

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

2:00 P.M.

NOVEMBER 23, 2004

PRESENT:

Jim Shaw, Chairman
Jim Galloway, Commissioner
David Humke, Commissioner
Pete Sferrazza, Commissioner

Nancy Parent, Chief Deputy Clerk
Katy Singlaub, County Manager
Melanie Foster, Legal Counsel

ABSENT:

Bonnie Weber, Vice Chairman

The Board met in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. Following the Pledge of Allegiance to the flag of our Country, the Clerk called the roll and the Board conducted the following business:

04-1194 AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried with Commissioner Weber absent, Chairman Shaw ordered that the agenda for the November 23, 2004 meeting be approved.

04-1195 PUBLIC COMMENTS

Sam Dehne, local resident, spoke on his annoyance with the Reno airport and the Airport Authority.

Stuart Mackie, Reno resident, requested the Commission explore the Local Government Oversight Committee and the moving of 10,000 acre-feet of water from Churchill County. He said he believes the water was purchased illegally by going over one county line from another without authorization.

Gary Schmidt, Washoe resident, distributed copies of public records polices and procedures from the City of Reno, which were placed on file with the Clerk. He also spoke on a lawsuit he filed against the City of Reno.

MANAGER’S/COMMISSIONERS’ COMMENTS

Chairman Shaw presented Certificates of Appreciation to approximately 19 County employees who volunteered for the Nevada Association of Counties (NACO) Conference held in November. The Board extended their appreciation and gratitude to the volunteers.

Commissioner Sferrazza requested an Investment Committee Meeting be scheduled for December 21, 2004 at 11:00 a.m.

04-1196 MINUTES

On motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Commissioner Weber absent, Chairman Shaw ordered that the minutes for the regular meetings of October 19 and October 26, 2004 be approved.

04-1197 DONATION – FLUMIST VACCINE – MEDIMMUNE CORPORATION – HEALTH

Commissioner Galloway extended his appreciation to the MedImmune Corporation for their donation of the FluMist Vaccine.

Upon recommendation of Patsy Buxton, Health Analyst, through Eileen Coulombe, Administrative Health Services Officer, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Commissioner Weber absent, Chairman Shaw ordered that the donation of the FluMist Vaccine valued at \$12,000 from MedImmune Corporation to the Community and Clinical Health Services Division be accepted with the Board’s gratitude.

04-1198 AMENDMENT - FY 2004/05 – TUBERCULOSIS CDC PROGRAM - HEALTH

Upon recommendation of Pamela Fine, Health Analyst, through Eileen Coulombe, Administrative Health Services Officer, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Commissioner Weber absent, Chairman Shaw ordered that an amendment to the District Health Department Fiscal Year 2004/05 Tuberculosis CDC Program budget in the amount of \$5,000 in both revenue and expense funds be approved. It was a further ordered that the Finance Department be directed to make the following budget adjustments:

ACCOUNT NUMBER	DESCRIPTION	AMOUNT OF INCREASE
2002-IO-10016-431100	Federal Revenue	\$5,000
2002-IO-10016-710500	Special Awards	\$5,000
	Total Expenditures	\$5,000

04-1199 **GRANT – 2005 STATE EMERGENCY RESPONSE COMMISSION
HAZARDOUS MATERIALS EMERGENCY – EMERGENCY
MANAGEMENT**

Upon recommendation of Aaron Kenneston, Emergency Manager Administrator, through John Slaughter, Management Services Director, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Commissioner Weber absent, Chairman Shaw ordered that the 2005 State Emergency Response Commission Hazardous Materials Emergency Preparedness Grant in the amount of \$19,630 be accepted. It was further ordered that the Finance Department be directed to make the following budget adjustments:

ACCOUNT NUMBER	DESCRIPTION	AMOUNT OF INCREASE
Increase Revenue		
10449-431100	Federal Revenue	\$ 19,630
Increase Expenditure		
10449-710509	Registration	\$ 3,045
10449-711210	Travel	\$ 16,585
	Total Expenditures	\$ 19,630

04-1200 **EXPENDITURE – MICHAEL CHAPMAN – EVANS CREEK LLC –
DISTRICT ATTORNEY**

Sam Dehne, Reno resident, spoke against the condemnation of the Ballardini Ranch.

Upon recommendation of Melanie Foster, Deputy District Attorney, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Commissioner Weber absent, Chairman Shaw ordered that the expenditure of funds in excess of \$50,000 to Michael Chapman, Esq., for work on the pending legal action regarding the condemnation of the Evans Creek LLC (Ballardini Ranch) property, pursuant to the September 21, 2004 agreement, be approved.

04-1201 **AWARD OF BID - TAX ASSESSOR LIST – BID NO. 2456-05 -
ASSESSOR**

This was the time to consider award of bid for printing of the 2005/06 Tax Assessment List for the Assessor. Notice to Bidders for receipt of sealed bids was published in the *Reno Gazette-Journal* on October 6, 2004. Proof was made that due and legal Notice had been given.

Bids were received from the following vendors:

Golden Eagle Press

Upon recommendation of Darlene Penny, Buyer, through John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Commissioner Weber absent, Chairman Shaw ordered that Bid No. 2456-05 for Printing of the 2005/06 Tax Assessment List for the Assessor be awarded to the lowest, responsive and responsible bidder, Golden Eagle Press, in the amount of \$46,558.08.

**04-1202 SALARY AND BENEFIT ADJUSTMENTS – CHIEF
INVESTIGATOR DISTRICT ATTORNEY – HUMAN
RESOURCES**

Upon recommendation of Joanne Ray, Human Resources Director, through John Berkich, Assistant County Manager, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Commissioner Weber absent, Chairman Shaw ordered that the following salary and benefit changes for the Chief Investigator (D.A.) for the period of July 1, 2004 through June 30, 2005 be approved:

1. A three percent general salary increase be granted effective July 1, 2004 covering the period of July 1, 2004 through June 30, 2005.
2. Longevity pay for employees employed five years be increased from one-third percent per year of service up to a maximum of seven and one-half percent to one-half percent of biweekly base wage per year of service up to a maximum of nine percent.
3. Provide the option of payment (as specified by NRS 287.023) on the retiree's behalf towards the medical insurance premium owed should they elect to remain in the County retiree Health Plan for employee's hired subsequent to January 1, 1998, who had previously been eligible for any County-paid retiree medical benefit.
4. The annual leave allotment after six months continuous County service by fulltime employees be increased from 40 hours to 48 hours, which is one-half of their annual entitlement.
5. The allotment of personal leave accrual for employees who use zero to 32 hours of sick time as of the last full pay period in a calendar year be increased from 16 hours to 24 hours.

04-1203 LIBRARY AIDE POSITION – LIBRARY

Upon recommendation of Melody Ballard, Associate Library Director, through Nancy Cummings, Library Director, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Commissioner Weber absent, Chairman Shaw ordered that the abolishment of three vacant 21 hour per week benefited Library Aide positions, and the creation of six new 15 hour per week non-benefited Library Aide positions to provide on-going annual salary savings and additional hours for public service be approved.

**04-1204 INDEPENDENT CONTRACT AGREEMENT - COMMUNITY
EMERGENCY RESPONSE TEAM PROGRAM – SHERIFF**

Upon recommendation of Jim Lopey, Assistant Sheriff, and Tami Cummings, Admin. II Administrative Division, through Dennis Balaam, Sheriff, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Commissioner Weber absent, it was ordered that the Independent Contractor Agreement associated with the FFY 04 Office of Domestic Preparedness (ODP) Citizen Corps grant award in the amount of \$38,999.83 to retain Kathy Paschall as an Independent Contractor for the Community Emergency Response Team (CERT) Program be approved and Chairman Shaw be authorized to execute the same.

**04-1205 RESOLUTION – DELINQUENT TAX ASSESSMENT –
TREASURER**

Upon recommendation of Tammi Davis, Deputy Treasurer, through Bill Berrum, Treasurer, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Commissioner Weber absent, it was ordered that the following resolution for the sale of properties subject to the lien of a delinquent special assessment in the following special assessment districts: WCAD 23, Arrowcreek Water, WCAD 26, Matterhorn Road, and WCAD 30, Antelope Valley Road, be adopted and Chairman Shaw be authorized to execute the same.

RESOLUTION

A RESOLUTION DIRECTING THE COUNTY TREASURER TO GIVE NOTICE OF THE SALE OF PROPERTIES SUBJECT TO THE LIEN OF A DELINQUENT ASSESSMENT; RATIFYING ALL ACTIONS PREVIOUSLY TAKEN; AND PROVIDING OTHER MATTERS PROPERLY RELATED THERETO.

WHEREAS, the Board of Commissioners (the “Board”) of the County of Washoe (the “County”), State of Nevada, pursuant to different ordinances heretofore duly passed and adopted, created County improvement districts as more particularly described at Exhibit A attached hereto and incorporated herein (the “Districts”), and ordered the acquisition of improvements within said Districts, and determined to defray a portion of the entire cost and expense of such improvements by special assessments, according to

benefits, against the benefited lots, tracts and parcels of land (“properties”) in the respective Districts; and

WHEREAS, the Board has by their respective ordinances levied assessments against the properties; and

WHEREAS, the Board has directed and hereby reaffirm their direction to the County Treasurer to collect and enforce the assessments in the Districts in the manner provided by Nevada’s Consolidated Local Improvements Law, NRS Chapter 271; and

WHEREAS, the assessment installments on certain properties in the Districts are delinquent, as identified in Exhibit A attached hereto (“delinquent properties”), and remain delinquent after delivery by certified mail, return receipt requested, of a ten day delinquency notice to each delinquent property owner; and

WHEREAS, The Board desires that the County Treasurer proceed with a notice of the sale of the delinquent properties as provided in NRS 271.545 and sell the delinquent properties pursuant to NRS 271.540 to NRS 271.630.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF WASHOE, STATE OF NEVADA AS FOLLOWS:

1. The Board hereby exercises its option to cause the whole amount of the unpaid principal of the assessments on the delinquent properties to become due and payable as provided in NRS 271.410.

2. The Board hereby ratifies all action previously taken by the County Treasurer and directs the County Treasurer to give notice of the sale of the delinquent properties and to sell the delinquent properties pursuant to NRS 271.540 to NRS 271.630. **The sale shall take place at 11:00 a.m. on January 27, 2005, in the Washoe County Central Conference Room (C110), 1001 E. Ninth Street, Reno**, which the Board hereby finds a convenient location within the County.

3. If some irregularity or circumstance arises before the sale of any delinquent property such that in the opinion of the Washoe County Treasurer the public interest would best be served by withdrawing such a delinquent property from sale, the Washoe County Treasurer is hereby expressly authorized to make such a withdrawal. The Treasurer shall report to the Board in writing concerning his decision to make such a withdrawal and shall state the reasons for the decision.

4. The County Treasurer shall give the notice as provided in NRS 271.545, by publication in the *Reno Gazette Journal*, a newspaper of general circulation in the County, and such notice to be published at least once a week, for three consecutive publications, by three weekly insertions, the first such publication to be at least 15 days prior to the day of the sale. It shall be necessary that the notice be published on the same

day of the week, but not less than 14 days shall intervene between the first publication and the last publication. Such service by publication shall be verified by the affidavit of the publisher and filed with the County Treasurer. The County Treasurer or his designee shall also give written notice of sale by mailing a copy of such notice, by first-class mail, postage prepaid, at least 20 days prior to the day of the sale, to the last known owner or owners of all properties subject to sale or other designated person at his or her last known address or addresses; and to any person or governmental entity that appeared in the records of the County to have a lien or other interest in the delinquent property. Proof of such mailing shall be made by the affidavit of the County Treasurer or his designee and such proof shall be filed with the County Treasurer. Proof of the publication and proof of the mailing shall be maintained in the permanent records of the office of the County Treasurer until all special assessments and special assessment bonds issued (if such special assessment bonds have been or are hereafter issued) shall have been paid in full, both principal and interest, until any period of redemption has expired or property sold for an assessment, or until any claim is barred by an appropriate statute of limitations, whichever occurs last.

5. The officers of the County are hereby authorized to take all action necessary to effectuate the provisions of this Resolution.

04-1206 AMENDMENT – FOREST SERVICE SPECIAL USE PERMIT
CAR93 – WATER RESOURCES

Upon recommendation of Thomas Kelly, Senior Engineer, and Paul Orphan, Engineering Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Commissioner Weber absent, it was ordered that an amendment to the Forest Service Special Use Permit CAR93 be approved and Chairman Shaw be authorized to execute the same.

04-1207 WELL MITIGATION PROGRAM – WATER RESOURCES

Jim Smitherman, Program Manager, Water Resources, requested the Board establish the effective date for the Well Mitigation Hearing Board Program. He suggested dates for the Board's consideration of November 27, 2001, which was when the Board formed the ground water task force, and October 23, 2001, when the Board, presiding as STMGID Board of Trustees, approved the policies for mitigating water well related impacts in the South Truckee Meadows service area.

Commissioner Humke stated he believes a reasonable date would be October 23, 2001, which represented action by the Board to begin the process.

Commissioner Sferrazza inquired how many well failures occurred between October 23, 2001 and the present date. Mr. Smitherman replied two areas are dealing with well failures, the Heppner Subdivision, in the northern part of Lemmon Valley, and the South Truckee Meadows area. He said the Heppner Subdivision has had

approximately 10 wells per year either deepened or re-drilled. In response to Commissioner Sferrazza, Mr. Smitherman said a typical well deepening costs approximately \$10,000; to re-drill a well can be twice that amount. Commissioner Sferrazza asked if the County would be guaranteeing the whole amount or if the customer would have to present evidence to have it approved. Mr. Smitherman said the case is presented to the Well Mitigation Hearing Board who makes the determination on the amount or percentage of responsibility.

Commissioner Humke requested a review of the statute by which a well owner, as an alternative to well mitigation, would be required to hook up to a nearby municipal water service. Mr. Smitherman said the statute says the State Engineer has the authority to approve or deny a request for deepening or re-drilling a well if there is a municipal water system within a certain distance, thus forcing the customer to hook up. Commissioner Humke asked if well mitigation funds would be paid to the customer if the State Engineer ruled the customer hookup to an existing water line. Mr. Smitherman offered the County could provide some relief from a portion of the hook up fee, as mitigation, if the finding is made the County is partially responsible.

Lori Bushey, Lemmon Valley resident, stated she has been waiting for the Mitigation Board for two years. She said she has been keeping track of the wells being deepened or re-drilled in her area for the past several years and has not seen 10 or more per year. She reminded the Board there is a statute of limitations and to fix a date may not be prudent.

Russ Price, Lemmon Valley resident, said many residents in the area do not approve of having a set date to begin well mitigation. He said forming a mitigation board in effect proves a problem exists with the water situation in the area. Mr. Price asked, who gets the water rights and how much does the well owner receive for the water rights rescinded when a well owner hooks up to a municipal water system. He requested the Board realize whom would be excluded by setting a date. Mr. Price felt the County was in competition with private well owners.

Sam Dehne, Reno resident, said there is not enough water in the area to accommodate the influx of new residents.

In response to Ms. Bushey's comments, Mr. Smitherman said he receives records from the State Engineer stating the number of permits issued for re-drilling. According to those records, between 2000 and 2004 there were 49 wells deepened or re-drilled. In response to Mr. Price's questions regarding the water rights, Mr. Smitherman said, unless the domestic well owner has taken steps above State Law requirements, the customer does not have a water right. He said there is an exemption in State Law that anyone has a right to drill a domestic well as long as a permit is filed for drilling; and, once that is in place they do not have to acquire a water right. Mr. Smitherman said when customers hook-up to a municipal system, the State Engineer has made an allowance for a credit to be issued when they abandon their domestic well. He says the justification is

they have a vested right in law to extract up to 1,800 gallons per day out of their domestic well.

Commissioner Galloway questioned if the County has looked at separate mitigation programs when there has been excess pumping. Mr. Smitherman replied that is correct.

Upon recommendation of Mr. Smitherman, and Jeanne Ruefer, Water Resources Planning Division, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Commissioner Weber absent, Chairman Shaw ordered that the effective date for the Well Mitigation Program be established as October 23, 2001.

**04-1208 CONTRACT – PHASE II – WINNEMUCCA RANCH SPRING
DEVELOPMENT PILOT PROJECT – WATER RESOURCES**

Steve Bradhurst, Water Resources Director, reviewed the information pertaining to the design and development of the Winnemucca Ranch Springs Pilot Water Supply Project outlined in the agenda memorandum dated October 28, 2004.

Commissioner Sferrazza asked if the County is in litigation for land or water rights. Mr. Bradhurst responded there was litigation concerning the 1987 agreement between the County and the LaRues; however, the County was successful in that litigation. Commissioner Sferrazza questioned if the LaRues's are using County water rights on their land, and does the land belong to the County. Mr. Bradhurst stated it is not County land; the agreement states the County has the water rights and allows the property owner to utilize those water rights until such a time when the County requires the use of those rights.

Dan Dragan, Hydrogeology Program Manager, informed the Board he has been involved in this project since the 1980's when the water rights were purchased. His task has been to define the water resources of the springs. Mr. Dragan said springs are located throughout the valley and it was difficult to quantify the yield coming from those springs.

Michael King, representing the Hydrodynamics Group, presented the proposal for the Phase II Winnemucca Ranch Spring Project, which was placed on file with the Clerk.

Commissioner Humke requested clarification on the initial analyses, which stated that purely spring water was coming out of the ground with no surface water, which would cause a need for treatment. Mr. King replied part of phase II is determining that as fact. He said the two springs being recommended do not have that situation; based on water temperature, discharge and other chemical factors, those measures suggest it is purely spring water. Mr. King said if the spring flows stay constant, and the water chemistry doesn't change over time, that would suggest it is not

under the influence of surface water. In response to Commissioner Humke, Mr. King said it would take approximately six to eight months to receive the initial data. Commissioner Humke questioned how the process works in convincing the State Engineer that the source does not need treatment, and Mr. King responded that would be Health Department standards.

Mr. Bradhurst said the intent would be to utilize the water for a variety of purposes. He said for instance, in the future, if housing developments arose in the area, the County would be able to provide them with the necessary water.

Commissioner Galloway asked if the County purchased this water from the LaRues and if the water was purchased for use in other areas of Washoe County. Mr. Bradhurst said staff is only concerned with the water rights in Warm Springs Valley, which is approximately 950 acre-feet, with the remaining bulk of the water rights, which are not in this plan, residing on the Dry Valley side. He said the water rights on the Warm Springs side have been identified as a good resource. Commissioner Galloway expressed concern, that the ranch owner might become motivated to develop if the County begins using the water. Mr. Bradhurst replied that decision would lie with the Board and the decision for the land use plans in the Warm Springs Valley. He said the land use and development plans clearly would not utilize the 3,000 acre-feet of water; however, in the future, if a development were implemented, a water resource would be available.

Commissioner Sferrazza stated he believed, as part of the litigation, the County had an option to receive part of the land. Mr. Bradhurst replied the litigation stated the County has certain land, which could be secured in support of the development of the water resource; however, the County does not have ownership of the land. He said there is an opportunity in the agreement to combine the water with the land if the County chooses. Commissioner Sferrazza requested an explanation in the future since his recollection was different.

Upon recommendation of Dan Dragan, Hydrogeology Manager, and Jeanne Ruefer, Planning Division Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried with Commissioner Weber absent, Chairman Shaw ordered that the Department of Water Resources be authorized to proceed with implementation of Phase II of the Winnemucca Ranch Spring Development Pilot Project. It was further ordered that the Water Resources Director be authorized to execute a contract not to exceed \$25,000 with the Hydrodynamics Group, LLC, to assist in the design and development of the Winnemucca Ranch Springs Pilot Water Supply Project.

04-1209 ADJUSTMENTS – 1996 SERVICE TERRITORY BOUNDARIES – WATER RESOURCES

In response to questions addressed at caucus, Steve Bradhurst, Water Resources Director, stated the distance of the four parcels to be annexed into the Truckee Meadows Water Authority (TMWA) service area from the nearest water line is 2.7 miles.

Addressing the other question pertaining to potential land use in the area, Mr. Bradhurst presented and reviewed an aerial photo, which was placed on file with the Clerk.

Commissioner Galloway referred to the map and questioned if Washoe County would be doing a utility project if a mass failing of wells occurred. Mr. Bradhurst said there has been success in the Golden Valley artificial ground water recharge program with positive reports in terms of the water table rising. Commissioner Galloway questioned why this parcel is being developed in a different manner since all of the surrounding properties are on wells. Mr. Bradhurst replied this particular parcel is being developed in a different manor because of it being part of a subdivision.

Commissioner Humke commented this Board has always been desirous of protecting nearby well owners when someone decides to make a land use change without paying attention to the water resource.

Commissioner Sferrazza requested this item be deferred until the North Valleys Citizen Advisory Board and the Golden Valley Homeowners Association have the opportunity to review and comment.

Upon recommendation of Vahid Behmaram, Water Rights Supervisor, and Paul Orphan, Engineering Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried with Commissioner Weber absent, Chairman Shaw ordered that adjustments to the 1996 service territory boundaries between Truckee Meadows Water Authority and the Department of Water Resources, as shown on the map and described in the exhibit placed on file with the Clerk, be deferred until reviewed by the North Valleys Citizen Advisory Board and the Golden Valley Homeowners Association.

04-1210 STATUS REPORT – SOUTH TRUCKEE MEADOWS WATER TREATMENT FACILITIES – CAROLLO ENGINEERS – WATER RESOURCES

Rick Warner, Senior Licensed Engineer, reviewed the site assessment and preliminary engineering status report outlined in the agenda memorandum dated October 22, 2004, which was placed on file with the Clerk.

Ken Wilkins, representative for Carollo Engineers, reviewed and outlined the Design Report in the technical memorandum dated November 2004, which was placed on file with the Clerk.

3:55 p.m. Commissioner Sferrazza temporarily left the meeting.

Commissioner Humke said the Damonte II site looks more compact than the others and asked if the final three sites have developments nearby. Mr. Wilkins replied the Curti and Damonte sites are similar sized parcels; however, the Arrow Creek site is larger. He said, from an engineering standpoint, the Curti and Damonte sites are

flatter, which makes them more desirable. Mr. Wilkins also said there have been workshops with Nevada Tri-Partners who have given advice for the conceptual engineering phase as to terms of visual mitigation, which would be to the north, south, and east of the site. As indicated in the staff report, Commissioner Humke said reference was made to five new secondary groundwater wells, costing \$2 million, and questioned if the amount included drilling. Mr. Wilkins said the amount indeed included drilling along with development costs for equipping the wells for pipe connection to a conveyance facility down to the treatment plant. Commissioner Humke questioned if these five new secondary wells would replace some of the other production wells. Mr. Warner replied from the facility-planning document the intent of the new wells is for new supply.

4:07 p.m. Commissioner Sferrazza returned to the meeting.

Commissioner Galloway asked what the capacity would be of the treatment facility. Mr. Warner replied the build out would be up to six million gallons per day. He said future expansion is part of the plan; the first task for the final design of the project confirmation plan is to spend a fair amount of effort to determine what has changed in the plans in the past two years. Mr. Warner said they have conceptually talked about a facility layout in the order of 8-10 million gallons per day at this site and the 10-acre parcel would support a plant of that nature. Commissioner Galloway asked if it would include all the possible well re-locations, since he is hesitant to approve a site that in the future may not prove to be expandable. Mr. Warner replied the type of facility staff is envisioning is a module membrane treatment facility, which could be expanded. He said during the project confirmation phase, the property owner would be kept apprised on the project plant site and be advised it may be increased. Commissioner Galloway would like the site approval be subject to the size adequate for all the reasonable contingencies and the County to be able to option or purchase the land.

Chairman Shaw stated in the preliminary investigation staff researched a 10-acre site with the assumption that size parcel would accommodate the needs for this facility. He said staff indicated this was presented to the City of Reno, Citizen Advisory Boards and other groups; and they have received approval from those agencies. Mr. Warner replied that was a correct statement.

Commissioner Sferrazza asked if any of the cost would be from the general fund. Jerry McKnight, Finance and Operations Manager, replied no general fund monies would be used; the facility would be bond-funded and connection fees and the arsenic surcharge would be used to pay for the facility. Commissioner Sferrazza questioned why the appraisal on the land was so expensive. Mr. Warner said the land was appraised by an independent appraiser, John Wright and Associates; and the appraised value for ten acres was \$7.00 per square foot. Katy Singlaub, County Manager, responded this property is adjacent to State Route 395 and commercial zoning for property in that area is in great demand. She said staff was grateful the property owner was willing to work with the County on the strategic site. Commissioner Sferrazza requested a copy of the appraisal.

Sam Dehne, local resident, said it seems to be expensive land and a magnet for more growth in the community.

Commissioner Galloway asked if water could be conveyed from STMGID Well Number 9 to this facility if necessary. Mr. Warner replied it could.

Upon recommendation of Rick Warner, Senior Licensed Engineer, and Paul Orphan, Engineering Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Galloway, seconded by Chairman Shaw, which motion duly carried with Commissioner Sferrazza voting “no” and Commissioner Weber absent, it was ordered that:

1. The site assessment and preliminary engineering status report for the South Truckee Meadows Water Treatment Facilities be accepted.
2. The recommendation to construct one of the proposed water treatment facilities on a ten-acre site (APN 016-411-22) within the Damonte Ranch with the condition to re-evaluate the space of the site for future needs be approved.
3. A professional services contract between Washoe County and Carollo Engineers PC, concerning final design services for the drinking water treatment facility, water transmission mains, water storage facilities, and pump stations, in the amount of \$4,500,000, be approved.

04-1211 BUDGET AMENDMENTS – FY 2004/05 - WOMEN, INFANTS AND CHILDREN STATEWIDE MARKETING PROGRAM BUDGET – HEALTH

Upon recommendation of Patsy Buxton, Health Analyst, through Eileen Coulombe, Administrative Health Services Officer, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried with Commissioner Weber absent, Chairman Shaw ordered that amendments totaling \$125,000 in both revenue and expenses to the adopted Fiscal Year 2004/05 District Health Department’s Women, Infants and Children (WIC) Statewide Marketing Program budget in support of Salaries and Benefits, Other Professional Services, Educational Materials, Operating Expenditures, and Travel funded by a Notice of Grant Award from the Nevada State Health Division be approved. It was further ordered that the Finance Department be directed to make the following budget adjustments:

ACCOUNT NUMBER	DESCRIPTION	AMOUNT OF INCREASE/ (DECREASE)
2002-10009-431100	Federal Contributions	\$ 125,000
2002-10009-701110	Base Salaries	29,860

701200	Incentive/Longevity	625
701300	Overtime	1,908
705110	Insurance	5,121
705210	Retirement	6,173
705230	Medicare	478
705320	Workmens Comp	397
705330	Unemployment Comp	50
710100	Professional Services	36,214
710300	Office Supplies	150
710334	Copy Machine	100
710361	Postage	100
710500	Other Expenses	15,734
710502	Printing	1,200
710508	Telephone	4,000
710509	Seminars and Meetings	500
710512	Auto Expense	290
710546	Advertising	18,000
711115	Equip Svc Motor Pool	(400)
711210	Travel	4,500
	Total Expenditures	125,000

**04-1212 BUDGET AMENDMENT - FY 2004/05 – PUBLIC HEALTH
PREPAREDNESS GRANT PROGRAM - HEALTH**

Upon recommendation of Pamela Fine, Health Analyst, through Eileen Coulombe, Administrative Health Services Officer, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried with Commissioner Weber absent, Chairman Shaw ordered that an amendment to the District Health Department Fiscal Year 2004/05 Public Health Preparedness Grant Program budget in the amount of \$389,233.50 in both revenue and expense funds, purchase requisition #3000002209 in the amount of \$117,090 to Scientific Technologies Corporation, concerning consulting services funded by the Public Health Preparedness grant, and the creation of one new full-time Public Health Nurse II position with full benefits funded by the Public Health Preparedness grant be approved. It was further ordered that the Finance Department be directed to make the following budget adjustments:

ACCOUNT NUMBER	DESCRIPTION	AMOUNT OF INCREASE/ (DECREASE)
2002-IO-10024-431100	Federal Revenue	\$ 389,233.50
2002-IO-10024-701110	Base Salaries	98,944.50
705110	Group Insurance	7,584.00
705210	Retirement	27,308.00
705230	Medicare	2,132.00

705320	Workers Comp	507.00
705330	Unemployment Comp	132.00
710100	Other Professional Services	202,090.00
710300	Supplies	(8,000.00)
710355	Books/Subscriptions	(500.00)
710361	Postage	1,400.00
710500	Misc. Dept Expense	30,000.00
710502	Printing	5,000.00
710503	License & Permits	(700.00)
710509	Registration	6,700.00
710512	Mileage	789.00
711210	Travel	12,012.00
711504	Computers	(120.00)
781004	Capital Equipment	17,000.00
811001	Transfer to General	(13,045.00)
	Total Expenditures	389,233.50

04-1213 BUDGET AMENDMENT - FY 2004/05 – VECTOR BORNE DISEASES PROGRAM - HEALTH

Upon recommendation of Barbara Hunt, District Health Officer, and John Sherman, Finance Director, through Katy Singlaub, County Manager, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried with Commissioner Weber absent, Chairman Shaw ordered that authority be granted to the Finance Department to transfer amounts not to exceed \$350,000 as needed from the One-Half Cent Property Tax Vector-Borne Diseases Emergency Fund to the District Health Department's Vector-Borne Diseases Program (172100) to cover actual costs incurred that exceed adopted budget authority associated with West Nile Virus response activities through June 30, 2005. It was further ordered that the Finance Department be directed to determine the appropriateness of the request and subsequently process the appropriate transfer(s) of funds upon a determination of need.

04-1214 AGREEMENT - COLLIERS INTERNATIONAL - LIBERTY CENTER LLC – PUBLIC WORKS

Upon recommendation of Tom Gadd, Public Works Director, and John Sherman, Finance Director, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried with Commissioner Weber absent, it was ordered that an agreement between Washoe County and Liberty Center LLC, concerning the acquisition of an office building at 350 S. Center Street (APN 011-174-10) and a parking garage at 220 S. Center Street (APN 011-173-16), be approved and Chairman Shaw be authorized to execute the same. It was further ordered that the Public Works Department be authorized to execute and deliver any and all instruments and funds, including without limitation, contracts, agreements, notices, escrow instructions, deeds, leases, checks and warrants as may be necessary or appropriate to accomplish the acquisition in the name of and on behalf of Washoe County.

**04-1215 COLLECTIVE BARGAINING AGREEMENT - DISTRICT
ATTORNEY INVESTIGATORS' ASSOCIATION**

Upon recommendation of Steve Watson, Labor Relations Manager, through Katy Singlaub, County Manager, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried with Commissioner Weber absent, it was ordered that the Collective Bargaining Agreement between Washoe County and the Washoe County District Attorney Investigators' Association bargaining unit for the period July 1, 2004 through June 30, 2005, be approved and Chairman Shaw be authorized to execute the same.

**04-1216 RESIGNATION – APPOINTMENT – BOARD OF
EQUALIZATION**

Ted Harris, Incline Village resident, requested the Board consider and appoint John Krolick to the Board of Equalization (BOE).

Gary Schmidt, Washoe resident, explained sufficient persons cannot be found to impanel a second Board. He spoke on his displeasure of the entities involved with the BOE and the problems he felt have plagued the Board in the past.

Commissioner Sferrazza assumed alternates would be appointed if any opening occurred. He requested a listing of where BOE members reside and their District representation. Commissioner Sferrazza said the purpose of the BOE is equalizing property values in Washoe County; however, as it stands, the incorporated areas would not be represented and is opposed to this appointment.

Katy Singlaub, County Manager, remarked staff has advertised on several occasions for this Board and are grateful for the applicants who have responded.

Ms. Singlaub advised that William Brush resides in District 2, Steven Sparks in District 1, Thomas Koziol in District 5, Gary Schmidt in District 2, Jerry Hogan in District 2, Marcia McCormick in District 2, Herbert Ahlswede in District 2, and John Krolick in District 1. She also said, of the existing BOE members, Mr. Sparks is the only member who resides in an incorporated area.

On motion by Commissioner Galloway, seconded by Chairman Shaw, which motion duly carried with Commissioner Sferrazza voting “no” and Commissioner Weber absent, it was ordered that the resignation of Ina Haupt as a member of Board of Equalization be accepted and John Krolick be appointed to fill the unexpired term to June 30, 2006. It was further ordered that Jerry Hogan, Herbert Ahlswede and Marcia McCormick be named alternates.

REPORTS/UPDATES FROM COUNTY COMMISSION MEMBERS

Commissioner Galloway reported he and Commissioner Weber are part of the mediation for the litigation of the annexation plan and are planning to meet with the District Attorney and attend the meeting on December 3, 2004.

5:07 p.m. The Board recessed.

5:25 p.m. The Board reconvened with all members present as before.

04-1217 **COMPREHENSIVE PLAN AMENDMENT CASE NUMBER CP04-010 (BARKERVILLE ESTATES) – COMMUNITY DEVELOPMENT**

5:30 p.m. This was the time set in a Notice of Public Hearing, published in the *Reno Gazette Journal* and mailed to affected property owners on November 12, 2004 to consider a request to amend the Sun Valley Area Plan, being a part of the Washoe County Comprehensive Plan, to re-designate a portion of Assessor's Parcel Number 085-103-13 (1.05 acres) Assessor's Parcel Number 085-103-14 (0.53 acres) from the land use designation of General Commercial to the land use designation of Medium Density Suburban (MDS). The subject parcels are adjacent to each other and to Sun Valley Boulevard. The request would leave the portion of both parcels adjacent to Sun Valley Boulevard to a depth of 102' designated General Commercial and re-designate the "rear" portion to a depth of 177' to Medium Density Suburban. The proposal would result in land use designations that would allow the existing commercial development to remain and allow three existing dwelling units to be upgraded. The property is located on the west side of Sun Valley Boulevard approximately 500' south of Fourth Avenue. The parcels are within the Truckee Meadows Service Area, and within the Area of Interest for the City of Reno and the City of Sparks, as identified by the 2002 Truckee Meadows Regional Plan. The parcel is located within Section 19, T20N, R20E, MDM, Washoe County, Nevada. The property is within the Washoe County Commission District No. 5 and within the Sun Valley Citizen Advisory Board boundary.

To reflect changes requested within this application and to maintain currency of general area plan data, administrative changes to the area plan are proposed. These administrative changes include: a revised map series with updated parcel base, a revised table of land uses and two administrative changes to the Sun Valley Area Plan.

The first administrative change requested is the re-designation of Assessors Parcel Number 504-631-10 (+1.17 acres) from a land use designation of Open Space (OS) to Public and Semi-public Facilities (PSP). The administrative office of the Highland Ranch homeowners association is on this parcel. The second administrative change requested is the re-designation of Assessor Parcel Numbers 35-170-01 (+4.5 acres) and 35-051-25 (+6.35 acres) from General Rural (GR) and Medium Density Suburban (MDS) to Medium Density Urban (MDU) to acknowledge the approval and

construction of Sierra Point I and Sierra Point II apartment complexes, as permitted within Article 110.106.10 Transition Process of the Washoe County Development Code.

Chairman Shaw opened the public hearing by calling on anyone wishing to speak.

Roger Pelham, Planner, stated this is a request by Robert Barker to change the land use on the rear portion of two parcels adjacent to Sun Valley Boulevard from General Commercial to Medium Density Suburban bringing the three existing dwelling units into conformance.

There being no one else wishing to speak, the Chairman closed the public hearing.

Having made the following findings, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Commissioner Weber absent, it was ordered that Comprehensive Plan Amendment Case Number CP04-010 be approved:

1. The proposed amendments to the Sun Valley Area Plan are in substantial compliance with the policies and action programs of the Washoe County Comprehensive Plan.
2. The proposed amendments to the Sun Valley Area Plan will provide for land uses compatible with existing and planned adjacent land uses and will not adversely impact the public health, safety or welfare.
3. The proposed amendments to the Sun Valley Area Plan will not adversely affect the implementation of the policies and action programs of the Conservation Element, the Population Element and/or the Housing Element of the Washoe County Comprehensive Plan.
4. The proposed amendments to the Sun Valley Area Plan will promote the desired pattern for the physical growth of the County and guides development of the County based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services.
5. The proposed amendments to the Sun Valley Area Plan is the second amendment to the Sun Valley Area Plan in 2004. and therefore does not exceed the three permitted amendments as specified in Section 110.820.05 of the Washoe County Development Code.
6. The Washoe County Planning Commission gave reasoned consideration to information contained within the staff report and information received during the public hearing.

7. That the Planning Commission has reviewed the required regional findings in Article 822 of the Development Code for conformance with the Regional Plan, including Section 822.25, findings for Regional Form and Pattern, Section 822.30, findings for Housing; Section 822.35, findings for Concurrency, Timing, and Phasing of Infrastructure; Section 822.40, findings for Public Service Levels and Fiscal effect; and
8. The Washoe County Board of County Commissioners gave reasoned consideration to the information transmitted from the Washoe County Planning Commission and to the information received during the public hearing.

On motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Commissioner Weber absent, it was ordered that Chairman Shaw be authorized to execute the Resolution for the updated area plan after a determination of conformance with the Regional Plan by the Truckee Meadows Regional Planning Agency.

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There being no further business to come before the Board, the meeting adjourned at 5:40 p.m.

JAMES M. SHAW, Chairman
Washoe County Commission

ATTEST:

AMY HARVEY, County Clerk
and Clerk of the Board of
County Commissioners

*Minutes Prepared by
Stacy Gonzales, Deputy County Clerk*