

**PAHRUMP TOWN BOARD MEETING
BOB RUUD COMMUNITY CENTER
150 N. HWY. 160
Tuesday – 7:00 P.M.
October 28, 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 only** regarding constituent request to apply temporary “head” tax for each dairy farm cow to use for paving fire paths, etc. Don Rust/Glenn Heesaker
7. **Discussion and decision** regarding possible solution to address citizen concerns regarding vagrancy in public parks interfering with citizen access to use facilities. Laurayne Murray
8. **Discussion and decision** pertaining to the Town’s Amusement Contract. Bill Dolan
9. **Discussion and decision** regarding review and discussion on placing a permanent item on the Town’s agenda, which states “Board Member Comments.” Bill Dolan
10. **Discussion and decision** regarding review of Town’s Personnel Policies. Town Manager
11. **Discussion and decision** regarding review of the Town Board Policy. Town Manager
12. **Discussion and decision** regarding review of Town Manager Policy. Town Manager
13. **Town Manager’s Report**
14. **Consent agenda items:**
 - a. Action – approval of Town vouchers
 - b. Action – approval of Town Board meeting minutes of October 14, 2008
 - c. Action – approval of Ambulance Write Offs – June 2008 – August 2008.
15. **Future Meetings/Workshops: Date, Time and Location.**
16. **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, TOWN ANNEX, 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.

2008 OCT 20 AM 10 07

DATE AGENDA ITEM SUBMITTED 10/20/08 DATE OF DESIRED BOARD MEETING 10/28/08

CIRCLE ONE: Discussion, Action, Decision or Discussion Only

ITEM REQUESTED FOR CONSIDERATION:

CONSTITUENT REQUEST TO APPLY
TEMPORARY "HEAD" TAX FOR EACH DAIRY FARM
OWN TO USE FOR HAVING FIRE FIGHTERS, ETC
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:

ABOVE

BACK UP ATTACHED: YES NO

SPONSORED BY: Bob Ruud
Town Board Member

NAME OF PRESENTER(S) OF ITEM: GLENN HEEBACHER

Print Name _____ Signature [Signature]

Mailing Address _____ Telephone Number _____

Don Rust, Board Member
Pahrump NV

The roads in the Pahrump Valley are narrow. There are many people who ride bicycles, walk, push baby carriages, use wheel chairs on these heavily traveled streets. This is a very unsafe situation as our police and ambulance crews can agree on after many unfortunate calls.

What we desperately need is a paved path along the streets for these people to use to go shopping, to the hospital, etc. The big question is where can we raise the monies to pay for the paved path. Since the property owners are already overtaxed it seems appropriate to tax each cow at the dairy/feedlot at .01 cent per day to help pay for the paths. This only being a TEMPORARY TAX - **sunset only when the paths are built.**



Glenn Heesacker
pgloafer@hotmail.com

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

10-3-2008

10-14-2008

*Changed
date to 10/14/08*

CIRCLE ONE: (Discussion, Action, Decision) or Discussion Only

ITEM REQUESTED FOR CONSIDERATION:

possible solution to address citizen concerns
regarding vagrancy in public parks
interfering with citizen access to use facilities.

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:

consider modifications to PTO 42

BACK UP ATTACHED: YES NO

SPONSORED BY: Laurayne Murray
Town Board Member

NAME OF PRESENTER(S) OF ITEM: _____

Laurayne Murray
Print Name

L Murray
Signature

Mailing Address

Telephone Number

*#12
#7*

PAHRUMP COMMUNITY PARKS RENTAL AGREEMENT

GROUP NAME: _____

CONTACT NAME: _____

CONTACT PHONE: _____

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

DATE REQUESTED: _____ TIME: _____

PLEASE INDICATE WHICH AREA YOU WILL BE USING:

Petrack Park _____ Honeysuckle Park _____ Simkins Park _____

Is Electricity needed: YES NO Number of boxes: _____

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

BY SIGNING THIS FORM, I AGREE TO:

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

Signature Date

Certificate of Liability Insurance submitted: YES NO

Will there be food vendors at your event? YES NO

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

FOR OFFICE USE ONLY
Returned To: _____ Signature: _____

Date Deposit Returned: _____ Staff Initials: _____

BILL NO. 03-

PAHRUMP TOWN ORDINANCE NO. 42

AN ORDINANCE ENACTING THE CRIMINAL MISDEMEANOR OFFENSES OF LOITERING AND PROWLING, ENUMERATING PROHIBITED ACTS, PENALTIES FOR VIOLATION, AND OTHER MATTER PROPERLY RELATING THERETO

WHEREAS, the Town Board of the unincorporated Town of Pahrump finds that it has the power to enact and enforce loitering and prowling ordinances under NRS 269.217; and

WHEREAS, the Town Board of the unincorporated Town of Pahrump desires to protect the public peace, morals and welfare of the citizens of the Town; and

WHEREAS, the Town Board of the unincorporated Town of Pahrump finds that enacting and enforcing a loitering and prowling ordinance is in the best interest of the citizens of the Town; and

NOW, THEREFORE, the Town Board of the unincorporated Town of Pahrump, Nye County, Nevada, does hereby ordain as follows:

Section 42.000. Prohibited Acts

It shall be unlawful for any person to:

1. Accost other persons in any public place or in any place open to the public for the purpose of begging or soliciting alms;
2. Go from house to house or business begging food, money or other articles, or seeks admission to such houses upon frivolous pretexts for no other apparent motive than to see who may be therein, or to gain an insight of the premises;
3. Loiter or wander upon the streets or from place to place without apparent reason or business and refuse to identify himself and to account for his presence when requested by any peace officer, if the surrounding circumstances are such as to indicate to a reasonable person that the public safety demands such identification;
4. Loiter, prowl or wander upon the private property of another, in the nighttime, without visible or lawful business with the owner or occupant thereof, or who, while loitering, prowl or wander upon the private property of another, peek in the door or window of any inhabited building or structure located thereon, without visible or lawful business with the owner or occupant thereof; or
5. Lodge in any building, structure or place, whether public or private, without the permission of the owner or person entitled to the possession or control thereof.
6. Sleep or loiter in the doorway of an otherwise unoccupied building, without the

permission of the owner or other person who is entitled to possession or control thereof.

Section 42.100 Penalty for Violation

Any person found guilty of a violation of this ordinance is guilty of a misdemeanor under the general laws of the state of Nevada and shall be punished by a fine not to exceed one thousand dollars (\$1,000.00) or by imprisonment not to exceed six months, or by both such fine and imprisonment, and additionally shall pay costs of suit. In no case shall costs be suspended.

Section 42.200 Effective Date

This Ordinance shall be in full force and effect from and after its passage, adoption and second publication in a newspaper printed and published within the Town of Pahrump, County of Nye, State of Nevada.

Proposed on the ____ day of _____,

Proposed by Board Member

Passed on the ____ day of _____,

VOTE:

AYES:

NAYS:

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
10/6/2008

DATE OF DESIRED BOARD MEETING
10/14/08

*Consent
given to
10/28/08*

CIRCLE ONE: Discussion, Action, Decision or Discussion Only

ITEM REQUESTED FOR CONSIDERATION:

Review and Discussion Pertaining to the Town's Amusement Contract.

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:

Placing a section in the current contract which states whom ever places a carnival
wihtin the Town must supply a list of their employees no less than two weeks prior
to them setting uptheir equipment to the Nye County Sheriff's office.

BACKUP ATTACHED: YES NO

SPONSORED BY: Town Board Member Bill Dolan

NAME OF PRESENTER(s) OF ITEM: Bill Dolan

Bill Dolan
Print Name

Signature

Town Office
Mailing Address

(775) 727-5107
Telephone Number

*#13
#8*

INLAND EMPIRE SHOWS, INC.
P O BOX 4345
MISSOULA, MT 59806-4345

AMUSEMENT CONTRACT

CITY: PAHRUMP

COUNTY: NYE

STATE: NEVADA

For valuable consideration, this agreement is entered into between INLAND EMPIRE SHOWS, INC., an Idaho Corporation, hereinafter known as INLAND, and TOWN of PAHRUMP hereinafter known as SPONSOR.

WITNESSETH:

(1) INLAND agrees to furnish to SPONSOR a combination of rides, shows, and food and game concessions, known as INLAND EMPIRE SHOWS, INC. and are to exhibit the same at the PAHRUMP FALL FESTIVAL LOCATION, which is hereby suitable to both parties, for a period of 4 days, commencing on or about OCTOBER 4-7, 2007. INLAND will be allowed to OCCUPY above location no later than OCTOBER 1, 2007, and WILL VACATE above location no later than OCTOBER 8, 2007.

(2) This contract is entered into for the dates above, for the years of 2007, 2008, & 2009. Before a contract may be given to any other person, company, corporation, or any other entity for the years 2010, 2011, &/or 2012, INLAND shall have the right of first refusal to perform the activities enumerated herein, in Section 4 for that entire three (3) year period.

FUTURE FESTIVAL DATES TO BE SET ON THE FIRST (1st) FULL WEEKEND IN OCTOBER!
FUTURE CONTRACT OPTIONS/RENEWALS SHALL BE DONE WITHIN 30 DAYS AFTER THE 2008
EVENT!

(12) In consideration of this agreement, SPONSOR is to receive:

5% TO \$100,000.00, 30% OF \$100,001.00 TO \$200,000.00, 35% ABOVE \$200,000.00
RETROACTIVE TO THE "FIRST DOLLAR" FOR EACH INCREASE of the ADJUSTED gross
received from the SALE of admission tickets to the various RIDES and SHOWS.

(13) SPONSOR is to receive SAME % of ALL ADVANCE SALE TICKETS sold by
SPONSOR. IF ADVANCE SALE TICKETS AND MONEY ARE NOT ACCOUNTED FOR IN
INLAND'S OFFICE PRIOR TO OPENING ON FIRST DAY OF EVENT, SPONSOR WILL
RECEIVE 1/2 (ONE-HALF) OF THE PERCENTAGE AGREED FOR ADVANCE SALE!

(14) ALL PERCENTAGE CALCULATIONS ARE TO BE FIGURED AFTER ALL FEDERAL,
STATE, COUNTY, and/or CITY TAXES, 10% OF ALL RIDE GROSS FOR INSURANCE
AND:

(15) Added provisions:

(1) \$50.00 PER CONCESSION TO \$100,000 RIDE GROSS, INCREASE TO \$100 PER
CONCESSION WHEN RIDE GROSS EXCEEDS \$100,001, INCREASE TO \$200 PER
CONCESSION WHEN RIDE GROSS EXCEEDS \$200,000!

(NOT A TOTAL OF ALL THREE!)

(2) \$1,500.00 FOR ADVANCE SALE ADVERTISING, AND SECURITY.

(3) INLAND WILL SUPPLY 8 PORTABLE TOILETS IN THE CARNIVAL AREA.

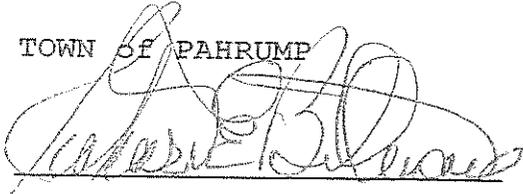
(16) INLAND agrees to furnish PROOF OF INSURANCE naming SPONSOR, PROPERTY
OWNER, and APPLICABLE GOVERNMENTAL BODY GRANTING LICENSE as CO-INSURED,
with an insurance carrier authorized to do business in the state where
this contract is applicable, for personal injury and property damage in
the minimum amount of \$1,000,000.00.

(24) INLAND SHALL NOT BE BOUND HEREUNDER FOR FAILURE TO PERFORM THIS CONTRACT DUE TO FIRE, FLOODS, STRIKES, WRECKS, TORNADOES, FAILURE OF TRANSPORTATION, ACTIONS OF ANY GOVERNMENTAL AGENCY, ACTS OF GOD OR OTHER CAUSES BEYOND ITS CONTROL, WHICH, AT THE OPTION OF INLAND EMPIRE SHOWS, INC., MAY NULL AND VOID THIS CONTRACT.

SPONSOR: TOWN OF PAHRUMP

INLAND EMPIRE SHOWS, INC.

BY:



BY:



DATE:

9/21/2006, 2005

DATE:

Oct 2, 06, 2005 *AW*

SEND TO:

MAIL: NENA KELLY
MICHAEL SULLIVAN

DEL: SAME

PAHRUMP FALL FESTIVAL

SAME

TOWN of PAHRUMP

SAME

400 N HWY 160

SAME

PAHRUMP, NV 89060

SAME

0/10/05

INLAND EMPIRE SHOWS, INC.
P O BOX 4345
MISSOULA, MT 59806-4345

AMUSEMENT CONTRACT DATE CHANGE ADDENDUM

CITY: PAHRUMP

COUNTY: NYE

STATE: NEVADA

INLAND EMPIRE SHOWS, INC., an Idaho Corporation, and the TOWN of PAHRUMP, do hereby mutually agree to CHANGE the dates of the PAHRUMP FALL FESTIVAL for the year of 2008, in the amusement contract between INLAND EMPIRE SHOWS, INC & the TOWN of PAHRUMP signed on OCTOBER 2, 06, & SEPTEMBER 26, 06 respectively.

The NEW DATE for the PAHRUMP FALL FESTIVAL in 2008 WILL BE SEPTEMBER 25-28!

SPONSOR: TOWN of PAHRUMP

INLAND EMPIRE SHOWS, INC.

BY:

David Richards

BY:

Reed Williams

PRINT:

DAVID RICHARDS

PRINT:

L REED WILLIAMS

DATE:

2-5-08, 2007

DATE:

NOV 1, 2007

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
10/6/2008

DATE OF DESIRED BOARD MEETING
10/14/08

*Carroll
10/28/08*

CIRCLE ONE: Discussion, Action, Decision or Discussion Only

ITEM REQUESTED FOR CONSIDERATION:

Review and Discussion on Placing a Permanent Item on the Town's Agenda, which States "Board Member Comments"

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:

Placing a permanent agenda item at the end of the agenda for anything a Board Member wants staff to look into or bring up to other Town Board members.

BACKUP ATTACHED: YES NO

SPONSORED BY: Town Board Member Bill Dolan

NAME OF PRESENTER(S) OF ITEM: Bill Dolan

Bill Dolan

Print Name

Signature

Town Office

Mailing Address

(775) 727-5107

Telephone Number

*#17
#9*

NRS 241.020 Meetings to be open and public; limitations on closure of meetings; notice of meetings; copy of materials; exceptions.

1. Except as otherwise provided by specific statute, all meetings of public bodies must be open and public, and all persons must be permitted to attend any meeting of these public bodies. A meeting that is closed pursuant to a specific statute may only be closed to the extent specified in the statute allowing the meeting to be closed. All other portions of the meeting must be open and public, and the public body must comply with all other provisions of this chapter to the extent not specifically precluded by the specific statute. Public officers and employees responsible for these meetings shall make reasonable efforts to assist and accommodate persons with physical disabilities desiring to attend.

2. Except in an emergency, written notice of all meetings must be given at least 3 working days before the meeting. The notice must include:

(a) The time, place and location of the meeting.

(b) A list of the locations where the notice has been posted.

(c) An agenda consisting of:

(1) A clear and complete statement of the topics scheduled to be considered during the meeting.

(2) A list describing the items on which action may be taken and clearly denoting that action may be taken on those items.

(3) A period devoted to comments by the general public, if any, and discussion of those comments. No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken pursuant to subparagraph (2).

(4) If any portion of the meeting will be closed to consider the character, alleged misconduct or professional competence of a person, the name of the person whose character, alleged misconduct or professional competence will be considered.

(5) If, during any portion of the meeting, the public body will consider whether to take administrative action against a person, the name of the person against whom administrative action may be taken.

3. Minimum public notice is:

(a) Posting a copy of the notice at the principal office of the public body or, if there is no principal office, at the building in which the meeting is to be held, and at not less than three other separate, prominent places within the jurisdiction of the public body not later than 9 a.m. of the third working day before the meeting; and

(b) Providing a copy of the notice to any person who has requested notice of the meetings of the public body. A request for notice lapses 6 months after it is made. The public body shall inform the requester of this fact by enclosure with, notation upon or text included within the first notice sent. The notice must be:

(1) Delivered to the postal service used by the public body not later than 9 a.m. of the third working day before the meeting for transmittal to the requester by regular mail; or

(2) If feasible for the public body and the requester has agreed to receive the public notice by electronic mail, transmitted to the requester by electronic mail sent not later than 9 a.m. of the third working day before the meeting.

4. If a public body maintains a website on the Internet or its successor, the public body shall post notice of each of its meetings on its website unless the public body is unable to do so because of technical problems relating to the operation or maintenance of its website. Notice posted pursuant to this subsection is supplemental to and is not a substitute for the minimum public notice required pursuant to subsection 3. The inability of a public body to post notice of a meeting pursuant to this subsection as a result of technical problems with its website shall not be deemed to be a violation of the provisions of this chapter.

5. Upon any request, a public body shall provide, at no charge, at least one copy of:

(a) An agenda for a public meeting;

(b) A proposed ordinance or regulation which will be discussed at the public meeting; and

(c) Subject to the provisions of subsection 6, any other supporting material provided to the members of the public body for an item on the agenda, except materials:

(1) Submitted to the public body pursuant to a nondisclosure or confidentiality agreement which relates to proprietary information;

(2) Pertaining to the closed portion of such a meeting of the public body; or

(3) Declared confidential by law, unless otherwise agreed to by each person whose interest is being protected under the order of confidentiality.

↪ As used in this subsection, "proprietary information" has the meaning ascribed to it in NRS 332.025.

6. A copy of supporting material required to be provided upon request pursuant to paragraph (c) of subsection 5 must be:

(a) If the supporting material is provided to the members of the public body before the meeting, made available to the requester at the time the material is provided to the members of the public body; or

(b) If the supporting material is provided to the members of the public body at the meeting, made available at the meeting to the requester at the same time the material is provided to the members of the public body.

↪ If the requester has agreed to receive the information and material set forth in subsection 5 by electronic mail, the public body shall, if feasible, provide the information and material by electronic mail.

7. A public body may provide the public notice, information and material required by this section by electronic mail. If a public body makes such notice, information and material available by electronic mail, the public body shall inquire of a person who requests the notice, information or material if the person will accept receipt by electronic mail. The inability of a public body, as a result of technical problems with its electronic mail system, to provide a public notice, information or material required by this section to a person who has agreed to receive such notice, information or material by electronic mail shall not be deemed to be a violation of the provisions of this chapter.

8. As used in this section, "emergency" means an unforeseen circumstance which requires immediate action and includes, but is not limited to:

(a) Disasters caused by fire, flood, earthquake or other natural causes; or

(b) Any impairment of the health and safety of the public.

(Added to NRS by 1960, 25; A 1977, 1099, 1109; 1979, 97; 1989, 570; 1991, 785; 1993, 1356, 2636; 1995, 562, 1608;

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 10/21/2008	DATE OF DESIRED BOARD MEETING 10/28/2008
--	---

CIRCLE ONE: Discussion, Action, Decision or Discussion Only

ITEM REQUESTED FOR CONSIDERATION:
Review of Town Board Policy

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:
Mrs. Bostwick and I have reviewed and made several changes to the TMP

2008 OCT 20 PM 4 01

BACKUP ATTACHED: YES NO

SPONSORED BY: Town Manager

NAME OF PRESENTER(S) OF ITEM: William A. Kohbarger

<u>William A. Kohbarger</u> Print Name	<u></u> Signature
---	--

<u>Town of Pahrump</u> Mailing Address	<u>(775) 727-5107</u> Telephone Number
---	---

PAHRUMP TOWN BOARD [1999] 2008 2004 POLICY

The Guideline for the Town Board of an Unincorporated Town is NRS 269.

SECTION I. TOWN BOARD

A. Policy

The Board shall approve policies that will govern the employees Town Manager, departments, employees and volunteers of the Unincorporated Town of Pahrump.

B. Budget

The Town Board shall oversee the Town budget with the Town Manager and Chief Financial Officer and shall help draft the annual budget with staff and consultants for submission to the Nevada State Taxation Department.

C. Meetings

The Board shall hold meetings on the second and fourth Tuesday of each month unless otherwise determined by the Town Board.

In addition to those listed above, the Board may call special meetings and emergency meetings when necessary. Board workshops may also be held as necessary.

Meeting Rules

1. All meetings will be recorded in compliance with the Open Meeting Law.
2. There will be no smoking at the Board meetings.
3. There are procedural rules for Town Board meetings attached to each agenda.
4. At least one copy of the backup material shall be available on the table at the rear of the room for the public to view.
5. All speakers must come to the podium, be recognized, and state their name.
6. With the exception of emergency personnel, all cell phones and pagers must be turned off before entering the building for the meeting. This rule applies to both the public and to Town Board Members.

D Ordinances and Resolutions

The Board shall draft or have drafted all necessary ordinances and resolutions as per Nevada Revised Statutes, Chapter 269. Public hearings shall be held prior to voting on all ordinances.

E Liaisons

Board members shall serve as liaisons to Town Advisory Boards as a direct line of communication regarding problems, needs and directives prescribed by the Board. Liaison reports should be given to the Town Board at the meeting immediately following the advisory board meeting as to ongoing and proposed projects.

Liaison to Town Manager

Two members of the Pahrump Town Board shall be appointed for one (1) year terms by the Chairman to as a liaisons between the Town Manager and Town Board. It is the responsibility of both of the Town Manager Liaisons to: (1) create a performance evaluation for the Town Manager; (2) distribute the evaluations to the entire Board; (3) meet with the Town Manager to discuss the evaluations; (4) make recommendations for pay increases, if appropriate under the Town Manager's contract; and (5) meet at least once per month with the Town Manager to discuss any projects/issues/questions/concerns/.

All meetings with the Town Manager to discuss these issues shall be held with both Liaisons.

Nevertheless, nothing in this section prohibits the entire or a majority of the Town Board Members from meeting with the Town Manager under the provisions of NRS 288.220(4). This statute enables a governing body to meet with its management representative without holding an open or public meeting.

F Officers

At the first meeting of each year the Board shall choose the Chairman, Vice Chairman and Town Clerk for that year.

G Agenda

It is the responsibility of the Town Clerk or designee to ensure see that the agenda are posted according to the Open Meeting Laws of the State of Nevada.

Anyone can request that items be placed on the agenda by filling out the proper paperwork and attaching back up materials.

An item(s) may be placed on the agenda by any Town Board Member or the Town

Manager. The agenda item must clearly state who requested the item. Members of the public who wish to place items on the agenda must have a sponsor from the Town Board. In this case, the agenda item must clearly state both the name of the Board member of the public and the sponsoring Town Board Member.

Items placed on the agenda may only be removed by the person(s) requesting the item or by a majority vote of the Town Board.

H Chairman

1. The Chairman shall preside at all meetings of the Town Board.
2. The Chairman shall appoint, with the approval of the Board, all Advisory Boards. Whenever possible the Chairman shall designate a member of the Board as liaison to the Advisory Board.
3. The Chairman may designate a member of the Board to represent the Board at social functions if the Chairman is unable to attend.
4. Two members of the Town Board will be designated to review the vouchers prior to each meeting. Members will serve three months at a time.
5. The Chairperson is required to attend at least two (2) Board of Commissioner meeting in each yearly quarter.

I Town Clerk

1. The Town Clerk or designee shall be responsible for the posting of all Board agenda and shall carry items tabled over to the next agenda, unless the Town Board specifies an agenda date or directs the Town Clerk to remove the item from for the agenda entirely.
2. The Town Clerk or designee shall be responsible for taking the minutes of all Board meetings and shall keep them in a place where the public can view them if desired. The Town Clerk shall also see that applicable fees are collected.
3. The Town Clerk or designee shall be responsible for sending copies of all agenda/minutes of the Board meetings to the Nye County Clerk
4. The Town Clerk or designee shall keep a record of all ordinances and resolutions by bill number and ordinance number and shall issue all bill and ordinance numbers.
5. The Town Clerk or designee shall be responsible for all correspondence of the Board, except as provided in Section E herein. The Town Clerk shall assume the duties of liaison to the Administrative Department, except as provided in Section E herein.

6. The Town Clerk or designee is responsible for carrying out all duties at the request of the Board.

J Vice Chairman

The Vice Chairman shall preside over all meetings of the Board in the absence or incapacity of the Chairman and shall be responsible for fulfilling the Chairman's duties.

K Personnel Meetings

The Town Board shall grant personnel meetings at the request of the Town Manager of any employee at the next regularly scheduled meeting of the Board.

The Town Board shall hold closed personnel meetings as needed, in compliance with Nevada Revised Statutes and the Open Meeting Law for Closed Personnel Meetings.

Closed sessions may be held by any public body to consider character, alleged misconduct, professional competence, or the physical or mental health of a person, with some exceptions.

L Single Board Member Action for the Board

A single member may act for the Board if prior authority has been given by the Board in an open meeting, for a particular situation or time period.

M The Board shall update or delete portions of this policy as necessary, for maximum efficiency, every two (2) years.

N. Document Distribution

All Town Board Members shall create a list of persons designated to pick up documents and other materials from the Town Office. All documents that are designated as non-confidential may be picked up by any person on that list so long as that person signs a sheet indicating the name of document, date, and time of pick up. Materials that are designated as "confidential," i.e. those protected by attorney-client privilege and other sensitive materials cannot be removed from the Town Office. Confidential documents may only be viewed during normal business hours in the Town Office. In the event there is a question of confidentiality, the Chairperson of the Town Board shall decide whether to classify the document as confidential or non-confidential (unless the document is declared by law to be confidential). The Chairperson's determination may only be overridden by a majority vote of the Town Board. If the Town Board determines that a document is not confidential, the document must be personally retrieved by the Town Board Member.

Adopted this ___ day of _____, 2008 2005

Pahrump Town Board
Section II
2008

Town Manager Policy

TOWN MANAGER

Definition:

Under policy guidance, the Town Manager is responsible for implementing the policies set forth by the Town Board, and for the effective administration and management of all Town activities and operations.

Desirable Qualifications:

Bachelor's degree in public administration or related field, and ten years of progressively responsible management experience in public administration; Master's degree in public administration or related field is desirable; or any combination of education and experience, which would provide the applicant with the desired skills, knowledge, and ability, required to perform the job. High school graduate with additional college credit, with major emphasis in public administration or specialized training in governmental operations and procedures and/or extensive practical experience and knowledge of administrative practices in local government, utilities, safety and public works of towns comparable in size to the Town of Pahrump.

Supersedes:

This policy supersedes Section II of the 2004 1992 Pahrump Town Board policy.

Duties:

1. Overseeing Town expenditures as set by the Pahrump Town Board in the annual Town Budgets. Advising the Board of excess or insufficient funds for items budgeted as soon as possible.
2. The Distribution, implementation, and enforcement of the policies of the Pahrump Town Board. Advising the Board if new policies are warranted and/or whether existing policies are or are not effective for reasons for which they were adopted.
3. Providing reports as requested by the Town Board at date and time indicated.
4. Being available to the Town Board members for meetings as required or deemed necessary. Attend at least one of each committee meeting per month [and receive overtime compensation for such].

5. Shall review all employees or new applicants' credentials and conduct background checks when such person is being considered for employment, promotion, or movement to any other position within the Town. Confer with department heads as to the number of employees and the qualifications required to manage that department. [or advancement to department head, and report his findings and recommendations].
6. Work jointly with the Finance Director to prepare a tentative Town budget to be presented to the Board approximately six (6) weeks prior to the last quarter of the fiscal year. , at a special Board meeting set specifically for the budget discussion and preparation.
7. Oversee the financial process to provide prepared expenditure vouchers for the Town Board approval and signature. Should an emergency situation arise that calls for expenditure(s) not covered in the annual budget, the[y] emergency shall be presented to the Board for approval as soon as possible. In the interim, [This shall be prior to action taken or letting or accepting of bids or pay outs from petty cash in amounts larger than \$1,500.00.], the Town Manager may spend up to and including the amount that covers the emergency expenses \$5,000.00 without prior Town Board approval. [If less than the \$1,500.00, a] A written report detailing the emergency expenditure shall be submitted to the Board, indicating the need for this expenditure, at the next Board meeting. At no time shall the Town Manager knowingly take any action that would be in conflict with any NRS. for which the Board would ultimately be responsible. Should the Town Manager be found to be in conflict with any NRS or Town policy, it would be considered grounds for [possible] discipline up to and including termination.
8. The Town Manager has discretionary spending up to \$25,000.00 \$5,000.00 for non-emergency matters. He shall provide monthly reports of the non-emergency expenditures at the next last Town Board meeting of each month.
9. Maintain a working relationship with Federal, State and County officials and departments and to advise the Board of any friction that could be detected and recommend possible alternative action that could be taken to correct the situation.
10. Shall act as liaison between the Town Board and Town employees in all cases requiring the Town Board action pertaining to employees.
11. Town manager will sign all employees' time cards authorizing payment. and shall be held accountable for their accuracy.

12. A planned project must be submitted to the Board in written form and must contain starting and completion dates. Written and/or verbal quarterly progress reports must be made.
13. The town manager shall keep the Town Board advised of all proposed new construction and obtain approval for same.
14. Keep The town manager shall keep the Town Board advised of all proposed new construction, major changes, removals or destruction of Town properties and obtain prior Town Board approval.
15. Keep the Town Board advised of all major needs, equipment or supplies and obtain approval prior to purchase.
16. The hiring of qualified personnel to fill job requirements, insisting on minimum levels of job skills, experience and proficiency, except as already regulated by any collective bargaining agreement. To confer with department heads as to the number of employees and the qualifications required to manage that department.
17. To transfer employees, upon request of department heads, from one department to another during periods of need such as emergency or vacancies in manpower requirements. Further, The Town Manager has the authority to determine appropriate staffing levels and to eliminate positions as he deems necessary.
18. The town manager has the authority to suspend or discharge fire all Town employees except department heads, for any act that is classified as a felony crime as described in the NRS or that is in complete contradiction to Town policies. In the case of a department head found in this situation, the town manager shall have the authority to suspend the department head prior to notifying the Town Board for further actions. until shall advise the Chairman of the Board and await the decision of the Board.
19. Shall supervise the part time pool supervisor for the period of time that the pool is open and shall oversee the annual pool budget, advising the Board of any abnormalities that may arise and await the Board's decision as to action to be taken.
20. Shall follow the Town's Personnel Policy Manual pertaining to Personnel and Hiring matters. Participate in personnel meetings or upon request of department heads, conduct personnel meetings, providing department heads are unable to correct situation.
21. Obtain progress reports from department heads on new employees each quarter during their probation period, ascertaining efficiency,

dependability and their qualifications as described on application as to further employment or termination considerations and annually thereafter.

22. May fill positions vacated with temporary help at [this time.] the time the vacancy occurs. At the next Town Board meeting, it will be brought to the attention of the Board. Thereafter, [During this time] the Manager may [will] advertise in the local paper for the position to be filled, giving qualifications and experience required.

Qualified Pahrump residents shall be considered first for any position of employment. If unable to fill the vacancy, a permanent in-house transfer of employee is then possible if the employee indicates ability for the job and is trainable.

The town manager shall hire Contract labor that does not exceed a total sum of \$25,000.00 \$5,000.00 may be hired by the Town manager. Any amount exceeding \$25,000.00 \$5,000.00 requires a prior Town Board approval. [No contract labor work shall be done without the prior approval of the Board.] Contract labor is for a specific job with specified payment and duration.

23. Shall instruct all department heads to submit progress reports of employees, payroll cards and any letters of reprimand. All material is to be signed by the department heads and submitted to the Town Manager to be reviewed and signed by the Town Manager and placed in employees personnel file by administrative personnel.
24. The town manager, if necessary, shall issue discipline up to and including termination to all employees pursuant to the Personnel Policy Manual and/or the collective bargaining agreement. The town manager must obtain approval from the Town Board to terminate a department head. With the exception of Department Heads and matters regulated by a collective bargaining agreement, the Town Manager himself, if necessary, shall issue verbal or written reprimands or terminations if it becomes necessary for due cause.

He shall advise department heads of the action taken in this regard and follow the Personnel Policies and Procedures regarding information which can be contained in an employee's file [make note of it to be made part of the personnel employment record of the individual involved].

25. The Town Manager shall delegate his authority by appointing a supervisor among the grounds work force. This supervisor will be required to make weekly reports to the Town Manager of job completion and new jobs started and any problems regarding personnel or equipment.

If an absence of more than one (1) week is anticipated by the Town Manager, he may appoint a substitute. If the absence is an emergency, the Board will appoint a substitute.

26. The town manager shall set policy pertaining to the maintenance of, operation of, and use of Town owned vehicles including the exceptions pertaining to Town owned vehicles already established by the Town Board. The Town Manager will delegate the enacting of [will enact] a Service and Repair Policy for all Town vehicles. He shall set a policy regarding use of vehicles, except as specified by the Town Board for certain employees, such as Fire Department, and Town Manager shall set policy regarding use of Town vehicles. All others shall be parked during non-working hours at a designated location. Department heads are in charge of their fields of expertise but still come under the Town Manager's jurisdiction as to maintenance of buildings and vehicles.
27. The town manager is to obtain all bills passed by the Legislature while in session that would affect the Township or surrounding areas.
28. The Department Heads of the Town are the: (1) Fire Chief; (2) Finance Director; and (3) Supervisor of Buildings and Grounds.

TOWN BOARD

TOWN MANAGER

FIRE DEPARTMENT BUILDINGS & GROUNDS VEHICLES

29. The Town Manager is directly accountable and under the supervision of the Town Board. or its Town Board designee.

Adopted this _____ day of _____, 2008

Town Board Chairperson

Town Clerk

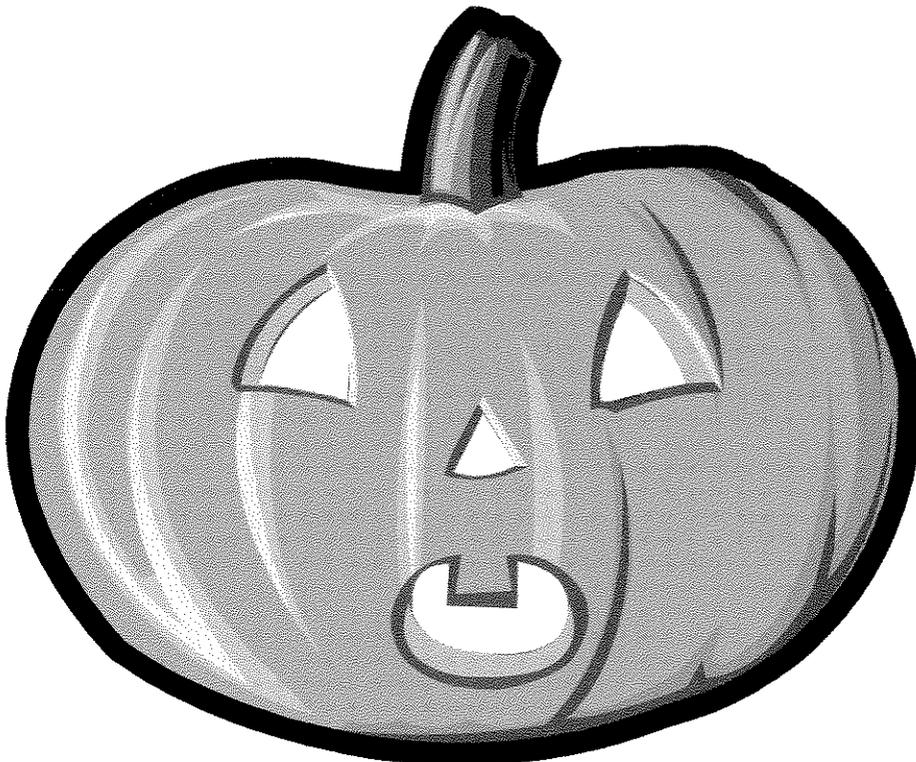
Town Manager Report
10/28/08

1. Agenda Item #10 Town's Personnel Policies – Mrs. Bostwick and I reviewed the PPM pursuant to the Town Manager Goals & Objectives. We made several changes to update the PPM to bring the PPM up to current HR standards.
2. Agenda Item #11 Town Board Policy – I reviewed the TBP pursuant to the Town Manager Goals & Objectives. Several small changes are being requested. (NOTE: Changes designated in BLUE font are being requested ADDED, while changes designated in RED font are being requested DELETED)
3. Agenda Item #12 Town Manager Policy – Mrs. Bostwick and I reviewed the TMP pursuant to the Town Manager Goals & Objectives. Numerous changes are being requested. (NOTE: Changes designated in BLUE font are being requested ADDED, while changes designated in RED font are being requested DELETED)
4. Airport:
 - a. Town Board Resolution #2008-16 was forwarded to the County for their consideration. The County did approve going forward requesting a right-a-way for the access road and are currently working with the Town's consultants and BLM to get this process completed.
 - b. Airport – I have been instructed by the FAA, that the Town along with our consultants needs to meet with the FAA in San Francisco in November. The FFA will be conducting their annual Airport Capital Improvement meetings in which they will be inquiring as to where the Town is with the airport project and obtaining information for their upcoming budget process. We are currently working out the dates. In addition, the FAA will be in Pahrump on Oct 28, 2008 for a meet and greet.
5. CCA Development Agreement – I was brought to the negotiating table by the County and have been actively participating with the County negotiating the DA.
6. Ruud Community Center Roof – The Town has \$75,000.00 sitting in an account with the County. After speaking with Pam Webster, Asst County Manager, Matt Luis, Building & Grounds Supervisor and Rick Campbell, Town Attorney this project is slated to start within the next 30-days pending the development process i.e., architectural design process, County approval process and bid process.
7. Station 5 Fire Department – Plans are being drafted by the winning bidder and actual construction is scheduled for next week pending approval by the County building process.
8. PARC – Negotiations are currently on going between the Town and Fish & Wildlife and the BLM. Mr. Balloqui is diligently working on this project. Mr. Balloqui and I met via telephone with the new BLM Pahrump Field Office Manager, Mr. Patrick Putnam. During this phone conversation we discussed several options on costs that we need to obtain BLM approval.

#13

Town Manager Report
10/28/08

9. Regent Holidays, Inc. (Pahrump Express) – I will be testifying at the November 20, 2008 hearing in front of the Nevada Transportation Authority on the fact that Pahrump needs and desires mass Transit from Pahrump to Las Vegas. I will also be presenting the numerous letters of support I have received from Pahrump citizens.
10. The School District is close to completing their PSA's pertaining to school bus stops and other activities. They hope to have the PSA's on the air shortly.
11. Goals & Objectives:
 - a. #1 Relationship with the County – The relation between Nye County and Town of Pahrump are very well. The County Manager and I have agreed to meet monthly. The County invited me (the Town) to participate on the negotiating team for the CCA DA. I continue to have interaction with the Planning and Building & Safety Departments with communications flowing back and forth. I have worked with the County's Code Enforcement people to file several complaints on numerous properties within the Town of Pahrump.
 - b. #2 Census 2010 – This G&O has been completed.
 - c. #4 PPM, TMP, & TBP – On 10/28/08 Town Board Agenda for approval.
12. See attached a copy of my October and November calendars.



Happy Halloween

October 2008

October 2008

November 2008

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

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

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
		October 1			
		10:00am Tim Farkas 7:00pm Public Lands	7:00am Tourism 10:00am Jim Braswell 11:00am Pre meeting with Ira Cotler (Admin conf. room)	10:00am Rick/Kirby TA's	
6	7	8	9	10	11
9:00am Spalding 10:00am Matt Luis 1:30pm Chamber 3:00pm FAA Teleconference	9:00am Nanette-NDOT 10:00am BoCC	10:00am PAVED 11:00am County CCA DA 6:00pm Regional Planning Commission	9:00am Meet Ira Cotler Pre meeting before meeting with CCA (Admin Conf. room)	11:00am Shea Brothers	8:00am MAPP Meeting
13	14	15	16	17	18
10:00am ICMA-RC 10:30am UNR/UNLV Incorp Study	9:00am Utility Meeting 7:00pm Town Board	10:00am Senator Reid 10:00am Loreli Nolan-County	9:00am Luraine Wulfy		
20	21	22	23	24	25
11:30am Chamber Lunch 5:30pm Channel 30	12:00pm County-Lunch 2:00pm Web QA 5:00pm PAVED	9:00am County-CCA 11:30am Patrick Putnam BLM	9:00am County Planning 12:00pm SNPLM Act	7:00am Key Account EVA	
27	28	29	30	31	
	10:00am Abel-FAA 7:00pm Town Board	9:00am Dept Head Meeting	10:00am FAA/BLM Teleconference		

**PAHRUMP TOWN BOARD MEETING
BOB RUUD COMMUNITY CENTER
150 N. HWY. 160
Tuesday – 7:00 P.M.
October 14, 2008**

MINUTES

PRESENT:

Laurayne Murray
Nicole Shupp
Don Rust
Bill Dolan
Rick Campbell, Attorney

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

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

2. Discussion and decision regarding agenda items.

Bill Kohbarger asked that Item #7 be tabled indefinitely.

Bill Dolan motioned to table Item #7 indefinitely. Nicole Shupp seconded the motion.

Vote passed 4 – 0.

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)).

David Fraser, Executive Director of the Nevada League of Cities was introduced by the Town Manager. Mr. Fraser explained the NLC including elected officials training and thanked the Town Board for their representation at the conference.

Ed Maznicki talked about the services provided by SCORE for small businesses.

Caroline Endersby announced that all citizens were invited to an organizational meeting for the League of Women Voters Chapter being formed. The meeting will be held on October 22, at 5:30 p.m. at the Job Connect Offices.

4. Advisory Board Reports

Bill Dolan announced that the Pahrump Veteran's Memorial Advisory Board will be meeting on October 16 at the Town Annex at 7:00 p.m.

Bob Irving gave an update on the Fall Festival events.

Al Balloqui announced that the Public Lands Advisory Board will meet on November 5th and will have open discussions regarding a grant received for 400 hours of landscaping and design work. Nicole Shupp announced there will be a Jeep Tour of the Last Chance Park on Saturday, October 18, at 8:00 a.m.

5. Announcements and "Good News".

Don Rust announced that Legal Aid Services are now available through No To Abuse.

Bill Kohbarger announced that his is working with NDOT and they will be cleaning up Highway 160 and will be doing it on a bi-monthly basis and will help with removal of illegal signage.

Bill Dolan announced he Mrs. Shupp had been to Nellis Air Force Base and saw their 140 acre solar power area.

Art Jones announced thanked the Fall Festival Parade committee and those that participated in the parade.

Laurayne Murray announced that Senator Harry Reid will hold a Town Hall meeting on October 15, at the Community Center at 10:00 a.m. and will be touring the site for Great Basin College.

Mrs. Murray announced that former Town Board member Ron Johnson had passed away and sent sympathies to his family.

6. Discussion and decision regarding contract with Armstrong-Teasdale for service as the Town's Attorney of record. Town Board

Bill Kohbarger introduced Armstrong-Teasdale representative, Rick Campbell. Laurayne Murray noted that comments were made previously regarding clarifications and modifications to the language in the contract. One of the questions pertained to rollover of hours from a previous month. Mrs. Murray asked if the rollover was cumulative. Mr. Campbell replied they are cumulative. Mrs. Murray clarified that there would be no expiration on the rollover time. It was questioned whether the letter of agreement was suitable rather than a contract.

Bill Dolan motioned to accept the contract with Armstrong-Teasdale for services as Town Attorney. Nicole Shupp seconded the motion.

Dave Stevens asked if the contract was month to month. Laurayne Murray pointed out that the contract can be terminated by either party with one month written notice.

Vote passed 4 – 0.

7. Third Reading and Discussion and decision for amendment to Pahrump Town Ordinance 32 – Room Tax – increasing rates from 9% to 11% with the 2% designated for Economic Development. Town Board/Town Manager

This item was tabled indefinitely as stated above.

8. Discussion and decision regarding review and possible approval of awarding the winning Request For Proposal (RFP) for the Fire Station #5 Kitchen Remodel. Town Manager/Matt Luis

Town Manager said he agreed with the recommendation by Matt Luis.

Don Rust motioned to accept the bid of The Eysenbeck Company to perform the work at Fire Station #5 as submitted and recommended by staff. Bill Dolan seconded the motion.

Bob Irving commented about the possibility of future growth. Mrs. Shupp explained that this is to make those using the facility comfortable at this time. The Town cannot afford to hire more personnel at this time to justify an expansion. Sean Brooks asked if there has to be a full remodel at this time and provide for a few amenities and to look at the future to an expansion. Bill Dolan added that this is the minimum at this time and may have to be torn down and do a rebuild in the future. Dave Stevens commented that we should back our fire department. Vicky Parker said she was unsure a kitchen will make it habitable.

Bill Dolan asked if there was a timeframe. Matt Luis replied that they are ready to start after pulling permits. It can be completed in 15 days. Construction should begin the end of next week.

Laurayne Murray disclosed that one of the applicants of the RFP is a member of the Regional Planning Commission as is she. Mrs. Murray stated she has had no conversation regarding the bid and have nothing to gain by voting on this item. She will be voting.

Vote passed 4 – 0.

9. Discussion and possible action and decision regarding grant requests for Pahrump Arts Council. Laurayne Murray/Loretta Lindell

Loretta Lindell, volunteer grants writer for the Pahrump Arts Council (PAC) explained that they have done all that is requested through the Tourism Advisory Board grant process. This request will cover three PAC events; Missoula Children’s Theater, the Nevada Arts Council Touring Exhibit, and the Community Choir Winter Concert.

Bill Dolan asked about information provided in the backup outlining the PAC funding requests. It was explained that the letter outlined all of their events (12) and at this time they are only asking for the funds to cover three events and not all \$40,000 as stated in the letter. There was discussion regarding concerns for this funding. Laurayne Murray explained the budget process and how monies are dispersed from receipts for each project.

Don Rust motioned to approve the request for the three items on the agenda; Missoula Children’s Theater, \$3,000; Nevada Arts Council Touring Exhibit,\$350; and the Community Choir Winter Concert, \$1,500; for a total of \$4,850 from an amount already budgeted for this fiscal year from Room Tax. Bill Dolan seconded the motion.

Bill Kohbarger asked how many people outside Pahrump come to these events. Loretta Lindell responded that approximately 20% depending on the event. This is not a tourism related organization. Mrs. Lindell noted they are an Arts related organization and feels strongly that they are an important part of the community.

Dave Stevens, Rodney Commacho commented that people from outside Pahrump attend the Missoula Children’s play as well as their other events, and apologized for the confusion of the addition of the letter to the backup. Bill Dolan asked if there is a charge for attending the events. Mr. Commacho replied a fee is not charged for all events. Allison Salmon commented that she strongly encouraged the Board to support these programs. Bill Dolan said the Town must be frugal in these times.

Mrs. Murray noted that the Town is not the only source of funds, that PAC does get grants and Town money is used as matching funds. Mrs. Murray clarified that these funds come from the State Room Tax fund, not the Tourism Room Tax Fund.

Don Rust added to his motion that the three items would be paid for from the State Room Tax fund for \$4850. Bill Dolan seconded.

Vote passed 3 – 1. Nicole Shupp voted nay.

10. Discussion and decision regarding Town Board approving a request to submit Land Use Application to Nye County Planning Department for Conditional Use Permit for Pahrump Arts Recreational Complex (PARC) project. Zoning approval will permit completion of Environmental Assessment Report (E.A.) Town Manager/Al Balloqui

Al Balloqui, Economic Director for the Town of Pahrump, asked the Town Board be allowed to submit the zoning application and the Conditional Use Permit to the County Planning Department to have the Pahrump Arts

and Recreational Complex (PARC) zoned. This is part of the Environmental Assessment process necessary to complete to free up \$700,000 in grants received from HUD.

Bill Dolan motioned to request the submission of the land use application to Nye County Planning Department for the Conditional Use Permit (CUP) for the PARC project. Nicole Shupp seconded the motion.

Laurayne Murray disclosed that she is a member of the RPC this vote is for the approval of the application, not on the CPU. This is not a member of the Board voting two times on the same item, which is illegal. She will be voting on the request for the application.

Vote passed 4 – 0.

11. Discussion and decision regarding “next steps”/response to the Incorporation Advisory Board Report brought back from September 23, 2008 meeting. Town Manager/Laurayne Murray

Bill Kohbarger explained that the proposal from University of Reno was received after the backup went out. Mr Kohbarger noted that the proposal was emailed to the Board members. He and Al Balloqui met with Buddy Borden and said he would like to start as soon as possible. The process will take 4 to 6 months to complete. Bill Kohbarger asked for permission to seek funding from the County. It has been indicated by Mrs. Eastly that the County would fund the project.

Laurayne Murray asked Rick Campbell if the County Commissioners will require bidding for this work to be accomplished or can the Town Board select UNR and request the County to pay it. Bill Dolan noted that Commissioner Borasky had suggested UNR at a previous meeting. Rick Campbell will get clarity on this.

Don Rust motioned to forward the RFP to the County Commissioners asking that they fund this as submitted by UNR, and if they are not going to fund it they need to let us know why. Nicole Shupp seconded the motion.

Dave Steven commented.

Vote passed 4 – 0.

12. Discussion and decision regarding possible solution to address citizen concerns regarding vagrancy in public parks interfering with citizen access to use facilities. Laurayne Murray

Laurayne Murray asked that the Board begin discussion on a policy or ordinance for a solution to the above problem. Mrs. Murray said she receives calls from residents that cannot use the facilities due to the people living at the park. The Sheriff said there is nothing they can do. Pahrump Town Ordinance #42 is not enforceable as written as indicated by former Town attorneys. Mrs. Murray asked that discussion begin to come up with ideas for legal regulations to enable people to use the parks, Petrack Park in particular. Don Rust asked how many complaints are being received. Mrs. Murray said it is mostly Petrack Park complaints and receives at least one complaint a week and sometimes more and described some of the problems. Don Rust asked that the Attorney prepare an opinion, or draft a new proposed ordinance that would be constitutional and would address the issue and would be enforceable. Mrs. Murray said her conversation with the Sheriff's Department were they were ready, willing and able to enforce anything the Town has that would be enforceable. Nicole Shupp said she does not take her children to the park for the reason being discussed. Mrs. Shupp said she is not sure this should be brought up at this time. Bill Dolan asked when the ordinance was last updated. Mr. Dolan said we do not want to get into legal issues.

Mrs. Murray said park hours could be established unless permitted. There can be regulations regarding public intoxication which can be enforced. The problem is not getting better; it is getting worse.

Don Rust motioned to task Mr. Campbell with Armstrong-Teasdale with developing and presenting to the Town Board at the November (13) meeting, a draft ordinance that he recommends and being constitutional and enforceable regarding park usage and people that are involved with it. Bill Dolan seconded the motion.

Bob Irving and John Koenig commented.

Vote passed 3 – 1. Nicole Shupp voted nay.

13. Discussion and decision pertaining to the Town’s Amusement Contract. Bill Dolan

Bill Dolan asked that a paragraph be placed in contracts using the parks regarding that a list of workers be provided 30 days or no later than 2 weeks prior to the event so the Sheriff’s office can run background checks on the workers. There was an incident at Fall Festival with a carnival employee. Michael Sullivan said he has been working to draft an amusement agreement with the current carnival provider. Bill Dolan asked that Nye County be included to provide input.

Bill Dolan motioned to direct staff to draft language through our Attorney for large events, getting appropriate language from the Sheriff and other jurisdictions, to have names of workers submitted two to four weeks in advance so they can be checked against NCIC (National Crime Information Center) for criminal backgrounds. Nicole Shupp seconded the motion.

Mr. Dolan added that this would apply not only to one particular company, but all contracts coming to Pahrump for an event.

Vote passed 4 – 0.

14. Discussion and decision regarding Ordinance adopting Codification and content. Laurayne Murray

Laurayne Murray noted that the codification was completed and in order for it to become official, the Board must have an ordinance accepting and adopting passed. Municipal Code Corporation has provided a sample ordinance. Upon approval, this information can be placed on disk and on the Town’s website.

Don Rust asked if the new Attorney has been able to review this. Rick Campbell said he has not yet reviewed the codification. Laurayne Murray explained the approving ordinance would go through the proper readings and notifications. Bill Dolan suggested this item be tabled until reviewed by the Town Attorney.

Bill Dolan motioned to table this until the Attorney can review and bring back in January. Don Rust seconded the motion.

Vote passed 4 – 0.

15. Discussion and decision letter to Nye County School District regarding Silver Rider support/MOU request. Laurayne Murray

Chairman Murray explained that a letter is needed from the Town Board to ask for Nye County School District for their support or Memorandum of Understanding (MOU) of in-kind support for the Silver Rider bus service which came before the Board at a previous meeting requesting support.

Don Rust motioned to provide a letter to the NCSB Board of Governors requesting they consider support for Silver Rider grant assistance for Pahrump bus service. Nicole Shupp seconded the motion.

Vote passed 4 – 0.

16. Discussion and decision regarding approval of changing the job title and job description for the “Enforcement Ordinance Officer” to the “Community Business and Development Services Manager.” Town Manager

Bill Kohbarger explained the change of this position. The new position will oversee economic/community development, business licensing and ordinance enforcement. This will allow the Town to be more creative in these tough economic times.

Laurayne Murray asked if this was for the Enforcement Ordinance Officer or the Manager as two positions were approved in the budget. Bill Kohbarger explained that it would be the manager position which oversees staff.

Bill Dolan motioned to approve the changing of the job title and description for the Enforcement Ordinance Officer to the Community Business and Development Services Manager and direct staff to submit out for applications as soon as possible. Nicole Shupp seconded the motion.

Vicky Parker, George Gingell and Dave Stevens commented regarding the qualifications and enforcement.

Vote passed 4 – 0.

17. Discussion and decision regarding review and discussion on placing a permanent item on the Town’s agenda, which states “Board Member Comments.” Bill Dolan

Board Member Dolan motioned that “Board Member Comments” be added on future agendas as in other agendas throughout the State. Nicole Shupp seconded the motion.

Mr. Rust asked if it should be placed at the beginning or end of the agenda. Mr. Dolan replied that it made no difference as it is not an action item and would be a place to direct staff.

Laurayne Murray commented that the Nevada Revised Statute 241 (NRS) Open Meeting Law (OML), and in talking with the Attorney General Specialist on OML calls for any agenda item, actionable or not, be a clear and concise description of the item being discussed by the Board. Board Member Comments does not qualify as there is no notification to the citizens of what topics may be brought up. This would be a violation of the OML.

Bill Dolan asked why it would be different from the Public Comments session. Mrs. Murray replied that if a member of the Board wishes to comment they can do so under public comment or announcements or any agenda item on the agenda. Members have opportunities to have items placed on the agenda to be discussed. Bill Dolan asked who the specialist is that gave this opinion. Mrs. Murray replied Anthony Riggerio.

Bill Dolan withdrew his previous motion and Nicole Shupp withdrew her second.

Mr. Dolan motioned to table this item requesting that the Attorney bring back wording to the next meeting in reference to this. Don Rust seconded the motion.

Vote passed 4 – 0.

18. Discussion and decision regarding selection of Town Board member for the Regional Planning Commission to replace outgoing Town Board Member. Town Manager

Bill Kohbarger explained this item as a housekeeping issue. Mr. Kohbarger noted that there may be only two returning members in January depending on the election for Mr. Rust. This position is very time consuming and asked that this be brought to the Board to see if someone would volunteer for this position or to wait until the December meeting.

Mrs. Murray noted that the Town Board makes a recommendation for the RPC seat to the County Commissioners to approve that person. Laurayne Murray outlined the demands and commitment of the position. It was suggested waiting until after the election to make a decision. There was further discussion regarding this appointment.

Bill Dolan motioned to send Nicole Shupp's name to the Board of County Commission for appointment to the Pahrump Regional Planning Commission effective January 1, 2009. Don Rust seconded the motion.

Al Balloqui and Dave Stevens commented.

Vote passed 4 – 0.

19. Town Manager's Report

It was noted that a written report will be submitted at the second meeting of each month.

Don Rust motioned to table this item. Nicole Shupp seconded the motion.

Vote passed 4 – 0.

20. Consent agenda items:

- a. Action – approval of Town vouchers
- b. Action – approval of Town Board meeting minutes of September 23, 2008,

Nicole Shupp motioned to accept the consent agenda items. Bill Dolan seconded the motion.

Vote passed 4 – 0.

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

Next meeting scheduled for October 28.

22. Adjournment.

Meeting adjourned at 9:25 p.m.

Respectfully submitted,

Don Rust, Clerk

DR/cw

AMBULANCE REVENUE REPORT

MONTH	BILLABLE CHARGES	CONTRACTUAL ADJUSTMENTS	NET BILLABLE CHARGES	REVENUE COLLECTED	BALANCE OUTSTANDING
August-08	\$ 429,269	\$ 81,523	\$ 347,746	\$ 159,376	\$ 188,370
July-08	\$ 376,047	\$ 83,480	\$ 292,567	\$ 146,834	\$ 145,733
June-08	\$ 378,552	\$ 94,029	\$ 284,523	\$ 190,984	\$ 93,539
3 MONTH TOTAL	\$ 1,183,868	\$ 259,032	\$ 924,836	\$ 497,194	\$ 427,642

AMBULANCE WRITE OFFS = JUNE 2008 - AUGUST 2008

	BILLABLE CHARGES	REVENUE COLLECTED	AMOUNT OF WRITE-OFF
SM BALANCE	\$ 16,272	\$ 16,134	\$ 138
DEATHS	\$ 19,441	\$ 7,800	\$ 11,641
BAD DEBTS	\$ 166,288	\$ 43,112	\$ 123,176
BANKRUPTCY	\$ 5,426	\$ 639	\$ 4,787
HARDSHIP	\$ 1,719	\$ 688	\$ 1,031
TOTALS	\$ 209,146	\$ 68,373	\$ 140,773

Write off amounts are from previous time frames which are written off in the 3 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

#14c