

**PAHRUMP TOWN BOARD MEETING
NYE COUNTY ADMINISTRATIVE COMPLEX
2100 E WALT WILLIAMS DRIVE
TUESDAY – 7:00 P.M.**

MARCH 22, 2011

MINUTES

PRESENT:

Town Board:

Vicky Parker
Carolene Endersby
Dr. Tom Waters
Harley Kulkin

Staff:

Bill Kohbarger, Town Manager
Seaton J. Curran, Town Counsel
Scott Lewis, Fire Chief
Michael Sullivan, Finance Director
Al Balloqui, CB & DS Manager
Matt Luis, Building & Grounds Manager

ABSENT:

Town Board:

Mike Darby

1. Call to Order, Moment of Silence, and Pledge of Allegiance.

Vicky Parker, Vice Chair called the meeting to order. Tom Waters led in a Moment of Silence. Mrs. Parker led in the Pledge of Allegiance.

2. Discussion and Possible Decision regarding Moving the Order of or Deleting an Agenda Item(s).

Harley Kulkin requested to move number 17b to from Consent Agenda to be heard separately. Carolene Endersby asked to move 17c to 5b. Mrs. Parker asked to move item number 7 to precede 3 Announcements.

After ruling on Item 11, Mr. Kulkin motioned to hear Item 13 before Item 12, and for Item 17e to be included with it. Dr. Waters seconded.

Motion Carried, 4-0.

2a. Bill Kohbarger spoke, recognizing and showing appreciation for the Pahrump Valley Fire Rescue Service volunteer members.

3. Announcements

Announcements were read by Carolene Endersby.

Sandy Jenning announced a free tax service.

Sherri Moser spoke of the West Star Ranch Old Dog and Cat Rescue.

Jim Gregory announced a meeting of the Us-Too International Prostate Cancer Support Group on March 24th, as well as April 2nd.

Dan Schinhofen announced the 4th Annual Acoustic Grass Music Festival at the VFW on April 8th, 9th, and 10th.

Mr. Kohbarger announced a 4-H fundraiser on March 26th.

4. Public Comment:

Public comment was heard.

5. Advisory Board Reports from Advisory Board Chairpersons and/or Town Board Liaisons on the Status of Advisory Boards.

Mrs. Endersby updated the Board on the Incorporation Advisory Board.

Jose Telles updated the Board on Ken Shockley's condition as well as the progress of the Veteran's Memorial Advisory Board.

Mrs. Endersby made mention of the Park and Recreation Board's survey.

5b. (was 17c) Mrs. Endersby made a motion to approve Ms. Van Engen to the Youth Advisory Board. Mr. Kulkin seconded. Motion carried, 4-0.

6. Town of Pahrump Economic Development Report.

The Board had no questions.

7. Discussion and Possible Decision to Accept of a \$1,500 Grant From the Southern Nevada Chapter of the International Code Council to Provide Toddler Swimming Lessons for the 2011 Pool Season.

(Was heard between item 2 and 3)

Mr. Kulkin made a motion to accept. Dr. Waters seconded. Motion carried, 4-0.

8. Discussion and Possible Decision to Approve a Proclamation Declaring April 26, 2011 "Nye County Veteran Services Department" Day in Honor of Kenneth Shockley, Director of the Nye County Veteran Services for His Five Years of Hard Work and Dedication in Servicing the Veterans of Nye County.

Mr. Kulkin motioned to table the item until the next Town Board meeting since Mr. Shockley was unable to attend. Dr Waters seconded. Motion carried, 4-0.

9. Presentation by Nye County District Attorney, Brian Kunzi on his Vision and the Role of the District Attorney's Office in Our Community.

Brian Kunzi spoke on matters including having the Town and the County work closer together with mutual cooperation.

Mr. Kulkin asked what the insurance premiums incurred by the District Attorney's office were per month, as he was under the impression they were outrageous.

Mr. Kunzi said that information was not part of the agenda item and, if someone would like to discuss other matters they should be properly agendaized.

Dr. Waters asked Mr. Kunzi how he thought the Town should handle the issue of animal control.

Mr. Kunzi replied that if the Town wanted to hire animal control officers to enforce the Animal Control Ordinance it would be within the Town's capabilities. He suggested that under the present situation the Town seemed to want the County to enforce the Town's Animal Control Ordinance however there were legal issues which prevented this. He said if the Town would like to continue relying on the County to enforce this ordinance as it had previously he would need to amend the Nye County Code. If there were issues doing this effectively, he would sit down with Town representatives to figure out how they could best write the ordinance. After this, his recommendation would be that the ordinance become part of the Nye County Code and the Town abolish their animal control ordinance, but only if the board would like to pursue the avenue of keeping animal control with the county.

Mrs. Parker mentioned that prior to Mr. Kunzi's appointment of District Attorney, she had met with Mr. Borasky, Mr. Dolan and a previous District Attorney. She stated she had been left with the impression that the DA's office did not return the phone calls of the Town, and that the ball has been and still is in the DA's court.

Mr. Kunzi said that he cannot speak as to what happened prior to his term, and that he is committed to working with the Town Board to make sure rules and regulations are in place that are enforceable.

Referencing the topic of Growponics, Mr. Kunzi said he was trying to develop protocols for dealing with a transfer of a tax trust property.

He expressed excitement for the development of a CASA chapter in Nye County as well as a child advocacy center. He also shared his vision for laboring punishment while criminals spent a short stint in jail, such as a couple days.

10. Discussion and Possible Decision to Approve a Fuel Surcharge Rate Adjustment of 4.17% for Pahrum Valley Disposal Pursuant to PTO 43 Sections 43.020 and 43.270(C).

Bob Groesbeck detailed the company's request and the reasoning for the request, referring to information in the Back-up.

Mr. Kulkin pointed out that after the company had raised rates due to increased fuel prices in the past, they lowered them when fuel prices went down.

Mr. Kulkin motioned to approve a Fuel Surcharge Rate Adjustment of 4.17% for PVD. Dr. Waters seconded.

Public comment was heard.

Motion carried, 4-0.

11. Discussion and Possible Decision to Review the Speed Limit Study as Presented By the Nye County Roads Department and Possible Future Action Pertaining to Setting the Official Speed Limits on All Roads Within the Town of Pahrump.

Sherriff Tony DeMeo, Bill Beck, Dave Fanning, Don Skalicky, and Jared Ward presented.

Sherriff DeMeo started by stating the effects of unreasonably low and high speed limits. Mr. Beck continued, presenting results of studies done in 2007 and 2009.

Mrs. Endersby thanked Public Works for doing all of the research to find the results which were presented.

Sherriff DeMeo spoke of speed limit enforcement and distance time for drivers.

Dr. Waters asked if the Board should choose to adopt the suggested speed limits, would they be considered enforceable.

Sheriff DeMeo said that a judge could not enforce speeding tickets at the present time, but that they would be able to if the changes were adopted.

Mr. Kulkin asked how the speed limit could not be enforced by a judge in certain areas. Sherriff DeMeo responded that because there was not a current study to show that current speed limits were reasonable and justifiable, a judge would not be able to enforce any infractions.

Mr. Kulkin made mention of the fact that any money the Sherriff's Department brings in, including fines from traffic violations, go to the County rather than partially going to the Town.

Sherriff DeMeo stated that the fines gathered from traffic stops are minimal and couldn't pay for a single deputy's wages. He also stated that when the department writes citations under the Pahrump Town Ordinance, the Town receives the collected money from those fines.

Jared Ward shared the costs of changing speed limit signs throughout the Town. He said for every three signs, the cost including all fees would be \$410.

Mr. Kulkin motioned to review the study and bring back direction to the Town staff in two Town Board meetings. Dr. Waters seconded.

Mr. Ward stated that a lot of the signs placed around town under Resolutions were not legal.

Public comment was heard.

Motion carried, 4-0.

12. Discussion and Possible Decision to Create a Town of Pahrump Advisory Board for Not More Than Six (06) Months, With Monthly Updates to the Town Board, for the Purpose of Gathering Information on Relocating the Northern Boundary the Nye County.

Mr. Garlough recapped on what happened when he met with the Incorporation Advisory Board.

Mrs. Parker asked if Mr. Garlough thought it could be possible to bring the efforts of a Boundary Line Advisory Board and the findings of the Incorporation Advisory Board together, should the Boundary Line Advisory Board be established on its own.

Mr. Garlough responded to Mrs. Parker saying yes, and continued with figures, facts, and ideas.

Dr. Waters said he received information indicating that one of the County Commissioners was strongly opposed to relocating the northern boundary, and the other was mildly opposed to it.

Mr. Kulkin motioned to direct staff to create an advisory board and bring back a resolution as well as by-laws to the next Town Board meeting. The advisory board would be named "Town of Pahrump Boundary Line Advisory Board."

Dr. Waters seconded.

Public comment was heard.

Motion carried, 4-0.

13. Discussion and Possible Decision to place a "RFP" (Request for Proposal), in the Local Newspapers for Video Production Services: To Create Three (03) Promotional Videos of the Pahrump Valley Designed to Encourage Tourism.
(This item was heard between Item 11 and 12)

Kelly Buffi gave a general idea of what the three promotional videos would showcase.

Mrs. Parker mentioned that after the trip to Quartzside, Arizona, the Pahrump website was receiving over 1000 hits a day, and she believed these videos would really help tourism for Pahrump.

Mr. Kulkin motioned to approve to place a "RFP" in the local newspapers for Video Production Services. Mrs. Endersby seconded.

Motion carried, 4-0.

14. Discussion and Possible Decision to Approve Resolution 2011-05, A Resolution Designating Daniel C. McArthur to the Nevada Department of Taxation as the Town of Pahrump External Auditor for Fiscal Year 2011-2012 and Approving his Engagement Letter Dated March 22, 2011 in an Amount Not to Exceed \$25,000 Budgeted and Payable From the General Fund.

**Mr. Kulkin motioned to approve Resolution 201-05. Mrs. Endersby seconded.
Motion carried, 4-0.**

15. Discussion and Possible Decision to Approve One of the following three (03) Options Pertaining to the Next Step for the Last Chance Park Development: Option 1, Proceed with the Mitigation of location #1 (Bell Vista @ Bannavitch) Not to Exceed \$10,000.00; or Option 2, Start the Process to Investigate location #2 (Bannavitch @ Simkins Road) and Location #3 (SR 160); or Option 3, Discontinue the Entire Project.

Mrs. Parker said that option one was the only way to save the beauty of Shadow Mountain, as the BLM would re-designate the land to recreation rather than be available for development should the Town not go through with Last Chance Park.

Mr. Kohbarger explained that the BLM found a prehistoric lithic scatter and the process through archeologist studies had taken over a year. He said that the Mitigation may cost more than \$10,000 and that there was a possibility of a grant through BLM.

Dr. Waters asked how much the project had cost the Town already, to which Mr. Kohbarger responded the Town had not paid anything into it, as most of the costs were paid through the grant the Town had previously received.

Mr. Kulkin said that he doesn't believe the Town had enough money to put into the park. He said he believed the Town should focus more on creating jobs than building parks.

Mrs. Parker responded, stating that the park had much support from the community and funds had been set aside for some time toward the development of Last Chance Park.

Mrs. Endersby said that parks and preservation of open space were really needed in the community, and that she believed this was the first step in a process to which we could have available more grants for the project. She asked about the locations the Public Lands Advisory Board had looked at.

Mrs. Parker explained the location options.

Mrs. Endersby made a motion to approve option one.

Dr. Waters seconded.

Public comment was heard.

Mrs. Endersby amended the motion to state to start the process to investigate location number two, and then proceed with mitigation of location number one if necessary.

Motion died due to lack of a second.

Dr. Waters motioned to table this item until the next meeting.

Mr. Kulkin seconded.

Motion carried, 4-0.

16. Discussion and Possible Decision to Approve Resolution 2011-04, a Resolution Creating a Community Event Center Solutions Task Force.

Mrs. Endersby said she felt the solution regarding the Ruud Center should be made by all available resources (staff, town board, members of the public, experts, etc.).

Mrs. Endersby motioned to table the item, due to the lateness of the time, until the next meeting.

Mr. Kulkin seconded.

Dr. Waters stated that he agreed with Mrs. Endersby and mentioned information which was in an editorial in the Pahrump Valley Times on March 18th.

Motion carried, 3-1, with Mrs. Parker voting nay.

17. Discussion and Possible Decision Consent Agenda Items:

- a. *Action – Approval of Town Vouchers.*
- b. *Action – Approval of Town Board Minutes for February 08, 2011.*
- c. *Action – Approval to accept Ms. Reegan Van Engen to the Pahrump Youth Advisory Board.*
- d. *Action – Approve grant request for the Pahrump Valley Chamber of Commerce for Certified Folder Display in an amount not to exceed of \$1,200.00.*
- e. *Action – Approve grant request for the Pahrump Valley Chamber of Commerce for a quarterly ad in the RV Journal in an amount not to exceed of \$3,086.00.*

(17c was heard as Item 5b)

(17b was heard separately for corrections)

(17e was heard separately)

Mr. Kulkin motioned to accept items a, b, and d.

Mrs. Endersby seconded.

Motion carried, 4-0.

17e. Mr. Kulkin motioned to approve. Dr Waters seconded.

Motion carried, 4-0.

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

- a. *Town of Pahrump Budget Workshops – March 29th, 30th, & 31st, 2011 6:00 p.m. @ the Town Annex*

19. Town Board Member's Comments

Dr. Waters announced that the **Pool Pact** training would be for all Town and Advisory Board members would be March 12th at 6:00 pm at the County Commissioner Chambers. He also asked if it could be added to the minutes to state how many public commenters were pro or con concerning an item.

Mrs. Endersby thanked everyone for going to the meeting on March 14th of the County Commissioners, which included an agenda item on abolishing the Pahrump Town Board.

Mr. Kulkin said that after Mr. Kunzi spoke, it seemed obvious that there was a conflict of interest for him

Mrs. Parker stated that when a sewer rate was raised at Ian Deutch Park, staff went through a lot of trouble to rectify the unjust situation.

20. Town Manager's Report.

Mrs. Endersby asked if Mr. Kohbarger would bring forward more information concerning the Flash Cut Construction Permits.

Mr. Kohbarger said that yes, as soon as he received more information from Mr. Richardson, he would hold a press release and forward the information on.

Adjournment

Vicky Parker adjourned the meeting.