

**Beatty Town Advisory Board  
100 A Avenue South  
P.O. Box 837  
Beatty, NV 89003**

**Minutes  
09/28/2011**

**THE BEATTY TOWN ADVISORY BOARD MET IN REGULAR SESSION AT 6:30PM IN THE BEATTY COMMUNITY CENTER.  
THE BEATTY TOWN ADVISORY BOARD HEREAFTER WILL BE REFERRED TO AS THE (BTAB)  
THE BEATTY TOWN ADVISORY BOARD MEMBERS HEREAFTER WILL BE REFERRED TO AS THEIR RESPECTIVE INITIALS.**

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**Teresa Sullivan (TS) – Chair  
Vacant – Vice Chair  
Erika Gerling (EG) – Treasurer  
Kelly Carroll (KC) – Member  
Dick Gardner (DG) – Member**

**1 Pledge of Allegiance**

Meeting called to order at 6:30pm

**2 Approval of the Agenda for the BTAB meeting of September 28, 2011.**

*DG – Motion to approve the agenda for September 28<sup>th</sup> with the exception of number 5 emergency items; Second KC; 4-0*

**3 Action – Approval Meeting Minutes dated; September 14, 2011.**

*DG – Motion to approve the minutes of September 14, 2011; Second KC; 4-0*

**4 GENERAL PUBLIC COMMENT (Three-minute time limit per person.) Action will not be taken on the matters considered during this period until specifically included on an agenda as an action item.**

None

**5 Action – Emergency Items**

Item pulled

**6 Action – Board Member's Comments (This item limited to announcements or topics/issues proposed for future workshops/agendas)**

DG – None

EG – Requested future agenda items; decision about patriot banners and property taxes for BEDC.

EG – Stated she would like a follow up with Joni about the Fireworks Ordinance.

EG - Stated the 2<sup>nd</sup> and 3<sup>rd</sup> quarter Good Citizens awards need to be given.

EG – Suggested the past Ambulance Service past class participants be contacted regarding the upcoming classes and test.

EG – Stated she expects a proof for the banner for the float by the end of the week.

KC- None

TS – Elaine with Tera Spectra expects to complete a sample address map by next week.

EG – Stated the Phoenix Inn did submit their room tax reports and payment for the months of February through April.

**7 Consent Agenda Items**

**a. Action – Discussion of any item from the Consent Agenda Items that needs review before a decision is made.**

**b. Approval of Town Vouchers**

*KC – Motion to approve the Town Vouchers; Second DG; 4-0*

**8 General Business**

- a. Action – Discussion, deliberation and possible decision to approve the waiver of the rental fees for the chairs to be used at the fourth annual Albert’s Tarantella on Saturday October 1, 2011, and all matters pertaining thereto. – Goldwell Open Air Museum; Suzy McCoy**

Carrie Radomski – Explained Ms. McCoy is not in town, the request is for the external chairs; Discussion Followed.

TS – Stated the policy is not to waive the deposit; discussion followed.

*DG – Move on agenda item a. to waive the rental fees only, not the deposit for Goldwell Open Air Museum; Second KC; 4-0*

- b. Action – Discussion, deliberation and possible decision regarding citizen(s) concerns regarding the burro population in town and all matters pertaining thereto. – BTAB**

TS – Stated she requested this item be placed on the agenda at the last meeting because a few citizens had come to her with concerns.

Harry Friend – Stated if the current burro population is rounded up and hauled away a new group will come in; we’re not talking about whether or not there will be burros in town, just which ones they will be. The current population is accustomed to humans and traffic and know how to behave, and do not present a hazard. Replacing them with wild burros could present a hazard, or at least a temporary hazard. The best solution is to do nothing.

Wendy Wilson – Stated the current burro populace in Town and is tame to a degree, removing them will allow a new group to come in and that is potential trouble. The best suggestion is to leave it be. Maybe contact BLM about thinning out some of the outlying herds, but leave the ones in Town alone.

Sharon Friend – Stated she would like to address the current Coyote problem; September 22 she lost a cat to a coyote in town.

Ms. Friend – Stated her concern is that they could harm not only a dog or a cat but a child, and this is a big security concern, and requested the Town Board look into the Coyote population.

J. Harvey – Stated he has lived here for 20/30 years; the burros strike him as an attraction in Beatty. The last time burros were a Town Board agenda item, the Town Board elected to have burros rounded up and deported, it was said the burros would be adopted out. He went out on the internet for several months afterward, the burros never appeared on the internet; different Town Board same issue. The Burros were rounded up against the wishes of the people of Beatty.

Mr. Harvey – Stated he contacted Mr. Drake of the BLM back in 2007 the last time this happened.

Mr. Harvey – Stated he has a document from Mr. Drake that clearly states that he received letter and e-mail correspondence from the citizens that was overwhelmingly in favor of leaving the burros alone, giving them respect and letting them live their lives here in Beatty. Mr. Drake said that they were required to haul the burros away because they are required to follow the wishes of the Town Board, and the Town Board stated that they wanted the burros removed.

Mr. Harvey – Stated that when he pointed out to Mr. Drake that the Town Board, four years ago, were not elected officials they were appointed as advisors to the county commission. Mr. Drake said if they had known the Board was appointed and not elected by the citizens at large they would not have responded to their request.

Mr. Harvey - Suggested we leave the burros alone or give thought to making them an attraction like Oatman Arizona, get people to come and appreciate our burros, put up feeding and water stations for them. Welcome them to our community.

Mr. Harvey – Stated they have been a member of this community longer than he has.

Crystal Taylor – Stated first the opinion of the general population needs to be gained, put out petitions. Second there are a few baby burros that are very friendly; we need signs that say don’t feed or pet the burros.

Ms. Taylor – Stated she did see a burro buck-up to a person that was petting them.

Ms. Taylor – Stated maybe Mr. Harvey’s suggestion of feeding stations would work, that would mean people would not be feeding them and it might keep them going to their own environment for food.

Joni Jarvis – Stated she was a member of the board that Mr. Harvey spoke of and the minutes will reflect that night that he spoke of a; vote was taken of the audience, and the audience voted to have the burros rounded up. Further they are a huge danger on the highway. Half of this community supports the burros and half of this community has seen very tragic losses, due to the burros. A burro versus a car doing seventy miles an hour on the highway, who is going to win, the safety of a loved one in a car or a burro, the burros need to go.

Ms. Jarvis – Stated she travels the highway every day, and it is dangerous.

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Ms. Jarvis – Stated the burros are adopted, it's the best way, they will be back in the community in a few weeks, they're a very big part of our community, and it's the best way to handle it.

Charlie Cook – Stated, number one the burro population in the state is the responsibility of the Bureau of Land Management, he didn't know why the board would be getting involved.

Mr. Cook - Stated the second thing was this items wording in respect to the open meeting law.

TS – Stated we are on an item regarding burros, and asked Mr. Cook to stay with the topic of the item.

Mr. Cook – Stated it is specific to that, the item has the BTAB as the author of this item, according to open meeting law that should not be done, anything on the agenda has to be brought forth by an individual.

TS – Stated that is not relevant to the item, but the item is in compliance, it has been verified to be in compliance and thanked Mr. Cook for his concern.

TS – Read statements sent to her by two citizens pertaining to this issue.

Tom Seley; Field Manager of the Tonopah Field Office – Stated this has been an ongoing issue, up and down, for a long time, since 1982. There is a designated management area for wild burros called, Bullfrog HMA, removal records show four (4) removals down here. Burros are a wild animal, feeding stations are not healthy for the animal, it will attract more in.

1990 – 63 head were removed

1995 – 492 head were removed; using a contractor

1996 – 417 head were removed

Mr. Seley – Stated when you start feeding burros they become acclimated and told a story about a burro in Death Valley that tourists fed, who started biting tourists that would stop to pet him that did not have food. That burro had to be removed, it was adopted out.

Mr. Seley – Stated that the next removal in the area is scheduled for March 2012; a gather plan will come out.

Mr. Seley – Described the burro population in the surrounding area including Amargosa and Spring Dale.

Mr. Seley – Stated a March 2010 fly over the estimated population was 150, it will be more, 350 to 500 when the fly over is done again, Mr. Seley will contact the Air force and DOE to broaden the fly over area.

Mr. Seley – Stated the burros are expanding way outside their habitat area; the aim is to remove or thin down the animals in town, leave the animals adjacent, and remove the animals that are outside the heard management area. This is for the betterment of the burros to keep their population at a level that the habitat can sustain. If you have never seen animal starving down, when they go down on the ground the predators come in and chew them from the backside up, ravens peck their eyes out, it is very hideous, that is what overpopulation does.

Mr. Seley – Stated when the gather plan is complete it will be made available to the Town Board, for people's comments.

Mr. Seley – Stated he will be available for questions.

DG- Asked where do burros go when they are removed.

Mr. Seley – Stated they go to a BLM preparation facility, they are given their shots and wormed; they go in the adoption program. In today's down market they are still adopted, it takes a little longer but they are adopted.

TS – Asked about sterilization to reduce reproduction.

Mr. Seley – Stated they have not applied it to burros because they do adopt out. When we remove down to the appropriate management level to the number of animals which the habitat can support, it stimulates compensatory reproduction. The focus in on the wild horse population at this time but it may be used with burros, there are discussions taking place about it.

EG – Clarified that even before this item was on the agenda the BLM had plans for a roundup in March 2012.

Mr. Seley – Stated they did.

EG – Clarified the number of roundups completed in the last approximately 12 years the BLM has done about 4 roundups in the Beatty area.

Mr. Seley – Stated that roundups have been taking place since 1990. In 1995 just fewer than five hundred head were removed and in 1996 417 head were removed, 2007 much smaller amount.

EG – Clarified that in 2007 not all of the burros were removed from the community, some burros were left because that is the culture of Beatty.

EG – Stated that the burros come in from north of Town and if the gate is open they get on the highway, and sited some recent and past accidents caused by burros on the highway; Discussion followed.

TS – Stated that BLM manages, that is clearly who manages the burro population, they have to be managed or they will over run not just the Town but their habitat and they could starve to death, if there are too many in the desert. We have to rely on the BLM to take care of the burros, to do what is right and ensure that the burros and the population are kept safe.

Mr. Seley – Stated that they are actively working to redevelop water resources for the burros that will provide them a stable source of water, which may help keep them in their natural habitat.

Mr. Seley – Restated that there will be gather plan that the Wild Horse Specialist is preparing, it will be available to the public for review and comment, when it is completed.

Wendy Wilson – Stated thinning of the heard is correct, leaving the acclimated burros alone is correct. If there are known trouble makers in Town they could be removed.

Ms. Wilson – Suggested preparing educational pamphlet about the burros, all opinions are correct; it is a puzzle that needs to be worked out. Feeding stations may be viable outside of Town, large signs that warn motorists about burros; Discussion Followed.

Sharon Friend – Stated she has lived here quite some time, and that it would be good for Beatty to have a tourist attraction, the Town is not growing, and needs something. The burros are wild and they have been here longer than anybody here. They would be a good tourist attraction.

EG – Clarified that the last time this came before the board the big issues were safety and property damage.

*Item dies for lack of motion*

- c. Action – Discussion, deliberation and possible decision to approve the replacement of the Beatty Museum heating/air conditioning units, in an amount not to exceed Twenty Thousand Dollars (\$20,000.00) and all matters pertaining thereto. – Beatty Museum; James Weeks**

James Weeks – Stated at the BTAB budget meeting in March the possible need for assistance with funding the repairs of the heating/air conditioning units at the Museum. At this time both existing units have quit working and the repairs are needed.

Mr. Weeks – Stated that three (3) quotes have been obtained, each quote has two (2) system options; Mr. Weeks read the quote totals.

Mr. Weeks – Explained that option two (2) is the preferred option due to better overall efficiency.

TS – Inquired if Capital funds would be funding source.

EG – Stated Tourism Operating would be the preferred source; Capital funds may be used for the Town Square and the Pocket Park projects; Discussion followed.

EG – Stated Tourism Operating would have approximately Fifty Five Thousand Dollars (\$55,000.00) left after Beatty Days and this project; Discussion followed.

*DG – Move on action item C to approve the replacement of the Beatty Museum heating/air conditioning units using Jim's Refrigeration with a second choice of Empire Air; Second KC; 4-0*

- d. Action – Discussion , dellberation and possible decision to submit a request to Nye County Purchasing to prepare and post a Request for Proposal (RFP) for the Beatty Volunteer Fire Department "New Building" , and all matters pertaining thereto. – Beatty Volunteer Fire Department; Jim Benshoof**

Jim Benshoof – Stated the architectural drawings and the scope of work are complete and this request is to forward it to the County for the RFP; Discussion followed.

*KC - Motion to submit the request to Nye County Purchasing for the RFP for the Beatty Volunteer Fire Department; Second DG; 4-0*

- e. Action – Discussion, deliberation and possible decision to approve the annual inspection of the water pumps, on the Beatty Volunteer Fire Departments fire trucks, ladder truck aerial inspection , and ground ladders inspections in an amount not to exceed Four Thousand One Hundred Dollars (\$4,100.00) and all matters pertaining thereto. – Beatty Volunteer Fire Department; Jim Benshoof**

Jim Benshoof – Stated this is a required annual inspection; Discussion followed.

TS – Stated that there is a concern because in the past this was paid for by Nye County Emergency Services and is wondering if Nye County Emergency Services is paying for inspections in other fire departments.

Mr. Benshoof – Stated they were told that they did not have the funding pay for the inspections, and each department would have to come up with the funding themselves.

EG – Stated that this is the second thing that has recently come up that used to be funded by Nye County Emergency Services that now must be funded at the local level; Discussion followed.

TS – Asked if Mr. Benshoof could find out if there are other costs that were funded by Nye County Emergency Services that may require local funding, this year's budget is already set but that information will be needed when planning next years budget.

*DG – Moved to approve the annual inspection of the water pumps and ladders in an amount not to exceed Four Thousand One Hundred Dollars (\$4,100.00) to come out of repair and maintenance of the Beatty Volunteer Fire Department; Second KC; 4-0*

- f. Action – Discussion, deliberation and possible decision to schedule a Workshop addressing Nye County Code/Beatty Ordinance 19.12 Room Tax and all matters pertaining thereto. – Beatty Town Office; Carrie Radomski**

Carrie Radomski – Stated this was placed on the agenda due to discussion at the last meeting to schedule a workshop pertaining to the Beatty Town Ordinance for Room Tax.

EG – Stated that the Phoenix paid up until April, this is why this issue has come up again, several years ago we had the same issue.

EG – Stated the one thing that is not addressed in the ordinance specifically or strongly enough are the penalties and enforcement sections.

TS – Requested suggestions for a date; Discussion followed.

*DG – Motion to hold the Beatty Ordinance Workshop on October 12, 2011 at 5:30pm; Second KC; 4-0*

- g. Action – Discussion, deliberation and possible decision to approve the purchase of a new video recording system/DBR for the Beatty Community Center in an amount not to exceed One Thousand Dollars (\$1,000.00) and all matters pertaining thereto. – Beatty Town Office; Carrie Radomski**

Carrie Radomski – Stated that the old system no longer works, and after researching several options including repairing the old unit a new replacement unit has been selected and described the options and the features of the unit; Discussion followed.

*DG – Moved to approve the purchase of a new video recording system in an amount not to exceed One Thousand Dollars (\$1,000.00) funded out of Community Center Operating 7152; Second KC; 4-0*

- h. Action – Discussion, deliberation and possible decision to set deadline for letters of interest for two (2) Beatty Town Advisory Board seats up for election of October 17, 2011 and all matters pertaining thereto. – Beatty Town Office; Carrie Radomski**

Carrie Radomski – Stated that two seats will come up for election, the BTAB rules of procedure state that letters of interest must be submitted no later than fifteen calendar days (15) prior to the election, setting this dead line will give us the required days needed.

*KC – Motion to set the deadline of October 17, 2011 for letters of interest for the two (2) Beatty Town Advisory Board seats; Second DG; 4-0*

**i. Action – Discussion, deliberation and possible decision to set Beatty Town Advisory Board election date of November 9, 2011 and all matters pertaining thereto. – Beatty Town Office; Carrie Radomski**

Carrie Radomski – Stated that this date will give us the time needed to properly agendize; Discussion followed.

*DG - Motion to set election night for the Beatty Town Advisory Board seats November 9<sup>th</sup> .2011 at 6:30pm; Second KC; 4-0*

DG – Requested Public Comment be reopened.

Bob Groesbeck of C&S Waste Solutions of Nevada/Beatty Disposal – Stated that C&S will be participating in the Beatty Days Event. They will have a booth at the park and will have a metal recycling event at the Beatty Senior Center. Citizens will be able to bring their recyclable metal to the Beatty Senior Center Friday evening and 8am to 3pm Saturday the 29<sup>th</sup> and Sunday the 30<sup>th</sup>. The metal will be weighed on the spot and payment will be made on the spot. A flyer is being created and will be out shortly; Discussion followed.

**9 Adjournment**

*DG – motion to adjourn 7:49pm; KC; 4-0*