's living next door.
8. "Newsletter" needs to reflect both "pro's and con's" and not show bias or one sidedness. And talk About Town website improvements.

1. Spend more time in Pahrump and less time out of town where the people of Pahrump cannot reach you

This goal has been accomplished. I have managed to schedule a greater percentage of my meetings here in Pahrump.

2. Make yourself more available by delegating responsibility

This goal has been accomplished. I have delegated more responsibility to the Department Heads to conduct meetings and represent the Town in those meetings thus allowing myself to be more available.

3. Improve the lines of communication such as e-mail reminders of events or meetings. Send your working calendar for each month to the Board and updates when necessary by e-mail so the Board knows what you are doing for them

This goal has been accomplished. I have placed a copy of my calendars (the current month plus the next month) in the Town Board and Department Heads' boxes twice a month.

I have sent e-mail reminders for all Chamber gatherings (lunches/ribbon cuttings), forwarded all e-mails from Senators Reid and Ensign and Nevada League of Cities plus updates on key issues, i.e., UICN Rate Increase, PAVED v Rodeo, press releases, etc.

2009-2010 Town Board Goals & Performance Objectives
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4. Contact local business to do a "health check" as to how to better improve relations between the Town and business

This goal is an ongoing never ending process. I have spoken with numerous Pahrump business owners over the past year and have found that the only way for the Town to improve relations is by creating a more business friendly Pahrump. Most of the comments I received pertained to the County and their Planning Department, UICN and/or VEA, neither which the Town has any control over. The only comments received from these owners that pertains to the Town are: 1) make the Town's business license process easier to access and 2) get friendly staff to assist in the process. Both of these comments have been or are being addressed.

Currently the Business Licensing Department is conducting a ten question business questionnaire (BEAR Program) gauging the health of local businesses and collecting important information on what their needs are. The response to BEAR program has been fair at best with only 17.53% of the businesses responding. NOTE: Between 12/1/09 and 5/17/10, staff (M. Arms & A. Ledbetter) sent 1124 surveys out with the BL billing. So far, 197 have been returned filled out (17.53%) while another 32 were returned blank (2.85%).

NOTE: The staff is currently researching and reviewing business licensing ordinances from other communities.

5. Meet with local organizations/registered citizens groups to relay to the Board the top 5 concerns of such groups. (at least)

This goal is in the process of being accomplished and is ongoing process. Staff (Town Manager and Department Heads) continue meeting with various organizations monthly reporting back at the bi-monthly Department Head meetings. Examples of the aforementioned organizations are Nye Community Coalition, Community Outreach Committee, Great Basin College, Nevada Center of Public Policy Dialogue, League of Women Voters, PAVED, EDEN, Rotary, Senior Center and Tourism/lodging Companies.

See comments associated with #4 above.

6. Attend all the Advisory Board Meetings and hold a session on what an AB can and cannot do as an AB, there seems to be some real confusion out there within the next three months

2009-2010 Town Board Goals & Performance Objectives
July 01, 2009 to June 30, 2010

This goal is in the process of being accomplished but not within the established time frame set. In order to thoroughly accomplish this educational requirement it requires a continuous series of follow-up meetings with all Advisory Boards members. This is due primarily because of the periodic change in memberships of the seven boards plus the airport project, economic development, planning and PARC project.

The visiting of each AB will be accomplished before the end of June 2010.

7. Link town website to county sex offender site so people know who's living next door

This goal is in the process of being accomplished. The Town's new website will have a link to the Nye County Sheriff's Department, which contains the county sex offender link. The timeline for the Town's new website to be operational is two to four weeks.

8. "Newsletter" needs to reflect both "pro's and con's" and not show bias or one sidedness. And talk About Town website improvements

This goal is in the process of being accomplished. The newsletter has been written without showing bias to any one side. In addition, the articles reflect both pro's and con's when possible.

The May 2010 newsletter will have an article on and sneak peak at the Town's new website.

Town of Pahrump

Job Description Form

Job Title: Town Manager

Department: Administration

Location: Town Office

Reports to: Town Board

Salary Range:

\$100,000 - \$165,750

Type of position:

- Full-time
 Part-time
 Contractor
 Volunteer

Hours_40_/week

FLSA Exempt

General Description:

Is responsible for the overall management of the Town of Pahrump and for the supervision of management staff and management of Town resources consistent with the administrative and policy direction of the Town Board. The position performs high-level administrative, technical, and professional work in directing and supervising the administration of Town government. Shall establish priorities, programs and acceptable performance levels for the operations of the Town of Pahrump. Is committed to the vision and values of the Town through ethical conduct, community stewardship, individual initiative and responsive service. This position is unclassified and "at-will," serving at the pleasure of the Town Board.

Essential Duties and Responsibilities:

The duties listed below are examples of work typically performed by an employee in this class. An employee may not be assigned all duties listed and may be assigned duties that are not listed below.

1. Develops, evaluates, and implements administrative policies and procedures to meet Town Board goals and objectives; Advises the Board if new policies are warranted and/or whether existing policies are or are not effective for reasons for which they were adopted.
2. Supervises the performance of departments; directs the establishment of standards, goals, and objectives and evaluates the performance of departments; coordinates the activities of the various departments to ensure timely, efficient, and effective delivery of programs and services.
3. Selects, directs, develops, and evaluates management personnel; instructs and trains staff and provides training programs to enhance the capabilities of staff and improve the delivery of services;
4. Negotiates and/or supervises the negotiation of all Town of Pahrump contractual agreements subject to the limitations of law and Town Board direction; administers and enforces agreements.
5. Works jointly with the Finance Director in the development of the annual budget for approval by the Board; monitors expenditures to ensure compliance with budgets; accounts for variances between projected and actual expenditures, initiates remedial action, and reports significant variances to the Board.
6. Analyzes proposals regarding policies, programs, and services and develops recommendations to the Town Board; analyzes information pertaining to Town services and operations including policies, programs, methods, budgets, staffing, organization, and capital needs; writes reports and correspondence for government agencies, members of the community, and the Town Board.
7. Administers the preparation of Town Board meeting agendas; attends Town Board meetings; makes oral and written presentations to the Town Board and to other public and private groups; provides information to the news media and the public regarding Town operations; represents the Town of Pahrump with other government agencies and in meetings with the public.
8. Analyzes proposed legislation and administrative regulations for their impact on Town operations; reviews and makes recommendations to the Town Board regarding legislative activities; participates in the lobbying process by presenting oral and written testimony to appropriate bodies.

9. Provides direction and support to staff including advice and consultation to the members of the Town Board; receives, investigates, and resolves complaints and concerns regarding Town programs, services, and facilities; acts as liaison with cities, counties, regional, state, and federal agencies on a broad range of matters.
10. Assists the Town Board in the development of overall goals of the Town; provides leadership and direction in the development of short- and long-range plans for achieving overall goals; works with the Town Board and others to develop community and economic development plans.
11. Oversee the financial process to provide prepared expenditure vouchers for the Town Board's approval and signature. Should an emergency situation arise that calls for expenditure(s) not covered in the annual budget, the emergency shall be presented to the Board for approval as soon as possible. In the interim, the Town Manager may spend up to and including the amount that covers the emergency expenses without prior Town Board approval. A written report detailing the emergency expenditure shall be submitted to the Board, at the next Board meeting. At no time shall the Town Manager knowingly take any action that would be in conflict with any NRS.
12. Oversees the Town's personnel system including classification, compensation, benefits, recruitment and selection, and personnel policies.
13. The Town Manager has discretionary spending up to \$5,000.00 for non-emergency matters. He shall provide monthly reports of the non-emergency expenditures at the next Town Board meeting. The town manager may hire Contract labor that does not exceed a total sum of \$5,000.00. Any amount exceeding \$5,000.00 requires Town Board approval. Contract labor is for a specific job with specified payment and duration.
14. The Town Manager has the authority to determine appropriate staffing levels and to eliminate positions as he/she deems necessary with the exception of department head positions.
15. The Town Manager, if necessary, shall issue discipline up to and including termination to all employees pursuant to the Personnel Policy Manual and/or the collective bargaining agreement. The Town Manager must obtain approval from the Town Board to terminate a department head.
16. Maintain a working relationship with Federal, State and County officials and departments and to advise the Board of any friction that could be detected and recommend possible alternative action that could be taken to correct the situation.
17. Shall act as liaison between the Town Board and Town employees in all cases requiring the Town Board action pertaining to employees.
18. Informs the Town Board of operational problems and seeks advice and counsel on possible solutions.
19. Oversees labor relations function of the Town and recommends bargaining guidelines and settlements to the Board.
20. The town manager shall keep the Town Board advised of all proposed new construction, major changes, removals or destruction of Town properties and obtain prior Town Board approval.
21. The town manager shall set policy pertaining to the maintenance of, operation of, and use of Town owned vehicles except for those policies already established by the Town Board.
22. Performs related duties and responsibilities as required.

Education and Experience Requirements:

Any combination of training, education and experience that would provide the required knowledge and abilities. A typical way to gain the required knowledge and ability is:

Bachelor's degree in public administration or related field, and eight years of progressively responsible management experience in public administration; Master's degree in public administration or related field is desirable; or any combination of education and experience, which would provide the applicant with the desired skills, knowledge, and ability, required to perform the job.

Knowledge, Skills and Abilities Requirements:

Knowledge of:

- principles of supervision, training and performance management;
- management skills to analyze programs, policies, and operational needs;
- computer programs/applications related to the work;
- standard office practices and procedures;
- business letter writing and standard format for typed materials;
- record keeping principles and practices;
- principles of public personnel administration and employee relations;
- laws and regulations which pertain to City/County operations, services, and programs. techniques for dealing with the public, in person and over the telephone; and
- principles of public budget preparation and administration;

Ability to:

- develop policies and goals consistent with Council/Board directives;
- effectively administer projects and operations consistent with City policies and goals;
- plan, direct, and evaluate the work of staff;
- develop, motivate, and supervise management staff and other direct reports;
- work effectively under the pressure of deadlines, conflicting demands, and emergencies;
- establish and maintain effective working relationships with all levels of City staff, elective and appointive bodies, and members of the general public;
- gain cooperation through discussion and persuasion;
- collect, interpret, and evaluate narrative and statistical data pertaining to policy, fiscal, and operational matters;
- analyze policies, regulations, projects, activities, and methods;
- select alternatives;
- project the consequences of proposed actions;
- implement administrative policies and work programs consistent with regulations and with City policies and goals;
- understand, interpret, and apply laws and regulations;
- present findings, recommendations, and policies to individuals and groups in an understandable and persuasive manner;
- design technically complex visual aids such as maps, tables, and charts;
- adapt readily to changes;
- use sound judgment when dealing with confidential data;
- prepare and make presentations to groups of varying sizes; and
- analyze problems, identify alternative solutions, project consequences of proposed actions, and implement recommendations.

Special Requirements: Possession of a valid Nevada driver's license is required at time of appointment.

Physical Demands:

The physical requirements described here are representative of those that must be met by an employee to successfully perform the essential functions of this job.

Strength and stamina to sit at a desk; vision to read reports, financial data, and maps; hearing and speech to communicate in person or over the telephone; strength and stamina to drive long distances and to perform occasional light lifting, reaching, bending, and standing for long periods.

In compliance with applicable disabilities laws, reasonable accommodations may be provided for qualified individuals with a disability who require and request such accommodations. Incumbents and individuals who have been offered employment are encouraged to discuss potential accommodations with the employer.

Working Conditions:

Work is performed under the following conditions:

Generally clean work environment with limited exposure to conditions such as dust, fumes, odors or noise; periodic contact with angry and upset individuals; frequent interruptions of planned work activities by telephone calls, office visitors and response to unplanned events; travel from site to site; overnight and/or out-of-state travel, incumbents may be exposed to noise, dust, inclement weather conditions, and potentially hostile environments.

Town Manager:

Name: _____ Date: _____

Approved by Town Board:

Chairman: _____ Clerk: _____

Date: _____ Date: _____

This Job Description supersedes previous version dated: May 2003



FEDERAL COMMUNICATIONS COMMISSION
Enforcement Bureau
Investigations and Hearings Division
445 12th Street, S.W., Suite 4-C330
Washington, D.C. 20554

May 17, 2010

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Donna Cox
Concerned Citizens for a Safe Community
50 Emery Street, Box 20
Pahrump, Nevada 89048

Re: Station KNYE(FM), Pahrump, Nevada
Facility ID # 78350
File No. **EB-09-IH-1317**

Dear Ms. Cox:

This responds to your complaint¹ alleging that Station KNYE(FM), Pahrump, Nevada (“KNYE” or the “Station”), licensed to Pahrump Radio, Inc. (“PRI” or the “Licensee”), broadcast objectionable material warranting a Federal Communications Commission (“Commission”) investigation and action. Specifically, you allege that on July 14, 2009, during a program entitled, “Your Opinion Counts,” PRI publicly identified an individual associated with your organization, Concerned Citizens for a Safe Community (“CCSC”), against your wishes.² You also allege that this individual was “falsely labeled an imposter,” and that because many of the guests for the program were members on the Pahrump Town Board, their gathering and conducting official business at the Station violated Nevada Open Meeting laws.³ Finally, you contend that shortly after the program aired, the Town Board authorized a payment of \$1,700 to the Station, suggesting that it constituted *quid pro quo* exchange for undisclosed promotion and corresponding violation of the Commission’s sponsorship identification rule.⁴ For the reasons discussed below, we conclude that your complaint identifies no basis for Commission action in this case. Accordingly, your Complaint is denied.

Background. In response to your Complaint, on November 17, 2009, the Enforcement Bureau directed PRI to address the allegations contained therein.⁵ PRI’s response, supported by the sworn declaration of the Station’s owner, Karen Jackson,⁶ was submitted on December 8, 2009.⁷

¹ See Letter from Donna Cox, President of Concerned Citizens for a Safe Community to Robin Peltzman, Federal Communications Commission, dated July 27, 2009 (“Complaint”).

² See *id.* at 1.

³ *Id.* at 1-2.

⁴ See 47 C.F.R. § 73.1212.

⁵ See Letter from Kenneth M. Scheibel, Jr., Assistant Chief, Investigations and Hearings Division, Enforcement Bureau to Pahrump Radio, Inc., dated November 17, 2009 (“LOI”).

⁶ See E-Mail and attached Declaration from Karen Jackson, Owner-Operator of KNYE to Guy Benson, Attorney-Advisor, Investigations and Hearings Division, Enforcement Bureau, dated January 29, 2010.

Discussion. The role of the Commission in overseeing program content is limited. The First Amendment to the United States Constitution and Section 326 of the Communications Act of 1934, as amended (the “Act”), prohibit the Commission from censoring program material or interfering with broadcasters’ free speech rights.⁸ Except where required by specific federal statute, the Commission does not regulate broadcast content.⁹

Your allegation regarding the Pahrump Town Board’s expenditure of funds for broadcast advertising raises potential Commission rule compliance matters. Under Section 507 of the Act, persons who have paid, accepted, or agreed to accept any money, service, or other valuable consideration in exchange for the broadcast of any matter must report that fact to the station licensee before the matter is broadcast.¹⁰ In turn, Section 317 of the Act and Section 73.1212 of the Commission’s rules require licensees to announce, at the time of the broadcast, that the matter contained in their programming is paid for, and to disclose the identity of the person furnishing the money or other valuable consideration.¹¹

After reviewing the record in this case, including your Complaint, responsive pleadings, and applicable Commission precedents, we conclude that PRI has not violated the sponsorship identification rules. In its LOI Response, PRI definitively testifies in a sworn statement that no consideration was exchanged for the broadcast of any programming on July 14, 2009.¹² PRI also submits a letter from Pahrump’s Town Manager, William Kohbarger, indicating that the money you allege that was paid to the Station was actually paid to another local television station, not to KNYE.¹³ Aside from your unsubstantiated claim that the \$1,700 was directed to KNYE, there is nothing in the record to indicate that PRI’s representations in this matter are not credible.¹⁴ Indeed, in the Minutes of the July 14, 2009, Pahrump Town Board Meeting included with your Complaint, nothing suggests the expenditure of funds to any particular station.¹⁵ Unless it is demonstrated that money or other consideration was paid in exchange for the airing of particular programming, consistent with pertinent Commission precedents, we

⁷ See Letter from Karen Jackson, Owner-Operator, KNYE 95.1 FM to Kenneth M. Scheibel, Jr., Assistant Chief, Investigations and Hearings Division, Enforcement Bureau, dated December 8, 2009 (“LOI Response”).

⁸ See 47 U.S.C. § 326; *Citadel Broadcasting Company*, Memorandum Opinion and Order and Notice of Apparent Liability, 22 FCC Rcd 7083, 7101-7102 ¶ 41 (2007) (noting that under the First Amendment and Communications Act, licensees have broad discretion in choosing programming, especially news programming).

⁹ Thus, for example, under 18 U.S.C. § 1464, the Commission enforces the statutory prohibition on the broadcast of obscene, indecent, and profane material.

¹⁰ See 47 U.S.C. § 508.

¹¹ See 47 U.S.C. § 317; 47 C.F.R. § 73.1212.

¹² See LOI Response at 2-3.

¹³ See *id.* at 4 and attached letter from William A. Kohbarger, Pahrump Town Manager, to Marlene H. Dortch, Secretary, FCC, dated November 19, 2009.

¹⁴ See *Application of WorldCom, Inc. and MCI Communications Corporation for Transfer of Control of MCI Communications Corporation to WorldCom, Inc.*, Memorandum Opinion and Order, 13 FCC Rcd 18025, 18134 ¶ 193 (1998) citing 47 C.F.R. § 1.17 (in light of their duty to be truthful and accurate in their representations to the Commission, statements provided by Commission licensees in response to investigatory or adjudicatory matters within the Commission’s jurisdiction are awarded substantial weight in the absence of persuasive evidence to the contrary).

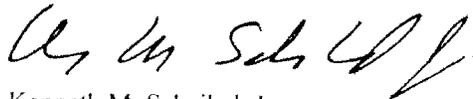
¹⁵ See Complaint at Exhibit 4.

cannot find that PRI violated the sponsorship identification rule.¹⁶ Consequently, we must deny this aspect of your Complaint.

Regarding other potential misconduct described in your Complaint, we note that Congress has not authorized the Commission to act. Indeed, with limited exceptions not relevant here, licensees are afforded broad discretion in the scheduling, selection, and presentation of programs aired on their stations.¹⁷ Thus, with respect to your allegation that Station KNYE improperly misidentified an individual associated with your organization as “an imposter,”¹⁸ we note that the Commission does not generally evaluate the veracity of broadcast speech.¹⁹ Similarly, regarding your contention that PRI allowed its facility to be used for town business in alleged violation of the Nevada Open Meeting laws, we must observe that the Commission generally does not enforce matters governed by state law.²⁰ These issues are more appropriately directed to and resolved by local law enforcement and courts of competent jurisdiction.

Conclusion. Although we appreciate your concern, your Complaint does not provide the Commission with any basis for enforcement action in this matter. We therefore deny your Complaint.

Sincerely,



Kenneth M. Scheibel, Jr.
Assistant Chief
Investigations and Hearings Division
Enforcement Bureau

cc: Karen Jackson

¹⁶ See 47 C.F.R. § 73.1212; *AMFM Texas Licenses Limited Partnership*, Notice of Apparent Liability for Forfeiture, 15 FCC Rcd 19705, 19707 ¶ 12 (Enf. Bur. 2000) (finding that an exchange of consideration for airplay requires sponsorship identification).

¹⁷ See, e.g., *Dr. Paul Klite*, Letter, 12 Comm. Reg. (P & F) 79, 82 (Mass Media Bur. 1998).

¹⁸ Complaint at 1.

¹⁹ Although not alleged in this case, we note that the Commission’s precedents prohibit licensees from deliberately engaging in news distortion. But even in such cases, the Commission will not investigate mere claims of inaccuracy in news reports or mere differences of opinion over the truth or validity of a news program, nor will it investigate unsubstantiated claims of news distortion committed by broadcast stations. See, e.g., *Dr. Paul Klite*, 12 Comm. Reg. (P & F) at 82.

²⁰ See, e.g., *Northwest Broadcasting, Inc.*, Memorandum Opinion and Order, 12 FCC Rcd 3289, 3293 ¶ 10 (1987) (declining to consider questions of state law and private contracts); *Buckley Broadcasting, Inc.*, Memorandum Opinion and Order and Notice of Apparent Liability, 57 FCC 2d 57, 57 ¶ 1 (1975) (noting that the FCC does not adjudicate state law matters such as defamation); *Elko TV District*, Letter, 22 FCC Rcd 12806, 12807-808 (Med. Bur. 2007) (declining to interpret Nevada state law barring the rebroadcast of FM radio signals).

REQUEST FOR QUALIFICATIONS

For a Consultant to Assist the Federal Aviation Administration in Preparing an Environmental Impact Statement for the Proposed New Pahrump Valley General Aviation Airport Serving the Town of Pahrump, Nye County, Nevada, and the Surrounding Area

Issued: May 17, 2010
Proposals Due: June 22, 2010 5:00 PM PACIFIC DAYLIGHT TIME

Pre-submittal Conference: June 04, 2010 10:30 A.M.
(Optional) Pahrump Town Office 400 N. Hwy 160
Pahrump, Nevada 89060

BRIEF DESCRIPTION OF PROJECT:

The Federal Aviation Administration (FAA), in consultation with the Town of Pahrump has issued a *Request for Qualifications* (RFQ) requesting *Statements of Qualifications* (SOQ) from professional environmental/architect/engineer/planning consulting firms to assist the FAA in preparing an Environmental Impact Statement (EIS). The EIS will evaluate the environmental impacts of establishing a new general aviation airport serving the Town of Pahrump, Nye County, Nevada, and the surrounding area.

A Site Selection Study for an airport for the Pahrump Valley was completed in 1987 as part of a Countywide Airports Master Plan for Nye County, Nevada. The Town of Pahrump 2008 Airport Master Plan identified two 650-acre alternative airport sites, both located on BLM-administered federal public lands. The Master Plan states the new Pahrump Valley General Aviation Airport would predominantly serve small, general aviation aircraft of less than 12,500 pounds maximum gross takeoff weight, with wingspans of 49 feet or less. The Master Plan also forecast the airport would serve some larger corporate business turbojet aircraft over 12,500 pounds and less than 30,000 pounds maximum gross takeoff weight, with wingspans up to 78 feet.

A Memorandum of Understanding between the FAA and the Sponsor provides the framework under which this EIS will be prepared. The Town will issue and administer the EIS contract and be responsible for payment for consultant services.

COMPLETE RFQ PACKAGE CAN BE DOWNLOADED AT:
www.pahrumpnv.org

PROPOSALS DUE: DATE June 22, 2010 at 5:00 PM PACIFIC DAYLIGHT TIME

CONTACT INFORMATION:

E-mail contact preferred. Please read RFQ telephone contact restrictions before making telephone contact. Submit proposals to:

Douglas Pomeroy, Environmental Protection Specialist
Federal Aviation Administration – San Francisco Airports District Office – Pahrump RFQ
831 Mitten Road – Room 210, Burlingame, CA 94010
e-mail douglas.pomeroy@faa.gov telephone: 650-876-2778 ext 612 fax: 650-876-2733

REQUEST FOR QUALIFICATIONS

For a Consultant to Assist the Federal Aviation Administration In Preparing an Environmental Impact Statement for the Proposed New Pahrump Valley General Aviation Airport Serving the Town of Pahrump, Nye County, Nevada, and the Surrounding Area

Issued: May 17, 2010

Proposals Due: June 22, 2010 5:00 p.m. Pacific Daylight Time

I. INTRODUCTION

The Federal Aviation Administration (FAA), in consultation with the Town of Pahrump has issued this *Request for Qualifications* (RFQ) requesting *Statements of Qualifications* (SOQ) from professional environmental/architect/engineer/planning consulting firms to assist the FAA in preparing an Environmental Impact Statement (EIS). The EIS will evaluate the environmental impacts of establishing a new general aviation airport serving the Town of Pahrump, Nye County, Nevada, and the surrounding area. Although there are several non-public runways located in the vicinity of the Town of Pahrump, no public-use, general aviation airport exists. The Town of Pahrump is the airport sponsor (Sponsor) for the development of the airport.

The FAA and the Sponsor intend for the Sponsor to contract with a technically proficient Consultant to assist the FAA in preparing a technically and legally sufficient EIS and assist the FAA and the Sponsor with required agency and tribal consultations in an efficient and cost effective manner.

A Site Selection Study for an airport for the Pahrump Valley was completed in 1987 as part of a Countywide Airports Master Plan for Nye County, Nevada. Nye County subsequently requested that the Bureau of Land Management (BLM) set aside 1,000 acres for the 1987 airport site. In May 2004, the Sponsor requested to the BLM that the Sponsor take over the application for airport land from Nye County, and the County agreed to support this request. The Sponsor currently has a lease application on file with the BLM to lease BLM-administered federal public land for airport purposes.

The Sponsor adopted the Pahrump Valley Airport Master Plan in 2008 (Master Plan). The Master Plan identified the Sponsor's proposed site and an alternative site, both located on BLM-administered federal public lands. The Master Plan did not identify any other practicable alternative airport sites.

The Sponsor subsequently started a National Environmental Policy Act (NEPA) Environmental Assessment (EA) of the airport project. The Sponsor established a public scoping comment period for the EA between March 16, 2009 and April 20, 2009 to solicit

public comments on the environmental effects of a proposed Airport Land Lease and Airport Construction of the Pahrump Valley General Aviation Airport.

The FAA and the BLM subsequently reviewed the public scoping comments on the EA and concluded that an EIS was the required NEPA document to evaluate the potential environmental effects of the Sponsor's project. The FAA and the Sponsor have now entered into a Memorandum of Understanding (MOU) to prepare an EIS for the proposed Pahrump Valley General Aviation Airport.

The MOU between the FAA and the Sponsor provides the framework under which this EIS will be prepared. The Town will issue and administer the EIS contract and be responsible for payment for consultant services.

The FAA anticipates that the BLM will be a cooperating NEPA agency for this EIS, as both alternative airport sites identified in the Master Plan are located on BLM-administered federal public land. Concurrently, and independent of this EIS, the BLM is preparing a Resource Management Plan revision and associated EIS for the Las Vegas Resource Management Plan area, which includes the proposed airport sites identified in the Master Plan. The BLM issued a Notice of Intent to prepare the EIS for the Las Vegas Resource Management Plan revision on January 5, 2010.

2. PROJECT DESCRIPTION

The Sponsor proposes to acquire approximately 650 acres of BLM-administered federal public land by lease or conveyance and construct and operate a new public-use, general aviation airport in the southwestern quadrant of the Town of Pahrump.

The Master Plan states the new Pahrump Valley General Aviation Airport would predominantly serve small, general aviation aircraft of less than 12,500 pounds maximum gross takeoff weight, with wingspans of 49 feet or less. The Master Plan also forecast the airport would serve some larger corporate business turbojet aircraft over 12,500 pounds and less than 30,000 pounds maximum gross takeoff weight, with wingspans up to 78 feet. Aviation forecast information is included in the Master Plan. The most recent FAA-approved aviation forecast for the Pahrump Valley General Aviation Airport is dated April 27, 2005. The aviation forecast and associated planning information will need to be revalidated for this EIS.

The Master Plan identifies that the airport would be developed in phases through 2025. Phase I includes the initial design and construction of the airport which is anticipated to take approximately three years. Facilities anticipated to be constructed during Phase I include:

- Runway (5,000 feet by 100 feet)
- Parallel taxiway (5,000 feet by 35 feet), entry/exit taxiways (3 at 330 feet by 35 feet) and holding aprons (2 at 150 feet by 100 feet)
- Aircraft parking apron (700 feet by 450 feet)
- Access road to the project site

- Perimeter fencing (approximately 16,000 feet) with controlled access gates
- Electrical and telephone service (rights-of-way and utility lines the length of which varies by alternative)
- Electrical, vault, airfield lighting and navigational aids including medium intensity runway edge lights, medium intensity taxiway lighting, precision approach path indicators, automated weather observing system, rotating beacon, segmented circle and lighted wind dictator
- Vehicular parking lot (60,000 square feet) and terminal area service road (2,500 feet by 24 feet)
- Hangar taxiways (2 at 600 feet by 25 feet and 1 at 350 feet by 35 feet)
- 30 hangars for plane storage
- Two 12,000-gallon fuel tanks and fuel island
- On-site water well
- On-site septic sewer system
- On-site storm water detention basin

The Master Plan states the airport will be operational following the completion of the Phase I construction projects. After Phase I is completed, the Master Plan states additional airport development will occur when future aviation requirements become known and funding from airport operations becomes available.

The FAA has the responsibility to comply with NEPA requirements (42 U.S.C. 4321 et seq.), Council on Environmental Quality Regulations (40 C.F.R. Parts 1500-1508), and appropriate U. S. Department of Transportation and FAA environmental orders prior to undertaking one or more of the following federal actions necessary regarding the proposed airport:

- FAA unconditional approval of the portion of the Town of Pahrump's Airport Layout Plan that depicts the Phase I airport construction projects.
- FAA approval of further processing of an application for federal assistance for eligible projects using federal funds from the Airport Improvement Program.
- FAA approval of a Town of Pahrump proposal to seek of conveyance of federal public land in accordance with the Airport and Airway Improvement Act.

In addition, if the proposed project is located on BLM-administered federal public land, the BLM would need to comply with NEPA requirements prior to approval of one of more of the following federal actions regarding the proposed airport:

- BLM approval of a lease to the Town of Pahrump for approximately 650 acres of federal public land for airport development.
- BLM approval of a conveyance of federal public land to the Town of Pahrump in accordance with the Airport and Airway Improvement Act.

- BLM approval of rights-of-way for access roads and utility routes across federal public land to serve the airport.

3. SCOPE OF SERVICES

A. Scope

The Consultant will address environmental issues that are typically associated with the planning, development and operation of a new general aviation airport on a previously undeveloped site. The EIS will follow the requirements of FAA Orders 1050.1E, *Environmental Impacts: Policies and Procedures* and 5050.4B, *NEPA Implementing Instructions for Airport Actions*. The FAA anticipates the BLM will be a cooperating agency on this EIS and that the EIS will address the requirements of BLM NEPA Handbook H-1790-1 and the Federal Land Policy and Management Act. The FAA anticipates the EIS will include a noise impact evaluation following the procedures in the *Guidance on Procedures for Evaluating the Potential Noise Impacts of Airport Improvement Projects on National Parks and Other Sensitive Park Environments, Version 1.0*, June 2007. The FAA's *Environmental Desk Reference for Airport Actions*, October 2007, provides additional information on meeting FAA environmental requirements during the NEPA process.

Specific environmental issues that the EIS may address, but are not limited to include:

- Air Quality
- Compatible Land Use
- Construction Impacts
- Department of Transportation Act: 49 U.S.C. Section 303(c) (4f) impacts
- Farmlands
- Fish, Wildlife and Plants, Including Endangered and Threatened Species
- Floodplains and Floodways
- Hazardous Materials, Pollution Prevention, and Solid Waste
- Historic, Architectural, Archaeological and Cultural Resources
- Light Emissions and Visual Impacts
- Mineral Resources
- Natural Resources, Energy Supply and Sustainable Design
- Noise
- Paleontology Resources
- Secondary (Induced) Impacts
- Socioeconomic Impacts, Environmental Justice, and Children's Environmental Health and Safety Risks
- Water Quality
- Wetlands
- Wild and Scenic Rivers
- Cumulative Impacts

During the March 16, 2009 to April 20, 2009 public scoping period on the prior EA for this project, the public and various agencies identified the following as issues of concern:

- airport operating costs
- air quality impacts
- cumulative environmental impacts
- environmental impacts on wildlife and plants
- historic properties including the Old Spanish Trail
- land use changes
- noise impacts including over areas of "natural quiet"
- project purpose and need
- visual impacts including reduced visibility of the night sky from airport lighting
- water availability
- water quality

The public scoping comments received on the EA and the EA public scoping report summarizing those comments are available for download by any prospective Consultant from the Sponsor's website.

The proposed and alternative airport sites identified in the Master Plan, proposed alternative access roads, and proposed alternative utility rights-of-way are in undeveloped areas that do not have obvious site boundaries. The FAA and the Sponsor anticipate the Consultant will need to locate the site boundaries of the airport sites and proposed rights-of-way in the field in desert areas with sufficient accuracy to complete biological and cultural resources survey requirements. The proposed alternative airport sites are located near the California – Nevada state line at the boundaries of Public Land Surveys for the states of California and Nevada. Some sections within Public Land Survey Townships in this area differ in size or shape from the standard one-square-mile sections typical of the Public Land Survey System.

The Consultant will be responsible for assembly, management, maintenance, and indexing of an Administrative File. The Administrative File would include public scoping materials and public comments, and documents, data, and environmental analyses produced during development of the EIS. The Administrative File would document project processes, methodologies, analysis, and evaluations that contribute to the FAA decision-making process. The Consultant will be responsible for maintaining a document management system including an indexing system to provide for rapid retrieval of documents in the Administrative File. The Consultant may be tasked to assist the FAA in compiling an Administrative Record based on the Administrative File.

The selected EIS Consultant will develop and submit a draft Plan of Study, to include a Scope of Work, for approval by the FAA. The Plan of Study will include detailed descriptions of all proposed work, the proposed methodologies for the work, the name and qualifications of the proposed staff person performing the work, and the schedule of the proposed work. The Consultant's schedule for the work will include the Consultant, FAA,

and cooperating agency internal administrative reviews of the EIS as well as public reviews of the EIS.

The Plan of Study will include a provision for a thorough literature search and bibliography of references and methodologies to be used in the acquisition of the environmental data and analyses and the development and preparation of the EIS. The Plan of Study will include a description of the public involvement processes to be used in the EIS.

B. Background Documentation

The Sponsor will appoint a Project Coordinator to facilitate coordination and exchange of information between the Sponsor's staff, the FAA, the EIS Consultant team, and the BLM related to the Sponsor's planning and design of the proposed airport and related facilities.

The Sponsor has made the following resources available for download by any prospective Consultant in responding to this RFQ and for use in preparing the EIS:

- 1987 Airport Site Selection Study
- 2008 Airport Master Plan
- Public Scoping Notice for prior EA
- Public Scoping Comments submitted for prior EA
- Public Scoping Report for prior EA
- BLM June 24, 2009 letter to FAA identifying an EIS is required for airport project
- FAA July 28, 2009 letter to Sponsor identifying an EIS is required for airport project
- Proposed Cultural Resources Survey Methodology
- Proposed Desert Tortoise Survey Methodology
- Sponsor/FAA EIS MOU
- Sponsor's Disadvantaged Business Enterprise Plan

These documents are available for download from the internet at the Sponsor's website at www.pahrumpnv.org. Additional documents may be posted on that website as well. In the interest of time and efficiency, hard copies of any documents posted on the Sponsor's website www.pahrumpnv.org will not be made available. Please do not call the Sponsor's staff, the Sponsor's present or former consultants, the FAA, or BLM for additional documents.

4. PERIOD OF PERFORMANCE

The period of performance (through completion of the Final EIS) is anticipated to be approximately three (3) years and is not to exceed five (5) years from the Notice of Intent to prepare the EIS. While it is conceivable that issues raised during the public comment process, or by regulatory agencies, could affect the time of contract performance, responders should assume that the FAA will only grant time extensions for performance of this contract beyond five (5) years for the most extraordinary circumstances.

5. PROCUREMENT AND CONTRACTING

A. Contract Type and Administration

The work will be performed under a Contract with the Sponsor on the basis of a firm fixed-price contract. The contract will contain all of the ordinary language contained in an FAA-funded planning or engineering services contract. Firms are urged to read and become familiar with FAA Advisory Circular 150/5100-14D *Architectural, Engineering, and Planning Consultant Services for Airport Grant Projects* and contracting provisions related to EISs and firm fixed price contracts in FAA Order 5100.38C *Airport Improvement Program Handbook*. The Sponsor will administer the contract, and appoint a Project Coordinator to facilitate the coordination of effort and the exchange of information on facility planning, design, and construction, as these activities relate to the preparation of the EIS.

Pursuant to a MOU between the FAA and the Sponsor, the FAA will select the Consultant, and give the direction to the Consultant regarding preparation of the EIS. Unless directed otherwise by the FAA, any and all work performed by the Consultant and its Sub-consultants in preparation of the EIS shall be submitted directly to the FAA and, upon request of the FAA, to the Sponsor and cooperating agencies. This arrangement is being instituted to ensure that the technical assistance received by the FAA is developed and presented in a way that is not biased towards or against the proposed project.

In no case shall the Sponsor or cooperating agencies discuss, review, modify, or edit the Consultant's work or the work of its Sub-consultants prior to submission to the FAA, or be provided the opportunity to do so. All suggestions for modifications or changes to such sections recommended by the Sponsor or cooperating agencies shall only be made to the FAA. If a contract amendment is needed the Consultant will make the request for the amendment to the FAA with appropriate supporting information for the amendment. FAA will review the request and will forward the request to the Sponsor for consideration. The Sponsor, however, must approve any modification of the contract.

Communications between the Sponsor and the Consultant will be governed by normal FAA policies and practices on preparation of EISs. The Sponsor may communicate with the Consultant and its Sub-consultants during the development of the EIS, but the Consultant or Sub-consultants will not review or discuss any EIS data or analyses with the Sponsor or cooperating agencies before that data and analysis has been provided to the FAA.

B. Development of Plan of Study and Scope of Work

Upon selection of the Consultant, the Consultant will prepare a detailed Plan of Study to more specifically identify the tasks required by the Scope of Work described in item 3 A above.

C. Selection Process and Fee Proposals

The FAA, in coordination with the Sponsor, will review the SOQs submitted in response to this RFQ. Overall selection process procedures are described in FAA Advisory

Circular 150/5100-14D, Chapter 2 *Selection Procedures for Consultants*. The FAA will select the Consultant based on an evaluation of the SOQs. The Sponsor and the FAA anticipate that selected Consultant will complete the work in several phases, with a fee negotiation with the selected Consultant for the specific work covered by each phase.

D. Conflict of Interest

The FAA will require that the selected Consultant and their Sub-consultants shall sign a "Disclosure Statement" per the requirements of 40 C.F.R. 1506.5(c) and FAA Orders 1050.1E and 5050.4B specifying they have no financial or other interest in the outcome of the project. The Consultant and any Sub-consultants performing the work shall certify that they have not entered into and, will not enter into during the lifetime of the EIS preparation any agreement affording the Consultant and any Sub-consultants with any direct or indirect financial interest in the planning, design, construction or operation of the project that is the subject of the EIS except the preparation of the EIS. The Consultant's Disclosure Statements must be submitted and approved by the FAA prior to the Consultant entering into discussions with the Sponsor regarding the Consultant's proposed professional services rate structure for the contract described in Section 8.

E. Disadvantaged Business Enterprise (DBE) Program, 49 CFR Part 26

The Sponsor encourages proposers to utilize certified DBEs on this contract as sub-consultants, suppliers, and/or vendors. Certified DBEs can be located on the Nevada Disadvantaged Business Enterprise website at www.nevadadbe.com. The Consultant and their Sub-consultants shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The Consultant shall carry out applicable requirements of 49 CFR Part 26. The Sponsor's Disadvantaged Business Enterprise Plan is available for review at www.pahrumpnv.org.

6. STATEMENT OF QUALIFICATIONS (SOQ) SUBMITTAL REQUIREMENTS

A. SOQ Package Contents

In response to this RFQ, interested firms shall submit one (1) original and ten (10) copies of their Cover Letter, SOQ and *Attachments* to the FAA at the address noted below. The original shall be marked as such. FAA will be responsible for transmitting appropriate copies to the Sponsor. The FAA will not accept or consider any late or non-compliant submittals. Prospective firms are reminded to adhere precisely to the submittal requirements set forth in this RFQ.

Cover Letter

The Consultant's cover letter accompanying each SOQ must include an authorization that the FAA and the Sponsor have the right to make any inquiry or investigation they deem appropriate to substantiate or supplement information contained in the SOQ and the *Attachments*. The Consultant's cover letter must authorize the release to the FAA or the

Sponsor of any and all information sought in such an inquiry or investigation of statements made in the SOQ.

The SOQ shall be no more than 15 pages of text, double-sided, 8-1/2" x 11" sheet size. All SOQs shall be bound with tabbed dividers labeled by section to correspond with the categories of information requested below. Faxed or emailed proposals are not allowed and will not be considered. Copies are to be, printed double-sided. Brief cover letters no more than 1 page, double-sided, 8-1/2" x 11" sheet size, and tab dividers of the SOQs are not included in the 15 page count.

Tab 1. Project Approach

The Consultant should describe how they would approach developing this EIS. The Project Approach section will describe the Consultant's understanding of the proposed project and alternatives, associated environmental issues, compliance with federal environmental laws, and how the Consultant proposes to address those items. Identify Consultant and Sub-consultant responsibilities identified by specific staff members. Identify proposed coordination processes with the FAA, the Sponsor, cooperating federal NEPA agencies, and Sub-consultant's work efforts to integrate information from all sources into an EIS.

The Project Approach should discuss the Consultant's tentative conclusions in regard to the priority of environmental issues and include a proposed EIS schedule. The EIS schedule should show the Consultant's proposed schedule to develop EIS submittals for the FAA, and overall EIS schedules that include FAA and cooperating NEPA agency reviews of the administrative draft and public Draft EIS documents, administrative draft and public Final EIS documents, and associated work products. Consultants should assume a 45 day review period for FAA internal administrative reviews. The schedule should show at what point in the NEPA EIS process the Consultant proposes that the FAA should complete compliance with special purpose environmental laws the Consultant considers applicable to this project.

Discuss data needs and sources, analytical methodologies to be used in conducting the environmental analysis and anticipated types of outputs from environmental evaluations. The Project Approach section should describe any new or unique issues that the Consultant believes might arise in preparation of the EIS and how the Consultant would address those issues. Responses that demonstrate how the Consultant would address specific environmental issues associated with the proposed project are encouraged.

Tab 2. Project Team

The Consultant should describe their proposed project team to develop this EIS. This section must identify and describe the availability and expertise of an experienced Project Manager who would be assigned to this EIS. Describe the Project Manager's ability and past experience managing Consultant team members and Sub-consultant team members to successfully complete EIS documents for airport development projects in accordance with FAA NEPA requirements. Also describe the Project Manager's experience with other EA

and EIS NEPA documents or other complex environmental projects if applicable. For the Project Manager, this section should state the percentage of his time that the Consultant's Project Manager anticipates he will be devoted to this EIS on a weekly basis and indicate whether and how that percentage might change over the course of the EIS.

For other team members identify their role in the project team. Identify when those project team members would be available to undertake the work to meet the Consultant's anticipated EIS schedule. Identify Consultant's process and timing to replace EIS project team members with alternative personnel of similar expertise and experience should the Project Manager, technical staff, or Sub-consultants become unavailable to continue on the EIS project team. Identify whether such alternative personnel are already members of the Consultant's firm or Sub-consultant firms. For each individual team member identified in this section, provide the location where the individual is anticipated to be physically based for the duration of the EIS. Identify, what, if any, members of the proposed team are Certified DBEs under 49 CFR Part 26.

Tab 3. Project Management

The Consultant should describe the project management processes they use to develop the EIS from being awarded the EIS contract through completion of the NEPA process and associated requirements. Identify the Consultant's methods for coordinating in-house and Sub-consultant resources and how the Consultant integrates information from all its EIS team members into the EIS and Administrative File. Identify how the Consultant determines the relative use of its senior and junior technical staff to prepare the EIS. Describe the Consultant's internal processes for EIS data review and validation, and integration of individual environmental topics into an editorially consistent EIS. Describe the Consultant's approach to managing internal and external EIS comments and managing EIS document revisions in response to comments.

Describe the Consultant's processes for addressing and resolving unforeseen changes in the EIS environmental analysis requirements, regulatory agency requirements, and differences of professional judgment regarding severity of environmental impacts. Describe how the Consultant proposes to address such issues in a timely manner, including when the Consultant's existing contract with the Sponsor does not include those items in its scope of work.

Tab 4. Past Performance, Project Experience and Team Experience

This section shall describe the past performance and experience of the Consultant and Sub-consultants forming the EIS team identified in Section 2 Project Team. Recognizing that a team's effectiveness can be influenced both by the individual experience of its members and their experience working together, the experience section should include the Consultant's experience in preparing EIS and EA documents, the experience of individual EIS team members in preparing EIS and EA documents, and the past experience of the EIS team proposed for this EIS in working together to prepare other EIS or EA documents. If work from individual EIS team members comes from past experience at different consulting

firms that should be identified.

Provide a brief description of relevant environmental studies performed within the last five (5) years of similar nature and explain the specific level of involvement for the Consultant and each Sub-consultant proposed for this EIS team in those past environmental studies. For the Project Manager and all team members, include relevant environmental experience for airport development projects, abilities in addressing controversial public issues, experience and expertise related to applicable technical disciplines, demonstrated writing skills, experience with NEPA documents and other applicable regulatory or interagency coordination and/or consultation that are expected to be important for this EIS. The description shall address at least the following areas of expertise:

- (a) Experience in successful preparation of EISs for airport development projects;
- (b) Experience in successful preparation of EISs involving NEPA federal lead and cooperating agencies for development projects on federal lands such as BLM public lands, national forests, national parks, or national wildlife refuges;
- (c) Experience with noise environmental impact evaluations meeting FAA standards including modeling and experience addressing noise impacts on undeveloped wilderness, parklands, or other naturally quiet areas;
- (d) Experience with Endangered Species Act compliance requirements and any demonstrated success in assisting federal agencies with documentation and proposed compensation measures to complete Endangered Species Act, Section 7, compliance requirements;
- (e) Experience evaluating historic properties in accordance with National Historic Preservation Act requirements and assisting federal agencies with coordination with federally-recognized and other tribes.
- (f) Experience addressing the cumulative impacts of connected and unconnected actions which themselves may be subject to independent environmental review under NEPA;
- (g) Experience analyzing the impacts of airspace changes associated or necessitated by airport development projects;

Tab 5 Attachments

In addition to the SOQ, each copy of the submittal package shall include four *Attachments* in the following order:

- (1) *Attachment 1* shall be detailed resumes of all primary EIS team personnel. No individual resume will exceed two pages.
- (2) *Attachment 2* will include project descriptions or profiles of projects referenced in the

SOQ. Each project profile or description shall be no longer than one page in length and shall specifically identify by name those individuals who were primarily responsible for the project and include professional client references (including phone number and email address) for each project. The descriptions shall indicate the original and ultimate time frame for the Consultant's portion of project and the extent to which the Consultant's final timetable for the project differed from the original timetable (with an explanation of any significant deviations, if necessary).

(3) *Attachment 3* shall be a CD containing work from one sample project in which the prime Consultant was the project manager. The work product should be in Adobe Acrobat format. This document should be reflective of the Consultant's best quality NEPA work and should be a public document such as an EIS, EA, or similar document. This *Attachment* shall be prefaced by a one-page statement listing the personnel whose resumes appear in *Attachment 1* to the SOQ who were also substantively involved in preparation of the selected work product.

(4) *Attachment 4* shall be any supplemental data, which the Consultant believes necessary to supplement the SOQ and shall be no longer than 10 pages in length.

The combined total of *Attachments 1, 2, and 4* shall be no more than 15 pages of text in length, double-sided, 8-1/2" x 11 sheet size". There is no page limit for the document contained on the CD in *Attachment 3*.

7. PRE-SUBMITTAL CONFERENCE/ QUESTIONS ABOUT THIS RFQ

A pre-submittal conference for this contract will be held on June 4, 2010 at the 10:30 a.m. Pacific Daylight Time, at the Pahrump Town Office 400 N. Hwy 160 Pahrump, NV 89060. At this meeting, FAA and Sponsor will be available to discuss the overall project and general contract issues. The purpose of the conference is to ensure that all Consultants submitting SOQs have the same understanding of the scope of the project and FAA and Sponsor expectations. The FAA and the Sponsor will accept questions regarding the RFQ at the Conference. Depending on the complexity of the question, the FAA and the Sponsor will either answer the question at the conference, or post the question and answer on the Sponsor's webpage after the conference. Minutes of the conference will be made and will be *emailed* to any attendee who so requests on the sign-in sheet. All questions and answers discussed at the conference will be posted on the Sponsor's webpage.

Attendance at the pre-submittal conference by at least one representative of the prime Consultant is recommended but not mandatory. Any prospective consultant who cannot attend the pre-submittal conference may download the minutes of the conference at www.pahrumpnv.org but should understand that it may be several days before the minutes are made available. Neither the FAA nor the Sponsor will make special accommodations for other pre-submittal conferences.

8. EVALUATION, SELECTION, and FEE NEGOTIATION PROCESS

The FAA, in coordination with the Sponsor, will evaluate each SOQ received by the RFQ submittal deadline. SOQs will be evaluated and scored on the following criteria. The criteria are listed in descending order of importance with the weights shown in parentheses.

Selection Criteria

1. Project Team – Fifty percent (50%) of total score

The FAA will consider the demonstrated experience and technical capability of the Consultant EIS Project Manager, Consultant EIS team members, and Sub-consultant EIS team members in successfully preparing EAs and EISs for airport projects in the past five (5) years. Demonstrated experience and technical capability of the proposed Consultant EIS team in preparing EAs and EISs for non-airport projects will also be considered. Demonstrated experience and technical capability in preparing EAs and EISs for airport projects and other development projects on undeveloped areas of federal lands involving federal land management agencies such as the BLM, U.S. Forest Service, National Park Service, or U.S. Fish and Wildlife Service will also be considered relevant experience. Demonstrated experience in successfully preparing EIS documents for aviation projects in accordance with FAA NEPA guidance will be considered the most relevant experience.

2. Past Performance, Project Experience and Team Experience – Twenty-five percent (25%) of total score

The FAA will consider the past performance of the EIS Consultant Team on EIS and EA documents including checking references from clients and FAA or other federal or state agencies that accepted or evaluated the Consultant's work. Successful performance of the Consultant's team, individually and collectively, in developing EISs and EAs for airport development projects will be considered the most relevant past performance.

3. Project Management – Fifteen percent (15%) of total score

The FAA will consider the Consultant's EIS and EA project management experience including experience successfully overseeing multidisciplinary EIS teams involving Consultant and Sub-consultant team members with airport sponsors and the FAA to produce an EIS meeting FAA NEPA requirements. The FAA will evaluate the demonstrated past effectiveness of Consultant project management processes. The FAA will review the Consultant's methods for completing EIS products within contractually agreed upon schedule and cost while maintaining the necessary level of quality to meet FAA NEPA requirements. FAA will review the Consultant's methods and effectiveness of maintaining EIS administrative files.

4. Project Approach – Ten percent (10%) of total score

The FAA will consider the EIS Consultant's proposed approach to completing this EIS. The FAA will also consider the Consultant's understanding and proposed approach to address

the environmental issues specific to this project, and the Consultant's approach to integrate compliance with special purpose environmental laws into the NEPA process.

Selection Process

Following the initial evaluation of the SOQs and attachments, the FAA, in coordination with the Sponsor, will determine if it is necessary to reduce the number of consultant firms to a short-list for further evaluation.

Short-listed Consultants may be required to provide interview presentations. The FAA and the Sponsor would interview those short-listed Consultants either by telephone or in person at the FAA San Francisco Airports District Office at 831 Mitten Road, Suite 210, Burlingame, California. If interviews are required, it is currently anticipated they would occur within 60 days of the deadline to submit the RFQ. The general interview format would be provided to the short-listed firms in advance of the interview.

Following the interviews, the FAA, after consideration of any opinions of the Sponsor, will select the EIS Consultant. The FAA is solely responsible for selection of the EIS Consultant.

Post-Selection Actions and Fee Negotiation

After selection of the Consultant, the Consultant's professional services rate structure and the Consultant's fee for the first phase of the EIS will be determined in accordance with the requirements of FAA Advisory Circular 150/5100-14D and FAA Order 5100.38C *Airport Improvement Handbook*.

The highest rated Consultant will propose a professional services rate structure for the contract performance period to the Sponsor for evaluation as to whether the rate structure is fair and reasonable. After the Sponsor's evaluation, the Sponsor would then submit the Consultant's proposed rate structure to the FAA for concurrence with the Sponsor's determination as to whether the rate structure is fair and reasonable. If the Sponsor concludes the Consultant's rate structure is fair and reasonable, and the FAA concurs, the Sponsor will then continue into fee negotiations with the Consultant for the first phase of the EIS project.

The Sponsor will negotiate a fee with the Consultant for the first phase of the EIS based on a detailed scope of work approved by the FAA. If the Sponsor concludes the Consultant's fee proposal is fair and reasonable, and the FAA concurs, the Sponsor will then enter into a contract with the Consultant for the first phase of the EIS.

If the Sponsor determines the Consultant's proposed professional services rate structure is not fair and reasonable, or the Sponsor determines the Consultant's fee proposal for the first phase of the EIS is not fair and reasonable, and the FAA concurs, the Sponsor will then

terminate negotiations with highest rated Consultant, and proceed to enter discussions with the second-highest rated Consultant.

The Sponsor may require additional information from the selected Consultant to complete the contracting process. As required by FAA procedures, the FAA will not participate in the professional services rate structure discussions or fee negotiations. The FAA will independently evaluate the Sponsor's determinations of whether the Consultant's proposed professional services rate structure and the Consultant's proposed fee for the first phase of the EIS are fair and reasonable.

9. SCHEDULE AND SOLICITATION POINT OF CONTACT

One (1) original and ten (10) paper copies of the *Statement of Qualifications and Attachments* must be **received** by the FAA by **June 22, 2010 at 5:00 P.M. Pacific Daylight Time**. Late submissions and SOQ submissions that do not comply with the technical requirements set forth in the RFQ, regardless of the reason, will be deemed nonresponsive, and not considered further.

Submit SOQ and attachment submittals as follows:

Federal Aviation Administration
San Francisco Airports District Office
Attn: Doug Pomeroy – Pahrump Statement of Qualifications
831 Mitten Road – Room 210
Burlingame, CA 94010

See item 10. C regarding contact with the FAA point-of-contact.

10. GENERAL INFORMATION

A. No obligation

This RFQ does not obligate the FAA or the Sponsor to award the contract to any Consultant or to pay any cost incurred in the proposal process or in the preparation of qualification submittals in response to this RFQ. Expenses associated with preparation of the SOQs and travel to the pre-submittal conference or interviews will be solely the responsibility of the Consultants.

B. Representations and Warranties

The Consultant must use due diligence to accurately and thoroughly complete the SOQs and the other requested information. The Consultant must represent and warrant that all information contained in its submittals is true and correct to the best of the Consultant's knowledge.

C. Restrictions on Contacting FAA, Sponsor, Sponsor's consultants and BLM during RFQ

submittal and evaluation period

Following the release of this RFQ until the announcement of the selected Consultant, no representative or agent of the Consultant may contact any FAA, Sponsor, or BLM staff member or any of the Sponsor consultants, either directly or indirectly regarding this RFQ, except as follows:

For questions regarding the submission process or the RFQ, you may contact Mr. Douglas Pomeroy, FAA Environmental Protection Specialist, at e-mail douglas.pomeroy@faa.gov.

To insure equal information is provided to all interested Consultants, only email contacts to Mr. Pomeroy will be allowed with the following exception:

If Mr. Pomeroy has not responded to indicate that a Consultant e-mail has been received by the end of the business day following the business day the Consultant's e-mail was sent, the Consultant may leave a brief message for Mr. Pomeroy at 650-876-2778 extension 612 or FAX 650-876-2733, requesting that Mr. Pomeroy acknowledge that their e-mail has been received.

No other contact will be allowed with the FAA, the Sponsor, the Sponsor's consultants or the BLM regarding this SOQ.

All substantive email contacts involving questions and answers or clarifications of the RFQ will be made available by posting them on the Sponsor's website at www.pahrumpnv.org.

D. Right to Investigate

By submission of a SOQ, the Consultant must acknowledge that representatives of the FAA and the Sponsor, have the right to make any inquiry or investigation they deem appropriate to substantiate or supplement information contained in the SOQ and *Attachments* thereto and the Consultant must authorize, in writing, the release to the Sponsor of any and all information sought in such inquiry or investigation.

FINANCE DIRECTOR MONTHLY REPORT

1	<u>Pending Issues</u>	<u>Comment</u>
2	FY11 Final Budget Public Hearing	Required hearing is scheduled for Thur May 20th.
3	IAFF Negotiations	TB approval pending on 1%-4% settlement.
4	Final FY11 Budget Submittal	Filing due at Dtax by 5/28/10
5	FY10 Financial Update Report Filing	Submittal & Publication due by June 30th to Dtax.
6	FY11 CIP & Indebtedness Report Filing.	Submittal due by August 1 to Dtax.
7	Fixed Asset Inventory and Reconciliation	Carla to start annual inventory reconciliation.
8	2005 Congressional Grants for Fairgrounds	Updated EA required by HUD.
9	Petrack Park - Basin Sidewalk Project	Pending NC planning approvals and funding options.
10	\$500,000 FAA Airport Grant Pending	Pending grant approval by FAA and allocation of grant match funding.
11	New Bank Credit Card Security Compliance	Reviewing alternative merchant account provider.
12	MOU for Use of Temporary Fencing	Draft and Review by Town Attorney.
13	MOU for Use of Town Equipment	Draft and Review by Town Attorney.
14	NC Capital Projects Advisory Committee	Meeting 5/25 - Alternate Member.
15	Pool Deck Replacement Project	Wallace Engr to complete Pool Electrical Plans & submit for NC Planning & Bldg Permit Approval & develop Bid Package for release.
16	Summer Movie in the Park Program	MOU review by Town Attorney.
17	NC Tortoise Plan	Comments for BOCC Workshop

TO: William A. Kohbarger
FROM: Terry Bostwick
Human Resources Coordinator
DATE: May 17, 2010
RE: MAY ACTIVITY REPORT

- Various standard processes, including: performance evaluation forms x 4, PCR's x 4, timesheets entry, insurance forms, address change forms, FMLA, Catastrophic Leave and HR matters
- Interview Swimming Pool candidates
- Prepare Seasonal New Hire packets
- Complete Dept of Labor application for Public Works Project #
- Set up pre-employment drug test schedule with hospital
- Website meeting
- Contract research
- Coordinate 2 Pool Pact trainings and 2 webinars
- Process New Hire paperwork x 19
- Working with County on accruals

ONGOING PROJECTS

- Sick Leave Tradeback

Pahrump Fire - Rescue Service



Monthly Report Apr-10

Scott F. Lewis
Fire Chief

Department Responses: Monthly Response Total:

Fire: 128
EMS: 487

Total: 615

Response Type:

Fire Incident Type:

	Month
Fires (structures, vehicles, brush, etc.)	14
Rescue/MVAs/Medical Assists	36
Hazardous Conditions/No Fire:	7
Service Assignments:	49
Good Intent Calls:	2
False Calls(alarms & intentional)	11
Special Incidents (miscellaneous)	9

Total: 128

EMS Responses:

	Month
911 Calls	229
Interfacility Transf.	156
AMA:	102
Totals:	487
Civilian Fire Death:	0
Civilian Fire Injury	1
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:

- * Annual Hose Testing Completed
- * Annual Ladder testing completed during the week of April 5, 2010.
- * Participated at the Town budget hearings
- * VEA High Angle Rescue Training Completed
- * Chief participated with an IMT Team teleconference
- * Chief was made a member of the Water District Working Group
- * Completed mandatory day drills, EMS CEUs, and HAZ Mat training
- * Fire Chief attended several additional meetings at Desert View Hospital for:
(Baker Run, Earth Day, Motorcycle Rally and Car Show
- * Department participated in several school projects/activities
- * Department attended/participated at several funerals including:
Deputy State Fire Marshall Thatcher and NCSO Deputy Ian Deutch.
- * Fire 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:

Fire Chief Lewis received the following letters:

- * Thank you letter from Nathan Adelson
- * Thank you letter from James Oscarson at DV Hospital
- * Thank you card for patient care rendered by Medic 5.



Thank You, Chief Lewis...

For being part of our March 30th "SOS" Hospice program. Your contribution was monumental. I hope people listened, and remember the wonderful information you shared with them. I know I learned more about the "Fire and Rescue" service than I had imagined. My deepest appreciation to both you and Toni.

Samantha Breshears
Nathan Adelson Hospice
Community Relations Manager

You guys are
awesome! your husband is
great with my get energy
of you all don't should
please. You should
Thanks again!

James J. ...

A Platoon
STA. 5 6
Medic 1/2/10
4/17

From the desk of
James Oscarson

4/20/10

Scott,

Again my thanks to you for your support and encouragement this last weekend,

It was a great experience for me to utilize a proven system and worked well for the hospital. As always we can fine tune some areas but I would have to describe it as a successful weekend. WOULD NOT have YOUR support SINCERLY

James

4780 Giordano Ct Pahrump Nevada 89061

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

May 17, 2010

1. Community Center

- Replacement door south east corner (Waiting for door)

2. Town office

- Town office stone sign complete.
- Trying to schedule office remodel(trying to catch up on general maintenance)

3. Town Pool

a. Pool deck

- B&G staff will need to do some small deck repairs
- Pool Manager started lifeguard training .(Thank you Terry)

4. TV Building

- George and RF issues.

5. Cemetery

- Waiting for V.E.A on power upgrade schedule

6. Parks and Rec. Board

- Meeting May 17 , 2010 (tonight) → 6:30 Town Annex
- Threadzfest Honeysuckle Park this Saturday

7. Fleet replacement

- Looking for Utility Truck with boxes.
- Will be paid out of GF AV Special Capital Fund.

8. Parks

a. Honeysuckle Park

- Threadzfest May 17, 2010

b. Petrack Park

- Working on locating permits # for wells and septic tanks (needed for pool deck permit).

c. Simkins Park

- G.C.Wallace needs bidding dates and a letter of authorization so Simkins can go to bid (Bill).

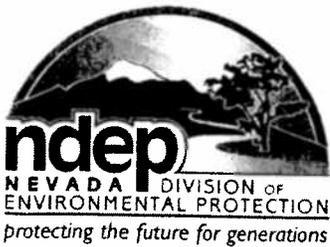
d. Kellogg Park

- Environmental Report? (First step to see what we can or cannot do).
- Mesquite trees cleanup.

➤ (ASK-BEC)

9. Annual and sick leave

Mark Barackman 5/27 to 6/1 (Annual)



STATE OF NEVADA
Department of Conservation & Natural Resources
DIVISION OF ENVIRONMENTAL PROTECTION

Jim Gibbons, Governor
Allen Biaggi, Director
Leo M. Drozdoff, P.E., Administrator

April 21, 2010

Distributed To: 13-14-1043108-21401

Mr. Cameron M°Rae
Lakeview Golf Association, LLC
1471 E. Mount Charleston
Pahrump, NV 89408

Handwritten signature: Rick Drozdoff

RE: Issuance of Discharge Permit # NEV2004518 for the Lakeview Golf Course, Pahrump, Nye County, NV

Dear Mr. M°Rae:

In accordance with provisions of the Nevada Water Pollution Control Law Chapter 445A of the Nevada Revised Statutes, the Department of Conservation and Natural Resources, Division of Environmental Protection has reviewed the following application for a permit to discharge:

Table with 2 columns: Discharger (Lakeview Golf Course) and Permit Number (NEV2004518)

This office published a public notice for our proposed action in the March 10, 2010 edition of the Las Vegas-Review Journal and Pahrump Valley Times. Copies of the draft permit, fact sheet, and public notice were sent to your office. The public notice was also sent to interested persons and government agencies on our mailing list.

During the 30-day comment period, no comments were received. After consideration, the Division of Environmental Protection is issuing the enclosed permit, effective April 21, 2010, for the Lakeview Golf Course for a period of five (5) years. The permit shall expire on April 21, 2010. This action does not constitute a significant change from the tentative determinations set forth in the public notice.

In accordance with the permit conditions, an annual review and services fee to maintain the discharge permit is due on July 1, 2010, and every year thereafter until the permit is terminated. You can download blank copies of the appropriate Discharge Monitoring Report (DMR) forms, in PDF or Microsoft Word format, from the division website at www.ndep.nv.gov/bwpc/npdes1.pdf or www.ndep.nv.gov/bwpc/npdes1.doc, respectively. Should you have any questions regarding the DMR's, please contact the Bureau Compliance Coordinator, Diana Silsby, at (775) 687-9438.

Should you have any questions regarding the permit issuance, please call me at (775) 687-9440.

Sincerely, [Handwritten signature]

Kristen Rose
Environmental Scientist
Bureau of Water Pollution Control
Nevada Division of Environmental Protection

Enclosures: Permit

Cc: Nye County Commissioner, 1510 E Basin Ave, Pahrump, NV 89060
Reader File
Permit File



Nevada Division of Environmental Protection

AUTHORIZATION TO DISCHARGE

In compliance with Chapter 445A of the Nevada Revised Statutes,

Lakeview Golf Association, LLC
1471 Mt. Charleston Drive
Pahrump, Nevada 89048

is authorized to discharge treated effluent for irrigation reuse at the

Lakeview Golf Course
1471 Mt. Charleston
Pahrump, Nye County, Nevada 89048

to receiving waters named groundwater's of the State via effluent percolation

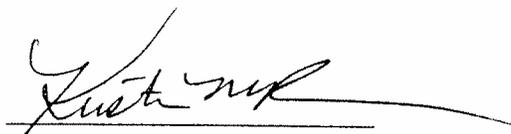
Longitude: 115° 59'16.02"W, Latitude: 36° 10'44.49"N
Section 26, T. 20S., R. 53E. MDB&M

in accordance with effluent limitations, monitoring requirements, and other conditions set forth in Part I, II, and III hereof.

This permit shall become effective on April 21st, 2010.

This permit and the authorization to discharge shall expire at midnight, April 21st, 2015.

Signed this 21st day of April, 2010.



Kristen M Rose, ES
Bureau of Water Pollution Control



PART I**I.A. EFFLUENT LIMITATIONS, MONITORING REQUIREMENTS AND CONDITIONS**

- I.A.1** During the period beginning on the effective date of this permit, and lasting until the permit expires, the Permittee is authorized to discharge reclaimed water supplied by Plant #3 of Utilities Inc. of Central Nevada to the Lakeview Golf Course.
- I.A.2** Flow monitoring shall be recorded in the effluent pipeline prior to discharge into the effluent storage pond. Reclaimed water quality shall be in accordance with the limits set forth in NEV89063 for the Plant #3 Facility.¹

The discharge shall be limited and monitored by the Permittee as specified below:

TABLE I.1

<u>PARAMETERS</u>	<u>EFFLUENT DISCHARGE LIMITATIONS</u>		<u>MONITORING REQUIREMENTS</u>	
	30-Day Average (Seasonal)	Monthly Maximum (Seasonal)	Measurement Frequency	Sample Type
FLOW (MGD)	0.600	Monitor & Report	Continuous	Flow Meter
Flow Million Gallons per Month ² (MGM)	Monitor & Report	Monitor & Report	Continuous	Flow Meter
Annual Application Volume ³ (AF)	672		Cumulative	Flow Meter
Fecal Coliform ¹ (CFU, MPN/100ml)	2.2	23	Weekly	Discrete

1. Sample results to be obtained from NEV89063 and reported by Permittee.

2. Monthly Maximum Calculated based upon highest usage month determined by monitoring + 10 % allowance and in accordance with the Effluent Management Plan.

3. To be submitted with the 4th Quarter DMR.

CFU = Colony Forming Units, MPN = Most Probable Number, ml = Milliliter

I.A.3 SCHEDULE OF COMPLIANCE

- I.A.4** The Permittee shall implement and comply with the provisions of the following schedule of compliance after approval by the Administrator, including in said implementation and compliance, any additions or modifications which the Administrator may make in approving the schedule of compliance.
- a. The Permittee shall achieve compliance with the effluent flow monitoring requirements upon issuance of the permit.
 - b. The Permittee shall submit current cross-connection control inspection and local water purveyor acceptance documentation as required by permit Part I.B.14 annually with the fourth quarter DMR.

- c. **Within 45 days of the permit issue date (April 21, 2010)**, the Permittee shall submit an updated Effluent Management Plan (EMP), which shall also be updated in accordance with WTS-1B – Guidance Criteria for Preparing an Effluent Management Plan.
- d. If no updates are needed for the EMP, then state that in writing **within 30 days of the permit issue date (April 21, 2010)**:

Nevada Division of Environmental Protection
Attn: Compliance Coordinator
Bureau of Water Pollution Control
901 S. Stewart St, Suite 4001
Carson City, Nevada 89701

I.B. EFFLUENT MANAGEMENT.

- I.B.1** The irrigation storage, distribution and ancillary facilities shall be operated in accordance with the Effluent Management Plan (EMP).
- I.B.2** The Permittee shall provide a copy of a brief, but complete and understandable, document describing the possible hazards and proper hygiene of working with and around treated wastewater to all grounds keepers and other affected personnel. Copies shall be included in the EMP.
- I.B.3** The Permittee shall calculate the Consumptive Use Balance for each month based upon the parameters listed in Appendix One of WTS-1B. The evaluation of the rates shall be included in the EMP.

The annual application volume limit and monthly maximum limit shall be determined from this balance. If the actual annual application volume or monthly maximum volume exceeds the calculated annual application limit or monthly maximum limit, the Permittee shall prepare a report which includes an evaluation of the application rates in the EMP, an explanation of conditions (over seeding, reseeding, extraordinary weather conditions, etc.) which lead to the exceedance, and any planned changes the Permittee deems necessary. This evaluation shall be submitted with the fourth quarter Discharge Monitoring Report (DMRs).
- I.B.4** The EMP shall detail the procedures for collecting monitoring samples (if applicable) required by this permit.
- I.B.5** The effluent irrigation and effluent storage lakes shall not cause objectionable odors on or off the site.
- I.B.6** The irrigation system, storage ponds/lakes and ancillaries shall be constructed and operated in accordance with plans approved by the Division. All plans must be approved by the Division prior to the start of construction. All changes to the approved plans must be approved by the Division.
- I.B.7** Irrigated areas and "lakes" shall be posted with conspicuous warning signs clearly stating that reclaimed water is utilized and to avoid contact. Ancillary equipment used for effluent shall be clearly marked to indicate use with effluent.
- I.B.8** Drinking water fountains shall be covered during effluent irrigation (as applicable).

- I.B.9** Irrigation of the golf course and common areas shall be performed in such a manner as to reduce standing water to prevent run-off (NAC 445A.275).
- I.B.10** The Permittee shall maintain a minimum of 2 feet of freeboard in storage lakes/ponds unless otherwise approved by the Division.
- I.B.11** The Permittee shall provide the Division, in the fourth quarter DMR, documentation that the annually inspected cross-connection equipment and controls are approved by the local water purveyor and that the facility may continue to accept effluent for reuse.

In addition to Part II.A permit requirements, any failure of cross-connection controls at the facility during usual operation or inspection testing shall be addressed in the EMP and provide for appropriate management response. Effluent reuse at the facility is prohibited when approved cross-connection controls are not in place and/or not functioning properly

- I.B.12** All terms and conditions stated herein shall not supersede the requirements of the Nevada Division of Water Resources.
- I.B.13** Permittee shall minimize aerosol drift.

I.C. GENERAL CONDITIONS

- I.C.1** There shall be no discharge of substances that would cause a violation of water quality standards of the State of Nevada.
- I.C.2** The Permittee shall remit an Annual Review and services fee in accordance with NAC 445A.232 starting **July 1, 2010** and every year thereafter until the permit is terminated.
- I.C.3** The Permittee shall submit an Annual Report **January 28, 2011** and every year thereafter until the permit is terminated.
- I.C.4** The DMRs must be signed by the facility's highest ranking officer. The first DMR submitted under this permit must include the written designation of the officer (required by Part III A.2) as the authorized representative to sign the DMRs. If the officer in responsible charge changes, a new designation letter must be submitted.
- I.C.5** The Permittee shall not apply effluent prior to having an approved EMP per NAC 445A.275, unless authorized otherwise by the Division.

I.D. MONITORING AND REPORTING

- I.D.1** Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge. Analysis shall be performed by a State of Nevada certified laboratory. Results from this lab must accompany the DMR.
- I.D.2 Reporting**
- a. Annual Report - The fourth quarter report shall contain a plot of the date (x-axis) versus concentration (y-axis) for flow and fecal coliform. The plot shall include data from the preceding five years, if available. Any data point from the current year that is greater than the

limits in Part I.A. must be explained by a narrative.

- b. The Fourth Quarter Report shall demonstrate that the facility has maintained compliance with the annual application volume. If the annual application volume exceeds the limit listed in Table I.1, an evaluation shall be submitted with the fourth quarter report in accordance with the requirements listed in permit condition I.B.3.
- c. The Fourth Quarter Report shall contain all data required to be collected annually.
- d. Quarterly Report - Monitoring results obtained during the previous three (3) months shall be summarized for each month and reported quarterly on a Discharge Monitoring Report (DMR) Form received in this office no later than the 28th day of the month following the end of each quarter. An original signed copy of these, and all other reports required herein, shall be submitted to the State at the following address:

Division of Environmental Protection
Bureau of Water Pollution Control
ATTN: Compliance Coordinator
901 S. Stewart Street, Suite 4001
Carson City, Nevada 89701

I.D.3 Definitions

- a. The "30-day average discharge" means the total discharge during a month divided by the number of samples in the period that the facility was discharging. Where less than daily sampling is required by this permit, the 30-day average discharge shall be determined by the summation of all the measured discharges divided by the number of samples during the period when the measurements were made.
- b. The "daily maximum" is the highest measurement during the monitoring period.
- c. The "30-day average concentration", other than for fecal coliform bacteria, means the arithmetic mean of measurements made during a month. The "30-day average concentration" for fecal coliform bacteria means the geometric mean of measurements made during a month. The geometric mean is the "nth" root of the product of "n" numbers. Geometric mean calculations where there are non-detect results for fecal coliform shall use one-half the detection limit as the value for the non-detect results.
- d. A "discrete" sample means any individual sample collected in less than 15 minutes.
- e. For flow-rate measurements, a "composite" sample means the arithmetic mean of no fewer than six individual measurements taken at equal time intervals for 24 hours, or for the duration of discharge, whichever is shorter.
- f. For other than flow-rate, a "composite" sample means a combination of no fewer than six individual flow-weighted samples obtained at equal time intervals for 24 hours, or for the duration of discharge, whichever is shorter. Flow-weighted sample means that the volume of each individual sample shall be proportional to the discharge flow rate at the time of sampling.

I.D.4 Test Procedures

Analyses shall be conducted by a "certified laboratory" using an "approved method of testing", as defined in NAC 445A.0564 and NAC 445A.0562, respectively.

I.D.5 Recording the Results

For each measurement or sample taken pursuant to the requirements of this permit, the Permittee shall record and maintain at the facility, the following information:

- a. the exact place, date, and time of sampling;
- b. the dates the analyses were performed;
- c. the person(s) who performed the analyses;
- d. the analytical techniques or methods used; and
- e. the results of all required analyses, including reporting limits.

I.D.6 Additional Monitoring by Permittee

If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified above, the results of such monitoring shall be included in the calculation and reporting of the values required in the Discharge Monitoring Report Form. Such increased frequency shall also be indicated.

I.D.7 Records Retention

All records and information resulting from the monitoring activities required by this permit, including all records of analyses performed, calibration and maintenance of instrumentation. All recordings from continuous monitoring instrumentation shall be retained for a minimum of three (3) years or longer if required by the Administrator.

I.D.8 Reporting Limits

Unless otherwise allowed by the Division, the approved method of testing selected for analyses shall have a reporting limit which is:

- i. Half or less of the discharge limit; or if there is no discharge limit,
- ii. Half of less of the applicable water quality; or, if there is no limit or criteria,
- iii. The lowest reasonably obtainable limit using an approved test method.

I.D.9 Modification of Monitoring Frequency and Sample Type

After considering monitoring data, stream flow, discharge flow, and receiving water conditions, the Division may for just cause, modify the monitoring frequency and/or sample type by issuing an order to the Permittee.

PART II

II.A. MANAGEMENT REQUIREMENTS

II.A.1 Change in Discharge

All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit more frequently than or at a level in excess of that authorized shall constitute a violation of the permit. Any anticipated facility expansions, or treatment modifications which will result in new, different, or increased discharges of pollutants must be reported by submission of a new application or, if such changes will not violate the effluent limitations specified in this permit, by notice to the permit issuing authority of such changes. Any changes to the permitted treatment facility must comply with Nevada Administrative Code NAC 445A.283 to 445A.285. Pursuant to NAC 445A.263, the permit may be modified to specify and limit any pollutants not previously limited.

II.A.2 Facilities Operation

The Permittee shall at all times maintain in good working order and operate as efficiently as possible all treatment or control facilities, collection systems or pump stations installed or used by the Permittee to achieve compliance with the terms and conditions of this permit.

II.A.3 Adverse Impact

The Permittee shall take all reasonable steps to minimize any adverse impact to receiving waters resulting from noncompliance with any effluent limitations specified in this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the non-complying discharge.

II.A.4 Noncompliance, Unauthorized Discharge, Bypassing and Upset

- a. Any diversion, bypass, spill, overflow or discharge of treated or untreated wastewater from wastewater treatment, conveyance facilities, or holding ponds under the control of the Permittee is prohibited except as authorized by this permit. In the event the Permittee has knowledge that a diversion, bypass, spill, overflow or discharge not authorized by this permit is probable, the Permittee shall notify the Division immediately.
- b. The Permittee shall notify the Division within twenty-four (24) hours of any diversion, bypass, spill, upset, overflow or release of treated or untreated discharge other than that which is authorized by the permit. A written report shall be submitted to the Administrator within five (5) days of diversion, bypass, spill, overflow, upset, or discharge, detailing the entire incident including:
 - (1) time and date of discharge;
 - (2) exact location and estimated amount of discharge;
 - (3) flow path and any bodies of water which the discharge reached;
 - (4) the specific cause of the discharge; and
 - (5) the preventive and/or corrective actions taken.

- c. The following shall be included as information which must be reported within 24 hours: any unanticipated bypass which exceeds any effluent limitation in the permit; any upset which exceeds any effluent limitation in the permit; and violation of a limitation for any toxic pollutant or any pollutant identified as the method to control a toxic pollutant.
- d. The Permittee shall report all instances of noncompliance not reported under Part II.A.4.b. at the time monitoring reports are submitted. The reports shall contain the information listed in Part II.A.4.b.
- e. An "upset" means an incident in which there is unintentional and temporary noncompliance with the permit effluent limitations because of factors beyond the reasonable control of the Permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
- f. In selecting the appropriate enforcement option, the Division shall consider whether or not the noncompliance was the result of an upset.
- g. The burden of proof is on the Permittee to establish that an upset occurred.
- h. In order to establish that an upset occurred, the Permittee must provide, in addition to the information required under paragraph II.A.4.b. above, properly signed contemporaneous logs or other documentary evidence that:
 - (1) The facility was at the time being properly operated as required in paragraph II.A.2. above; and
 - (2) All reasonable steps were taken to minimize adverse impacts as required by paragraph II.A.3. above.

II.A.5 Removed Substances

Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in a manner such as to prevent any pollution from such materials from entering any navigable waters.

II.B. RESPONSIBILITIES

II.B.1 Right of Entry

The Permittee shall allow the Administrator and/or his authorized representatives, upon the presentation of credentials:

- a. to enter upon the Permittee's premises where an effluent source is located or in which any records are required to be kept under the terms and conditions of this permit; and
- b. at reasonable times, to have access to and copy any records required to be kept under the terms and conditions of this permit; to inspect any monitoring equipment or monitoring method required in this permit; and to perform any necessary sampling to determine compliance with this permit or to sample any discharge.

- c. Have unrestricted access to employees and others for interviews during any onsite inspections or investigations conducted by the Division relating to the administration for enforcement of the provisions of the permit.

II.B.2 Transfer of Ownership or Control

In the event of any change in control or ownership of facilities from which the authorized discharge emanates, the Permittee shall notify the succeeding owner or controller of the existence of this permit, by letter, a copy of which shall be forwarded to the Administrator. ALL transfer of permits shall be approved by the Division.

II.B.3 Availability of Reports

Except for data determined to be confidential under NRS 445A.665, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the office of the Division. As required by the Act, effluent data shall not be considered confidential. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for in NRS 445A.710.

II.B.4 Furnishing False Information and Tampering with Monitoring Devices

Any person who knowingly makes any false statement, representation, or certification in any application, record, report, plan or other document filed or required to be maintained by the provisions of NRS 445A.300 to 445A.730, inclusive, or by any permit, rule, regulation or order issued pursuant thereto, or who falsifies, tampers with or knowingly renders inaccurate any

monitoring device or method required to be maintained under the provisions of NRS 445A.300 to 445A.730, inclusive, or by any permit, rule, regulation or order issued pursuant thereto, is guilty of a gross misdemeanor and shall be punished by a fine of not more than \$10,000 or by imprisonment. This penalty is in addition to any other penalties, civil or criminal, provided pursuant to NRS 445A.300 to 445A.730, inclusive.

II.B.5. Penalty for Violation of Permit Conditions

Nevada Revised Statutes NRS 445A.675 provides that any person who violates a permit condition is subject to administrative and judicial sanctions as outlined in NRS 445A.690 through 445A.705.

II.B.6. Permit Modification, Suspension or Revocation

After notice and opportunity for a hearing, this permit may be modified, suspended, or revoked in whole or in part during its term for cause including, but not limited to, the following:

- a. violation of any terms or conditions of this permit;
- b. obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or
- c. a change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.

II.B.7. Toxic Pollutants

Notwithstanding Part II.B.6. above, if a toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under Section 307(a) of the Act for a toxic pollutant which is present in the discharge and such standard or prohibition is more stringent than any limitation for such pollutant in this permit, this permit shall be revised or modified in accordance with the toxic effluent standard or prohibition and the Permittee so notified.

II.B.8. Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the Permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable Federal, State, or local laws, regulations, or ordinances.

II.B.9. Property Rights

The issuance of this permit does not convey any property rights, in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State, or local laws or regulations.

II.B.10. Severability

The provisions of this permit are severable, and if any provision of this permit, or the application of any provisions of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

PART III

III.A. OTHER REQUIREMENTS

III.A.1. Reapplication

If the Permittee desires to continue to discharge, he shall reapply not later than 180 days before this permit expires on the application forms then in use. The Permittee shall submit the reapplication fee required by NAC 445A.232 with the application.

III.A.2. Signatures required on application and reporting forms.

- a. Application and reporting forms submitted to the department must be signed by one of the following:
 - (i) A principal executive officer of the corporation (of at least the level of Vice President) or his/her authorized representative who is responsible for the overall operation of the facility from which the discharge described in the application or reporting form originates;
 - (ii) A general partner of the partnership; or
 - (iii) The proprietor of the sole proprietorship; or



United States Department of Agriculture
Rural Development
Las Vegas Service Center

May 4, 2010

William Kohbarger, Town Manager
Town of Pahrump
400 North Nevada Highway 160
Pahrump, NV 89060

Mr. Kohbarger:

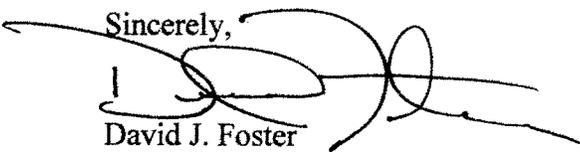
The USDA-Rural Development is committed to the development of business in rural communities. One of the programs we have to assist in this endeavor is the Business & Industry ("B&I") Loan Guarantee program. The B&I Loan program is similar to the SBA 7(a) program in that it is a loan guarantee program. That is, a lender (bank, non-bank, S&L, Credit Union, etc.) loans a business the capital it needs to start, grow, thrive and survive and we guarantee a portion of that loan to the lender should the borrower ever default. However, the B&I Loan program is different from the SBA 7(a) program in many ways such as:

- ✓ B&I Loans can be made up to \$10,000,000 and the decisions are made right here in Nevada.
- ✓ B&I Loan provide up to an 80% Guarantee Everyday (no special ARRA approval required).
- ✓ B&I Real Estate Loans can be made for up to 30-Years.
- ✓ B&I Loans can be made to Non-Profit Entities.
- ✓ B&I Loans can be made on Non-Owner Occupied Real Estate.
- ✓ B&I Loans don't require a "Credit Elsewhere" Test.
- ✓ B&I Loans only have a 0.25% Annual Lender Fee (that's 25 bp lower than an SBA Loan).

Our goal is to help create or retain employment opportunities and create a better living environment in rural areas of Nevada. As you know, we can only do that by providing the capital that entrepreneurs and businesses need.

Please let me know how our agency and your town should best partner to meet our related goals.

Sincerely,


David J. Foster
Business Programs Specialist
david.foster@nv.usda.gov

5820 South Pecos Road, Building A, Suite 400, Las Vegas, NV 89120
Phone: (702) 262-9047 • Fax: (702) 262-9969 • TDD: (702) 885-0633 • Web: <http://www.rurdev.usda.gov/nv>

Committed to the future of rural communities.

"USDA is an equal opportunity provider and employer."

To file a complaint of discrimination write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD).



Department of Energy
Western Area Power Administration
Desert Southwest Customer Service Region
P.O. Box 6457
Phoenix, AZ 85005-6457
APR 29 2010

Dear Western Customers and Interested Parties:

As part of the public process initiated by publication of the November 20, 2009 *Federal Register* Notice (FRN) (Volume 74, No. 223), the Western Area Power Administration (Western) conducted Public Information Forums on December 1-3, 2009. At these forums, Western received a number of questions pertaining to the Boulder Canyon Project (BCP) Post-2017 Remarketing Effort. Responses to these questions have been posted to the Western website at http://www.wapa.gov/dsw/pwrmt/BCP_remarketing/epamp_pmi.htm.

During the Public Comment Forums held January 19-21, 2010, and in written comments received, requests were made to extend the comment period beyond the January 29, 2010 deadline. Western has considered these comments and requests and has decided to extend the deadline for receipt of comments related to Western's proposals as described in its November 20, 2009 FRN from January 29, 2010 to September 30, 2010. Enclosed is a copy of a recently published FRN dated April 16, 2010 (Volume 75, No. 73), that extends this comment period. This extension provides Western additional time to examine the issues raised in the comments received on its proposals, and provides all interested parties additional opportunity to consult with Western and comment on the proposals.

Western welcomes invitations to participate in open meetings to further discuss its proposals and gather additional input from all interested parties.

Western will accept written comments any time during the comment period.

If you have any questions, please contact Mr. Mike Simonton, Remarketing Program Manager, at 602-605-2675 or by e-mail at Post2017BCP@wapa.gov.

Sincerely,

A handwritten signature in black ink that reads "Mike Simonton" with a stylized flourish below it.

Deborah K. Emler
Assistant Regional Manager
for Federal Power Programs

Enclosure

DEPARTMENT OF ENERGY

Western Area Power Administration

Boulder Canyon Project—Post-2017 Application of the Energy Planning and Management Program Power Marketing Initiative

AGENCY: Western Area Power Administration, DOE.

ACTION: Notice of extension of comment period.

SUMMARY: The Western Area Power Administration (Western), Desert Southwest Region, a Federal power marketing agency of the Department of Energy (DOE), is extending the comment period regarding the application of the Energy Planning and Management Program (Program) Power Marketing Initiative (PMI) (10 CFR part 905) to the Boulder Canyon Project (BCP).

This **Federal Register** notice extends the comment period for the proposed application of the PMI to the BCP and all other proposals contained in Western's November 20, 2009, **Federal Register** notice.

DATES: The consultation and comment period for the application of the PMI to BCP has been extended from January 29, 2010, to September 30, 2010.

ADDRESSES: Comments may be submitted to: Mr. Darrick Moe, Western Area Power Administration, Desert Southwest Regional Manager, P.O. Box 6457, Phoenix, AZ 85005-6457. Comments may also be faxed to (602) 605-2490 or e-mailed to Post2017BCP@wapa.gov.

FOR FURTHER INFORMATION CONTACT: Mr. Mike Simonton, Remarketing Specialist, Desert Southwest Region, Western Area Power Administration, P.O. Box 6457, Phoenix, AZ 85005, telephone (602) 605-2675, e-mail Post2017BCP@wapa.gov. Further information regarding this effort can be found at <http://www.wapa.gov/dsw/pwrmtkt>.

SUPPLEMENTARY INFORMATION: On November 20, 2009, Western published a notice in the **Federal Register** (74 FR 60256) announcing its Post-2017 remarketing effort for the BCP. This **Federal Register** notice included a proposal to apply the PMI to the BCP as well as other aspects related to the remarketing of BCP generation capacity and energy after the current long-term contracts expire on September 30, 2017.

Western subsequently held public information forums from December 1-3, 2009, and public comment forums from January 19-21, 2010. As a result of these forums, several requests were made to

extend the comment period to allow for further study of the proposals and external developments.

This extension of the January 29 deadline to September 30 provides Western additional time to examine the issues raised in the comments received on the proposed application of the PMI to the BCP and the other Western proposals, and provides all interested parties additional opportunity to consult with Western and comment on the proposals.

Dated: April 8, 2010.

Timothy J. Meeks,
Administrator.

[FR Doc. 2010-8752 Filed 4-15-10; 8:45 am]

BILLING CODE 6450-01-P

ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OECA-2009-0394; FRL-9138-1]

Agency Information Collection Activities; Submission to OMB for Review and Approval; Comment Request; NESHAP for Flexible Polyurethane Foam Product (Renewal), EPA ICR Number 1783.05, OMB Control Number 2060-0357

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this document announces that an Information Collection Request (ICR) has been forwarded to the Office of Management and Budget (OMB) for review and approval. This is a request to renew an existing approved collection. The ICR which is abstracted below describes the nature of the collection and the estimated burden and cost.

DATES: Additional comments may be submitted on or before May 17, 2010.

ADDRESSES: Submit your comments, referencing docket ID number EPA-HQ-OECA-2009-0394, to (1) EPA online using <http://www.regulations.gov> (our preferred method), or by e-mail to docket.oeca@epa.gov, or by mail to: EPA Docket Center (EPA/DC), Environmental Protection Agency, Enforcement and Compliance Docket and Information Center, mail code 28221T, 1200 Pennsylvania Avenue, NW., Washington, DC 20460, and (2) OMB at: Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Attention: Desk Officer for EPA, 725 17th Street, NW., Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT:

Robert C. Marshall, Jr., Office of Compliance, Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460; telephone number: (202) 564-7021; fax number: (202) 564-0050; e-mail address: marshall.robert@epa.gov.

SUPPLEMENTARY INFORMATION: EPA has submitted the following ICR to OMB for review and approval according to the procedures prescribed in 5 CFR 1320.12. On July 8, 2009 (74 FR 32581), EPA sought comments on this ICR pursuant to 5 CFR 1320.8(d). EPA received no comments. Any additional comments on this ICR should be submitted to EPA and OMB within 30 days of this notice.

EPA has established a public docket for this ICR under docket ID number EPA-HQ-OECA-2009-0394, which is available for public viewing online at <http://www.regulations.gov>, in person viewing at the Enforcement and Compliance Docket in the EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Avenue, NW., Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is (202) 566-1744, and the telephone number for the Enforcement and Compliance Docket is (202) 566-1752.

Use EPA's electronic docket and comment system at <http://www.regulations.gov>, to submit or view public comments, access the index listing of the contents of the docket, and to access those documents in the docket that are available electronically. Once in the system, select "docket search," then key in the docket ID number identified above. Please note that EPA's policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing at <http://www.regulations.gov>, as EPA receives them and without change, unless the comment contains copyrighted material, Confidential Business Information (CBI), or other information whose public disclosure is restricted by statute. For further information about the electronic docket, go to <http://www.regulations.gov>.

Title: NESHAP for Flexible Polyurethane Foam Product (Renewal).
ICR Numbers: EPA ICR Number 1783.05, OMB Control Number 2060-0357.

ICR Status: This ICR is scheduled to expire on June 30, 2010. Under OMB regulations, the Agency may continue to conduct or sponsor the collection of information while this submission is



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
Southern Nevada District
Pahrump Field Office
4701 N. Torrey Pines Drive
Las Vegas, NV 89130
<http://www.blm.gov/nv/st/en/fo/lvfo.1.html>

In Reply Refer to:
2800
NVS03100

APR 21 2010

CERTIFIED MAIL 7008 2810 0001 6180 7399 - RETURN RECEIPT REQUESTED

NOTICE

William Kohbarger, City Manager
Town of Pahrump
400 N. Highway 160
Pahrump, NV 89048

REQUEST FOR COOPERATING AGENCY STATUS

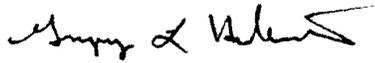
The Bureau of Land Management (BLM), Southern Nevada District Office is currently processing Renewable Energy Projects (SNDOREP) in Clark County and in the southern half of Nye County. These projects require individual Environmental Impact Statements (EIS's). In an effort to stream line the cooperating agency request and notification process, the BLM is preparing a global Memorandum of Understanding (MOU) that will allow you to participate as a cooperating agency in all of the renewable energy projects within the Southern Nevada District Office.

You will be notified by mail when a project goes to Notice of Intent (NOI) status, which signals the start of the EIS process. If you feel that a particular project does not affect your jurisdiction you may opt out of the cooperating agency status for the individual project by letter or email while still retaining cooperating agency status for SNDOREP only.

This letter is being sent to the Town of Pahrump as part of the National Environmental Policy Act (NEPA) process to solicit cooperating agencies in the preparation of the SNDOREPs. The BLM recognizes the need to work together and develop coordinated action plans; to provide a basis for timely disposition of material issues or problems connected with the development of these Environmental Impact Statements (EIS); and to achieve maximum efficiency for their respective agencies.

The BLM invites the Town of Pahrump to be a cooperating agency as described in the Council on Environmental Quality (CEQ) Regulations at 40 CFR 1501.6 and 1508.5 and the CEQ Guidance Memorandum on Cooperating Agency Status dated January 30, 2002 and February 5, 2002. The CEQ regulations addressing cooperating agencies status implement the (NEPA) mandate that Federal agencies responsible for preparing NEPA analysis and documentation to do so "in cooperation with State and Local Governments" and other Agencies with jurisdiction by law or special expertise.

Please respond within 15 days of receipt of this letter in writing if you wish to participate in this global MOU to the BLM, Pahrump Field Office Attn: Mark Chandler, Realty Specialist, 4701 North Torrey Pines Drive, Las Vegas, Nevada, 89130-2301. Mr. Chandler can be reached at 702-515-5064, should you have any question about this undertaking.



For: Patrick Putnam
Field Manager
Pahrump Field Office



Valley Cruisers of Pahrump
P.O. Box 5535
Pahrump, NV 89041

April 27, 2010

Town of Pahrump
Att'n.: Matt Luis, Manager, Buildings & Grounds
400 No. Hwy. 160
Pahrump, NV 89060

Dear Mr. Luis:

I would like to commend your employees, Jimmy Martinez, and Carl Bruno and his assistant, for their help moving tables and setting up Petrack Park for our Car Show that was held Saturday, April 24th. We really appreciated their cooperation.

We hosted a larger number of cars and guests this year than we have in the past and the event ran just as we had planned. Of course, the perfect weather was certainly a plus.

I would like to make a suggestion for your consideration. I believe the park could use some cigarette butt catchers or holders, especially in the areas of the park that are used most frequently. We noticed when we were raking up the area that there were a lot of cigarette butts in the grass and I believe them to be a hazard to young children playing in the park. You might want to include that as an item in a future budget request.

Sincerely,

Valley Cruisers of Pahrump

Lee Cromer,
Special Events Coordinator

LC:ds

cc Town Manager

cc Dutch Schultz,

President, Valley Cruisers



Valley Cruisers of Pahrump
P.O. Box 5535
Pahrump, NV 89041

April 27, 2010

Mr. Gerald "Bear" Smith
P.O. Box 656
Pahrump, NV 89041

Dear Mr. Smith:

This is in reference to the incident that occurred during the Valley Cruisers' 15th Annual Car Show at Petrack Park on April 24th, 2010; Sheriff's Office Case No. 10-1444.

Prior to the event, we had tried to contact you by phone at 775 751-2327 but were unable to reach you. Then, on March 19th, 2010, we mailed our flyer with the vendor information to you at the address above but you did not respond. Inasmuch as we made the same effort to contact you that we did with all who did respond and participate, we feel that any complaint you might have would be unjustified.

Your display of unruly behavior and vulgar language while attending any family-oriented event is unacceptable. We firmly request that you not attend any of our future events.

Sincerely,


Lee Cromer, Event Coordinator

LC:ds

cc Tony DeMeo, Nye County Sheriff
H. Trumble, Deputy Sheriff
✓ Pahrump Town Manager
Dutch Schultz, President, Valley Cruisers

May 2010

May 2010

June 2010

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

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Apr 25		26	27	28	29	30	May 1
2		3 6:30am Court-Meeks; 3:00pm Dept Head M	4 9:00am Tom-VEA 6:00pm NV State Ban	5 11:30am Rotary 7:00pm Public Lands	6 9:00am Charlie 11:30am Villa-20 yrs 3:30pm Mrs. Shupp	7 11:00am Bruce/Rick-V	8
9		10 11:00am J Shea 1:00pm CCA	11 9:00am Utility Meetin 2:00pm Union 7:00pm Town Board	12 8:00am Americam & 11:30am Rotary 6:00pm Regional Plar	13 7:00am Tourism 10:00am Reminder - A	14 9:00am Airport Teleo	15
16		17 3:00pm Dept Head M	18 1:30pm Laura-NCC	19 10:00am Dolan Crew 11:30am Rotary	20 9:00am Insurance 6:30pm Public Budge	21 8:00am Vitto	22
23		24	25 12:00pm CEO; Nugget 2:00pm CIP Meeting; 7:00pm Town Board	26 9:00am Bret M 11:30am Rotary	27 8:00am Henderson	28 9:30am BLM/Patrick; 11:00am Mt Charleston	29
30		31 5:00pm Nevada Outr	Jun 1	2	3	4	5

4/25 - 30

5/2 - 7

5/9 - 14

5/16 - 21

5/23 - 28

5/30 - 6/4

June 2010

June 2010							July 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
13	14	15	16	17	18	19	20	21	22	23	24	25	26
27	28	29	30				1	2	3	4	5	6	7
							8	9	10	11	12	13	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
May 30		31	Jun 1	2	3	4	5
May 30 - Jun 5			9:00am Tom-VEA	11:30am Rotary 7:00pm Public Lands		1:00pm Rick/Al PACE	
6	7	8	9	10	11	12	
	3:00pm Dept Head M	9:00am Utility Meetin	11:30am Rotary 6:00pm Regional Plar	7:00am Tourism 10:00am Ad Hoc Comr 6:30pm CTE-GBC			
13	14	15	16	17	18	19	
			9:00am Training; FD 11:30am Rotary				
20	21	22	23	24	25	26	
	3:00pm Dept Head M	7:00pm Town Board	11:30am Rotary	10:00am Ad Hoc Comr	9:30am BLM/Patrick;		
27	28	29	30	Jul 1	2	3	
	5:00pm Nevada Outr		11:30am Rotary				