

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

**Minutes
09/09/19**

**THE BEATTY TOWN ADVISORY BOARD MET IN REGULAR SESSION AT 6:30 PM 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
Randy Reed (RR) – Vice-Chair
Erika Gerling (EG) – Treasurer
Perry Forsyth (PF) – Member
Rob Shirley (RS) – Member**

1 Pledge of Allegiance

Meeting called to order 6:30 pm

DG – Stated Perry Forsyth is attending by speakerphone

2 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.

Marty Campbell – Stated I just want to thank Erika for doing a good job while Carrie was out.

3 Approval of the Agenda for the BTAB meeting of September 9, 2019

Staff pulled item 4 minutes dated August 12th and August 26th, item 5 Emergency Items and item 8 consent agenda items

4 For Possible Action – Approval of the minutes dated; July 22, 2019, August 12, 2019, August 26, 2019

RR – Motion to approve the minutes dated July 22, 2019; Second RS; 4-1 (DG) abstain

5 Emergency Items

Pulled

6 Presentation – Nye County Public Administrator's Office; Ginger Stumne – What we do and what you can do.

EG – Motion to accept supplemental information; Second RR; 5-0

Ginger Stumne; Nye County Public Administrator – Handed out some information and a printed copy of a slideshow presentation.

Ms. Stumne – Asked, the first question is, do you guys know what a Public Administrator is? A lot of times people say of if you don't get a will the State is going to take your stuff when you die. No, that's not what's going to happen, but yes that's kind of what the office is known for, so that's not what is going to happen, not even remotely.

Ms. Stumne – Began the review of the presentation, if you notice after the front page, it does say, three reasons to call the public administrator, basically you're not going to be calling, the Sheriff's Office will be calling but the main reason is to understand that we don't have a coroner in Nye County. So, normally in a death, like in Clark County, there's a coroner and when somebody is deceased, they call the coroner. We don't have a coroner in Nye County, so I'm the one that gets called. I'm not a medical examiner, so I cannot do anything with the cause of death but I'm the one that is called to the scene to protect it. So, you'll see when is the Public Administrator called, it's public policy that the Public Administrator is called regarding all deaths in Nye County. So, I do cover all of Nye County, so Beatty, Tonopah, Round Mountain, all the way through, I cover all of them. I'm called on every death, including car accidents of people traveling through Nye County because their death occurred in Nye County. So, a lot of times we have a Beatty resident, in Pahrump, everybody thinks they've gone to the hospital, if they've passed in Clark County, they don't tell me because it's Clark County, so we don't know, so we have to rely on the public to help me. If you know of somebody that passed, and their house is open we need to get that secured, that's why I need your help.

Ms. Stumne – Went on, so the role of the Public Administrator, I am an elected official, thank you for your votes if you voted, if you didn't, I'm still it. so, it is an elected position and I am now in until 2020. So, my role that I took an oath to, is that I am to secure and protect the assets of the deceased until the family can claim them. So, it doesn't mean that they don't have family it just means that they're not physically present at their death to be able to lock up the house. Friends may want to but then friends are held liable if something goes missing. At least if I come in, or one of my Deputies, I have two in Beatty. They will lock up and secure the residence get a hold of the family have them come here, here's your keys and we're out, that's the goal. Sometimes families say I'm not coming out, sometimes they can't come out, then we work on their behalf but that is my goal, to protect the assets. You'll notice

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on the bottom (of the form) where there's a legal next of kin; the spouse, children, parents, siblings, or the executor in a will are the only legal next of kin. Your buddy that you grew up with for years that's your brother, really isn't your brother, he is not considered next of kin. On the next page you'll see notifications again it says that the County Public Administrator is notified of all deaths in Nye County to help assist with future problems. So again, if somebody passes away and their friend says I'll lock up the house and everything, the next thing you know stuff is missing, then the family has problems, because I know there was this there. The same with when we do arrive, we take photos of everything from a bird's eye view so if the family shows up and says geez, he had a Tiffany lamp worth ten thousand dollars, in that front window, I know he did. We can say well here's my photos when we arrived and there is no Tiffany lamp, so maybe he sold it before or something happened but at least I can prove there was no Tiffany lamp, and it's happened, or diamond rings, or something. I don't know what they have all I can say is here is a photo and everything is the way that we saw it. If the family is present I will just get notified of the call, so the Sheriff's office will usually call me and they'll say I have a death notification, they give me the name, the address, the birthdate, the next of kin who is present so that I can write that down.

Unidentified audience – Asked, where do you work out of?

Ms. Stumne – Stated, I live in Pahrump and I do most of my work in Pahrump but I cover all of Nye County. I have three cases in Beatty right now. If the family is not physically present then I need to go to that scene and lock up and secure the assets until the family can get here. On the next page; what will we do at the scene of a death? This is where it gets into where everybody says, oh the State's going to come in and steal your stuff. That's not what's going to happen and if anybody has been here a long time, yes in the past it did, I'm not going to deny that it did, everybody knows or has heard of the Dyers, it doesn't happen now. I can't control what somebody else did, all I can say is it does not happen now. So, the PA gathers information on the deceased, so I'm going to go to the Deputy because again I didn't find the person. Somebody else did and they called the Sheriff's department, the Sheriff's department calls me. My goal is to find out who is this person, do we know of any family with them, does anybody have any contacts, brothers, sisters, parents, anything whatsoever that's going to help me find that person. Do they have a will? I don't know these things; they can't tell me because they're gone. So, I have to collect that information. We also will collect any items such as a purse, firearms, jewelry, if they are out in birds-eye view. Those are the things we need to collect and get back to family, we're not going to take paperwork, a cell phone is probably how we are going to find family. How many of you store your loved ones are in your phone? We're going to look at last calls, we're going to see, does it say, Mom, is there ICE (In Case of Emergency contact). Who is it that is going to help me find the person? If there is a gun out in the open the Sheriff's Office is going to run it if it doesn't come up stolen, they are going to hand it to me. I'm going to log it in and when the family gets here, we make sure that they are allowed to own a firearm and we turn the gun back over. I can tell you there's a lot of times family shows up and they cannot have a firearm, they are felons. I cannot turn that firearm over to them, they have options. We can sell it for you, you can have somebody else that can have a firearm, but if you show me your felon id and say I want to get my Dad's gun, the answer is no, you're a felon, I can't turn that gun over that's why we secure them. If the gun was involved in a crime then the Sheriff's office will take it but if it's not, and it's not stolen they're going to turn it over to me to turn back to the family. I work with the family, the deceased next of kin, whatever they request. So, let's say Suzie passes away and her mother is 97 years old and lives in California in a nursing home. She can't come here and do it but she has a friend that she trusts to get it done, they've been friends forever. I'm going to send Suzie's Mom a form that says let the friend deal with it, she's going to send it back to me, I'm going to get ahold of the friend and go here you go, now it's that person's responsibility. So, either the families going to come and deal with it or they're going to name somebody they want and let them deal with it. It's when we don't have family or anybody else or I don't know anybody, as a government official, with the title of Administrator I can do that for them, they're still the heirs.

PF – Clarified, a lot of your cell phones have ICE, in case of emergency, numbers will that supersede anything?

Ms. Stumne – Stated it has to be in writing. So, if it's an ICE in the phone contact and they give us who the person is but that doesn't necessarily mean that they're next of kin.

Unidentified audience – What if you have an heir somewhere and you don't want to give them anything, you want to leave it to somebody here?

Ms. Stumne – Stated we'll actually go through that and restated the question and stated the answer yes and no but you need to let me know you've done that by having a will or something. Which I have other stuff here and we'll get to that too. I think it will follow along.

Ms. Stumne – Went on with the presentation, common misconceptions with the PA. The Public Administrator only handles deceased with no family... False. I can tell you I have five open cases right now and all but two have family. It's just the family for whatever reason cannot, will not, don't know how, live out of the Country, live out of state, they can't come do this. So, they've assigned this to me to get it done, they are still the heirs, it's still their family, I'm just doing all of the footwork. I'm the one, what do you want to do? Do you want to keep the car, do you want it sold, to you want the house, is there a mortgage? I work with the family through that whole process. It doesn't mean they don't have family. The PA goes through everything in your house, no. My goal, this is 24 hours a day, 7 days a week. We had five calls yesterday, starting at one o'clock in the morning, we're non-stop. My goal is get in, get done, get out. So, we're going to get in there lock it up, unplug toasters, whatever we need to do, seal it up and find the family. So, we're not going through everything. The goal is, help me help you, know who we are supposed to contact. Let them know come out and they can go through things. Significant others, girlfriends, boyfriends are not next of kin. Oh, we've been together for twenty years doesn't matter. If you're not legally married or blood-related you don't exist, you're not next of kin according to the

law. I don't make the law; I just have to follow it. So, unless you have a will that specifies that significant other, they do not exist as next of kin, it's the law, and you'll find out at the funeral home when you go to sign, they're going to say no because you're not next of kin. The State keeps your stuff when you die, false. I have people that tell me all the time, well you're auctioning off their stuff, you just want to keep it, no the family asked me to auction off what they didn't want and then we send them the money. So, any time I'm doing an auction I have family consent because I'm doing it without it. I'm not going to jail for anybody. On the next page, this is the deceased legal next of kin. So, we've got Mom present or a Sister, here's a better one... So, Marty's sister is present when he passes away, but Marty's got children, his sister is not next of kin. Because she is an immediate next of kin I don't have to come out and lock up the house and kick her out. She is the sister and when the sister goes to sign at the funeral home or anything there is a certain hierarchy. You'll see spouse and children are equal.

Unidentified Audience – Asked, step-children?

Ms. Stumne – Replied, no; discussion followed.

DG – Clarified wouldn't legally adopted step-children....

Ms. Stumne – Stated legally adopted is not step, once you're legally adopted, they even change birth certificates, the names of the parents.

Ms. Stumne – Went on I can tell you, I am a step and my dad does not have a will, so if something happens, I do not exist in the probate process. It's just what it is, the law does not recognize step unless they are in a will or trust. You'll see that it goes down from parent to sibling to grandchildren, nieces, and nephews, that is the hierarchy, once it hits one of those levels it stops. If you don't want the kids and they're the next person to get it, and you don't put it on paper they're going to be biased upon the law.

Ms. Stumne – Asked, does everyone know what a POA is? Power of Attorney, that is a living document, when somebody passes that document is void and I have even sheriff's department deputies that say well I don't know what to do, the wife is here but the daughter has POA, but is he deceased? Well, yes, well then, it's the wife because that power of attorney is a living document. Everybody knows what a will is, so if you're alive and somebody is executor of your will, can they go to the bank and get your account? Because, well, I've got the will, why not? Because you're not deceased. So, the power of attorney is the living document and when you pass it is void and the will kicks in, you can't use them both, one is for when you're alive, one is for when you've passed.

Unidentified Audience – Asked what if you don't like your sister a legal heir?

Ms. Stumne – Replied if you have other siblings, they're equal, unless you put otherwise, they are equal. On the last page (handout) I put my contact information. If you ever have anybody, you know how rumor and gossip works, if somebody has questions call me. I will answer, email, text, my cell phone, I have that there for a reason, I would rather answer your questions because it's the unknown that causes the problems. Also, the next thing that you were given, and I'm not just making this stuff up, you'll see these are the actual public administrator Nevada Revised Statutes, these are the laws in the State of Nevada for a Public Administrator, this is what says that if I'm there, by law I'm supposed to be there. I lock up a house because by law I have to lock up the house, it's just the law, how it works. The last handout a blank will, I would rather you have this and not need than need it and not have it, these are free, all you do is fill in the blanks take it to a Notary, because it does have to be notarized and witnessed, that's it. I'm going to leave a bunch more; Carrie will have them in the office if you need them. If you have a will and do a new one the new one supersedes the old one. A trust is a much different story, and you need an attorney, a will you can just keep doing them. Wills can be filed with the courts but the best thing is the person you are naming give them a copy and you keep a copy, make multiple copies of them and give them to people involved, the Will supersedes the hierarchy family too. Once you have your original Will notarized then make the copies to give to the people involved; discussion followed.

Ms. Stumne – Stated, wills tell me what you want, how you want me to deal with this. Here's the other thing that I commonly get, so you have this (Will) and you're going to put it away somewhere safe and secure in your house. So, you pass away and I get there, I'm not going through your stuff, remember, so how do I know that you have a Will, this (held up a card) the card has information that you should complete and put in a place in the home that it can easily be seen. Please, make sure that you give us the address of the person you want contacted, not just phone, we will not make first contact by phone. We will send one of our deputies and if they are out of the County or State, we will call our partner agency there and they will send someone in person to notify the person you indicate. You can indicate which of the two funeral homes that will come out here you would like contacted. Pets, please fill in the spot on the card that says my pets can stay with, that way I don't have to take them to the pound. I don't need see your Trust, I don't need to see your Will, to know about all of your assets, I just need to know who to call, please fill out this card and put it on your fridge. If the sheriff's office sees this on the fridge and it has all of the information, we won't even have to come out there.

Unidentified Audience – Asked, does a Will override a Trust?

Ms. Stumne – Stated I'm not an attorney, I'm not giving anybody legal advice today, no it doesn't, but again the date changes so if you have a family trust from 1998 and you did a will in 2018 that's going to stand. Here is another common thing that happens, a lot of people get a Trust, did you fund it? So, if you go open a bank account and you never put money in, is the bank account worth anything? If you have a Trust and you look up the title to your house it should be in the Trust, if you don't put your assets in the Trust, the Trust won't help, otherwise you will still have a probate because you had an empty trust. I see this all of the time.

Ms. Stumne – Stated you can call me, email me, I would rather you tell me. Clark County does not notify me if a Nye County resident passes away there so if you know of one of your residents that has passed away in Clark County and their property needs to be secured please call me or fill out our form at nyecounty.net.

PF – Asked Ms. Stumne in a typical case she handles how many manhours are spent from start to resolution?

Ms. Stumne – Stated it's hard to put an average time on it. If you mean probate, most probates take two to three years. I try to get them done in six months to a year. A lot of it is an attorney, if you hire an attorney to do it, they get paid upfront, what's the hurry for them to get it done? My office gets to bill the estate the hours that the County Commissioners put in place but I don't get paid until it's closed. My goal is to get it done, I don't want to mess around I want to get it done, it just depends; discussion followed.

Ms. Stumne – Stated one thing to remember, your executor of your will must be a resident of the same State to administer the probate, Trusts it doesn't matter Will it does. So, if you have a will and you name your Sister to be your executor and she lives out of State she cannot file in court papers, she's going to have to find someone in State to do it.

DG – Thanked Ms. Stumne for the presentation.

Ms. Stumne – Stated I have two deputies in Beatty; Ed Huffman, and Jeannie Ybarra-Sullivan. They are two that will show up at a scene in Beatty. I don't have anybody in Amargosa, they cover it and I do.

DG – Thanked Ms. Stumne again for coming.

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

RR; PF; RS – None

EG – Stated I have a few things, it's Randy's Birthday, so Happy Birthday and there's cake at the end. If anybody has problems with animals please call Animal Control, they're here at least once a week or the sheriff's non-emergency number and the sheriff's office is trying to do some things when Animal Control is not here that they can care for the animals. Next meeting I'll probably have an item on there about the National and International OHV conference which is the middle of October so next meeting is final decision on if we're doing something or not. I did attend the Beatty Health and Welfare meeting and there was a provider that gave them a presentation, Serenity Health and they're going to be coming to do a presentation to the Community sometime later on this month I think, on the 24th. I wasn't able to attend the Beatty Water and Sanitation District meeting; I just ran out of time.

DG – Stated, all I have to say is it's good to hear from PF again, welcome back to the land of the living.

8 Consent Agenda Items – These are items that Staff recommends for approval. The Board reserves the right to move any consent agenda item to the regular segment of the agenda should issues arise that need to be addressed.

Pulled

9 Reports

- i. **Beatty Chamber** – None
- ii. **Beatty Habitat Committee** - None
- iii. **Beatty Library** – None
- iv. **Beatty Medical Clinic** – None
- v. **Beatty Museum** – None
- vi. **Beatty Senior Center** – Marty Campbell – Stated we do have things going on. One of the things we are working on is getting our own 501c3 and we have got Vonnie Gray who is working on the paperwork right now and we will hopefully be done in next month or two and if we do we would like to have some help from the Town Board if possible, help paying for the 501c. We do have a new site manager and a new cook.
- vii. **Beatty Volunteer Fire/Ambulance** – None

Reports Continued

- viii. **Commissioner's** – None
- ix. **Desert Hills Cemetery** – None
- x. **Nye County Emergency Services** – None
- xi. **Nye County Sheriff's Department** – None
- xii. **Ordinances** – None
- xiii. **Other**
 - Beatty Economic Development, Inc (BEDC)** – None
 - Beatty General Improvement District (BGID)** – None
 - Beatty Water & Sanitation District (BWSD)** – None
 - Beatty Boy Scouts** - None
 - Beatty Health & Welfare** - None
 - Other Community or Civic Organizations** – DG Stated the VFW has our Poker Run coming up in the middle of October and this year we'll have a little street dance afterward. Also, on Beatty Days.
- xiv. **Secretary** – Carrie Radomski – Reviewed information received by the office, and is available on the Town website
 - Brandi will be here from the Nevada Veterans group, Wednesday the 11th from 10 am to 2 pm
 - Bunko tournament at the Community Center September 15th at 2 pm, this is a VFW Axillary fundraiser
 - Wednesday the 18th from 1:45 pm to 2:45 pm Social Security representative will be here in the small room
 - Free legal assistance for Veterans in Pahrump on Friday, September 20th from 10 am to 2 pm
 - The Nevada Site Specific Advisory Board has a meeting in Las Vegas on the 18th
 - The VFW Poker Run is on the 12th of October
- xv. **Treasurer**
 - EG – Stated we have some numbers for the end of the year and we did really well. We only had one department that was a little bit over, the Museum, that's tourism. I wanted to just get this for the record so everybody knows, for FY19 our consolidated tax, we estimated that we would get \$450,000.00 and our expenditures have been about \$417,000.00 so we're staying in our, what we try to do, revenue and expenditures and that's not total revenue so we did really well. For the current fiscal year with 17% of the year elapsed everybody is doing really well under 17%.

10 General Business

- a. **None**

11 General Public Comment

None

12 Adjournment

RR - Motion to adjourn 7:15 pm; Second RS; 4-0