

**BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA**

TUESDAY

2:00 P.M.

APRIL 24, 2007

PRESENT:

**Bob Larkin, Chairman**  
**Bonnie Weber, Vice Chairman**  
**Jim Galloway, Commissioner**  
**David Humke, Commissioner**  
**Pete Sferrazza, Commissioner\***

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

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:

**07-448      AGENDA**

Katy Singlaub, County Manager, stated the Chairman and Board of County Commissioners intend that their proceedings should demonstrate the highest levels of decorum, civic responsibility, efficiency and mutual respect between citizens and their government. The Board respects the right of citizens to present differing opinions and views, even criticism, but our democracy cannot function effectively in an environment of personal attacks, slander, threats of violence, and willful disruption. To that end, the Nevada Open Meeting Law provides the authority for the Chair of a public body to maintain the decorum and to declare a recess if needed to remove any person who is disrupting the meeting, and notice is hereby provided of the intent of this body to preserve the decorum and remove anyone who disrupts the proceedings.

Ms. Singlaub indicated there was an addendum to the agenda; Item 9G(1) revised wording concerning the Sun Valley Citizen Advisory Board; Item 27, a resolution recognizing Washoe County Dispatchers; and, Item 28, the settlement of Heller v. Washoe County et al.

In response to the call for public comment, Sam Dehne said he was opposed to the two-minute time limit for public speakers.

In accordance with the Open Meeting Law, on motion by Commissioner Weber, seconded by Commissioner Humke, which motion duly carried with Commissioner Sferrazza absent, Chairman Larkin ordered that the agenda for the April 24, 2007 meeting be approved.

07-449

**ACKNOWLEDGEMENT - DISTINGUISHED BUDGET  
PRESENTATION AWARD - BUDGET DIVISION - FINANCE**

John Sherman, Finance Director, acknowledged retired Budget Manager Lisa Gianoli, for her diligent work and congratulated the Budget Division staff. He remarked this was the 6th consecutive year the Budget Division had been presented with this award.

In response to the call for public comment, Sam Dehne congratulated the Budget Division for this award.

Upon recommendation of Mr. Sherman, on motion by Commissioner Humke, seconded by Chairman Larkin, which motion duly carried with Commissioner Sferrazza absent, it was ordered that the Distinguished Budget Presentation Award to the Washoe County Budget Division for fiscal year 2006/07 from the Government Finance Officers Association be acknowledged.

07-450

**PROCLAMATION - NATIONAL DNA DAY - APRIL 25, 2007**

Commissioner Humke read and presented the proclamation to Robbin Palmer, genetic counselor in Washoe County, who thanked the Board for the proclamation. She said she was passionate about genetics and dedicated to bringing appropriate use of new technologies to the community.

On motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried with Commissioner Sferrazza absent, it was ordered that the following proclamation be adopted and the Chairman be authorized to execute the same:

**PROCLAMATION**

**WHEREAS**, National DNA Day commemorates the completion of the Human Genome Project in April 2003 and the discovery of DNA's double helix 54 years ago; and

**WHEREAS**, For this special event, the Human Genome Research Institute is offering a series of teaching tools and online web casts to educators and students. A complete list of these resources is available on the DNA Day page from the National Human Genome Research Institute's website; and

**WHEREAS**, An online web cast and chat room [www.genome.gov](http://www.genome.gov) will feature scientists on the cutting edge of genetics research; and

**WHEREAS**, The National Society of Genetic Counselors, in cooperation with the National Human Genome Research Institute, the American Society of Human Genetics, and the Genetic Alliance want to help inspire the next generation of scientists

and health care providers who will use the human genome sequence to benefit human health; now, therefore, be it

**PROCLAIMED**, That April 25, 2007 is hereby recognized as National DNA Day by the Washoe County Board of Commissioners.

**07-451        PROCLAMATION - NATIONAL DAY OF PRAYER - MAY 3, 2007**

Commissioner Weber read the proclamation and invited the public to a ceremony commemorating the National Day of Prayer on May 3rd in front of the flagpole at the Washoe County complex.

**\*2:25 p.m.**    Commissioner Sferrazza arrived.

On motion by Commissioner Weber, seconded by Chairman Larkin, which motion duly carried, it was ordered that the following proclamation be adopted and the Chairman be authorized to execute the same:

**PROCLAMATION**

**WHEREAS**, Washoe County will join with the State of Nevada and recognize May 3, 2007 as the 56th Annual National Day of Prayer; and

**WHEREAS**, in 1775 the first Continental Congress called the colonies together to pray for wisdom in shaping our nation, and as America grew, national prayer continued, prompting a Proclamation from President Abraham Lincoln in 1863 and a Congressional Joint Resolution signed by President Truman in 1952, establishing a National Day of Prayer; and

**WHEREAS**, The theme for the 2007 National Day of Prayer is "America, Unite in Prayer"; and

**WHEREAS**, We pause to remember the brave men and women serving in our armed forces, and we pray for their protection and ask God to grant them strength and courage to confront the extraordinary hardships they face; and

**WHEREAS**, We give thanks for the gift of freedom and express our overwhelming gratitude for those who defend it; and

**WHEREAS**, On May 3rd, Washoe County residents from diverse socio-economic, political and ethnic backgrounds will unite to give thanks for our many blessings and ask God to strengthen our families, our schools and our government; now, therefore, be it

**PROCLAIMED**, By the Washoe County Board of Commissioners that May 3, 2007 is recognized as National Day of Prayer.

**07-452            PROCLAMATION - NATIONAL BUILDING AND SAFETY WEEK**  
**- MAY 6-12 2007**

Katy Singlaub, County Manager, read and presented the proclamation to Don Jeppson, Building and Safety Director, who thanked the Board and acknowledged his fine staff.

Upon recommendation of Mr. Jeppson, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the following proclamation be adopted and the Chairman be authorized to execute the same:

**PROCLAMATION**

**WHEREAS**, The Washoe County Department of Building and Safety, serving the community for 51 years, will be celebrating "National Building and Safety Week", May 6-12, 2007; and

**WHEREAS**, The Washoe County Department of Building and Safety works year round to guide the safe construction of buildings through the International Building Code, which includes safeguards to protect from natural disasters that can occur, such as snowstorms, tornados, wildland fires and earthquakes; and

**WHEREAS**, The Washoe County Department of Building and Safety wishes to increase public awareness of the role building safety plays in protecting lives and property and encourages all citizens to consider projects to improve building safety at home and in the community and to consider the important role they play in public safety everyday, and in times of disaster; and

**WHEREAS**, This year's theme, "*Building Smarter...for Disasters and Everyday Life*," encourages all citizens to raise their awareness of building safety. Everyone can take appropriate steps to ensure that the places where we live, work, play and learn are safe. Countless lives have been saved because of the building safety codes adopted and enforced by local and state agencies; now, therefore, be it

**PROCLAIMED**, By the Washoe County Board of Commissioners that May 6-12 2007, is designated as "National Building and Safety Week" and the Board urges all residents of the Truckee Meadows to take advantage of the resources available to them by visiting the Washoe County Department of Building and Safety in the new Permits Plus Zone or [www.washoecounty.us/bldgsafety](http://www.washoecounty.us/bldgsafety).

**RESOLUTION - INCLINE VILLAGE DISPATCH CENTER**

Commissioner Galloway read and presented the resolution to Sheriff Mike Haley who thanked the Board for their continued support.

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that the following resolution be adopted and the Chairman be authorized to execute the same:

**RESOLUTION**

**WHEREAS**, The Incline Village Dispatch Center is staffed by 17 full time Dispatchers 24 hours a day, 7 days a week, 365 days a year; and

**WHEREAS**, The center dispatches calls for service not only to the Washoe County Sheriff's Office deputies, but also for all fire and medical calls for the North Lake Tahoe Fire Protection District, Reno Sparks Indian Colony, Pyramid Lake Tribal Police and Washoe County Animal Control; and

**WHEREAS**, There are normally only 3 to 4 dispatchers on duty at any given time and during their shift they are responsible for answering all the phones, including 911, initiating the computer aided dispatch (CAD) call for service while at the same time maintaining radio contact with the deputies in the field or the even more daunting task of maintaining communications with all the fire personnel who respond to a structure fire or medical call; and

**WHEREAS**, Other dispatch duties include providing emergency medical instructions over the phone and coordinating mutual aid assistance from surrounding agencies. The dispatch center is also the central paging center for all Search and Rescue, SWAT and hostage negotiators' calls; and

**WHEREAS**, All of these folks act day in and day out in the finest tradition of professional dispatchers and reflect great credit in the Washoe County Sheriff's Office, the North Lake Tahoe Fire Protection District and Washoe County citizens; now, therefore, be it

**RESOLVED**, That the Washoe County Board of Commissioners do hereby recognize our local dispatchers as part of the national recognition of dispatchers during the month of April, and specifically recognize the following Washoe County dispatchers for their commitment and professionalism to the citizens of our community:

Gary Herbeck, Clay Griffin, Thomas Shotwell, Heather McCrary, Susan Plumb, Rosemary Morris, Melissa Sano, Anthony Skorupski, Karen Stout, Kelly Henschel, Jaleh Ghassedi-Khoshkhabar, Jennifer Felter, Tina Barrett, Erik Skeans, Charity Rossasco, and Jeanett Martinez-Valcher.

## **PUBLIC COMMENTS**

Joe Harrelson said he had been terrorized by Washoe County administration involving problems he experienced with his neighbors.

Carol Tresner stated she was a co-founder of Trailsafe, a local citizens group. She said a petition had been submitted to the Nevada Department of Wildlife (NDOW), concerning an amendment requiring the set-back of leg-hold traps be 1000 feet from all hiking trails and congested areas on published maps in the State of Nevada. Ms. Tresner commented this was a public safety issue and suggested an agenda item for discussion.

Guy Felton spoke on public service, voter fraud and decorum in Nevada.

Marjorie Sill and Tina Nappe spoke in support of Ms. Tresner's statements concerning trapping near recreational areas. Ms. Nappe suggested emergency phone numbers be placed on the traps.

Robbin Palmer said she was opposed to SB 487 the bill that would create the proposed Northern Nevada Water Authority. She stated the SCR 26 Subcommittee did not conduct a fiscal impact study as requested. Ms. Palmer urged the Board to withdraw their support of SB 487.

Sam Dehne stated the voting system was corrupt. He spoke on his discontent of Governor Jim Gibbons and Congressman Dean Heller.

**2:45 p.m.** Commissioner Humke temporarily left the meeting.

Terry Tiernay said he had submitted his application for the Warm Springs Citizen Advisory Board (CAB) in September of 2006 and had yet to be contacted. He said there had been a vacant seat on that CAB for some time and asked what was causing the delay. He gave his background, and said he was very qualified for the position.

## **COMMISSIONERS'/MANAGER'S COMMENTS**

Commissioner Sferrazza announced he held a Town Hall meeting, which was well attended and successful. He requested an agenda item concerning leg-hold traps on trails and asked for assistance from Carol Tresner, Marjorie Sill and Tina Nappe in crafting the appropriate language for a resolution directed to the Nevada Department of Wildlife (NDOW).

Commissioner Galloway requested an opinion from Animal Control for a reasonable setback from trails concerning traps especially in areas where there were leash laws.

Chairman Larkin stated the emergency phone number requested by Ms. Nappe on the traps was an excellent idea. He requested an agenda item for the purpose of the County entering into a contract to develop a program known as *Community Response to Methamphetamine*.

**07-454            2007/08 DEPARTMENTAL BUDGET APPEALS**

Melanie Purcell, Budget Manager, stated that General Fund Revenues had increased by 5 percent over the last year. She reviewed a handout that highlighted the General Fund Base, and the County Manager appeals and pending issues, which was placed on file with the Clerk. She stated the Law Library and the Sheriff's Department were appealing.

Commissioner Galloway asked if the funds concerning the Manager's recommendation for the three patrol deputies and one patrol sergeant would be coming from the Public Safety Levy. Ms. Purcell explained the Public Safety Levy was approximately \$700,000 annually and that recommendation for the above base utilized \$340,000 towards public safety activities prior to the addition of the recommended deputies.

In response to Commissioner Galloway, John Sherman, Finance Director, replied staff recognized that the Board had set as a policy that the 0.5 percent property tax would go to public safety, which had previously been set for Vector Control and Mosquito Abatement. He said with the County's current fiscal condition, he felt public safety tax proceeds could be appropriately applied to public safety, particularly Court Security and the jail expansion. Commissioner Galloway recalled staff proposed to place approximately \$300,000 of the 0.5 percent proceeds into the General Fund of which only part went to public safety. Mr. Sherman said he had concurred with that line of thought, but clarified Court Security and the jail expansion initiatives came first. He said the County had reduced the ending fund balance percentage, and clarified staff had recommended \$350,000 of the Public Safety Levy be for Vector Control.

In response to Chairman Larkin, Mr. Sherman explained he would not recommend going below \$20,000,000 for the ending fund balance. He said in the tentative budget there was a 7 percent ending fund balance of \$21,000,000, and with the Manager's recommendations for the Board's consideration that brought the ending fund balance percentage to 6.8 percent or approximately \$20,000,000.

Chairman Larkin invited Sandy Marz, Law Library Director, to present their appeal to the Board.

Ms. Marz stated their request was to supplement the legal collection. She stated she had reduced the request to \$53,000, and said staff had eliminated several titles from the original request. Ms. Marz explained the mission of the Law Library was to assure quality for attorneys, judges, government employees and the public by providing an array of legal materials in a variety of formats and the assistance of professional staff

that select and maintain the materials. She commented 72 percent of the people using the Law Library were not attorneys. Ms. Marz distributed a summary of the above base budget request, the department objective, the cost of subscriptions, and the benefits and consequences for not renewing some of the subscriptions, which was placed on file with the Clerk.

Ann Hall, President-elect of the Washoe County Bar Association, stated the issue of the Law Library was critical for practicing attorneys, but just as critical for the public at-large. She explained attorneys in larger firms would not be hurt by these cuts. Ms. Hall commented the pro-say litigant population had increased by 20 percent, and the reductions would hurt the small firm attorneys and the public from getting access to information. She indicated the only alternative for the public was the Supreme Court Library in Carson City. Ms. Hall requested the appeal be measured and thanked the Board for their consideration.

Bruce Beesley, Law Library Chairman of the Board, remarked all of the legal information was not available on the Internet. He said legal research on certain Internet programs cost approximately \$6 per minute, which was not in the realm of affordability for many of the people who required the services. Mr. Beesley remarked if the above base request were granted the ending fund balance would still be \$19,947,000.

Robert Dotson, Washoe County Bar Association President, commented he was concerned of a dangerous slope within our society between the haves and the have-nots, and said this type of step continued to erode that difference. He remarked his clients would always have the needed information, but a person who was pro-say would not have the access and could become frustrated. Mr. Dotson acknowledged this was about access to Justice.

**3:22 p.m.** Commissioner Humke returned.

Katy Singlaub, County Manager, stated the work of the Law Library was appreciated; however, this request did not rise to the level of being preminent before some of the other department's above base requests.

Commissioner Sferrazza asked how much was currently being spent on subscriptions. Ms. Marz replied approximately \$400,000 and explained, as a County Law Library, they received one full set of NRS, but purchased an additional set. She said the \$400,000 covered the NRS books, publications, how-to books for non-attorneys, periodicals, and legal encyclopedias. Commissioner Sferrazza stated he did not have a problem with the Law Library prioritizing the amount, but he also served on the County Finance Committee and stated there was a problem that needed to be addressed. He noted he would like to honor this request, however, agreed that the Board had to provide a cap on expenditures. He asked if people could come to the Law Library and access a computer. Ms. Marz indicated the public had free access to the computers and explained that WestLaw had a contract for public access. Commissioner Sferrazza commented the

County should increase the number of computers to help reduce the number of subscriptions.

In response to Commissioner Galloway, Ms. Marz stated the paper version of NRS was considered the official version. She said Nevada Bar Association members contributed \$15 of their Bar dues, which supported the book budget. Commissioner Galloway felt that based on the Manager's recommendations he was in a bind and it was difficult to make a decision.

Commissioner Humke asked if an allocation system was ever considered to use County agencies to pay a fee. Ms. Marz explained statute stated that all the material provided in the Law Library be free and accessible to all members of the County. Commissioner Humke asked what was the per capita basis for a Law Library. Ms. Marz replied the per capita basis was \$2.69 per person for the Law Library.

Commissioner Weber said it might be time to look at other entities that could help support the Law Library financially.

Chairman Larkin invited Sheriff Mike Haley to present his appeal to the Board.

Sheriff Haley said he was requesting the Board reconsider the funding for the Sheriff's Office for fiscal year 2007/08. He said with the exception of this past January the Washoe County Sheriff's Office (WCSO) had not increased their commissioned patrol staffing for seven years. He said that strategy placed the department on a collision course that challenged the ability of the WCSO to serve the public in an effective and efficient manner. Sheriff Haley said over the past seven years the population had grown significantly in the region; however, the patrol division had not kept pace with that growth. He said this resulted in the erosion of the community policing base model and relegated the WCSO to a reactive call-to-call model of policing, focused on responding, rather than controlling crime in the community. He said it had placed a strain on the members of the patrol division who were required to work overtime to cover beats that had no deputy assigned or to cover shifts inadequately staffed. Sheriff Haley felt it would be difficult in the future to overcome the affects of a decision that did not adequately respond to the staffing deficiencies in the patrol division. He said based on the analysis of the Finance Department, the population of the unincorporated portion of Washoe County raised by 17.96 percent since fiscal year 2000; however, the number of patrol deputies assigned to serve that population had grown only 4.17 percent. Sheriff Haley explained to regain the fiscal year 2000 population-to-deputy staffing ratio the WCSO needed to add an additional 9.93 commissioned persons in the patrol division. He said currently 75 deputies, 10 sergeants, one lieutenant and one Captain staffed the patrol division. The staffing level had not increased to match the increased population and with the increased calls for service, they were currently unable to operate the patrol division with shift overlap, or a deputy in each beat to have a timely response for calls for service. He said, as a result, the staffing level was not being increased in patrol, and he believed the workforce would become fatigued. He said this fiscal year the WCSO requested

additional funding for 14 deputies, three sergeants, a crime analyst and an evidence clerk along with funding to continue the Methamphetamine, Firearms Detective position that was grant funded. He indicated the analysis by the Finance Department recommended funding for nine deputies, two sergeants and a crime analyst, but they also recommended a zero above based increase County wide; however, given improved revenues an alternative was presented to the Manager providing for three deputies and one sergeant. He explained it would be difficult for the WCSO to operate an affective patrol division if the staffing levels did not increase in order to meet the obligations. Sheriff Haley said based on the Charting our Course initiative and the Strategic Plan, this community and the leaders had placed public safety as a high priority. He respected the tough decisions the Board had to make and the recommendations of the County Manager, but believed there was an obligation to meet the demands placed on the patrol division. He urged the Board to consider reviewing the recommendations by the Manager.

Chairman Larkin said the Sheriff's analysis indicated 14 deputies were needed, Finance indicated nine and the recommendation from the Manager's Office was three deputies and one sergeant be included in the above base, and asked how the Manager's recommendations would improve efficiencies in the patrol division. Sheriff Haley replied it would help, but not significantly impact the need. He explained nine new deputies would bring the department to the 2000 staffing level; however, the WCSO would perform its mission regardless of the Board's decision. He said he needed a crime analyst who could provide vital information concerning some of the efficiency discussions. Chairman Larkin said a contract had been approved recently to assist with the CompStat implementation in understanding the efficiencies in the WCSO. Sheriff Haley explained the CompStat analyst was under a contract that would expire. He said the crime analyst allowed the department to come up to speed to gain control of each division and how they used their resources. Chairman Larkin asked how the Board could help the WCSO reach nine deputies. Sheriff Haley replied, given the current financial condition of the County, he suggested having a strategy in place if the County found additional resources or increased revenues that allowed the Board to hire deputies for the patrol division to staff at the 2000 level. He would like continued discussions on adding those additional deputies and supervision.

In response to Commissioner Galloway, Todd Vinger, Chief Deputy, replied the cost for a crime analyst, which was a civilian position, would be approximately \$73,000. Commissioner Galloway suggested the crime analyst be added and then additional deputies added when there was revenue available. Sheriff Haley said the crime analyst was a vital position in understanding the complex dynamics about crime and how the resources would be engaged. Commissioner Galloway recommended granting the position of the crime analyst, and if there were additional revenues developed during the fiscal year, the Board authorize the priority of hiring three more deputies beyond the number the Manager had recommended.

In response to Commissioner Weber, Chief Vinger replied the 14 deputies, three sergeants with vehicles and equipment, and a crime analyst would be approximately \$2.9 million. Commissioner Weber said when she spoke to the Citizen Advisory Board's

(CAB's) they were amazed on the possibility of having a deputy per beat. She said people did not understand all of the work the WCSO did in the community. Commissioner Weber said public safety should be the number one priority and thought the Manager's proposal was not enough and hoped there was a way to fully fund the WCSO as a priority. Sheriff Haley indicated there was good discussion with Ms. Singlaub who felt the same way.

Commissioner Sferrazza asked what was the estimated overtime amount as a result of short staffing. Chief Vinger replied the overtime in patrol this past year was approximately \$650,000. Sheriff Haley explained how patrol cars rotated per deputy during overtime shifts. He said in a 24-hour period three deputies used a patrol car. Commissioner Sferrazza suggested a Municipal Service Tax to help fund the patrol division.

Commissioner Humke asked if the WCSO ever went into City limits to respond to a call when the City was short an officer. Sheriff Haley said statutorily they were required to deal with any riots or affray, manage any felonious activities, manage the Search and Rescue, and to stand ready for the municipal police departments in case of any irregularities in those agencies. He said the cities reimbursed some monies, but it did not offset the cost of doing business, plus it took officers off the streets. Commissioner Humke asked if there was a cost sharing possibility for a criminal analyst with the other entities. Sheriff Haley replied that function could not be shared. He said the two Cities perform their own analysis of crime in the City and the WCSO was dynamically different.

In response to Chairman Larkin, Sheriff Haley explained the CompStat position was a strategic planning person who was capable of managing some crime analysis issues, but in order to get the organization fully engaged in strategic planning and respond to the necessary information the Board needed, that would come from a crime analyst. He explained the crime analyst would review the underlying issues and search for similarities and crime patterns to allow the department to move resources on the street more effectively. Chairman Larkin said the data the crime analyst needed would come from some of the CompStat statistics, and he asked if the crime analyst position could begin in January 2008. Sheriff Haley agreed that could be done.

Ms. Singlaub commented she supported the Sheriff's desire for additional staffing, but was concerned about further reduction of the ending fund balance. Chairman Larkin said the Manager's strategy was to give the Board quarterly updates on the revenues and expenses specifically with the intent of upward trends allocating those first to the WCSO. Ms. Singlaub concurred. Chairman Larkin was inclined to go with the Manager's recommendation of three patrol deputies, one patrol sergeant, with the addition of a crime analyst beginning in January 2008. Sheriff Haley appreciated the dialogue by the Board, the Manager's Office, and the Finance Department in reviewing innovative ways to meet the obligations given the current fiscal year budget. He said he believed this was a good start and a start that understood the complexities of the WCSO.

In response to the call for public comment, Sam Dehne recommended that the Law Library and the WCSO receive their budget requests. Trish Swain spoke in favor of the Law Library receiving their request.

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that the County Manager's recommendation for no recommended change to the Law Library be approved. It was further ordered that in addition to the Manager's recommendation for the WCSO, effective January 2008, the Crime Analyst position estimated for half a year of \$37,000 be funded, and as a first priority and if, additional revenues become available, management be directed to authorize funds for funding at least three more patrol deputies.

Commissioner Sferrazza remarked he supported the motion except for the Law Library recommendation. He was concerned that part of the money requested was not above base, but maintaining current subscriptions. He moved to amend the motion to fund the increase cost of providing the current subscriptions for the Law Library.

Mr. Sherman said the concept of base might be applied differently in different organizations. He said the base did not mean maintaining the same service level across all services provided by the County from year to year.

In response to Commissioner Sferrazza, Kim Carlson, Budget Analyst, stated as with all departments, they received an increase for the cost of living, merit increase, and health increase. Commissioner Sferrazza believed the increase in the Law Library was minimal compared to other departments and this was not an above base request.

Chairman Larkin called for a second on the amendment to the motion. Hearing none the amendment failed.

On call for the question the motion passed with a 5-0 vote.

**4:38 p.m.** Commissioner Sferrazza temporarily left the meeting.

**07-455** **MINUTES**

On motion by Commissioner Weber, seconded by Commissioner Humke, which motion duly carried with Commissioner Sferrazza temporarily absent, Chairman Larkin ordered that the minutes of the regular meetings of February 13 and 27, 2007 be approved.

07-456

**EXPENDITURE/RESOLUTION - KEEP TRUCKEE MEADOWS BEAUTIFUL - COMMISSION DISTRICT 3**

Upon recommendation of Julie Skow, Administrative Assistant II, on motion by Commissioner Weber, seconded by Commissioner Humke, which motion duly carried with Commissioner Sferrazza temporarily absent, it was ordered that the following resolution be adopted and the Chairman be authorized to execute the same:

**RESOLUTION**

Authorizing the Gift of Public Money to Keep Truckee Meadows Beautiful

**WHEREAS**, NRS 244.1505 provides that a board of county commissioners may expend money for any purpose which will provide a substantial benefit to the inhabitants of the county and that a board may make a grant of money to a private organization, not for profit, or to a governmental entity, to be expended for a selected purpose; and

**WHEREAS**, The Board of County Commissioners of Washoe County has determined that a certain amount of money is available in Fiscal Year 2006/07, to make a grant of money to Keep Truckee Meadows Beautiful to assist in funding the 2007 Truckee Meadows Clean-up Day on May 12th in Golden Valley to pay for one additional dumpster and have it emptied twice, a substantial benefit will be provided to the inhabitants of Washoe County; now, therefore, be it

**RESOLVED**, By the Board of Commissioners of Washoe County that the Board hereby grants to Keep Truckee Meadows Beautiful, a grant for fiscal year 2006/07 in the amount of \$600.

07-457

**BUDGET AMENDMENT - FY 2006/07 - IMMUNIZATION OPERATIONS AND VFC PROGRAM - HEALTH**

Upon recommendation of Lori Cooke, Fiscal Compliance Officer, on motion by Commissioner Weber, seconded by Commissioner Humke, which motion duly carried with Commissioner Sferrazza temporarily absent, Chairman Larkin ordered that an amendment to the District Health Department Fiscal Year 2006/07 Immunization Operations and VFC Program budget, in the amount of \$4,844 in both revenue and expenses, be approved and the following account transactions be authorized:

ACCOUNT NUMBER	DESCRIPTION	AMOUNT OF INCREASE/ (DECREASE)
2002-IN-10028-431100	Federal Revenue	\$( 2,445.00)
2002-IN-10028-701412	Salary Adjustment	2,883.00
-710300	Operating Supplies	(1,600.00)
-710350	Office Supplies	(1,000.00)
-710502	Printing	(812.00)

-710508	Telephone Land Lines	(200.00)
-710512	Auto Expense	45.00
-711210	Travel	(11.00)
-711504	Equipment Non-Capital	(1,750.00)
<b>Total Expenditures</b>		<b>\$(2,455.00)</b>
<b>2002-IN-10029-431100</b>	<b>Federal Revenue</b>	<b>\$ 7,289.00</b>
2002-IN-10029-701412	Salary Adjustment	5,227.00
-710100	Professional Services	6,674.00
-710108	MD Consultants	(500.00)
-710300	Operating Supplies	(150.00)
-710350	Office Supplies	(353.00)
-710361	Express Courier	(300.00)
-710500	Other Expense	(25.00)
-710502	Printing	(2,912.00)
-710503	Licenses and Permits	(200.00)
-710509	Seminars and Meetings	400.00
-710512	Auto Expense	18.00
-711210	Travel	(540.00)
-711504	Equipment Non-Capital	(50.00)
<b>Total Expenditures</b>		<b>\$7,289.00</b>

**07-458            ACCEPTANCE OF CASH DONATIONS - SENIOR SERVICES**

Commissioner Galloway acknowledged the donations and thanked the donors on behalf of the Board.

Upon recommendation of Marietta Bobba, Senior Services Director, on motion by Commissioner Weber, seconded by Commissioner Humke, which motion duly carried with Commissioner Sferrazza temporarily absent, Chairman Larkin ordered that the following cash donations for the third quarter of fiscal year 2006/07, in the amount of \$13,027.37, be accepted and the Finance Department be directed to make the following budget adjustments:

<b><u>Donor (Purpose/Program)</u></b>	<b><u>Cash Value</u></b>
Lend-A-Check (General Donations)	\$ 1,400.00
Charles Clelland (Sun Valley Donations)	150.00
Anonymous Donors (Mental Health Program)	301.00
Anonymous Donor (Senior Law Project)	25.00
John Emerson (Reno General Donations)	100.00
John Emerson (Sun Valley General Donations)	100.00
John Emerson (Sparks General Donations)	100.00
Anonymous Donor (Angel Fund)	350.00
Harold's Pioneers (Nutrition Donations)	500.00
Senior Alliance for Support Services (Nutrition Donations)	4,000.00

Harold's Pioneers (Adult Day Care Donations)	500.00
Rosemann Family Foundation (Adult Day Care Donations)	2,500.00
No. Nevada Confederation of Clubs (Nutrition Donations)	1,000.00
Priscilla Dorazio (Adult Day Care Donations)	110.00
Anonymous Donors (WC Access to Justice-Senior Law Project)	1,000.00
Nina Davis (Nutrition Donations)	7.00
Scolari's (Sparks General Donations)	26.17
Scolari's (Adult Day Care Donations)	55.66
Lynn D. Megquier (General Donations)	50.00
United Way (General Donations)	108.49
Anonymous Donor (General Donations)	31.05
Anonymous Donors (Sparks General Donations)	613.00
<b>Total Cash Donations</b>	<b>\$13,027.37</b>

<b>ACCOUNT NUMBER</b>	<b>DESCRIPTION</b>	<b>AMOUNT OF INCREASE</b>
<b>Increase Revenues</b>		
20074- 484000	Mental Health Donations	\$ 301.00
20223- 484000	Lend-A-Check Donations	1,400.00
20071- 484000	Adult Day Care Donations	3,165.66
20067- 484000	Legal Donations	25.00
20046- 484000	Reno General Donations	289.54
20275- 484000	Angel Fund Donations	350.00
20134- 484000	WC Access to Justice	1,000.00
20047- 484000	Nutrition Program Donations	5,507.00
250130-484000	Sun Valley Donations	100.00
20289- 484000	Sun Valley Angel Fund	150.00
20051- 484000	Sparks General Donations	739.17
<b>Total</b>		<b>\$13,027.37</b>
<b>Increase Expenditures</b>		
20074- 710500	Mental Health Donations-Other Expense	\$ 301.00
20223- 710500	Lend-A-Check Donations-Other Expense	1,400.00
20071- 710500	Adult Day Care Donations-Other Expense	3,165.66
20067- 710500	Legal Donations-Other Expense	25.00
20046- 710500	Reno General Donations-Other Expense	289.54
20275- 710500	Angel Fund Donations-Other Expense	350.00
20134- 710500	WC Access to Justice-Other Expense	1,000.00
20047- 710500	Nutrition Program Donations-Other Expense	5,507.00
250130-710872	Sun Valley Donations-Other Expense	100.00
20289- 710500	Sun Valley Angel Fund-Other Expense	150.00
20051- 710500	Sparks General Donations-Other Expense	739.17
<b>Total</b>		<b>\$13,027.37</b>

**07-459**                    **INTERLOCAL AGREEMENT - BOARD OF REGENTS OF THE NEVADA SYSTEM OF HIGHER EDUCATION - MULTI-JURISDICTIONAL SWAT TEAM - SHERIFF**

Upon recommendation of Darin Balaam, Lieutenant, on motion by Commissioner Weber, seconded by Commissioner Humke, which motion duly carried with Commissioner Sferrazza temporarily absent, it was ordered that an Interlocal Agreement between Washoe County, on behalf of the Washoe County Sheriff's Office, and the Board of Regents of the Nevada System of Higher Education, on behalf of the University of Nevada, Reno, Police Department (UNRPD) to establish a Multi-Jurisdictional SWAT Team, be approved and the Chairman be authorized to execute the same.

**07-460**                    **UNCOLLECTIBLE RETURNED CHECKS - COMPTROLLER**

Upon recommendation of Robin Greco, Collections Administrator, on motion by Commissioner Weber, seconded by Commissioner Humke, which motion duly carried with Commissioner Sferrazza temporarily absent, Chairman Larkin ordered that the removal of fiscal year 2005 and 2006 uncollectible returned checks from the centralized returned check account (7980-121031), in the amount of \$6,340.45, be approved. It was further ordered that the comptrollers be instructed to charge the contra revenue account (485300) for the following responsible cost centers:

<b>Date Returned</b>	<b>Check Amount</b>	<b>Agency</b>	<b>Total by Dept.</b>	<b>Cost Center</b>
11/21/05	\$ 86.00	Animal Services		
12/05/05	77.00	Animal Services		
01/13/06	76.00	Animal Services		
01/30/06	68.00	Animal Services		
02/10/06	54.00	Animal Services		
04/12/06	54.00	Animal Services		
08/17/05	42.00	Animal Services		
05/15/06	34.00	Animal Services		
10/11/05	109.00	Animal Services		
10/24/05	72.00	Animal Services		
10/28/05	59.00	Animal Services		
05/08/06	8.00	Animal Services		
06/19/06	65.00	Animal Services	<b>\$ 804.00</b>	<b>500000</b>
03/29/05	\$ 210.00	Business License	<b>\$ 210.00</b>	<b>116460</b>
11/16/05	\$ 20.00	District Court		
12/19/05	160.00	District Court	<b>\$180.00</b>	<b>120231</b>

10/14/04	80.00	District Court	<b>\$ 80.00</b>	<b>120211</b>
09/23/05	\$ 75.00	Community Development	<b>\$ 75.00</b>	<b>116110</b>
09/13/04	\$ 17.00	Health-A		
10/14/04	23.00	Health-A		
03/31/05	17.00	Health-A		
04/08/05	23.00	Health-A		
06/09/05	26.00	Health-A		
07/29/05	28.00	Health-A		
07/29/05	17.00	Health-A		
09/14/05	16.00	Health-A		
09/20/05	20.00	Health-A		
10/18/05	16.00	Health-A		
10/27/05	28.00	Health-A		
11/14/05	50.00	Health-A		
11/17/05	16.00	Health-A		
01/17/06	16.00	Health-A		
01/25/06	15.00	Health-A		
04/13/06	25.00	Health-A		
05/04/06	25.00	Health-A		
05/12/06	28.00	Health-A		
05/17/06	25.00	Health-A		
05/22/06	50.00	Health-A		
06/20/06	45.00	Health-A		
07/20/04	26.00	Health-A		
08/11/04	26.00	Health-A		
08/20/04	500.00	Health-A		
08/24/04	92.00	Health-A		
08/25/04	34.00	Health-A		
08/30/04	26.00	Health-A		
02/07/05	17.00	Health-A	<b>\$1,247.00</b>	<b>10479</b>
10/05/04	\$ 26.00	Health-B		
12/27/04	13.00	Health-B		
03/17/05	26.00	Health-B		
08/09/05	26.00	Health-B		
08/24/05	13.00	Health-B		
08/31/05	13.00	Health-B		
09/26/05	10.00	Health-B		
11/21/05	20.00	Health-B		
01/27/06	13.00	Health-B		
02/22/06	13.00	Health-B		
05/22/06	12.00	Health-B		
05/30/06	22.00	Health-B		

06/05/06	13.00	Health-B		
07/15/04	13.00	Health-B		
11/18/04	13.00	Health-B	<b>\$ 246.00</b>	<b>170300</b>
03/31/05	\$ 102.33	Health-C		
05/02/05	48.99	Health-C		
01/30/06	36.00	Health-C		
04/07/06	10.00	Health-C		
05/12/06	177.00	Health-C	<b>\$ 374.32</b>	<b>10478</b>
02/02/05	\$ 13.00	Health-D		
06/29/05	13.00	Health-D	<b>\$ 26.00</b>	<b>171101</b>
11/04/05	\$ 98.67	Health-E	<b>\$ 98.67</b>	<b>10480</b>
05/25/05	\$ 138.00	Health-F	<b>\$ 138.00</b>	<b>172400</b>
		<b>Total Health</b>	<b>\$2,129.99</b>	
06/23/05	\$ 23.00	Incline Justice Court	<b>\$ 23.00</b>	<b>125100</b>
07/09/04	\$ 100.00	Juvenile Services		
11/19/04	80.00	Juvenile Services		
04/25/06	50.00	Juvenile Services	<b>\$ 230.00</b>	<b>127100</b>
09/15/04	\$ 58.85	Library		
09/22/04	9.50	Library		
10/25/04	15.00	Library		
02/01/05	18.19	Library		
03/15/05	28.00	Library		
03/21/05	10.00	Library		
04/12/05	23.80	Library		
06/01/05	12.15	Library		
06/13/05	45.70	Library		
07/21/05	48.19	Library		
07/22/05	2.00	Library		
07/27/05	85.03	Library		
08/24/05	11.10	Library		
09/08/05	18.90	Library		
09/26/05	16.50	Library		
10/28/05	15.70	Library		
12/16/05	17.00	Library		
01/12/06	10.50	Library		
02/27/06	4.90	Library		
03/01/06	34.00	Library		
05/08/06	17.70	Library		
07/02/04	16.20	Library		

08/16/04	16.85	Library		
05/11/05	8.50	Library		
05/26/05	20.00	Library	\$ 564.26	130100
03/09/04	\$ 25.00	Parks		
06/25/04	89.00	Parks		
08/13/04	36.00	Parks		
11/10/04	173.25	Parks		
02/16/05	291.25	Parks		
04/14/05	35.00	Parks		
06/24/05	150.00	Parks		
07/07/05	167.50	Parks		
07/08/05	193.75	Parks		
07/13/05	60.00	Parks		
07/13/05	160.00	Parks		
07/26/05	155.00	Parks		
02/08/06	37.50	Parks		
05/25/06	5.70	Parks		
08/15/05	30.00	Parks	\$1,608.95	140300
10/29/04	\$ 100.00	Public Works-Engineering	\$ 100.00	163100
10/25/04	\$ 250.00	Regional Public Safety Training Center	\$ 250.00	209001
07/05/05	\$ 30.00	Senior Services		
08/02/04	20.00	Senior Services		
10/14/04	5.25	Senior Services	\$ 55.25	250110
03/27/06	\$ 30.00	Social Services	\$ 30.00	280410
<b>Total</b>	<b>\$6,340.45</b>	<b>All Departments</b>	<b>\$6,340.45</b>	

**07-461            RESIGNATION/APPOINTMENT - SUN VALLEY CITIZEN  
ADVISORY BOARD - COMMUNITY DEVELOPMENT**

On motion by Commissioner Weber, seconded by Commissioner Humke, which motion duly carried with Commissioner Sferrazza temporarily absent, Chairman Larkin ordered that the resignation of Bob Villeneuve from the Sun Valley Citizen Advisory Board (CAB) and the appointment of Linda Woodland as an At-Large member to fill his unexpired term on the Sun Valley CAB to June 30, 2007 be approved. It was further ordered that Linda Woodland be appointed to the Sun Valley CAB to a new two-year term beginning on July 1, 2007 and ending on June 30, 2009.

**07-462            RESIGNATION/APPOINTMENT - NORTH VALLEYS CITIZEN  
ADVISORY BOARD - COMMUNITY DEVELOPMENT**

On motion by Commissioner Weber, seconded by Commissioner Humke, which motion duly carried with Commissioner Sferrazza temporarily absent, Chairman Larkin ordered that the resignation of Mary Harcinske from the North Valleys Citizen Advisory Board (CAB) and the appointment of John White as an At-Large member to fill her unexpired term on the North Valleys CAB to June 30, 2007 be approved. It was further ordered that John White be appointed to the North Valleys CAB to a new two-year term beginning on July 1, 2007 and ending on June 30, 2009.

**07-463            CAPITAL CONTRIBUTION FRONT-ENDING AGREEMENT -  
REGIONAL TRANSPORTATION COMMISSION AND EAGLE  
LANDING, LLC - EXPANSION - PUBLIC WORKS**

Upon recommendation of Clara Lawson, Licensed Engineer, on motion by Commissioner Weber, seconded by Commissioner Humke, which motion duly carried with Commissioner Sferrazza temporarily absent, it was ordered that a Capital Contribution Front-Ending Agreement between Washoe County, the Regional Transportation Commission, and Eagle Landing, LLC, for the dedication of a right-of-way for the expansion of Eagle Canyon Drive, be approved and the Chairman be authorized to execute said agreement upon presentation.

**07-464            LEASE AGREEMENT - NORTH VALLEY BABE RUTH LEAGUE,  
INC. - GOLDEN VALLEY PARK CONCESSION BUILDING -  
PUBLIC WORKS**

Upon recommendation of Wendy Pitts, Property Program and Fiscal Control Manager, on motion by Commissioner Weber, seconded by Commissioner Humke, which motion duly carried with Commissioner Sferrazza temporarily absent, it was ordered that a Lease Agreement between Washoe County and the North Valley Babe Ruth League, Inc., a Nevada non-profit Corporation, concerning the use of the Golden Valley Park concession building, commencing upon execution and terminating April 30, 2008, with operating expenses anticipated not to exceed \$300 annually, be approved and the Chairman be authorized to execute the same. It was noted the funding was available in Public Works Facility Management Division Utility Cost Center, 161300-711010, and Custodial Cost Center, 161700-710200.

**07-465            ACCEPTANCE OF CASH DONATIONS - PARKS**

Commissioner Galloway acknowledged the donations and thanked the donors on behalf of the Board.

Upon recommendation of Rosemarie Entsminger, Fiscal Compliance Officer, on motion by Commissioner Weber, seconded by Commissioner Humke, which motion duly carried with Commissioner Sferrazza temporarily absent, Chairman Larkin ordered that the cash donations from various businesses, organizations and individuals for the Department of Regional Parks and Open Space programs and facilities be accepted and the Finance Department be directed to make the following budget adjustments:

<b>ACCOUNT NUMBER</b>	<b>DESCRIPTION</b>	<b>AMOUNT OF INCREASE</b>
<b>Increase Revenue</b>		
IN20020- 484000 Gen. Fund	Noxious Weed Eradication Program	\$30,000
C640200- 484000 Fund 264	May Museum	1,800
IN20034- 484000 Fund 264	May Arboretum	14,508
<b>Increase Expenditures</b>		
IN2002 - 710100 Gen. Fund	Noxious Weed Eradication Program	\$30,000
C640200-710100 Fund 264	May Museum Multicultural Event Professional Services	1,800
IN20034-710371 Fund 264	May Arboretum Horticulture	14,508

It was noted there were no significant maintenance costs associated with any of these donations.

**07-466            RESOLUTION - SOUTHERN NEVADA PUBLIC LAND MANAGEMENT ACT PROGRAM - PARKS**

Upon recommendation of Kristine Bunnell, Park Planner, on motion by Commissioner Weber, seconded by Commissioner Humke, which motion duly carried with Commissioner Sferrazza temporarily absent, it was ordered that the following resolution be adopted and the Chairman be authorized to execute the same:

**RESOLUTION**

**SOUTHERN NEVADA PUBLIC LAND MANAGEMENT ACT - ROUND VIII**

**WHEREAS**, The Southern Nevada Public Land Management Act of 1998 provides, from proceeds derived from the orderly disposal of certain Federal lands in Clark County, Nevada, acquisition opportunities for environmentally sensitive lands throughout the State of Nevada; and

**WHEREAS**, the 250-acre WASHOE COUNTY/WHITE PINE BILL PARKS, TRAILS AND NATURAL AREAS, property is considered highly desirable for open space preservation, and regional park, and trail and development. The acquisition and subsequent development will aid in preserving historical and cultural amenities including ranching, Comstock, flume and mill sites. Wildlife and natural areas that

contribute to preservation of specially designated species and promotion of biological diversity would also be maintained for plants and animals. Those include critical mule deer habitat, and vital creeks, streams, and seeps that contribute to the Reno area watershed would be also preserved and protected; and

**WHEREAS,** The 80-acre METTS/SOUTH WASHOE VALLEY PROPERTY is considered highly valuable for its prime bob cat, porcupine, raccoon, and mule deer habitat, for preservation of historical and cultural amenities including Anderson Spring, Duck Hill Basque sheep range and the 1880 Marlette Lake water line, its ability to provide public access to adjacent Bureau of Land Management and Nevada State Park lands including Washoe Lake State Park access, preservation of the Washoe Valley scenic view shed, and as a key trail connection for the proposed Washoe Valley Multi-use Path; and

**WHEREAS,** The 40-acres around BOWERS MANSION REGIONAL PARK, in Washoe County is considered important to safeguard the aesthetic beauty of the forested backdrop of Bowers Mansion, provides wildlife habitat, stream corridor protection, provides connectivity between Davis Creek and Bowers Mansion Regional Parks, and eliminates inholdings for the U.S. Forest Service; and

**WHEREAS,** The 80-acres around BOWERS MANSION REGIONAL PARK in Washoe County important to protect cultural resources and safeguard the aesthetic beauty of the forested backdrop of Bowers Mansion, provides wildlife habitat, and eliminates inholdings for the U.S. Forest Service; and

**WHEREAS,** the 200-acre LITTLE HIGH ROCK CANYON WILDERNESS/NEVADA LAND CONSERVANCY property is considered highly desirable due to the pristine year-round habitat able to support mule deer, sage grouse, and prong horn antelope, fauna such as Aspen, mountain mahogany and juniper providing habitat for a variety of birds, along with cliffs, rock slopes and caves that provide high densities of raptors and bats, escape cover and foraging sites for big horn sheep, denning sites for predators, and year-long homes for many small mammal species, its water sources including riparian areas, springs and seeps that are used extensively by wildlife, migrant bird species, fishes including the Desert Dace, and invertebrates, its historical and cultural resources including the Applegate Trail route-said to have been traveled by Fremont, endless vista, and for its recreational trail and remote outdoor experience values; and

**WHEREAS,** the 830.8-acre POODLE MOUNTAIN WILDERNESS STUDY AREA/NEVADA LAND CONSERVANCY property is considered highly valuable as a private in-holding with the Wilderness Study Area. The acquisition will allow the BLM to manage the highlands area consistent with the resources found there including mountain lion, antelope, mule deer, and sage grouse, raptors, bats, and wild horses, compatible with the current recreation uses including hiking, camping, horse back riding and packing, and rock climbing, while preserving the Nobles Wagon Route-an 1880's California wagon route and the Poodle Mountain volcanic center, each important

historical and cultural amenities to be saved for future generations, and as a scenic backdrop to the Gerlach and North Washoe County area; and

**WHEREAS**, There is broad support for the protection of the above properties within Washoe County and the Washoe County Board of County Commissioners remain committed to the implementation of the Southern Nevada Lands Management Act;

**NOW, THEREFORE**, be it resolved that the Washoe County Board of County Commissioners support the acquisition and future protection of these environmentally sensitive lands, located throughout Washoe County, through the Southern Nevada Public Land Management Act Program administered by the Bureau of Land Management.

\* \* \* \* \*

Later in the meeting Katy Singlaub, County Manager, explained the acreage needed to be amended for two of the submittals in the resolution.

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried with Commissioner Humke temporarily absent, Chairman Larkin ordered that this item be reconsidered for technical correction.

Ms. Singlaub explained the corrections would be in the 2nd paragraph of the resolution, and should read, "the 121.29-acre Washoe County/White Pine Bill Park Trails and Natural Areas Property, and in the 7th paragraph read, "the 451-acre Poodle Mountain Wilderness Study Area/Nevada Land Conservancy Property.

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried with Commissioner Humke temporarily absent, Chairman Larkin ordered that the corrections to the resolution be approved.

**07-467      GRANT/INTERSTATE INTERLOCAL AGREEMENT - NEVADA  
DIVISION OF ENVIRONMENTAL PROTECTION -  
STORMWATER RECHARGE DEMONSTRATION PROJECT -  
WATER RESOURCES**

Upon recommendation of Michael Widmer, Hydrogeologist, on motion by Commissioner Weber, seconded by Commissioner Humke, which motion duly carried with Commissioner Sferrazza temporarily absent, it was ordered that a grant award through the Nevada Division of Environmental Protection (NDEP) for the Stormwater Recharge Demonstration project, in the amount of \$75,000 with County match funds in the amount of \$74,773, be accepted. It was further ordered that an Interstate Interlocal Contract between Public Agencies with the NDEP be approved and the Chairman be authorized to execute an agreement for Consulting Services with Kennedy/Jenks Consultants, subcontractor for the project, in the amount of \$50,000.

**07-468            JOINT FUNDING AGREEMENT - NATIONAL WATER QUALITY  
LAB - MODIFICATION NO. 1 TO CONTRACT - WATER  
RESOURCES**

Upon recommendation of Jeanne Ruefer, Planning Division Manager, on motion by Commissioner Weber, seconded by Commissioner Humke, which motion duly carried with Commissioner Sferrazza temporarily absent, it was ordered that a joint funding agreement between Washoe County and the National Water Quality Lab, concerning modification No. 1 to the contract with the National Water Quality Lab through the U.S. Geological Survey to provide analysis of ground-water analytical results for calendar years 2007 and 2008, in the amount of \$46,000, be approved and the Chairman be authorized to execute the same.

**07-469            RESOLUTION - AMENDMENT OF THE BOUNDARIES OF  
DISTRICT NO. 24 - WATER RESOURCES**

Upon recommendation of Chris Benedict, Remediation District Program Manager, and Jeanne Ruefer, Planning Division Manager, on motion by Commissioner Weber, seconded by Commissioner Humke, which motion duly carried with Commissioner Sferrazza temporarily absent, it was ordered that the following resolution be adopted and the Chairman be authorized to execute the same:

**RESOLUTION**

**A RESOLUTION CALLING A HEARING ON THE AMENDMENT OF THE BOUNDARIES OF DISTRICT NO. 24 (GROUNDWATER REMEDIATION/CENTRAL TRUCKEE MEADOWS REMEDIATION DISTRICT) IN WASHOE COUNTY, NEVADA; PROVIDING FOR A NOTICE OF HEARING, AND PROVIDING OTHER MATTERS PROPERLY RELATED THERETO.**

1.        **WHEREAS**, the Board of County Commissioners (the "Board") of the County of Washoe (the "County") in the State of Nevada has created a district for the remediation of the quality of water (the "District" or "District No. 24") pursuant to NRS 540A.250 through 540A.285; and

2.        **WHEREAS**, subsection 3 of NRS 540A.250 provides that:

"The District created pursuant to this section must include, without limitation:

a.        the area where the condition which requires remediation is determined by the Board to be present, or for which remediation is determined by the

Board to be necessary, including any area to which the condition is expected to migrate unless remediation is carried out; and

b. if the Board determines that the condition which requires remediation affects the quantity or quality of drinking water within the region, the wholesale and retail service area of any provider of water that has used or uses for any portion of its supply wells located in the area described in paragraph (a)"; and

3. **WHEREAS**, pursuant to NRS 540A.250 of the Board has had prepared for it a plan for remediation designated the "Central Truckee Meadows Remediation District Final Work Plan February 22, 1996" as updated by the "Central Truckee Meadows Remediation District Remediation Management Plan" dated October 28, 2002 (as updated, the "Plan for Remediation"); and

4. **WHEREAS**, the Plan for Remediation has been submitted to the Division of Environmental Protection of the State of Nevada (the "Division") and approved by the Division pursuant to Subsection 1 of NRS 540A.260; and

5. **WHEREAS**, the Plan for Remediation indicates that, and based upon such plan the Board has determined that, the condition which requires remediation affects the quality of drinking water within the region; and

6. **WHEREAS**, the boundaries of the District therefore are to include the wholesale and retail water service area of the Truckee Meadows Water Authority ("TMWA"), which is a provider of water service that has used and uses for a portion of its water supply, wells located in the area in which the condition that requires remediation is present; and

7. **WHEREAS**, the boundaries of the District were originally filed in the office of the County Clerk on September 16, 1997, and as so filed, were made the boundaries of the District (the "Original Boundaries") by Ordinance No. 1000, duly adopted by the Board on November 12, 1997; and

8. **WHEREAS**, the Original Boundaries have been amended; and

9. **WHEREAS**, the Board has determined and hereby determines to propose to further amend the boundaries of the District with respect to the fee collected in 2006 to exclude from the District certain properties, included in the Original Boundaries of the District as amended through July 1, 2006 (the "2006 Boundaries"), which properties did not receive water service involving water provided on a wholesale or retail basis by TMWA during that year; and

10. **WHEREAS**, the Board has determined and hereby determines to propose to amend the Original Boundaries of the District with respect to the fee collected in 2007, to add to and include such Original Boundaries new properties added to the wholesale and retail water service area of TMWA since December 31, 1997; and

11. **WHEREAS**, the Board has determined and hereby determines to propose to amend the Original Boundaries of the District with respect to the fee collected in 2007 to exclude from the District certain properties, which properties did not receive water service involving water provided on a wholesale or retail basis by TMWA during calendar year 2006; and

12. **WHEREAS**, each of the following will be filed with the County Clerk (the "Clerk") prior to the publication of a notice of hearing as hereinafter described;

(i) a list of the properties proposed to be excluded from the 2006 Boundaries with respect to the fees collected in 2006 as described in the 9th preamble hereto entitled "Second List of Properties to be excluded from 2006 Boundaries of District No. 24" (the "Second 2006 Exclusion List"),

(ii) a description of the areas to be added to the District as described in the 10th preamble hereto, entitled "2007 Description of Areas to be Added to District No. 24" (the "2007 Addition List"),

(iii) a list of the properties proposed to be excluded with respect to the fee imposed in 2007 as described in the 11th preamble hereto, entitled "First List of Properties to Be Excluded from the 2007 Boundaries of District No. 24" (the "First 2007 Exclusion List"); and

13. **WHEREAS**, pursuant to NRS 540A.262, the Board is required to hold a hearing before amending the boundaries of the District; and

14. **WHEREAS**, the Board desires to authorize publication of a notice of the hearing in accordance with NRS 540A.262

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

Section 1. A hearing is hereby called on the proposed amendment to the boundaries of the District. The hearing shall be held not less than 15 days after the notice of hearing described herein is published. The Manager is authorized to schedule the hearing and request that the Clerk publish the Notice after materials in preamble 11 (the "amendments") are filed in the office of the Clerk.

Section 2. Upon receipt of request from the Manager as provided in Section 1, the Clerk is hereby authorized and directed to publish a notice of hearing not less than 15 days prior to the hearing in a display advertisement which is at least 3" x 5" in size in a newspaper of general circulation in the County. The notice shall state that the description of the boundaries and the amendment to those boundaries is on file at the office of the Clerk for public examination.

Section 3. The Officers of the County are directed to effectuate the provisions of this resolution.

Section 4. All resolutions, or parts thereof, in conflict herewith are hereby repealed to the extent of such inconsistency.

Section 5. The invalidity of any provisions of this resolution shall not affect any remaining provisions hereof.

Section 6. This resolution may be amended in any manner, at any time by the Board. This resolution does not obligate the Board to proceed with the District or issue bonds.

Section 7. The Board has determined, and hereby declare, that this resolution shall be in affect after its passage in accordance with law.

**07-470            PROCLAMATION - NATIONAL COUNTY GOVERNMENT**  
**WEEK - APRIL 23-29 2007 - PARKS**

Lynda Nelson, Park Planner, updated Washoe County's environmental initiatives and explained how the theme of National County Government Week, "Protecting the Environment," would give Washoe County the opportunity to highlight some of the environmental initiatives currently in place as stated in the agenda memorandum dated April 4, 2007 and highlighted in a County brochure that was placed on file with the Clerk.

**4:50 p.m.**        Commissioner Humke temporarily left the meeting.

**4:51 p.m.**        Commissioner Sferrazza returned.

Upon recommendation of Ms. Nelson, on motion by Commissioner Weber, seconded by Commissioner Galloway, which motion duly carried with Commissioner Humke temporarily absent, it was ordered that the following proclamation be accepted and the Chairman be authorized to execute the same:

**PROCLAMATION**

**WHEREAS,** County employees serve America; and

**WHEREAS,** County employees police our streets, keep families healthy, build and repair our roadways, plow snow, help troubled youths and young adults, provide social services, protect abused and neglected children, encourage literacy through libraries, encourage fitness through parks and recreation, preserve open space, improve the community's quality of life, and countless other jobs they deserve to be recognized for; and

**WHEREAS**, Counties provide public safety, offer medical and human services, and provide needed elderly services for grandmothers and grandfathers and healthcare to the disabled and needy. When natural or man-made disaster strikes, county emergency services keep children and their families safe and informed until order can be restored; and

**WHEREAS**, Counties provide services that make America's communities stronger, safer places to live and raise families; and

**WHEREAS**, County officials and employees use their role as local leaders to encourage economic development and therefore improve the lives of their citizens and make their communities more livable; and

**WHEREAS**, Counties have a long history of providing critical services. County governments are the citizen's regional government voice, providing solutions that bring communities together; and

**WHEREAS**, This years National County Government Week theme is "Protecting the Environment"; and

**WHEREAS**, Washoe County has been involved with environmental initiatives and responsibility for nearly a decade starting with the first ever "sustainability program" in 1998; and

**WHEREAS**, Many Washoe County initiatives involve protection of valuable and vulnerable environmental resources in our community such as air quality, energy management, land/use conservation, and water quality, and

**WHEREAS**, In recognition of the leadership, innovation and valuable service provided by our nation's counties and Washoe County in particular; now, therefore, be it

**PROCLAIMED**, By the Washoe County Board of Commissioners that April 23-29, 2007 is National County Government Week and we ask all members of the Washoe County community to join us in acknowledging and commemorating the history and contributions of all of our nation's counties and encourage citizen participation in their regional governments.

**07-471      HEALTH BENEFITS PROGRAM - FISCAL YEAR 2007/08 - RISK MANAGEMENT**

Commissioner Sferrazza said he would like the plan changed to allow employees to select a plan based on a calendar year as well as a fiscal year. He said now employees were only allowed to change their plan effective July 1st of the fiscal year.

**4:55 p.m.** Commissioner Humke returned.

Jim Jeppson, Risk Manager, acknowledged the plan year did change on July 1st of each year. He explained if an employee or retiree elected to change plans, the deductible for the self-funded plan was applied on a calendar year basis. He reviewed this and said the Washoe County plan was consistent with all other known health plans in northern Nevada. He suggested reviewing this with the Budget Division to find an appropriate way to allow a change in plan selection on a calendar year basis to make the plan selection consistent with the year in which the deductible was applied. Mr. Jeppson said after review he would report his finding to the Board and also have it reviewed by the Insurance Negotiating Committee pursuant to the Bargaining Agreement.

Upon recommendation of Mr. Jeppson, on motion by Commissioner Sferrazza, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that the Health Benefits Program for employees, retirees, and dependents for fiscal year 2007/08, including changes recommended by the Insurance Negotiating Committee, for a total cost of \$38,239,000 be approved. It was further ordered that the Risk Manager be authorized to execute insurance contracts and service agreements necessary to continue the program. It was further ordered that Risk Management be directed to take the issue back to the Finance Department and the Health Benefits Committee for review.

**07-472            AWARD OF BID - FLEET HEAVY EQUIPMENT - BID NO. 2585-07 - PUBLIC WORKS**

This was the time to consider award of the bid for new Fleet Heavy Equipment for the Public Works Department.

Bids were received from the following vendors:

Cashman Equipment Company, Inc.  
Pape Machinery  
Arnold Machinery Company

Upon recommendation of Michael Sullens, Senior Buyer, on motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that Bid No. 2585-07 for new Fleet Heavy Equipment for the Public Works Department be awarded to the lowest responsive, responsible bidder, Cashman Equipment Company, in the amount of \$2,423,239 with a guaranteed buy-back option of \$1,845,956 resulting in a total cost bid of \$577,283, be approved. It was further ordered that the County's right be affirmed to procure additional fleet heavy equipment of the same type from the successful bidder through December 31, 2007 provided there was no increase in pricing offered and capital outlay requests had been approved.

07-473

**AWARD OF BID - 16MM/35MM ARCHIVE WRITER SYSTEM -  
BID NO. 2585-07 - PURCHASING**

This was the time to consider award of bid for one new 16mm/35mm Archive Writer System, with 21 additional months of post-warranty for the Purchasing Department.

A bid was received from Information Imaging Corporation.

Upon recommendation of Charlene Collins, Buyer, on motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that Bid No. 2593-07 for one new 16mm/35mm Archive Writer System, with 21 additional months of post-warranty for the Purchasing Department be awarded to the sole responding bidder, Information Imaging Corporation, for a total award amount of \$107,902.15.

**5:02 p.m.** The Board recessed.

**5:38 p.m.** The Board reconvened with Commissioners Weber and Sferrazza absent.

07-474 **DISCUSSION/ACTION – ROAMING CATTLE – WARM SPRINGS  
– DISTRICT ATTORNEY**

**5:39 p.m.** Commissioner Sferrazza returned to the meeting.

Assistant District Attorney Melanie Foster explained this discussion had been continued from September 2006, when the Board had asked for an analysis of possible actions to address the problem. She reviewed the two most feasible options recommended by the District Attorney's office. The first and probably the most fiscally conservative option would be to utilize the nuisance ordinance currently under review by a Citizen Committee, which contained a provision declaring roaming cattle to be a nuisance and provided for an administrative remedy in its current draft form. Ms. Foster indicated the second option was to designate Warm Springs as a congested area and impose the same restrictions and enforcement already used by Washoe County in other congested areas. In that instance, Ms. Foster pointed out there would be costs for additional equipment and resources for Animal Control to provide enforcement.

Ms. Foster observed that the Board's options were limited because of State law making Nevada a "fence out" state, meaning that cattle owners on the open range were not required to fence their cattle in, but owners of other property were required to fence them out. She noted there was a bill currently in the Legislature that would require anyone wanting to develop or build in a designated grazing district to fence the property as part of the development.

Ms. Foster discussed other possibilities that could be more costly. She assumed the residents of Warm Springs were not interested in funding the cost of a fence to control cattle in the area but pointed out that funding could be done through a general

improvement district (GID). Ms. Foster talked about Clark County, where the entire County had been declared an animal control area. In order to accomplish that, Clark County bought out all grazing rights using federal grant money that was available to them because the areas in question were habitat for the endangered desert tortoise.

Commissioner Galloway asked whether designating a congested area would add restrictions for dogs and other animals as well. Ms. Foster replied that the Commission had the ability to restrict an area for cattle only. Commissioner Galloway questioned whether the County would then be required to build a perimeter fence. Ms. Foster stated that a fence would not be required but additional Animal Control staffing and equipment would be necessary.

County Manager Katy Singlaub pointed out there was State legislation under consideration that might address free-range cattle and fencing issues. She indicated some Legislators had asked the Board to defer action until the Legislature had dealt with the issue at the State level. Ms. Singlaub identified one of the bills as Senate Bill (SB) 433 and stated it was still in the amendment stages.

**5:44 p.m.** Commissioner Weber returned to the meeting.

Chairman Larkin asked about previous Commission actions. Ms. Foster explained that the County declared Callahan Ranch a cattle control area in the early 1970's but was unsuccessful in solving the problem because no fence was erected and commercial cattle owners were exempt from the prohibition. It was later designated as a congested area. In response to questioning by Chairman Larkin, Ms. Foster clarified that the County had historically used the congested area designation when rural areas were built out to the point where roaming cattle and various other activities such as the discharge of firearms became problematic. She added that the County's enforcement model was primarily based upon that designation but citizen input from the Warm Springs area indicated they were not ready for a congested area designation. She stated it was the opinion of the District Attorney's office that it made sense to continue the County's 30-year practice of applying the congested area designation, although the Commission was not required to take that course of action.

Chairman Larkin asked for clarification about the possibility of declaring roaming cattle a nuisance. Ms. Foster explained that, under Nevada law, the Commission could not make roaming cattle a nuisance on the open range but it was possible that the repeated returning grazing of cattle on private property could rise to the level of a nuisance. She said it might not be a perfect solution but was worthy of more discussion during the nuisance ordinance process and had the additional benefit of providing an administrative remedy rather than a criminal one.

Commissioner Galloway wondered if the two approaches could be combined and expressed a desire to avoid the use of criminal remedies.

Commissioner Sferrazza asked about citizen opposition to a congested area designation. Ms. Foster recalled they did not want the broad limitations that went with that designation, such as limits on the number of dogs and the discharge of firearms.

Commissioner Humke received information from a citizen who indicated that some of the area in question was in the Sparks sphere of influence. Ms. Foster was not aware of that but offered to explore it further.

Chairman Larkin opened the public hearing.

Doug Busselman identified himself as the Executive Vice President of the Nevada Farm Bureau. He called attention to NRS 569.440 and NRS 569.450, both related to Nevada's "fence out" requirement. Mr. Busselman indicated the Nevada Farm Bureau had asked to be included in the process related to this issue and was working on the legislation discussed earlier to strengthen the principles of open range laws. He underscored the need for legislative action to maintain the rights of those who owned grazing permits.

Rick Gimlin, Deputy Director for the Nevada Department of Agriculture, read from NRS 568.355, which defined the "fence out" requirement in Nevada. He stated the Department understood this was a contentious issue and indicated their staff was available to work with County staff.

Ed Depaoli indicated that his family had been operating under a livestock permit in the Warm Springs area since 1902. He thought the District Attorney's office had done a good job presenting alternatives. Mr. Depaoli commented that urban growth had moved into open range, not the other way around. He added that he and others had been working for a constructive solution for a long time but had gotten nowhere, primarily because of some concentrated individual opposition. Mr. Depaoli wondered if residents should be dealing with Washoe County or with the City of Sparks.

Steve Felton indicated he was also a permittee. He wondered how the Commission could supercede State law. Mr. Felton stated that cattle had been shot, and he and his employees had been harassed. He hoped a solution could be reached and stated he was on board to achieve one.

Melanie Goodsell commented that her land was not located anywhere close to open range boundaries. She spoke of the unintended consequences that could occur, including the revocation of federal grazing permits, if private property owners were forced to go to court to achieve injunctive relief. Ms. Goodsell alleged the use of public waters without a recorded right by the cattlemen, which was a criminal act and a public health issue. She stated that two water tests conducted last fall on waters used by the cattlemen came back with elevated levels of Escherichia coli specific to cattle.

Dennis Goodsell indicated that private property owners who were forced to allow commercial livestock to graze on their land were entitled to agricultural tax

deferments by the County. He discussed a court decision that took the position that property owners who were repeatedly and intentionally trespassed upon for grazing purposes would be due compensation.

Dan Herman pointed out there was no federal grazing land in Warm Springs and the issue involved trespass on private property. He stated that legal action should be initiated through the Nevada Attorney General's office for unlawful use of public waters because Washoe County had not stopped the activity.

Terry Tiernay alleged that Mr. Depaoli's cattle were trucked into the Warm Springs Valley and were not wandering from Bureau of Land Management property. He placed a document on file with the Clerk containing a summary of the laws surrounding the issue. Mr. Tiernay stated that lack of fences was not an excuse for cattle to use private property and the cattle owners were subject to damages. He emphasized the issue of unlawful use of public waters by commercial cattle operators. Mr. Tiernay expressed a preference for the creation of a livestock control area and stated that a private property owner running cattle was required to fence the cattle in.

Trish Swain talked about the McCulloch Declaration of Reservations written in 1976 and suggested that most residents abided by its definitions. She read, "Livestock will be permitted on any parcels of the Property provided they are fenced in with good and adequate fencing and not permitted to roam at large."

Chief Deputy County Clerk Nancy Parent indicated there was no further public comment but several documents had been placed on file with the Clerk containing citizen comments.

Chairman Larkin closed the public hearing.

Chairman Larkin referred to allegations made by some of the citizens concerning inaction by the Board of County Commissioners for illegal activities. He asked legal counsel if their review had turned up any violations of law over which the Board of County Commissioners had jurisdiction to take action. Assistant District Attorney Terry Shea indicated there were no criminal acts being perpetrated by the owners of the cattle. He referred to an Attorney General Opinion (AGO) concerning cattle grazing and stated the term "unlawful" was intended to boost civil remedies that were available to victims of civil trespass. Mr. Shea noted the County had no criminal jurisdiction unless it declared Warm Springs a congested area.

Commissioner Galloway asked about the disagreement between Mr. Tiernay's position that fencing was not required for a livestock control area and the District Attorney's position that it was. Ms. Foster pointed out that Mr. Tiernay was referencing an AGO. She explained that Pershing County adopted an ordinance declaring a livestock control area and decided to build a fence around it based on Nevada's "fence out" provisions for open range. Commissioner Galloway wondered if Washoe County could designate a livestock control area without building a fence and

asked whether Warm Springs qualified as open range. Ms. Foster replied it was her understanding that Warm Springs was an interface between private property and open range, although she could not speak to every parcel in the area. She stated that a livestock control area with no fence would offer no remedy, whereas the County had remedies in place for congested areas. Commissioner Galloway questioned whether the County could declare Warm Springs a congested area and choose not to enforce criminal remedies while the nuisance ordinance and administrative enforcement system were in the draft stages. Mr. Shea commented that the Commission could craft a County Code to exempt the owners of roaming livestock from criminal penalties and create an administrative fine or enforcement system. Ms. Foster added that the congested area designation allowed Animal Control to impound cattle found on the private property of another, raising issues with staff and equipment.

At Chairman Larkin's request, Ms. Singlaub reiterated the request that the Board continue action on this item while the Legislature was in the process of addressing the State statute. She added the bill was still in play with the possibility for further amendments.

Commissioner Humke asked legal counsel about the two AGO's referenced by citizens. Ms. Foster had not looked at AGO's recently but stated she had never come across one that was contrary to Nevada statutes or to actions taken by other counties or by Washoe County. She commented there had been varying philosophies adopted throughout the State for dealing with cattle issues. Ms. Foster was unaware of any AGO taking the position that Nevada was not a "fence out" state.

Commissioner Humke asked about the potential cost of buying out grazing rights if Washoe County were to adopt Clark County's solution. Ms. Singlaub remarked that she could not even begin to speculate on a number. She believed that Clark County had used the Southern Nevada Public Land Management Act as a funding source and there was no such funding source available to Washoe County.

Commissioner Sferrazza indicated that he would be willing to support a controlled area of some sort but he had received conflicting reports as to whether the public supported one or not. Based on his involvement with mediation, extensive meetings and discussions, Chairman Larkin stated the citizens were adamantly opposed to a congested area designation but that some were interested in a livestock control area. Commissioner Galloway said that he would like to receive information about the stance of private property owners in the area. Chairman Larkin agreed to direct Community Relations Director Kathy Carter to provide Commissioner Galloway with information from the public meetings that had taken place.

Commissioner Humke suggested that the Board direct legal staff to continue following the issue and to research the points and citations brought forward by citizens during the public hearing. Ms. Foster indicated she was happy to do that.

Chairman Larkin asked Ms. Singlaub to continue tracking the progress of SB 433 at the State Legislature.

On motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried, it was ordered that the discussion on roaming cattle in Warm Springs be continued to a later date, pursuant to any legislative action that might take place before the close of the 2007 Nevada Legislative Session.

Chairman Larkin encouraged citizens to reach out to the State Assembly, where SB 433 now resided, to suggest amendments. He commented the Commission was not yielding its responsibility while awaiting legislative action. Chairman Larkin remarked that the Board would not turn a legal enterprise into an illegal enterprise, although it would regulate the enterprise for the health and safety of the citizens.

Commissioner Galloway requested that a record of the Board's discussion be forwarded to the legislators.

**6:43 p.m.** The Board recessed as the Board of County Commissioners and convened as the Board of Trustees for the South Truckee Meadows General Improvement District.

**6:55 p.m.** The Board reconvened as the Board of County Commissioners with all members present.

**07-475            ORDINANCE NO. 1327 – BILL NO. 1506 – AMENDING WASHOE COUNTY CODE CHAPTER 35 – MANAGER/CORONER**

**5:30 p.m.** This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on April 13, 2007 to consider second reading and adoption of Bill No. 1506. Proof was made that due and legal Notice had been given.

Acting Coroner John Berkich recognized the following members of the project team for their efforts in planning the reorganization of the Coroner's Office: Dr. Ellen Clark, Dr. Kathy Raven, Vernon McCarty, Richard Gammick, Melanie Foster, John Helzer, Kerry Malone and Neeroo Manning.

Commissioner Galloway clarified that the language creating the Office of the Coroner and Medical Examiner did not mean there were two separate positions but rather that the Medical Examiner would also function as the Coroner.

Chairman Larkin opened the public hearing by calling on anyone wishing to speak for or against adoption of said Ordinance. There being no response, the hearing was closed.

Chief Deputy Clerk Nancy Parent read the ordinance title.

On motion by Commissioner Humke, seconded by Chairman Larkin, which motion duly carried, it was ordered that Ordinance No. 1327, Bill No. 1506, entitled, "**AN ORDINANCE AMENDING WASHOE COUNTY CODE, CHAPTER 35, BY REPEALING THE SECTIONS RELATING TO THE COUNTY CORONER AND CORONER'S INQUESTS AND ADDING NEW SECTIONS CREATING THE OFFICE OF THE CORONER AND MEDICAL EXAMINER FOR WASHOE COUNTY, NEVADA, CREATING THE POSITIONS OF CHIEF MEDICAL EXAMINER AND CORONER AND ASSISTANT MEDICAL EXAMINER, AND SPECIFYING THE POWERS AND DUTIES OF CHIEF MEDICAL EXAMINER AND CORONER, AND OTHER MATTERS PROPERLY RELATED THERETO,**" be approved, adopted and published in accordance with NRS 244.100.

**07-476            REPORT/UPDATE – TRUCKEE MEADOWS MUNICIPAL GOLF COURSES – PARKS**

Doug Doolittle, Director of Regional Parks and Open Space, provided a historical update concerning municipal golf courses in the Truckee Meadows. He reviewed the highlights of a 2005 report from the Economics Research Associates (ERA), commissioned jointly by the Reno-Sparks Convention Authority, the City of Reno and Washoe County. One of the key features of the report had been that the region was oversupplied by 36 holes of golf and extensive capital improvements amounting to about \$16.4 million would be required between the three entities. The report brought out that closure of one or two golf courses would directly benefit those that remained, with a collective benefit of about \$300,000 per closed course.

Mr. Doolittle reviewed changes since the 2005 report, including the closure of Brookside Golf Course in September 2006. He stated that Rosewood Golf Course was temporarily closed for construction and three new courses had opened, including Kiley Ranch in Sparks, Canyon Nine at the Somerset Country Club, and Crystal Peak in Verdi. Mr. Doolittle indicated that Washoe Golf Course had improved its financial performance and had been running in the black for three years. Both of the County's golf courses, Washoe and Sierra Sage, had seen about a 13 percent increase in rounds for fiscal year 2005-06, with fiscal year 2006-07 tracking an increase of about 37 percent. He noted the two courses averaged about \$250,000 per year to the negative when debt service was taken into account.

Mr. Doolittle related that the Reno-Sparks Convention and Visitors Authority (RSCVA) Board approved a strategic planning goal to eliminate the operating deficit and subsidy for Northgate Golf Course within two years and for Wildcreek Golf Course within three years at their March 2, 2007 meeting. He pointed out several reasons why the decision was of interest to the County. Mr. Doolittle discussed that the RSCVA was required to obtain the County's approval prior to acquiring or disposing of real property and the County was the titled owner to approximately 400 acre-feet of water rights used at Northgate Golf Course. He noted that the County was the deeded owner to the real property upon which Northgate was located and the deed contained a

reversionary clause providing for the return of the real property to the RJB Development Company in the event the property was not used as an 18-hole championship golf course with a clubhouse. A 118-acre portion of the Wildcreek Golf Course was leased by the Bureau of Land Management (BLM) to Washoe County and would revert to the BLM if the course were to be closed. Mr. Doolittle stated that oversupply was still an issue in the Truckee Meadows and there was a discussion agendized for a joint meeting between Washoe County, the City of Reno and the RSCVA on May 7, 2007.

Commissioner Sferrazza asked for a copy of the reversionary clause in the deed for the Northgate property. He asked if there had been any discussion about what RJB Development might consider to avoid reversion. County Manager Katy Singlaub stated she had been in contact with Mr. Francovich, the representative for RJB Development, and the heirs to the trust would entertain a buyout of the reversionary clause at appraised value for highest and best use of the property (residential zoning). The property value had been estimated at about \$3,000,000 several years ago.

Commissioner Sferrazza questioned whether there was some operational benefit to having one contractor for all of the golf courses. Mr. Doolittle replied there might be some efficiency and benefits, but it would need further research. He believed that all of the courses were operating at the lowest maintenance level possible. Mr. Doolittle added that previous Request for Proposal (RFP) processes involving the County's two golf courses had met with little success, probably because the capital needs were high and the infrastructure was old. He reiterated that the ERA Operational Audit had not identified much to be gained in the way of efficiencies.

Commissioner Galloway remarked that the opening of new golf courses was rather disturbing. He wondered if all of the jurisdictions could agree to a hard line on new golf course approvals in the oversaturated market. Mr. Doolittle indicated the May 7th joint meeting was intended for that type of discussion.

Upon recommendation by Mr. Doolittle, and Al Rogers, Assistant Director of Regional Parks and Open Space, on motion by Commissioner Humke, seconded by Commissioner Sferrazza, which motion duly carried, it was ordered that the status report be accepted.

**07-477            FUND TRANSFER – GENERAL CONTINGENCY FUND TO  
HEALTH FUND – FISCAL YEAR 2006-07 – FINANCE**

Finance Director John Sherman explained that cash flow issues in the Health Department had been precipitated by a fiscal imbalance in the Health Fund. He stated that grant funds were under performing compared to expectation, revenues from permit and plan review fees had declined, and there had been certain grant advances during fiscal year 2005-06 for ineligible expenses that required the Health Department to reinstate the funds. Mr. Sherman noted the Health Department was making efforts to slow spending in the current fiscal year but those constraints would probably not be sufficient to prevent a cash shortage. He estimated approximately \$630,000 in negative

cash flow. Mr. Sherman strongly encouraged the Board to approve a cash transfer to the Health Fund to ensure the ability to pay vendors and meet payroll.

Mr. Sherman emphasized that the Health Department was not being given more spending authority in their budget and cash transfers would only take place as needed to avoid a negative balance in the Health Fund. He outlined staff recommendations for corrective actions, including the formation of a team that would put together transitional and long-term plans to address the structural imbalance.

Dr. Mary Anderson, District Health Officer, reiterated that a structural review team was being formed and indicated its suggested composition would include: District Board of Health Chairman Dr. George Furman as Committee Chair, a representative from the City of Reno, a representative from the City of Sparks, Health Department Division Directors, and a representative from the County Manager's office. Dr. Anderson articulated the intent to tie the team's efforts directly to the strategic planning process with recommendations to be forwarded to the District Board of Health.

Commissioner Galloway asked if structural review would include implementation of new fees or fee increases to generate additional revenue sources. Dr. Anderson replied that revenues were obviously not keeping up with workload requirements, so it was necessary for the structural review team to look at fees. She added that fees needed to be reviewed more frequently and adjusted with the cost of living index. Commissioner Galloway asked if the plan would include any long-term operational savings. Dr. Anderson stated that was absolutely necessary in order to avoid a repetition of the problem. She commented that Council Member Carey from the City of Sparks had suggested looking out three to five years ahead. Commissioner Galloway asked if a lesser level of service would be required in order to offset the reduction in the next fiscal year. Dr. Anderson indicated that certain positions would have to be held open, which could translate into longer waiting times and service changes. She hoped that continual review would allow the optimal utilization of revenue sources. Commissioner Galloway asked if spending for fiscal year 2006-07 would be higher than that budgeted. Mr. Sherman stated that spending would have to be decreased to balance the budget and next year's spending would have to compensate for the cash transfer. He added that the structural review team would look at cost reductions as well as additional revenue sources to come up with a well thought out plan.

Commissioner Sferrazza commented that the transfer should be in the form of an interest-bearing note to make up for interest lost to the General Fund. Mr. Sherman responded that the transfer would cover a period of about two to three weeks at the end of June 2007.

Commissioner Humke asked whether contributions were being sought from the Cities of Reno and Sparks. Mr. Sherman indicated that the Interlocal Agreement made it the County's obligation to support operations of the District Health Department. He stated, at the time the District Health Department was created, tax rates were decreased for the Cities and increased for the County to allow for that support.

Commissioner Humke pointed out that it was a statutory requirement in Nevada for counties to bear ultimate responsibility when establishing a health department. He asked what the ad valorem tax contribution had been for each of the entities. Mr. Sherman recalled that the City of Reno had reduced its rate by a little more than 3 cents and the County had increased its tax rate by approximately 2.3 cents. He could not recall the rate for the City of Sparks.

Commissioner Humke asked if disarray in federal budgets was part of the structural problem experienced by the Health Department. Dr. Anderson stated that decreased availability of federal funding sources due to larger national issues was a contributing factor to the overall situation. Commissioner Humke wondered if grant money fell within the County's statutory obligations to protect the public or would be considered discretionary, and whether it was appropriate to consider not accepting new grants. Dr. Anderson thought that suggestion was too broad a generalization. She explained the size of a grant and its accompanying mandates were taken into consideration when determining the acceptability of a grant. For example, if public health preparedness grant funding had not been accepted, the County would not have had any of the public health preparedness related events that had been undertaken to deal with the possibility of large-scale epidemics or catastrophic issues.

Dr. Anderson thanked Mr. Sherman and his team for their efforts on behalf of the Health Department.

In response to questions by Chairman Larkin, Mr. Sherman indicated he was satisfied with the composition of the structural review team. He agreed to provide a status report to the Board in approximately 60 days.

Commissioner Sferrazza reiterated his concern about obtaining interest on the cash transfer. Commissioner Humke did not agree that interest was justified for the short period of time involved. Commissioner Galloway agreed with Commissioner Sferrazza in principle. Mr. Sherman could not recall ever charging interest when transferring money between funds. He suggested that the amount of lost interest be computed based on the County's average earning rate and a status report be provided to the Board for future consideration.

Upon recommendation of Mr. Sherman, on motion by Commissioner Humke, seconded by Chairman Larkin, which motion duly carried, it was ordered that the recommendations contained in the Staff Report dated April 11, 2007 be accepted and implemented as follows:

1. A cash transfer of up to \$650,000 was approved from the General Fund Contingency Account to the Health Fund to cover cash flow needs in fiscal year 2006-07.
2. The Finance Department was directed to make the appropriate budget adjustments.

3. The District Health Department was requested to pursue additional operational corrective actions to reduce expenditures and improve revenues in fiscal year 2006-07.
4. The District Health Department was requested to collaborate with the Finance Department on the development of a transition plan to address an existing structural imbalance beginning fiscal year 2007-08.
5. The proposed fiscal year 2007-08 base budget transfer from the General Fund to the Health Fund was to be reduced by the amount of the cash transfer in fiscal year 2006-07 to offset the impact to the General Fund.
6. The District Health Department was requested to work with the Finance Department to submit a transition plan to the District Board of Health and the County Commission by the end of the first quarter of fiscal year 2007-08, which would include the impact of and possible adjustment to the General Fund support of the Health Fund.

It was further ordered that the Finance Department provide a status report to the Board of County Commissioners within 60 days and that the report include a computation of the amount of interest lost in the General Fund based on the County's average earning rate.

**07-478            LEGISLATIVE UPDATE – GOVERNMENT AFFAIRS**

Chief Deputy Clerk Nancy Parent distributed a status report titled "Washoe County 2007 Legislative Session Bills of Interest and Board Positions", which was placed on file with the Clerk.

County Manager Katy Singlaub commented that Senate Bill (SB) 487, concerning water resources, had passed out of the Senate with a vote of 20-1 and would now go to the Assembly. Chairman Larkin asked for a reminder as to the Board's official stance on SB 487. Ms. Singlaub explained the Commission had entertained amendments developed by Water Resources Director Rosemary Menard and staff from the Truckee Meadows Water Authority. Those amendments had been incorporated into SB 487 and supported by a majority of the County Commission.

Ms. Singlaub stated the school district funding bill (SB 141) failed on a vote of 8-13 and the elected officials salary bill (SB 516) passed. She drew the Board's attention to Assembly Bill (AB) 515, which would allow certain employees of the court to join or refrain from joining an employee organization or bargaining unit. Ms. Singlaub asked the Board to take a position clarifying that the County would be the employer for the purposes of contracts and bargaining. She expressed concern about the court having the authority to enter into bargaining agreements that the Board of County Commissioners would be obligated to fund.

Steve Watson, Labor Relations Manager, indicated that AB 515 was problematic, stating the term "local government employee" included employees who reported through a judge or a justice of the peace. During the 1990's in Washoe County, the Probation Officers' Association attempted to form a bargaining unit and the Family Court, Washoe County and the District Attorney went to the Employee-Management Relations Board where it was determined that they were not a local government employer as covered by NRS 288. Mr. Watson thought there were separation of power issues with AB 515 and it was a very convoluted attempt to provide collective bargaining rights. He asked the Board to make a decision to either oppose the legislation or to make a recommendation that, if the Legislature enacted the bill, the entity considered the employer for purposes of collective bargaining was the same entity responsible for funding.

Darin Conforti, Court Administrator for the Reno Justice Court, indicated that the concerns expressed by Ms. Singlaub and Mr. Watson had been discussed within the judiciary and did go to the separation of powers issue. The Legislative Committee of the Judicial Counsel of the Supreme Court had been watching the bill very closely and there was case law addressing a number of problems raised by a bill of this nature. He indicated the judiciary would probably take a more open position on the bill once it was passed to the Senate. Chairman Larkin asked who had sponsored the bill. Mr. Conforti was not sure but thought it had come out of southern Nevada. Mr. Watson believed the Washoe County Employees Association was one of the initiators of the bill. He indicated that Clark County had several court employees who were represented by their general government bargaining unit.

Commissioner Galloway asked about the current status of the court employees. Mr. Watson stated they were not represented. Commissioner Galloway stated that the County typically provided the most comparable represented wages and salary for unrepresented employees and suggested that could be represented to the Legislature. Mr. Watson agreed unrepresented employees received identical benefits. Commissioner Galloway commented it was dangerous to have bargaining done by an entity that was not paying the bill. He preferred to oppose the bill and add a caveat that the bargainer must be the entity providing funding if AB 515 were to pass.

Commissioner Humke asked if it would appear the judiciary was performing an executive branch function if the bill were to pass. Mr. Conforti disagreed but acknowledged it would confound the relationship between the executive and legislative branches. He believed the current situation, where unrepresented employees received the same benefits of those who were represented, was an effective compromise. Mr. Conforti emphasized that the judges wanted to reserve their statutory constitutional right to control the employees of the judicial branch.

A discussion ensued concerning the wording of a motion put forward by Commissioner Galloway and seconded by Commissioner Sferrazza to the effect that the Commissioners opposed Assembly Bill 515 but would reconsider their position after hearing from the judiciary. Commissioner Galloway added the caveat that, in the event

the bill was to go forward, it was essential that the entity responsible for funding be considered the employer for purposes of collective bargaining.

Commissioner Humke thought the motion was precipitous. He pointed out that the judges might consider the language in the motion hostile to their branch of government. Commissioner Galloway stated the motion was certainly not intended to be hostile and pointed out the County already treated large numbers of people as employees of the court. He stated that, if the bill passed without amendment as to negotiating responsibility, it could boomerang on the court.

At Commissioner Weber's request, Mr. Conforti commented that there was a large degree of separation between being a judicial branch employee and being compensated by the County. He stated, for example, that every employee in the Reno Justice court worked "at will" and pointed out that the term "employer" had broad definition.

County Manager Katy Singlaub clarified that AB 515 had already passed the Assembly. She suggested some alternate language for the motion, which was accepted by Commissioners Galloway and Sferrazza. Commissioner Humke indicated that he could support the motion with the amended language.

On motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, it was ordered that, because of concerns for separation of powers and an absence of clarity concerning the entity responsible for negotiating collective bargaining agreements and the entity responsible for funding them, the Board of County Commissioners would oppose Assembly Bill 515 until those issues could be effectively resolved.

**07-479            DISCUSSION/DIRECTION – RESOLUTIONS TO ADDRESS  
NUMBER OF AT-LARGE ALTERNATE POSITIONS FOR  
CITIZEN ADVISORY BOARDS – COMMUNITY DEVELOPMENT**

Commissioner Weber clarified that the intent during previous discussions had been to make sure there were two alternates when a citizen advisory board (CAB) had two commissioners representing it; otherwise there would be one alternate.

Planning Manager Bob Webb referenced the staff report, which outlined the current status of alternate positions for all of the CAB's. He noted there were several alternate positions that had not been created by resolution. Mr. Webb hoped to obtain direction from each of the Commissioners for their Districts' CAB alternate positions and to prepare resolutions formalizing those directions.

Commissioner Weber pointed out that the Central CAB had two at-large positions, although there was only one commissioner representing that area. Commissioner Sferrazza replied that he did not want to remove anyone who had already been appointed to a position. Mr. Webb indicated that the resolution for each CAB was

separate and distinct, and would be prepared according to the wishes of the commissioner representing that area. He identified the North Valleys CAB and the Sun Valley CAB as the only two CAB's that shared two commission districts, both involving Commissioners Weber and Sferrazza. Mr. Webb commented that, based on previous guidance by the Board, the *Washoe County Citizen Advisory Board Member's Handbook* would reflect the policy decision that the commissioner with the most appointments would appoint a primary alternate and the commissioner with the least appointments would appoint a secondary alternate.

Commissioner Sferrazza thought the appointments should be based on population. Commissioners Sferrazza and Weber agreed to a policy whereby the primary at-large alternate would be appointed by the commissioner representing the largest population within the CAB's geographic area and the secondary at-large alternate would be appointed by the other commissioner representing the area. They further discussed that the alternates should reside within the appointing commissioner's district.

Mr. Webb reviewed the list of CAB alternates with each of the Commissioners, who provided direction as follows:

<b>CAB</b>	<b>Commissioner(s)</b>	<b>Alternates</b>
Central	Commissioner Sferrazza	Three at-large
Cold Springs	Commissioner Weber	One at-large
East Truckee Canyon	Chairman Larkin	One at-large
East Washoe Valley	Commissioner Humke	One at-large
Galena-Steamboat	Commissioner Humke	One at-large
Gerlach / Empire	Commissioner Weber	One at-large
Incline Village / Crystal Bay	Commissioner Galloway	One from the Incline Village General Improvement District; One at-large
North Valleys	Commissioner Weber (primary) Commissioner Sferrazza (secondary)	One at-large primary from District 5; One at-large secondary from District 3
Southeast Truckee Meadows	Commissioner Humke	One at-large
Southwest Truckee Meadows	Commissioner Humke	One at-large effective July 1, 2007
Spanish Springs	Chairman Larkin	One at-large; One at-large from the City of Sparks Citizen Advisory Committee
Sun Valley	Commissioner Weber (primary) Commissioner Sferrazza (secondary)	One at-large primary from District 5; One at-large secondary from District 3

<b>CAB</b>	<b>Commissioner(s)</b>	<b>Alternates</b>
Verdi Township	Commissioner Weber	One at-large
Warm Springs	Chairman Larkin	One at-large
West Truckee Meadows	Commissioner Galloway	One at-large primary One at-large secondary
West Washoe Valley	Commissioner Humke	One at-large

A discussion ensued concerning the discretion of a CAB chair to seat an alternate at meetings when a member was absent. Commissioner Weber observed a CAB meeting where a member was absent and an alternate present but the CAB chair did not ask the alternate to fill the vacant member's seat. The Board of County Commissioners directed Mr. Webb to add language to the resolutions that CAB chairs had a duty to seat alternates when a member or members were absent from a meeting. Assistant District Attorney Melanie Foster offered to work with Mr. Webb on the appropriate language for the resolutions.

Upon recommendation of Mr. Webb, on motion by Commissioner Humke, seconded by Commissioner Weber which motion duly carried, it was ordered that the following resolutions be adopted for the County's sixteen citizen advisory boards and the Chairman be authorized to execute the same:

### **RESOLUTION**

**WHEREAS**, The Central Citizen Advisory Board was formed by the Board of County Commissioners on August 22, 2006 to represent the citizens of Commission District 3; and

**WHEREAS**, The Washoe County Commission directed on April 24, 2007 that one additional at-large alternate position be created for the Central Citizen Advisory Board to provide the Citizen Advisory Board chairman with the ability to establish a quorum for each meeting; and

**WHEREAS**, The Washoe County Commission finds that it is the duty of the Central Citizen Advisory Board chairman to designate the at-large alternate positions to temporarily serve on the Citizen Advisory Board whenever any member or members are absent from a meeting; now, therefore, be it

**RESOLVED, BY THE BOARD OF COMMISSIONERS OF WASHOE COUNTY, NEVADA**, That the Central Citizen Advisory Board be restructured, as amended in the following paragraph, under the authority of Washoe County Code Section 5.429; and be it further

**RESOLVED**, That the membership of the Central Citizen Advisory Board is amended to consist of seven at-large members and three at-large alternate positions appointed by the Board of County Commissioners; and that the at-large members and at-large alternates will be appointed to the extent reasonably possible with

consideration given to equable geographical representation within the Citizen Advisory Board area; and be it further

**RESOLVED**, that this amendment to the membership of the Central Citizen Advisory Board becomes effective the date this Resolution is adopted.

### **RESOLUTION**

**WHEREAS**, The Cold Springs Citizen Advisory Board was formed by the Board of County Commissioners on April 14, 1998 to represent the citizens of the Cold Springs area; and

**WHEREAS**, The Washoe County Commission directed on April 24, 2007 that one at-large alternate position be created for the Cold Springs Citizen Advisory Board to provide the Citizen Advisory Board chairman with the ability to establish a quorum for each meeting; and

**WHEREAS**, The Washoe County Commission finds that it is the duty of the Cold Springs Citizen Advisory Board chairman to designate the at-large alternate position to temporarily serve on the Citizen Advisory Board whenever any member is absent from a meeting; now, therefore, be it

**RESOLVED, BY THE BOARD OF COMMISSIONERS OF WASHOE COUNTY, NEVADA**, That the Cold Springs Citizen Advisory Board be restructured, as amended in the following paragraph, under the authority of Washoe County Code Section 5.429; and be it further

**RESOLVED**, That the membership of the Cold Springs Citizen Advisory Board is amended to consist of five at-large members and one at-large alternate position appointed by the Board of County Commissioners, with the requirement that persons sitting on the Citizen Advisory Board cannot concurrently serve as members of the Cold Springs Community Association; and that the at-large members and at-large alternate will be appointed to the extent reasonably possible with consideration given to equable geographical representation within the Citizen Advisory Board area; and be it further

**RESOLVED**, that this amendment to the membership of the Cold Springs Citizen Advisory Board becomes effective the date this Resolution is adopted.

### **RESOLUTION**

**WHEREAS**, The East Truckee Canyon Citizen Advisory Board was formed by the Board of County Commissioners on September 12, 1989, and most recently re-formed on May 11, 2004 to represent the citizens of the east Truckee Canyon area; and

**WHEREAS**, The Washoe County Commission directed on April 24, 2007 that one at-large alternate position be created for the East Truckee Canyon Citizen Advisory Board to provide the Citizen Advisory Board chairman with the ability to establish a quorum for each meeting; and

**WHEREAS**, The Washoe County Commission finds that it is the duty of the East Truckee Canyon Citizen Advisory Board chairman to designate the at-large alternate position to temporarily serve on the Citizen Advisory Board whenever any member is absent from a meeting; now, therefore, be it

**RESOLVED, BY THE BOARD OF COMMISSIONERS OF WASHOE COUNTY, NEVADA**, That the East Truckee Canyon Citizen Advisory Board be restructured, as amended in the following paragraph, under the authority of Washoe County Code Section 5.429; and be it further

**RESOLVED**, That the membership of the East Truckee Canyon Citizen Advisory Board is amended to consist of five at-large members, five additional ex-officio and non-voting members, with the elected governing bodies of the Pyramid Lake Paiute Tribe, Lyon County, Storey County, the City of Fernley, and the City of Sparks appointing one member each; and one at-large alternate position appointed by the Board of County Commissioners; and that the at-large members and at-large alternate will be appointed to the extent reasonably possible with consideration given to equable geographical representation within the Citizen Advisory Board area; and be it further

**RESOLVED**, that this amendment to the membership of the East Truckee Canyon Citizen Advisory Board becomes effective the date this Resolution is adopted.

### **RESOLUTION**

**WHEREAS**, The East Washoe Valley Citizen Advisory Board was formed by the Board of County Commissioners on May 28, 1996 to represent the citizens of the east Washoe Valley area of Washoe County; and

**WHEREAS**, The Washoe County Commission directed on April 24, 2007 that one at-large alternate position be created for the East Washoe Valley Citizen Advisory Board to provide the Citizen Advisory Board chairman with the ability to establish a quorum for each meeting; and

**WHEREAS**, The Washoe County Commission finds that it is the duty of the East Washoe Valley Citizen Advisory Board chairman to designate the at-large alternate position to temporarily serve on the Citizen Advisory Board whenever any member is absent from a meeting; now, therefore, be it

**RESOLVED, BY THE BOARD OF COMMISSIONERS OF WASHOE COUNTY, NEVADA**, That the East Washoe Valley Citizen Advisory Board

be restructured, as amended in the following paragraph, under the authority of Washoe County Code Section 5.429; and be it further

**RESOLVED**, That the membership of the East Washoe Valley Citizen Advisory Board is amended to consist of five at-large members, with one member assigned as liaison to the West Washoe Valley Citizen Advisory Board, and one at-large alternate position appointed by the Board of County Commissioners; and that the at-large members and at-large alternate will be appointed to the extent reasonably possible with consideration given to equable geographical representation within the Citizen Advisory Board area; and be it further

**RESOLVED**, that this amendment to the membership of the East Washoe Valley Citizen Advisory Board becomes effective the date this Resolution is adopted.

### **RESOLUTION**

**WHEREAS**, The Galena-Steamboat Citizen Advisory Board was formed by the Board of County Commissioners on July 22, 1997 to represent the citizens of the southern suburban area of Washoe County; and

**WHEREAS**, The Washoe County Commission directed on April 24, 2007 that one at-large alternate position be created for the Galena-Steamboat Citizen Advisory Board to provide the Citizen Advisory Board chairman with the ability to establish a quorum for each meeting; and

**WHEREAS**, The Washoe County Commission finds that it is the duty of the Galena-Steamboat Citizen Advisory Board chairman to designate the at-large alternate position to temporarily serve on the Citizen Advisory Board whenever any member is absent from a meeting; now, therefore, be it

**RESOLVED, BY THE BOARD OF COMMISSIONERS OF WASHOE COUNTY, NEVADA**, That the Galena-Steamboat Citizen Advisory Board be restructured, as amended in the following paragraph, under the authority of Washoe County Code Section 5.429; and be it further

**RESOLVED**, That the membership of the Galena-Steamboat Citizen Advisory Board is amended to consist of one member representing the Callahan Ranch area, one member representing the Galena Forest/Southwest Pines area, one member representing the Pleasant Valley area, one member representing the Steamboat/Toll Road area, one at-large member, and one at-large alternate position appointed by the Board of County Commissioners; membership areas are defined on the map placed on file with the Clerk; and, that the at-large members and at-large alternate will be appointed to the extent reasonably possible with consideration given to equable geographical representation within the Citizen Advisory Board area; and be it further

**RESOLVED**, that this amendment to the membership of the Galena-Steamboat Citizen Advisory Board becomes effective the date this Resolution is adopted.

### **RESOLUTION**

**WHEREAS**, The Gerlach/Empire Citizen Advisory Board was formed by the Board of County Commissioners on December 9, 1980 to represent the citizens of the Gerlach-Empire area; and

**WHEREAS**, The Washoe County Commission directed on April 24, 2007 that one at-large alternate position be created for the Gerlach/Empire Citizen Advisory Board to provide the Citizen Advisory Board chairman with the ability to establish a quorum for each meeting; and

**WHEREAS**, The Washoe County Commission previously created one at-large alternate position on the Gerlach/Empire Citizen Advisory Board by resolution on March 13, 2007; and

**WHEREAS**, The Washoe County Commission finds that it is the duty of the Gerlach/Empire Citizen Advisory Board chairman to designate the at-large alternate position to temporarily serve on the Citizen Advisory Board whenever any member is absent from a meeting; now, therefore, be it

**RESOLVED, BY THE BOARD OF COMMISSIONERS OF WASHOE COUNTY, NEVADA**, That the Gerlach/Empire Citizen Advisory Board be restructured, as amended in the following paragraph, under the authority of Washoe County Code Section 5.429; and be it further

**RESOLVED**, That the membership of the Gerlach/Empire Citizen Advisory Board is amended to consist of four at-large members, one member representing the area's Senior Citizens, and one at-large alternate position appointed by the Board of County Commissioners; and that the at-large members and at-large alternate will be appointed to the extent reasonably possible with consideration given to equable geographical representation within the Citizen Advisory Board area; and be it further

**RESOLVED**, that this amendment to the membership of the Gerlach/Empire Citizen Advisory Board becomes effective the date this Resolution is adopted.

### **RESOLUTION**

**WHEREAS**, The Incline Village/Crystal Bay Citizen Advisory Board was formed by the Board of County Commissioners on March 17, 1975 to act in an advisory and liaison capacity with respect to governing the affairs of the Incline Village-Crystal Bay area and re-established by the Board of County Commissioners on June 17, 1980; and

**WHEREAS**, The Washoe County Commission directed on April 24, 2007 that one at-large alternate position and one Incline Village General Improvement District alternate position be created for the Incline Village/Crystal Bay Citizen Advisory Board to provide the Citizen Advisory Board chairman with the ability to establish a quorum for each meeting; and

**WHEREAS**, The Washoe County Commission created one at-large alternate position on the Incline Village/Crystal Bay Citizen Advisory Board by resolution on October 24, 2006; and

**WHEREAS**, The Washoe County Commission finds that it is the duty of the Incline Village/Crystal Bay Citizen Advisory Board chairman to designate the alternate positions to temporarily serve on the Citizen Advisory Board whenever any member or members are absent from a meeting; now, therefore, be it

**RESOLVED, BY THE BOARD OF COMMISSIONERS OF WASHOE COUNTY, NEVADA**, That the Incline Village/Crystal Bay Citizen Advisory Board be restructured, as amended in the following paragraph, under the authority of Washoe County Code Section 5.429; and be it further

**RESOLVED**, That the membership of the Incline Village/Crystal Bay Citizen Advisory Board is amended to consist of one member representing the Crystal Bay area, one member representing the Incline Village General Improvement District, five at-large members, one Incline Village General Improvement District alternate position, and one at-large alternate position appointed by the Board of County Commissioners; and that the at-large members and at-large alternate will be appointed to the extent reasonably possible with consideration given to equable geographical representation within the Citizen Advisory Board area; and be it further

**RESOLVED**, that this amendment to the membership of the Incline Village/Crystal Bay Citizen Advisory Board becomes effective the date this Resolution is adopted.

## **RESOLUTION**

**WHEREAS**, The North Valleys Citizen Advisory Board was formed by the Board of County Commissioners on July 13, 1982, and merged with the Lemmon Valley Citizen Advisory Board on June 16, 1987, to represent the citizens of the north valleys area of Washoe County; and

**WHEREAS**, The Washoe County Commission directed on April 24, 2007 that one at-large primary alternate position and one at-large secondary alternate position be created for the North Valleys Citizen Advisory Board to provide the Citizen Advisory Board chairman with the ability to establish a quorum for each meeting; and

**WHEREAS**, The Washoe County Commission finds that it is the duty of the North Valleys Citizen Advisory Board chairman to designate the at-large alternate positions to temporarily serve on the Citizen Advisory Board whenever any member or members are absent from a meeting; now, therefore, be it

**RESOLVED, BY THE BOARD OF COMMISSIONERS OF WASHOE COUNTY, NEVADA**, That the North Valleys Citizen Advisory Board be restructured, as amended in the following paragraph, under the authority of Washoe County Code Section 5.429; and be it further

**RESOLVED**, That the membership of the North Valleys Citizen Advisory Board is amended to consist of seven at-large members, one at-large primary alternate position recommended by the County Commissioner representing the largest population within the advisory board's geographic area, and one at-large secondary alternate position recommended by the other County Commissioner representing the advisory board's geographic area, with all members and alternates appointed by the Board of County Commissioners; and that the at-large members and at-large alternates will be appointed to the extent reasonably possible with consideration given to equable geographical representation within the Citizen Advisory Board area; and be it further

**RESOLVED**, that this amendment to the membership of the North Valleys Citizen Advisory Board becomes effective the date this Resolution is adopted.

#### **RESOLUTION**

**WHEREAS**, The Southeast Truckee Meadows Citizen Advisory Board was formed by the Board of County Commissioners on August 12, 1997 to represent the citizens of the southern suburban area of Washoe County; and

**WHEREAS**, The Washoe County Commission directed on April 24, 2007 that one at-large alternate position be created for the Southeast Truckee Meadows Citizen Advisory Board to provide the Citizen Advisory Board chairman with the ability to establish a quorum for each meeting; and

**WHEREAS**, The Washoe County Commission finds that it is the duty of the Southeast Truckee Meadows Citizen Advisory Board chairman to designate the at-large alternate position to temporarily serve on the Citizen Advisory Board whenever any member is absent from a meeting; now, therefore, be it

**RESOLVED, BY THE BOARD OF COMMISSIONERS OF WASHOE COUNTY, NEVADA**, That the Southeast Truckee Meadows Citizen Advisory Board be restructured, as amended in the following paragraph, under the authority of Washoe County Code Section 5.429; and be it further

**RESOLVED**, That the membership of the Southeast Truckee Meadows Citizen Advisory Board is amended to consist of two members representing the Hidden

Valley Homeowners Association, one member representing the Virginia Foothills area, two at-large members, and one at-large alternate position appointed by the Board of County Commissioners; membership areas are as defined on the map placed on file with the Clerk; and, that the at-large members and at-large alternate will be appointed to the extent reasonably possible with consideration given to equable geographical representation within the Citizen Advisory Board area; and be it further

**RESOLVED**, that this amendment to the membership of the Southeast Truckee Meadows Citizen Advisory Board becomes effective the date this Resolution is adopted.

## **RESOLUTION**

**WHEREAS**, The Southwest Truckee Meadows Citizen Advisory Board was formed by the Board of County Commissioners on September 14, 1982 to represent the citizens of the southwestern area of the central Truckee Meadows; and

**WHEREAS**, The Washoe County Commission directed on April 24, 2007 that one at-large alternate position be removed from the Southwest Truckee Meadows Citizen Advisory Board effective July 1, 2007; and

**WHEREAS**, The Washoe County Commission finds that it is the duty of the Southwest Truckee Meadows Citizen Advisory Board chairman to designate the one remaining at-large alternate position to temporarily serve on the Citizen Advisory Board whenever any member is absent from a meeting; now, therefore, be it

**RESOLVED, BY THE BOARD OF COMMISSIONERS OF WASHOE COUNTY, NEVADA**, That the Southwest Truckee Meadows Citizen Advisory Board be restructured, as amended in the following paragraph, under the authority of Washoe County Code Section 5.429; and be it further

**RESOLVED**, That the membership of the Southwest Truckee Meadows Citizen Advisory Board is amended to consist of one member representing the Lakeside/Holcomb area, one member representing the Mt. Rose area, one member representing the South Hills area, one member representing the Windy Hill/Frost Ranch area, one member representing the Zolezzi/Spring Valley/Westridge area, two at-large members, and one at-large alternate position appointed by the Board of County Commissioners; membership areas are defined on the map placed on file with the Clerk, and the at-large members and at-large alternate will be appointed to the extent reasonably possible with consideration given to equable geographical representation within the unincorporated portions of the Citizen Advisory Board area; and be it further

**RESOLVED**, that this amendment to the membership of the Southwest Truckee Meadows Citizen Advisory Board becomes effective as of the 1st day of July, 2007.

## **RESOLUTION**

**WHEREAS**, The Spanish Springs Citizen Advisory Board was formed by the Board of County Commissioners on October 11, 1983 to represent the citizens of the northeast valleys area (amended on June 25, 1991 to the Spanish Springs area) of Washoe County; and

**WHEREAS**, The Washoe County Commission directed on April 24, 2007 that one at-large alternate position and one at-large alternate position to be filled by the City of Sparks Citizen Advisory Committee be created for the Spanish Springs Citizen Advisory Board to provide the Citizen Advisory Board chairman with the ability to establish a quorum for each meeting; and

**WHEREAS**, The Washoe County Commission finds that it is the duty of the Spanish Springs Citizen Advisory Board chairman to designate the at-large alternate positions to temporarily serve on the Citizen Advisory Board whenever any member or members are absent from a meeting; now, therefore, be it

**RESOLVED, BY THE BOARD OF COMMISSIONERS OF WASHOE COUNTY, NEVADA**, That the Spanish Springs Citizen Advisory Board be restructured, as amended in the following paragraph, under the authority of Washoe County Code Section 5.429; and be it further

**RESOLVED**, That the membership of the Spanish Springs Citizen Advisory Board is amended to consist of seven at-large members and one at-large alternate position appointed by the Board of County Commissioners; one at-large alternate position to be filled by the City of Sparks Citizen Advisory Committee; and that the at-large members and at-large alternate will be appointed to the extent reasonably possible with consideration given to equable geographical representation within the Citizen Advisory Board area; and be it further

**RESOLVED**, that this amendment to the membership of the Spanish Springs Citizen Advisory Board becomes effective the date this Resolution is adopted.

## **RESOLUTION**

**WHEREAS**, The Sun Valley Citizen Advisory Board was formed by the Board of County Commissioners on October 28, 1980 to represent the citizens of the Sun Valley community of Washoe County; and

**WHEREAS**, The Washoe County Commission directed on April 24, 2007 that one at-large primary alternate position and one at-large secondary alternate position be created for the Sun Valley Citizen Advisory Board to provide the Citizen Advisory Board chairman with the ability to establish a quorum for each meeting; and

**WHEREAS**, The Washoe County Commission finds that it is the duty of the Sun Valley Citizen Advisory Board chairman to designate the at-large alternate positions to temporarily serve on the Citizen Advisory Board whenever any member or members are absent from a meeting; now, therefore, be it

**RESOLVED, BY THE BOARD OF COMMISSIONERS OF WASHOE COUNTY, NEVADA**, That the Sun Valley Citizen Advisory Board be restructured, as amended in the following paragraph, under the authority of Washoe County Code Section 5.429; and be it further

**RESOLVED**, That the membership of the Sun Valley Citizen Advisory Board is amended to consist of seven at-large members, one at-large primary alternate position recommended by the County Commissioner representing the largest population within the advisory board's geographic area, and one at-large secondary alternate position recommended by the other County Commissioner representing the advisory board's geographic area, with all members and alternates appointed by the Board of County Commissioners; and that the at-large members and at-large alternates will be appointed to the extent reasonably possible with consideration given to equable geographical representation within the Citizen Advisory Board area; and be it further

**RESOLVED**, that this amendment to the membership of the Sun Valley Citizen Advisory Board becomes effective the date this Resolution is adopted.

### **RESOLUTION**

**WHEREAS**, The Verdi Township Citizen Advisory Board was formed by the Board of County Commissioners on May 19, 1981 to represent the citizens of the Verdi Township; and

**WHEREAS**, The Washoe County Commission directed on April 24, 2007 that one at-large alternate position be created for the Verdi Township Citizen Advisory Board to provide the Citizen Advisory Board chairman with the ability to establish a quorum for each meeting; and

**WHEREAS**, The Washoe County Commission previously created one at-large alternate position on the Verdi Township Citizen Advisory board by resolution on October 10, 2006; and

**WHEREAS**, The Washoe County Commission finds that it is the duty of the Verdi Township Citizen Advisory Board chairman to designate the at-large alternate position to temporarily serve on the Citizen Advisory Board whenever any member is absent from a meeting; now, therefore, be it

**RESOLVED, BY THE BOARD OF COMMISSIONERS OF WASHOE COUNTY, NEVADA**, That the Verdi Township Citizen Advisory Board be

restructured, as amended in the following paragraph, under the authority of Washoe County Code Section 5.429; and be it further

**RESOLVED**, That the membership of the Verdi Township Citizen Advisory Board is amended to consist of five at-large members and one at-large alternate position appointed by the Board of County Commissioners; and that the at-large members and at-large alternate will be appointed to the extent reasonably possible with consideration given to equable geographical representation within the Citizen Advisory Board area; and be it further

**RESOLVED**, that this amendment to the membership of the Verdi Township Citizen Advisory Board becomes effective the date this Resolution is adopted.

### **RESOLUTION**

**WHEREAS**, The Warm Springs Citizen Advisory Board was formed by the Board of County Commissioners on August 14, 1990 to represent the citizens of the Warm Springs area of Washoe County; and

**WHEREAS**, The Washoe County Commission directed on April 24, 2007 that one at-large alternate position be created for the Warm Springs Citizen Advisory Board to provide the Citizen Advisory Board chairman with the ability to establish a quorum for each meeting; and

**WHEREAS**, The Washoe County Commission finds that it is the duty of the Warm Springs Citizen Advisory Board chairman to designate the at-large alternate position to temporarily serve on the Citizen Advisory Board whenever any member is absent from a meeting; now, therefore, be it

**RESOLVED, BY THE BOARD OF COMMISSIONERS OF WASHOE COUNTY, NEVADA**, That the Warm Springs Citizen Advisory Board be restructured, as amended in the following paragraph, under the authority of Washoe County Code Section 5.429; and be it further

**RESOLVED**, That the membership of the Warm Springs Citizen Advisory Board is amended to consist of five at-large members and one at-large alternate position appointed by the Board of County Commissioners; and that the at-large members and at-large alternate will be appointed to the extent reasonably possible with consideration given to equable geographical representation within the Citizen Advisory Board area; and be it further

**RESOLVED**, that this amendment to the membership of the Warm Springs Citizen Advisory Board becomes effective the date this Resolution is adopted.

## **RESOLUTION**

**WHEREAS**, The West Truckee Meadows Citizen Advisory Board was formed by the Board of County Commissioners on May 22, 1990 to represent the citizens of the western area of the Truckee Meadows of Washoe County; and

**WHEREAS**, The Washoe County Commission directed on April 24, 2007 that one at-large primary alternate position and one at-large secondary alternate position be created for the West Truckee Meadows Citizen Advisory Board to provide the Citizen Advisory Board chairman with the ability to establish a quorum for each meeting; and

**WHEREAS**, The Washoe County Commission finds that it is the duty of the West Truckee Meadows Citizen Advisory Board chairman to designate the at-large alternate positions to temporarily serve on the Citizen Advisory Board whenever any member or members are absent from a meeting; now, therefore, be it

**RESOLVED, BY THE BOARD OF COMMISSIONERS OF WASHOE COUNTY, NEVADA**, That the West Truckee Meadows Citizen Advisory Board be restructured, as amended in the following paragraph, under the authority of Washoe County Code Section 5.429; and be it further

**RESOLVED**, That the membership of the West Truckee Meadows Citizen Advisory Board is amended to consist of four at-large members representing the area west of McCarran Boulevard, three at-large members representing the area east of McCarran Boulevard, one at-large primary alternate position, and one at-large secondary alternate position, with all members and alternates appointed by the Board of County Commissioners; membership areas are as defined on the map placed on file with the Clerk; and that the at-large members and at-large alternates will be appointed to the extent reasonably possible with consideration given to equable geographical representation within the Citizen Advisory Board area; and be it further

**RESOLVED**, that this amendment to the membership of the West Truckee Meadows Citizen Advisory Board becomes effective the date this Resolution is adopted.

## **RESOLUTION**

**WHEREAS**, The West Washoe Valley Citizen Advisory Board was formed by the Board of County Commissioners on May 28, 1996 to represent the citizens of the west Washoe Valley area of Washoe County; and

**WHEREAS**, The Washoe County Commission directed on April 24, 2007 that one at-large alternate position be created for the West Washoe Valley Citizen Advisory Board to provide the Citizen Advisory Board chairman with the ability to establish a quorum for each meeting; and

**WHEREAS**, The Washoe County Commission finds that it is the duty of the West Washoe Valley Citizen Advisory Board chairman to designate the at-large alternate position to temporarily serve on the Citizen Advisory Board whenever any member is absent from a meeting; now, therefore, be it

**RESOLVED, BY THE BOARD OF COMMISSIONERS OF WASHOE COUNTY, NEVADA**, That the West Washoe Valley Citizen Advisory Board be restructured, as amended in the following paragraph, under the authority of Washoe County Code Section 5.429; and be it further

**RESOLVED**, That the membership of the West Washoe Valley Citizen Advisory Board is amended to consist of five at-large members, with one member assigned as liaison to the East Washoe Valley Citizen Advisory Board, and one at-large alternate position appointed by the Board of County Commissioners; and that the at-large members and at-large alternate will be appointed to the extent reasonably possible with consideration given to equable geographical representation within the Citizen Advisory Board area; and be it further

**RESOLVED**, that this amendment to the membership of the West Washoe Valley Citizen Advisory Board becomes effective the date this Resolution is adopted.

**07-480**            **DISCUSSION/DIRECTION – PROCESS FOR APPOINTMENT OF RENO JUSTICE OF THE PEACE – HUMAN RESOURCES**

**8:38 p.m.**        Commissioner Sferrazza temporarily left the meeting. He excused himself from the discussion and stated he might apply for the Justice of the Peace position at some point in the future.

Assistant County Manager John Berkich indicated that he was seeking the Board’s direction regarding the selection and interview process, as well as the timeline, for appointing a Reno Justice of the Peace. He pointed out the last Justice of the Peace appointment occurred in 2003 when the Board advertised for the position, which allowed each commissioner to select their top candidate, and then interviewed those top candidates during a public meeting using questions compiled in advance. Mr. Berkich stated that the Board could also appoint a subcommittee to do preliminary screening of candidates.

Chairman Larkin and Commissioner Galloway expressed dissatisfaction with events surrounding the Board’s previous use of the subcommittee approach. Commissioner Weber liked the idea of using a subcommittee to do limited screening. Commissioner Galloway indicated he would support that and volunteered to be on the subcommittee if necessary. He suggested that the subcommittee do a paper review of applicants and narrow the field to no more than ten top candidates.

Mr. Berkich raised the question of whether candidates would be required to be licensed attorneys. Assistant District Attorney Melanie Foster indicated the statutory requirement was based on a population greater than 250,000, although there was some question as to whether it was appropriate to use Washoe County's population from the last census or Reno Township's population from the State Demographer's office. She recommended that only licensed attorneys be considered. Darin Conforti, Court Administrator for the Reno Justice Court, indicated the last census placed the County's population at 220,000 and the State demographer placed the Township's population at 259,000.

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried on a 4-0 vote with Commissioner Sferrazza absent, the Board directed that:

1. Requirements for the position of Reno Justice of the Peace would be in accordance with NRS 4.010, "A person shall not be a candidate for or be eligible to the office of justice of the peace unless he is a qualified elector and has never been removed or retired from any judicial office by the Commission on Judicial Discipline... A justice of the peace must have a high school diploma or its equivalent as determined by the State Board of Education and... In a county whose population is less than 400,000, a justice of the peace in a township whose population is 250,000 or more must be an attorney who is licensed and admitted to practice law in the courts of this State..."
2. Applications would be accepted until June 1, 2007.
3. Commissioner Galloway and Commissioner Humke were appointed to a subcommittee, which would screen applications and narrow the list of candidates to ten persons, unless fewer than ten applications were received.
4. Candidates selected by the subcommittee would be brought before the Board on July 10, 2007 for a screening process to select three top candidates.
5. The three top candidates would be brought before the Board on July 24, 2007 for public interviews, at which time an appointment would be made.
6. Screening and interview questions would be solicited from all of the Commissioners, who invited suggestions from the legal community.

**9:02 p.m.** Commissioner Sferrazza returned to the meeting.

**07-481**

**AWARD OF BID – COMMISSION CHAMBER REMODEL PROJECT, PHASE 1**

This was the time to consider award of the bid for Phase 1 of the Commission Chamber Remodel Project (architectural and lighting).

Bids were received from the following vendors:

Shaker Construction  
Gui Denby, Inc.  
Z7 Development.

Chairman Larkin asked if funds for the remodel project were included in the current year's budget. County Manager Katy Singlaub replied that the \$483,100 for Phase 1 was included but the entire project was not yet fully budgeted for fiscal year 2006-07. Public Works Director Dan St. John clarified there were three elements to the remodel project. He introduced David Solaro, Capital Projects Director, to discuss the details.

Mr. Solaro indicated the first phase would include complete rework of the ceiling and lighting system, reworking the dais area, moving the location of the presenter's podium, and installation of lifts and screens associated with the audiovisual upgrade. Phase 2 was for an audiovisual upgrade, including new systems for sound, projection, recording, and overall audiovisual controls. Phase 3 was to incorporate the television broadcast component, with the addition of two cameras and some upgrading of the broadcasting equipment. He emphasized that all items must be completed in turn because the Chamber would be inoperable once construction began.

Mr. Solaro explained to Chairman Larkin that Commission meetings would be rescheduled to the Health Department's Conference Room during construction.

Upon recommendation of Mr. Solaro, on motion by Commissioner Galloway, seconded by Chairman Larkin, which motion duly carried, it was ordered that the bid for Phase One of the Commission Chamber Remodel Project be awarded in the amount of \$483,100 to Gui Denby, Inc., the lowest responsive and responsible bidder. It was further ordered that the Chairman be authorized to execute contract documents upon presentation.

**07-482**

**APPOINTMENTS – TAHOE REGIONAL PLANNING AGENCY ADVISORY PLANNING COMMISSION**

Commissioner Galloway commented that he had been asked by the Tahoe Regional Planning Agency (TRPA) to formalize the previous appointment of a Lay Member to the TRPA Advisory Planning Commission. He explained that the process of appointing non-elected/non-staff lay members had been very informal in the past. Mr. Richard Harris had been serving as Washoe County's Lay Member since 2002 and had

written a letter expressing his desire to continue serving in that capacity. Commissioner Galloway stated that it had also become necessary to appoint one or two Lay Member Alternates, who would need to keep up on issues in the event the Lay Member was absent. He pointed out that one application had been received from Guy Burge, former Chairman of the Nevada Tahoe Conservation District, a long-time resident of Incline Village, and a professional in the field of engineering water systems.

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, it was ordered that Richard Harris be confirmed as the Lay Member from Washoe County to the Tahoe Regional Planning Agency Advisory Planning Commission, with an existing term to continue through the first Monday in January 2009. It was further ordered that Guy Burge be appointed as an Alternate Lay Member to the Tahoe Regional Planning Agency Advisory Planning Commission, with a term to continue through the first Monday in January 2009.

### **REPORTS AND UPDATES FROM COUNTY COMMISSION MEMBERS**

Commissioner Weber announced an upcoming Board meeting for the Nevada Association of Counties.

Commissioner Galloway stated that the Nevada Tahoe Regional Planning Agency would be hearing some major projects over the next few days. He indicated that he would not have his regular meeting in Incline on the first Friday of May 2007 because he was scheduled to shadow one of the judges that day.

### **07-483      SETTLEMENT – HELLER V. WASHOE COUNTY – RISK MANAGEMENT**

Jim Jeppson, Risk Manager, explained that Mr. Heller sustained a physical injury that resulted in a permanent physical impairment while he was being booked as an inmate into the Washoe County facility in 2003. He indicated the \$500,000 settlement would resolve all claims against the County and the settlement was being recommended by the District Attorney's office, Risk Management and Finance.

Commissioner Galloway commented that it was a tough call but he could not support a motion to settle for such a large amount of money. Because of the possibility of an adverse verdict that could exceed \$500,000, Commissioner Sferrazza said that he would support staff's recommendation to settle with Mr. Heller, although he agreed with Commissioner Galloway in principle.

On recommendation by Mr. Jeppson, on motion by Commissioner Humke, seconded by Commissioner Weber, which motion carried on a vote of 4-1 with Commissioner Galloway voting "no", it was ordered that the settlement of Heller versus Washoe County be approved in an amount not to exceed \$500,000.

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**9:15 p.m.** There being no further business to come before the Board, the meeting was adjourned.

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**ROBERT M. LARKIN**, Chairman  
Washoe County Commission

**ATTEST:**

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

*Minutes Prepared by  
Stacy Gonzales and Lisa McNeill  
Deputy County Clerks*