

PAHRUMP TOWN BOARD MEETING
BOB RUUD COMMUNITY CENTER
150 NORTH HIGHWAY 160
TUESDAY – 7:00 P.M.
May 25, 2010
AGENDA

1. **Call to Order and Pledge of Allegiance.**
2. **Discussion and possible decision** regarding moving the order of, or deleting an agenda item(s). (Action)
3. **Announcements** (Non-Action)
4. **Advisory Board Reports**, from Advisory Board Chairpersons and/or Town Board Liaisons on the status of Advisory Boards. (Non-Action)
5. **Discussion and possible decision** concerning Town Board support/sponsorship of Petrack Park of Pahrump Valley Children's Egg Hunt, April 23rd 2011 (Saturday) 5:00 a.m. – 12:00 noon. (Action)
6. **Discussion and presentation** regarding Pahrump Arts and Recreation Complex (The PARC) and Joshua's Community. (Non-Action)
7. **Discussion and possible decision** requesting letter of support for Joshua's Community. (Action)
8. **Discussion and possible decision** on approving the final comments/report from EPS pertaining to the Incorporation Study. (Action)
9. **Discussion and possible decision** Consent agenda items: (Action)
 - a. Action – approval of Town vouchers.
 - b. Action – approval of Town Board meeting minutes of May 11, 2010.
10. **Future Meetings/Workshops: Date, Time and Location.** (Action)
11. **Public Comment.** Action may not be taken on matters considered during this period until specifically included on an agenda as an action item – NRS241.020 (2)(c)(3). (Non-Action)
12. **Town Manager Report.** (Non-Action)
13. **Town Board Member's Comments.** (Non-Action)
14. **Adjournment.**

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

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

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

This notice and agenda has been posted on or before 9:00 a.m. on the third working day before the meeting at the following locations:

PAHRUMP TOWN OFFICE, COMMUNITY CENTER, TOWN ANNEX, COUNTY COMPLEX, FLOYD'S ACE HARDWARE, and CHAMBER OF COMMERCE

ANNOUNCEMENTS

On Wednesday, May 26th there will be AYSO (youth soccer) registration at the Community Center Room B beginning at 6:00 p.m. Sign-ups will also be held on June 5th and June 19th at 9:00 a.m.

The Homeland Security and Nye County Sheriff's Office will hold a Women's Self Defense class on May 27th & 28th at 8:00 a.m. until 4:00 p.m. Another class is scheduled for June 10th and 11th.

The University of Reno and Master Gardeners will begin holding the Farmers Market on Saturdays at 7:00 a.m. at Petrack Park

The Town Office will be closed on Monday, May 31st, in observance of Memorial Day.

On June 1st the Board of County Commissioners will meet in Tonopah and teleconferenced at the Bob Ruud Community Center beginning at 10:00 a.m.

The Arena Advisory Board is scheduled to meet on June 3rd at the Town Annex at 7:00 p.m.

The Nuclear Waste and Environmental Advisory Board will meet on June 4 at 2:00 p.m. at the Town Annex.

The Kiwanis will be holding a yard sale at the Community Center on June 5 at 8:00 a.m.

The Primary election will be held on June 8 at various locations from 7:00 a.m. until 7:00 p.m. Check your sample ballot for your voting location.

There will be no Town Board meeting on June 8th. The next regularly scheduled meeting will be on June 22nd at the Community Center at 7:00 p.m.

The Pahrump Regional Planning Commission will meet on June 9th at the Community Center at 6:00 p.m.

#3

The next Pahrump Tourism and Convention Council Advisory Board meeting is scheduled for June 10th at 8:00 a.m. at the Town Annex.

The American Cancer Society will hold a Bark for Life at Ian Deutch Memorial Park on June 12th beginning at 9:00 a.m.

The Pahrump Youth Softball Association will be holding a fundraiser on June 14th at the Community Center beginning at 4:00 p.m.

The next scheduled meeting of the Pahrump Veteran's Memorial Advisory Board will be June 17th at 7:00 p.m. at the Town Annex.

The Pahrump Valley Roughriders will hold a gymkhana on June 19th at 6:00 p.m. at McCullough Arena.

The next Parks and Recreation Advisory Board meeting is scheduled for June 21st at 6:30 p.m. at the Town Annex.

There are still opening on various Advisory Boards. Please pick up an application at the Town Office or on our website at www.pahrumpnv.org. Let us know what advisory board you would be interested in participating with.

AGENDA ITEM REQUEST

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

DATE AGENDA ITEM SUBMITTED

April 21st 2010

DATE OF DESIRED BOARD MEETING

MAY 25th 2010

CIRCLE ONE:

Action

or

Non-Action

ITEM REQUESTED FOR CONSIDERATION:

Town Board Support/ Sponsorship of Petrack Park for Pahrump Valley Childrens EGG HUNT April 23rd 2011 (Saturday) 5 AM - 12 PM (NO Funds Requested)

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

BRIEF SUMMARY OF ITEM:

- 1) Do NOT CUT Petrack Park Grass (40 days) Prior to HUNT
- 2) Remove ALL Temp Ball Field fencing Nite/Day before hunt
- 3) DONATE 3' ORANGE CONES
- 4) TURN OFF SPRINKLERS DAYS before HUNT

BACKUP ATTACHED:

YES

NO

NAME OF PRESENTER(S) OF ITEM:

O.J. Palmer

SPONSORED BY:

PRIP INC. - TOWN OF PAHRUMP

O.J. Palmer

Print Name

Signature

3351 W. Hardy Rd. Pahrump, NV

Mailing Address

910-3115

Telephone Number

I Did Pahrump Valley Childrens Easter EGG HUNT (3yrs.) - 2000 - 2001 - 2002. TOWN OF PAHRUMP sponsored Petrack Park each year, Requesting same partnership.

References:
Cookie - MATT - from town office
Sam Mosselman - Nye County



#5

P.R.I.P., Inc.

Pahrump Recreation Improvement Projects Corporation

PRIP INC. is AN IRS 501-C-3 childrens Foundation - 31-1715034 THAT REQUESTS TOWN OF PAHRUMP SPONSOR PETRACK PARK FOR ANNUAL CHILDRENS EASTER EGG HUNT APRIL 23 '2011. TOWN BOARD HAS SPONSORED SUCH EVENT WITH PRIP INC. IN 2002-2003.

IN PROCESS OF RENEWING BUSINESS LICENSE WITH NEVADA STATE AND PAHRUMP -

History: PRIP INC AND O.J. PALMER have been INSTRUMENTAL IN :

- A) Requesting AND Recieving \$300,000.00 Recreation funding from NYE County to TOWN ANNUALLY.
- B) INSTRUMENTAL IN CONSTRUCTION/finish of ALL 3 playground systems in TOWN PARKS.
- C) INSTRUMENTAL IN planning-funding-building 4- Tee BALL fields @ THAN Honeysuckle PARK
- D) INSTRUMENTAL IN CONSTRUCTION START-UP OF SKATEBOARD PARK.
- E) Supporting AND funding many Events in the Community Between 1995-2005.
- F) SPONSORING AND COACHING Tee-BALL Teams
- G) ORGANIZING LARGEST CUB-SCOUT PACK under lions club and leading HARVEST PARADE ONE-YEAR.

P.R.I.P., Inc.

Pahrump Recreation Improvement Projects Corporation

Page ②

EVENT IS A COMMUNITY BASED EVENT WITH MORE THAN 30 BUSINESS INVOLVED.

OFFICIALLY NAMED:

PAHRUMP VALLEY CHILDRENS EASTER EGG HUNT IN 2001-2002 WITH TOWN BOARD SPONSORSHIP.

EVENT HAS BANNERS LISTING ALL SPONSORS
EVENT PRIZES TO BE AS LISTED:

- | | |
|---|-------------------------|
| 1) 20 New Bikes | 2) 200 Easter BASKETS |
| 3) 300 Teddy BEARS | 4) 6000 Tootie Pops |
| 5) 2000 Real Eggs | 6) Easter Bunny on site |
| 7) 16,000 Plastic EGGS w/ 65,000 Pcs. CANDY | |

WILL OFFER HUNT FOR 0-12 yr. olds

SPONSORSHIP FROM TOWN WILL NEVER REQUIRE FUNDING.

TOWN MAINT. WILL: (only requiring insurance coverage)

- 1) NOT MOW 30-45 days prior to hunt (Field A Area)
- 2) TURN OFF SPRINKLERS DAY BEFORE/DAY OF HUNT.
- 3) PROVIDE 2-115V OUTLETS

THANK-YOU

Sincerely O.J. PALMER



Department of the Treasury
Internal Revenue Service

P.O. BOX 9019
HOLTSVILLE NY 11742-9019

In reply refer to: 0153447045
May 04, 2010 LTR 147C 0
31-1715034 200812 44
Input Op: 0153447045 00001912
BODC: TE

P R I P INC
PRIP INC
% OWEN C PALMER JR
1201 DUTCH FORD ST
PAHRUMP NV 89048-4984

015911

Employer Identification Number: **-***5034

Dear Taxpayer:

We received your request of Apr. 23, 2010, asking us to verify your Employer Identification Number (EIN) and name.

Your Employer Identification Number (EIN) is 31-1715034. Please keep this number. Enter your name and EIN on all federal business tax returns and on related correspondence.

If you need forms, schedules, or publications, you can obtain them by visiting the IRS web site at www.irs.gov or by calling toll free at 1-800-TAX-FORM (1-800-829-3676).

Please call our toll-free telephone number at 1-800-829-0115 with any questions you may have.

You also can write to us at the address shown at the top of this letter's first page.

When you write to us, please attach this letter and, in the spaces below, give us your telephone number with the hours we can reach you. You also may want to keep a copy of this letter for your records.

Telephone Number () _____ Hours _____

We apologize for any inconvenience we may have caused you, and thank you for your cooperation.



rec 4-21-10 (w)

Town of Pahrump

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

PAHRUMP COMMUNITY PARKS RENTAL AGREEMENT

GROUP NAME: PRIP INC. / TOWN OF PAHRUMP

CONTACT NAME: O.J. PALMER

CONTACT PHONE: 775-910-3115

This phone number may be used on the Town's website for information purposes. YES NO

DATE REQUESTED: April 23rd 2011 TIME: 5AM - 12PM

PLEASE INDICATE WHICH AREA YOU WILL BE USING:

Petrack Park X Honeysuckle Park N/A Simkins Park N/A

Number of Overnight Permits Provided: N/A

Is Electricity needed: YES NO Number of boxes: 1

Certificate of Liability Insurance submitted: YES NO

Will there be food vendors at your event? YES NO

DEPOSIT: \$300, REFUNDABLE IF PARK AREA IS CLEANED AND NOTHING IS BROKEN OR DAMAGED (in essence, left the way you found it). This deposit shall be in the form of a check or money order, payable to the Town of Pahrump. Proof of Insurance and deposit must be in the Town Office NO LATER THAN FIVE (5) DAYS PRIOR TO THE EVENT. If not received, the event is subject to cancellation. There is no fee required for use of the parks at this time.

BY SIGNING THIS FORM, I AGREE TO:

Behave responsibly in accordance with all park rules as posted. Each group is responsible for leaving the park area in the order in which it was found, picking up trash and taking all items that were brought in, back out.

Signature

April 21st 2010 Date

Town Office hours Mon-Fri - 8:00 AM - 5:00 PM Weekends and after hours -In the case of an emergency call 764-0436

FOR OFFICE USE ONLY

Returned To: Signature: Date Deposit Returned: Staff Initials:

AGENDA ITEM REQUEST

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

DATE AGENDA ITEM SUBMITTED

5-13-2010

DATE OF DESIRED BOARD MEETING

5-25-2010

CIRCLE ONE:

Action

or

Non-Action

ITEM REQUESTED FOR CONSIDERATION:

- ① RESOLUTION REGARDING PAHRUMP ARTS AND RECREATION COMPLEX (THE PARC) & JOSHUA'S COMMUNITY
- ② LETTER OF SUPPORT FOR JOSHUA'S COMMUNITY
If request for funding is approved by the Town Board, an invoice or letter from the requestor to Town of Pahrump/Accounts Payable is required to receive funding.

BRIEF SUMMARY OF ITEM:

- ① REQUEST RESOLUTION AUTHORIZING TOWN MANAGER TO NEGOTIATE DEFINITIVE CONTRACTS REGARDING THE PARC PROJECT AND JOSHUA'S COMMUNITY WITH JOSHUA VENTURES INTERNATIONAL (JVI) AND LIVING WATER MINISTRIES RESPECTFULLY.
- ② LETTER OF SUPPORT FOR JOSHUA'S COMMUNITY.

BACKUP ATTACHED:

YES

NO

NAME OF PRESENTER(S) OF ITEM:

JOSEPH D'ANGELO

SPONSORED BY:

William K. Hagen, Town Manager

JOSEPH D'ANGELO

Print Name

1725 S. RAINBOW BLVD #16

LAS VEGAS, NV 89146

Mailing Address

Signature

702-809-9200

Telephone Number

#6+7

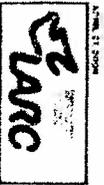
Pahrump Arts and Recreation Complex The PARC Project

Five (5) Primary Amenities:

- (1) “Field of Dreams” Baseball Facility with Dormitories, Basketball Arena, Tennis Facilities and Indoor and Outdoor Soccer Fields (based on the American Sports Center in Anaheim, CA.)
- (2) Performing Arts Center, Convention Center with Hotel, State of the Art Movie Complex and Outdoor Amphitheater
- (3) Native American Indian, Western Culture and Art Museums
- (4) Water Amusement Park, World Class Water Sports Arena, and BMX, Motocross Track;
- (5) Pahrump Valley Fairgrounds inclusive of Equestrian and Dog Show Facilities with Arenas and Veterinarian Clinic

To better qualify our intent for the Complex we see 5 Primary Amenities within 4 Quadrants of the property:

- (1) Sports Area
- (2) Water Amusement and Water Sports Area
- (3) Art District
- (4) Pahrump Fairgrounds

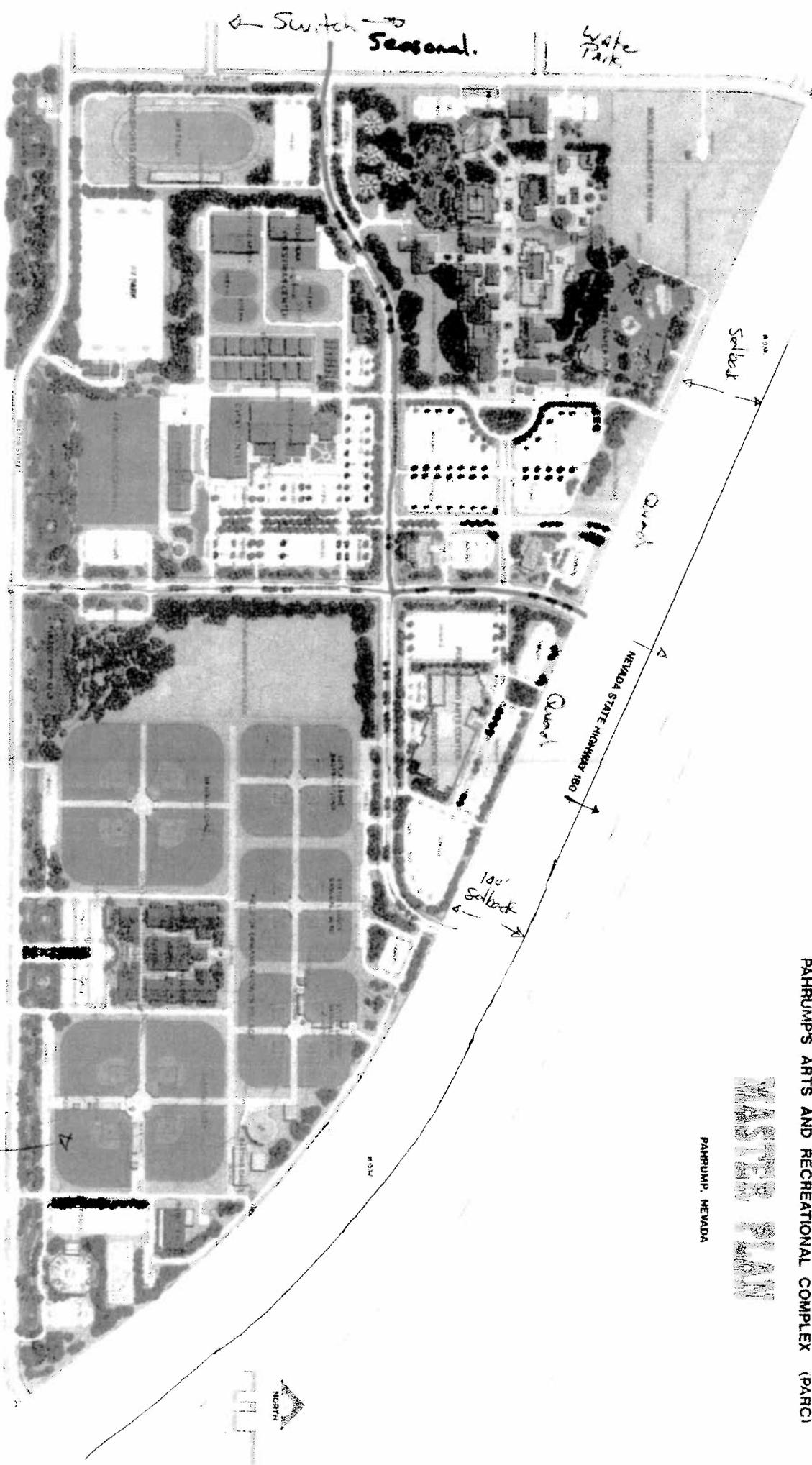


DATE: 11/20/08

PAHRUMP'S ARTS AND RECREATIONAL COMPLEX (PARC)

MASTER PLAN

PAHRUMP, NEVADA



Joshua's Community – Pahrump, Nevada

“Joshua's Community will be the first fully sustainable, eco-friendly community built with private funds specifically for the homeless and economically disadvantaged of Southern Nevada.”

Dr. Joseph D'Angelo

The Mission of Joshua's Community is to serve as a domicile for the homeless and the economically disadvantaged. Joshua's Community will be a sanctuary where individuals and families will receive education and employment in addition to food, clothing, housing, and support. Programs to rehabilitate individuals and reintroduce them into productive lifestyles will be designed to meet the individuals' present needs as well as future aspirations, taking into account each individual's capabilities.

The scope of the project requires execution of a number of steps to bring Joshua's Community to life. Initially, acquisition of the land on which to establish the project is critical, and work is presently being done to designate 6400 acres of vacant land outside of Pahrump, Nevada as suitable for homeless use by HUD. Concurrently, development of the area's Master, Strategic, and Government Plans are being initiated, which will be followed by a needs assessment for the community. Relationships between domestic and international providers to Joshua's Community will be established, along with urban and rural services. Importantly, the creation and implementation of self-sustainable jobs in the areas of manufacturing, organic farms, eco-agriculture, transportation, and renewable green energy technologies will enable Joshua's Community to succeed in providing its residents with the ability to work and sustain the community.

Sports programs, recreation, and leisure activities will be created for the purpose of developing physical activities and sports education. Finally, strong health and wellness programs will be developed to include various types of treatments and therapies that meet the needs of Joshua's Community and its residents.

The project's biggest challenges will be obtaining the HUD designation of suitability for homeless use, which is key to securing the land under the McKinney-Vento Homeless Assistance Act of 1987, and expanding the existing infrastructure of Pahrump to accommodate Joshua's Community. Efforts are already underway to work with local, state, and federal agencies to accomplish infrastructure improvements at minimal cost and impact to Pahrump and the surrounding areas.

Joshua's community will become the model for developments across the United States, and an example of the power of private/public partnerships.

EXECUTIVE SUMMARY

BACKGROUND

Joshua's Community will be the first project of its kind in the country, and its development will position the project as a model for other cities and towns to follow in developing jobs and employment for the disadvantaged in our communities. The development of Joshua's Community in Nevada will draw positive attention to the state for its innovation in solving a problem that plagues towns and cities everywhere. The timing for the development of the community and the cooperation between public and private entities will showcase Nevada and its innovative citizens seeking to help others in these tough economic times.

LAND ACQUISITION

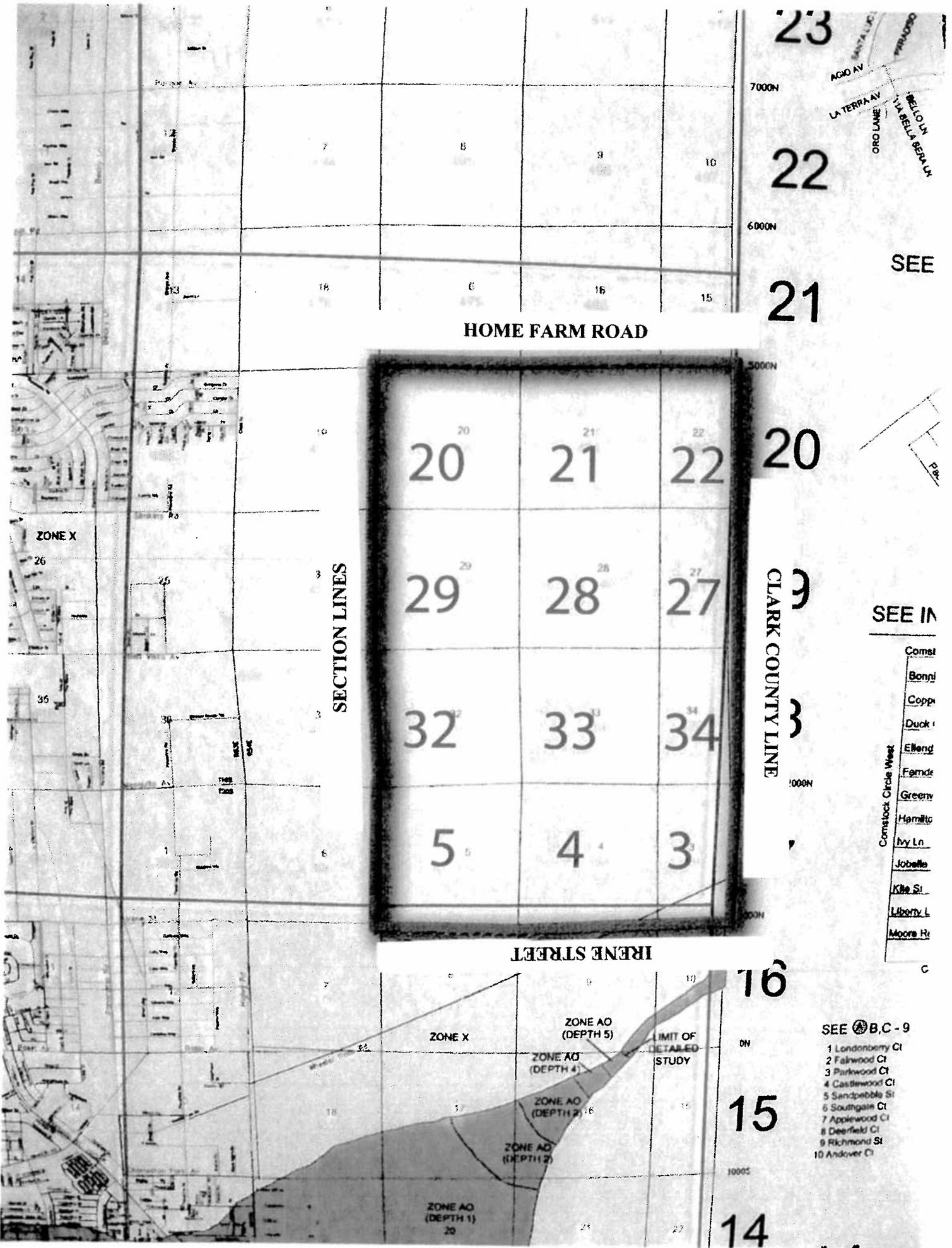
The project requires coordination with various local, county, state, and federal agencies to provide the infrastructure necessary to support such a vibrant and active community. Additionally, the 6400 acres of federal land must be secured by patent from the Bureau of Land Management (BLM) to the Town of Pahrump and Joshua's Community.

Title V of the McKinney-Vento Homeless Assistance Act of 1987 makes vacant federal properties available at no cost to non profit organizations for use as facilities to assist homeless people. Eligible uses include providing shelter, child care, job training, transitional housing, permanent supportive housing, food banks, mental health services, and substance abuse treatment services, exactly the types of uses contemplated by Joshua's Community.

The Department of Housing and Urban Development (HUD) screens available under-utilized, un-utilized, excess, and surplus real properties to determine whether the properties are suitable for homeless uses. The 6400-acre property located outside of Pahrump, Nevada is vacant and not slated for any use, thus qualifying it for consideration for use by Joshua's Community. Before the land patent can issue, the property must first receive HUD's designation of suitability for homeless use.

LIVING WATERS MINISTRY/Joshua's Community

Living Waters Ministry is a 501(c) 3 non-profit organization founded in Nevada in 1995. It is a non-denominational, faith-based ministry that serves those of any age, religious faith, denomination, background, race, and monetary status. Its Outreach Program has established food and clothing programs, educational programs and independent living programs that include academics, living skills and entertainment. Its founder, Dr. Joseph D'Angelo, is a non-denominational ordained minister and an entrepreneur with a broad spectrum of business experience. Joe currently serves as President of Living Water Ministries and is the founder and developer of Joshua's Community.



23

22

21

20

3

3

3

16

15

14

HOME FARM ROAD

IRENE STREET

SECTION LINES

CLARK COUNTY LINE

ZONE X

ZONE X

ZONE AO (DEPTH 5)

ZONE AO (DEPTH 4)

ZONE AO (DEPTH 2)

ZONE AO (DEPTH 2)

ZONE AO (DEPTH 1)

LIMIT OF DETAILED STUDY

SEE B,C-9

- 1 Londonberry Ct
- 2 Fairwood Ct
- 3 Parkwood Ct
- 4 Castlewood Ct
- 5 Sandpebble St
- 6 Southgate Ct
- 7 Applewood Ct
- 8 Deerfield Ct
- 9 Richmond St
- 10 Andover Ct

SEE IN

- Comst
- Bonn
- Copp
- Duck
- Ellend
- Femde
- Greeny
- Hamilt
- Ivy Ln
- Jobelle
- Kite St
- Liberty L
- Moore H

SEE

C

AGENDA ITEM REQUEST

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

DATE AGENDA ITEM SUBMITTED
5/17/2010

DATE OF DESIRED BOARD MEETING
5/25/2010

CIRCLE ONE: Discussion, Action, Decision or [REDACTED]

ITEM REQUESTED FOR CONSIDERATION:

Discussion and Possible Decision on Approving the Final Comments/Report from
EPS pertaining to the Incorporation Study.

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

BRIEF SUMMARY OF ITEM:

Final comments/report on the Incorporation Study.

BACKUP ATTACHED: YES NO

SPONSORED BY: Town Board

NAME OF PRESENTER(S) OF ITEM: Town Board/Town Manager

Nicole Shupp, Town Board Chairman
Print Name

Nicole Shupp
Signature

Town Office
Mailing Address

(775) 727-5107
Telephone Number

#8

MEMORANDUM

To: William Kohbarger, Town of Pahrump
From: Richard Berkson
Subject: Responses to Questions, Pahrump Incorporation Feasibility
Date: May 18, 2009

The Economics of Land Use



As you requested, I have compiled the questions received related to the Pahrump Incorporation Feasibility Analysis (January, 2010) along with my responses. These responses were previously transmitted to the Town for posting and distribution, and can be attached as Appendix D to our report.

The questions raised many excellent points, and the responses clarified and expanded upon information contained in the report. None of the comments identified new information that would lead me to change the report's fundamental conclusion that a new city could be financially feasible, under the assumptions listed.

As described in the report, the new city would take responsibility for services currently provided by the County. In exchange, a portion of current County revenues equal to the costs would be shifted to the city. This results in no net increase in total property tax and CTX revenues currently collected by the County and the Town together. However, there would be a slight increase in the combined property tax rate within the new city of about 3-4 percent, since the property tax revenue shifted from the County to the new city will be spread over a smaller assessed value base.

However, some additional services and related costs will be incurred that are unique to the new city, and would not justify a transfer of County revenues. For example, the new city will require a clerk, and municipal court. The new city will need to use reserves or other resources to meet this additional cost, as well as to meet current needs of the Town.

While the level of staffing for services currently provided by the County has been changing as a result of recessionary conditions and reduced revenues, the analysis assumes that the new city would provide a

*Economic & Planning Systems, Inc.
2501 Ninth Street, Suite 200
Berkeley, CA 94710-2515
510 841 9190 tel
510 841 9208 fax*

*Berkeley
Sacramento
Denver*

www.epsys.com

similar level of service funded by a corresponding level of revenues to be transferred from the County. The community would continue to receive a level of service comparable to current services, reflecting current reductions in both cost and funding.

Many of the questions received asked about the process of incorporation, which is described in the responses, and potential future costs. Experiences in Nevada (namely, Fernley) as well as new California cities have shown that a significant amount of effort by the community will be required to thoughtfully plan and execute the transition to cityhood, if the process moves forward. These efforts will help to refine the estimates and services plans contained in the feasibility study, and to update the assumptions as necessary for current fiscal conditions. This process will continue through the review by state agencies and up to the point of incorporation as well as during the initial transition year (or multiple years) following incorporation. Collaboration between the County and the residents of the Town will facilitate this process. In the case of Fernley, many of the costs required to incorporate (e.g., mapping, etc.) were funded by contributions from the community.

Other questions expressed concern about the transfer of funds from the County to the new city. As described in the responses, Nevada laws provide mechanisms for this transfer, however, in many cases the laws were not explicitly written for incorporation. Incorporation could be structured to be contingent on the transfer of funds as part of the legislative approvals of the proposed City charter, if the incorporation follows that incorporation option. Thus, the new city would only be approved if the transfers of funds are approved concurrently.

APPENDIX D: QUESTIONS ABOUT INCORPORATION

Q. What would be the Standard & Poor's Rating of the newly incorporated City? The Dun & Bradstreet Report?

- A. There would not be one. Neither the Town of Pahrump nor Nye County has ever been rated.

Dun and Bradstreet (D&B) provides credit ratings primarily for commercial businesses. Although D&B can and does prepare credit reports on government entities, it is not common nor is a credit report generally required for a city to conduct its operations. A D&B "D-U-N-S® Number" is a unique nine-digit identification sequence, which provides a unique identifier which can be obtained by any entity, including municipalities (for example, it is sometimes required as a tracking mechanism for federal grants).

Standard & Poor's, as a credit rating agency (CRA), issues credit ratings for debt issued by public and private corporations.

Q. What are the criteria in the statutes for transfer of funds from the County to the City? Who decides what and how?

- A. NRS 354.5987 describes the process for establishing the property tax rate for a new entity. The statute provides several criteria applicable to the transfer:
- The allowed revenue from taxes ad valorem of all local governments in the county must not be increased.
 - Nevada Tax Commission shall allow a tax rate for operating expenses of at least 15 cents per \$100 of assessed valuation in addition to the tax rate allowed for any identified and restricted purposes and for debt service.
 - The allowed revenue from taxes ad valorem attributable to the new local government for the cost of performing a function must equal the total of the amounts subtracted for the prior cost of performing the function from the allowed revenue from taxes ad valorem of the County.
 - Total revenue allowed to all local governments for performance of substantially the same function in substantially the same geographical area must not be increased.
 - The allowed revenue from taxes ad valorem of any local government is established by the Nevada Tax Commission for the first fiscal year it is in existence. The Nevada Tax Commission requests the Committee on Local Government Finance to prepare a statement of the prior cost of performing the function. The Nevada Tax Commission may accept, reject or amend the statement of the Committee on Local Government Finance. The decision of the Nevada Tax Commission is final.

- A. NRS 360.740 addresses a request for the transfer of consolidated tax revenue (CTX), and includes the following criteria:
- If the new city provides a service that was provided by another local government (e.g., the County), the amount allocated to the County must be decreased by the amount allocated to the new city.
 - The Nevada Tax Commission must consider the effect of the distribution of CTX to the new city on the amounts that the other local governments and special districts that are located in the same county will receive.
 - The Nevada Tax Commission must compare the amount of CTX to the new city to the amounts allocated to the other local governments and special districts that are located in the same county.
 - The request for CTX must be submitted on or before December 31 of the year immediately preceding the first fiscal year that the new city would receive CTX.

Following a request from the governing body of a local government by majority vote, the Nevada Tax Commission directs its Executive Director to review the request and then submit findings to the Committee on Local Government Finance. If the Committee determines that the distribution of money to the new city is appropriate, it submits a recommendation to the Nevada Tax Commission. If the Committee determines that the distribution is not appropriate, that decision is not subject to review by the Nevada Tax Commission. The Nevada Tax Commission holds a public hearing; if it determines that the recommendation of the Committee on Local Government Finance is appropriate, it orders the Executive Director to distribute the CTX to the new city.

Q. Once the decision is made to become a city, what are the costs associated to transition from unincorporated town to incorporated city. How much money would Pahrump need to cover hidden costs, unexpected costs, contract (union) transfers, legal contracts, charter, etc.?

- A. The exact amount is difficult to predict, however, it is clear from the Fernley incorporation that it would be prudent to plan on at least \$20,000 to \$50,000 to cover transition and unanticipated costs. As noted below, the costs will partly depend on the level of community involvement.

Prior to incorporation, if the Town pursues the route of legislative approval of a charter, it is likely that some legal review and assistance would be required. There are examples of charters that the Town could use as a basis for its charter, minimizing the amount of legal work required.

The Town of Fernley provides one example of the process. After the decision was finalized, but before officially becoming a city, the Town appointed a number of working groups to address issues related to the transition. These issues included contract negotiations, labor issues, hiring of staff, and negotiations with the county over assets. Apparently some Town staff time was contributed to the tasks; however, it was largely a volunteer effort due to limited staff capacity.

The incorporation process also entailed various costs which were borne by the Incorporation Committee, including the election cost, and the cost for a survey which is required. Initially the Committee submitted these costs to the new city for reimbursement; however they subsequently withdrew their request.

The new city hired a firm to assist with financial transition issues during its first several months, in 2001, at a cost of approximately \$12,000. The new city also received some assistance related to human resources and the addition of staff classifications, from staff of the municipal insurance pool to which it belonged. The costs for insurance did increase as the Town became a city and took on more responsibilities. The new city also arranged to extend coverage to protect Town board members against lawsuits for some period of time after the town ceased to exist. The level of legal work required for the new city increased compared to the legal costs for the Town.

During the new city's first year, many of the ongoing transition issues and negotiations were addressed by advisory committees, city staff, and the city council. Some issues extended beyond the first year. For example, services and costs for animal control had not been anticipated during the feasibility process; the new city investigated short-term contracts with neighboring jurisdictions, and eventually added its own staff. The municipal court and related costs and revenues were an initial uncertainty which took much time to decide on the appropriate form of court operation, and the required costs and revenues that could be accrued. The new city required additional investments in vehicles, and financial accounting systems.

Q. Is information available from cities that have made this change and what was the variance between their budget and their actual expenses?

- A. Budget documents are available for the initial years of the new city of Fernley beginning in 2001, which was the last new Nevada city in the past 20 years. However, the budgets do not document budgeted vs. actual expenditures. Nonetheless, there are several instructive issues that can be learned from the budgets and the city's minutes.

As noted in the prior response, there were a number of issues such as animal control that were not anticipated prior to incorporation, and other issues, such as setting up a municipal court, for which information was lacking to adequately plan for the likely costs.

During the initial years of the new city, high rates of growth were experienced that helped to fund transition costs and service expansion. The city also operated utility enterprises which helped to offset some overhead costs. These revenues helped to cover certain additional costs for the new city which included:

- Creation of a GIS system and electronic-based maps of the new city
- Election costs (every two years)
- Additional costs for vehicles for new staff
- Animal control staff and vehicles

- Lease of additional temporary office space.

According to the city's minutes midway through the first year, it was reported that overall "the revenues and expenses are in line with the budget" (December 5, 2001). By the end of the first year, the city manager stated that "...the budget is balanced at 6.5 million dollars and the general fund ending fund balance is \$331,000..." plus future augmentations that may come as a result of changes to franchise fees. The new city did not increase its property tax rates during its initial years, and apparently were very fiscally conservative, according to information from the original city manager.

Q. Did this study group visit Fernley?

- A. EPS corresponded with staff of Fernley and Lyon County via telephone and email to obtain information regarding the incorporation of Fernley, the city's budget, and service arrangements between the city and the county. EPS also reviewed budgets and minutes from the initial year of the new city, and corresponded with the first city manager.

Q. Fernley is reputed to be in financial distress. Why?

- A. The Fernley city council currently is dealing with a budget shortfall of \$455,000, which the city council is addressing through a combination of layoffs and attrition.

The Fernley City Council recently voted to terminate the employment of their long-time Finance Director/City Treasurer at their March 4th meeting, citing an unforeseen budget shortfall and ongoing irregularities in the city's financial reporting as the primary impetus for the ouster. It is likely that declining revenues due to the recession were a major contributing factor in the shortfall; property taxes and other revenues are declining throughout Nevada, contributing to budget difficulties. The unforeseen nature of the shortfall also may have contributed to the magnitude of the problem and the severity of the measures required to address the problem.

Q. Will we have to have service districts to pay for the services that an incorporated Pahrump would have to assume?

- A. The feasibility of the city is predicated on the transfer of funds (property tax, consolidated tax) from the County to the new city in an amount equal to the costs of the new services that the city would assume from the County. Therefore, no new service districts are anticipated.

One exception is the municipal court that the city will require which currently is not provided by the County. However, it is likely that a portion of the cost of the municipal court will be covered by court fees and fines. It is possible that the new city may be able to collaborate with the current justice court; many of the city's ordinances are likely to be similar to County ordinances, therefore the existing court system may have some capacity to handle city cases which currently would be heard by the justice court.

Q. Would there be a tax increase to pay for such services?

- A. As noted above, it is anticipated that the transfer of revenues from the County to the new city would be sufficient to fund most of the services assumed by the city which previously were provided by the County (with the exception of the municipal court, noted above). State law includes a provision whereby the entity receiving an increase in property tax to fund a transfer of services may also request an increase to cover related administrative costs; however, this administrative increase in property tax was not assumed in the feasibility study in order to minimize any potential increases in existing property tax rates.

The feasibility study estimated that the current cumulative property tax rate paid by residents of Pahrump could increase 3-5%, even if the County's current property tax revenues are reduced by the amount that the new city's property tax revenues are increased. This is due to the spreading of the same amount of property taxes over a smaller city property tax base.

Q. Have you checked with Ely and White Pine County about the budget dispute in regard to the Sheriff's Department?

- A. The city has been paying about \$672,500 to the County for police protection; a sum the County has said must be increased to cover actual costs. This year, the city said its revenues had been hard hit and it could only pay \$300,000 for the service. This situation could result in lower levels of service to the city, and/or contribute to budget shortfalls by the County. Other alternatives include the city providing its own police force; however, it would still face the same problem of funding required levels of service.

The population of Ely is about 4,000, which is significantly smaller than the population of Pahrump, which is close to 40,000. Financial feasibility is more challenging, as it has fewer financial resources, yet must still maintain a minimum size of staffing.

If a new city of Pahrump contracts with the County Sheriff, a negotiation process would be necessary every year to determine contract costs and levels of service. A recessionary reduction in revenues, and increasing Sheriff costs, would further complicate the negotiation process as is occurring in White Pine County. While it is not recommended that the new city create its own police department upon incorporation, this would remain as a long-term option. This option would not insulate the city from funding difficulties during a recession, but would reduce contractual conflicts with the County.

Q. What has been the experience of newly incorporated cities in California?

- A. Attached is a summary of information collected on several newly incorporated California cities. The information was prepared during the analysis of a proposed new city in Carmel Valley near Monterey, in November 2008. The information is based on interviews and reviews of city budgets.

Q. Should the analysis consider reduced revenue expected in the near future?

Property taxes, sales taxes and gaming taxes are all down.

- A. The analysis assumed negligible new development or growth in assessed value for the next few years, followed by a recovery in real estate conditions. Since the report was prepared, budget conditions have worsened, and County staff layoffs have occurred. The new city will be faced with lower revenues, but will also be taking over County services at a reduced staffing level and lower cost. If the economy is at or near its bottom, then the new city will benefit from the upside of future growth. However, if the new city is formed and the economy worsens and tax revenues decline, the new city will be faced with greater budget shortfalls than if it remained a town.

Q. Why did the incorporation study not mention Payments Equal to Taxes?

- A. The study assumed that the County would transfer an amount of property taxes equal to the cost of services transferred. This revenue would not necessarily include Payments Equal to Taxes (i.e., taxes paid by federal agencies for property that would otherwise be exempt from taxes within a jurisdiction, such as Dept. of Energy properties), unless the subject properties were within the new cities boundaries and to be served by the new city. If this is the case, then they should be considered as part of the calculation of revenues transferred from the County to the new city, along with the associated service responsibilities.

Q. If the Town goes forward with incorporation, what is the exact sequence of events in the process?

- A. The Town has two options if it moves forward: 1) the steps defined in Nevada Revised Statutes (NRS); or 2) submittal of a city charter for approval by the State legislature. The feasibility study describes both approaches.

In summary, the NRS require a petition signed by voters, followed by a series of hearings at the State and local level to review feasibility and information submitted as part of the incorporation process. A vote by residents subsequent to the hearing process is the final determination, assuming the proposal has met the NRS standards pursuant to the review process. The specific steps were summarized in Appendix A of the incorporation feasibility analysis (attached). At this point in time, the soonest a new city could begin operations would be July 1, 2013.

The alternative process is to submit a bill to the legislature which would include a city charter. While not spelled out in NRS, presumably the Town would precede this step with a vote of its residents before moving forward (the Town may wish to hold an advisory vote in the first option described above, as well). The legislature meets in odd-numbered years (with the exception of special sessions), so the first legislative session would begin in February 2011. A bill would be submitted with the proposed new city charter; all of the information required for the NRS step described above would be reviewed as a part of the legislative process by the same State departments, as well as the legislature (see the Appendix A for a description of information requirements). It would also be prudent to include provisions for the transfer of property tax and CTX as part of the legislative

process. It is uncertain how long the legislative process would require; if successful, it is likely that the new city could begin by July 1, 2012.

Q. What are the costs?

- A. As noted in other responses to questions dated 15 March, in the last Nevada incorporation (Fernley), most of the costs of incorporation were borne by the Incorporation Committee, not the Town of Fernley. The costs included election costs and the cost of an official survey. Some additional legal costs may be incurred in the process of preparing and reviewing legislation. Much of the preparation work (feasibility analysis, data collection, etc.) was done by citizen volunteers.

The 15 March responses provide additional information about potential costs post-incorporation, during initial transition from the County to the new city.

Q. Would there be extra costs road maintenance?

- A. The new city would take over responsibility for road maintenance from the County, as shown in the feasibility analysis. The new city would also gain gas taxes and road fund revenues to help offset these costs.

Q. Have you taken into account the declining economy in your projections?

- A. The analysis assumed negligible new development or growth in assessed value for the next few years, followed by a recovery in real estate conditions. Since the report was prepared, budget conditions have worsened, and County staff layoffs have occurred. The new city will be faced with lower revenues, but will also be taking over County services at a reduced staffing level and lower cost. If the economy is at or near its bottom, then the new city will benefit from the upside of future growth. However, if the new city is formed and the economy worsens and tax revenues decline, the new city will be faced with greater budget shortfalls than if it remained a town.

Q. The Charter that results from incorporation-- How does it become law?

- A. The charter will be attached to a bill that will need to receive approval of a majority of the legislature. If the bill is approved, the charter becomes the document that will govern the new city. If the bill is not approved, the incorporation will not become effective.

Q. How much "teeth" do NRS 354.587 & 360.74 have to force allocation of funds?

- A. The NRS provide the mechanisms and legal basis for transferring revenues subject to the criteria and process established in the NRS. The transfer of revenues is intended to accompany the transfer of service costs from one entity to another, although the NRS do not explicitly indicate that the transfer is to occur upon incorporation. If incorporation occurs as a result of legislation as addressed in the prior question, the bill could include language to effectively add "teeth" to the transfer of revenues if the bill is approved.

Q. How was the figure of \$220,000 arrived at for establishing a Municipal court?

- A. \$220,000 is the estimate of the net cost to the new city for all services after considering the transfer of revenues from the County. Services include not only the municipal court, but also a city clerk, and other changes to service costs (legal, insurance, etc.).

As described on page 22 of the Incorporation Feasibility Analysis, A preliminary budget for the Municipal Court includes total costs of approximately \$330,000. The budget is based on the municipal court budgets for the cities of Fernley and Mesquite, which operate a consolidated Justice and Municipal Court; the costs ranged from \$250,000 to \$330,000 annually, respectively, as shown in Appendix B Table 7. The costs represent the city's contribution towards the total costs of the system. A portion of the costs will be offset by fees and charges, and other revenues collected by the Court, assumed to equal about 60 percent of costs, based on the Fernley budget. The municipal court may retain certain revenues which currently accrue to the State, to the extent that the municipality adopts the corresponding State ordinances. The budget estimates indicate a net city cost, after court revenues, of approximately \$130,000. It is expected that these estimates would be refined if the incorporation process moves forward, as further data is obtained, analysis conducted, and discussions occur with the existing court system.

Q. Are there any "hidden costs" to incorporation?

- A. This question was also addressed in the response to questions from the March 11th workshop. The Fernley incorporation was reviewed for unanticipated costs. These included costs for the incorporation process (i.e., a mapping of boundaries, and election costs), which were eventually borne by the incorporation committee. During the initial several months, the new city hired a firm to help with financial transition issues at a cost of about \$12,000. Insurance was extended for prior Town Board members, which was not anticipated (no cost estimate available). The new city also had not anticipated costs for animal control. While the Incorporation Feasibility Analysis has attempted to identify all possible costs, it will be necessary to continue to refine the services and cost estimates if the incorporation process moves forward to reduce the potential for "hidden" costs and to develop a contingency plan to address uncertainties and future decisions (e.g., whether the new city contracts with the County or with private service providers, and whether additional space rental costs and/or vehicles or other startup costs will be required).

Q. Pahrump has the lowest tax rate in the County. If we go to the tax rate that is in effect in the rest of the county, does that account for the 3-4% increase suggested by the Draft Report?

- A. The new rate for the residents of Pahrump is based on shifting a portion of the County's current tax revenues to the new city in an amount equal to the shift of County costs to the new city. The resulting rate will differ from elsewhere in the County since the mix of taxing entities and their tax rates are different.

While the new city's tax rate will be greater as a result, compared to the current Town rate, there will be an offsetting reduction in the County's tax rate. However, the County

reduction is not exactly equal to the new city's increase. The 3-4% increase in the rate is because the revenues shifted from the County are spread over a smaller assessed value base; therefore the effective rate is greater. The reduction in County tax revenues are spread over more tax payers and assessed value, therefore the rate collected from the total County base is less than the rate applied within the new city, even though the total dollars shifted are the same.

Q. If we incorporate, what happens to the County Commissioners? What financial responsibility do we still have to them?

- A. There should be no change in the composition of the County Commission. The County will continue to collect tax revenues to fund County services, although the service responsibilities and oversight of the County and the Commissioners will be reduced.

Review of New California Cities

Prepared for the Proposed Incorporation of Carmel Valley (Nov. 2008)

As you requested, we have reviewed several new cities incorporated within the past ten years. The purpose is to provide information about the new cities' fiscal performance relative to expectations when they were initially formed.

Although the new cities are each unique in terms of demographics, land use, development potential, revenue base, and services provided, they do share certain similarities. Because new cities are formed from previously unincorporated areas served by counties, services are generally limited in the new cities' early years. Over time, municipal services such as recreation, cultural services and economic development are added as revenues allow.

Generally providing limited services immediately following incorporation, new cities initially rely on contract services provided by the County and on contracts with private firms and individuals. Thus, they have not developed the bureaucratic structure and expansion of staff titles, positions and employee benefits that are more commonly found in more established and older cities. This approach provides a "lean" management necessary for a "start up", but that also can help to manage adverse economic cycles.

The new cities listed below characterize the transition from unincorporated community under the management of a county serving a much larger area, to a municipality managed by, and responding to its residents. The cities gained local land use control and improved public services and facilities, while maintaining fiscally prudent practices. As with all California cities, they are wrestling with adverse economic conditions and reductions in State funding; however, they all appear to be in relatively good financial condition with substantial reserves to weather the downturn.

We have not done a broader survey of newly incorporated cities but feel these three are generally representative. We are aware of no newly incorporated cities that are in the same degree of severe fiscal distress experienced by some established cities (e.g., Vallejo).

Goleta – The City of Goleta, population 30,400, has experienced minimal growth (less than 1 percent annually) since its formation in 2002. As of June 30, 2007 the city had reserves of \$7.5 million, or approximately 50% of General Fund revenues. In the initial years of cityhood, the staff continued to refer to the Comprehensive Fiscal Analysis (CFA) as a guide. The CFA's estimates for FY08 General Fund revenues were about 5 percent less than actual revenues, after adjusting the CFA for inflation; the CFA's cost estimates were about 2 percent above actual costs.

Oakley – The City of Oakley, population 33,200, has grown faster than 3 percent annually since its formation in 1999. The City maintains reserves equal to 20 percent of expenditures; in the current budget year it had reserves exceeding 20 percent that it applied towards capital improvements. In addition, the City maintains a contingency reserve of at least 2 percent, as well as reserves for employee benefits, claims and equipment replacement. Although it is experiencing a flattening of revenues, it is able to add police officers. It is managing other costs by shifting staff responsibilities, e.g., building inspectors are being assigned to increased code

inspection and enforcement, and contract building and engineering staff are being reduced. The City did not have a revenue neutrality impact on the County, and therefore does not make mitigation payments. The City also benefitted from the existence of police special taxes when it was formed; these taxes transferred to the City's benefit, without a corresponding adverse impact on the County. No direct comparison to the original CFA is available.

Rancho Santa Margarita – The City of Rancho Santa Margarita became a city on January 1, 2000 with a population of approximately 48,000. Growth has been minimal, as the area was a master-planned community near buildout. Some additional commercial development did occur, including car dealerships and big box retail, which improved sales tax revenues above expectations. The City has significant General Fund balances of \$12.8 million compared to General Fund expenditures of \$17.5 million. The City currently shares certain revenues with the County in addition to revenue neutrality; however, these payments will end within a few years, improving the city's fiscal conditions. Both the costs and revenues are higher than originally projected in the CFA due to strong real estate appreciation and commercial development.

The CFA estimated positive Road Fund balances; however, in reality the City has not seen surpluses. However, the City has been aggressive about maintaining high road maintenance standards without significant General Fund contributions, and hopes to avoid General Fund contributions in the future. The city has spent \$17 million of its funds to build a new community center and city hall. The City is expecting revenues to flatten, however, feel in a good position considering their reserves, and their use of private firms to provide services, which minimizes their long-term cost obligations.

Summary of Incorporation Timeline

(extracted from Draft Incorporation Feasibility Analysis Appendix A, January 2010)

Note: this summary is intended to provide an overview of the process; the reader should refer to the statutes for the actual language and additional detail.

1. Committee of five qualified electors files a notice to incorporate with the county clerk, including copy of the petition to be circulated (266.018)
2. Petition must be signed by at least one-third of qualified electors, and filed within 90 days after notice to incorporate is filed (266.022)
3. County clerk verifies signatures and issues a certificate as to the sufficiency of the petition and notifies committee (266.023)
4. County clerk promptly files with the board of county commissioners
5. Upon receipt of certified petition, board of county commissioners within 30 days shall request a report from the Committee on Local Government Finance. The report must be prepared within 90 days after the report is requested (266.0261)
6. The board shall also transmit a copy of the petition to the Executive Director of the Dept. of Taxation, within 30 days, and to every other local government in the county (266.0261)
7. Any local government reviewing the report may report recommendations to the board no later than 60 days after receiving a copy of the petition (266.0262)
8. The Dept. of Taxation prepares a report of fiscal effects, including tax rates, and files it with the Committee on Local Government Finance within 30 days (266.0263)
9. The Committee on Local Government Finance approves or revises the statement of estimated effect at a public meeting, and transmits the statement to the county clerk within 30 days after receipt from the Department of Taxation (266.0263). If the Committee finds the area is unsuitable for incorporation, no further action may be taken unless reversed by district court (266.0265)
10. Within 14 days after board receives the report from the Committee on Local Government Finance, the board sets a public hearing that occurs within 14 to 30 days after setting the date (266.027). Additional hearings must be completed within 30 days after the initial hearing
11. Within 30 days of conclusion of hearing, the board issues an opinion and sets the election within 60 to 120 days after the opinion (266.029)
12. Upon approval of incorporation at ballot, the board designates a date for election of officers within 60 to 120 days after the initial election (266.036)
13. If election of officers is held on or before the 1st Tuesday after the 1st Monday of November, the effective date is July 1 of the following year; otherwise, it is one year from July 1 of the following year (266.042)

PAHRUMP TOWN BOARD MEETING
ARTESIA COMMUNITY CENTER
6601 SOUTH FOX AVENUE
TUESDAY – 7:00 P.M.
May 11, 2010

MINUTES

PRESENT:

Town Board:

Nicole Shupp
Bill Dolan
Vicky Parker
Frank Maurizio
Mike Darby

Staff:

Bill Kohbarger, Town Manager
Rick Campbell, Attorney
Matt Luis, Building & Grounds Manager
Al Balloqui, Community Business Economic Development

1. Call to Order and Pledge of Allegiance.

Chairman Nicole Shupp called the meeting to order and led in the pledge of allegiance.

2. Discussion and possible decision regarding moving the order of, or deleting an agenda item(s).
(Action)

Mike Darby motioned to move Item #16 (Town Board Member's Comments) to follow Item #2. Frank Maurizio seconded the motion.

Vote failed 2 – 3. Nicole Shupp, Bill Dolan and Vicky Parker voted nay.

Mike Darby stated that “he is here under protest due to the fact that this meeting was moved without the consent or by vote of the Town Board; and as such I reserve the right to recall and rescind any and all decisions made here tonight.”

Rick Campbell stated that if a matter is voted on, whatever the vote is as of the meeting would stand.

3. Announcements (Non-Action)

Vicky Parker read the announcements as prepared in the backup.

Bill Dolan announced a program for families earning under \$60,000 with honor students are eligible for tuition to Harvard University.

Mike Darby asked if there had been an announcement that there will be no PRCA Rodeo at the Fall Festival this year. Nicole Shupp replied that there has not.

#96

4. Advisory Board Reports, from Advisory Board Chairpersons and/or Town Board Liaisons on the status of Advisory Boards. (Non-Action)

There were no reports.

5. Discussion and possible decision to direct staff to place signs “NO SMOKING IN CHILDREN’S PLAY AREAS” at Petrack, Honeysuckle, and Simkins Parks. (Action)

Vicky Parker asked Nye Communities Coalition to proceed with their presentation.

Nicole Greb introduced Megan Hamilton, Mariah Hamilton and Amberetta Foreman. Ms. Greb spoke about thousands of cigarette butts picked up in one hour in the playground area at Petrack Park. It was asked that no smoking be allowed within 25 feet of the play area. Nicole Greb gave reasons for eliminating smoking and will provide signs for the parks.

Mike Darby expressed concerns with signage at the 25 foot barrier and parents that smoke. Frank Maurizio commented about concerns regarding enforcement if signs are put up. Rick Campbell said that the Town currently has no ordinance prohibiting smoking in public parks. After more discussion Sheriff DeMeo stated that there is a littering ordinance and his office will enforce it with citations. Nicole Greb said that ashtrays can be provided as well as signs.

Vicky Parker motioned to direct staff to place signs, “no smoking” signs, around the children’s play areas only. They type of signs would be at the pleasure of the Board.

Bill Kohbarger asked if signs saying “please refrain from smoking in this area” would be sufficient. Mrs. Parker agreed and suggested “please refrain from smoking in the children’s play areas.”

Vicky Parker amended her motion to direct staff to place signs of that type subject to agreement between NCC and Mr. Kohbarger.

Bill Dolan said he would second the motion if the motion included all future parks and asked Mr. Kohbarger to price the ashtrays to be placed around the park areas.

Vicky Parker amended her motion as stated by Mr. Dolan. Mr. Dolan seconded the motion.

Comments were heard from Harley Kulkin, Isabel Isherwood, Anita Yonker, Michelle Withers, Stephanie Lopez, Bill Garlough, Pam Mason, Butch Harper, Samuel Jones, Laurayne Murray, Kelly Buffi, and Paul Holder.

Vote passed 5 – 0.

6. Discussion and possible decision to honor fallen Nye County Deputy Ian Deutch by renaming Honeysuckle Park, “Ian Deutch Memorial Park”. (Action)

Nicole Shupp said she felt that by naming Honeysuckle Park after Deputy Deutch would be a great way to honor him.

Mike Darby said he was for doing something for the office, but would recommend renaming Last Chance Park in his honor. Vicky Parker suggested leaving Last Chance as is and agreed with Mrs. Shupp.

Vicky Parker motioned to rename Honeysuckle Park to Ian Deutch Memorial Park. Bill Dolan seconded the motion.

Bill Kohbarger said he received several phone calls in support of this name change.

Comments were heard from Bill Garlough, Suzy Deutch, Sheriff DeMeo, Donna Cox, Harley Kulkin, Anita Yonker, Jose Telles and Kelly Buffi.

Vote passed 5 – 0.

A moment of silence was observed for Office Deutch.

7. Discussion and possible decision on Pahrump Town Ordinance #39, An Amendment to Ordinance #39 of the Unincorporated Town of Pahrump, to revise and restate the Town's regulations concerning the management and maintenance of the Town's cemetery and providing for other matters properly relating thereto. (Action)

Bill Dolan motioned to approve PTO #39, an amendment to Ordinance #39 of the unincorporated Town of Pahrump, to revise and restate the Town's regulations concerning the management and maintenance of the Town's cemetery and providing for other matters properly relating thereto and have staff publish. Mike Darby seconded the motion.

Bruce Calley commented.

Vote passed 5 – 0.

8. Discussion and possible action on a possible proposal to put the Town meetings audio part on the radio for the community to hear. (Action)

Frank Maurizio recalled that this was brought before the Board a few meeting prior and would like to give it a chance.

Andy Alberti presented information regarding the proposal for a trial run noting that this will be done free of charge until December.

Bill Dolan explained that this began with a presentation from Granicus. Mr. Dolan pointed out that Talk Radio of Pahrump has been operating since 2000 without a business license in the Town of Pahrump. Channel 46.4 has provided a letter informing that they have purchased all the equipment for webcasting at their own expense and will begin broadcasting in June free of charge. Mr. Dolan said he sees no reason to move forward with this.

Item died for lack of motion.

9. Discussion and possible decision to direct staff to take preliminary steps or the possible creation of a special assessment district pursuant to NRS 271.265 and NRS 271.270 for renewable energy and energy efficiency projects. (Action)

Nicole Shupp pointed out that this program is voluntary, and not a new tax.

Mike Darby asked about the Town's involvement and liens on property.

Frank Maurizio said he reviewed the statutes and found that the only the county can make a special assessment district.

Rick Campbell responded that legislation has also included townships to create special assessment districts under Senate Bill 358.

Bill Dolan noted that this is directing staff to take preliminary steps and bring it back to the Board. Mr. Dolan had concerns regarding floating bonds and is addressed in the Senate Bill, and feels it would be an incentive to bring businesses to the Town. Mr. Dolan noted this it is a win, win situation for the Town.

Bill Dolan motioned to direct staff to move forward with preliminary steps and bring the report back to the Board in 60 day. Vicky Parker seconded the motion for discussion.

Comments were heard from Harley Kulkin, George Gingell, Bill Riches, and Kenny Bent. Rick Campbell explained that the preliminary steps include providing a plan, public hearings and is only the first step. Comments continued from Donald Cox, Donna Cox, Bruce Calley, and John Koenig.

Mike Darby had concerns with Section 8 financing consideration and mechanisms. Vicky Parker said she did not have enough information to make a decision and would like workshops.

Vote passed 3 – 2. Mike Darby and Frank Maurizio voted nay.

10. Discussion and possible action on an ordinance to prohibit the construction of any new detention centers and prisons within the unincorporated Town of Pahrump boundaries. (Action)

Frank Maurizio explained that he would like Mr. Campbell to do research as to how the Town can reinforce the County's Ordinance regarding the 9.5 rule. Mr. Maurizio asked if the Town can do an ordinance to make it more stringent. Rick Campbell said he would have something for the next meeting.

Frank Maurizio motioned to table this item until the next meeting. Mike Darby seconded the motion.

Vote passed 5 – 0.

11. Appointment of two Town Board members to sign Town vouchers (Non-Action)

Bill Dolan appointed himself and Vicky Parker to sign vouchers for the next several months.

12. Discussion and possible decision Consent agenda items: (Action)

Pahrump Town Board Meeting
May 11, 2010

- a. Action – approval of Town vouchers.
- b. Action – approval of Town Board meeting minutes of April 27, 2010.
- c. Action – approval of resignation of Laraine Russo Harper from the Pahrump Tourism and Convention Council Advisory Board.
- d. Action – approval of Jose Telles as a member of the Pahrump Veteran’s Memorial Advisory Board.
- e. Action – approval of Charlie Cochran as a member of the Pahrump Veteran’s Memorial Advisory Board.
- f. Action – approval of grant request from Pahrump Chamber of Commerce for stocking visitor locations in California and Utah in the amount of \$1,200.00 from Tourism Room Tax funds.

Vicky Parker motioned to approve consent agenda items a-f. Bill Dolan seconded the motion.

Vote passed 4 – 1. Frank Maurizio voted nay.

13. Future Meetings/Workshops: Date, Time and Location. (Action)
Nothing reported.

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

John Koenig stated that the Capital Improvement Advisory Committee will meet at the Community Center at 2 p.m. on May 25th, and commented on the distance to travel to the meeting.

Don Cox commented on a remark made by Town Board members.

Andy Alberti commented about a comment made by Bill Dolan at a previous meeting.

Harley Kulkin thanked the residents of Artesia for having the meeting.

Nancy Lord commented about a private facility being used for meetings. She also commented on the pro-activity in the Town.

Sam Jones stated that the Town is in direct violation of the Open Meeting Law by having this meeting at an outside location.

Joe DeAngelo announced that he will be making a positive presentation at the next Town Board meeting concerning the Pahrump Arts and Recreation Complex.

Linda DeMeo announced May 30 will be remember Ian Deutch Day at the VFW. On June 13, Saddle will be doing a benefit for the DAV.

Butch Harper spoke about his collage patch program.

Carolene Endersby spoke about frustration of facing the public, and citizen behavior.

Louie DeCanio asked if there will be more meetings outside the Community Center.

Pam Mason appreciated the meeting being held at Artesia.

Tom Saitta commented about negative statements about government entities and thanked the Town Board for their service.

Bruce Calley commented about an October 13 meeting that suggested moving meetings.

Laurayne Murray spoke about a hearing regarding Utilities Inc. on Monday with regards to rate increases. She reminded everyone that there is sign in sheet for the public to show that they attended this Town Board meeting.

Bill Riches commented about the mileage to this meeting.

Pahrump Town Board Meeting
May 11, 2010

15. Town Manager Report. (Non-Action)
Nothing at this time

16. Town Board Member's Comments. (Non-Action)
Vicky Parker and Nicole Shupp thanked everyone for coming to the meeting and invited all to attend future meetings. Mrs. Shupp asked for a new beginning for everyone as discussed at the last meeting.

17. Adjournment.
Meeting adjourned at approximately 8:30 p.m.

Respectfully submitted,

Vicky Parker, Clerk
Pahrump Town Board

/cw