

PAHRUMP TOWN BOARD MEETING  
BOB RUUD COMMUNITY CENTER  
150 NORTH HIGHWAY 160  
TUESDAY – 7:00 P.M.  
SEPTEMBER 8, 2009

AGENDA

1. **Call to Order and Pledge of Allegiance.**
2. **Discussion and possible decision** regarding moving the order of, or deleting an agenda item(s). (Action)
3. **Advisory Board Reports**, from Advisory Board Chairpersons and/or Town Board Liaisons on the status of Advisory Boards. (Non-Action)
4. **Town Manager Report.** (Non-Action)
5. **Town Board Member's Comments.** (Non-Action)
6. **Discussion and possible decision** on writing off bad debt for the Ambulance Fund in the amount not to exceed \$265,653 for the period of March 2009 to July 2009. (Action)
7. **Discussion and possible decision** on approving a Room Tax Refund Request from Aces High (Saddle West Casino), due to their calculation error, in an amount not to exceed \$51,042 from the various Room Tax Funds. (Action)
8. **Discussion and possible decision** on permitting staff to move forward on obtaining feedback on increasing the Room Tax by 2% with the increased allocation being designated for the building the Proposed General Aviation Airport. (Action)
9. **Discussion and possible decision** regarding establishment of Town of Pahrump Volunteer Graffiti Abatement Program and authorization form for abatement on private property, encouraged by the Town. (Action)
10. **Discussion and possible decision** on updating Town of Pahrump Personnel Policy 5.5.2 Exempt Employees. (Action)
11. **Discussion and possible decision** Consent agenda items: (Action)
  - a. Action – approval of Town vouchers
  - b. Action – approval of Town Board meeting minutes of August 25, 2009
  - c. Action - authorize signing committee to approve accounts payables for canceled meetings, November 24, and December 22.
12. **Future Meetings/Workshops: Date, Time and Location.** (Action)

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

14. **Adjournment.**

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

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

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

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

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

## AGENDA ITEM REQUEST

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

DATE AGENDA ITEM SUBMITTED  
9/1/2009

DATE OF DESIRED BOARD MEETING  
9/8/2009

CIRCLE ONE: Discussion, Action, Decision or Discussion Only

ITEM REQUESTED FOR CONSIDERATION:

Discussion and Possible Decision on Writing off Bad Debt for the Ambulance Fund  
in the Amount not to Exceed \$265,653 for the Period of March 2009 to July 2009.

*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:

Quarterly bad-debt write-offs. The Town's Finance Department has reviewed and  
approved these write-offs going forward. Mr. Sullivan advised that the new  
Financial System is up and running but that there has been bugs and that they are  
currently working them out.

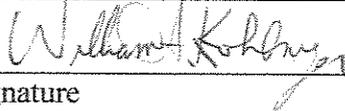
BACKUP ATTACHED:  YES  NO

SPONSORED BY: Town Board & Town Manager

NAME OF PRESENTER(S) OF ITEM: Fire Department Staff

William A. Kohbarger

Print Name

  
Signature

Town Office

Mailing Address

(775) 727-5107 ext. 305

Telephone Number

**TOWN OF PAHRUMP  
FIRE-RESCUE SERVICE**

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**AMBULANCE WRITE OFFS = MARCH 2009 - JULY 2009**

	BILLABLE CHARGES	REVENUE COLLECTED	AMOUNT OF WRITE-OFF
SM BALANCE	\$ -	\$ -	\$ -
DEATHS	\$ 117,392	\$ 81,062	\$ 36,330
BAD DEBTS	\$ 431,165	\$ 201,842	\$ 229,323
BANKRUPTCY	\$ -	\$ -	\$ -
HARDSHIP	\$ -	\$ -	\$ -
<b>TOTALS</b>	<b>\$ 548,557</b>	<b>\$ 282,904</b>	<b>\$ 265,653</b>

*Write off amounts are from previous time frames which are written off in the 5 months indicated above*

**LEGEND**

- BILLABLE CHARGES - ACTUAL CHARGES BILLED
- CONTRACTUAL ADJUSTMENTS - FEDERALLY AND/OR STATE MANDATED ADJUSTMENTS
- NET BILLABLE - ADJUSTED BILLING DUE TO CONTRACTUAL ADJUSTMENTS
- REVENUE COLLECTED - ACTUAL MONEY TAKEN IN
- BALANCE OUTSTANDING - MONEY STILL BEING COLLECTED
- SMALL BALANCE - ACCTS WITH OPEN BALANCE OF LESS THAN \$30.00
- DEATHS - DEATH WHERE INSURANCE HAS PAID AND NO ESTATE
- BAD DEBTS - ACCTS W/BALANCES & NO PAYMENTS IN 120 DAYS - SENT TO COLLECTIONS
- BANKRUPTCY - AFTER DISCHARGED
- HARDSHIP - INDIGENT

## AGENDA ITEM REQUEST

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DATE AGENDA ITEM SUBMITTED  
8/31/2009

DATE OF DESIRED BOARD MEETING  
9/8/2009

CIRCLE ONE: Discussion, Action, Decision or Discussion Only

ITEM REQUESTED FOR CONSIDERATION:

Discussion and Possible Decision on Approving a Room Tax Refund Request from Aces High (Saddle West Casino), due to their calculation error, in an amount not to exceed \$51,042 from the various Room Tax Funds.

*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:

Saddle West caught a mistake in their book keeping in the way they were paying room tax and has since requested a refund. This matter has been reviewed by the Town's Attorney and Finance Department. See attached Memo from the Pahrump Town Manager and Finance Director along with the Letter of Request from Aces High (Saddle West)

BACKUP ATTACHED:  YES  NO

SPONSORED BY: Town Board & Town Manager

NAME OF PRESENTER(S) OF ITEM: Town Manager & Finance Director

William A. Kohbarger

Print Name



Signature

Town Office

Mailing Address

(775) 727-5107 ext. 305

Telephone Number

#17

MEMO  
TOWN OF PAHRUMP  
TOWN BOARD MEETING AGENDA ITEM  
MEETING DATE: 08-25-09

TO: Town Board

FROM: William A. Kohbarger, Pahrump Town Manager  
Michael Sullivan, Finance Director

DATE: 08-25-09

RE: Approval of Room Tax Refund Request

**1). Background**

The Town has received a room tax refund request from Saddle West related to a calculation error which they didn't discover until recently. Under Nevada Department of Taxation rules, room tax is not payable on certain comp transactions. As a result of the inadvertent reporting error, they overpaid their room tax in the amount of \$51,042.17 over a twenty-six month period.

Saddle West should be returned the room taxes it overpaid to the Town, because comps are not taxable events. For example, Pahrump Town Ordinance 32 (the room tax ordinance) only taxes "actual room tax revenue received for the use" of the room. Because, by definition, the establishment does not receive any revenue for comps, those rentals cannot be taxed.

Currently, the room tax ordinance does not limit the time period whereby one could request a reimbursement for excess taxes paid to the Town. The ordinance also fails to define a framework for determining the room-stay portion of a package deal (room, food, golf, etc.).

Michael Sullivan has reviewed the spreadsheets and agrees with the numbers and methodology. Staff and Town Attorney recommend approving the referred payment. To do otherwise would most likely result in legal action being initiated against the Town.

**2). Fiscal Impact**

Based on adopted FY10 budgets, the refund will not adversely affect any currently budgeted room tax programs or projects. The refund will be funded out of accumulated un-appropriated fund balances in each of the six Town Room Funds.

There are sufficient funds available in each of the Room Tax Funds to pay their share of this refund. The refund covers three prior fiscal years, so the transaction will be handled as a prior year adjustment to the ending fund balances as part of the FY09 external audit that is currently in process. We are awaiting clarification regarding the refund of the State Room Tax portion, so the refund may eventually be made in two payments.

**3). Town Manager Recommendation and Board Action Requested**

The Town Manager recommends that the Town Board *move to approve the room tax refund request of Aces High for their Saddle West facility, due to a calculation error, in an amount not to exceed \$51,042 from the various Room Tax Funds, as presented in the attached materials.*

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



**Saddle West**  
HOTEL • CASINO • RV RESORT  
PAHRUMP, NEVADA  
1220 S. Highway 160

August 1, 2009

Pahrump Town Office  
Attn: Michael Sullivan  
400 N. Hwy 160  
Pahrump, NV 89060

RE: Request for Refund

Dear Mr. Sullivan

I formally request a refund of \$51,042.17, due to an inadvertent reporting error that inappropriately included complimentary revenue in the tax room revenue. As per your request, I have included a report summarizing the overpayment by each affected fiscal year.

Although the property in question is Saddle West Hotel, Casino & RV Resort, please draft the check in the name of the parent company, Aces High Management, LLC.

I appreciate your assistance and if you have any questions, please contact me.

Respectfully,



Jason A. Goudie  
Executive VP and CFO

## AGENDA ITEM REQUEST

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DATE AGENDA ITEM SUBMITTED  
9/1/2009

DATE OF DESIRED BOARD MEETING  
9/8/2009

CIRCLE ONE: Discussion, Action, Decision or Discussion Only

ITEM REQUESTED FOR CONSIDERATION:

Discussion and Possible Decision on Permitting Staff to Move Forward on Obtaining  
Feedback on Increasing the Room Tax by 2% with the Increased Allocation being  
Designated for the Building the Proposed Pahrump General Aviation Airport.

*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:

The Town is looking at this increase as a way to create the 5% match money needed for  
the FAA Grant to build the Proposed Pahrump General Aviation Airport. The Town  
must match no less than 5% of the construction cost for the proposed airport pursuant  
to the FAA Grant guidelines.

BACKUP ATTACHED:  YES  NO

SPONSORED BY: Town Board & Town Manager

NAME OF PRESENTER(S) OF ITEM: Charlie Gronda, Airport Director

William A. Kohbarger  
Print Name

  
Signature

Town Office  
Mailing Address

(775) 727-5107 ext. 305  
Telephone Number

#8

## AGENDA ITEM REQUEST

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

DATE AGENDA ITEM SUBMITTED 9-1-09 DATE OF DESIRED BOARD MEETING 9-8-09

CIRCLE ONE: Action or Non-Action

ITEM REQUESTED FOR CONSIDERATION:

ESTABLISHMENT OF TOWN OF PAHRUMP VOLUNTEERED GRAFFITI ABATEMENT PROGRAM & AUTHORIZATION FORM FOR ABATEMENT ON PRIVATE PROPERTY, ENCOURAGED BY THE TOWN

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:

SHOOT PRESENTATION OF CURRENT "TAGGING" IN ONE AREA OF PAHRUMP (POWER POINT) NORTH HAS VEAS S. OF LEANED FORM DIST.  
ESTABLISHMENT OF TOWN VOLUNTEER GRAFFITI ABATEMENT PROGRAM, AUTHORIZATION FORM & THE IMPORTANCE OF PROGRAM

BACKUP ATTACHED:  YES  NO

NAME OF PRESENTER(S) OF ITEM: MIKE DARBY

SPONSORED BY: MIKE DARBY

MIKE DARBY  
Print Name

MIKE DARBY  
Signature

Mailing Address

Telephone Number

With the ever growing concern about the looks of the town of Pahrump and the general overall beauty, I feel its time to address the fact that there seems to be a growing presence of "tagging" or gang markings going on in the valley. I have spoke with Matt Luis of building & grounds for the town and with Deputy James Scott with the NCSO about this. I was told the most comprehensive program around is in North Las Vegas, so I called and spoke with some of the people involved with the graffiti removal program in North Town and have been invited to come in and have the program explained in detail (they have a 1.8 million dollar budget just for this program).

Pahrump has a program just for town property and as far as I can tell there is nothing in place at the sheriff's office for a "hotline" to call into, you just use the main number of 751-7000. I feel that with the concern about Pahrump's looks and with the soon to open detention center we should have concerns that "gang tagging" will soon start to become abundant, right now we can see MS13 and the 702 gang markings around town.

Speaking with people who deal with this on a daily basis one of the most important things to do is remove the "markings" as fast as possible as these are considered advertisement with prestige for "time" on display. The faster it comes down, the less time on display, the less status the "tagger" gains. In addition, this shows zero tolerance for "tagging". As has been the case if a broken window stays broken then why not break the others because nobody cares any way! Soon the "taggers" have to find somewhere else to "work" and now more places are being targeted. So photograph, report and remove.

Until such time as the town of Pahrump can afford to pay for a graffiti removal program, I would like to see some kind of volunteer project started and move toward donations of paint, time and labor to help paint the town clean.

With the boards permission I would like to try to move forward with this. At this time, I am not asking for any funds, just suggestions and help.

To provide some kind of "procedure".

1. Complaint is logged.
2. Location is verified. Owner notified.
3. Photos are recorded.
4. Paint.
5. Record time spent and mileage from Town office.
6. Give full report to NCSO.

With the boards permission I would like to try to move forward with this. At this time, I am not asking for any funds, just suggestions and help.

Some questions I have been asked to address are:

- 1) Who is going to fund this program and where are the funds coming from?

At this time, No money is being asked for. I have had some one want to donate money.

- 2) Who is going to oversee this new program?

Until I am gainfully employed, I would love to do this for Pahrump.

- 3) Where is the manpower coming from to properly run this program?

All volunteered or court ordered if permitted.

- 4) How many hours a week/month is this new program going to run?

To start, as many as needed and then maybe 20/30 a week if needed.

- 5) How many businesses/homes have been tagged in Town?

If you would like I could drive around and count, but just as North Las Vegas does each single paint job would be counted as one!

- 6) What is the total cost to put together a program like this?

North Las Vegas says their program cost 30K+, but started with a pencil and paper, a camera, a paint sprayer and a phone line.



## Town of Pahrump

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

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### GRAFFITI ABATEMENT AUTHORIZATION

PROPERTY OWNER: The Town of Pahrump has initiated a program designed to minimize the effects of graffiti vandalism on your community. By signing this petition, you grant permission to the Town of Pahrump to abate graffiti from your property. This service is **FREE** but you must own the property or have legal authority to grant permission. The intent of the graffiti abatement program is to cover graffiti; therefore, the paint color used by the Town may not match the existing color scheme. The Town of Pahrump does paint over graffiti on power boxes, and power poles. However, if you contact the Town of Pahrump -- you may relay a message identifying the specific location or address of the graffiti and we will forward that information to the appropriate agency.

- The Town of Pahrump will not be subject to the rules and by-laws of any property or home owners association or by development CC&R's regarding the color of paint used to cover graffiti.
- The Town of Pahrump assumes no obligation to match existing color schemes.
- All personal property, including vehicles, must be removed at least 50 feet from the spray zone or covered in order to protect it from the potential overspray. If vehicles or personal property are not moved from the overspray zone, the graffiti abatement may be delayed indefinitely.

I agree to the above conditions and hereby authorize the Town of Pahrump to abate graffiti on my property located at:

---

Signed,

\_\_\_\_\_  
Property Owner or Legal Authority

\_\_\_\_\_  
Date

\_\_\_\_\_  
Please print Name

\_\_\_\_\_  
Phone

# GRAFFITI ACTIVITY ABATEMENT LOG

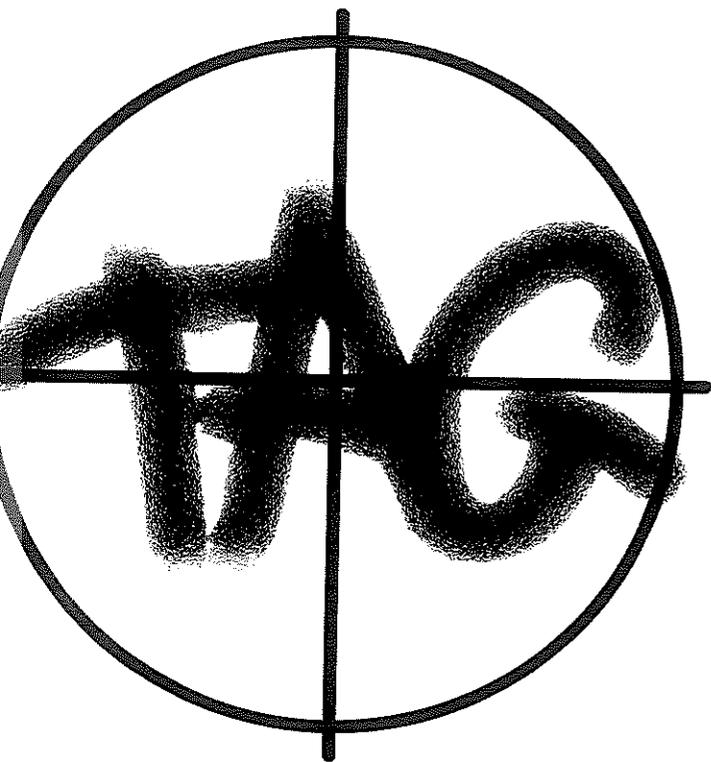
Location:		Location:
Photo: NSBP:		Photo: NSBP:
Surface:		Surface:
Area:		Area:
Person Reporting:		Person Reporting:
Phone Number:		Phone Number:
ID 1: ID 2:		ID 1: ID 2:
ID 3: ID 4:		ID 3: ID 4:
Notes:	1	Notes:
Location:		Location:
Photo: NSBP:		Photo: NSBP:
Surface:		Surface:
Area:		Area:
Person Reporting:		Person Reporting:
Phone Number:		Phone Number:
ID 1: ID 2:		ID 1: ID 2:
ID 3: ID 4:		ID 3: ID 4:
Notes:	2	Notes:
Location:		Location:
Photo: NSBP:		Photo: NSBP:
Surface:		Surface:
Area:		Area:
Person Reporting:		Person Reporting:
Phone Number:		Phone Number:
ID 1: ID 2:		ID 1: ID 2:
ID 3: ID 4:		ID 3: ID 4:
Notes:	3	Notes:
Location:		Location:
Photo: NSBP:		Photo: NSBP:
Surface:		Surface:
Area:		Area:
Person Reporting:		Person Reporting:
Phone Number:		Phone Number:
ID 1: ID 2:		ID 1: ID 2:
ID 3: ID 4:		ID 3: ID 4:
Notes:	4	Notes:
Location:		Location:
Photo: NSBP:		Photo: NSBP:
Surface:		Surface:
Area:		Area:
Person Reporting:		Person Reporting:
Phone Number:		Phone Number:
ID 1: ID 2:		ID 1: ID 2:
ID 3: ID 4:		ID 3: ID 4:
Notes:	5	Notes:
Location:		Location:
Photo: NSBP:		Photo: NSBP:
Surface:		Surface:
Area:		Area:
Person Reporting:		Person Reporting:
Phone Number:		Phone Number:
ID 1: ID 2:		ID 1: ID 2:
ID 3: ID 4:		ID 3: ID 4:
Notes:	6	Notes:
Location:		Location:
Photo: NSBP:		Photo: NSBP:
Surface:		Surface:
Area:		Area:
Person Reporting:		Person Reporting:
Phone Number:		Phone Number:
ID 1: ID 2:		ID 1: ID 2:
ID 3: ID 4:		ID 3: ID 4:
Notes:	7	Notes:
Location:		Location:
Photo: NSBP:		Photo: NSBP:
Surface:		Surface:
Area:		Area:
Person Reporting:		Person Reporting:
Phone Number:		Phone Number:
ID 1: ID 2:		ID 1: ID 2:
ID 3: ID 4:		ID 3: ID 4:
Notes:	8	Notes:
Location:		Location:
Photo: NSBP:		Photo: NSBP:
Surface:		Surface:
Area:		Area:
Person Reporting:		Person Reporting:
Phone Number:		Phone Number:
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ID 3: ID 4:		ID 3: ID 4:
Notes:	9	Notes:
Location:		Location:
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Surface:		Surface:
Area:		Area:
Person Reporting:		Person Reporting:
Phone Number:		Phone Number:
ID 1: ID 2:		ID 1: ID 2:
ID 3: ID 4:		ID 3: ID 4:
Notes:	10	Notes:

DATE - CSW - SIGN COUNT - CIS/CIA -

# REWARD

up to **\$500**

# GRAFFITI VANDALISM



**CRIME STOPPERS**  
OF NEVADA  
**385 5555**



Poster Designed by  
**outdoor promotions, inc.**

**For the Arrest**  
**385-5555**

## AGENDA ITEM REQUEST

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DATE AGENDA ITEM SUBMITTED  
8/31/2009

DATE OF DESIRED BOARD MEETING  
9/8/2009

CIRCLE ONE: Discussion, Action, Decision or Discussion Only

ITEM REQUESTED FOR CONSIDERATION:

Discussion and Possible Decision on Updating Town of Pahrump Personnel Policy  
5.5.2 Exempt Employees.

*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:

See attached the new Updated version as supplied to the Town by CHRM the POOL  
/PACT Human Resources consultants. CHRM consistently and constantly updates  
the Personnel Policies to ensure that we are meeting all Federal standards and recent  
Court/Case opinions.

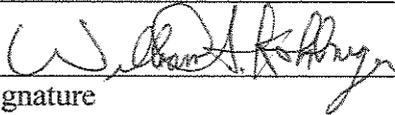
BACKUP ATTACHED:  YES  NO

SPONSORED BY: Town Board & Town Manager

NAME OF PRESENTER(S) OF ITEM: Town Manager & Human Resources

William A. Kohbarger

Print Name



Signature

Town Office

Mailing Address

(775) 727-5107 ext. 305

Telephone Number

5.5.2. Exempt Employees

Generally, exempt employees are hired with the understanding that they are responsible for accomplishing the duties required for their assigned position. It is our policy to comply with all aspects of the FLSA including its salary-basis requirements. Therefore, making any deductions from the salaries of exempt employees which are not allowed by law is prohibited.

Consistent with the FLSA and NRS 281.100, employees in exempt positions are not required to be paid for overtime.

Exempt employees utilizing intermittent leave under the Family Medical Leave Act (FMLA) may have their pay deducted, including from sick or annual leave balances, for partial day or hour-by-hour absences.

1. Subject to certain exceptions set forth in the FLSA regulations and FMLA as provided above, if an organization does not have a bona fide vacation and sick leave policy, an exempt employee must be paid the full salary for any work week in which the employee performs any work, regardless of the number of days or hours worked. Exempt employees will not need to be paid for any work week in which they perform no work, unless the employee is on approved paid leave. FLSA provides that deductions may be made when the employee absents him/herself from work for a day or more for personal reasons, other than sickness or accident.
2. Employers that have a bona fide vacation and sick leave policy may make deductions from pay when an exempt employee does not have or use paid leave and is absent from work for personal reasons, for one or more full days. Deductions from sick or annual leave balances may be made in full day increments.
3. Deductions will also be made to offset amounts employees receive as jury or witness fees, or for military pay, or for unpaid disciplinary suspensions of one or more full days imposed in good faith for workplace conduct rule infractions. Town of Pahrump will pro rate an employee's salary based upon the days worked during the initial and terminal pay period of employment.
4. Exempt employees are generally expected to be available to perform their job duties during normal business hours (usually 8:00 a.m. to 5:00 p.m., Monday through Friday). It is expected that in order for exempt employees to complete their assigned work from time to time, it will be necessary that they work beyond the normal work days and business hours of the Town of Pahrump. If, however, an exempt employee is working well beyond a forty (40) hour work week on a regular recurring basis, the Town of Pahrump may examine staffing levels and the employee's work habits and procedures.

**Deleted:** Eligibility for overtime is based upon the duties and responsibilities of each individual employee. Subject to certain exceptions set forth in the regulations, an exempt employee will be paid the full salary for any work week in which the employee performs any work, regardless of the number of days or hours worked. Exempt employees will not need to be paid for any work week in which they perform no work, unless the employee is on approved paid leave.

**Deleted:** Deductions from pay will be made when an exempt employee does not have or use paid leave and is absent from work for one or more full days for personal reasons. The deduction will be made in accordance with Town of Pahrump's vacation and sick leave policies. Deductions in pay, including from sick or annual leave balances, shall not be made for partial day or hour-by-hour absences, except for eligible employees utilizing intermittent leave under the Family Medical Leave Act (FMLA). Deductions will also be made to offset amounts employees receive as jury or witness fees, or for military pay, or for unpaid disciplinary suspensions of one or more full days imposed in good faith for workplace conduct rule infractions. The Town of Pahrump will pro rate an employee's salary based upon the days worked during the initial and terminal pay period of employment.

**Deleted:** ~~The Town of Pahrump may choose to recognize an exempt employee for hours worked beyond normal business hours.¶~~  
a. In recognition of instances when an employee has completed an extraordinary work assignment and spent substantially more than a typical work week to accomplish the job, managers may allow an exempt employee to take limited periods of time off without using accrued paid leave.¶  
b. The Town of Pahrump may grant an exempt employee up to three (3) days of time off in any calendar month in recognition of extraordinary work assignments completed. The Town Manager shall approve such time off. The decision to grant such leave is at the sole discretion of the Town of Pahrump. Such leave is not charged against accrued leave and, therefore, is not recorded on the employee's timesheet.¶  
c. The limited periods of time off do not constitute additional compensation to exempt employees on an hour-for-hour basis for hours worked in excess of forty (40) hours per week. Accordingly, exempt employees will not "accrue a balance" of compensatory leave hours.

PAHRUMP TOWN BOARD MEETING  
BOB RUUD COMMUNITY CENTER  
150 NORTH HIGHWAY 160  
TUESDAY – 7:00 P.M.  
AUGUST 25, 2009

MINUTES

PRESENT:

Town Board:

Nicole Shupp

Bill Dolan

Vicky Parker

Mike Darby

Frank Maurizio

Staff: Bill Kohbarger, Town Manager

Rick Campbell, Town Attorney

Michael Sullivan, Finance Director

Chief Scott Lewis, Fire Chief

1. Call to Order and Pledge of Allegiance.

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

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

**Mike Darby motioned to have Item #12 (Public Comment) moved up between Items #2 and #3.  
Frank Maurizio seconded the motion.**

**Vote passed 5 – 0.**

(Go to Item #12)

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

There were no reports at this time.

4. Town Manager Report. (Non-Action)

Bill Kohbarger reported that Senator Harry Reid visited the Town on Monday, August 24. Town members talked about Last Chance Park and fairgrounds, the General Aviation Airport and Bureau of Land Management (BLM) disposable land. Also discussed was a railroad spur to Pahrump. Senator Reid advised he would have his staff research and assist the Town in getting the airport land conveyed to the Town at the appropriate time saving the Town money. Included in discussions with the County officials was BLM disposable land.

Mr. Kohbarger noted that an email to the Town Board and staff was put out to the public concerning Senator Reid's visit. Protestors disgraced the Town during the Senator's visit.

After discussing this with the Town Attorney, privileged emails will contain a private and confidential disclosure on his future emails.

5. Town Board Member's Comments. (Non-Action)

Frank Maurizio made a presentation to Dave Stevens.

Bill Dolan announced that the GC Wallace engineers are currently surveying parks. Park projects will be moving forward.

Vicky Parker announced that Great Basin College is has a Train the Trainer workshop and Al Balloqui is also teaching a class.

6. Discussion and possible decision on entering into a communications site lease agreement with GWRC-LLC or Vernon Van Winkle (Channel 41) to lease and manage the Town's TV tower. (Action)

Nicole Shupp asked if either of the proposed were certified engineers or will they be subcontracting the work.

Vern Van Winkle said he was not a certified engineer, but would have Todd Communications a local licensed business for tower maintenance. George Richardson stated he would use Delta Electric engineers and has several engineers that are used for different applications.

Mrs. Shupp questioned the \$1,200 to lease the tower. Mr. Richardson explained that the proposal of maintaining and operating the tower was in lieu of the \$1,200. This discussion had no barring of what was on the floor at the previous meeting.

There was discussion with Town Board members and Mr. Richardson about the Las Vegas stations and fees involved and what would be included in the 40-40-20 split. Revenues that George Richardson would handle would not be Pahrump companies. Revenues would offset the maintenance costs to the tower. It was noted that the insurance picked up the cost of moving the fire department antenna.

**Bill Dolan motioned to enter into an agreement with GWRC-LLC for control of the communications site lease agreement with the 40-40-20 split. Vicky Parker seconded.**

Janet Errett, Harley Kulkin, Vern Van Winkle, and Deanna O'Donnell commented.

Bill Dolan pointed out that routine maintenance would be absorbed out of GWRC 40 per cent and the contingency would take care of any major repairs that would not be covered by insurance.

**Vote passed 4 – 1. Mike Darby voted nay.**

7. Presentation and possible discussion of Federal Quarterly Report by Drivers Alert. (Non-Action)

Vaughn Thomas spokesperson for the Safe Drivers Alert Group gave a presentation and update of the project in Pahrump. He reported on having other interested parties and new things being developed such as advanced warning signs.

Bill Dolan asked how many accidents occurred before the sign placement. Mr. Thomas replied multiple. Mr. Dolan asked for specific information on accidents at the location in his

next report. Frank Maurizio asked if the signage was approved by the Department of Transportation. Mr. Thomas replied that they are permitted.

Comments were heard from Janet Errett, George Gingell, Ronda Van Winkle and Harley Kulkin.

The Board thanked Mr. Thomas for his presentation.

8. Discussion and possible decision regarding request for \$5,000.00 from Room Tax funds for Wild West Extravaganza. (Action)

Bob Baker, President of Pahrump Wild West Extravaganza (PWWE) provided history and information about the PWWE. Mr. Baker spoke of the events to take place. He informed the Board that he formed a non-profit so the event could continue. Bob Baker said he made an agreement with the Tourism Board that if they were given \$5,000 this year they would look at \$2,500 next year pending increased funds from other agencies; phasing out after the fourth year using all for advertising. Some of the events include a pony express ride, dinner and play, music, auction, gun show and a wild horse and burro sale through the BLM.

**Vicky Parker motioned to fund Pahrump Wild West Extravaganza up to \$5,000 for advertising. Mike Darby seconded the motion.**

Harley Kulkin, Art Jones, Debbie Hines and Dave Stevens commented.

**Vote passed 5 – 0.**

9. Discussion and possible decision on setting a date for the Town of Pahrump's 2010 July 4th Fireworks Display. (Action)

Vicky Parker explained that the earlier we work on a contract the better deal we get. Mrs. Parker noted that last year there were no non profits stepping forward to hold activities the day of the fireworks. Vicky Parker asked that a firm date be decided. She pointed out that the Nugget plans to have fireworks on July 4<sup>th</sup>, and therefore suggests the Town have their display on July 3<sup>rd</sup>, a Saturday.

Bill Dolan stated he spoke with the Chamber and they are looking at doing something at the park. It is time for the Town to have their fireworks on the 4<sup>th</sup> and let the Nugget have theirs on the third of July. Vicky Parker explained that for best show for the money, it should be held on July 3. If done on the fourth, it would be a much smaller show. Nicole Shupp stated at least it would be on the fourth. Bill Dolan suggested directing staff to contact the Nugget and work things out. Mike Darby said he was in favor of a two day festival with fireworks on July 3<sup>rd</sup>. Vicky Parker said she would consider fireworks on July 5<sup>th</sup>.

**Vicky Parker motioned to start getting things started and setting a date for the Freedom Festival on July 3<sup>rd</sup>, 2010. Mike Darby seconded the motion.**

Comments were heard from Buddy Von Weller, Harley Kulkin, Alan Bigelow, Robin Lloyd, Linda DeMeo, Dave Stevens, Donna Cox, Carl Moore, Harold Grimaud, Richard Fenton, and Sean Brooks.

**Mike Darby withdrew his second to the previous motion based on public comments.**

**Previous motion died for lack of a second.**

Vicky Parker noted that if held on the fourth, we would get half of the fireworks.

**Bill Dolan motioned to set the Town's 2010 4<sup>th</sup> of July fireworks for the 4<sup>th</sup> of July, and have staff communicate with the Nugget to work something out and they can have their display on the third. Mike Darby seconded the motion.**

**Vote passed 5 – 0.**

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

- a. Action – approval of Town vouchers
- b. Action – approval of Town Board meeting minutes of August 11, 2009
- c. Action – approval of Town Board meeting closed session minutes of August 11, 2009
- d. Action – approval of resignation of Gregory Schmaltz from the Nuclear Waste and Environmental Advisory Board effective immediately
- e. Action - approval of Laraine Harper, member; Charles Cochran, first alternate; and Don Rust, second alternate to the Tourism and Convention Council.
- f. Action – approval of Rebecca Oscarson as member to the Public Lands Advisory Board.
- g. Action – approval of request for 72 Hour Liquor Special Events permit for Pahrump Fall Festival, Kiwanis, American Legion Post 10042 and Nevada Home Land Heroes for September 24-27, 2009 at Petrack Park.
- h. Action- approval of request for 72 Hour Liquor Special Events Permit for Rising Star Equestrian Association for Horse Power & Barrels event, September 4-5, 2009 at McCullough Arena.

Bill Dolan asked for a correction to minutes of August 11; Item #2, there was a vote taken and needs to be added to the minutes.

**Bill Dolan motioned to accept the consent agenda a – h. Mike Darby seconded the motion.**

**Vote passed 5 – 0.**

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

Nothing scheduled.

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

This item was heard after Item #2.

John Koenig thanked the Board for moving Public Comment to the beginning of the meeting.

Janet Errett wished to speak on the Drivers Alert issue. She was informed she could comment when the item came up on the agenda.

Tony DeMeo talked about the new shooting park in Las Vegas.

Tom Zucchero thanked the Town Manager regarding contacting the Veteran's Affairs Office.

Charlie Anzalone commented on the age of the Community Center.

Harold Grimaud asked that public comment stay at the beginning of the meeting and have meeting backup at the meeting.

Harley Kulkin commented about Mr. Zucchero's situation.

13. Adjournment.

Meeting adjourned at approximately 8:30 p.m.

Respectfully submitted,

Vicky Parker, Clerk  
Pahrump Town Board

/cw