

**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  
12/1/2009

DATE OF DESIRED BOARD MEETING  
12/8/2009

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

ITEM REQUESTED FOR CONSIDERATION:  
Discussion and Possible Decision on Amending Pahrump Town Ordinance #29 and  
Providing for Other Matters Properly Relating Thereto.

*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.*

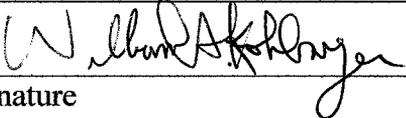
BRIEF SUMMARY OF ITEM:  
Town staff is respectfully requesting permission to publish the title  
and the short summary paragraph in a newspaper at least 10 days, but no longer  
than 20 days, before the next Town Board meeting (January 12, 2010).  
See attached amended PTO #29 plus Orginial PTO #29 along with several amendments.

BACKUP ATTACHED:       YES       NO

SPONSORED BY: Town Board & Town Manager

NAME OF PRESENTER(S) OF ITEM: Town Manager & Fire Chief

William A. Kohbarger  
Print Name

  
Signature

Town Office  
Mailing Address

(775) 727-5107 ext. 305  
Telephone Number

ORDINANCE NO. 29

**AN AMENDMENT TO ORDINANCE NO. 29 OF THE UNINCORPORATED TOWN OF PAHRUMP, PROVIDING FOR A FULL-SERVICE FIRE DEPARTMENT, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO**

WHEREAS, the Town Board of the unincorporated Town of Pahrump deems it advisable to ordain a full-service fire department for the protection of life or property or any part thereof; and

WHEREAS, the Town Board has previously ordained the creation of the Pahrump Volunteer Fire Department and approved of its transition to a full-service force; and

WHEREAS, the Town Board deems it advisable to ratify the transition of the Pahrump Volunteer Fire Department to a full-service force pursuant to N.R.S. 269.250.

NOW, THEREFORE, the Town of Pahrump, Nevada does ordain:

**Section 1. Pahrump Valley Fire-Rescue Service Ordinance, 29.000 et seq.**

29.000 **PURPOSE OF ORDINANCE.** That there is hereby created a department to be hereafter known as the Pahrump Valley Fire-Rescue Service, the object of which shall be the protection of life or property or any part thereof within the limits of the unincorporated Town of Pahrump, Nye County, Nevada.

29.010 **SHORT TITLE.** The Title by which this Ordinance shall be known is the "Pahrump Valley Fire-Rescue Service Ordinance".

29.020 **DEFINITIONS:** For the purposes of this Ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein, unless the context clearly indicates a different meaning:

**BOARD:** The word "Board" mean the Town Board of the unincorporated Town of Pahrump, Nye County, Nevada.

**CHIEF:** The word "Chief" mean the head of the Pahrump Valley Fire-Rescue Service.

**DEPARTMENT:** The word "Department" mean the Pahrump Valley Fire-Rescue Service.

**FIRE CODE:** The words "Fire Code" mean the International Fire Code published by the International Code Council as adopted with modifications by the State Fire Marshal.

**MEMBER:**

The word “Member” mean a volunteer member of the Pahrump Valley Fire-Rescue Service.

**PERSONNEL:**

The word “Personnel” mean the paid personnel of the Pahrump Valley Fire-Rescue Service.

29.030 **DEPARTMENT PERSONNEL & MEMBERS.** The Department shall consist of a Chief and such other personnel and members as the Chief, Town Manager, and Town Board may deem necessary for the effective operation of the Department.

29.040 **CHIEF APPOINTED BY THE BOARD.** The Chief shall be appointed by the Board to serve at the pleasure of the Board.

29.050 **REPORTING REQUIREMENTS.** The Chief shall report to the Town Manager and shall make reports thereto as the Town Manager may require. Nothing herein shall exempt the Chief or other personnel or members of the Department from reporting directly to the Town Board as the Board may require.

29.060 **MAINTENANCE OF RECORDS.** The Chief shall see that complete records are maintained regarding all fires, fire prevention activities, inspections, apparatus and equipment, members, personnel, training, and other information about the work of the Department.

29.100 **PROTECTION OF LIFE OR PROPERTY:** For the protection of life or property or any part thereof, the Chief shall have the authority to direct such operation as necessary to: extinguish or control any fire; perform any rescue operation; or investigate the existence of suspected or reported fires, gas leaks or other hazardous conditions, materials (Hazmat) or situations. The Chief is empowered to take any action necessary in the reasonable performance of his duties, such as: placing ropes, guards, barricades or other obstructions across any street, alley, place or private property in the vicinity of such operation so as to prevent accidents or interference with the lawful efforts of the Department to manage and control the situation and to handle fire apparatus; prohibiting any person, vehicle or thing from approaching the scene; removing, or causing to be removed or kept away from the scene, any vehicle, vessel or thing which could impede or interfere with the operations of the Department; and, in the judgment of the Chief, removing, or causing to be removed or kept away from the scene, any person not actually and usefully employed in a Department operation. If the Chief is absent from the scene, the Chief’s designee shall assume all the duties of the Chief.

29.110 **INVESTIGATION OF CAUSE AND ORIGIN:** The Chief or the Chief’s designee is required and authorized investigate the origin, cause and

circumstances of all fires. To suppress the crime of arson, the Chief or the Chief's designee shall request the assistance of the State Fire Marshal when necessary or prudent.

- 29.120 **ADOPTION OF THE FIRE CODE.** The Fire Code is adopted by reference as if set forth in full, making the same applicable to the Town of Pahrump.
- 29.200 **VOLUNTEER MEMBERSHIP REQUIREMENTS.** The Department's membership shall consist of able-bodied citizens of the Town of Pahrump who are capable of performing the tasks for which they were assigned. Members must maintain an active participation level, as defined by the Department's rules and regulations.
- 29.210 **SUSPENSION OR DISCHARGE OF VOLUNTEER MEMBER.** The Chief may suspend any member of the Department for up to 90 days at any time the Chief deems such action necessary for the good of the Department. The Chief is also authorized to discharge any member for just cause, after first investigating all matters relating to said just cause.
- 29.220 **REQUEST FOR PUBLIC HEARING BY DISCHARGED VOLUNTEER MEMBER.** A discharged member may request a public hearing with the Board, provided such request is in accordance with the rules set forth in NRS 269.083. Nothing in this section may be construed to grant members the status of a public employee.
- 29.300 **EQUIPMENT AND APPARATUS.** The Department shall be equipped with appropriate equipment and apparatus to maintain the Department's efficiency and the proper protection of life or property.
- 29.310 **RECOMMENDATIONS FOR LARGE APPARATUS AND EQUIPMENT.** Recommendations on large apparatus and equipment shall be made by the Chief, or his designated representative, and, after approval by the Board, shall be purchased in such manner as may be designated by the Board and in accordance with the budget.
- 29.320 **HOUSING OF EQUIPMENT.** All equipment of the Department shall be safely and conveniently housed in such places as may be designated by the Chief.
- 29.400 **DRIVING OVER FIRE HOSE.** No person shall drive any vehicle over a fire hose, except upon specific orders from the Chief or other officer in charge of the scene.
- 29.410 **PARKING DISTANCE FROM FIRE APPARATUS OR WHERE IT IS STORED.** No person shall park any vehicle or otherwise cause any obstruction to be placed within a designated fire lane of the entrance to a fire station or other place where fire apparatus is stored or within 10 feet of any fire hydrant.

- 29.420      **ALLOWABLE DISTANCE FOR FOLLOWING FIRE EQUIPMENT.** No unauthorized person or vehicle shall follow within 500 feet of any apparatus responding to an emergency nor park any vehicle within 500 feet of the scene of a fire.
- 29.430      **FALSE ALARMS.** No person shall maliciously turn in or cause to be turned in a false alarm.
- 29.500      **USE OF GENERAL FUNDS.** The Board may provide in the annual budget of the Pahrump Town General Fund for funds to be used for the purpose of personnel, apparatus and equipment. Further, the Board may make such arrangements as are necessary to provide personnel and members of the Department with insurance coverage as necessary.
- 29.600      **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 (6) months, or by both such fine or imprisonment, and additionally shall pay costs of suit. In no case shall costs be suspended.
- 29.700      **SPECIAL POLICE POWERS.** The Chief, the Chief's designee, and officers of the Department are hereby given the necessary special police powers for the purpose of enforcing the provisions of this Ordinance.
- 29.800      **BILLING FOR SERVICES RENDERED.** The Department is hereby authorized to bill any person, firm, partnership, corporation, business organization or any other entity for services, equipment, supplies and manpower rendered to said person, firm, partnership, corporation, business organization or any other entity as a result of providing services rendered pursuant to this Ordinance. This authority to bill, as herein provided, may be revoked by the Board at any time.

**Section 2. Repealer**

All sections, subsections, phrases, sentences, clauses or paragraphs of the several existing ordinances of the Town of Pahrump, Nevada, in conflict herewith, are hereby repealed and replaced as necessary. Pahrump Town Ordinance No. 5 and previous versions of Pahrump Town Ordinance No. 29 are hereby repealed in their entirety and shall be of no further force or effect.

**Section 3. Severability**

If any section, sentence, clause, or phrase of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, it shall in no way affect the validity of any remaining portions of this Ordinance.

**Section 4. Effective Date**

This amended 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.

BILL NO. 95-01

AMENDMENT TO PAHRUMP TOWN ORDINANCE NO. 29

AN ACT AMENDING ORDINANCE NO. 29 PROVIDING FOR THE ELECTION OF OFFICERS AND DETERMINING THE PROCESS THEREFOR; PROVIDING FOR DISCIPLINARY MATTERS; CLARIFYING MATTERS RELATING TO THE CHAIN OF COMMAND; CORRECTING AND CLARIFYING INACCURACIES AND CLERICAL ERRORS AND FOR OTHER MATTERS PROPERLY RELATING THERETO.

WHEREAS, the Town Board of the Town of Pahrump is granted authority under N.R.S. Chapter 269 to create and maintain a volunteer fire department, and

WHEREAS, said department has heretofore been created by ordinance, and

WHEREAS, an examination of that ordinance revealed matters that through time or clerical error need to be revised, and

WHEREAS, the Town Board of the Town of Pahrump is desirous of bringing the Ordinance current with the existing needs of the Town of Pahrump and the residents thereof.

NOW, THEREFORE, THE TOWN BOARD OF THE UNINCORPORATED TOWN OF PAHRUMP, NYE COUNTY, NEVADA, DOES ORDAIN AS FOLLOWS:

Pahrump Town Ordinance No. 29, is hereby amended as follows:

PAHRUMP VOLUNTEER FIRE DEPARTMENT ORDINANCE  
AMENDED PAHRUMP TOWN ORDINANCE NO. 29

Section:

- 29.000 Purpose of Ordinance
- 29.100 Short Title
- 29.110 Definitions
- 29.200 Department Officers
- 29.210 Chief Appointed by the Board
- 29.220 Chief, Reporting Requirements
- 29.230 Appointments
- 29.240 Nomination for Chief
- 29.300 Formulation of Rules and Regulations
- 29.310 Drill and Instruction Requirements
- 29.320 Assistance to Authorities in Arson
- 29.325 Cause and Origin
- 29.330 Reports Required
- 29.340 Monthly Reports Required
- 29.350 Annual reports Required
- 29.400 Volunteer Membership Requirements
- 29.410 Suspension of Volunteer Member
- 29.420 Request for Public Hearing by Suspended or Discharged Volunteer Member
- 29.500 Equipment and Apparatus
- 29.510 Recommendations for Large Apparatus and Equipment
- 29.520 Housing of Equipment
- 29.530 Use of Equipment
- 29.540 Unauthorized Use of Equipment
- 29.600 Certification
- 29.610 Advancement of Certification
- 29.700 Issuance of Badge and Photo Identification
- 29.710 Automobile Insignia
- 29.720 Driving over Fire Hose
- 29.730 Parking Distance from Fire Apparatus or Where It is Stored
- 29.740 Allowable Distance for Following Fire Equipment
- 29.750 False Alarms
- 29.800 Use of General Funds
- 29.900 Penalties
- 29.920 Special Police Powers
- 29.930 On Duty Peace Officer Requirements
- 29.940 Billing for Services Rendered
- 29.1000 Severability
- 29.1100 Repeal
- 29.1200 Effective Date

29.000 **PURPOSE OF ORDINANCE.** That there is hereby created a department to be hereafter known as the Pahrump Volunteer Fire Department, the object of which shall be the suppression and prevention of fire and protection of life and property within the limits of the unincorporated Town of Pahrump, Nye County, Nevada.

29.100 **SHORT TITLE.** The Title by which this ordinance shall be known is the "PAHRUMP VOLUNTEER FIRE DEPARTMENT ORDINANCE".

29.110 **DEFINITIONS:** For the purposes of this Ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein, unless the context clearly indicates a different meaning:

**CHIEF:** The word "Chief" shall mean the head of the Pahrump Volunteer Fire Department.

**ASSISTANT CHIEF:** The words "Assistant Chief" shall mean the Assistant Chief of the Pahrump Volunteer Fire Department. This position assumes all the duties of the Chief in his/her absence.

**DEPARTMENT:** The word "Department" shall mean the Pahrump Volunteer Fire Department.

**BOARD::** The word "Board" shall mean the Town Board of the unincorporated Town of Pahrump, Nye County, Nevada.

**PERSONNEL:** The word "Personnel" shall mean the paid personnel assigned to the Pahrump Volunteer Fire Department by the Town of Pahrump.

**MEMBER:** The word "Member" shall mean a volunteer member of the Pahrump Volunteer Fire Department.

29.200 **DEPARTMENT OFFICERS.** The Department shall consist of a Chief, two Assistant Chiefs and other officers as the Chief, and the Town Board, may deem necessary for the effective operation of the Department.

29.210 **CHIEF APPOINTED BY THE BOARD.** The Chief shall be appointed by the Board for an indefinite period of time, to serve at the pleasure of the Board, and his tenure shall depend upon his good conduct and efficiency. The Chief shall be technically qualified by training and experience and shall have the ability to command firefighters and hold their respect and confidence.

29.220 **CHIEF, REPORTING REQUIREMENTS.** The Chief shall report to the Town Manager and shall make reports thereto as the Town Manager may require. All other Department officers shall report to the Chief. Nothing herein shall exempt the Chief or other officers of the Department from reporting directly to the Town Board if the Town Board shall so require.

29.230

[Statement of Legislative Intent. The Town Board specifically notes that N.R.S. 269.250(3) provides for the appointment of officers and employees of the volunteer fire department by a majority and a minority selection process. The Town Board further notes that Board member positions are non-partisan in nature and therefor no majority/minority situation exists in relation to the Board. In noting this specific inaccuracy in N.R.S. 269.250(3) it is the desire of the Town Board to adhere as closely as possible to the intent of this statute.]

**APPOINTMENTS.** The Assistant Chiefs and all other Department Officers shall be nominated by the Chief subject to approval by the Town Board. Assistant Chiefs and all other officers may be terminated upon the recommendation of the Chief and the subsequent approval by the Board. Promotions or reductions in rank of departmental officers shall require Board approval. Recommendations concerning appointments, removals or reductions shall further be reviewed by the Town Manager for his recommendation prior to submission to the Board for its action.

29.240

[Statement of Legislative Intent. The Town Board hereby recognizes that the Pahrump Volunteer Fire Department has created a volunteer organization known as the "Firefighters Association". The Town Board further recognizes that this fraternal association possesses professional insights in the technical field of firefighting which the Town Board generally does not possess. Although the Town Board may from time to time seek advice and counsel from this organization, it is the intention of the Town Board that this Ordinance in no way endows the Firefighters Association with the status of committee or subcommittee of the Town of Pahrump or that this Ordinance in any way delegates political authority to said Association.]

**NOMINATION FOR CHIEF.** Should a vacancy occur in the position of Chief, the Town Board may notify the Firefighters Association for its input and recommendations on a replacement. The Town Board may receive such recommendations from the Firefighters Association to fill the position of Chief as the Board, in its sole authority, shall deem proper. Nothing herein shall require the Town Board to act on or endorse said recommendations.

29.300

**FORMULATION OF RULES AND REGULATIONS.** The Board shall formulate a set of Rules and Regulations to govern the Department. In formulating said Rules and Regulations the Board shall give particular attention to matters concerning personnel, members, morale and general efficiency of the Department. Nothing herein shall prevent the Board from allowing the Chief and/or Town Manager to assist in the formulation of these Rules and Regulations, subject to Board approval.

- 29.310 **DRILL AND INSTRUCTION REQUIREMENTS.** The Chief or his designated appointee shall, at least once a month, conduct suitable drills or instruction in one or more of the following categories as the Chief shall deem necessary: the operation and handling of equipment, first aid and rescue work, a study of buildings in the Town of Pahrump, fire prevention, water supply, and all other matters generally considered essential to good fire fighting and safety of life and property from fire.
- 29.320 **ASSISTANCE TO AUTHORITIES IN ARSON.** The Chief or his designee is hereby required and empowered to assist the proper authorities in suppressing the crime of arson by investigating or causing to be investigated the cause, origin and circumstance of all fires. The Chief or his designee will contact the Nevada State Fire Marshall regarding the suspected arson.
- 29.325 **CAUSE AND ORIGIN.** The Chief or his designee is hereby required and empowered to assist the proper authorities in investigating the cause and origin of all fires.
- 29.330 **REPORTS REQUIRED.** The Chief shall see that complete records are kept up to date regarding all fires, inspections, apparatus and minor equipment, personnel and other information about the work of the Department.
- 29.340 **MONTHLY REPORTS REQUIRED.** The Chief shall report monthly to the Board regarding the number of fires during the previous month, their location and cause, the number of drills conducted, the number of members responding to each fire and other runs, and any changes in membership.
- 29.350 **ANNUAL REPORTS REQUIRED.** The Chief shall make a complete annual report to the Board, at the first Town Board meeting held in February of each year which report shall include the information specified in 29.340 of this Ordinance, together with the comparative data for previous years, with special emphasis on recommendations for improving the effectiveness of the Department.
- 29.400 **VOLUNTEER MEMBERSHIP REQUIREMENTS.** The volunteer membership of the Department shall consist of such persons as may be recommended by the Chief and approved the majority of the volunteer members of the department at a regular monthly meeting. Volunteer members shall be able-bodied citizens, residing within the Town of Pahrump, in such number as may be deemed necessary by the Town Board. Members must maintain an active participation level to the satisfaction of the Chief.
- 29.410 **SUSPENSION OF VOLUNTEER MEMBER.** Any volunteer member of the Department may be suspended from the Department for up to 90 days by the Chief at any time he may deem such action necessary for the good of the Department. The Chief is hereby empowered to discharge a volunteer member for just cause, after first investigating all matters relating to said just cause.

29.420

[Statement of Legislative Intent. The Town Board hereby recognizes that a comprehensive legislative scheme allowing discharged public employees to have certain post-discharge remedies exists in N.R.S. 269.083. It is further the desire of the Town Board to apply these standards uniformly to volunteer members of the Fire Department. This application of uniformity is for convenience only and in no way deems volunteer members of the Fire Department to be public employees.

**REQUEST FOR PUBLIC HEARING BY SUSPENDED OR DISCHARGED VOLUNTEER MEMBER.** A discharged volunteer member may request a public hearing with the Town Board, provided such request is in accordance with the rules set forth in N.R.S. 269.083. Nothing in this section shall infer or impart to a volunteer the status of a public employee.

29.500

**EQUIPMENT AND APPARATUS.** The Department shall be equipped with such apparatus and other equipment as may be required from time to time to maintain its efficiency and properly protect life and property from fire. This determination is to be made solely by the Town Board.

29.510

**RECOMMENDATIONS FOR LARGE APPARATUS AND EQUIPMENT.** Recommendations on large apparatus and equipment needed shall be made by the Chief, or his designated representative, and, after approval by the Board, shall be purchased in such manner as may be designated by the Board and in accordance with the budget.

29.520

**HOUSING OF EQUIPMENT.** All equipment of the Department shall be safely and conveniently housed in such places as may be designated by the Chief.

29.530

**USE OF EQUIPMENT.** No person shall use any fire apparatus or equipment for any private purposes, nor shall any person wilfully and without proper authority take away or conceal any article used in any way by the Department without first obtaining authority from the Chief.

29.540

**UNAUTHORIZED USE OF EQUIPMENT.** No person shall enter any place where fire apparatus is housed, or handle any apparatus or equipment belonging to the Department unless accompanied by or having the special permission of any officer or authorized member of the Department, or employee assigned to the Department by the Board.

The loaning of any Fire Department equipment shall only be done with the prior approval of the Chief.

29.600

**CERTIFICATION.** Each volunteer member will be required to participate in departmental training exercises and classes. Members shall be departmentally certified within one (1) year after completion of a probationary period.

- 29.610 **ADVANCEMENT OF CERTIFICATION.** A member wishing to advance to the rank of Captain or above shall be required to be State Firefight I certified prior to appointment. A member appointed to the rank of Lieutenant must be certified as State Firefighter I within 18 months of his/her appointment.
- 29.700 **ISSUANCE OF BADGE AND PHOTO IDENTIFICATION.** Each member of the Department may be issued a badge and ID with photo, designating his rank, upon approval of the Chief.
- 29.710 **AUTOMOBILE INSIGNIA.** Each member of the Department driving a car may be issued a suitable insignia to be attached to the car at the discretion of the Chief.
- 29.720 **DRIVING OVER FIRE HOSE.** No person shall drive any vehicle over fire hose except upon specific orders from the Chief or other Officer in charge where hose is used.
- 29.730 **PARKING DISTANCE FROM FIRE APPARATUS OR WHERE IT IS STORED.** No person shall park any vehicle or otherwise cause any obstruction to be placed within a designated fire lane of the entrance to the fire station or other place where fire apparatus is stored, or within ten (10) feet of any fire hydrant.
- 29.740 **ALLOWABLE DISTANCE FOR FOLLOWING FIRE EQUIPMENT.** No unauthorized person with any vehicle shall follow within five hundred (500) feet of any apparatus responding to an emergency nor park any vehicle within five hundred (500) feet of a fire.
- 29.750 **FALSE ALARMS.** No person shall maliciously turn in or cause to be turned in a false alarm.
- 29.800 **USE OF GENERAL FUNDS.** The Board may provide in the annual budget of the Pahrump Town General Fund for funds to be used for the purpose of apparatus and equipment. Further, the Board may make such arrangements as are necessary to provide the members of the Department with coverage by the State Industrial Insurance Service and Liability Insurance as necessary.
- 29.900 **PENALTIES.** Any person violating the provisions of this Ordinance shall be guilty of a misdemeanor; and, upon conviction thereof, shall be punished as the Nevada Revised Statutes allow for a misdemeanor crime. Whenever in this Ordinance any act is prohibited, or is made or declared to be unlawful, or an offense or a misdemeanor, or whenever in such Ordinance the doing of any act is required, or the failure to do any act is made or declared to be unlawful, or an offense or misdemeanor, the doing of any such prohibited act, or the failure to do any such required act, shall constitute a violation of this ordinance. Every day of violation of this Ordinance constitutes a separate offense.

- 29.920 **SPECIAL POLICE POWERS.** All regularly appointed members of the Department are hereby given the necessary special police powers for the purpose of enforcing the provisions of this Ordinance.
- 29.930 **ON DUTY PEACE OFFICER REQUIREMENTS.** It is hereby made the special duty of any duly qualified law enforcement or peace officer who may be on duty and available for fire duty, to respond to all fire alarms and assist the Department in the protection of life and property, in regulating traffic, maintaining order, and in enforcing observance of all sections of this Ordinance.
- 29.940 **BILLING FOR SERVICES RENDERED.** The Pahrump Volunteer Fire Department is hereby authorized and empowered to bill any person, firm, partnership, corporation, business organization or any other entity for services, equipment, supplies and manpower rendered to said person, firm, partnership, corporation, business organization or any other entity as a result of providing fire and/or ambulance services. The power and authority to bill, as herein provided, may be revoked by the Town Board of the Town of Pahrump, at any time.
- 29.1000 **SEVERABILITY.** Every Section of this ordinance, and every part of each section hereof is hereby declared to be independent of each other and parts of sections, and the holding of any section or any part thereof to be voided or ineffective for any cause, shall not be deemed to affect, nor shall it affect, any other section or part of section contained in this ordinance.
- 29.1100 **REPEAL.** All ordinances, parts of ordinances, or chapters, sections, subsections or paragraphs or resolutions previously adopted by the Pahrump Town Board which are in conflict herewith are hereby repealed.
- 29.1200 **EFFECTIVE DATE.** This Ordinance shall be in full force and effect from and after its passage, adoption and second publication in the Pahrump Valley Times, a newspaper printed and published within the County of Nye, State of Nevada.

AMENDED PAHRUMP VOLUNTEER FIRE DEPARTMENT ORDINANCE

Proposed on the 28th day of March, 1995.

Proposed by Board Member Steve Rainbolt.

Passed on the 25th day of April, 1995.

VOTE:

AYES:

Larry J. Thompson  
James Lee  
Steve Rainbolt  
Clarence Lida

NAYS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ABSENT:

Garland Price

ATTEST:

Larry J. Thompson  
Town Clerk

BILL NO. 93-03

AMENDMENT TO PAHRUMP TOWN ORDINANCE NO. 29

AN ORDINANCE TO AMEND PAHRUMP TOWN ORDINANCE NO. 29 ENTITLED "PAHRUMP VOLUNTEER FIRE DEPARTMENT ORDINANCE" TO MAKE PROVISIONS GIVING AUTHORITY AND POWER TO THE VOLUNTEER FIRE DEPARTMENT TO BILL FOR ITS SERVICES, EQUIPMENT, SUPPLIES AND MANPOWER RENDERED IN FIRE OR AMBULANCE SERVICES; TO PROVIDE FOR REVOCATION OF BILLING BY TOWN BOARD AT ANY TIME; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

THE TOWN BOARD OF THE UNINCORPORATED TOWN OF PAHRUMP, NYE COUNTY, NEVADA, DOES ORDAIN AS FOLLOWS:

**SECTION ONE:** Pahrump Town Ordinance No. 29 is hereby amended by adding Section 29.940 as follows:

29.940 Billing for Services Rendered. The Pahrump Volunteer Fire Department is hereby authorized and empowered to bill any person, firm, partnership, corporation, business, organization or any other entity as a result of providing fire and/or ambulance services. The power and authority to bill, as herein provided, may be revoked by the Town Board of the Town of Pahrump, at any time.

**SECTION TWO:** Severability. Each section of this ordinance, and every part of each section hereof is hereby declared to be independent of each other and parts of section, and the holding of any part thereof to be voided or ineffective for any cause, shall not be deemed to affect, nor shall it affect, any other section or part of section contained in this Ordinance.

**SECTION THREE:** Repeal. All ordinances, parts of ordinances, or chapters, sections, subsections or paragraphs or resolutions previously adopted by the Pahrump Town Board which are in conflict herewith are hereby repealed.

**SECTION FOUR:** Effective Date. This ordinance shall be in full force and effect from and after its passage, adoption and second publication in the Pahrump Valley Times, a newspaper printed and published within the County of Nye, State of Nevada.

PAHRUMP VOLUNTEER FIRE DEPARTMENT  
AUTHORIZATION TO BILL FOR SERVICES

Proposed on the 25 day of May, 1993

Proposed by Board Member JAMES D. HUCKMAN

Passed on the 25 day of May, 1993

VOTE:

AYES:

Derek P. White  
Garland C. Price  
Mont Wilson  
Robert A. Petty  
James D. Huckman

NAYS:

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ABSENT:

\_\_\_\_\_  
\_\_\_\_\_

ATTEST:

Derek P. White  
Town Clerk

BILL NO. 90-1

PAHRUMP TOWN ORDINANCE - PAHRUMP VOLUNTEER FIRE DEPARTMENT ORDINANCE

PAHRUMP TOWN ORDINANCE NO. 29

Section:

- 29.000 Title
- 29.100 Definition
- 29.200 Officers
- 29.300 Duties of the Commander
- 29.400 Membership
- 29.500 Equipment
- 29.600 Training
- 29.700 General
- 29.800 Pay Authorization
- 29.900 Enforcement
- 29.1000 Special Officers
- 29.1100 Constitutionality
- 29.1200 Repeal
- 29.1300 Severability
- 29.1400 Effective Date

PAHRUMP TOWN ORDINANCE - PAHRUMP VOLUNTEER FIRE DEPARTMENT ORDINANCE

PAHRUMP TOWN ORDINANCE NO. 29.

AN ORDINANCE FOR THE APPOINTMENT OF VOLUNTEER FIRE DEPARTMENT OFFICERS: PAID PERSONNEL: SETTING POLICY, RESPONSIBILITY LIES WITH THE PAHRUMP TOWN BOARD: SETTING TRAINING STANDARDS, AND OTHER MATTERS PROPERLY RELATING THERETO.

The Pahrump Town Board, of the unincorporated Town of Pahrump, County of Nye, State of Nevada, does hereby ordain:

- 29.000 TITLE. That there is hereby created a department to be hereafter known as the Pahrump Volunteer Fire Department, the object of which shall be the prevention of fire and protection of life and property within the limits of the unincorporated Town of Pahrump, Nye County, Nevada.
- 29.010 SHORT TITLE. The Title by which this ordinance shall be known is the "PAHRUMP VOLUNTEER FIRE DEPARTMENT ORDINANCE."
- 29.100 DEFINITIONS. That for the purpose of this ordinance, the following terms shall have the following meanings respectively ascribed to them in this section:
- 29.102 COMMANDER. The word "Commander" shall mean the Commander of the Pahrump Volunteer Fire Department.
- 29.104 ASSISTANT COMMANDER. The words "Assistant Commander" shall mean the Assistant Commander of the Pahrump Volunteer Fire Department.
- 29.106 DEPARTMENT. The word "Department" shall mean the Pahrump Volunteer Fire Department.
- 29.108 BOARD. The word "Board" shall mean the Pahrump Town Board of the unincorporated Town of Pahrump, Nye County, Nevada.
- 29.110 PERSONNEL. The word "Personnel" shall mean the paid personnel assigned to the Pahrump Volunteer Fire Department by the Town Board.
- 29.200 OFFICERS.
- 29.210 DEPARTMENT OFFICERS. The Department shall consist of a Commander, two Assistant Commanders and other officers as the Commander may deem necessary for the effective operation of the Department.
- 29.220 COMMANDER APPOINTED BY THE BOARD. The Commander shall be

appointed by the Board for an indefinite period of time, to serve at the pleasure of the Board, and his tenure shall depend upon his good conduct and efficiency. The Commander shall be technically qualified by training and experience and shall have ability to command men and hold their respect and confidence.

- 29.220 COMMANDER HELD ACCOUNTABLE TO THE BOARD. The Commander shall be held accountable to the Board only, and shall make written reports thereto as the Board may require. All other Department officers shall be accountable to the Commander only.
- 29.230 APPOINTMENTS BY THE COMMANDER. The Assistant Commanders and all other Department officers shall be appointed by the Commander. Such officers shall be accountable only to the Commander, and subject to removal by him.
- 29.240 NOMINATIONS FOR COMMANDER. Prior to December 31, of each year, the Department shall nominate, by secret ballot, three (3) members of the Department for appointment by the Board as Commander and shall forward the names of nominees to the Board who shall at their first meeting in January select one of the three nominees to be Commander until the first Monday of January, of the following year.
- 29.300 DUTIES OF THE COMMANDER.
- 29.310 FORMULATION OF RULES AND REGULATIONS. The Commander and the Board shall formulate a set of rules and regulations to govern the Department and shall be responsible for the personnel, morale and general efficiency of the Department.
- 29.320 DRILLS AND INSTRUCTION - REQUIRED. The Commander or his designated appointee shall at least once a month conduct suitable drills or instruction in the operation and handling of equipment, first aid and rescue work, a study of buildings in the Town of Pahrump, fire prevention, water supply, and all other matters generally considered essential to good fire fighting and safety of life and property from fire.
- 29.330 ASSISTANCE TO AUTHORITIES IN ARSON. The Department Members are hereby required and empowered to assist the proper authorities in suppressing the crime of arson by investigating or causing to be investigated the cause, origin and circumstances of all fires. Fire fighters will contact the Nye County Sheriff's Department and notify them of the suspected arson. The Nye County Sheriff's Office will then notify the Nevada State Fire Marshall of the suspected arson.
- 29.340 REPORTS REQUIRED. The Commander shall see that complete records are kept up to date of all fires, inspections, apparatus and minor equipment, personnel and other information about the work of the Department.
- 29.350 MONTHLY REPORTS REQUIRED. The Commander shall report

monthly to the Board the number of fires during the previous month, their location and cause, and the number and purpose of all other runs made, the number of drills conducted, and the number of members responding to each fire and other runs, and any changes in membership.

- 29.360 ANNUAL REPORTS REQUIRED. The Commander shall make a complete annual report to the Board before January 1st of each year; to include the information specified in 29.350 of this section, together with the comparative data for previous years, with special emphasis on recommendations for improving the effectiveness of the Department. All reports shall be channeled through the Commander to the Board.
- 29.400 MEMBERSHIP.
- 29.410 MEMBERSHIP REQUIREMENTS. The membership of the Department shall consist of such persons as may be recommended by the Executive Board and approved by the majority of the department members at a regular monthly meeting. Members shall be able-bodied citizens, residing within the Town of Pahrump, in such number as may be fixed by resolution of the Board.
- 29.420 SUSPENSION OF MEMBER. Any member of the Department may be suspended from the Department by the Commander at any time he may deem such action necessary for the good of the Department. Discharge will be held pending until a hearing by the Executive Board whose findings must be approved by the majority of the department members at a regular monthly meeting of the Board.
- 29.430 PUBLIC HEARING - REQUEST BY SUSPENDED OR DISCHARGED MEMBERS. Suspended or discharged members may request a public hearing with the Board, provided such request is in writing and received by the Board within 10 days of suspension or discharge by the Department members.
- a. The Board must place the matter for a public hearing on the agenda of the next regularly scheduled monthly meeting.
- 29.500 EQUIPMENT.
- 29.510 EQUIPMENT AND APPARATUS. The department shall be equipped with such apparatus and other equipment as may be required from time to time to maintain its efficiency and properly protect life and property from fire.
- 29.520 RECOMMENDATIONS FOR LARGE APPARATUS AND EQUIPMENT. Recommendations on large apparatus and equipment needed shall be made by the Commander, or his designated representative, and, after approval by the Board, shall be purchased in such manner as may be designated by the Board and as budget funds allow.

unauthorized person with any vehicle shall follow within five hundred (500) feet of any apparatus responding to an emergency nor park any vehicle within five hundred (500) feet of a fire.

- 29.760 FALSE ALARMS. No person shall maliciously turn in or cause to be turned in a false alarm.
- 29.800 PAY AUTHORIZATION.
- 29.810 USE OF GENERAL FUNDS. The Board may provide in the annual budget of the Pahrump Town General Fund for funds to be used for the purpose of apparatus and equipment for the pay of any officers or members of the department in such amounts as the Board may deem reasonable and proper. Further, the Board may make such arrangements as are necessary to provide the members of the department with coverage by the State Industrial Insurance Service and Liability Insurance if necessary.
- 29.900 ENFORCEMENT.
- 29.910 PENALTIES. Any person violating the provisions of 29.540 through 29.550; and 29.730 through 29.760, shall, upon conviction before the Justice of the Peace of Pahrump Township, pay a fine of not less than TEN DOLLARS (\$10.00), nor more than ONE HUNDRED DOLLARS (\$100.00), for each such offense, and, in addition, shall pay the cost of replacement of any equipment damaged or destroyed as a result of such offense.
- 29.920 SPECIAL POLICE POWERS. All regularly appointed members of the Department are hereby given the necessary special police powers for the purpose of enforcing the provisions of this ordinance.
- 29.930 ON DUTY PEACE OFFICERS - REQUIREMENTS. It is hereby made the special duty of any duly qualified law enforcement or peace officer who may be on duty and available for fire duty, to respond to all fire alarms and assist the Department in the protection of life and property, in regulating traffic, maintaining order, and in enforcing observance of all sections of this ordinance.
- 29.1000 SPECIAL OFFICERS.
- 29.1010 SOCIAL OFFICERS. The Department may elect a President, Vice President, Secretary and Treasurer, to be known as social officers. Such officers may be elected in any manner and for any term the majority of the membership may decide upon and their duties shall be to arrange for and manage any or all social functions sponsored by the Department.
- 29.1020 FUNCTIONS OF SOCIAL OFFICERS. The functions and duties of said social officers shall in no wise interfere with those of the regular officers who are charged with responsibility for all fire service activities of the department.

- 29.530 HOUSING OF EQUIPMENT. All equipment of the Department shall be safely and conveniently housed in such places as may be designated by the Board.
- 29.540 USE OF EQUIPMENT. No person shall use any fire apparatus or equipment for any private purpose, nor shall any person wilfully and without proper authority take away or conceal any article used in any way by the Department.
- 29.550 UNAUTHORIZED USE OF EQUIPMENT. No person shall enter any place where fire apparatus is housed, or handle any apparatus or equipment belonging to the Department unless accompanied by or having the special permission of an officer or authorized member of the Department, or employee assigned to the Department by the Board.
- 29.600 TRAINING.
- 29.610 CERTIFICATION. Each volunteer will be required to participate in training exercises and classes; and shall be certified as a Class 1 Fire Fighter or better, as recommended by the Nevada State Fire Marshall, within one and one-half (1 1/2) years of the adoption and amendment of this ordinance.
- 29.620 PROBATIONARY MEMBERS - CERTIFICATION. Probationary members shall be certified within one (1) year after they have served their probationary period.
- 29.630 ADVANCEMENT OF CERTIFICATION. Those wishing to advance to Engineer or Captain will have a written and manipulative examination.
- 29.700 GENERAL
- 29.710 ISSUANCE OF BADGE AND PHOTO IDENTIFICATION. Each member of the Department may be issued a badge and I. D. with photo, designating his rank upon approval of the Executive Board of the Department.
- 29.720 AUTOMOBILE INSIGNIA. Each member of the Department driving a car may be issued a suitable insignia to be attached to the car.
- 29.730 DRIVING OVER FIRE HOSE. No person shall drive any vehicle over fire hose except upon specific orders from the Commander or other Officer in charge where the hose is used.
- 29.740 PARKING DISTANCE FROM FIRE APPARATUS OR WHERE IT IS STORED. No person shall park any vehicle or otherwise cause any obstruction to be placed within a designated fire lane of the entrance to the fire station or other place where fire apparatus is stored, or within ten (10) feet of any fire hydrant.
- 29.750 ALLOWABLE DISTANCE FOR FOLLOWING FIRE EQUIPMENT. No

- 29.1100 CONSTITUTIONALITY. If any section, clause or phrase of this ordinance shall be declared unconstitutional by a court of competent jurisdiction, the remaining provisions of this ordinance shall continue in full force and effect.
- 29.1200 REPEAL. Any and all ordinances or regulations or parts of ordinances and regulations regulating the Pahrump Volunteer Fire Department in the unincorporated Town of Pahrump, Nye County, Nevada, in conflict with this ordinance are hereby repealed.
- 29.1300 SEVERABILITY. If any provision or part of this ordinance shall be declared by a court of competent jurisdiction to be illegal or unconstitutional, it shall in no way effect the remainder of this ordinance or any section it being intended that the remainder shall remain in full force and effect.
- 29.1400 EFFECTIVE DATE. The ordinance shall be in full force and effect from and after the 20th day of July, 1990.

NOTICE OF ADOPTION OF BILL NO.90-1

PAHRUMP TOWN ORDINANCE NO. 29

TOWN ORDINANCES - PAHRUMP VOLUNTEER FIRE DEPARTMENT

NOTICE IS HEREBY GIVEN THAT the Pahrump Town Board, at its regular meeting held the 12th day of June, 1990, adopted Bill No. 90-1,

Typewritten copies of the ordinances are available for public inspection at:

The Office of the Nye County Clerk,  
Courthouse, Tonopah, Nevada, and

The Office of the Pahrump Town Board,  
at the Town Office, Annex Building,  
Pahrump, Nevada.

Board Members voting in favor of the adoption:

Marion Veneman James D. Huberman  
Charles Connolly Debra Lee Steis  
Bo Bohannon

Board Members voting against the ordinance:

\_\_\_\_\_

This ordinance shall be in full force and effect and after on and after the 20th day of July, 1990. After publication in a newspaper having general circulation in the Town of Pahrump, Nye County, Nevada at least once a week for a period of one week.

DATED this 10th day of July, 1990.

PAHRUMP TOWN BOARD

BY: Marion Veneman  
Chairman

Publish: Pahrump Valley Times  
Date: July 13th, 1990.

# 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

11/30/09

DATE OF DESIRED BOARD MEETING

12/08/09

CIRCLE ONE:

Action

or

Non-Action

ITEM REQUESTED FOR CONSIDERATION:

Discussion and possible decision on which information received by IAB Study Selection Sub-committee members while the EPS study is in-progress, may be communicated to the full IAB.  
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:

Economic & Planning System, Inc. (EPS) holds periodic progress meetings and maintains a blog for the completion of the Pahrump Incorporation Feasibility Study. If the IAB sub-committee members feel that the IAB can help on a specific issue of the study and perform the IAB's mission, how is this to be brought to the IAB?

BACKUP ATTACHED:

YES

NO

NAME OF PRESENTER(S) OF ITEM:

Jeff Bobeck

SPONSORED BY:

Jeff Bobeck

Print Name

5091 Sumpter Court

Pahrump, NV 89061

Mailing Address

Signature

Jeff Bobeck

775-537-6140 / 775-253-0702

Telephone Number

## 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

12/1/2009

DATE OF DESIRED BOARD MEETING

12/8/2009

**CIRCLE ONE:** Discussion, Action, Decision or XXXXXXXXXX

**ITEM REQUESTED FOR CONSIDERATION:**

Discussion and Possible Decision on Obtaining Town Board Direction pertaining to the Pahrump Fall Festival in keeping the same as part of the Town function or creating an RFP for outsourcing the FF to a private or non-profit group to operate.

*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:**

Discussion and possible decision on the future operation of the Fall Festival rather it remain a Town function or be turned over to a private or non-profit firm to operate.

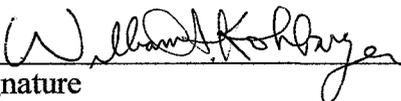
BACKUP ATTACHED:      YES      NO

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

#11

**MEMO  
TOWN OF PAHRUMP  
TOWN BOARD MEETING AGENDA ITEM  
MEETING DATE: 12-08-2009**

**TO:** Town Board

**FROM:** William Kohbarger, Town Manager  
Michael Sullivan, Finance Director

**DATE:** December 8th, 2009

**RE:** Recommendations for Future Fall Festival Operational Alternatives

**1.) Background**

As part of the FY10 budget discussions, both the staff and Town Board expressed concern over the continuing decline of Town revenues for this and succeeding fiscal years. In order to obtain long term sustainability beyond FY10, it will be necessary to actively monitor and manage budget spending to survive the current economic downturn. Based on recent Department of Taxation reports through September, Nevada continues to experience declining revenues from gaming and sales tax.

As part of the process, it appears that we will need to consider, in the future, the financial impact of Fall Festival on Town resources. The long term issues could also involve the Town's financial and legal liability in continuing to host the annual Fall Festival. As the Town embarks on several major pool and park capital projects its funding priorities may need to be clarified in the future

The Town is not the primary financial or logistical sponsor for other community special events such as the Cancer walks, fundraisers for various organizations, Freedom Festival, Pow Wow, Business Expo, Mardi Gras, Oktoberfest, Cinco de Mayo, or Luau. These events are sponsored and operated by non-profit organizations for the betterment of the community.

Adoption of the Fall Festival by the Town in 2003, after a private group discontinued underwriting the event, was enacted without any serious assessment of the long term operational costs and liabilities. The times have changed, and in the near future it should be re-evaluated in light of the Town's budgetary needs and resource allocations. We can't fully make these judgments tonight about what exactly it's going to take, but we should plan to do so in January.

MEMO  
TOWN OF PAHRUMP  
TOWN BOARD MEETING AGENDA ITEM  
MEETING DATE: 12-08-2009

**Potential Goals and Criteria for a Request for Proposal**

There really isn't much to award to an alternative non-profit operating agency. The Fall Festival has few assets beyond some banners and electrical extension cords. We would imagine the Town Board would continue to make the park facilities available to a non profit just like it does to others during the year, such as the Pow Wow, Fourth of July, and Cancer Walk.

The real intangible value is the Fall Festival teams of volunteers along with Fall Festival Advisory Board members who have actually make the event such a success every year. Those "people assets" can continue operate under the umbrella of any non-profit board, just like similar committees operate other special events in the community, such as the Cancer Walk, Chamber of Commerce, and United Way benefits. It may actually make their jobs easier, have greater flexibility to market, select sponsorships and make financial decisions.

Additionally there is a wealth of non profit agencies who can bring marketing and sales experience, along with organizational skills from having been in the fund raising business and investing their proceeds into services to the community.

Here are some potential goals and criteria that we might be looking for:

a. Community Based

b. Financial Capacity

c. Special Events Operational Experience

d. Marketing and Sponsorship Experience.

**2.) Fall Festival Advisory Board Recommendations**

The Fall Festival Advisory Board plans to meet on Monday, December 07th<sup>h</sup> to discuss and make recommendations to the Town Board. Any recommendations or comments will be available for distribution at the Town Board meeting.

**3.) Fiscal Impact**

There is none at this time.

MEMO  
TOWN OF PAHRUMP  
TOWN BOARD MEETING AGENDA ITEM  
MEETING DATE: 12-08-2009

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

The Town Manager recommends that the Town Board *move to direct the Town Manager to issue a Request for Proposals in December to solicit interest by qualified non profit groups to assume operation of the Fall Festival commencing in 2010, with the expectation that the Town Board will consider and potentially decide and select an agency at their January Town Board meeting.*

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

PAHRUMP TOWN BOARD MEETING  
BOB RUUD COMMUNITY CENTER  
150 NORTH HIGHWAY 160  
TUESDAY – 7:00 P.M.  
NOVEMBER 10, 2009

MINUTES

**PRESENT:**

Town Board:

Nicole Shupp

Bill Dolan

Vicky Parker

Mike Darby

Staff: Bill Kohbarger

Michael Sullivan

Al Balloqui

**ABSENT:**

Frank Maurizio

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)

No changes were made.

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

Mike Darby reported that the Nuclear Waste and Environmental Advisory Board have set a date for the 2010 Earth Day for April 17.

Bill Dolan reported that the Pahrump Veteran's Memorial Advisory Board will meet on November 19.

4. Town Manager Report. (Non-Action)

No report.

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

Vicky Parker commented that the Town is not compliant with ADA access for hearing impaired. Mrs. Parker asked staff to look into getting a system for the Town Office with training.

6. Presentation of check to Nathan Adelson for Tuff Enough to Wear Pink donation from the Fall Festival Rodeo Committee. (Action)

The Board presented a check to the Fall Festival Rodeo Committee Chairman, Don Hothem, which will be presented to Nathan Adelson Hospice from the Tough Enough to Wear Pink event.

7. Presentation by Wesley Cronin regarding ICE Med Files. (Non-Action)

J. Wesley Cronin spoke about the possibility of bringing this company to Pahrump and presented information about plans for the company, a medical records retention system.

Comments and/or questions were made by Art Jones, Fred Holm, Dave Stevens, Linn Jones, Sean Brooks and Harley Kulkin.

8. Presentation and discussion only by Granicus, Inc., pertaining to recording of, and streaming live video of the Town Board meetings, plus agenda/document integration and Management, voting system and mobile encoder. (Non-Action)

P. J. Schneider provided a power point presentation as stated in the agenda item and explained the advantages of steaming live video of meetings with documentation integration. He also talked about a voting system available to the Board to record votes. Mr. Schneider also explained ecomments for public input.

Bill Dolan asked about the cost. Mr. Schneider stated the cost for the basic solution described for webcasting and the minutes tool would be approximately \$24,000 and approximately \$2,100 per month. This can be scaled down to just what is needed.

Brian Schumake, Donna Cox, Harley Kulkin, Dave Stevens, Vern Van Winkle, Nancy Lord, Fred Holm, Harold Grimmaud and Sam Jones asked questions or commented.

9. Discussion and possible decision on selecting a location from three (3) options submitted from the Last Chance Design Workshop for the building of Phase I of the Last Chance Park Project. (Action)

Nicole Shupp and Vicky Parker thanked staff for making the tour of the project possible.

**Bill Dolan motioned to accept Option #1 (Bannavitch and Bell Vista) for the first phase. Vicky Parker seconded the motion.**

Harley Kulkin commented.

Vicky Parker addressed the spending of funds for this project and where the money would come from. Bill Kohbarger noted that the money is from impact fees collected solely for the purpose of providing parks. Mrs. Parker asked if impact fees can be diverted to another purpose. Mr. Kohbarger replied the funds cannot be diverted to anything else and must be used for parks.

Harold Grimmaud, Donna Cox, Fred Holm, George Gingell, Karen Jackson, Dave Stevens, Sam Jones, Donald Cox and Nancy Lord commented workshops, regarding water, location, etc.

**Vote passed 3 – 1. Mike Darby voted nay.**

10. Discussion and possible decision regarding Bid #2009-05 – Website development and maintenance. (Action)

**Mike Darby motioned to postpone at this time pending a response from Great Basin College to requests he has sent out. No second; motion died.**

Vicky Parker in favor of local option and was impressed with the design of Brian K Designs

**Vicky Parker motioned to consider Brian K. Schumake (Brian K Designs). No second; motion died.**

Vicky Parker asked Brian Schumake about his videos and his web design that was submitted. Mr. Schumake said he does web video and web audio along with photography. He also noted that the video is designed for common resolution.

**Bill Dolan motioned to accept Vision Internet with the maintenance fee correction as provided in the backup. No second; motioned died.**

**A consensus of the Board was to table this item at this time.**

11. Discussion and possible decision regarding variance of having to go to Pahrump Tourism and Convention Council (PTCC), asked for but was refused special meeting, requesting \$6,000 from the State Cultural Room Tax to cover hard costs. (Action)

Nicole Shupp asked Paula Elefante why she waited to present this request to the Town. Mrs. Elefante responded that personal situations caused the delay and explained that a special meeting was declined by the PTCC. Mrs. Shupp asked about last year's audit. Paula Elefante explained that there has not been an audit for last year at this time as they do not have the money for an audit, review or compilation. There was a discussion concerning the PTCC rules, transparency of spending funds and a request for a variance. Bill Dolan was disappointed that Mrs. Elefante waited so long to make her request. Paul Glidden asked if the agenda item was legal the way it was written. Rick Campbell said it was confusing but okay as written. There was much discussion with Board members, PTCC members and Paula Elefante.

**Mike Darby motioned to grant the variance for the request for \$6,000. No second; motion died.**

Nicole Shupp urged Paula Elefante to contact the PTCC to get on their agenda.

12. Discussion and possible decision of appointing two (2) Town Board members by the Vice-Chairman as the review committee for reviewing and signing of Town vouchers pursuant to Section 6.3.3 of the Town Board Policy 2009. (Action)

**Bill Dolan motioned to appoint him and Vicky Parker to review voucher documents for November, December 2009 and January 2010. Vicky Parker seconded the motion.**

**Vote passed 4 – 0.**

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

- a. Action – approval of Town vouchers
- b. Action – approval of Town Board meeting minutes of October 27, 2009

**Bill Dolan motioned to approve the consent agenda items a and b. Vicky Parker seconded the motion.**

**Vote passed 4 – 0.**

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

None scheduled at this time.

15. 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)

Harley Kulkin commented about public comment being heard after a motion is made and a lack of leadership.

Henry Amaya, Vice President of the Pow Wow was disgusted with the Board.

Butch Harper spoke about the patch project and read letters he has received thanking the Town.

Dee Painter invited citizens to attend the Pow Wow and the Walk for Diabetes Awareness at the Pow Wow November 21 at 8 am. There will be a trail ride from the Stagestop to the Arena meeting the walkers.

Sam Jones agreed with Mr. Kulkin and noted that rules are made to be broken. Mr. Jones felt the Board was punishing the Pow Wow for their mistake.

Bob Irving commended Mike Darby for going to the college for the website.

Donna Cox also commented on the Pow Wow situation.

Kathy Benoit said she was confused about the repayment of Tourism grants and for money for new start up events.

Paula Elefante thanked the audience for their support of the Pow Wow.

16. Adjournment.

Meeting adjourned at approximately 9:10 p.m.

Respectfully submitted,

Vicky Parker, Clerk

/cw

SPECIAL PAHRUMP TOWN BOARD MEETING  
PAHRUMP TOWN OFFICE – CONFERENCE ROOM  
400 NORTH HIGHWAY 160  
THURSDAY - 6:00 P.M.  
NOVEMBER 19, 2009

MINUTES

PRESENT:

Town Board:

Nicole Shupp  
Bill Dolan  
Vicky Parker  
Frank Maurizio  
Mike Darby

Staff:

Bill Kohbarger  
Michael Sullivan

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 Bid #2009-05 – Website development and maintenance. (Action)

Mike Darby asked if Calvada Design has been heard from, and he expressed concerns that Brian K Media only submitted a flat hourly rate without saying how much it would be to build the site as in the other proposals.

Frank Maurizio said he felt the bid should be kept at the town level and he liked Calvada Design. Mr. Maurizio stated we did not need to pay \$26,000 for all the bells and whistles.

Vicky Parker agreed that it should be local and she said either Calvada Design or Brian K could do a more than adequate job. Mrs. Parker noted that the deciding feature would be that the Brian K photography was excellent.

Vicky Parker motioned regarding Bid #2009-05 – Website development and maintenance go to Brian K. Shomake (Brian K Media). Bill Dolan seconded the motion.

Brian K. Shomake stated he was a local Pahrump resident. His company is Brian K Media and Design specializing in custom website design and website maintenance. Mr. Shomake noted that the Board has the information from his proposal. He put the packet together based on the original RFP. Mr. Shomake was unclear when putting the package together whether a new complete website was needed or if it was mainly for website maintenance over a 5 year contract. It has become clear to him that the Town does want a whole new website. He stated he was prepared provide the Board with information for building a whole new website.

Mike Darby explained that it was previously broke down in paperwork from the last meeting into maintenance, how much per year, initial set up and anything else. Mr. Darby asked what Mr. Shomake would project to set up a site. Mr. Shomake replied that to build a whole new website based on a content management system that would give the Town personal the ability to do updates and add content to the website without having to do any programming; he is prepared to provide that for the Town for \$25,000. He also said he was prepared to handle the five year maintenance contract, including the photography, all programming necessary to create the backend functionality and unique web design package.

Mr. Darby asked what Brian Shomake projected as yearly maintenance. Mr. Shomake replied that a projection is hard to estimate with any accuracy and would be based on the Town's need. Once the website is online there would be very little maintenance needed in order to maintain it. Brian Shomake said he provides hosting for all of his customers and hosting is \$59.95 per month for the complete website which would be a monthly cost. Any additional cost would be at the discretion of the Town. Photography and added features, website upgrade, could all be discussed prior to any charges being incurred. Mr. Darby asked what hosting would include. Brian Shomake replied that it would include bandwidth for streaming video and audio, full managed hosting having someone working behind the scenes 24 hours a day to be sure it is running. He will handle all custom email accounts, setting up email addresses for each person and maintain the website to insure it is functioning properly. His maintenance package includes free repairs if anything happens to the website at no additional charge if anything goes wrong with it. There will be a professional behind the website and will be online and functioning 24 hours a day. There will be no need to worry about broken links, broken images, and broken pages and will be professionally maintained and managed rather than something like GoDaddy.com and putting it online hoping nothing goes wrong with it. Mr. Shomake stated he handles all the back end management of the website.

Sam Jones commented.

Bill Kohbarger noted that this would be pending a contract to be discussed between him, Mr. Sullivan and Mr. Campbell and brought back to the Board to approve.

Ken Henderson, Calvada Design, stated he also submitted a proposal and pointed out that his pricing was a fixed price which means less risk for the Town. Mr. Henderson said he included a pricing page in his proposal which was well broken down.

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

3. Discussion and possible decision requesting to fund Powwow grant money from Pahrump Tourism and Convention Council. (Action)

Vicky Parker explained that this was discussed at the Pahrump Tourism and Convention Council (PTCC) meeting held on Wednesday (11/18/09) at length and the PTCC recommended the Town provide up to \$6,100; \$3,100 for marketing and \$3,000 for cultural support.

Mike Darby motioned to approve the award of \$6,100 from the Tourism grants to the Powwow event. Bill Dolan seconded the motion.

Vote passed 5 – 0.

4. 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)  
Manual Rivera, President of the Powwow, thanked the Board for their help.  
August (last name unknown) invited all to the Diabetes Awareness walk on Saturday at the Powwow.  
Sam Jones commented about holding special meetings.
5. Adjournment.  
Meeting adjourned at approximately 6:15 p.m.

Respectfully submitted,

Vicky Parker, Clerk  
Pahrump Town Board

**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

11/16/09

DATE OF DESIRED BOARD MEETING

December's Meeting

CIRCLE ONE: Action

or

Non-Action

CONCENT AGENDA

ITEM REQUESTED FOR CONSIDERATION:

The TOWN BOARD accept Julie Hargis AS AN ALTERNATE FOR THE INCORPORATION ADVISORY BOARD.

*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:

PLEASE ACCEPT MS. HARGIS TO OUR BOARD.

WE BELIEVE SHE WILL PROVIDE VALUABLE FEEDBACK AND ASSIST WITH ACHIEVING OUR PURPOSE & MISSION.

BACKUP ATTACHED:

YES

NO

NAME OF PRESENTER(S) OF ITEM:

R. DANCE WILSON

SPONSORED BY:

Mike Parker

R. Dance Wilson

R.D. Wilson

Print Name

Signature

Mailing Address

Pahrump, NV 89048

Telephone Number

702-595-0713

rec 11/16/09 @



# Office of the Nye County Sheriff

Nye County Courthouse  
Post Office Box 831  
Tonopah, Nevada 89049



Anthony L. DeMeo  
Sheriff

November 12, 2009

Pahrump Town Board  
400 N Hwy 160  
Pahrump, NV 89048

**FAX: (775) 727-0345**

Dear Town Board:

Enclosed please find a copy of request for 72 Hour Permits from Our Lady of the Valley Catholic Church to serve liquor on December 11<sup>th</sup> & 12<sup>th</sup>, 2009 for Guadalupe Festival.

This request is set to go before the Nye County Commissioners at their scheduled Board Meeting on December 1, 2009 should you have any objections as to why this should not be approved, please contact Assistant Sheriff Cody at 482-8110 so your concerns can be presented to the Licensing Board at their next scheduled meeting.

Sincerely,

Anthony L. DeMeo  
Sheriff

By

Georgiana M. Barnwell  
Administrative Technician

#12e

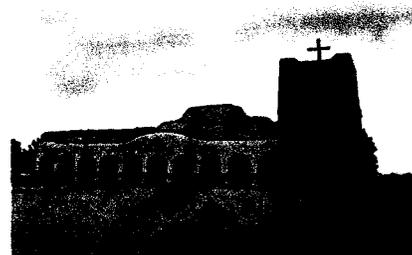
AREA:	OFFICES:	PHONE:	FAX:
Tonopah	P.O. Box 831	Tonopah, Nevada 89049	(775) 482-8101
Beatty	P.O. Box 805	Beatty, Nevada 89003	(775) 553-2345
Amargosa	P.O. Box 68	Amargosa Valley, Nevada 89020	(775) 372-5345
Pahrump	1520 E. Basin Ave.	Pahrump, Nevada 89060	(775) 751-7000
Mercury	P.O. Box 378	Mercury, Nevada 89023	(702) 295-6600
			(775) 482-8195
			(775) 553-2586
			(775) 372-1241
			(775) 751-4672
			(702) 295-7871

# Our Lady of the Valley

Catholic Church

781 E. Gamebird Road, Pahrump, Nevada 89048

Phone (775) 727-4044 Fax (775) 727-3784



Roman Catholic Diocese of Las Vegas

**November 6, 2009**

Joanne Cody  
Nye County Sheriff's Office  
Post Office Box 831  
Tonapah, NV 89049

Dear Ms. Cody:

As you know, our Church organizes various fund-raisers throughout the year. We will be holding a Guadalupe Festival on December 11<sup>th</sup> & 12<sup>th</sup> and we want to serve alcohol at this event. Therefore, we request that you please issue a liquor license for our Church, which is a non-profit organization. All security measures will be taken to prevent the purchase of these beverages by minors.

We look forward to receiving your approval for a liquor license at your earliest convenience.

Thank you,

Sincerely yours,

Marie Norton  
Office & Finance