

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

**Minutes  
09/12/2012**

**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 6:32pm

**2 For Possible Action - Approval of the Agenda for the BTAB meeting of September 12, 2012.**

*RR - Motion to approve the Agenda for the Beatty Town Advisory Board meetings of September 12, 2012, pull item 6; Second CT; 5-0*

**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 Presentation – by District Attorney and discussion of issues of public concern.**

Brian Kunzi Nye County District Attorney – Thanked the Town for the invitation.

Mr. Kunzi – Stated that it has been enjoyable working with the Town Office and the Town Board; there is a great level of communication between the Town Office and the District Attorney's Office. In the year and a half that he has been in office there have been a lot of changes. The goal of this presentation is to hear from the Town and the Board about issues going on and how we can better serve the people of Beatty.

Mr. Kunzi – Stated that he does not see any major problems, one of the great things, Carrie is not bashful about picking up the phone and calling when there are questions, and that is how it should be done. It is preferable to solve a problem before it becomes a problem than dealing with it after the fact. The District Attorney's office enjoys a great working relationship with Carrie.

Mr. Kunzi – The issue that spurred this presentation was the Animal Control Ordinance. Some of the comments he heard when this was up for consideration indicated this Ordinance will be coming back. It appears the goal of the County Commission is to have some unified laws throughout the County. The understanding is it will come back in its latest form without any changes; they want to put it in place, see where the problems are with the enforcement of it and make amendments.

EG – Clarified is it the original Chapter 6 or Bill 2012-12.

Mr. Kunzi – Stated it is the new bill; Discussion followed.

Mr. Kunzi - Recognized based on the Towns comments that there will be some concerns. This has been an arduous project that has been going on for years with the Animal Control Advisory Committee and has gone through many amendments. The big issue is exceptions and definitions of those exceptions; Discussion followed.

Mr. Kunzi – Stated that he is aware of Beatty's desire to keep its ordinance, which has not been updated in many years. We are obligated by state law to update parts of the code/ordinance; puppy breeding farms, animal cruelty/neglect, which would impact Beatty's ordinance.

KC – Asked if we could do that ourselves.

Mr. Kunzi – Stated Beatty could but there are things that cannot be exempted out of the ordinance; Discussion followed.

EG – Asked for clarification about what an Advisory Board can do when creating an ordinance and stated that all of Beatty ordinances say "the Board" which is the Board of County Commissioners. Our original ordinances were approved by the Board of County Commissioners. What we have been doing all along is recommending to the Commissioners the content of the Beatty Ordinances and they approve their own ordinances for us.

## BTAB Minutes 09/12/12

### **Presentation – by District Attorney Cont.**

Mr. Kunzi – Stated that is correct but this is an interesting issue. Coming into office he observed the County Commissioners taking a hands off approach to the Towns which creates an impression of autonomy pertaining to Town Boards. This is not true; the governing body for the Town of Beatty is the Board of County Commissioners. Everything really should go through them. One way to clarify this that is being looked at, is the current meeting format. One option would be for the County Commissioners adjourn their meeting and go into a meeting that is Town specific, similar to the way they currently adjourn the commission meeting and go into the Road Commission, or the Liquor and Licensing Board. They would adjourn the meeting as the County Commissioners and go into a meeting as the governing body for the Town of Beatty. That would help because everything that deals with Beatty would all be in one section, and it would be clear that the Board is not acting as the County Commissioners but as the governing body of Beatty.

EG – Stated Beatty has never had a problem understanding this relationship. A prior board had spent a lot of time reviewing the ordinances, but the changes were never put in place. We currently are reviewing the one at a time and sending them to the DA's office, but we don't want to spend a lot of time doing something that we do not have a right to do.

Mr. Kunzi – Stated that based on his observations of the Commissioners they will not second guess the BTAB's suggestions if it is a good ordinance that they are presented with; Discussion followed.

EG – Stated that while she understands the desire to have consistency in the laws throughout the county her biggest concern is that some of them just won't work for some of the communities.

Mr. Kunzi – Acknowledged the size and diversity of the County and the challenge created by these things, however there are some laws that are nonnegotiable.

Mr. Kunzi – Stated his biggest role is on the enforcement side, and he will work with us to make it work.

EG – Asked if there is the possibility if bill 2012-12 is passed, if amendments could be made that would exclude Beatty from aspects of the bill.

Mr. Kunzi – Stated the Town can ask; Discussion followed.

Mr. Kunzi – Stated that shortly after he took office the Nye County code was amended to basically say that any ordinance that applies throughout the county will be superseded only by an ordinance put in place by an elected town board that covers the same area that falls within the authority of the town. While he recognizes that does not apply to Beatty (not an elected board), if we are going to make changes, instead of making changes to the animal ordinance, we look at making changes to the ordinance that deals with applicability to other towns and make a provision to give the Town of Beatty control over some of these areas like is given to an elected town board.

DG – Stated the BTAB submitted a letter to the BOCC requesting that Beatty have the opportunity to work on and retain its own ordinance. The big issue he has now is that they (BOCC) want to pass it and then make changes to it.

Mr. Kunzi – Stated Beatty would never have been exempted; the only areas that would receive an exemption would be outside of a designated town. If Beatty will put together an animal ordinance that the community thinks will work for it he does not have an issue with bringing that forward; Discussion Followed.

EG – Stated that she is clear on how the BTAB and the BOCC works, but wants to clarify that as it stands right at this moment; our animal ordinance has not been repealed but Title 6 is a County Wide code so Beatty is actually under Title 6 regardless of our ordinance that is still in effect.

Mr. Kunzi – Stated that from a law enforcement standpoint it is a challenge, Title 6 is enforced.

Mr. Kunzi – Recommended going at this issue from a procedural grounds perspective; Discussion Followed.

Renie Youngmans – Stated that it seems to her that someone from the BTAB should be on any committee that is working any type of ordinance that will impact all of Nye County, and recommended that the BTAB draft a letter to Nye County stating that when you are going to have a committee you need to have members from the outlying areas so they can express more concerns at the committee level. Not after it's been passed; Discussion followed.

Audience – This is why we would like to have our own ordinance, we don't want to have to deal with some other towns issues.

Mr. Kunzi – Suggested that if Beatty were to propose an ordinance that would deal with the animal control issue in a very reasonable manner, that the Town supported, the Commissioners would consider it; Discussion followed.

Mr. Kunzi – Stated that once we get this ordinance passed we can work on this, but if we try to amend Title 6 it will involve the Animal Advisory Committee which would present challenges.

Mr. Kunzi – Thanked the Town for the chance to come and speak.

Audience – Thanked Mr. Kunzi for keeping his campaign promise and working with the Town.

BTAB Minutes 09/12/12

**5 For Possible Action - Approval of the Meeting Minutes dated August 22, 2012.**

*RR – Motion to approve the minutes dated August 22, 2012; Second CT; 5-0*

**6 For Possible Action – Emergency Items**

*Item pulled*

**7 For Possible Action – Board Member’s Comments (This item limited to announcements or topics/issues proposed for future workshops/agendas)**

KC – Stated that two fighters went out of state to help with wild land fires in and out of state this year. Four Firefighters will attend Firefighter 2 training in November.

EG – Stated that a NNSA Ground Water Open House will be held in Amargosa at the Amargosa Community Center on September 18<sup>th</sup> from 5pm to 8pm.

EG – Requested that any Board Member who can attend BOCC meetings via video conference at the Justice Court please do so, especially if we have an item on their agenda.

EG – Stated that she and Carrie attended a US Fish and Wildlife and the Nevada Department of Wildlife recognition presentation for the partners in conservation of the Amargosa Toad. It was a very big deal and a wonderful event. Many groups and individuals were recognized for their work with the Amargosa Toad, its habitat areas and for keeping it off of the threatened/endangered species list.

EG – Shared the plaques and certificates received by the Town and the Habitat Committee.

EG – Recognized BGID, the Cooperative Weed Management Area and the Southern Nye County Conservation Group for their work with the Amargosa Toad and its Habitat areas.

EG – Stated that Beatty will be held up as an example of how private and public cooperation can work to keep a species from being listed as endangered or threatened. Shirley and Renie are here and they were a part of this from the beginning.

CT – None; RR – None; DG – None

**8 Consent Agenda Items**

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

DG – Requested that packet 2 be pulled for discussion.

DG – Stated that packet 2 contains the bills from Jon Aire for the Museum Heat/AC installation, and asked if the work was complete and if the in system smoke detector was included.

Amina Anderson; Beatty Museum Manger – Stated the work is complete and that Jon Aire said the system smoke detector is installed.

**b. Approval of Town Vouchers**

*RR – Motion to approve the town vouchers packet 1 in the amount of \$7,743.97; Second CT; 5-0*

*EG – Motion to pay packet 2 in the amount of \$23,540.00 for the Beatty Museum H-Vac system on the condition that the smoke detectors which were approved in the original motion, are installed, and written proof of their installation is provided to the Town Office; Second RR; 5-0*

**9 Reports (Information Only)**

**I. Beatty Area Plan**

DG - Stated the next meeting is scheduled for Monday September 24<sup>th</sup>, 4pm Community Center medium room.

**II. Beatty Chamber**

Ann Marchand - Reported that the Chamber is gearing up for Beatty Days. A multi-language brochure grant was approved and a brochure in French, Italian, German, and Spanish should be completed and printed in the next week or so. The Chamber is applying for 5 or 6 tourism grants, and Debbie will be attending the Fiesta Travel Show this Saturday.

**III. Beatty Economic Development, Inc. (BEDC)**

No Report

DG - Commented that the buildings have been removed with the exception of some concrete and the guard shack.

**IV. Beatty General Improvement District (BGID)**

Amina Anderson - Stated that at the last BGID meeting the Skate Park berm and doing something about it right away was discussed, and a shade and bleachers for the Skate Park were discussed as well. Pool season is over, the ADA required lift is here but it has not been installed yet.

**V. Beatty Habitat Committee**

Shirley Harlan - Stated that she attended the US Fish and Wildlife event in Las Vegas too and Erika pretty well covered the event, however she (Shirley) read the articles in the local papers, about the event, and was offended at the lack of recognition some groups received.

Ms. Harlan - Stated that Jim Moore of the Nature Conservancy will be giving a presentation about the work going on behind the Stage Coach, at the next BTAB meeting.

Ms. Harlan - Stated the Habitat Committee, US Fish and Wildlife and the Nevada Department of Wildlife will have a booth at Beatty Days this year.

**VI. Beatty Health & Welfare**

No Report

**VII. Beatty Library**

Shirley Harlan - Stated that the Library received a response from Robert Hawkins and unfortunately the grant was not approved. The Library will be working on identifying new grant opportunities.

Ms. Harlan- Stated the Library will have a booth at Beatty Days. They will be holding a book sale.

Ms. Harlan - Stated there is a vacancy on the Library Board and anyone interested in becoming a board member should please stop by the Library for information.

**VIII. Beatty Lions Club**

Carrie Radomski - Extended Maxine Makinster's apology for missing the meeting and read statement provided by Maxine; The Lions Club donated \$500.00 in school supplies to the middle school this year, they are collecting eyeglasses for children and adults, and will be holding a membership drive.

**9 Reports Continued (Information Only)**

**IX. Beatty Medical Clinic**

Dr. Diane McGuinness – Introduced Dr. Rahaman; Chief Medical Officer of Nevada Health Centers for the entire state, and introduced Monica Taylor Chief Operations Officer.

Dr. Diane McGuinness – Stated NHC will be going out to bid to paint the exterior of the clinic, and provided copies of the project bid.

Dr. McGuinness – Stated she will not be at the clinic on September 28<sup>th</sup>, there will be another provider here on that Friday.

Dr. Rahaman – Provided some of his background information; he has been with NHC for 13 years, 3 of those as Chief Medical Officer.

Dr. Rahaman – Stated that he plans to be more actively involved with the community, and hopes to be out here every two to three months.

Dr. Rahaman – Mentioned that an immunization and health fair is in the planning stages for November or December. This type of health fair will be held at all NHC sites state wide.

Monica Taylor – Stated that one of her responsibilities is patient satisfaction. NHC uses satisfaction surveys to measure local satisfaction levels. The Beatty clinic is leading the way on the number of responses to the surveys and they have been very favorable.

Ms. Taylor – Asked the community to reach to her with any questions or concerns they may have.

EG – Asked if NHC is putting the painting out to bid, not Beatty Health and Welfare.

Dr. McGuinness – Stated they checked with Beatty Health and Welfare and they said if NHC was going to pay for the work it was okay with them.

EG – Recommended they check with the elementary school about the immunization clinic, school aged children must be immunized to attend so there may not be much of a need for immunization in that age group.

**X. Beatty Museum**

Amina Anderson – Reported that the Museum has been changing/moving around its displays. They have applied for a traveling exhibit with the Nevada Arts Council, which would be here for 6 to 8 weeks. There is a Museum Board member opening if anyone is interested.

**XI. Beatty Town Square**

Carrie Radomski – Stated a grant application has been submitted to the National Parks Service, this grant is a 50/50 match grant. We should know in November if our application is in the running for approval.

**XII. Beatty Water & Sanitation District (BWS)**

Amina Anderson – Stated that there is a meeting on the 27<sup>th</sup> of September.

Ms. Anderson – Work is continuing on the well repair.

**XIII. Commissioner's**

No Report

**XIV. Desert Hills Cemetery**

DG – Stated we may have a meeting this month but some of the members are out of town.

**XV. Emergency Services**

Kelly Carroll; Captain– Reported from August 9<sup>th</sup> to September 12<sup>th</sup>; 0 fire calls; 3 Vehicle Accidents – 1 with 4 responders, 1 with 6 responders and 1 with 7 responders. 6 Medical calls where a Fire Fighter drives the ambulance including lift assists.

**XVI. Ordinances**

No Report

BTAB Minutes 09/12/12

9 Reports Continued (Information Only)

XVII. Secretary

Carrie Radomski - Stated a thank you letter from Death Valley National Park was received, saying they appreciated the staffs help with the meeting preparation and the set up of the room.

Ms. Radomski - Reported monies collected for services performed by the Town Office and sent to the Nye County Treasurer for the month of August 2012:

Notary - \$25.00; Photo Copy - \$3.44; Fax - \$17.00; Community Center Rental - \$70.00; for a total of \$115.44 credited to the Town Accounts.

Ms. Radomski - Stated the Airport monthly status report is available at the Office is anyone would like a copy.

Ms. Radomski - Stated e-mail correspondence regarding the 2012 CEDS document was received today; the Seattle Regional Office (SRO) of the Economic Development Administration has reviewed and approved the Nye County 2012 CEDS document. There was a hand written note on the approval to Pam Webster stating "Good Job". Amy Fanning of Nye County - Requested that the Town Office extend a Thank You on her behalf to all of the participants in the creation of the 2012 CEDS document.

DG - Asked if anyone has expressed interest in the sign committee.

Ms. Radomski - Stated that the advertising is up and letters of interest will be accepted until September 26<sup>th</sup>. At this time no letters have been received.

XVIII. Treasurer

EG - Reported the fund available balances with 17% of the year elapsed as of September 10<sup>th</sup>:

Department	Expenditure	Balance	
Admin Serv & Supplies	\$41,638.17	\$298,287.83	12% of the budget used
Translators Serv & Supplies	\$191.84	\$4,808.16	4% of the budget used
BVFD Serv & Supplies	\$18,425.07	\$272,467.93	6% of the budget used
Cemetery	\$497.24	\$9,502.76	5% of the budget used
Com Cnt Serv & Supplies	\$1,862.87	\$123,137.13	1% of the budget used
Chamber Serve & Supplies	\$5,060.29	\$29,816.71	15% of the budget used
Museum Serve & Supplies	\$5,168.79	\$35,558.21	13% of the budget used
Town Tourism	\$0	\$69,527.00	0% of the budget used

Capital projects no monies expended but project commitments have been made for some of these funds.

EG - Stated that Room Tax Revenue Generated 2011/2012:

Museum/Chamber/Capital	\$16,189.25 each
BGID	\$161,892.53
Town	\$48,567.75

BTAB Minutes 09/12/12

**10 General Business**

- a. **For Possible Action – Discussion, deliberation and decision to set a deadline of October 24, 2012 for letters of interest for three (3) Beatty Town Advisory Board seats up for election and all matters pertaining thereto. – Beatty Town Office; Carrie Radomski**

Carrie Radomski – Stated that 3 seats are up for election; they are Dick (Richard) Gardner, Kelly Carroll, and Crystal Taylor they are two year terms.

*RR- Motion to set the deadline of October 24, 2012 for letters of interest for three Beatty Town Advisory Board seats that are up for election; Second CT; 5-0*

- b. **For Possible Action – Discussion, deliberation and decision to set the date of November 14,2012 for the Beatty Town Advisory Board election and all matters pertaining thereto. – Beatty Town Office; Carrie Radomski**

Carrie Radomski – Stated that this date will allow enough time to complete the process and get the information to the Board of County Commissioners for their approval.

*RR – Motion to set the date of November 14, 2012 for the Beatty Town Advisory Board election; Second CT; 5-0*

- c. **For Possible Action – Discussion, deliberation and decision to approve writing a letter of support for American Ramp Company. – Beatty Town Office; Carrie Radomski**

Carrie Radomski – Stated the Town Office received correspondence from Rob Jones of American Ramp Company requesting a letter of support from the Town. At this time the recommendation to the board would be to wait, it was just installed. Also, this really should be referred to BGID, since it is now their project.

DG – Stated he agrees it is BGID's place to say, they will know how the park is holding up.

DG – Suggested that this be forwarded on to the BGID board, with a recommendation that they wait an appropriate time before issuing a letter.

*Item dies due to lack of motion*

**11 General Public Comment**  
None

**12 Adjournment**

*KC- motion to adjourn 7:55pm; Second RR; 5-0*