



**P.O. Box 2408
Dayton, NV 89403
775-246-7909
775-246-5838**

**www.daytonnvchamber.org
info@daytonnvchamber.org**

September 23, 2009

Chuck Roberts
PO Box 498
Carson City, NV 89702

Larry McPherson
2001 Apache Drive
Stagecoach, NV 89429

Joe Mortensen
680 Miller Lane
Fernley, NV 89408

Phyliss Hunewill
30 Desert Creek Road
Wellington, NV 89444

Don Tibbals
56 Highway 339
Yerington, NV 89447

CC: Lyon County Fire Marshall, Lyon County Manager, Lyon County Sheriff, Central Lyon County Fire Board Members

Subject: Dayton Area Carnival

To all concerned,

Presently serving as Vice President for the Dayton Area Chamber of Commerce, I would like to give my opinion, not judgment, as to the conversation and actions witnessed on September 18th, 2009. I received a phone call from the carnival owner, Bart Finlayson, around 5:45 p.m. asking if the Dayton Area Chamber of Commerce was still supporting the carnival. Not having a clue as to what had transpired over the duration of the last day, I said yes and then was told of the many issues with The Fire Marshall, Health Dept., and OSHA. I immediately went to the carnival site on Highway 50 in Dayton and started to help reconcile and diffuse this situation.

Bart, the carnival owner, took me around and showed me the OSHA violations and also showed me the actions they were taking to correct each issue. Each request was individually being taken care of as instructed by OSHA. Chuck Ritter showed up and told the carnival owner without hesitation that he would NOT be opening the carnival. Bart asked why and Chuck Ritter said it was due to safety issues. I ask Chuck where the written list of safety issues was so we could address each and every one of them, but according to Chuck Ritter there wasn't a list. I did ask why there was not a list like OSHA had given, but according to Chuck, there were just too many violations.

Bart asked if Chuck would please do a walk through with him so he could see that the safety issues had not only been addressed, but rectified, fixed, and corrected. Chuck reluctantly agreed, but only took a 5 minute walk through just to say, "No, you will not be opening". It was apparent that if all requests had been corrected 5 times over, Chuck was not going to allow the carnival to open. I personally ask Chuck for a list of items that needed to be corrected. He finally started to put these safety issues in writing. When it looked as if all of the safety issues had been corrected and the carnival would be allowed to open with the final inspection from Chuck, Chuck then stated that the County Manager told him the carnival would not open without a business permit/license. I asked Chuck if he was talking about Dennis Stark and he said yes. I asked Chuck for the phone number to Dennis Stark and he told me he did not have it. I proceeded to tell Chuck the carnival owner, Bart, did not need a business permit/license because the carnival was on private property with a signed agreement between property owner and carnival owner. I was a little confused about the fact that the carnival was just in Yerington, part of Lyon County, but it could not be in Dayton, also in Lyon County. Why is that?

Bart asked if he would come back by on Saturday morning to re-inspect and Chuck said he had a previous engagement, but Bart pointed out that he is a tax paying citizen and deserved a re-inspect. Chuck Ritter agreed to come back in the a.m. and Bart told him to expect a phone call between 8:00 and 9:00 in the a.m. Chuck asked Bart to have all of the documentation and certificates of insurance and inspection ready for him when he did the final inspection on Saturday morning. Bart said he did not have to wait until the morning to show the paperwork, that he could provide some of those certificates immediately. He showed Chuck the Risk Management Insurance inspection but Chuck then wanted more. Chuck then wanted to see the safety certificates per ride and Bart proceeded to tell him that the state of Nevada does not require those certificates. Sadly, Chuck did not show up the next morning, did not answer his phone and was unavailable. In a world of politics and corporate distrust, it is imperative we are good for our word. Honor and character does not hinge upon industry, the person, the position, or the circumstance.

As much as I enjoy a good game of cranial gymnastics, this has been mind boggling. I do hope all information, facts, and resources are explored, so this type of situation may be avoided in the future. Dayton has so much room to grow in so many ways, but there is never room for self agendas and lack of leadership.

Thank you for your assistance and if I may be of any help, you can reach me at 775.230.9007.

Jojo L. Myers
Vice President
Dayton Area Chamber of Commerce Board of Directors
Dayton, NV