

**PAHRUMP TOWN BOARD MEETING
BOB RUUD COMMUNITY CENTER
150 NORTH HIGHWAY 160
TUESDAY – 7:00 P.M.
MAY 27, 2008**

AGENDA

1. **Call to Order**, Pledge of Allegiance, and Welcome.
2. **Discussion and decision** regarding agenda items.
3. **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)).
4. **Advisory Board Reports**
5. **Announcements and “Good News”**.
6. **Discussion and decision** regarding approval of the Final Airport Master Plan Resolution #2008-11. Aries Consultants, John Sanders
7. **Discussion and decision** regarding approval of rate increase request for Pahrump Valley Disposal Services. John Shea
8. **Discussion and decision** regarding approval of engagement letter with JNA Consulting Group, LLC. For Fiscal Advisory Services. Michael Sullivan
9. **Discussion and decision** regarding approval of engagement letter wit Armstrong and Teasdale for Bond Counsel Services. Michael Sullivan
10. **Discussion and decision** regarding approval of Bond Reimbursement Resolution #2008-10. Michael Sullivan
11. **Discussion and decision** regarding approval of engagement letter with Fisher and Phillips for Human Resource Legal Services. Michael Sullivan
12. **Discussion and decision** regarding consideration of Town Manager position. Town Board

13. Consent agenda items:

- a. Action – approval of Town vouchers
- b. Action – approval of Town Board meeting minutes of May 13, 2008.
- c. Action – approval of Ken Shockley and Terri Choyce as alternates for the Pahrump Veteran’s Memorial Advisory Board.
- d. Action – approval of Fireworks Permit for July 4th Freedom Festival
- e. Action – approval of 72 Hour Liquor License for Chamber of Commerce July 4th Freedom Festival

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

15. Adjournment.

A quorum of Nye County Commissioners may be present at any Town Board meeting but they will not take any formal action.

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.

POSTED IN THE PAHRUMP TOWN OFFICE, COMMUNITY CENTER,
COUNTY COMPLEX, FLOYD’S ACE HARDWARE AND CHAMBER OF
COMMERCE

AGENDA ITEM REQUEST

Requests and backup **must** be in the Town Office by **3:00 p.m. Monday** 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 _____ DATE OF DESIRED BOARD MEETING _____

_____ 5-27-08 _____

CIRCLE ONE: Discussion, Action, Decision or Discussion Only

ITEM REQUESTED FOR CONSIDERATION:

requesting approval of the Final Airport
Master Plan, Resolution #2008-11

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:

BACK UP ATTACHED: YES NO

SPONSORED BY: Michael Sullivan
Town Board Member

NAME OF PRESENTER(S) OF ITEM: John Sanders

Print Name

Signature

Mailing Address

Telephone Number

**MEMO
TOWN OF PAHRUMP
AGENDA ITEM UPDATE
MEETING DATE: 05-27-08**

TO: Town Board

FROM: Michael Sullivan, Interim Town Manager

DATE: May 27, 2008

RE: Town Board Consideration and Approval of Resolution 2208-11,
Adopting the Final Airport Master Plan.

1.) Background

This evening John Sanders from Aires Consultants will present the final document which was developed over the last five years, and which if approved will be submitted to the FAA to fulfill our grant requirements.

The Pahrump Town Board received a Federal Aviation Administration (FAA) Airport Improvement Program grant to prepare an Airport Master Plan and Environmental Baseline Study for a new Pahrump Valley Airport. The purpose of the study was to determine the type and extent of aviation facilities needed at a new Airport through the year 2025 and to prepare an Airport Master Plan for the preferred site to accommodate the required development. An Environmental Baseline Study was prepared to identify any critical environmental issues and concerns that might require special studies as part of the Environmental Assessment for the new Airport.

The recommended year 2025 Airport Master Plan for the Pahrump Valley Airport is illustrated on Figures 5-1 and 5-2 in the material you have. The Plan integrates long-term airfield and terminal area requirements with forecast aviation needs and airport access and parking needs. It represents a guide for airport development through the year 2025 planning period and indicates possible developments beyond the year 2025 for which land should be reserved at this time. Public meetings of the Pahrump Valley Airport Master Plan Technical Advisory Committee were held to review and provide input to the Airport Master Plan and to discuss the implementation of the Plan.

2.) Fiscal Impact

No current impact to Town funds is anticipated. Funding for the development of the Airport Master Plan has been to date provided by FAA grants, with in kind contributions by the Town and NDOT for their share of the grant match.

**MEMO
TOWN OF PAHRUMP
AGENDA ITEM UPDATE
MEETING DATE: 05-27-08**

3.) Town Manager Recommendation and Board Action Requested

Town Manager recommends that the Town Board approve Resolution 2008 – 11, which would adopt the Final Airport Master Plan, and to direct the Town Manager or his designee to file this plan with the FAA and related agencies as required.

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

TOWN OF PAHRUMP

RESOLUTION NO. 2008-11

**A RESOLUTION OF THE TOWN BOARD OF THE TOWN OF PAHRUMP
ADOPTING THE PAHRUMP VALLEY AIRPORT MASTER PLAN**

WHEREAS, the Town Board of the Town of Pahrump accepted a Federal Aviation Administration Airport Improvement Program Grant No. 3-32-0025-02 on September 3, 2003 for preparation of an Airport Master Plan Study and Environmental Baseline Study for the Pahrump Valley Airport; and,

WHEREAS, the Town Board of the Town of Pahrump determined that the proposed Pahrump Valley Airport Master Plan is consistent and compatible with the 2003 Pahrump Regional Planning District Master Plan Update; and,

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pahrump that the Pahrump Valley Airport Master Plan be adopted.

Passed and adopted this _____ day of _____, 2008.

Motion proposed by Town Board Member: _____

Motion seconded by Town Board Member: _____

VOTE:

AYES

NAYS

ATTEST:

AGENDA ITEM REQUEST

Requests and backup **must** be in the Town Office by **3:00 p.m. Monday** 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 DATE OF DESIRED BOARD MEETING

_____ 5-27-08 _____

CIRCLE ONE: Discussion, Action, Decision or Discussion Only

ITEM REQUESTED FOR CONSIDERATION:

regarding approval of rate increase request for Pahrump Valley Disposal Services

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:

BACK UP ATTACHED: YES NO

SPONSORED BY: Michael Sullivan
Town Board Member

NAME OF PRESENTER(S) OF ITEM: John Shea

Print Name

Signature

Mailing Address

Telephone Number

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**MEMO
TOWN OF PAHRUMP
AGENDA ITEM UPDATE
MEETING DATE: 05-27-08**

TO: Town Board

FROM: Michael Sullivan, Interim Town Manager

DATE: May 27, 2008

RE: Town Board Consideration and Approval of Rate Fuel Adjustment for Pahrump Valley Disposal Service.

1.) Background

Under our existing Solid Waste Ordinance, the franchisee may seek Town Board approval for rate adjustments. The attached materials provided by Pahrump Valley Disposal Service outlines the accelerating costs of fuel experienced since January, 2007. The increase has averaged over \$1.72 per gallon. PVDS has made route and staffing adjustments to help reduce their exposure, but servicing a geographic area as large as Pahrump is costly in terms of distances and fuel consumption. The requested rate increase is 5.8%. John Shea will be present to review the material and answer any questions.

2.) Fiscal Impact

No Town funding is involved.

3.) Town Manager Recommendation and Board Action Requested

Town Manager recommends that the Town Board approve, under their authority as provided in the existing Solid Waste Ordinance, the PVDS request to adjust service rates 5.8%, related to the increase of fuel costs as outlined in their presentation.

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



May 5, 2008

Town of Pahrump
Michael Sullivan, Town Manager
250 N. Hwy 160
Pahrump, NV 89060

RE: Fuel adjustment

Dear Michael,

Pahrump Valley Disposal (PVD), like all companies in our industry, has been battling extraordinary increases in fuel costs over the past 16 months. We have worked diligently to minimize the associated impacts, but can no longer continue to absorb them. As a result, in accordance with Section 43.110 (C) of Pahrump Town Ordinance No. 43, we are requesting a rate adjustment to offset those increases. The adjustment would become effective June 1, 2008.

PVD Fuel Usage

Annual usage – 2007 100,500 gallon

Fuel Prices (Invoices Attached)

Jan – 2007	\$2.60 per gallon
Apr – 2008	\$4.32 per gallon
Change in \$/gal	\$1.72 per gallon (66%)

Annual fuel cost impact

100,500 gallons (Annual usage) X \$1.72 per gallon = \$172,860.00

Rate Adjustment

Revenues	\$2,963,474.00 (2007 Rev. from Franchise Fee Report)
Fuel increase	\$ 172,860.00

Adjustment needed 5.8%

We appreciate the opportunity to serve the community of Pahrump, and thank you for your consideration on this matter. If you have any questions, or need additional information, please feel free to call me.

Sincerely,

John Shea
Pahrump Valley Disposal, Inc.

CUSTOMER PO:
 TERMS: NET 10
 SALESMAN: Michael Foust
 SHIP VIA: Trk# _____ Driver _____

ORDER NUMBER: 736909-000
 ORDER DATE: 1/24/07
 DATE SHIPPED: 1/30/07
 LOCATION NO: 1101

PLEASE REMIT TO: P.O. BOX 31001-1224, PASADENA, CA. 91110-1224

BILL TO NO.: 51453
 PAHRUMP VALLEY DISPOSAL
 NEVADA WASTE SYSTEMS INC
 P O BOX 1310
 PAHRUMP, NV 89060

SHIP TO NO.: 1
 PAHRUMP VALLEY DISPOSAL
 1410 E MESQUITE AVE
 PAHRUMP, NV 89048

PKG	ITEM CODE	DESCRIPTION	QTY	QTY	UNIT	EXT
	BIN U/M		ORD	SHIP	PRICE	PRICE
		KEEP FILL				
BLK 167-41		ULTRA LOW SULFUR DIESEL #2	4000	4000	2.0850	8,340.00
	BULK	CLEAR-(15 PPM)				
		FED EXCISE TAX			.2440	976.00
		FEDERAL OIL SPILL FEE			.0012	4.80
		DISCHARGE CLEANUP FEE			.0075	30.00
		STATE EXCISE TAX			.2700	1,080.00

2.60

SUB-TOTAL 10430.80
 FREIGHT .00
 MISC CHARGES .00
 HDLG CHARGES 8.95
 SALES TAX-STATE .69
 SALES TAX-COUNTY .00
 SALES TAX-CITY .00
 SALES TAX-OTHER LOCAL .00
 INVOICE TOTAL 10440.44

A Service Charge of 1-1/2% per month (18% annually)
 will be charged on any balance Past Due.



CANYON STATE OIL CO., INC.
4581 Eaker St., North Las Vegas, NV 89081

702-474-9700
FAX 702-474-0737

SHIP TO: 1

PAHRUMP VALLEY DISPOSAL
1410 E MESQUITE AVE
PAHRUMP, NV 89048

PLEASE NOTE OUR NEW REMIT ADDRESS
P.O. BOX 31001-1224, Pasadena, CA 91110-1224

ADDRESS SERVICE REQUESTED

BILL TO: 51453



PAHRUMP VALLEY DISPOSAL
NEVADA WASTE SYSTEMS INC
PO BOX 1310
PAHRUMP NV 89041-1310

INVOICE 110342876	CUSTOMER PO	
INVOICE DATE 5/12/08	TERMS NET 10	
ORDER DATE 5/05/08	ORDER NUMBER 550893979-000	SHIP DATE 5/07/08
LOCATION NO. 1101	SALESMAN Michael Foust	

PKG	ITEM CODE	U/M	DESCRIPTION	QTY ORD	QTY SHIP	UNIT PRICE	EXT PRICE
BLK	227-43	BULK	MONITOR LOW SULFUR DIESEL #2 DYED (DOES NOT EXCEED 500 PPM) FEDERAL EXCISE TAX FEDERAL OIL SPILL FEE	991	991	3.96500 0.00100 0.00120	3,929.32 .99 1.19
BLK	167-41	BULK	ULTRA LOW SULFUR DIESEL #2 CLEAR-(15 PPM) FED EXCISE TAX FEDERAL OIL SPILL FEE STATE EXCISE TAX	3031	3031	3.81000 0.24400 0.00120 0.27000	11,548.11 739.56 3.64 818.37

#4.32

SUB-TOTAL:	17,041.18
FREIGHT:	.00
MISC CHARGES:	.00
HLDG CHARGES:	8.95
SALES TAX-STATE:	.69
SALES TAX-COUNTY:	.00
SALES TAX-CITY:	.00
SALES TAX-OTHER LOCAL:	.00
INVOICE TOTAL	17,050.82

Pahrump Valley Disposal, Inc. Franchise Fee Report - 2007

	Pahrump <u>Revenue</u>		<u>Fee - 5%</u>
January	264,334.11		
February	231,653.85		
March	<u>247,918.53</u>		
Total Q1	743,906.49	\$	37,195.32
April	225,047.18		
May	255,368.01		
June	<u>227,155.08</u>		
Total Q2	707,570.27	\$	35,378.51
July	234,208.13		
August	337,125.02		
September	<u>227,140.12</u>		
Total Q3	798,473.27	\$	39,923.66
October	247,446.26		
November	251,192.27		
December	<u>214,886.14</u>		
Total Q4	713,524.67	\$	35,676.23
Annual	2,963,474.70		148,173.72

I hereby certify that the statement above has been examined by me and to the best of my knowledge and belief is true and correct.

John Shea

AP

Oil hits record above \$121 on supply woes

Tuesday May 6, 9:58 am ET

By George Jahn, Associated Press Writer

Oil prices rise to record above \$121 a barrel on supply worries

VIENNA, Austria (AP) -- Oil futures surpassed \$121 a barrel for the first time Tuesday, the spike fueled by worries about threats to supply and a weakening of the U.S. dollar.

The surge in oil prices was also fueled by hopes that the U.S. economy will be spared a sharp downturn after the release of data Monday showing an unexpected expansion in the U.S. service sector in April, analysts said.

Light, sweet crude for June delivery rose to a record \$121.49 a barrel in electronic trading on the New York Mercantile Exchange on Tuesday. The contract later retreated to \$121.30 a barrel, up \$1.33 from Monday's close.

Crude futures settled on Monday at \$119.97 a barrel, up \$3.65 from Friday's close.

"The bulls are in control of the market," said Victor Shum, an energy analyst with Purvin & Gertz in Singapore. "The economic report out of the U.S. yesterday on the service sector seems to suggest the economic slowdown may not be as deep as initially thought."

"The sentiment is that the oil pricing is likely going to stay quite strong, with a lot of volatility," Shum said.

Meanwhile, a Goldman Sachs analyst on Tuesday predicted that oil prices could reach \$150 to \$200 a barrel over the next six months to two years, but said that how far prices could climb still "remains a major uncertainty."

"We believe the current energy crisis may be coming to a head, as the lack of adequate supply growth is becoming apparent," analyst Arjun N. Murti wrote in a client note.

He raised his 2008 prediction for benchmark West Texas Intermediate crude to \$108 per barrel from \$96, and his 2009 estimate to \$110 from \$105. He lifted his prediction for 2010 and 2011 to \$120 from \$110.

But he also said it was possible that oil could hit \$125 this year and \$200 in 2009 before coming down to \$150 in 2010.

The dollar weakened against the euro on Monday, attracting investors to oil and other commodities viewed as hedges against inflation. Also, a falling dollar makes oil less expensive to investors overseas. A series of U.S. Federal Reserve rate cuts starting last year weakened the dollar considerably against foreign currencies, and analysts blame the dollar's protracted decline for oil's sharp rise this spring.

Supply outages or potential threats to supply emerged in Iran and Nigeria over the weekend and from Iraq on Monday; events in all three nations have caused prices to spike many times in recent months.

In Iraq, Kurdish rebels warned they could launch suicide attacks against American interests to punish the U.S. for sharing intelligence with Turkey after Turkey bombed rebel bases in Iraq on Friday. In Nigeria, a Royal Dutch Shell PLC spokesman said attackers hit an oil facility belonging to Shell's joint venture in southern Nigeria and that some oil production had been shut down. And Iran's Supreme Leader Ayatollah Ali Khamenei said his country will not bend to

international pressure and give up its nuclear program.

Energy investors grow concerned any time conflict breaks out or is threatened in the oil-rich Middle East. Years of unrest in Nigeria have cut off nearly a quarter of the major U.S. supplier's oil output.

Amid the occasional threats to crude supplies, global demand for oil continues to grow. The Chinese and Indian economies are growing by double digits, boosting global demand for oil.

In the U.S., where demand has been dampened over economic concerns, the price for "gasoline at the pump is averaging 29.4 percent above last year's pace," noted Stephen Schork of the Schork Report. "Meanwhile, average diesel prices are up by 41.1 percent or \$1.079 a gallon."

In other Nymex trading, heating oil and gasoline futures were both down by over a penny at \$3.29225 and \$3.0400 a gallon. Natural gas futures slipped more than 6 cents to \$11.145 per 1,000 cubic feet.

Brent crude futures rose 30 cents to \$118.29 a barrel on the ICE Futures exchange in London.

Associated Press Writer Gillian Wong contributed to this report from Singapore.

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Gas strikes 9th straight record high at \$3.787 a gallon

Friday May 16, 6:25 am ET

Retail gas prices hit record highs for the ninth day in a row, auto group AAA's Web site showed Friday.

The nationwide average for a gallon of regular unleaded hit \$3.787, up from the previous high of \$3.776.

Gas prices have now risen for 10 straight days. The pinch on consumers at the pump comes just ahead of the summer driving season, which kicks off with Memorial Day weekend.

The AAA national average shows gas prices up 11% over the past month and up nearly 22% from year-ago levels.

Two states have passed the \$4 a gallon threshold. According to the AAA, the average price for a gallon of gas in Alaska is \$4.042.

Connecticut is the second most expensive state to purchase gas in with an average price of \$4.008 a gallon.

The least expensive state for drivers is Arizona, where a gallon of regular unleaded will set consumers back \$3.565, well below the national average.

The second least expensive state to purchase gas in is Wyoming, where a gallon of gas averages \$3.580.

Retail gas prices have been pushed up by crude oil prices, which have doubled in the last 12 months.

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AGENDA ITEM REQUEST

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DATE AGENDA ITEM SUBMITTED DATE OF DESIRED BOARD MEETING

_____ 5-27-08 _____

CIRCLE ONE: Discussion, Action, Decision or Discussion Only

ITEM REQUESTED FOR CONSIDERATION:

regarding approval of engagement letter with
JNA Consulting Group, LLC. for Fiscal
Advisory Services

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:

BACK UP ATTACHED: X YES _____ NO

SPONSORED BY: Michael Sullivan
Town Board Member

NAME OF PRESENTER(S) OF ITEM: _____

Print Name

Signature

Mailing Address

Telephone Number

**MEMO
TOWN OF PAHRUMP
AGENDA ITEM UPDATE
MEETING DATE: 05-27-08**

TO: Town Board

FROM: Michael Sullivan, Interim Town Manager

DATE: May 27, 2008

RE: Town Board Consideration and Approval of an Engagement Letter with JNA Consulting LLC to Provide Fiscal Advisor Services Related to the Issuance of Tax Exempt Financing for Water Rights Acquisitions.

1.) Background

As we discussed at the 5-13 Town Board Meeting, we anticipate issuing tax exempt financing for the acquisition of a series of water rights. Marty Johnson of JNA Consulting LLC currently provides fiscal advisory services for the Nye County School District, Nye County, and has worked with the Town in the past.. As outlined in his proposal he would assist in the approval process with the Department of Taxation, the Debt Commission, and provide bid and placement of the financing.

2.) Fiscal Impact

Fees for specialized fiscal adviser services provided by JNA Consulting Service, LLC, will be included and funded out of the tax exempt financing proceeds as a cost of issuance. The fees related to issuance of up to \$2,500,000 of new debt would not exceed \$15,000 plus related out of pocket expenses.

3.) Town Manager Recommendation and Board Action Requested

Town Manager recommends that the Town Board approve authorizing the Town Manager to execute an engagement letter with JNA Consulting LLC to provide services as fiscal adviser related to the issuance of tax exempt financing for water rights acquisitions, as outlined on the attached engagement letter.

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



JNA Consulting Group, LLC

Independent Public Finance Advisors

May 19, 2008

Michael Sullivan
Finance Director
Town of Pahrump
400 N. Nevada Highway 160
Pahrump, NV 89060

Michael:

JNA Consulting Group, LLC is pleased to be of service to the Town of Pahrump on capital planning services and the authorization and sale of various financings.

Our services consist of offering independent financial advice and consulting services. Specific services to be provided under this agreement relate to analytical and bond issuances services.

Services to be provided will include, but are not limited to, the following:

- § General oversight of the bond issuance processes
- § Preparation of funding models, including debt service schedules and sources and uses
- § Assistance in selecting other members of the financing team
- § Preparation of financing schedules
- § Review of the appropriateness of assumptions used in the financings and recommend changes where appropriate
- § Assistance in authorizing the financings
- § Preparation of information to be presented to the Debt Management Commission, Department of Taxation and other bodies, if any, for their approval of the financings
- § Development and distribution of requests for bids
- § Evaluation of bids and recommendation of best bid
- § Assistance in developing terms and conditions of the financings
- § Assistance in preparing documentation for authorization of financings
- § Preparation of closing instructions and wiring of funds
- § Attendance at meetings of staff and the Town Board as requested

We propose a fee between \$10,000 and \$15,000 for a transaction. The actual fee will depend on our time costs and the complexity of the final transactions. Our fees do not include out of pocket expenses such as overnight mail, copying or travel-related expenses. Such expenses will be included on the bill as reimbursable items.

Financial Advisory Fees will be billed after the successful completion of the transactions and are payable from bond proceeds. If the project time frame is lengthy we may bill for reimbursable expenses prior to project completion. If the transactions are postponed or canceled, we will bill for our time costs and reimbursable expenses to that point.

Our objective is to have the financing process and related activities proceed as smoothly as possible for the Town. We look forward to working with you. We thank you for this opportunity to be of service to the Town of Pahrump.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. R. Johnson', with a stylized flourish at the end.

Martin R. Johnson
President

AGENDA ITEM REQUEST

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DATE AGENDA ITEM SUBMITTED DATE OF DESIRED BOARD MEETING

_____ 5-27-08 _____

CIRCLE ONE: Discussion, Action, Decision or Discussion Only

ITEM REQUESTED FOR CONSIDERATION:

regarding approval of engagement letter
with Dunbar and Hoada (for Bond
Counsel Services)

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:

BACK UP ATTACHED: X YES _____ NO

SPONSORED BY: Michael Sullivan
Town Board Member

NAME OF PRESENTER(S) OF ITEM: _____

Print Name

Signature

Mailing Address

Telephone Number

**MEMO
TOWN OF PAHRUMP
AGENDA ITEM UPDATE
MEETING DATE: 05-27-08**

TO: Town Board

FROM: Michael Sullivan, Interim Town Manager

DATE: May 27, 2008

RE: Town Board Consideration and Approval of an Engagement Letter with Armstrong Teasdale to Provide Bond Counsel Legal Services Related to the Issuance of Tax Exempt Financing for Water Rights Acquisitions.

1.) Background

As we discussed at the 5-13 Town Board Meeting, we anticipate issuing tax exempt financing for the acquisition of a series of water rights. Rick Campbell of Armstrong & Teasdale currently provides us services for water rights and utilities issues. His partner, Kirby Colson will provide legal services under this engagement letter for the issuance of a required tax opinion and related documentation required by the Department of Taxation and the IRS.

2.) Fiscal Impact

Fees for specialized bond counsel legal services provided by Armstrong & Teasdale, will be included and funded out of the tax exempt financing proceeds as a cost of issuance. The fees related to issuance of up to \$2,500,000 of new debt would not exceed \$9,000 plus related out of pocket expenses. The final amount of financing will be reviewed and presented to the Town Board at a later date for final approval.

3.) Town Manager Recommendation and Board Action Requested

Town Manager recommends that the Town Board approve authorizing the Town Manager to execute an engagement letter with Armstrong & Teasdale to provide specialized legal services as bond counsel, related to the issuance of tax exempt financing, as outlined on the attached engagement letter.

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

May 19, 2008

Town of Pahrump, Nevada
400 N. Nevada Highway 160
Pahrump, NV 89060
Attention: Michael Sullivan
Finance Director

Re: Bond Counsel

Ladies and Gentlemen:

We are pleased to provide an engagement letter for our services to the Town of Pahrump (the "Town") as Bond Counsel in connection with its proposed issuance of approximately \$2,500,000 of bonds, notes or other obligations (referred to herein as "Bonds") for the purpose of financing or refinancing certain capital expenditures.

We are to be retained by the Town as Bond Counsel for the purpose of rendering our customary approving legal opinion as to the Bonds, as described below.

A. DESCRIPTION OF SERVICES

As Bond Counsel, we will work with the Town and its officers, employees, attorneys, trustee and paying agent and with the other participants in the Bond transaction and their counsel (collectively, the "Participants"). We intend to undertake each of the following, as necessary, in connection with the issuance of the Bonds

1. Review relevant law of the State of Nevada (the "State") governing the issuance of the Bonds, including laws relating to the legal status and powers of the Town.
2. Obtain and review information concerning the Bond transaction and the nature and use of the facilities or purposes to be financed or refinanced (the "Project").
3. Consult with the Participants as to the timing of the issuance of the Bonds.
4. Examine the issues arising under the Internal Revenue Code of 1986, as amended, and applicable regulations thereunder (together, the "Code"), and other sources of law, relating to the issuance of the Bonds on a tax-exempt basis, including, among other things, ownership

and use of the Project, the use and investment of Bond proceeds and the security and sources of payment for the Bonds.

5. Prepare or review the principal Bond documents, including the tax compliance certificate, and, if requested, draft descriptions of those documents which we have drafted. As Bond Counsel, upon request, we will assist the Town in preparing or reviewing those sections of any official statement or other disclosure document or information to be disseminated in connection with the sale of the Bonds (collectively referred to herein as the "Official Statement") which describe the Bonds, the security and sources of payment for the Bonds and matters pertaining to tax exemption (subject to paragraph B.2 below).

6. Prepare or review all relevant proceedings to be considered by the governing body of the Town, confirm that the necessary quorum, meeting and notice requirements are contained in the proceedings and draft excerpts of the relevant minutes of such proceedings.

7. Prepare and coordinate the distribution and execution of closing documents and related certificates, opinions and transcripts.

8. Render our approving legal opinion regarding the validity of the Bonds, the security and sources of payment for the Bonds and the federal income tax treatment of interest on the Bonds, which opinion (the "Bond Opinion") will be delivered in written form on the date the Bonds are exchanged for their purchase price (the "Closing"). The Bond Opinion will be based on facts and law existing as of its date. Our opinion will represent our legal judgment based upon our review of the law and the facts provided to us that we deem relevant and is not a guarantee of any particular result.

B. LIMITATIONS; SERVICES WE DO NOT PROVIDE

Our duties as Bond Counsel are limited to those matters stated above. Among other things, our duties do not include:

1. Giving any advice, opinion or representation as to the financial feasibility or the fiscal prudence of issuing the Bonds, the terms of sale of the Bonds or any other aspect of the Bond transaction (including, without limitation, the undertaking of the Project or the investment of Bond proceeds) or making any investigation of, or the expression of any view as to the creditworthiness, of the Town, the Project or the Bonds.

2. Except as described in paragraph A.5 above, assisting in the preparation or review of the Official Statement or determining or performing an independent investigation to determine the accuracy, completeness or sufficiency of the Official Statement or rendering any advice, view or comfort that the Official Statement does not contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements contained therein, in light of the circumstances under which they were made, not misleading. (See paragraphs D.5 and D.6 below).

3. Except upon specific request, supervising any state, county or local filing of any proceedings held by the governing body of the Town incidental to the Bonds.

4. Except upon specific request and pursuant to separate engagement, preparing requests for tax rulings from the Internal Revenue Service (the "IRS"), blue sky or investment surveys or state legislative amendments, or pursuing test cases or other litigation.

5. Except upon specific request and pursuant to separate engagement, opining as to compliance with securities laws or as to any continuing disclosure requirement pertaining to the Bonds; and, after the execution and delivery of the Bonds, providing advice as to any Securities and Exchange Commission or other securities law matters or investigations or concerning any actions necessary to ensure compliance with any continuing disclosure requirements.

6. Except upon specific request and pursuant to separate engagement, after Closing, providing continuing advice to the Town or any other party concerning any actions necessary to ensure that interest paid on the Bonds will continue to be tax-exempt; for example, we will not undertake rebate calculations for the Bonds without a separate engagement for that purpose and we will not monitor the investment, use or expenditure of Bond proceeds or the use of the Project, and we are not retained to respond to IRS audits.

7. Any other matter not specifically set forth above that is not required to render the Bond Opinion.

C. ATTORNEY -CLIENT RELATIONSHIP

Upon execution of this engagement letter, the Town will be our client, and an attorney-client relationship will exist between us; however, our services as Bond Counsel are limited as set forth in this engagement letter and the Town's execution of this engagement letter will constitute an acknowledgment of those limitations. We will not be representing, advising or advocating the business terms or positions of any of the Participants, including (except as we may otherwise specifically agree) the Town. Please note that the attorney-client privilege, normally applicable under State law, may be diminished or non-existent for written advice delivered with respect to federal tax law matters.

We advise you that from time to time we represent, in a variety of capacities, and consult with many underwriters, investment bankers, credit enhancement providers (such as bond insurers or issuers of letters of credit), rating agencies, investment providers, brokers of financial products, financial advisors and other persons active in the public finance market on a wide range of issues. Your acceptance of our services and execution of this letter constitutes your consent to these other engagements. Neither our representation of the Town nor such additional relationships will affect, however, our responsibility to render an objective Bond Opinion. We assume that all Participants will retain such counsel as they deem necessary and appropriate to represent their interests and provide advocacy in the Bond transaction.

We also advise you that we represent various municipalities, school districts, park districts, counties, townships, special districts and units of local government, both within and outside of the State, and we represent the State, various other states, their agencies and authorities (collectively, the "governmental units"). Most (but not all) of these representations involve bond or other borrowing transactions. We have assumed that there are no controversies pending to which you are a party and are taking any position which is adverse to any other

governmental unit, and you agree to advise us promptly if this assumption is incorrect. In such event, we will advise you if the other governmental unit is our client and, if so, determine what actions are appropriate. Such actions could include seeking waivers from both the Town and such other governmental unit or withdrawal from representation.

D. OTHER TERMS OF THE ENGAGEMENT; CERTAIN OF YOUR UNDERTAKINGS

Please note the following concerning this engagement and your role in connection with the issuance of the Bonds.

1. In rendering the Bond Opinion and in performing any other services hereunder, we will rely upon the certified proceedings and other certifications of Town officials and other persons furnished to us. Other than as we may determine to be appropriate to rendering the Bond Opinion, we are not engaged and will not provide services intended to verify the truth or accuracy of these proceedings or certifications. We will attend meetings of the governing body at which proceedings related to the Bonds are discussed or passed if you so request or if special circumstances require our attendance.

2. The factual representations contained in those documents which are prepared by us, and the factual representations in any other documents furnished to us by the Town, any officer, member of the governing body or employee of the Town or any consultant, advisor or agent for the Town, are essential for and provide the basis for our conclusions relating to the validity of the Bonds and the tax exemption of interest on the Bonds. Accordingly, it is important for you to read and understand the documents we provide to you because you will be confirming the truth, accuracy and completeness of matters contained in those documents upon the issuance of the Bonds.

3. If any documents contain incorrect or incomplete factual statements, you must call those to our attention. We will always be pleased to discuss the content or meaning of the transaction documents with you. Any untruth, inaccuracy or incompleteness may have adverse consequences affecting the validity of the Bonds or the tax exemption of the interest on the Bonds, with resulting potential liability for the Town. During the course of this engagement, we will further assume and rely on you to provide us with complete and timely information as to all developments pertaining to any aspect of the Bonds and their security and sources of payment. To the extent that the facts and representations stated in the documents we provide to you appear reasonable to us, and are not corrected by you, we will rely upon the signed certifications for their truth, accuracy and completeness.

4. There are complicated federal tax requirements applicable to tax-exempt bonds and failure to comply with such requirements, including post-issuance requirements, in connection with the Bonds could have serious adverse consequences. The documents we prepare, including the representations of the Town and its covenants as to future compliance, are designed so that the Bonds are expected to comply with such requirements. The Town must fully understand these documents in order to ensure compliance with the applicable federal tax laws. Accordingly, it is important that the Town and its officers and employees ask questions about anything in the documents that is unclear.

5. The Bonds will constitute securities under State and federal laws governing the offer and sale of securities. The Town will be responsible for complying with such laws, including responsibility for ensuring that any Official Statement is true and correct and not misleading in any material respect. We are not undertaking to provide assistance in such matters except as specifically provided in paragraph A.5.

6. The members of the governing body of the Town also have duties under State and federal securities and tax laws with respect to the issuance and sale of the Bonds and should be knowledgeable as to the underlying factual basis for the size and terms of the Bond issue, the use of Bond proceeds and related matters, and as to the Official Statement and the disclosures therein.

7. We are aware of the provisions of the Nevada Ethics in Government Law and will assume that you are aware of these provisions. If the Town has adopted stricter provisions than appear in such Law or has adopted other special ethics or conflict of interest provisions, we assume that you will advise us thereof.

E. RISK OF AUDIT BY INTERNAL REVENUE SERVICE

The IRS has an ongoing program of auditing tax-exempt obligations to determine whether, in the view of the IRS, interest on such tax-exempt obligations is excludable from gross income of the owners thereof for federal income tax purposes. We can give no assurances as to whether the IRS might commence an audit of the Bonds or whether, in the event of an audit, the IRS would agree with our opinions. If an audit were to be commenced, the IRS would treat the Town as the taxpayer for purposes of the examination. As noted in paragraph B.6 above, the scope of our representation does not include responding to such an audit; however, if we were separately engaged at the time, and subject to the applicable rules of professional conduct, we may be able to represent the Town in any such matter.

F. RECORDS

After Closing, we will prepare and send to you what we have assembled as the bond transcript (which may be in a CD-ROM format). In addition, at your request, to be made at or prior to Closing, any other papers and property provided by you will be returned promptly to you upon receipt of payment for our outstanding fees and client disbursements. All other materials shall thereupon constitute our own files and property, and these materials, including lawyer work product pertaining to the transaction, will be retained or discarded by us in our sole discretion.

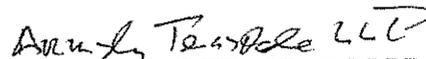
We call your attention to the Town's own record keeping requirements as required by the IRS. Answers to frequently asked questions pertaining to those requirements can be found at www.irs.gov (click on "Tax Exempt Bond Community," then "Frequently Asked Questions"), and it will be the Town's obligation to comply with these requirements for at least as long as any of the Bonds are outstanding, plus six years.

G. FEES AND EXPENSES

For our services as Bond Counsel as described herein we will charge a fee of \$9,000, which amount includes our anticipated out-of-pocket expenses. If we encounter unanticipated difficulties or issues necessitating additional time or expenditures, we will charge separately for such time or expenditures. We will consult with you prior to undertaking any such additional time or making any such expenditures.

If the foregoing terms are acceptable to you, please so indicate by returning the enclosed copy of this engagement letter dated and signed, retaining the original for your files. Thank you for engaging Armstrong Teasdale in this matter, and we look forward to serving as your Bond Counsel.

Very truly yours,


ARMSTRONG TEASDALE LLP

Accepted and Approved:

By: _____
Title: _____
Date: May __, 2008

cc: Richard G. Campbell, Jr.

AGENDA ITEM REQUEST

Requests and backup **must** be in the Town Office by **3:00 p.m. Monday** 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 _____ DATE OF DESIRED BOARD MEETING _____

CIRCLE ONE: Discussion, Action, Decision or Discussion Only

ITEM REQUESTED FOR CONSIDERATION:

Regarding approval of Bond Reimbursement
Resolution # 2009-10.

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:

BACK UP ATTACHED: YES NO

SPONSORED BY: Michael Sullivan
Town Board Member

NAME OF PRESENTER(S) OF ITEM: _____

Print Name

Signature

Mailing Address

Telephone Number

**MEMO
TOWN OF PAHRUMP
AGENDA ITEM UPDATE
MEETING DATE: 05-27-08**

TO: Town Board

FROM: Michael Sullivan, Interim Town Manager

DATE: May 27, 2008

RE: Town Board Consideration and Approval of Resolution 2008-10, a Declaration of Official Intent to Permit the Reimbursement of Prior Expenditures from the Proceeds of Tax-Exempt Financing Related to Water Rights Acquisitions.

1.) Background

The attached Resolution would allow us to consider including in a future tax exempt financing, those prior disbursements we have made for water right acquisitions, and thereby replenish our fund balances for other purposes.

Upon advice of bond counsel, this action will establish the Town Board's compliance with IRS code requirements if we subsequently decide to consider reimbursing themselves for certain allowable disbursements amounts expended prior to the issuance of the tax exempt financing.

At this time we have not determined which, if any other previous water rights purchases or expenses might be included. Kirby Colson, our bond counsel, Marty Johnson, our fiscal advisor, and I, will be meeting in the near future to analyze water rights acquisition transactions and costs which we might recommend for inclusion by the Town Board. I would anticipate we would be bringing a recommendation back to the Town Board at a later meeting.

2.) Fiscal Impact

No current impact to Town funds is anticipated.

3.) Town Manager Recommendation and Board Action Requested

Town Manager recommends that the Town Board approve Resolution 2008 – 10, which would allow the subsequent reimbursement from future tax exempt financing proceeds to reimburse certain allowable disbursements made prior to the issuance of the notes.

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

TOWN OF PAHRUMP

RESOLUTION NO. 2008- 10

**A RESOLUTION OF THE TOWN BOARD OF THE TOWN OF PAHRUMP
APPROVING \$2.5 MILLION OF TAX EXEMPT FINANCING FOR THE PURPOSE
OF FINANCING COSTS FOR WATER RIGHTS ACQUISITIONS AND RELATED
PROJECTS**

WHEREAS, the Town Board of the Town of Pahrump, Nevada, proposes to undertake the acquisition , construction and equipping of certain capital improvements including but not limited to the acquisition of certain water rights (together, “the Project”); and

WHEREAS, the Town Board of the Town of Pahrump proposes to issue or incur up to \$2.5 million of bonds, notes or installment or other obligations (the “Obligations”) for the purpose of financing costs of the Project

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pahrump that the Town has made certain expenditures in connection with the Project and expects to make additional similar expenditures after the date of this resolution and before the issuance of incurrence of the Obligations; and that the Town of Pahrump intends to be reimbursed for such expenditures from proceeds of the Obligations, subject to applicable requirements of the Internal Revenue Code of 1986.

Passed and adopted this _____ day of _____, 2008.

Motion proposed by Town Board Member: _____

Motion seconded by Town Board Member: _____

VOTE:

AYES

NAYS

ATTEST:

AGENDA ITEM REQUEST

Requests and backup **must** be in the Town Office by **3:00 p.m. Monday** 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

DATE OF DESIRED BOARD MEETING

5-27-08

CIRCLE ONE: Discussion, Action, Decision or Discussion Only

ITEM REQUESTED FOR CONSIDERATION:

regarding approval of engagement letter
with Fisher and Phillips for Human
Resource Legal Services.

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:

BACK UP ATTACHED: YES NO

SPONSORED BY:

Michael Sullivan
Town Board Member

NAME OF PRESENTER(S) OF ITEM: _____

Print Name

Signature

Mailing Address

Telephone Number

**MEMO
TOWN OF PAHRUMP
AGENDA ITEM UPDATE
MEETING DATE: 05-27-08**

TO: Town Board

FROM: Michael Sullivan, Interim Town Manager

DATE: May 27, 2008

RE: Town Board Consideration and Approval of an Engagement Letter with Fisher & Phillips LLP to Provide Legal and Management Support Services Related to Human Resource Benefit and Employment Issues.

1.) Background

As the field of labor law, benefits, and human resource administration has grown more complex, it is apparent during my recent tenure as Town Manager, that our needs for support and assistance, often legal matters, extends beyond those available via POOL PACT . While PP can provide advice and support as our insurer, they can not provide legal advice nor represent us in meetings on employment issues.

Routine matters will continue to be handled as we have in the past through a cooperative effort of our HR Coordinator, the Town Manager, Town Attorney, and POOL PACT. It would be very beneficial to have a continuing relationship with an employment law firm, similar to that which has developed other issues such as our water rights activities and land use.

2.) Fiscal Impact

Fees for specialized human resource legal services provided by Fisher & Phillips will be funded out of allocated funds budgeted in the General Fund.

3.) Town Manager Recommendation and Board Action Requested

Town Manager recommends that the Town Board approve authorizing the Town Manager to execute an engagement letter with Fisher & Phillips LLC to provide specialized human resource legal services and management support, as outlined on the attached engagement letter.

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

FISHER & PHILLIPS LLP

Atlanta · Baltimore · Charlotte · Chicago · Columbia · Dallas · Denver · Ft. Lauderdale · Houston
Irvine · Kansas City · Las Vegas · New Jersey · New Orleans · Orlando · Philadelphia
Portland · San Diego · San Francisco · Tampa

A DESCRIPTION OF LEGAL SERVICES PREPARED ESPECIALLY FOR

TOWN OF PAHRUMP

Mark J. Ricciardi, Esq.

Fisher & Phillips LLP
3993 Howard Hughes Parkway
Suite 650
Las Vegas, Nevada 89169
(702) 252-3131

FISHER & PHILLIPS LLP
Solutions at WorkSM

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FIRM MISSION

Our Firm Mission is to:

- Help our employer clients develop practical business solutions to their problems in all areas of labor, employment and employee benefits law;
- Provide high quality, cost-effective responsive representation;
- Serve our clients with integrity and enthusiasm;
- Develop preventive approaches to minimizing legal risks; and
- Aggressively and efficiently defend legal claims.

ABOUT OUR FIRM

Founded in 1943, Fisher & Phillips LLP is one of the oldest labor and employment law firms in the country, limiting its practice to representing management in all types of labor and employment disputes. We pride ourselves on the essential element of preventive maintenance advice to keep our clients out of trouble, *and* if trouble arises, our ability to affordably and successfully resolve it. At Fisher & Phillips LLP, we believe it is essential to provide substantial, tangible, economic benefits to our clients if we are to continue to succeed.

Historically, the most significant labor and employment laws and regulations have been federal, and for that reason our practice has become a national one. More recently, however, state laws and principles have begun to affect the employment relationship. We keep pace with those developments too. With nearly 200 attorneys, Fisher & Phillips LLP handles cases in every state, working out of our twenty offices, located in California, Colorado, Florida, Georgia, Illinois, Louisiana, Missouri, New Jersey, Nevada, North Carolina, Oregon, Pennsylvania, South Carolina and Texas.

As a full-service labor and employment law firm, we do more than simply defend employers against union organizing drives and employment discrimination lawsuits. We also provide a full range of traditional employment services by experienced lawyers in OSHA, ERISA, federal and state wage and hour laws, business immigration, restrictive covenants and trade secrets, and unionized collective-bargaining and arbitration.

Since its inception, Fisher & Phillips LLP has committed itself to serving its clients' business needs by finding not just legal answers, but practical solutions to workplace problems.

CLIENT HANDLING AND BILLING PHILOSOPHY

Your Fisher & Phillips attorneys will commit to:

- Function as your partner;
- Promptly return calls;
- Designate a team of attorneys so that a person knowledgeable about your needs is always available;
- Ensure continuity of representation in cases from start to finish so as to avoid unnecessary costs and provide optimum representation;
- Capitalize on the size of our labor practice, our extensive internal reference system, and our past experience to minimize costs;
- Provide *practical* solutions;
- Assign attorneys with appropriate levels of experience so as to be cost effective in rendering services;
- Render plain spoken, straightforward advice rather than equivocate and communicate with you without resorting to legalese;
- Set and meet deadlines;

- Efficiently and effectively handle litigation matters by:
 - ✓ Properly staffing lawsuits (typically one partner and one associate); and
 - ✓ Making litigation strategy decisions that advance the case toward the defined “win”;
- Designate one partner as lead attorney for Town of Pahrump to monitor billing and case handling and assure that your needs are always being met.

REPRESENTATIVE CLIENTS

Our nationwide clientele is exceptionally diverse. We represent Fortune 500 companies, as well as family-owned operations employing as few as twenty individuals. While we have not listed all of those clients here, the following is a partial list of some of the larger entities we represent.

AFLAC	Harrah's Entertainment, Inc.
AIG	Hayes Lemmerz International, Inc.
Atlanta Life Insurance Company	Huizenga Holdings, Inc.
Amelia Island Plantation	Hyatt Hotels
Auburn University	Ikon Business Solutions
AutoNation USA	LensCrafters, Inc.
Bally Total Fitness	Lexington Insurance
BellSouth Telecommunications, Inc.	Lockheed Martin Marietta
Big Flower Press Holdings, Inc.	Manchester Tank & Equipment Company
Blue Cross Blue Shield of Louisiana	Nationsrent
Bluegreen Corporation	Prudential Insurance Company
Chrysler Insurance Company	Reynolds Plantation
Chubb Group of Insurance Companies	Sea Island Company
Ciba Specialty Chemicals	Sugar Cane Growers Cooperative of Florida
Cingular Wireless	Target Stores
Circle K Corporation	Textron, Inc.
Comcast Cable Communications, Inc.	Travelers Insurance Company
Danka Corporation	Trus Joist MacMillan
DHL/Airborne Express	Unisys Corporation
Emory University	University of Miami
Equifax	Waste Management
Fisher Scientific	Yellow Freight
GES Exposition Services, Inc.	Zurich-American Insurance Group

**FISHER & PHILLIPS' EXTENSIVE
EXPERIENCE WITH PUBLIC SECTOR
COLLECTIVE BARGAINING**

Mark J. Ricciardi has extensive experience both advising and representing public employers in Nevada.

The legal work performed by Mr. Ricciardi for public employers includes:

- o Chief negotiator in collective bargaining
- o Behind the scenes advice during collective bargaining
- o Representation of employers in proceedings before the Employee Management Relations Board
- o Representation of employers in fact-finding proceedings pursuant to NRS 288
- o Representation of employers in arbitration proceedings pursuant to NRS 288
- o General advice with regard to labor relations and employment law matters including administration of collective bargaining agreements.

Examples of public entities represented by Mr. Ricciardi currently and in the past include the following:

- o City of Boulder City
- o City of Las Vegas
- o Clark County Department of Aviation
- o Clark County District Attorneys Office
- o Clark County Fire Department
- o Clark County Nevada
- o Elko Board of Education
- o Nye County
- o Reno-Tahoe Airport Authority
- o Southern Nevada Health District
- o Tahoe Douglas Fire Protection District

In advising and representing public employers in Nevada, Mr. Ricciardi has either negotiated with or otherwise interacted with the following unions:

- o Boulder City Police Protective Association
- o City of Las Vegas Employees Association
- o Clark County District Attorney Investigators Association
- o International Association of Fire Fighters Local 1285
- o International Association of Fire Fighters Local 1908
- o International Association of Fire Fighters Local 2955

- o Las Vegas Peace Officers Association
- o SEIU Local 1107
- o Teamsters Union Local 14

OUR EMPLOYMENT-RELATED CLAIMS PRACTICE

Involvement of Counsel in Administrative Proceedings

Most labor and employment-related claims are not initiated by immediately filing a lawsuit in court. Instead, the employee, applicant or union generally must file a charge or complaint with an administrative agency, which then investigates the matter and determines whether a reason exists to believe that the employer acted illegally. The employer often has no choice but to respond to the agency's request for information and participate in the agency's investigation. While employers may effectively handle this administrative phase, it is essential that the employer not commit itself to a flawed legal theory or an incomplete set of factual premises that will waive or narrow its defenses in the administrative hearing or in any lawsuit that may follow.

The consequences of staking-out future defense theories in the administrative phase make it especially important that employers receive competent legal advice. Early involvement assures that counsel and the employer develop a sound, consistent defense theory for use not only in the administrative proceedings, but also in any subsequent litigation. Further, early involvement provides employers with a timely assessment of the likelihood of succeeding on the complaint and the advisability of settling dangerous cases before making a substantial investment in defense.

Our extensive experience allows us to economically and effectively handle such complaints or provide review of our client's responses to the EMRB, EEOC and other agencies.

Alternative Dispute Resolution

In a continuing effort to save clients money and limit the risks inherent in formal litigation, Fisher & Phillips LLP remains a pioneer in using alternative dispute resolution techniques, such as binding arbitration and mediation, to resolve workplace disputes.

Fisher & Phillips LLP often advises clients to implement mandatory arbitration policies that require employees (and applicants) to resolve workplace disputes through an arbitrator, rather than litigate such claims before a jury. By requiring arbitration, employers avoid the risk of submitting their employment decisions to review by lay-person jurors who may already be predisposed to side with the employee-plaintiff.

Fisher & Phillips LLP also uses mediators as a way of avoiding a risky trial, regardless of whether that trial would be before a jury, arbitrator or judge. Our experience has proven that lawsuits sometimes can be avoided simply by letting an employee tell his or her story. A mediator serves this need and often allows the parties to resolve their differences without the anxiety, time, and cost that otherwise accompany litigation. Mediation particularly lends itself to situations in which an issue has arisen in the workplace during continued employment, yet both the employee and employer want the situation to be resolved short of litigation.

Our years of experience in mediation and arbitration provide us with unparalleled depth and breadth of expertise in this rapidly expanding niche of labor and employment law.

Results-Oriented Litigation

Fisher & Phillips LLP provides results-oriented litigation based on efficient case-handling principles, thorough initial investigations, practical discovery philosophy, and aggressive motion practice. Our fundamental case-handling principles include:

- Defining with the client at the outset what constitutes a winning outcome;
- Gearing every act toward achieving the defined result or win;
- Realistically assessing costs and the likelihood of success;
- Utilizing on-going cost/benefit analysis;
- Using the Firm's electronic research data bank before undertaking any research or motion preparation.

Our strong initial investigations allow us to “educate” opposing counsel and seek early resolution, when appropriate. A strong initial investigation also allows us to determine quickly the strengths and weaknesses in a case. We then work with our clients to properly value the risks and define the “win” in each case. We do not believe in plodding through litigation, spending vast sums of money on cases that could have been resolved early in the litigation process.

Further, our expertise in employment law allows us routinely to win cases that are not otherwise resolved at the outset of litigation. Armed with an extensive knowledge of employment law and a Firm-wide electronic data bank of briefs and memoranda, we enjoy particular success in disposing of cases through written motions.

Finally, we have experienced trial lawyers who have litigated cases in both federal and state courts. Our trial experience in employment law cases gives us a competitive edge in knowing the strategies and tactics that produce courtroom wins in this unique area of law.

OUR LABOR RELATIONS PRACTICE AREAS

Our Depth of Experience in the Traditional Labor Arena

Fisher & Phillips was founded in the mid-1940's at a time when labor unions were at an all-time peak strength in the United States. After World War II, as new businesses began to move South, the Firm became one of the pioneers in aiding employers who chose to operate union-free, by carefully guiding them through the legal pitfalls of the National Labor Relations Act.

As years passed, the Firm's reputation for aggressive - but lawful - guidance attracted clients from other regions of the county and helped Fisher & Phillips evolve into one of the premier law firms practicing traditional labor law in the United States today.

Whether assisting an employer to prepare for and present evidence at a contract arbitration, or representing an employer before the National Labor Relations Board, Fisher & Phillips specialists bring hundreds of years of hands-on knowledge and experience to serve our clients short and long-term needs.

Counseling Employers Who Wish to Remain Union-Free

Fisher & Phillips also assists employers in their efforts to retain the right to manage and operate their enterprises without third-party interference or interruption. The scope of our practice in this important area includes:

- Helping employers establish and maintain workplace environments which lawfully limit employees' interests in seeking union representation;
- Conducting preventive, union vulnerability audits to detect union sentiments among employees, or to highlight employee relations problems that might trigger future interest in union activities;
- Conducting hands-on training of managers and supervisors in lawful techniques to maintain the employer's union-free status;
- Representing employers before the National Labor Relations Board, the National Mediation Board and - where appropriate - state labor relations agencies when union representation issues or unfair labor practice charges are brought;
- Assisting and counseling employers in those situations where union card signing activity has surfaced, to aid in the lawful presentation of an employer's counter views;
- Assisting and guiding employers through the legal intricacies involved when a union-representation election has been scheduled, with the goal of effectively communicating the employer's message to employees; and
- Representing employers before the federal courts in labor relations related matters.

In over sixty years of practice in this field, Fisher & Phillips has handled tens of thousands of counter-union campaigns for employer clients, with a 90% plus win rate; we have represented clients in every region of the NLRB; and we have encountered every AFL-CIO- covered union and most independent labor organizations.

Dealings with Existing Unions

Some of our clients have existing relationships with labor organizations, through NLRB certifications, voluntary recognition, or the doctrine of successorship. In those cases, our attorneys are able to provide advice to company negotiators in collective bargaining as well as serve as first chair in collective bargaining. We also prepare and try arbitration cases under clients' collective bargaining agreements and represent employers in litigation brought by or against unions.

OUR PREVENTIVE AND RISK MANAGEMENT SERVICES

We pride ourselves on being a leader in the preventive approach to labor and employment law. While many labor and employment firms profess to follow a preventive or proactive approach, we are recognized nationwide for working with our clients to implement preventive strategies to eliminate many problems before they occur and, when issues do arise, to quickly and efficiently resolve them.

In doing so, we use a comprehensive systems approach. We seek solutions that encompass our clients' obligations under overlapping and sometimes inconsistent laws, such as Title VII, wage-hour, disability, and family and medical leave statutes. Where appropriate, we also act to protect our clients' employment at-will and non-union status. Among others, Fisher & Phillips' preventive services include the following:

Day-to-Day Counseling

Given that federal and state laws regulate every phase of employment from advertisements soliciting applicants to employee termination, questions regarding personnel decisions inevitably arise during the normal course of business operations. An employer's decisions regarding these questions prevent future litigation or set the stage for litigation. Legally-based employment decisions often prevent future lawsuits. Conversely, ill-advised employment decisions often result in lawsuits.

Fisher & Phillips provides on-going counseling to its clients on employment and traditional labor questions. We enter into retainer agreements with many of our individual clients, professional employer organizations, industry associations, and insurers to provide such assistance and counseling. Under the retainer arrangement, employers call Fisher & Phillips to get prompt responses to employment concerns. Typical questions

include whether, how, and when to terminate employees who may belong to unions or protected classes. More complex inquiries may involve such things as whether particular employees are eligible for family leave, or how to manage employees who refuse drug tests, employees who disclose that they are HIV-positive, and employees who request accommodation of an actual or alleged disability. Further, many employers request initial guidance regarding investigation of sexual harassment allegations.

Similarly, disability and leave situations can become very complex, and our ability to walk the employer through this type of minefield often eliminates potential claims under the complicated area of overlap between the Americans with Disabilities Act and the Family and Medical Leave Act.

Obviously, guidance from employment counsel cannot always prevent an employee from later filing a claim. Our experience shows nonetheless that the likelihood of later litigation can be reduced substantially when employers call for advice before taking final action. Even if a claim is filed, preventive advice at the outset often makes the resulting claim easier to manage and resolve.

Employment Practices Audits

We conduct audits of employers' compliance with various labor and employment laws. Employment practices audits provide employers with an opportunity to realize and correct any potential legal risks or violations prior to those issues becoming full-blown problems requiring substantial legal action. Some types of possible audits include the following: benefits, I-9 compliance, policies and practices, union vulnerability, and wage-hour. As with our other preventive practices, we find that audits and the resulting actions undertaken to come into compliance, substantially reduce the occurrence of employment problems, including lawsuits. When lawsuits do occur, they place the employer in a better position to win.

Publications

The Firm publishes numerous subject matter booklets for clients that provide an overview on a particular law regulating employment. To date, our booklet series covers the following:

- *ADA: Employment Aspects*
- *ADA: Public Accommodations*
- *Employment Discrimination*
- *FMLA*
- *Immigration*
- *NLRA: Parts I and II*
- *OSHA*
- *Sexual Harassment*
- *FLSA: Parts I and II*
- *HIPPA*
- *WARN*
- *COBRA*
- *USERRA*

The Firm also publishes other, less-formal checklists and guidelines for discrete issues, including, among others:

- *Checklist for Investigating and Responding to Claims of Harassment*
- *A Preventive Checklist of Company Actions for Remaining Union Free*
- *Bonuses and Other "Extra Pay" Under Federal Wage-Hour Law*
- *Fluctuating-Rate Pay Plans*
- *The "Salary Basis" of Pay (for Private Sector Employers)*
- *Fair Labor Standards Act "White Collar" Exemptions in the Private Sector*

Fisher & Phillips' attorneys are also called upon to author or edit employment-related books, such as the seminal *Mental and Emotional Injuries in Employment Litigation* (Bureau of National Affairs), and *The Developing Labor Law* (Bureau of National Affairs) [lawyers on Board of Editors].

On-Site Training

Fisher & Phillips conducts training sessions for employees, supervisors, and managers. Our training sessions cover all aspects of labor and employment law, including: integrating leadership, values, and common sense into employment law situations; hiring, discipline and termination; employment practices and policies; harassment and discrimination; union avoidance; Title VII; the Americans with Disabilities Act; the Family and Medical Leave Act; and drug testing, among others. Training sessions focus on practical steps for compliance with these laws so as to avoid violations.

Some of our most requested training sessions involve avoiding and responding to workplace harassment. This specialized training on sexual harassment is necessary given the increasing frequency of harassment claims and the possible financial consequences involved with those claims. Additionally, one principal factor courts consider when determining employer liability is whether companies have provided harassment training to their employees.

Fisher & Phillips also conducts “Train-the-Trainer” sessions that enable members of management to return to their employer and train other individuals on a particular topic.

The Firm presents two-day in-depth multi-course conferences on the East and West coasts every two years. Moreover, Fisher & Phillips’ attorneys conduct training and educational programs for the Society of Human Resources Managers (SHRM), EPLI carriers, trade associations, and business groups. The firm also provides regular breakfast briefings where each of its offices are located on topics of interest to employers.

ALTERNATIVES

Fisher & Phillips believes that providing the very best legal services alone is not enough. Fisher & Phillips prides itself on providing competitive fee arrangements and working with its clients to provide alternatives to traditional billing practices wherever appropriate.

Our normal billing practice is to bill at hourly rates for attorneys based on experience and subject matter expertise. Currently our billing range for Las Vegas associates is \$200 to \$295 per hour and for of counsel and partners it is \$325 to \$385 per hour. A list of attorneys who would be assigned to Town of Pahrump work with their current billing rates is in the following section.

Fisher & Phillips also has a willingness to explore alternative fee structures if these serve the interests of the client and the relationship. Alternative fee arrangements can include consideration of the following:

- percentage discounts for volume work
- flat rates for certain types of matters (e.g., EEOC charges)
- project billing (e.g., an amount not to exceed for a certain project)
- retainer agreements

We have found the following alternative billing arrangement, retainers, to be an effective way to encourage preventive labor relations. A significant number of our clients choose to pay a quarterly fee, which is intended to cover phone call advice on a wide variety of subjects. Under such a system, the client can obtain advice without additional charges every time a lawyer is consulted. For many matters in the labor and employment area, such early interaction can improve the likelihood of a successful outcome. Typically, these arrangements exclude matters which require research or review or drafting of documents, all of which would be billed at our regular hourly rates. The retainer is set based upon the size of the

company and the anticipated volume of usage, and normally results in a reduced rate for these counseling activities.

Partnering Approach to Litigation

Regardless of which alternative works best for your needs, you will derive the benefits of our partnering approach to litigation. Fisher & Phillips has been a long-standing advocate of cost-effective case-handling and timely communications with clients. To that end, our attorneys are trained and required to analyze cases at an early stage and to work hand-in-hand with the client to establish a litigation strategy and budget. These evaluation and communication tools are designed to ensure that we and the client are partners in the litigation efforts.

DEDICATED ATTORNEYS/BILLING RATES

The following is a list of attorneys which would be assigned to work with Town of Pahrump on a regular and recurring basis. The current regular billing rates are also listed and biographies of these attorneys immediately follow.

Lead Attorney	Mark J. Ricciardi	\$385/hour
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Others who could be called upon depending upon the nature and volume of business include the following attorneys.

Partner	Scott M. Mahoney	\$375/hour
Of Counsel	Jeffrey D. Winchester	\$325/hour
Associate	Shaun P. Haley	\$295/hour
Associate	Dustin L. Clark	\$200/hour
Paralegal	Ilene Hasforth	\$160/hour
Paralegal	Denise Karpa	\$160/hour



Mark J. Ricciardi
Partner, Las Vegas Office

FISHER & PHILLIPS LLP

ATTORNEYS AT LAW

Mark Ricciardi is the founding partner of the Las Vegas office of the national law firm of Fisher & Phillips LLP, one of the oldest and largest firms in the country practicing exclusively in labor and employment law representing management.

Fisher & Phillips LLP is one of the country's preeminent labor and employment law firms. It was founded over 60 years ago. The firm has grown to over 200 attorneys with offices in Atlanta, Charlotte, Chicago, Columbia, Dallas, Fort Lauderdale, Houston, Irvine, Kansas City, Las Vegas, New Jersey, New Orleans, Orlando, Philadelphia, Portland, San Diego, San Francisco and Tampa. The firm represents a diverse clientele, including both national concerns and small and medium size businesses throughout the United States. The firm's more than 3,000 active clients include hotels, resort properties, airlines, trucking firms, auto dealerships, various manufacturing concerns, hospitals, food processing companies, distilleries and breweries, hi-tech companies, public employers and major universities.

Mark Ricciardi received his undergraduate degree and his Master in Business Administration from Washington University, St. Louis, Missouri. He also received his law degree from Washington University in 1982. He has been admitted to the Missouri, Illinois and Nevada Bars. Mark is a partner in and founder of the Las Vegas office of Fisher & Phillips LLP. Mark has been advising and representing hotels, casinos, financial institutions, manufacturers, construction contractors, subcontractors, government agencies, and other large and small businesses in labor and employment matters in Las Vegas since 1987. Considered one of the top labor and employment lawyers in Southern Nevada, and a leading authority in Nevada on wage and hour law, Mark has successfully tried jury and bench trials in wrongful termination, retaliation, sexual harassment, sex discrimination, age discrimination, national origin discrimination, and wage and hour claims. He has litigated unfair labor practice charges and union election objections before the National Labor Relations Board. Mark has briefed and argued numerous cases before the U. S. Court of Appeals in the Ninth Circuit, and has briefed and argued the *Costa vs. Desert Palace, Inc.* case before the United States Supreme Court. Mark also has conducted supervisory training in the areas of discrimination and harassment awareness, union avoidance and employment law compliance.

Mark has written numerous articles on labor and employment law topics including an article on the administrative exemption under the Fair Labor Standards Act that was published in the American Bar Association's *Labor Lawyer*. Mark taught labor economics as an adjunct professor at the University of Nevada at Las Vegas, and he is a frequent speaker for the Southern Nevada Human Resource Association, trade associations, and other business groups. Mark has been listed in *Chambers USA, America's Leading Business Lawyers*, since 2002, and in *Best Lawyers in America* since 1999. Mark has also taught at continuing legal education programs for lawyers sponsored by the State Bar of Nevada. Mark serves on the board of directors of Nevada Public Radio and the Second Chance Foundation. Mark is also Co-Chairperson of the firm's Hospitality Business Practice Group.

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Scott M. Mahoney
Partner, Las Vegas Office

FISHER & PHILLIPS LLP

ATTORNEYS AT LAW

Scott M. Mahoney is a partner in the Las Vegas office. Scott is an experienced trial lawyer who defends harassment, discrimination, retaliation, wrongful termination and other cases. He also advises employers regarding employee handbooks, policies and procedures, terminations, employment contracts and responses to administrative agency complaints, with special emphasis in the hospitality and gaming industries. Prior to joining the firm, Scott was Vice-President and Counsel for Park Place Entertainment Corporation, which operated hotel and gaming properties throughout the world. He is admitted in Nevada and California.

Areas of Practice

- Labor & Employment Law
- Employment Contracts
- Employment Policies/Procedures/Practices
- Employment-Related Litigation
- Employment Discrimination
- Severance/Separation Agreements

Bar Admissions

- Nevada, 1984
- California, 1985

Education

- The University of Michigan Law School, Ann Arbor, MI, 1983, J.D.

- Kalamazoo College, Kalamazoo, Michigan 1980, B.A.
Honors: Magna Cum Laude

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ATTORNEYS AT LAW

Jeff Winchester is Of Counsel in the Las Vegas office. Jeff defends employers in harassment, discrimination, retaliation, wrongful termination, and other cases. He has handled matters ranging from single-plaintiff discrimination lawsuits to wage and hour collective actions. In addition to his representation of clients in employment matters, Jeff conducts preventive training and seminars on a variety of workplace law topics. Jeff has taught at a continuing legal education program for lawyers sponsored by the State Bar of Nevada. He also advises employers regarding employee handbooks, policies and procedures, terminations, employment contracts and responses to administrative agency complaints. Jeff has lived and worked in Tokyo, Japan, where he was on the faculty of a medical school. After graduating law school, Jeff clerked for the Honorable David M. Ebel of the United States Court of Appeals for the Tenth Circuit. Prior to joining the firm, Jeff was an associate with the Columbus, Ohio office of a large international law firm, with a concentration on labor and employment issues. Jeff is a contributing editor to *The Developing Labor Law*, and has co-authored a number of articles on labor and employment topics, including employer strategies for avoiding class-action lawsuits, strike notices under the NLRA, and employee dress codes.

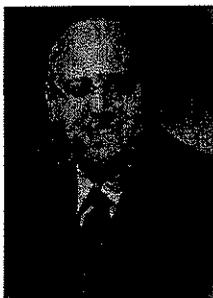
Areas of Practice:

- Labor & Employment Law
- Employment Related Litigation
- Employment Discrimination
- Employment Policies/Procedures/Practices
- Employment Contracts
- Severance/Separation Agreements

Bar Admissions: Ohio, 1997
Nevada, 2006

Education:

- Cornell Law School, Ithaca, NY 1997, J.D.
Honors: Cum Laude
Law Journal: The Cornell Law Review, Book Review Editor
- Temple University, Tokyo, Japan 1990
M.Ed.
- University of Arizona, Tucson, AZ 1981
B.A. English
Honors: Graduated with Honors and Distinction; Lorena DeSanctis McDuff Scholarship; Outstanding Liberal Arts Senior Award



Shaun P. Haley
Associate, Las Vegas Office

FISHER & PHILLIPS LLP

ATTORNEYS AT LAW

Shaun Haley is an associate in the Las Vegas office. He exclusively represents and advises private and public employers in labor and employment matters, including labor relations, arbitration, union organizing, and employment-related litigation under Title VII, the ADEA, the ADA, and Section 1983. He also advises employers on preventive measures, and he has had extensive experience in the development and defense of employment contracts and non-compete agreements. Shaun has spoken before employer groups on the issues of union relationships, as well as trained supervisors on general employment matters, including sexual harassment, discrimination, and compliance with federal immigration laws. Shaun has taught at a continuing legal education program for lawyers sponsored by the State Bar of Nevada. Also, he has co-authored or authored several publications, including "Section V: The Electronic Workplace," in *Workplace Privacy: Real Answers and Practical Solutions* (Thompson Pub. Grp. 2000) and "A Primer On Drafting Reasonable Non-Compete Agreements," *The Nevada Labor Letter* (Nov. 2000).

Shaun is a member of the Clark County Bar Association, the American Bar Association (Labor & Employment and Litigation Sections), the Las Vegas chapter of the American Inns of Court, the Southern Nevada Human Resource Association and the Society for Human Resource Management.

Areas of Practice:

- Labor & Employment Law
- Labor Relations Boards & Proceedings
- Employment - Related Litigation & Appeals
- Union Avoidance and Campaigns
- Non-Compete and Non-Solicitation Agreements

Bar Admissions:

Nevada, 2000

Education:

Catholic University of America, Columbus School of Law, Washington, DC 1999

J.D.

Honors: Cum Laude; Phi Delta Phi

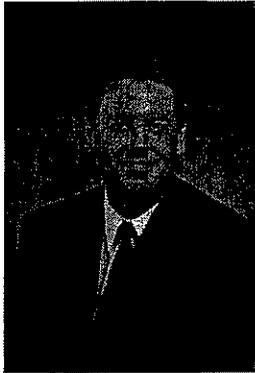
Law Journal: *The Journal of Contemporary Health Law and Policy*, Senior Lead Articles Editor

Georgetown University, Washington, D.C. 1993

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ATTORNEYS AT LAW

Dustin Clark is an associate in the Las Vegas office. He represents management in labor and employment matters before state and federal tribunals. Additionally, Dustin assists employers in the development of preventative measures to avoid employment claims and litigation.

Areas of Practice:

Administrative Agency
Practice and Litigation
Breach of Employment Contract
Wage and Hour Law
Wrongful Termination
Employment Discrimination and Harassment

Bar Admissions: Nevada
Wyoming

Education:

Florida State University College of Law, Tallahassee,
FL, J.D. 2005, *with Honors*

Brigham Young University, Provo, UT, B.A. 2002

TECHNOLOGICAL RESOURCES

Communications with Clients

To serve our clients Fisher & Phillips LLP uses state of the art technology. We send and receive messages, documents and other information via dedicated telephone lines, over the Internet, and using direct dial-up links between servers. We have the capability for electronic billing, if such an arrangement is of interest to Town of Pahrump. Our Information Systems Department possesses the expertise to set up video conferencing, extranet communications and captive communications systems between your offices and ours.

Web Page and Hyperlinks

The Firm web page, www.laborlawyers.com, provides direct access to the Firm and its many resources. Our web page includes many of the Firm's most recent publications, newsletters, compliance kits, required posters, videos, and numerous valuable, time-saving hyperlinks. The many hyperlinks on our web site allow clients easy access to quality web sites containing information on employment-related benefits, statistics, business, finance, the federal government, state and local governments, as well as direct access to legal research resources.

Internal Reference System

We maintain an extensive internal computerized reference system of pleadings, forms, and other materials. Use of our system enables us to be more productive, efficient, and cost-effective for our clients.

External Reference System

We are connected to the Internet and the most important proprietary research systems, such as Lexis-Nexis, Westlaw, LRI and others. If information is not in our internal system, these external systems provide us with the latest research resources.

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AGENDA ITEM REQUEST

Requests and backup **must** be in the Town Office by **3:00 p.m. Monday** 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 _____ DATE OF DESIRED BOARD MEETING 5-27-08

CIRCLE ONE: Discussion, Action, Decision or Discussion Only

ITEM REQUESTED FOR CONSIDERATION:
regarding consideration of Town Manager position

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:

BACK UP ATTACHED: ____ YES X NO

SPONSORED BY: Laurayne Murray Town Board
Town Board Member

NAME OF PRESENTER(s) OF ITEM: _____

Print Name Signature

Mailing Address Telephone Number

**PAHRUMP TOWN BOARD MEETING
BOB RUUD COMMUNITY CENTER
150 NORTH HIGHWAY 160
TUESDAY – 7:00 P.M.
MAY 13, 2008**

MINUTES

PRESENT:

**Laurayne Murray
John McDonald
Don Rust
Nicole Shupp
Michael Sullivan, Interim Town Manager
Carl Joerger, Attorney**

ABSENT:

Dan Sprouse

1. Call to Order, Pledge of Allegiance, and Welcome.

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

2. Discussion and decision regarding agenda items.

Mrs. Murray received a request that Item #11 (Discussion and decision regarding Resolution #2008-08 for Pahrump Arts Council Grant Application) be moved up in the agenda. There were no objections to this request.

3. Public Comment.

Steven Lee provided an update of the May 3 Professional Bull Riders event. Mr. Lee reported that the PBR was happy with the event and would be looking into doing it as an annual event.

4. Advisory Board Reports

Don Rust reported that the Incorporation Advisory Board met and are on their way to completing a feasibility study for presentation to the Town Board by July 2. It will be on the agenda for the July 8 Town Board meeting agenda.

John McDonald reported that the Arena Advisory Board will be holding a workshop toward the end of the month to review and possibly revise their constitution and by-laws.

Al Balloqui reported that on behalf of the Incorporation Advisory Board he provided a copy of the proposed informational brochure and requested the Board's input.

Michael Sullivan asked if there was a deadline. Mr. Balloqui asked for approval this evening. Mr. Rust pointed out that it was not on the agenda. Mr. Sullivan said he did not feel consent was needed. He asked that the Board submit their comments by tomorrow so it can go to public bids were collected and all are within the range suggested.

5. Announcements and "Good News".

Phil Huff of the Pahrump Valley Museum announced that the Pahrump Museum and the Daughters of the American Revolution and the Nevada Civil War Historical Society, along with the Town of Pahrump and the Tourism Advisory Board will sponsor, on May 17, at Petrack Park Civil War encampment and battle reenactment. Demonstrations will take place including a mock battle with uniformed soldiers.

Laurayne Murray announced that on May 23 and 24, the Art N Sol event sponsored by the Pahrump Arts Council will be held at the Pahrump Nugget.

Patricia Cox presented awards for participation in the recent Town Clean Up. Awards went to Cub Scout Pack #808 and Girl Scouts Troop #216, Pahrump Valley Rotary and the Pahrump Valley High School Football Team.

Laurayne Murray presented certificates of achievement to the Special Olympics basketball team and coaches.

6. Discussion and decision regarding the Desert Tortoise Habitat Conservation Plan. Michael Sullivan/MaryEllen Giampoli

Mary Darling (for MaryEllen Giampoli) presented the information regarding the evolution of the Desert Tortoise Habitat Conservation Plan (DTHCP). Ms. Darling is a Tortoise Biologist working in Nye County since 1992 and wrote the Landfill HCP for Nye County. Ms. Darling noted that they would be attending the Nye County Commissioner's meeting on May 20 (19) when the County will decide whether to accept the HCP written with the 125 acre and 0.5 acre trigger. USFWS is now proposing all Blue Zones to pay \$250 per acre of actual disturbance. The Red Zone is \$550 per acre. The White Zone has no fee.

John McDonald referred to the PARC project. It was determined that the land is in the White Zone with no fees.

Laurayne Murray asked about a 0.5 acre trigger. It was explained that someone would have to be disturbing more than ½ an acre to have counted in the 125 acre allotment. Chairman Murray asked what would happen if there is no HCP. Mary Darling replied that according to a letter dated May 8, USFWS threatens legal action.

Public Comment:

- Dave Stevens commented that the environmentalists have gone too far.
- Jacob Skinner asked what happens to the fees that are collected. Mary Darling replied that the fees would be used locally to collecting seed education the public, and rehabilitating lands never to be developed.
- Tim Hafen commented that the Board should understand that the County will be looking at this Plan next week. Mr. Hafen stated there is still a lot of work to be done on this HCP. In order to qualify as a Low Effect HCP only 125 acres can be disturbed. It was said that a large developer can go to USFWS, however he received a letter that indicates you cannot do that.
- Larky White commented that he hoped the Board would consider this plan carefully and it sounds like a bullying tactic by USFWS.
- John McDonald wondered about contacting the Congressional delegation concerning this. If the USFWS is getting pressure from environmentalists it must be coming through them

7. Discussion and decision regarding water rights acquisitions. Michael Sullivan

Michael Sullivan explained there are two separate requests. The first for consideration by the Board is to acquire up to 100 acre feet of water rights. The amount tendered so far is less than 100 acre feet at \$12,000 per acre foot. The allocation would be designated for the Kellogg Park site which will need approximately 5 acres for each acre of turf. Mr. Sullivan explained that the second part of the recommendation would be subsequent and parallel to the approval by the State Engineer to secure some long term tax exempt financing to make a long term asset with long term payment of the debt service by future growth in the community to support the park. Michael Sullivan noted that there has been a standing approval of the Town Manager to acquire water rights up to \$13,500 per acre foot. With the market changing the current offer by this family is \$12,000 per acre foot.

A second part of the motion would allow for the starting of the process of doing the exempt financing taking approximately three and a half months. Research has been done and the review shows them in good standing. A plan for financing will be brought back to a future meeting. The tax exempt financing has been used in the past to acquire fire equipment.

Don Rust asked if the taxes and financing can be used for any purpose. Michael Sullivan replied that the dedication of the financing would be for this purpose when the notes are issued. Mr. Sullivan noted that taxes on financing could be used for any purpose.

John McDonald clarified that the plan is to use the water rights as the collateral. Mr. Sullivan explained that there are other options which will be brought back to the Board.

Laurayne Murray asked if we are to obtain the financing it would be dedicated for the purchase of water rights or for the Kellogg Park. If the Town is able to obtain a pipeline for affluent water from a near by source could it go for the cost of developing the pipeline. Mr. Sullivan said this payment would be to acquire these water rights. Mr. Sullivan noted that there is one other acquisition which is being worked on that has been approved, but has not gone to escrow yet. Mr. Sullivan said he would bring back options for consideration in an upcoming meeting.

John McDonald said his preference would be to limit the fund for restrictive use of water rights, not necessarily for a particular site. Michael Sullivan explained that when transferring water rights you have to move them to a certain destination. The financing will be definitive to the purchase of water rights.

Don Rust motioned to begin acquisition of up to 100 acre feet of water at a price of \$12,000 per acre foot funded by medium term financing and direct the Town Manager to have Armstrong-Teasdale prepare the necessary documents and related submittals as required by the State Engineer to transfer the shares to the Town's ownership and to commence the process to secure tax exempt financing sufficient to cover the purchase price and related acquisition costs with the Town's fiscal advisors, of J and A Consulting Group, LLC. John McDonald seconded the motion.

Motion passed 4 – 0.

Michael Sullivan pointed out that there was a second part to the acquisition. Mr. Sullivan explained that this would be a request to purchase acre feet of water rights, not to exceed \$165,000 plus related legal and engineering costs. These, if acquired, will be used at various locations, a will complete an analysis of what is available at exiting park sites. John McDonald asked if the cost per acre foot is known. Mr. Sullivan replied that it is a variety of prices. Once completely assembled, Mr. Sullivan said he would provide a chart.

Don Rust Motioned to begin the purchase of 17 acre feet of water rights for a total cost not to exceed \$165,000 plus related legal and engineering costs using Nye County General Fund Capital Projects money. Nicole Shupp seconded the motion.

Motion passed 4 – 0.

8. Discussion and decision regarding awarding lottery for the July 4th Freedom Festival. Laurayne Murray

Laurayne Murray updated the Board that on Wednesday morning the Chamber of Commerce is proposing a coalition to take over the event. They are willing to bring together various charitable organizations, assign responsibilities, making sure the event is scheduled and prepare for at least a 2 day Freedom Festival on Friday and Saturday. One piece is Mulco Entertainment and will follow on questions previously presented by the Board. James (Jim) Mulleague explained that they have been putting together an entertainment package.

John McDonald Motioned to accept additional documentation. Nicole Shupp seconded the motion.

Motion passed 4 – 0.

Don Rust Motioned that the Board permit Mulco Productions to work with the Pahrump Chamber of Commerce to coordinate any activities that will occur assuming the Chamber takes over the function and proceed from that point. Nicole Shupp seconded the motion.

Laurayne Murray asked that the proceeds are used in Pahrump for charitable organizations as in the past.

Don Rust included in the motion that any funds received (proceeds after expenses) is allocated to local charities. Nicole Shupp seconded the amendment of the motion.

Motion passed 4 – 0.

9. Discussion and decision regarding award of Bid #2008-03 for TV Tower Replacement construction bid. Michael Sullivan/Matt Luis

Michael Sullivan explained that the issues with POOL/PACT have been worked out and will have to work out bonding with the awarded bidder and securing an inspector and project manager for making sure it is done to code and specifications. Don Rust clarified that it is not the low bid but the approved by POOL/PACT. Mr. Sullivan agreed that it is the lowest complete bid. Mr. Rust asked when it would be expected to be finished. Mr. Sullivan said he would check as materials and equipment would have to be ordered.

John McDonald said it was his understanding it would return to analog broadcasting.

Don Rust Motioned that the bid be accepted from GWR Technology, Inc. for \$227,154.00 plus permits to replace the tower and all equipment required to go with it. Nicole Shupp seconded the motion.

Motion passed 4 – 0.

10. Discussion and decision regarding Resolution #2008-07 for PAVED Grant Application. Michael Sullivan

Don Rust read the Resolution title.

Michael Sullivan explained that this is similar to the PAC request, to be a co-applicant with PAVED. The funding will be coming from a USDA grant and should be granted at 100%. Al Balloqui was present to answer questions from the Board.

Don Rust Motioned to approve Resolution #2008-07 as presented. Nicole Shupp seconded the motion.

Motion passed 4 – 0.

11. Discussion and decision regarding Resolution #2008-08 for Pahrump Arts Council Grant Application. Michael Sullivan

Loretta Lindell, Principal Volunteer Grant Writer for the Pahrump Arts Council (PAC), explained an opportunity for a grant presented to the Pahrump Arts Council and by association to the Town of Pahrump. Mrs. Lindell stated Geneil White is a volunteer for PAC and had offered her service to PAC and has proposed a grant to the Nevada Arts Council, Arts and Education Program.

Loretta Lindell provided information about Dick Senior known as the keeper of the Wheeler Well. Mrs. Lindell explained that although PAC is a federally tax exempt 501C3, the state license plate grant funds must be administered by a government agency; that is where the Town comes in.

John McDonald motioned to adopt Resolution #2008-08 after deleting the second and third paragraphs in the body of the resolution and that the Town support this program. Don Rust seconded the motion.

Don Rust read the title of Resolution #2008-08.

Motion passed 4 – 0.

12. Discussion and decision regarding approval of conceptual plan for PARC. Al Balloqui.

Al Balloqui explained that the master plan has been received from LARC. Mr. Balloqui said he has been visiting with other Advisory boards for input. The plan was available at the BizExpo recently where they asked for questions from the public. There will be two more public meetings for June 4 and for comments, suggestions, and recommendations. Mr. Balloqui said he was asking that the Board accept the concept of the master plan and allow for making corrections as needed.

Don Rust Motioned to approve the conceptual plan for PARC subject to public comment. John McDonald seconded the motion.

Motion passed 4 – 0.

13. Consent agenda items:

- a. Action – approval of Town vouchers
- b. Action – approval of Town Board meeting minutes of April 22, 2008.
- c. Action – approval of Jacob Skinner as a member of the Incorporation Advisory Board

John McDonald Motioned to accept the consent agenda items a, b, and c. Don Rust seconded the motion.

Motion passed 4 – 0.

Michael Sullivan clarified with the Board that they are giving direction to Staff, that if the Chamber sends us something stating they would be taking over the Freedom Festival, the reservation will be transferred to the Chamber and they will work with Mr. Mulleague.

Laurayne Murray explained there was no agenda item concerning future meetings. She reminded that there is a budget meeting scheduled for Thursday, May 15, at 7:00 p.m.

Mrs. Murray noted that the selection panel for Town Manager has progressed through the panel review and they are in the process of doing background checks with some individuals.

14. Adjournment.

The meeting was adjourned at 8:35 p.m.

Respectfully submitted,

Don Rust, Clerk
Pahrump Town Board

DR/cw

PAHRUMP VETERAN'S MEMORIAL
ADVISORY BOARD

15May08

From: Pahrump Veteran's Memorial Advisory Board (PVMAB)

To: Pahrump Town Board

Subject: Approval of Two
Alternates for the PVMAB

The PVMAB selected Veteran Ken Shockley and Veteran Terri Choyce to become alternates for the PVMAB from the pool of Veteran applications submitted by them to the Town of Pahrump.

The PVMAB is submitting these Veterans for your approval to become alternates. Here is hoping you approve our selection of these Veterans.



JOSE A. TELLES CHAIRMAN

**Zambelli Internationale
4470 Homestead Road
Pahrump, Nevada 89048
775-513-8889**

Date: 20 May 2008

To: Tony DeMeo, Nye County Sheriff

From: John K. O'Brien, Licensed Pyrotechnician

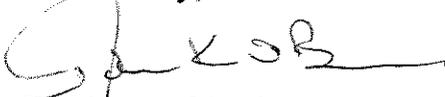
Subject: July 5th Fireworks show at Petrack Park

Zambelli Internationale will be conducting a fireworks display for the Town of Pahrump at Petrack Park on July 5, 2008. Pursuant to section 8.04.030 of the Nye County Code, we are notifying you of this event and ask your licensing board to grant favorable letter of approval.

The pyrotechnics display has all necessary permits, licenses and insurance policies per State and Federal Law and will have them available on site for review. This is the 37th year for this celebration. Our company is proud to be part of this lasting tradition.

Thank you for your time and consideration in this matter and I look forward to your board's response.

Sincerely,


John K. O'Brien
Pyrotechnician

PLEASE READ BACK OF APPLICATION BEFORE COMPLETING

Town Advisory Board (TAB) Application

Name of Board: PAHRUMP VETERAN MEMORIAL TOWN ADVISORY BOARD

Applicant Name: TERRY L. CHOYCE

Home Address: 251 E BONITA AVE City PAHRUMP Zip 89060

Mailing Address: SAME City _____ Zip _____

Home Phone: 775-727-1939 Unlisted? Yes ___ No Cell Phone 775-583-6468

Work Phone: 702-295-6398 Fax: _____

E-Mail Address: tc_fd@yahoo.com

Please provide a brief description of your qualifications, experience, or interests that would be considered an asset to this Advisory Board:

*Retired Air Force Master Sergeant - 19 years active duty service
Associates Degree in Fire Science
Completed four professional military education classes including
Air Force Senior Noncommissioned Officer Academy
Pahrump resident since 1994.*

Are you currently employed by a public entity? Yes ___ No If yes, which entity? _____

I have attached my resume/letter of interest: Yes ___ No

I certify that I am a QUALIFIED ELECTOR, that my primary RESIDENCE is WITHIN THE BOUNDARIES of the Town Advisory Board area to which I am applying, and that the information provided is true and accurate to the best of my knowledge.

Terry L. Choyce
Signature

8/22/07
Date

The Pahrump Town Manager will receive and have all applications placed on the Pahrump Town Board's Agenda. You may mail or deliver this application to the Pahrump Town Manager's Office, Pahrump Town Office at the following address:

Pahrump Town Manager
400 North Highway 160
Pahrump, Nevada 89060

(This document becomes a public record once it has been received by the Town of Pahrump.)

PLEASE READ BACK OF APPLICATION BEFORE COMPLETING

Town Advisory Board (TAB) Application

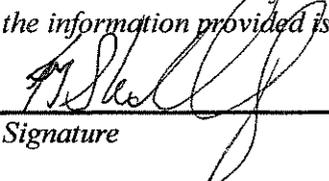
Name of Board: VETERANS MEMORIAL
Applicant Name: KENNETH SHOCKLEY
Home Address: 3121 RANCHO PARADISO ST City PAHRUMP Zip NV
Mailing Address: _____ City _____ Zip _____
Home Phone: 775-764-8226 Unlisted? Yes No Cell Phone _____
Work Phone: 775-537-2790 x 228 Fax: 775-537-2769
E-Mail Address: KSHOCKLEY@NYECOUNTY.NV.COM

Please provide a brief description of your qualifications, experience, or interests that would be considered an asset to this Advisory Board:

Are you currently employed by a public entity? Yes No If yes, which entity? NYE COUNTY VETERANS SERV

I have attached my resume/letter of interest: Yes No

I certify that I am a QUALIFIED ELECTOR, that my primary RESIDENCE is WITHIN THE BOUNDARIES of the Town Advisory Board area to which I am applying, and that the information provided is true and accurate to the best of my knowledge.



Signature

8-21-07
Date

The Pahrump Town Manager will receive and have all applications placed on the Pahrump Town Board's Agenda. You may mail or deliver this application to the Pahrump Town Manager's Office, Pahrump Town Office at the following address:

**Pahrump Town Manager
400 North Highway 160
Pahrump, Nevada 89060**

(This document becomes a public record once it has been received by the Town of Pahrump.)

2

ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
3/31/2008

PRODUCER Phone: 440-248-4711 Fax: 440-248-5406
Britton-Gallagher and Associates, Inc.
6240 SOM Center Rd.
Cleveland OH 44139

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURED
Zambelli Fireworks Mfg. Co., Inc.
PO Box 1463
New Castle PA 16103-1463

INSURERS AFFORDING COVERAGE

NAIC #

INSURER A: Lexington Insurance Co

INSURER B: Granite State Insurance Co.

23809

INSURER C: Arch Specialty Ins Co

INSURER D:

INSURER E:

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR ADD'L LTR	INSR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A		GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC	1619391	2/1/2008	2/1/2009	EACH OCCURRENCE \$ 1000000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 50000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ 1000000 GENERAL AGGREGATE \$ 2000000 PRODUCTS - COMP/OP AGG \$ 2000000
B		AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS	CA93488080	2/1/2008	2/1/2009	COMBINED SINGLE LIMIT (Ea accident) \$ 100000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: EA ACC \$ AGG \$
		GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: EA ACC \$ AGG \$
C		EXCESS/UMBRELLA LIABILITY <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE DEDUCTIBLE RETENTION \$	UFP0024525	2/1/2008	2/1/2009	EACH OCCURRENCE \$ 9,000,000 AGGREGATE \$ 9,000,000 \$ \$ \$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				WC STATUTORY LIMITS <input type="checkbox"/> OTH EB <input type="checkbox"/> EL EACH ACCIDENT \$ EL DISEASE - EA EMPLOYEE \$ EL DISEASE - POLICY LIMIT \$
		OTHER				

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

Display Date: July 5, 2008 Rain Date: n/a
 Location: petrack Park -Pahrump, NV
 Town of Pahrump; Pahrump Volunteer Fire Department; Concordia Homes Pahrump LLC; Concordia Homes of Nevada, Inc. are named as additional insureds in regards to the above display

CERTIFICATE HOLDER

080794 Town of Pahrump
 400 N Highway 160
 Pahrump NV 89060

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE





May 21, 2008

Nye County Sheriff
 Nye County Courthouse
 PO Box 831
 Tonopah, Nevada 89049

Re: 72-Hour Liquor Permit
 Revision – Add Special Event

Attn: Johanna M. Cody

Please accept this as a request from the Pahrump Valley Chamber of Commerce for a 72-hour liquor permit for a special event we are hosting this year called Freedom Festival on July 4, 5 and 6, 2008 at Petrack Park. The Chamber is a non-profit organization.

Thank you for your consideration in this matter. If you have any questions please call me at 775-727-5800.

Respectfully,

A handwritten signature in black ink, appearing to read "Kari Frilot". The signature is fluid and cursive.

Kari Frilot
 Chief Executive Officer
 Pahrump Valley Chamber of Commerce

#130