

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

**Minutes
09/28/2015**

**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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**Dick Gardner (DG) – Chair
Kelly Carroll (KC) – Vice Chair
Erika Gerling (EG) – Treasurer
Randy Reed (RR) - Member
Crystal Taylor (CT) – Member**

1 Pledge of Allegiance

Meeting called to order at 6:30pm

2 Approval of the Agenda for the BTAB meeting of September 28, 2015.

Staff - Pulled item 5 Emergency items and item 9b per the petitioner.

3 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

4 For Possible Action – Approval of the Meeting Minutes dated August 24, 2015

RR – Motion to approve the meeting minutes dated August 24, 2015; Second CT; 5-0

5 For Possible Action – Emergency Items

Item pulled

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

KC; EG – None

RR – Stated on December 5th the Senior Center is sponsoring a Christmas Bizarre, it will be held in both buildings. We are working on getting flyers and everything out. On December 12th we are also working on bringing back the Town Christmas party.

DG – Stated the VFW Auxiliary accepts all veterans.

CT – Stated there is no longer going to be a Ladies Auxiliary in our VFW Post. What they are doing is they are opening it up as a regular Auxiliary, this means that men and women can join the Auxiliary. It's a great opportunity now those that could not join can. The membership is based on having a qualified member of the Post. If you are interested contact Wendy the Auxiliary Treasurer or go into the Post for an application. Generally you need a copy of the DD214.

DG – Stated at the VFW Post starting on the 12th of October we have a display that will be in there for a month called Always Lost a Mediation of War. I'll have flyers and brochures starting the first of the month. Since 9/11 every soldier, sailor, airman, and marine that's been killed in the Gulf War, their pictures are on a 2x2 plaque. There are 212 pictures on each plaque, obviously they are small pictures. I reserved this display about two years ago for this time frame, there were 34 plaques now it is up to 37 or 38 plaques. In the two years we have lost up to 600, it's an emotional display. There are the photos, poems and other things. It's put on by the Western Nevada College in Carson City and it's got some very nice articles. There is no charge, it is in the lower meeting room at the Post and it will be here for a month. Please come and see it.

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

RR – Motion to approve the town vouchers in the amount of \$99.25; Second CT; 5-0

8 Reports

a. Secretary

Carrie Radomski; Town Secretary – The Beatty Volunteer Ambulance service will be holding an Emergency Responder Class. We need 10 people to sign up for the class to have it held here locally in Beatty. You must be 18 years old, have a valid driver's license and the desire to learn about becoming an emergency responder. We are hoping to have a start date in November which will be dependent on the signups. If you are interested you can contact the Town Office at 553-2050 or contact Allison the Ambulance Coordinator at 553-2026 or 553-2024.

Officer Roland Benton; Nye County Sheriffs Auxiliary – Stated I've been tasked to expand the Pahrump Area Auxiliary which is an unpaid sworn peace officer into the Beatty and also the Amargosa Valley areas. The first thing I found is that it is not going to work to take a book or a way of doing business from one community to the other. So, we are going to start from scratch basically providing uniforms, training, vehicles and what have you to the people. Then what we need is for the community to step forward and say what they would be willing to do to help out with this. The whole program is very rewarding. You are bridging the gap between the Deputy and the community, it's like an enhanced neighborhood watch, that would be patrolling and what have you. One of the things moving forward is establishing from the community, number one what they would like to see. The facts of life today are that the Deputies are few and far between. We've got a 45 minute response into Amargosa; we need something to bridge that initial period. Anybody in this room can help we're not saying necessarily to join but if you talk to somebody or know of somebody that might be interested that's what's going to help us. I will have more information in my presentation scheduled for the October 12th at the BTAB meeting.

9 General Business

a. For Possible Action – Discussion, deliberation, and decision to approve a request for \$6,700.00 to pay for the electrical installation in the Museum new building addition. – Betty Museum; Amina Anderson

Amina Anderson; Beatty Museum Staff – Stated we did get two bids.

DG – Asked who is going to install the lights in the T-Track ceiling?

Ms. Anderson – Stated I'm not sure.

DG – Stated that usually the electrician would install the fixtures.

DG – Stated I am assuming that they will have three- way light switches but I did not see that in the quote?

Ms. Anderson – Stated I think so; Discussion followed.

DG – Stated another question is who will hook up the heat/AC when it's installed?

Ms. Anderson – Stated that was going to be LaHaye.

DG – Stated I have no problem with the bid I just have those questions; T-Track ceiling lighting and switches.

EG – Asked if Ms. Anderson feels that those questions could be answered favorably?

Ms. Anderson – Stated I do. I just didn't know to ask those questions and get those specifics, but I'm sure they will be okay with it.

RR – Motion to approve an amount of \$6,700.00 out of Capital Projects fund for the electrical install costs by LaHaye for the Beatty Museum addition; Second CT; 5-0

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- b. **For Possible Action – Discussion, deliberation, and decision to approve a request for funding in an amount not to exceed \$10,000.00 assistance for the AC/Heat pump installation for the Beatty Museum. – Beatty Museum; Amina Anderson**

Pulled by petitioner

- c. **For Possible Action – Discussion, deliberation and decision to send a letter of support to the Board of County Commissioners for the US Ecology Hazardous Waste Permit Applications SW-2015-000003 to allow a hazardous waste treatment and disposal facility on 480 acres located on Highway 95, Beatty, Nevada. State of Nevada I Nevada Division of State Lands. Property owner U.S. Ecology Nevada, Inc. AP#'s 018-611-02 & -04. – Crystal Taylor**

Carrie Radomski; Town Secretary – Gave a brief history, at the last BoCC meeting there was an item on their agenda pertaining to this hazardous waste application for US Ecology. They are submitting a new application; they are currently functioning on 80 acres. There are 400 acres surrounding the facility that was recently released by the BLM to the State so that the State can lease it to US Ecology. The County, BLM, State and US Ecology have been working on this for years. There was an item on the agenda (BoCC) to approve this Special Use Permit which was pulled. The Planning Department needed to do more research on this particular item and during that there was public comment, Mike from Amargosa got up and spoke and basically stated that Amargosa is not in favor of this. We didn't have an opportunity to place something on our agenda because we didn't know it was going to be on the BoCC agenda until the agenda came out and we can't post our own agenda within legal posting time to have a response. It worked to our favor that they pulled this item; they have not set a future date for the hearing or the item so we don't know when it's going to happen. This was placed on the Advisory Board here for this Board to make a statement to the County Commissioners when this Special Use Permit comes up for a hearing again with the BoCC. This letter has been drafted after research by the office and Board members.

EG – Stated Amargosa's main concern is water contaminating, they had several concerns but water contamination was their main concern.

Ms. Radomski – Read the draft of the letter.

DG – Stated we might add that when this came in on the BoCC agenda, we contacted Bob Marchand of US Ecology and he came into the office and met with Carrie and me. We watched the video of the BoCC meeting and from that asked Bob some questions, we brought up about the fine and some other things, and we did research and came up with this letter. We have shown this letter to Bob. If there any questions about this letter or about US Ecology, Dan Church is here from US Ecology and he'd be glad to answer them.

DG – Asked for questions; there were none.

EG – Stated there are a couple of things I would like to underline or bold and a few other small changes I would like to make.

RR – Motion to send the letter we came up with in Support of US Ecology to the Board of County Commissioners; Second CT:; 5-0

DG – Stated we will also send this to Pam Webster and Darrel Lacy the Planning Director

- d. For Possible Action – Discussion, deliberation, and decision to send a letter to the Board of County Commissioners to be included in the public comment at the public hearing scheduled for October 6, 2015 regarding the repeal of Nye County Code Chapter 3.28 Special Revenue Funds including our suggestions(s) for the use of the balances in the five established county special revenue funds should Chapter 3.28 be repealed. – Crystal Taylor**

CT – Motion to receive supplemental; Second RR; 5-0

Carrie Radomski; Town Secretary – Stated the supplemental is a draft of the letter. The BoCC had an item on the September 1st meeting to set a date and time for a public hearing, which they did do, this is going to be on October 6th at 10:45am in Tonopah. They are going to have a public hearing where you can make comments about this. It's a Bill proposing to repeal Nye County code Chapter 3.28 to abolish the policy for the use of all Special Revenue Funds. They have a bill that they are going to consider getting rid of Chapter 3.28. Chapter 3.28 was established in 2000 for PETT funds, it was originally thirty eight million dollars in a four to five year period. There are five separate accounts which have specific uses tied to them; Emergency, Education, Health, Capital Projects. What they want to do now is take any money left in these funds, they want to abolish 3.28. This is the Board's opportunity to give public comment.

EG – Stated when I heard this at the Commissioners meeting, which I listen to, the same meeting they had had some items on where they were going to do some housekeeping, there were there were three items where they were going to go back to 2012 and fix this thing that they borrowed from and make these Resolutions, there were three items, they got pulled. Then they had this item, in their back up everything says that these are for specific purposes, these funds. The education fund is for education and the definitions changed a little from the first bill in 2000 which was amended in 2006, so some things changed. Originally you could only use the interest for these projects and capital projects. Some things changed in 2006 but the intent of the law was still that these funds be used for specific purposes. My one thing that really gets me upset is that one of the things that the Commissioners have used these funds for is interfund loans. We have to understand that, as a government, things are always lagging; your revenue doesn't always come in when somebody puts their check in the mail. So things are behind, so it's necessary to borrow from one fund to another but the law says that; interfund loans or loans to other governments, Number 1 - determined at a public hearing that sufficient money is available for the loan and that money is not restricted as to its use. Now all of these Endowment Funds are restricted as to their use, it's spelled out to the best of our understanding, everything that we can read, that they are specific. I don't think they can do that without a public hearing, and we can't find record of a public hearing and two the money is restricted so you can't use it to do an interfund transfer, to the best of my understanding basec on the information that I can gather.

CT – Stated the main thing that I want to bring up is they are looking to abolish this so we are looking at there is a possibility of an amount of over ten million dollars in the PETT funds. They have been using the Emergency Funds for their intefund loans so if there is an emergency in Nye County the funds are not there because, it is believed that they are using the funds to cover for the previous year's budget. That being said my hope, my wish, is that we can actually get them to not abolish these funds. It is my understanding they have an outstanding loan to the Emergency Fund and they are going abolish it and that might make it seem, in my opinion, might make it seem like they wouldn't have to replace tne money that they currently borrowed.

EG – Stated you are exactly right, if they abolish 3.28 it means that there are no rules governing that. Those funds are gone they are not a fund anymore, there are no rules governing that. So what are they going to do? We can only assume which is a bad thing to do. You can't just leave that money in some fund hanging out there category. It's got to go somewhere which it would be my opinion that it would go in the general fund. The most current information that we were able to obtain is the Nye County Treasurers report from May of 2015 and these are the balances in those funds as of that date; fund 10493 Capital Projects Endowment \$6,465,890.70, fund 10302 Educational Endowment \$9,427,738.95, fund 10303 Health Service \$2,756.80, fund 10304 Emergency fund \$133,444.91, Special Projects \$742,814.26 so those are the balances, that is a lot of money. Some of them the Emergency fund that they have been borrowing from, the math that we've been able to figure out, they borrowed three million it's supposed to be paid back, they borrowed eight hundred and fifty thousand, they borrowed a million, there should still be one million one hundred and fifty thousand dollars in that fund but according to the May Treasurers report there's \$133,000.00 in there. So that's just information for you guys, so everybody knows what's really at stake here. It's a lot of money and the intended purposes will not be the intended purposes if they abolish it.

CT – Stated the secondary thing that I am hoping that we will be able to do at some point, if they do decide to abolish it is to put in a request of what we want, where we would like to have those funds put, put into the Sheriff's Office, put it back into EMS, keep a fund for emergency purposes. If they are going to take it don't throw it all into the general fund, disburse it where it needs to be dispersed.

CT – Read the draft of the letter; Discussion followed.

RR – Motion we approve and send the letter to the Board of County Commissioners and everybody else about the public hearing October 6, 2015 regarding the Nye County Code, Chapter 3.28; Second CT; 5-0

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- e. **For Possible Action – Discussion, deliberation, and decision to let the Beatty Chamber of Commerce use the Community Center with no charge on Saturday November 14, 2015 for the Nevada Commission of Tourism FAM (familiarization) tour of Beatty. – Beatty Chamber of Commerce; Ann Marchand**

KC – Motion to approve; Second RR; 5-0

- f. **For Possible Action – Discussion, deliberation, and decision to co-sponsor the annual Beatty Christmas Lighting Contest in an amount not to exceed Three Hundred Fifty Dollars (\$350.00). – Beatty Chamber of Commerce; Ann Marchand**

KC – Motion to approve; Second RR; 5-0

- g. **For Possible Action- Discussion, deliberation and decision to spend up to seven hundred fifty dollars (\$750.00) for registration fees and hotel rooms for the International Trauma Conference being held in Las Vegas Tuesday November 10th through Friday November 13th. – Erika Gerling**

EG – Stated I would like to make a motion to spend up to \$750.00 to send Allison to the Trauma Conference in Las Vegas; Second KC; 5-0

10 General Public Comment

Charles Woodland with the Las Vegas Area Council Boy Scouts – Stated I would like to tell you one thing, that we really appreciate coming here, working with the youth and we appreciate you inviting us up every time and showing us hospitality. Again, we wouldn't be up here if it wasn't for one lady, we recognize her efforts very much, Erika, we appreciate you very much. We just had recruitment tonight, we have 9 new youth. We also have two adults that volunteered to help us out, so again we thank the Fire Department for being the charter organization and we thank everybody. We want to thank you very much, we do not mind coming up here and doing the right thing because you are all doing the right thing. We thank Diane too. We will be back at the end of the month for Beatty Days, we are bringing the Boy Scout climbing wall again, and we look forward to being back.

Diane McGinnis – Stated I don't know how the clinic schedule will look next week I may be going to a conference but Dr. Reiner insists that Dr. Jonak will be covering it.

Ann Marchand – Stated it was about a year ago that we had a half percent sales tax added to our sales tax for half a deputy here and half a deputy in Amargosa and from what I understand we are not getting it. Is that something we should put on an agenda and ask the County Commissioners why we are not getting it when we are paying it?

EG – Stated it is in the Attorney General's office.

Ms. Radomski; Town Secretary – Stated the Town of Tonopah disputed the percentages of collection and disbursement of law so they have referred it to the Attorney General at this point they have frozen all of those funds. Amargosa and Beatty did get together with Sheriff Wehrly about a year ago and the two communities did decide to work cooperatively to fund another deputy to share. Sheriff Wehrly had every intention of including that in her Northern Nye County plan.

Ms. Marchand – Stated that is terrible. We need more deputies in this town.

EG – Stated I was glad to see the gentleman from the auxiliary here, but I have been asking for a meeting with Sheriff Wehrly for months and months and it hasn't happened. I'm not going to quit asking even though the auxiliary guy was here because I don't think it's acceptable that there is no deputy between Beatty and Pahrump.

Ms. Marchand – Stated from what I understand, the Sheriff asked at the County Commissioner meeting and she was told no.

EG – Stated they can't do anything now and no money has been spent from our fund.

DG – Stated I understand what you are saying but having the auxiliary, it's a presence.

CT – Stated it's my understanding that if an auxiliary member sees something happening they write down the information, they can call a deputy, they can't go on chases but they can sign off on a citizen's arrest type thing and it's an extra set of eyes.

11 Adjournment

KC– Motion to adjourn 7:38pm; Second RR; 5-0