

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

**Minutes
10/13/14**

**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 October 13, 2014.

Carrie Radomski; Town Secretary – Pulled item number 5 emergency items and item number 4 minutes dated September 22, 2014.

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.

Carrie Radomski; Town Secretary – Read comments submitted by Karl Olson; When there isn't any material left to grade such as on the Fluorspar road or on the way to the Cheese Rocks, that have bedrock showing, how does the race organizer plan to remedy this situation and two if the race organizer is only responsible for a single road grade in Sarcobatus Flats why is the road at say Railroad Junction 100 yards wide?

David Spicer – Stated last time Karl was concerned about Sarcobatus Flats, that is a dedicated race route that has been designated by the BLM specifically for the race and that section is 100 yards wide. I talked with Casey on that and some of the people in the BLM. If we look at putting notice or caution signs in that area it will cause the whole route that has been designated by the BLM to fall under review. They can't look at just one section of the route they would have to look at the whole route which would probably require another EA (environmental assessment) by the BLM, a view-scape study with costs in the neighborhood of thirty or forty thousand dollars to do a full study. It is designated by the BLM so there are no issues with it. Karl's concerns are valid to address but in Casey's case if we open a can of worms it will probably open up the entire race route, for those types of concerns. The section that Karl is talking about at Fluorspar Canyon road, we do reclamation on that every year, if there is adequate dirt before the race then we work that if it needs it. If the race deteriorates the road we actually replace the material on that. Fluorspar Canyon road is deteriorated by rain and flooding out there instead of the race, but if it's something the Town wants to address, if the Town wants to put some material on it we could certainly do that. The BLM does a review before the race and after the race, they check those conditions on all of those roads and then final reclamation review to make sure he (Casey) has done it in its entirety. Fluorspar Canyon road is under their (BLM) purview also. There are no issues brought up by the BLM about that. I know it's in bad shape it's been that way a long time, it's been washed out over the years.

EG – Clarified the Sarcobatus Flats issue, it's a dedicated race route right? Why does the whole course have to be evaluated if signs are just put in that one area of Sarcobatus Flats?

Mr. Spicer – Stated the BLM's action was for the entire track/course and it covers several BLM districts. They can't take one piece they would have to do the whole thing, that's BLM policy.

4 For Possible Action – Approval of the Minutes dated September 22, 2014.

Pulled

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 - None; RR - None; CT- None

EG - Stated there has been a lot of stuff about the Pahrump Mirror and the Pahrump Valley Times not being delivered to Beatty any more. I spoke to a Marie, at the Pahrump Valley Times this morning and she stated that the Mirror, which was bought by Stephens Media, will still be delivered to Beatty and the Pahrump Valley Times will still be delivered to Beatty on the same schedules that they were. The Review Journal will not be delivered up here anymore. You can get the Review Journal on line. It's \$80.00 for a mail subscription for the Pahrump Valley times for six months.

DG - State the VFW is having their poker run on the 25th, we have had several people sign up already.

EG - Thanked Commissioner Wichman for supporting us with the resolution that the County Commissioners made regarding the Bank.

7 Presentation - Discussion with Brian Kunzi; Nye County District Attorney

District Attorney Brian Kunzi - Thanked the Board and apologized for not being at the last meeting, he had a technology problem. He got a new phone and when he did he lost all of his appointments on his calendar.

Mr. Kunzi - Stated there are a couple of different issues that we (the DA's office) have been working on and he would like to have some dialogue with the Board about them. Everybody is asking how the half-cent sales tax gets distributed. I do not have the specific numbers for Beatty but each town, per the ordinance, gets the percentage based on population. There is a lot of misinformation out there. It has to be used in Beatty but it is not based on the amount of sales tax that is generated in Beatty and that's where the misinformation comes about. It is a number based upon all of the sales tax for Nye County divided by the population of each of the unincorporated towns. There is no way of calculating what sales tax comes in from Beatty, Amargosa, Pahrump or Tonopah. They just don't have the capabilities of doing that on the C tax (Commercial tax), so again it's a population based number. It's something that we are paying a lot of attention to, that the Fire, Public Safety aspects of it. Half of it goes to Public Safety, half of it goes to Fire. It has to be used in the Beatty Township and we are being very careful about monitoring that to make sure that the areas are getting the services that they are supposed to get. There is also an unincorporated; so all of the population of unincorporated Nye County is basically one general area and those monies can be used in any part of the unincorporated areas. The other thing is that now people are trying to put together plans, that's something that I want to talk to this Board about, that particularly with the fire portion of it, I really encourage you to submit proposals to the Board of County Commissioners, who ultimately has the authority, to determine how the money is being spent, but obviously they want to listen to and hear the needs of the towns as to where the money should be spent, particularly on the fire side. I think that some of the misunderstandings with the ordinance are that the way the ordinance was drafted, even the police/public safety aspect of it goes to the Board of County Commissioners. It's not like it's just the Sheriff is going to decide how the money is spent. The Sheriff has to submit a plan to the County Commissioners as to how to spend the money, and that is going to be subject to the decision of the Board of County Commissioners. Again, as the Board for the town of Beatty, I can tell you that the Board of County Commissioners look for your guidance. They want to know what your opinion is, so I think you need to weigh in on any plan that is submitted that is going to affect the town of Beatty. I think that is the only way that the County Commissioners can have all of the information. Incidentally, if you think the Sheriff is proposing something that is not in the best interest of Beatty, I encourage you to submit the materials to the Board of County Commissioners so that they can determine what is really going to be the best way of spending that money. I know it is not a tremendous amount of money; again I don't have those numbers

EG - Stated it's about fifty two thousand dollars, and Beatty is about 2 to 2.25% (Nye County population)

Mr. Kunzi - Went on it's not a tremendous amount of money but one thing that can be done is the money can be banked until there is enough money to do things with it. The ordinance is pretty clear that anything that deals with equipping personnel has to associated with new hires, so if you purchasing new equipment it has to be linked to the hiring of new hires. It will probably be difficult to use those funds at fifty thousand dollars to really think about hiring anybody, even the lowest salaries, when you start looking at salaries and benefits on an annual basis. The other issue is you can use it to improve existing facilities or to build new facilities. One thing that my office is wrestling with right now and unfortunately there really weren't good definitions in the state statute that created the authority to do this; one of the things we are wrestling with is whether or not these funds could be used for Ambulance Service, we are wrestling with that right now to come up with a legal opinion as to whether or not that fits within the definition of public safety, because it talks about fire and or other public safety.

EG - Stated it says firefighters, deputy sheriffs to the sheriff, and other public safety personnel and facilities.

Mr. Kunzi - Stated we have kind of a unique situation, some of the towns the ambulance service is part and parcel with the fire department other towns it's not. So we are trying to figure out what was really intended by that word, public safety. One of the needs that we have been wrestling with for a long time is, some of the work that has been needed, to try to get the ambulance barn and things like that built and brought up to speed. We are still working on that particular aspect of it.

Mr. Kunzi - Asked if there are any particular questions on the sales tax?

7 Presentation – Discussion with Brian Kunzi; Nye County District Attorney Continued

DG – Clarified you said new hires, does that include overtime?

Mr. Kunzi – Stated no, and I have issued a legal opinion on this, that it has to be new hires. I don't believe that using existing staff to just simply do overtime to provide extra coverage in the areas really constitutes a new hire. What we have been working on with the Sheriff's Office, in particular, on this issue though, is that we can combine resources in some of these areas as long as we are then deploying our resources in accordance with the percentages that are in there then we think that would be one way that we could add some resources to the outlying areas to give them more resources. For instance if we were to pool together; I know that they are looking at pooling together some of the northern Nye areas with Gabbs, Smokey Valley, some of those areas. Maybe what they could do is they can hire a Deputy and then that Deputy would spend time in each of those communities as long as it's in conformance with what the formulas are we believe that that would be appropriate. So there might be something that we could do along those grounds with Beatty. We might be able to do things with sharing maybe Beatty and Amargosa together, split resources as a way of adding additional police services. So there might be some ways that we can be creative in doing that. As I said the Board does have control over the general population number that deals with the unincorporated portion and that can be spent basically anywhere in the unincorporated areas and again there would be ways of possibly then sharing some of those resources with these bigger groups. A lot of it is really just trying to be creative with the money or if it looks like hiring some of those resources right away is not going to be beneficial we can pool our money and keep it.

KC – Stated you talked about buying equipment for new hires does that include new volunteers that come on board?

Mr. Kunzi – Stated that is a good question and hasn't been proposed to me but let me look at that. My inclination would be if you are adding volunteers and you have to then buy the apparatus and fire equipment, suits, tanks and everything that goes with it for those new volunteers, my inclination would be that that should be acceptable because again any volunteer is an employee. They are employees of the county, they're provided workers comp coverage you're just not paying them. So, I would think that could be acceptable, the thing we have to be careful with is, that statute was passed in 2002 I believe.

EG – Stated 2007

Mr. Kunzi – Stated I knew it took awhile before the ordinance was passed after the statute was passed but they were very strict on the fact that it can't be used for replacement equipment. That's the one thing, as long as you are not replacing equipment and giving it out. I think that if you are recruiting and bringing in a new volunteer it can be used for training it can be used for anything associated with the hiring of that person and again volunteers really are hired. It doesn't say that they have to be hired for a salary, and then they really are treated as volunteers particularly when they are performing their duties for the local fire department. I would be inclined to do that but let me take a look at it.

KC – Stated they (turn outs) are about \$1500.00 a piece.

Chief Harmon – Stated they are about \$2600.00.

EG – Clarified that since the last time when the Sheriff submitted his proposal and you had all areas, but only the Pahrump part was approved? For those hires and the equipment for those hires because what he had in the Beatty part was one pack set and overtime hours, so that wasn't approved. So since that time he (the Sheriff) has not submitted anything new?

Mr. Kunzi – Replied he has not seen anything new.

EG – Clarified it (the ordinance) says improve and equip existing public safety facilities. What kind of things is that? Is it computers, furniture, AC; what is that improve and equip existing facilities?

Mr. Kunzi – Stated if it is actually dealing with the building itself that's pretty easy because I think if you're making capital type improvements those are easy, air conditioning and things of that nature. If you are going to upgrade the electronics and put in all the hard wiring, that would be easy to justify. Just getting furniture that is a difficult area, the other interesting debate that we are having, again it's very non-definitive in the terminology that the statute used, let's say you build a new fire station or are adding another bay, it doesn't do you very much good if you don't have a truck to go into the bay. Is the truck really equipping the building? I think when you are talking about fire trucks you can make that argument because a fire station without the trucks doesn't do you much good. So I do think that adding equipment of that nature, we've had discussions with Nye County Administration is they are going to really try to put something together if it's going with trucks, if you need a different type of truck or maybe you need a new, not a replacement truck that's where we get into that whole problem of replacing, but if you need to add a different type of truck, maybe a brush truck or something of that nature, then I do think that fits within the spirit of what was intended which is additional resources. We are seeing it more with the Sheriff side, this money, the voters voted to basically say that if we need new additional resources that's what we are agreeing to tax ourselves for. They didn't agree to tax themselves to simply replace or augment the Sheriff's current operations. That is the fight I have been struggling with is that when talk about overtime hours and things of that nature all you're doing is moving your existing pieces around, that's not what the voter mandate was, agreeing to this half cent sales tax.

DG – Clarified, new equipment, would that mean buying a used truck?

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7 Presentation – Discussion with Brian Kunzi; Nye County District Attorney Continued

Mr. Kunzi – Stated absolutely. When we say new it isn't that it has to be brand new, new is that it is a new asset to you that wasn't currently within your inventory.

Chief Mike Harmon – Asked on the sheriff's side could he use that money to hire a new deputy, while we are waiting to replace Frank because we have to finish paying him before we can replace him?

Commissioner Wichman – Stated they could hire a new deputy but you don't want to use the argument of replacing.

Mr. Kunzi – Stated replacement out here gets into an interesting position because really what you have to look at is, it's a replacement based upon what the existing budget is and we know that there were some personnel issue changes that were not in this last budget. So the reality of it is since those positions went away to bring one of those positions back that was not in the budget or is not in the budget now could be considered as a new position. If it's not a current asset that we have right now, there are some capabilities of doing something along those lines. If a couple of years ago positions were laid off or changed to bring those positions back certainly could be considered new, the way I understood it.

Chief Harmon – Stated the way he understood it the position was going to come back we just had to wait until his (Frank's) retirement was paid; Discussion followed.

EG – Stated the other thing is this is only good for three years, and being it's split fifty-fifty, let's say twenty five thousand for the Sheriff a year so over three years it's seventy five thousand, that's over three years, which is not going to pay a position even if we saved up and hired somebody, where are we going to get the funds to continue that, because this is only good for three years unless we extend it somehow.

Mr. Kunzi – Stated right, it could be put back on the ballot to extend it.

Commissioner Wichman – Stated to put what Brian was explaining to you in a little different words, if you team up with some of the other northern Nye or outlying areas you could team up with Amargosa for example or Tonopah where one deputy could be hired using all the resources for those areas and he would cover all of those areas as long as he is covering those areas in the right

EG – Stated percentage

Commissioner Wichman – Agreed the right split, so that everybody gets what they are supposed to get out of this.

Mr. Kunzi – Stated you are right, Erika, from the standpoint that it is only good for three years and one of the things that we have to look at is this is in effect going to be treated, for lack of a better term, like grant funded positions, if this funding dries up those positions will have to go away if they don't have other resources at that time to fund them. So, that's something that we are going to have to wrestle with and obviously it's sad because it's only three years it's not too late to start thinking about it, having it redone and have it approved for another three years, something of that nature. If people feel like we're being good stewards of the money and really getting some good benefit out of it, then I think that it would likely pass. When you look at it, a lot of the sales tax is on tourists and things of that nature, for most of us when you are buying food there is no sales tax on that it's more on your durable goods and things of that nature, and when you go to restaurants.

EG – Stated basically say we wanted to make a request, I don't like to leave Vance out of this whole picture and I try to communicate with him whatever I'm doing because I want us all to be on the same page, but even if we wanted to consider the Ambulance department and we can make the justification for public safety or whatever request that we make, as long as we can justify that falls in these parameters we would have a good shot, especially if we are all on the same page.

Commissioner Wichman – Stated not only that but when you are considering asking the voters to do this again in three years, if we have your request and we can show that this is what's been done with that money, we have justified and we have documented exactly, for the taxpayers, what their money has been spent on. So it's a good thing to be going right through the track that Brian is suggesting, with that information coming from you showing how it was implemented and put in place.

Mr. Kunzi – Stated that he and Vance have had a lot of discussions on this. One of the things that I really enjoy about working with Vance is that he is reaching out to everybody and wants to work with everybody. Some of the issues or problems that we've had in the past is that, Vance, certainly from my perspective does not see it like he's acting like he is the emperor of all of this and trying to do what he wants to do. I know he's soliciting and trying to get input from everybody to try and do what's best for your area, and that's why I'm saying I think this Board is so critical because that's who the Board of County Commissioners are going to listen to. You are an advisory Board to the Board of County Commissioners to do what is best for this Town and that's why you are elected to do this. You are going to have a lot of deference with the Board (BoCC) and working with Vance and pulling everybody together certainly will make it easier. I certainly recommend, you obviously have a very committed Commissioner who is very interested in these areas, working with Commissioner Wichman is pretty important. When it comes to an area in her district the other Pahrapm Commissioners do give a lot of deference to what she has to say, so involving her, letting her know what you want to do really helps a lot. I see that just from the operations of the Board (BoCC).

Chief Harmon – Stated he wanted to back up to the Ambulance part of this. I talked to Vance this last Thursday and I suggested to him, we're all considered Station 31. I don't know if that would help get some of this money for the Ambulance Service.

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7 Presentation – Discussion with Brian Kunzi; Nye County District Attorney Continued

Mr. Kunzi – Responded I have spoken with Vance and that's how it has come to my attention. We're looking at it and it's one of those things that in some areas you don't necessarily have to have it with the Fire Department even though a lot of them do have it with the Fire Department and obviously it's called Pahrump Valley Fire and Rescue, that's all part of one. It seems to me that that is really where we should go; quite frankly it's going to be up to the Commissioners to decide how they want to push the envelope on whether or not they are going to extend those funds to Ambulance. I don't think it's clear at all; I could make an argument either way, so I do think it really is going to be within the judgment of the Board of County Commissioners. I don't believe I can tell them no either way, if they want to spend the money on Ambulance

EG – Stated it's pretty broad, Public Safety.

KC – Stated I think that's part of public safety.

Audience – Asked isn't EMS under public safety for the State?

Mr. Kunzi – Stated yes

Audience – Stated to me it seems to me, it's part of public safety.

Chief Harmon – Stated this was brought up in conversation the other day and the question was should we back up and ask that it (the funding) be split into thirds.

KC – Stated no.

Commissioner Wichman – Stated it was already voted on by the voters, so the way it reads is the way it is.

Mr. Kunzi – Stated unfortunately the Ambulance is really going to be on the Fire side of things. I don't think you can put that on the Sheriff's side, because it's very clear that the money goes to the Sheriff for his activities. The conflict that we are going to have is that if you are spending money on Ambulance how is that going to affect what you can do with your Fire Department. That is why we need you, what is your priority and pass that along to the County Commissioners. We can't set those priorities for you and that's certainly not my job. I sometimes have the bad task of saying yes or no, is it legal or not legal, but as far as how the money should be spent that's not my call. That is why you guys are so important and what your priorities are, what do you guys think should be the split of that money between the Ambulance and Fire.

KC – Stated I do feel that they are a part of public safety though, they go out every time we (fire) go out.

DG – Asked if there were any other questions for Brian?

Mr. Kunzi – Stated the other subject I wanted to hit on, because I know you are going to hear about it, and I wanted to explain it before it starts creating tentacles of its own and becomes out of control, we are working on a County Fire Ordinance. I know that people will be concerned that it's a way for Nye County to take over control of the Fire Departments. I can tell you absolutely that is not what is happening. This is being generated by John Bosta from Amargosa.

EG – Asked he wants a County wide ordinance?

Mr. Kunzi – Stated that he and John have been having a very interesting legal debate for about the last four years. John's interpretation of the statute is that the County can't do anything without the creation of fire districts and the creation of a County Fire Department, and I keep arguing with John that is absolutely not accurate. I will tell you that this is my legal opinion and this is what I have passed on to the Board (BoCC) is that there is a big difference and quite frankly the only issue that you could possibly argue is drawn into this equation is Station 51, because your fire department, Amargosa's fire department, Pahrump and Tonopah's fire department are all created under chapter 269 which is a power given to the Towns to create their own fire companies. John keeps going back to chapter 244, and I keep saying I don't care what 244 says in unincorporated towns with a fire department that has been put in place by the governing body for those towns can't be touched by the County, that's my legal opinion, that's been my legal opinion, so we're not trying to change any of that but what we will be doing, I think it's a good idea to clarify and clean up, as we know a lot of the history, it didn't really affect Beatty but one of my first tasks as DA was trying to referee the fight between Station 51 and Brent Jones and Bill Becht and Chief Lewis in Pahrump as to who was supposed to be responding to fires and everything else in the town of Pahrump. We are trying to clean that up and really give some better legal justification for what they describe as Station 51, because really in the unincorporated areas of Nye County that does fall within the jurisdiction of the County Commissioners and we probably do need to address that. I wanted you to hear it from me, I'm not changing my opinion on this, and it is not going to have any effect on the current operations of any of the town fire departments. Again, it's a consistent position I have taken not just on the fire department, there are certain powers created in 269 that are given to the towns to provide. If the towns exercise those powers, it has been my consistent opinion, that the Board of County Commissioners can't override that.

EG – Clarified we have our ordinance, and if there is a County fire ordinance that doesn't override our ordinance.

Mr. Kunzi – Stated no. The one thing that we are looking at is this is something that I think we have to do from the standpoint of potentially creating maybe, uniform training requirements, and that's one thing we may have to look at. Making sure that all of our volunteers are properly trained and everything else, and that's kind of a common county wide problem. As far as the operations of the fire station you're not going to be reporting to Nye County, and that's going to take a change in the local ordinance, this is not going to override that.

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7 Presentation – Discussion with Brian Kunzi; Nye County District Attorney Continued

EG – Stated there is one thing a communication that I hated when we got it. It talked about uniform training, equipment that could be matched up or switched out, but there are a lot of other things in there that shouldn't be in there in my opinion, and it has never been rescinded. It was called a directive.

Mr. Kunzi – Stated directives don't mean anything.

EG – Stated okay good.

Mr. Kunzi – Stated the thing is that as you go through this, ultimately it is the Board of County Commissioners that ultimately has the authority over the ordinances and how the towns are going to be governed that way. There isn't anything inappropriate if the town ordinance is going to reflect certain things as far as a chain of command or some type of reporting, coordinating with EMS director, those things could certainly happen but it's not going to happen by an ordinance, that's going to basically be a push down to all the towns, and then those are the things we are trying to work through. I've been working on this for the past few weeks, and that's the major push back is that I need to make sure that everybody understands that, when I first got this ordinance I was very much concerned about what is the function of this ordinance, and so I've had to do a lot of education, there are a couple of the Commissioners that are working on this, and like I said this is really the brain child of John Bosta, trying to work with Mr. Bosta and basically say look you have to understand that how far you think you're pushing this is not appropriate.

Chief Harmon – Stated I wish you would explain to John that if the County takes it over they will know that the town of Amargosa will no longer have control of that fire department.

Mr. Kunzi – Stated unfortunately I think they would almost prefer the County take it over.

Commissioner Wichman – Stated now that they've got it.

Mr. Kunzi – Agreed, now that they've got it, because now that they've got it they are finding out that it is not quite so easy to manage and they may not have the money to operate it. I assure you that I'm not going to let that sentiment intrude, it's silly to suggest that we are going to wholesale change everything when there have never been any issues with the operations of the Beatty Volunteer Fire Department, Tonopah Fire Department, Round Mountain Fire Department, there is nothing wrong there, there's no reason to fix it, nothing is broken there. We want to make sure that this is right but again there are some reasons, the County does apply for grants and I think there may be some designations in there that might not be accurate, so basically to create a County wide fire department that really becomes the parent organization to be able to get grants that may be able to then go down to the town departments and things of that nature. So, from a very strict kind of almost housekeeping, legal kind of thing I think it's a good idea, but before we got there I basically said I'm not doing this. What you guys want I'm not doing until we come to an agreement on how you want to do this, this is not going to work, so I think we've finally gotten there.

David Spicer – Stated I think you answered my question which was, if everything is going so well why we are even approaching it, I don't care who suggested it. If you proceed to get grants and make more money available to these small towns that would be the only reason to change a thing or adjust any ordinances at all if we're doing it just fine. These guys are doing a great job and every town is. I strongly recommend independence.

Mr. Kunzi – Stated as I said when I started, the only thing that really is an issue is to really give a layer of justification or legal justification for Station 51, so that we can clean up any issues in regards to legitimacy with Station 51.

DG – Stated he will entertain a motion on item on item 10a later.

DG - Thanked District Attorney Kunzi for his time

Mr. Kunzi – Stated once again he wanted to tell the Board how much he enjoys working with their staff. She keeps everybody informed and quite frankly that is ninety percent of the battle.

8 Reports

i. Beatty Area Plan

DG - Requested this be removed.

ii. Beatty Chamber

None

iii. Beatty Habitat Committee

None

iv. Beatty Library

None

v. Beatty Medical Clinic

Dr. Diane McGinnis - Stated she will be out of the clinic next week, for training, we were able to get coverage for the majority of that time. It looks like we will be closed for patient care Monday morning, but we will still be open for phone calls. The young lady that is covering the Amargosa clinic will come up Monday afternoon; the Amargosa clinic will be closed while she is here. Tuesday through Thursday JP Allen will be at the clinic, he has been here before and Friday will be split half and half with Amargosa. We still have flu shots and the Mamo Van will be here the Monday before Thanksgiving.

vi. Beatty Museum

None

vii. Beatty Town Square

DG - Stated we are working with BGID to get the Town Square going.

viii. Commissioner's

Commissioner Wichman - Stated you have someone here who has inspired me, Dave Spicer's attempts to get your trail system going here around Beatty. I did have the opportunity to go to Caliente and visit with the Commissioners over there and the Commissioners over there are telling me that they can't answer their phones fast enough for people who are looking for office space, retail space, restaurant space, all kinds of businesses are coming to that area because of their trail system.

DG - Asked if the County will help try to build one.

Commissioner Wichman - Stated we are working on; I am working on how to attract some money. I sent Dave a couple of grant opportunities for him to look at and see if they would work. Moving on something like this that is progressive and forward thinking I just can't imagine somebody not going along with something like this.

EG - Stated the Community Block Grant is coming up.

Commissioner Wichman - Stated that is one she just sent Dave and I think it will qualify.

David Spicer - Stated we think so too. It's all caused by forty thousand dollars in combined efforts by the County, IMBA which is a racing organization in Arizona and the Town came up with some money they all put together and that's where the forty thousand dollars and that basically starts forty miles, a rule of thumb, a thousand dollars a mile will get mapping done and get the trails designed out there and then at that point when they make that collective accumulation of monies, IMBA comes in and they make an announcement to the recreational world, they're connected to everyone out there, that this is going to happen it then becomes a real point, it doesn't have to be forty it could be twenty or something less but nevertheless at that moment when its announced that's when they get inspired and that's when these calls start to come in. We have just received from Barrick Goldstrike twenty five thousand dollars for the beginning of the trails, of the process of planning the trails out here so we have made a large step in the right direction. Barrick has also looked at becoming a long term partner with us to make this a reality and to realize the difference they can make in the community. That's what the Director of Corporate Responsibility is, this is exactly what they need to demonstrate how when a mining company leaves a community how reconstruction can occur to reorganize and reestablish revenue streams that are lost to us.

Commissioner Wichman - Stated I intend to use his example to take back to Round Mountain; they have a Corporate Responsibility section also. I don't know if you remember this or not a presentation given by Patrick, just so you know I went home and bought a mountain bike that inspired me. I've had a mountain bike now for a year.

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Reports continued; Commissioners

Mr. Spicer – Stated just to add to that too something I haven't shared with you yet, it just came in today; we will be hiring and employing as a consultant a woman from the State of Utah, St. George. She worked for ten years at the Bureau of Land Management office as a landscape architect and is familiar with tying trails to communities, bringing in all of the agencies; Forest Service, National Parks, and lots of land owners in that area. BLM took the lead in that area and created this momentum which constructed these trails which are now world renowned trails. They have 24.6 million dollars a year come to St. George Utah only because of the mountain bike trails there. She has just given me the proposal on how she may start this process; being an architect for BLM we have a great gap here in our community with our federal offices, Caliente all around the West the BLM offices are very proactive. They have enough people they have enough funding they've got all sorts of resource we don't our BLM office is only about fifty five percent staffed.

Commissioner Wichman – Said just remember what our District Attorney said be careful what you ask for.

Mr. Spicer – Replied I want more staffers in the BLM; most of the other areas have got the BLM heading things up, we are the ones heading things up here, our experience of bringing the right professionals in to help us out with this process, with the appropriate design work and reach out to see if we can't line up some block grants and use the money that we do have to stimulate other industries to get involved in our community and our future here.

Commissioner Wichman – Asked for other subjects.

Albert Verrilli – Stated that last time you were here by coincidence I was complaining about the condition of our roads; Cottonwood Lane by my business Cottonwood Park by the river. I'm very pleased to say that that has substantially been improved the road department did some work on that, they shored that up and Dave Spicer and Brad Hunt have been down with their equipment and did some clean up in the riverbed which is now better than it was.

Commissioner Wichman – Stated there was a gentleman who was interested in signs for the river, I did check on that. The one out here on the highway, I'm responsible for putting the request through and trying to do what I can to get what you want. I am not responsible for the answers that I get back, the answer that we got back from NDOT was no, we are not going to put up signs that indicate that there is a river here because we don't want to confuse the drivers. That's the answer we got from NDOT, but we are having the workshop with NDOT tomorrow.

EG – That meeting tomorrow I'm going to go up (to the Justice Court) and watch, we have discussed Beatty's needs as a board.

Commissioner Wichman – We haven't either we discuss with our public works all the time where the problem spots are and the things that we need immediately but those are County roads. We have been discussing for years

Diane McGinnis – Stated Erika you did discuss about the cross walk between the AMPM (Rebel) and the Burro, that intersection right there about doing something.

EG – Confirmed they did lighting and a crosswalk.

Commissioner Wichman – Stated those are things you'll want to bring up tomorrow.

EG – Stated I guess I could as a citizen and that is something we did send a letter about. If anybody has anything they want brought up come to the meeting or let her know.

CT – Stated the crosswalk and the stop sign on Main Street.

Commissioner Wichman – Stated make sure you stress the safety part of it that is about the only way we can get them off of center with their schedule. You know they have a schedule that goes out ten to fifteen years of what roads they are going to improve. About the only way you can get something pushed to the top of the list is safety issues.

EG – Asked if it is just about NDOT or is it County Roads too?

Commissioner Wichman – Stated if a topic comes up that is that mashes the two together it will fall under law AB263 or 69, it passed in the 2013 session which spelled out how the County was supposed to accept relinquishments from the state roads and vice versa. There is still a lot of controversy around that because basically the reason they want to get rid of any state roads is because of budget. Well, obviously the County has budget issues too.

Brian Kunzi – Stated that where they are talking about that will be straight NDOT, you're talking 95. From the Rebel to KC's in this area.

EG – Clarified will this include county roads or is it just NDOT.

Commissioner Wichman – Stated its NDOT; Discussion followed.

Allison Henderson – Asked are there any grants out there to update our Ambulances? Our Ambulances are thirteen years old plus we've had major mechanical issues on them last year.

Reports Continued: Commissioners

Commissioner Wichman – Stated I will watch for that, and we have a great grant administrator and she can help you watch for that too. I'm on the Board for the State Land Use Plan our director Skip Canfield sends out notices from the clearing house and I'll start watching and email them to you if there is one that comes remotely close. If you want someone to get on it right away call Julie.

ix. Desert Hills Cemetery

None

x. Emergency Services

Chief Harmon – Gave the number of calls since his last report; 7 public assists, 4 fires total, 4 Motor Vehicle Accidents with an average of seven responders. I will be out of town next week at training in Reno.

xi. Ordinances

None

xii. Other

Beatty Economic Development, Inc (BEDC) – DG – Stated Albert Verrilli gave the Town Secretary information he picked up at the Unmanned Ariel Systems Expo. About a month ago I attended an unmanned aerial systems expo in Las Vegas it was two full days 8 to 5. It was very well attended; the international component was very big. I had a bit of a surprise; unmanned vehicles are being highly utilized in other parts of the world, and being developed in other countries. That is because they do not have the regulatory issues we do. There was an article in the Pahrump Valley Times that laid out pretty well what is going on here. It was a surprise to me how far behind we (the United States) are. In Germany and Africa they are using it widespread. The biggest use, eighty percent, is in agriculture. They monitor big fields with hypersensitive cameras that can tell how much water there is and nutrients in small sectors so they can treat miniature plots within huge fields and save money, it's proving to be very productive. Other countries are flying up and down gas pipelines, power lines and using it for that kind of thing but that's about ten percent and about ten percent is first responder issues. The fire departments, emergency mountain rescues, that kind of thing, police, if you want to send something in first to take a look. In Las Vegas you know something is going on in the neighborhood when the helicopters are circling. If those were, in the future handled by unmanned craft it would be less intrusive. You can't hear them but they can see amazingly well, the camera technology is one of the things that is a great boost to this. Go-Pro cameras are the things that are talked about a lot now and they are revolutionizing what can be seen and the quality of the pictures. That's why the movie is; I think they just received an exemption, going to start using those in some specific applications in this country. The last James Bond movie that came out, Sky Fall, which had that dramatic scene on the train, I think that was filmed with drones, it was filmed out of the country. The problem is that right now it is illegal to use unmanned vehicles like that for any kind of commercial use. That's what's trying to be resolved by these FAA regulations. There is this one FAA subchapter 333 that kind of explains the rationale. What they are trying to do is integrate this into our system and there's a lot of controversy. Their first rulings are going to be promulgated in, I think its, September 30, 2015 but they are likely to be very incomplete. FAA Regulation 336, for those who are interested in flying model planes around, a lot of people think that would be covered by this, there are exemptions in there for model plane enthusiasts, recreational use, and there are still restrictions. Commercial use on any kind of thing is technically outlawed, although it's being done a lot, wedding videos being done all across this country, and major films being shot, technically that's illegal but hopefully that will come to an end.

Mr. Verrilli – Went on, the Beatty Airport, I was very discouraged at the beginning because there were some things mentioned about it, talking about regulations and air zones and clearances. It seemed like you couldn't be within five miles of the Airport, using these (drones). It turns out that's really not going to be a problem. The airports are actually necessary for the larger drones. The little ones, up to twelve pounds, are classified as small; the larger ones are up to fifty five pounds. The ones that are being tested down at Desert Rock right now, around Mercury, are huge. They are quite wide and they need an airport to launch from. Some of them are stabilized, some of them are given a push; people are out there stopping them. Those are the kinds of things that will go on for long periods of time and survey areas, highways, utility lines that style; but one thing we can be guaranteed is there are going to be a lot of certifications. You have to be a full blown certified pilot, maybe even instrument rated to do this, but it looks like what really is going to happen is there are going to be some other classes of certification that allow you to operate them in safer situations, over a city like Los Angeles or New York, the higher you go up in the air zones the regulations go up, the lower you fly there are less and less regulations and controls. Generally in an area like this up to four hundred feet is unregulated air space and that's pretty high and you can do a lot. Events that are popular now; biking, hiking and that kind of stuff, there are drones that follow you, we saw some video examples of this, and it's the selfie taken to the extreme. You can set them to stay with you and film; some people use them to review their skills. You have to be a certified person to operate them (even for this use) so there will be lots of opportunities for certified, skilled people to go out and accommodate those who want to do this.

Reports Continued; Beatty Economic Development, Inc (BEDC)

In some of the larger applications the Beatty Airport could be used. In the training aspect because, after talking to several air traffic controllers, it's really needed and they're doing that right now at Desert Rock, that's in the former Test Site area, and they can do it. If this is going to be wide spread and it will. It's going to roll out faster than the PC's (personal computers) did, I think, into full utilization. You need to have certified trained people and they need to not just run the little hobby ones that fly around the twelve to fifty five pound ones, they need to handle the big ones. So they will have to be versed in traffic control and air traffic control things and a whole host of aviation needs.

DG - Asked where would something like this be, down at the airport?

Mr. Verrilli - Stated they need airports to launch these, that's my point and the training could also be there. There has already been some discussion about having some of this training go between Beatty and Amargosa airports, back and forth but the landings, the takeoffs, the control systems, how do you navigate these things, to get the certification you are certainly going to need a certain amount of hours, a flight school kind of training but tailored to this. There is going to be a tremendous amount of demand for that. Commercial use you are going to have to be certified and trained and there will probably be different levels of certification. This is an ideal opportunity out here because its wide open there's not that much traffic.

EG - Stated and there's room to put hangers or classrooms.

Mr. Verrilli - Agreed, exactly but there are also aprons and runways that they could come in and actually set them (drones) down, some of them need a runway to come in, even the bigger helicopter operations. Although we don't really have radar out here, these people that are going to be doing it and be trained and certified to use it in metropolitan areas, they are going to have to learn air traffic control. Some of the principle speakers, at the expo, were air traffic controllers talking about the issues and the training is the opportunity.

Mr. Verrilli - Went on, some of the other neat stuff that's being developed by groups and software companies are systems that will coordinate drones, for example, if you want to put them on a course to go out and check fields you can program them by GPS, they will go out and gather data.

Mr. Verrilli - Stated our first opportunity is probably going to be in the training aspect and perhaps we could get some federal money to update with radar. We've been a research area for vehicles for a long time, this is just an unmanned vehicle that happens to be in the air and because we have the terrain and the extreme weather everything you need to do it.

DG - Asked Mr. Verrilli to keep the Board informed.

Mr. Verrilli - Stated he would and added that he wanted to thank the Board for sponsoring his attendance at the expo.

DG - Thanked Albert for the report.

Beatty General Improvement District (BGID) - None

Beatty Water & Sanitation District (BWSD) - None

Other Community or Civic Organization - None

xiii. Secretary

Carrie Radomski; Town Secretary- Reported monies collected for services performed by the Town Office and sent to the Nye County Treasurer for the month of September 2014:

Notary - \$52.50; Photo Copy - \$13.80; Fax - \$13.00; Community Center Rental - \$650.00; Cemetery - \$1,131.00 for a total of \$1,860.30 credited to the Town Accounts.

Information received from Jr. Miss Beatty - October 22nd there will be a car wash and bake sale from 3pm to 6pm at the Rebel gas station, the cost is donations, proceeds go to FCCLA.

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xiv. Treasurer

EG – Reported the fund available balances with 25% of the year elapsed September 30, 2014 report date October 10, 2014:

Department	Expenditure	Balance	
Admin	\$39,190.87	\$458,830.13	8% of the budget used
Translators	\$823.80	\$4,176.10	16% of the budget used
BVFD	\$47,836.05	\$227,747.95	17% of the budget used
Cemetery	\$929.23	\$9,007.77	9% of the budget used
Com Cnt Serv & Supplies	\$3,344.95	\$121,655.05	3% of the budget used
Chamber	\$11,384.43	\$25,084.57	31% of the budget used
Museum	\$7,383.06	\$29,084.94	20% of the budget used
Town Tourism	\$5,500.00	\$103,904.00	5% of the budget used
Capital Projects	\$2761.18*	\$513,927.82	0% of the budget used
Special Capital	\$0	\$172,235.00	0% of the budget used
Room Tax Capital	\$0	\$139,807.00	0% of the budget used

*Mural Lighting batteries and shipping

9 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 Town Vouchers in the amount of \$1,365.06; Second CT; 5-0

10 General Business

a. For Possible Action – Discussion, deliberation, and decision to 1) request qualifying needs form Nye county Sheriff’s Office – Beatty Substation, the Beatty Volunteer Fire Department and the Beatty Volunteer Ambulance Service and 2) to submit budget recommendations for public safety tax funds to the appropriate department heads and or the Board of County Commissioners and all matters pertaining there to. – Erika Gerling

EG – Stated she has to apologize, she did talk to Mike but did not get to talk to Allison and she has not attended a meeting with the Fire Department or the Ambulance service, but they are here now and asked for their input.

Chief Harmon – Stated he had a discussion with Vance on Thursday and we wanted clarification on how this was supposed to be split up and we have that now. Talking with Vance I agree with him, I’d like to see the buildings go green. It started with the insulation we put in, if we could go solar power with those buildings it would save a lot of money in our budget for other things we need later on down the road.

DG – Directed his question to District Attorney Kunzi, could that be construed as equipment?

District Attorney Kunzi – Stated absolutely, you are talking about capital improvements to the buildings.

EG – Stated the whole purpose of this is to find out what you as a department need, even separate from Vance, as a department if that is what you would like to see this money used for then, hopefully, as a Board that is what we would support. Besides speaking with Vance, have you at one of your meetings discussed it?

Chief Harmon – Stated we haven’t had much of a chance to discuss it. I don’t know how much this is going to cost and like Brian (District Attorney Kunzi) said earlier if we can bank it and let it build up then we would have the money to do it all at once and be done with it, that’s my opinion.

KC – Stated if we have three years, we have three buildings we could do one each year. If you did a bid you would get a deal because you could schedule the project out for three years but at today’s prices.

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General Business Item 10a; Continued

Chief Harmon - Stated one of the problems is getting contractors out here, but if they came out to do three buildings at once they would probably be happy to come out here.

CT - Directed her question to District Attorney Kunzi, if we go green and there are grants out there can this money that's being banked be used as a fifty fifty for the grant monies?

District Attorney Kunzi - Stated absolutely. If this money goes to make improvements to your facilities whether its seed money for grants or paying for it I think it would be legitimate. The benefit of it is Vance has talked a lot about the utility costs for the departments, the savings you would see from that (going green) basically it becomes general fund money to do what you need to do with.

Albert Verrilli - Stated if you are looking at solar, one resource is Chris Brooks with Valley Electric. He's in charge of their solar program in general and he is a major installer, developer. He has a very impressive background. I met him at the Energy Conference in Las Vegas this year. Valley Electric has a public relations department and they may help.

EG - Stated what I would like to ask is Mike to meet with his guys and make sure everybody is in agreement in the department.

Chief Harmon - Stated the next time they meet will be in November.

KC - Suggested he meet with his officers.

DG - Stated he agrees with KC the officers know what the department needs. It would be the same for Allison (the Ambulance Service Coordinator) I would guess.

Mr. Kunzi - Added that he knows Vance is really pushing this green idea with all of the stations and he thinks it's important that we all work together because what we could do is, we know it is difficult to get contractors to come out to these areas, have somebody bid on every single facility in Nye County, not do them as individual bids, though there is nothing wrong with that. We could try to get them to bid on all of the projects, one it will probably make it big enough to make it worthwhile for somebody and then when we break the cost down on each individual facility it might be a way of getting some savings in the bidding process.

DG - Asked if Vance has looked into that?

Mr. Kunzi - Stated we have not yet, it just came up, but that is something we would want to work together on. We don't want to each do this separately, we really could do a County wide bid and have one bid go out for all of the stations for these types of improvements.

EG - Stated that's a good suggestion.

DG - Asked Allison if she would like to add?

Allison Henderson; Beatty Ambulance Coordinator - Stated it sounds like the Ambulance Service is kind of excluded from this the way you guys are talking about the money being cut in half here and in half there, but if we are considered Public Safety I would like to see at least some of those funds used to finish the Ambulance Hall so we can move in, we would be saving a ton of money on utilities by shutting the old one down and getting us in the new one.

Chief Harmon - Stated that was my first suggestion.

EG - Stated first thing for the Ambulance Department is finish the Ambulance Hall and close the old building, and then an ambulance, that's your wish list?

Coordinator Henderson - Confirmed that's my wish list.

EG - Asked Allison to send something to Carrie (the Town Office) to that effect.

DG - Stated this item 10a will be tabled until the 27th or when we get something in writing from the departments.

b. For Possible Action – Discussion, deliberation, and decision to set a date and time to establish plans and mark site for the mural solar lighting installation and all matters pertaining there to. – Randy Reed

RR – Stated Dave (Spicer) did all the dirt work down there and it looks great, so I was thinking if we can all set up a time we could meet down there mark out where we need to punch the holes for the lights and battery boxes we can get started and get the prep ready for the sono tubes. I'm available any day after 2pm.

DG – Stated I'm only available on the 20th, 21st and the 27th of October.

KC – Stated the only days I'm available this month 25th and 31st; Discussion followed.

David Spicer – Asked if this is for the Board only or could people from the outside participate?

RR – Stated we will accept any volunteer help.

DG – Stated what we need to do is install the sono tubes.

Mr. Spicer – Stated I'm familiar with what you are doing; I went over it with Carrie.

DG – Went on we need to go out there with some spray paint and mark the ground. I would say we should look at the 20th or the 27th.

EG – Asked if we all need to be there?

DG – Stated if it's only going to be me and Randy and Dave then we don't even have to agenize this.

Brian Kunzi – Stated that was going to be my suggestion, if you have a majority then you would have to; Discussion followed.

DG – Asked how is tomorrow?

Mr. Spicer – Suggested, let's go there tomorrow some time and we can lay it out.

RR – Stated he gets off work at 2pm, so sometime after 2pm.

DG – Confirmed 3pm tomorrow, DG, RR and David Spicer.

DG – Stated item dies.

11 General Public Comment

Diane McGinnis; Boy Scouts – Stated that this past weekend Teresa Mossy and myself went to Las Vegas and did some training. Teresa took her trail master training, she has one overnight to do and then she will be an official Boy Scout Master. We are still looking for men to help with Scouting. The boys did their Tote N Chip which means they learned knife safety and pack safety. Just a reminder about the event coming up the first week in February, it's now a seventy to eighty percent that they will be holding it here.

David Spicer – Stated it's absolute. I talked to them today and they will be here next week to finalize the details.

Ms. McGinnis – Stated it will be three thousand Scouts plus the adults that go with them the first weekend in February. As far as I know the Boy Scouts will be bringing the climbing wall up for Beatty Days. We did get four or five new members at the last sign up.

12 Adjournment

KC- Motion to adjourn 8:15pm; Second RR; 5-0