

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

TUESDAY

10:00 A.M.

MARCH 12, 2013

PRESENT:

**David Humke, Chairman**  
**Bonnie Weber, Vice Chairperson**  
**Marsha Berkbigler, Commissioner**  
**Kitty Jung, Commissioner**  
**Vaughn Hartung, Commissioner**

**Nancy Parent, Chief Deputy Clerk**  
**Katy Simon, County Manager**  
**Paul Lipparelli, Legal Counsel**

The Washoe County Board of Commissioners convened at 10:06 a.m. 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 Chief Deputy Clerk called the roll and the Board conducted the following business:

**13-181            AGENDA ITEM 3 – PUBLIC COMMENT**

**Agenda Subject:** “Public Comment. Comment heard under this item will be limited to two minutes per person and may pertain to matters both on and off the Commission agenda. The Commission will also hear public comment during individual action items, with comment limited to two minutes per person. Comments are to be made to the Commission as a whole.”

There was no response to the call for public comment.

**13-182            AGENDA ITEM 4 – ANNOUNCEMENTS**

**Agenda Subject:** “Commissioners’/Manager’s Announcements, Requests for Information, Topics for Future Agendas, Statements Relating to Items Not on the Agenda and any ideas and suggestions for greater efficiency, cost effectiveness and innovation in County government. (No discussion among Commissioners will take place on this item.)”

Katy Simon, County Manager, said a citizen sent a comment via the County’s web site indicating how much she and her husband enjoyed the “Come in from the Cold” performances at Bartley Ranch. She said a citizen also wanted to recognize Justin Taylor in the Treasurer’s Office for being pleasant, professional, and promptly addressing the citizen’s issue. She said Michelle Kaifesh also in the Treasurer’s Office was commended for providing great service. The citizen said Ms. Kaifesh answered her

phone call and quickly resolved her issue, while being very courteous and friendly. Chairman Humke said those were the types of comments the Board liked to hear.

Commissioner Jung requested an agenda item to look into the feasibility of hiring a development officer, and how the development officer could raise money for public-private partnerships specifically to benefit the County's parks. Ms. Simon replied staff was working on the assessment of the County's infrastructure and was doing a gap analysis, which would be coming to the Board as a function of the County's budget process.

Commissioner Hartung requested an agenda item to look into no longer mailing out sample paper ballots to save money. He said if the sample ballots were only available online, they could be provided in almost any language by using a translator. He stated a card could be sent to each voter, but the sample paper ballots would not have to be printed.

Commissioner Hartung asked where the County was in the e-Verify process. Ms. Simon said there was a report to the Commission on e-Verify not too long ago, and she would make sure Commissioner Hartung got a copy of that report.

Commissioner Berkbigler requested an agenda item regarding the status of the Citizen Advisory Boards (CAB's). Ms. Simon said there would be a full report on the CAB's on March 26, 2013.

Commissioner Weber said she just returned from the annual National Associations of Counties (NACo) Legislative Conference and the National Transportation Conference, which were both held in Washington D.C. She stated she had some great meetings with the Congressional leaders, including Senator Harry Reid.

Commissioner Weber said she and Commissioner Jung were holding a joint constituent meeting on Saturday from 10:00 a.m. to noon at the Rancho San Rafael Ranch House. She requested an accounting of the County's payment in lieu of taxes (PILT) monies for the last 12 years. She said she was aware there would be a decrease in the PILT monies for this next go around.

Chairman Humke requested an agenda item on the effect of the sequester on the County's budgeting and expenditures as soon as they were known.

**13-183      AGENDA ITEM 5 – APPEARANCE**

**Agenda Subject: “Appearance: Kristen Remington and Rob Garlock. Presentation on the Truckee Meadows Law Enforcement Chaplaincy Program. (Requested by Commissioner Weber.).”**

Rob Garlock, Truckee Meadows Law Enforcement Chaplaincy Program Lead Chaplain, explained the Chaplaincy Program was a non-profit organization formed around 1995 by a bunch of ex-cops who were preachers, because they wanted to serve the

law enforcement community. He related several examples regarding the types of calls the chaplains responded to.

Kristen Remington said Chaplain Garlock was a perfect example of just being there for someone and holding their hand if they needed help in coping. She stated the Chaplaincy Program worked primarily with law enforcement personnel, because they saw things no one else could possibly imagine.

Mike Alger started the PowerPoint presentation, which was placed on file with the Clerk. He said the chaplains had an amazing heart for focusing on the needs of law enforcement personnel. He stated people tended to forget what law enforcement personnel were going through, because the majority of the community did not have to see what they saw. He said the volunteer group of chaplains put in unbelievable hours. He stated the Chaplaincy Program appreciated the support the County provided over the years.

Ms. Remington said today's presentation was a cover-up. She stated the members of the Chaplaincy Program wanted to present a plaque to Commissioner Weber, because she had been at the Program's helm for years. She said what she admired most about Commissioner Weber was she never wanted to quit even when things got really hard, instead she just fought harder.

Mr. Alger said he had been a part of the Chaplaincy Program almost from its inception and Commissioner Weber joined the Program a year or two after he did. He stated Commissioner Weber had been the organization's rock, and they wanted to make sure she was aware of how much everyone in the organization appreciated her and how much God appreciated everything she had done.

Mr. Garlock read and presented a plaque to Commissioner Weber. Commissioner Weber said it took a team to keep the Chaplaincy Program going. She stated she could not thank them enough for this recognition, but so many people had been involved with the Program; and she thanked Megan Jackson for the work she did with the Program over the years. She also thanked the pastors and chaplains who dealt every day with the very hard things going on in the community, and she said supporting the chaplains had been a wonderful experience. She stated there was never enough money, and she thanked her husband for his financial support every month for the last few years. She said this recognition meant a lot and she thanked everyone so much.

**13-184            AGENDA ITEM 6 - PROCLAMATION**

**Agenda Subject:** "Proclamation--March 15, 2013 as Milt Anderson Day. (Requested by Commissioner Hartung.)

Commissioner Hartung said he requested this Proclamation because all too often people did not realize what an amazing community we lived in. He stated there were a lot of benevolent people in this community, which no one ever heard about, but

did amazing things. He said he asked for a Proclamation for a man he had known for many years who had been quietly generous, Milt Anderson.

Commissioner Hartung read and presented the Proclamation to Mr. Anderson's family. His daughter, Cynthia Coe, acknowledged this was a great honor, but she felt her father would have been upset about getting all of this attention. She said her father was about giving without expecting anything in return. She stated too often nowadays it was about you do this for me and I will do this for you.

Ms. Coe spoke about why her parents ended up in Nevada instead of California when he decided to start his own company. She also discussed another of his companies, Overland Express, which would deliver any package anywhere within Nevada. She said when he closed the business due to competition by UPS and FedEx, he was not upset because they could do it faster and cheaper and he loved competition and hard work. She stated the State of Nevada gave him the opportunity to start those companies and to create a lot of jobs. He paid for the college educations for many of the students who worked for him, and he helped employees with their personal problems. She said her dad truly loved Nevada and what Nevada offered him, so she asked the Commission to continue to remember small businesses, because one out of every three jobs was created by a small business. She said Nevada would continue to be one of the greatest states in the country.

Commissioner Hartung said he felt special because Mr. Anderson was so generous to him when he first met him, but he finally realized he treated everyone that way.

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 6 be adopted.

**CONSENT AGENDA – AGENDA ITEMS 7(A) THROUGH 7F(3)**

**13-185      AGENDA ITEM 7A – FINANCE**

**Agenda Subject: “Approve removal of Fiscal Year 2012 uncollectible returned checks [\$2,276.24] from the centralized returned check account (7980-121013); and authorize Comptroller’s Office to charge the appropriate revenue account to the identified responsible cost centers/funds--Finance. (All Commission Districts.)”**

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 7A be approved and authorized.

**13-186            AGENDA ITEM 7B – TREASURER**

**Agenda Subject: “Acknowledge Receipt of the Report of Sale - January 22, 2013 Delinquent Special Assessment Sale [sale proceeds \$23,608.06]--Treasurer. (Commission Districts 4 and 5.)”**

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 7B be acknowledged.

**13-187            AGENDA ITEM 7C(2) – COMMUNITY SERVICES**

**Agenda Subject: “Accept Community Development Block Grant (CDBG) program income received by Washoe County through the repayment of a CDBG housing rehabilitation project [\$23,871]; and approve the use of these funds to support the Heppner Well Abandonment and Community Water Service Connection housing rehabilitation project. (Commission District 5.)”**

Ben Hutchins, Finance and Administration Division Director, said a number of citizens had applied to the Community Development Block Grant (CDBG) program over the years, and approximately a couple dozen connection hookups were provided free of charge because of the program. He stated because of the agreement with the federal government to provide the funding for that purpose, the property had to be occupied by the homeowner for five years; otherwise, it was stipulated the funds must be returned if the property was sold or there was some kind of change in the ownership of the property. He said that money would become income for the Program, which would be reused for the Program’s original purpose.

Mr. Hutchins stated in this case, both the husband and wife passed away and the heir had to sell the property. He said as a result of that property transfer, the lien on the property came into play and that money was repaid to the Program. He stated the reason the County received the grant was to accommodate low income households, and the federal government was concerned someone could get the grant, hookup, and then immediately sell the property. He said that situation would not fulfill the intent of the grant, which led to the five-year stipulation. He stated he suggested the heir could move into the property and, if he could qualify as a low-income person under the grant guidelines, it might be possible to change the agreement; but the heir indicated he needed to sell the property quickly.

Commissioner Weber said she believed this situation was handled fairly. She stated the family was a very low income family that really needed the money, but the money needed to be paid back when the property was sold so it would be available for the next family in need. She said the family was in her district, and she was aware of all the work staff did to help them.

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 7C(2) be accepted and approved.

**13-188            AGENDA ITEM 7C(3) – COMMUNITY SERVICES**

**Agenda Subject: “Approve Grant of Easement and Agreement between Washoe County (Grantor) and NV Energy (Grantee) for the construction, maintenance and repair of a natural gas line, over, across and through a portion of Grantor’s property, a portion of APN 530-931-13, located between the ends of Calle de la Plata and Sha Neva Road in Sparks, Nevada. (Commission District 4.)”**

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 7C(3) be approved.

**13-189            AGENDA ITEM 7D(1) – HUMAN RESOURCES**

**Agenda Subject: “Accept donation [\$500] for the Washoe County Scholarship Fund; and direct Finance to make the appropriate budget adjustments. (All Commission Districts.)”**

Commissioner Jung accepted the donation of \$500 to the Washoe County Scholarship Fund in the name of Katy Simon, County Manager, with the gratitude of the Board. She said Ms. Simon recommended a donation be made to this fund in lieu of her receiving a speaking fee, which she often did. She said she appreciated Ms. Simon’s generosity and she was sure the County’s citizens did also.

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 7D(1) be accepted and directed.

**13-190            AGENDA ITEM 7D(2) – HUMAN RESOURCES**

**Agenda Subject: “Approve reclassification requests as evaluated by the Job Evaluation Committee to include: one Outreach Specialist II [annual impact \$24,062] and one intermittent Outreach Specialist I [annual impact \$22,682] in Juvenile Services; and one Inmate Property Services Supervisor [annual fiscal impact \$17,109]. [Total annual fiscal impact \$63,853.] (All Commission Districts.)”**

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 7D(2) be approved.

**13-191            AGENDA ITEM 7E(1) – MANAGER**

**Agenda Subject: “Approve appointment of Commissioner Marsha Berkbigler to serve on the Nevada Tahoe Conservation District (NTCD) with term retroactive from 2/21/2013 and set to expire 12/31/2014 and appoint Rosemary Menard as alternate, with term to expire 12/31/2014. (Commission District 1.)”**

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 7E(1) be approved and appointed.

**13-192            AGENDA ITEM 7F(1) – SHERIFF**

**Agenda Subject: “Accept reimbursement from the Bureau of Alcohol, Tobacco and Firearms (ATF) [up to \$15,000] for deputies assisting the Bureau of Alcohol, Tobacco and Firearms; Washoe County will be reimbursed for overtime and benefit costs directly related to activities in support of the ATF mission. Funds are available from 10/1/12-9/30/13. (All Commission Districts.)”**

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 7F(1) be accepted.

**13-193            AGENDA ITEM 7F(2) – SHERIFF**

**Agenda Subject: “Accept reimbursement, from the Federal Bureau of Investigations (FBI) [up to \$15,000] for overtime reimbursement for Washoe County Sheriff’s Office deputies assigned full time to the Federal Bureau of Investigation task force; Washoe County will be reimbursed for overtime and benefit costs directly related to activities in conjunction with the FBI task force. Funds are available from 10/1/12-9/30/13. (All Commission Districts.)”**

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 7F(2) be accepted.

**13-194            AGENDA ITEM 7F(3) – SHERIFF**

**Agenda Subject: “Accept award of supplemental funding [\$3,100, no match required] for the Paul Coverdell Forensic Science Improvement Grant 11-FSI-02 through the Office of Criminal Justice Assistance, Nevada Department of Public Safety. Funding will be used to continue the use of the Integrated Ballistics Identification System (IBIS) Technicians to perform IBIS and Serial Number Restoration casework thereby decrease the backlog of cases. Grant term is 10/1/11 – 9/30/13; and authorize Finance to make appropriate budget adjustments. (All Commission Districts.)”**

Chairman Humke said he would cast a no vote on this item based on the agenda item he requested regarding the sequester.

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried with Chairman Humke voting “no,” it was ordered that Agenda Item 7F(3) be accepted and authorized.

**13-195            AGENDA ITEM 7C(1) – COMMUNITY SERVICES**

**Agenda Subject: “Acknowledge receipt of the Washoe County Water and Sanitary Sewer Financial Assistance Program Status Report as of December 31, 2012. (All Commission Districts.)”**

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 7C(1) be acknowledged.

**13-196            AGENDA ITEM 7E(2) – MANAGER**

**Agenda Subject: “Acknowledge receipt of the Washoe County District Attorney’s Office Audit Report from the Internal Audit Division--Internal Audit. (All Commission Districts.)”**

Katy Simon, County Manager, said she met with Richard Gammick, District Attorney (DA), who indicated he was most appreciative of the audit report and was in complete agreement with it.

Commissioner Berkbigler said the audit report indicated the DA’s Office should be responsible for preparing all legal case documents, which meant the Nevada Highway Patrol (NHP) would no longer prepare those documents. She asked what the NHP’s reaction to that transition was. Alison Gordon, Internal Auditor, explained it was recommended the DA’s Office work with the NHP to see if they could take back the

ownership of preparing the legal documents. She stated meetings were being scheduled at the time this audit was issued, and she was not aware of what actually happened during those meetings. Commissioner Berkbigler said she would like to know what happened.

Commissioner Hartung said Ms. Gordon did a great job. He stated the report noted the effectiveness of the Misdemeanor Pretrial Unit could be enhanced by adding a third attorney and a legal secretary, and he asked if doing that would actually save money overall. Ms. Gordon said the problem with only having two attorneys was they handled over 200 new cases a month, which was a significant caseload. She stated in addition, the District Court and the Justice Courts added additional departments and spreading those cases among two attorneys meant the workload was almost impossible for them to handle. She said a third attorney would help spread the workload out and would give the attorneys time to train law enforcement personnel to work the cases that needed additional support.

Chairman Humke asked if Ms. Gordon was supposed to find financial irregularities or to conduct performance audits. Ms. Gordon replied she looked at the financial side and also did program/performance audits. She said she usually combined the two pieces when she audited a department. Chairman Humke stated he considered the staff recommendations to be performance audit issues. Ms. Gordon said the recommendation was to consider the staffing changes, but she stated she also did the legwork to investigate why she could support asking that be considered.

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 7E(2) be acknowledged. The motion was amended to state the Board would receive a report from the DA's Office regarding how the Nevada Highway Patrol felt about the proposed transition.

Katy Simon, County Manager, advised Internal Audit provided an implementation plan and followed up on the plan. She said the plans were reviewed by the Audit Committee and were brought to the Board. She said staff would update the Board on the NHP issue.

**13-197            AGENDA ITEM 8**

**Agenda Subject: “Appearance: Kathryn L. Burke, Washoe County Recorder. Notice of resignation/retirement from Office of Washoe County Recorder.”**

Kathy Burke, Recorder, said her retirement was a happy event, but the decision to retire had not been easy. She stated she was grateful to have had the opportunity to be the Washoe County Recorder, and she still loved her job. She said she had the privilege of serving the County for 28 years and over 14 years as the Recorder. She felt her greatest accomplishment was using technology to replace hand-stamped documents with an automated recording system, which provided staff the ability to hand

a recorded document back to the customer at the time of the recording. She thanked her dedicated staff who worked hard to make it happen.

Ms. Burke believed the appointment of Chief Deputy Recorder Larry Burtness as the Washoe County Recorder would ensure a smooth transition for the Recorder's Office, the County, and the customers. She said he shared the same passion for the Recorder's Office that she did, which customers had come to expect.

Ms. Burke thanked her family, the voters, the County Commissioners, the County Manager, the department heads, and all of the Washoe County employees for supporting her. She said even though she would miss her job and all of the wonderful people, it was the time to move on with the next chapter of her life.

There was no public comment or action taken on this item.

Katy Simon, County Manager, thanked Ms. Burke and her team for the great customer service they provided. She said it had been great working with Ms. Burke.

**13-198      AGENDA ITEM 9**

**Agenda Subject: "Recommendation to approve appointment of Larry Burtness as Washoe County Recorder effective March 18, 2013, to fill unexpired term. (All Commission Districts.) Requested by Commissioner Humke."**

Larry Burtness said he currently was the Chief Deputy Recorder. He stated Kathryn Burke, the retiring County Recorder, left some incredible shoes to fill, but he believed he was up to the challenge.

Commissioner Weber said she supported Mr. Burtness' nomination. Commissioner Hartung believed the Commission could not find a more qualified person to fill Ms. Burke's position. Chairman Humke noted Mr. Burtness served as the Chief Deputy since 2001.

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 9 be approved.

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Katy Simon, County Manager, said there were two University of Nevada, Reno social services students present who were interns with Juvenile Services and were attending today's meeting to create a report. Cassie Gonzales and Laurel Cooney introduced themselves. Ms. Gonzales said she was finishing her Bachelor Degree in Social Work and Ms. Cooney said she was going to law school in the fall.

**Agenda Subject: “Appearance: Jeff Fontaine, Executive Director, Nevada Association of Counties. Presentation on Nevada Association of Counties activities and priorities for 2013 Legislative Session.”**

Jeff Fontaine, Nevada Association of Counties (NACO) Executive Director, noted Kathy Burke, retired County Recorder, represented the County Recorders on the NACO Board and, on the behalf of NACO, he thanked Ms. Burke for her years of service and wished her all the best. He also thanked Washoe County for actively participating in NACO over the years and Commissioner Weber for serving on the NACO Board and for representing all of Nevada’s counties on the National Association of Counties (NACo) Board of Directors. He noted Chairman Humke served as the Chair of NACO’s Legislative Committee, which played a vital role in helping NACO formulate its policies and positions. He also acknowledged Katy Simon, County Manager, and the members of her team who worked closely with NACO.

Mr. Fontaine stated the NACO Board adopted positions regarding federal issues and priorities, which pretty much mirrored what NACo adopted. He said the Commissioners of nine counties represented NACO in Washington, D.C. last week as part of NACO’s Legislative Conference and they met with Nevada’s congressional delegation to talk about a number of issues. He said one of the issues discussed was the support of legislation that would allow states and local governments to enforce existing laws for collecting sales tax on Internet sales. He stated the increasing level of lost revenues for the counties meant they had less money to provide services.

Mr. Fontaine said a lot of time was spent discussing payment in lieu of taxes (PILT) due to the full funding authorization expiring this year, which was approximately \$23 million a year for all of Nevada’s counties and with Washoe County’s portion being approximately \$3.3 million. He stated those amounts had been authorized since 2008 and NACO was very concerned they were expiring. He said it would especially impact the rural counties that relied on the PILT funds to pay for their operations due to declining revenues, instead of using their funds to pay for one time projects as had been done in the past. He advised one of the tangible effects of the sequestration was the PILT payments for the current Fiscal Year would be reduced by 5 percent.

Mr. Fontane said there had been considerable discussion regarding sharing the revenue that was derived from geothermal projects within the counties, because attempts had been made to divert those revenues back into the U.S. Treasury. He said Nevada’s Congressional delegation was taking a leadership role in getting those revenues returned to the counties. He stated NACO was interested in expanding the revenue-sharing program to include all energy production occurring on public lands, and SB279 would help expedite the permitting of large utility projects on public lands and would also provide for revenue sharing with the host counties for wind and solar projects.

Mr. Fontaine stated there had been a lot of discussion about sequestration's impact on the counties, grants and other things. He said NACO developed a white paper that detailed how things got to this point, what the possible impacts to counties would be, and why there were some concerns about those impacts. He stated NACO's message to its congressional delegation was that NACO understood there was a need to address the federal debt situation, but they would like to see a balanced approach used and to cut things that would not unduly harm the counties.

Mr. Fontaine stated there was a concern about the potential impact of the expansion of Medicaid under the Affordable Care Act on county governments, including the possibility of county revenues being used to try and fund some of the programs. He said a consultant helped conduct an analysis and NACO worked closely with the Nevada Department of Health and Human Services (DHHS), which probably helped because the Governor did not include any county dollars in his budget for the Medicaid expansion. He stated NACO also worked with the Nevada Hospital Association to pursue recovering the revenues diverted from the Indigent Accident Fund (IAF) to provide hospital care for indigent persons, because that fund had been swept for the last five years. He said the Governor's budget proposal did not include sweeping the fund, so NACO was working with the Hospital Association and the State to try to find a way to leverage the \$20 million a year in IAF funds to bring in more Medicaid dollars, which would then go out to the hospitals. He said it would also provide some additional revenue within that fund to provide a stop-loss for counties for the counties' payment to the State for the Medicaid match program for long-term care. He stated it was a very complicated process and there were a lot of interrelated pieces, but Kevin Schiller, Social Services Director, and Ken Retterath, Adult Services Division Director, had been using their expertise to work with Nevada's other counties to formulate legislation that would work for everyone.

Mr. Fontaine said NACO spent a lot of time communicating with the various State agencies and with the Governor's Office prior to the Legislative Session to try and convince the Governor to not include any additional cost shifts in his budget that would impact the counties, because the previous revenue diversions and costs shifts had been very costly for them. He said NACO also spent a lot of time working with the Nevada League of Cities to try and develop a consensus on a number of issues, because having that consensus was important to the Legislators.

Mr. Fontaine said this session was different than the previous one, because there seemed to be a sense of cooperation and bipartisanship that was needed to address many of the issues facing Nevada. He stated he appreciated the assistance provided by John Slaughter, Management Services Director, and by the County's other representatives on a daily basis. He said that collaboration was important because 300 bill draft requests (BDR's) were being tracked, and the BDR's covered a wide range of issues. He said NACO appreciated that the Governor had not adopted any cost shifts or unfunded mandates and was not going to sweep IAF in his budget. He stated NACO also appreciated that the Governor's budget included some additional funding to offset the County's costs for the China Spring/Aurora Pines Youth Camp. He said there were still some concerns regarding the impacts of some measures taken during previous Legislative

Sessions, because some counties had to raise property taxes or take property taxes away from their school districts to pay for some of the cost shifts.

Mr. Fontaine said NACO would like to see some consideration of rolling back some of the cost impacts of the items proposed by the DHHS, as well as reducing the Department of Public Safety's Parole and Probation's assessment for presentencing investigations. He stated NACO wanted the new Legislators to know that Nevada's counties had done their part to help the State during the economic downturn, but shifting the State's budget problems burden was not serving the public's best interests and was certainly not sustainable.

Mr. Fontaine said there were a number of bills that would expand the types of tax abatements offered. He stated NACO's position was the granting of any tax abatements affecting the tax revenues of the counties should include the counties' participation in those decisions. He said NACO's AB32 did that in addition to allowing the counties more flexibility in granting tax abatements.

Mr. Fontaine said NACO's SB2 sought to give the counties and the cities functional home rule, which would be the ability to make the day-to-day administrative decisions. He stated the public land issues were important to the counties, such as the potential listing of the Greater Sage Grouse as a threatened or endangered species. He said suppressing wildfires also had impacts and potential costs to the counties. He stated some changes were being proposed regarding the way the State handled economic development, and NACO wanted to make sure the counties still had equal input into those decisions.

Mr. Fontaine said the University of Nevada's Cooperative Extension program had been a partnership that had been in place for nearly 100 years in Nevada. He stated the counties funded it through a property tax levy but, over the years, the system of Higher Education had reduced their allocation of General Fund dollars to support Cooperative Education to the point where the State matched \$.28 for every dollar of County support. He advised significant cuts to the program would be made without additional revenue.

Mr. Fontaine said there was considerable discussion regarding taxation and revenues. He stated some proposals would make changes, while others proposed new taxes. He said NACO's goal had been to make sure the counties were aware of the details of the bills, but NACO had not yet taken a position on them because many of the bills were very fluid and were being amended on the fly. He stated there would be plenty of time, if necessary, to take a position if the NACO Board decided to do so.

Mr. Fontaine stated there were measures dealing with the oversight of State and governmental agencies, and NACO liked BDR 19-905, which would recreate the Nevada Advisory Committee on Intergovernmental Relations. He stated NACO felt that the 2010 interim committee provided an opportunity for analysis and

recommendations regarding the service responsibilities between the State and the counties in the alignment with the resources to support those services.

Mr. Fontaine stated NACO also submitted: AB2, AB6 and AB49. He said AB2 provided for a county appointment of a representative to the Nevada Land Use Planning Committee and AB6 sought to return a portion of the Special Fuels Tax back to the counties based on the point of purchase. He stated NACO's argument was 17 percent of truck traffic traveled on local roads, but the local governments did not receive any of the diesel tax collected. He said AB49 was amended by NACO to look at an interim study regarding the costs of counties paying for the cost of indigent legal defense and at potential funding sources.

Mr. Fontaine said every county in Nevada was a NACo member. He stated a lot of exciting things were happening at the national level and there were also some benefits in terms of national purchasing alliances, deferred compensation programs, and the Prescription Drug Card program. He said NACO was interested in marketing that Card program to make the Board's constituents aware of the free program.

Mr. Fontaine stated NACO was aware that many of the concerns were unique to Washoe County, but many were shared by all of the counties; and it was important to have a unified voice in Carson City because that was what the Legislature wanted. He thanked the Commission for its active participation in NACO and said NACO wanted to help the County in any way it could.

Commissioner Weber thanked Mr. Fontaine for being present today. She said at the NACo conference, there was a big push about why county government worked, and she brought back a flyer that described why counties mattered. She stated many people did not know what the counties or the county commissioners did but, if they knew what the counties were involved in, it would go a lot further at the Legislature. She thanked Mr. Fontaine for all of the work he did.

Chairman Humke agreed the alliance between NACO, the Nevada League of Cities, and Washoe County was very positive. He said Washoe County needed lobbyists due to the counties and cities being considered special interests, which he felt was a sorry state of affairs and was wrong. He stated the lobbyists helped educate the legislators, who were challenged with dealing with thousands of issues one after another during the Legislative Session. He said that education was important, and he appreciated the alliance because it multiplied the County's ability to be affective.

Chairman Humke said Mr. Fontaine mentioned the \$.01 ad valorem Washoe County paid to support the China Spring/Aurora Pine Youth Camp, which he believed was outside the cap. He asked if Washoe County sent any children to the Camp. Mr. Fontaine explained the \$.01 he mentioned was for the Cooperative Extension. He explained Washoe County's assessment was based on the number of youth sent to the Camp. Ms. Simon advised the assessment had been a portion of the County's tax rate, which was not outside the cap, and the County sent children to the Camp. She advised

Juvenile Services had been very involved statewide regarding at risk youths and how the detained population of youths could best be managed. Chairman Humke stated a lot of youths resided in Washoe County, and he felt having a camp located here would let them be closer to their families.

Chairman Humke said he asked for an agenda item regarding the \$.01 in funding for the Cooperative Extension, because there were a number of changes underway. Mr. Fontaine advised the issue with the funding was Cooperative Extension had been a line item in the Governor's budget, which was removed during the last Legislative Session. He stated some of the funds were being put towards other programs at the University of Nevada, which left a big hole in the Cooperative Extension's budget. He advised the Governor was proposing to restore a portion of those funds, but it would not be enough to avoid significant cuts according to the Cooperative Extension's staff. He said the second issue was President Johnson was looking at the possibility of bringing the Cooperative Extension and the College of Agriculture under a single Dean. He stated NACO had not taken a position on that proposed organizational structure, but it was on the agenda for the April 22, 2013 NACO Board meeting. Chairman Humke said it was frustrating to give the \$.01 in funding to the University and then have the Cooperative Extension's program changed.

Chairman Humke said Commissioner Weber brought a legislative brief back from Washington D.C. and, on page 3, it noted Medicaid was not included in any of the so called bargains the federal policy makers had engaged in, such as the fiscal cliff. He said some congressional policy makers felt, as an entitlement, Medicaid was in severe need of reform. He stated it also noted the counties put up part of the non-federal match for Medicaid in 27 states, which he believed included Nevada. He said the Governor made an election, which would increase the eligibility rolls for Medicaid.

Chairman Humke asked if Mr. Fontaine could discuss the negotiations with the Nevada Hospital Association and the State. Mr. Fontaine explained the issue at the national level was, even though Medicaid was not subject to sequestration currently, there were ongoing discussions on how to avoid sequestration, which could put Medicaid on the table. He said any change in Medicaid that would result in a reduction to the states, could ultimately result in needing more county dollars to help make up the lost dollars.

Mr. Fontaine advised Chairman Humke was correct that Nevada was one of the states where the counties provided a match for the Medicaid dollars for long-term care. He said during the last Legislative Session, a bill was passed that lifted the requirement that counties pay for the Medicaid match above a certain income level and allowed the DHHS Director to set that level. He stated that meant the counties were now responsible for another \$6 to \$8 million per year in county-match costs for a new population, as well as for additional services for home and community based waivers. He said NACO was trying to cap that amount through the use of the IAF, which was a \$.025 county tax levy that had been primarily a pass-through to the hospitals and used to limit a county's liability in paying for the indigent medical services. He stated NACO was trying to figure out a mechanism by which the IAF could be used to leverage additional

Medicaid dollars, which would go to the hospitals and would result in increased revenues to the hospitals. He said a portion of the IAF revenue would be used to put a cap on the amount of the assessment the County would have to pay to the State for the Medicaid match program for long-term care. He stated it was a very complicated issue and there might be some legal implications with the federal government, but that was the intent of what NACO was trying to do.

Mr. Fontaine thanked the Board for allowing him time on the agenda, and said NACO appreciated all of the assistance provided by the County's staff. Ms. Simon thanked Mr. Fontaine and the team, because it took everybody keeping their eyes on things due to the number of bills.

There was no public comment or action taken on this item.

**13-200            AGENDA ITEM 12**

**Agenda Subject: “Appearance: David Turner, Chairman of the Nevada Taxpayer Association. Presentation of Cashman Good Government Award to Washoe County.”**

David Turner, Nevada Taxpayer Association Chairman, said it was an honor to present Washoe County with the 16th Annual Cashman Good Government Award. He said the award was due to Washoe County's completing a comprehensive review of fundamental services under the direction of a citizen committee. He stated the committee reviewed every County program and function to find ways to increase efficiency and reduce costs and had both short-term and long-term goals. He stated the committee identified 64 recommendations with potential savings of \$26.8 million and \$1.6 million in savings had already been realized. He said the project involved 34 operating departments and 11 collective bargaining units.

Mr. Turner stated a committee appointed by the Nevada Taxpayers Association evaluated the 18 nominations to arrive at the four finalists. He said the nominees were graded in three areas and there was a two to three hour conference call to narrow the choices down to the top choice. He stated it was a tough job because all four nominees were very good candidates, but it was felt the Manager's Office deserved the award.

Chairman Humke said the one of the raters remarked on the quality of Washoe County's written submittal and presentation and about the overall quality of all of the submittals. He stated this competition had gotten on the map and was now a very sought after award. He thanked the Nevada Taxpayers Association for the award and congratulated Katy Simon, County Manager, for this team effort.

Ms. Simon thanked Mr. Turner. She acknowledged this was the third time Washoe County won the Cashman Good Government Award and the County was very proud of that.

There was no public comment and no action taken on this item.

**13-201            AGENDA ITEM 15 – COMMUNITY SERVICES**

**Agenda Subject: “Appearance: Amy Cummings, AICP/LEED AP, Planning Director Regional Transportation Commission. Presentation and acknowledge receipt of a report regarding the 2035 Regional Transportation Plan--Community Services. (All Commission Districts.)”**

Amy Cummings, Regional Transportation Commission (RTC) Director of Planning, said the public comment period was open for the Regional Transportation Plan (RTP), and there would be a community open house on Thursday from 4:30 p.m. to 6:30 p.m. at the Nevada Discovery Museum.

Ms. Cummings thanked Washoe County’s Clara Lawson, Licensed Engineer, and Paul Kelly, Planner, who attended all of the working group meetings and were a huge help at the many community workshops and outreach events.

Ms. Cummings said the recommendation was for four key areas to receive funding throughout the 20 year RTP. The areas were to: Implement the Americans with Disabilities Act (ADA) Transition Plan, which would bring the area’s sidewalks and regional roads up to wheelchair accessibility standards; implement the bicycle/pedestrian master plan; ensure there would be funding for the pavement preservation program; and to upgrade traffic signals. She said the RTP included several roadway improvements that focused on safety along with the Southeast Connector and the Pyramid/U.S. 395 Connector projects. She noted the RTP had to be a fiscally constrained plan, because the projected funding would not accommodate every capacity needed over the next 20 years.

Ms. Cummings advised transit funding remaining flat was also an issue but, due to some efficiencies, it was hoped RAPID service could be extended up to the University of Nevada, Reno and the RIDE service could be extended to the Galleria over the next year. She said community members also wanted the RAPID service extended to the Summit in the south and to the Legends in the east, but there was not enough funding to accommodate those service extensions at this time.

Ms. Cummings said the RTC would be looking into doing some type of pilot demonstration project for some sort of circulator service geared towards seniors. She stated the aging population in some of the outlying neighborhoods was making that a significant issue.

Ms. Cummings said the public comment period had been extended until April 19, 2013 and there would be a public hearing at the RTC Board meeting on April 19, 2013.

Chairman Humke said this had been a major undertaking, which included intense citizen involvement, and he thanked Ms. Cummings for all the RTC did.

There was no public comment or action taken on this item.

**13-202            AGENDA ITEM 16 – FINANCE**

**Agenda Subject: “Recommendation that the Board of County Commissioners approve and execute an Ordinance authorizing the issuance by Washoe County of its fully registered, Washoe County, Nevada, Highway Revenue (Fuel Tax) Bonds, Series 2013, in the maximum aggregate principal amount of \$165,000,000, for the purpose of financing street and highway construction within the County and improvements incidental thereto; providing the form, terms and conditions of the bonds and the security therefor, and other details in connection therewith; and providing for its adoption as if an emergency exists and providing the effective date hereof--Finance. (All Commission Districts.) OR Introduction and first reading of an Ordinance authorizing the issuance by Washoe County of its fully registered, Washoe County, Nevada, Highway Revenue (Fuel Tax) Bonds, Series 2013, in the maximum aggregate principal amount of \$165,000,000, for the purpose of financing street and highway construction within the County and improvements incidental thereto; providing the form, terms and conditions of the bonds and the security therefor, and other details in connection therewith; and providing the effective date hereof--Finance. (All Commission Districts.)”**

Katy Simon, County Manager, explained that bond issuance actions were adopted as if an emergency existed due to the very short window to take advantage of the favorable interest rates quoted to the County. She said a super majority vote of the Board was required to adopt the ordinance as if an emergency existed. She stated a simple majority could approve the first reading of the ordinance, but that would not allow capturing the interest rates that the emergency action would allow.

Tom Taelour, Regional Transportation Commission’s (RTC’s) Chief Financial Officer (CFO), said the RTC Board approved a resolution asking the Board of County Commissioners (BCC) to approve the 2013 Bond Ordinance for the 2013 Revenue Bond sale. He reviewed his PowerPoint presentation, which was placed on file with the Clerk and covered the indexing background; projected revenue fuel tax (including indexing); and bonding program objective, road improvements, and Revenue Bond #4. He advised only the RTC’s Fuel Tax Indexing revenue was pledged, which meant no Washoe County revenues were pledged.

Kendra Follett, Sherman and Howard, explained the provision for the adoption of the bond ordinances was “as if an emergency exists,” but no emergency needed to be declared because it was a procedural matter under Chapter 350.

Nancy Parent, Chief Deputy Clerk, read the title for Ordinance No. 1505, Bill No. 1688.

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Berkbigler, which motion duly carried, Chairman Humke ordered that Ordinance No. 1505, Bill No. 1688, entitled, "**AN ORDINANCE AUTHORIZING THE ISSUANCE BY WASHOE COUNTY OF ITS FULLY REGISTERED WASHOE COUNTY, NEVADA, HIGHWAY REVENUE (FUEL TAX) BONDS, SERIES 2013 IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$165,000,000 FOR THE PURPOSE OF FINANCING STREET AND HIGHWAY CONSTRUCTION WITHIN THE COUNTY AND IMPROVEMENTS INCIDENTAL THERETO; PROVIDING THE FORM, TERMS AND CONDITIONS OF THE BONDS AND THE SECURITY THEREFOR, AND OTHER DETAILS IN CONNECTION THEREWITH; AND PROVIDING FOR ITS ADOPTION AS IF AN EMERGENCY EXISTS AND PROVIDING THE EFFECTIVE DATE HEREOF,**" be approved, adopted and published in accordance with NRS 244.100.

**BLOCK VOTE – AGENDA ITEMS 11 AND 14**

**13-203      AGENDA ITEM 11 – FINANCE/RISK MANAGEMENT**

**Agenda Subject:** “Recommendation to authorize the Finance Director to renew the excess liability insurance policy with Insurance Company of the State of Pennsylvania [\$145,750 and pay a broker fee of \$15,000 to Wells Fargo Insurance Services], retroactively effective February 28, 2013, funding from the Risk Management Fund Source--Finance/Risk Management. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 11 be authorized.

**13-204      AGENDA ITEM 14 – HUMAN RESOURCES**

**Agenda Subject:** “Recommendation to approve the Department of Human Resources and Purchasing to develop and administer a Request for Proposal for temporary employment services for Washoe County. No specific dollar values will be assigned to these awards resulting from this Request for Proposal, as services will be provided on a requirements basis to the county departments requiring temporary clerical services. [Anticipated annual dollar amount will be in excess of \$100,000]--Human Resources. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 14 be approved.

**13-205            AGENDA ITEM 13 – COMMUNITY SERVICES**

**Agenda Subject: “Recommendation to award a bid to purchase a pre-manufactured concession/restroom building to be installed at the North Valleys Regional Park Water Play Park to Public Restroom Company, the lowest responsive, responsible bidder [\$323,419 - funded by Sierra Sage Golf Course water rights proceeds]--Community Services. (Commission District 5.)”**

Commissioner Weber requested staff provide the Board with a full accounting of how the water rights sale proceeds were being spent and what was still available each time one of the items came to the Board that related to those proceeds. She also requested an accounting of where the money came from, where it was going, and what had been done to date each time an update to the North Valleys Regional Sports Complex occurred. She said the Board could go ahead and approve awarding this bid, but she requested that accounting be provided at the next Board meeting. Dwayne Smith, Engineering and Capital Projects Division Director, said he would include that information in all future staff reports.

Al Rogers, Community Services Department Programs and Projects Division Director, displayed the overall site plan. Commissioner Weber asked if the trash enclosure was new. Mr. Rogers said the trash enclosure was being relocated, which had been part of the plan for the entirety of the project. He stated it would enclose the dumpster that currently just sat out in the parking lot, which was a requirement of building the project. Commissioner Weber asked if the structure being close to the road could cause vandalism. Mr. Rogers said no significant amount of vandalism had been seen when those enclosures were put at other locations.

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 13 be awarded.

**13-206            AGENDA ITEM 18 -- TREASURER**

**Agenda Subject: “Update on Incline property tax refund process--Treasurer.”**

Katy Simon, County Manager, noted the Board had a copy of the written status report.

There was no public comment or action taken on this item.

**13-207            AGENDA ITEM 17 – HUMAN RESOURCES**

**Agenda Subject: “Appearance: Ron Keimach, Principal, Hay Group Public Sector Consulting. Overview of Washoe County Classification and Compensation System and the Role of Hay Group, Inc.--Human Resources. (All Commission Districts.)”**

John Listinsky, Human Resources Director, introduced Ron Keimach, Hay Group Public Sector Consulting Principal. Mr. Keimach said Washoe County was one of the Hay Group's longest served county clients, and they appreciated the trust the County showed in the Hay Group.

Mr. Keimach said one of the important issues was having a succession plan as individuals retired or took another job. He stated the compensation plans were the bread and butter of how people were rewarded for the work they did. He noted Washoe County used letters to classify the jobs with similar content, and the jobs requiring specialized skills were classified using a higher letter. He said once that classification was achieved, the competitive level of pay had to be decided, which the Board set as the median of the marketplace. The median included the national, the Nevada, and the greater Reno marketplaces; but at different weights, different times, and for different jobs. He advised what set labor rates was the supply and demand for the talent needed. He said if a survey was conducted and the result was within 10 percent of that market, the job was competitive.

Katy Simon, County Manager, said the chart (slide 11) was important because it showed the relationship between the complexity of the job and the salary paid. She advised Washoe County's average compensation was the lowest line on the chart, but the County was within the 10 percent band Mr. Keimach mentioned. She said that meant the County was definitely not at the top of the market, but was within range of what would be considered reasonably competitive. She said the County had been staying in that zone of competitiveness due to the Board's policies over the 13 years the County had been with the Hay Group, which was really hard to do.

Mr. Keimach said in the recent survey that looked at the same comparator groups, Washoe County came out slightly below the median. He stated the retirement and health care benefits drove the market (slide 12). He discussed total compensation (slide 13), which consisted of both salary and benefits. He said no changes to the program were suggested because the program was working and was viewed by the employees as being fair as evidenced by the County's very low turnover statistic of 8 percent per year. He advised normal turnover was 50 percent higher than that every year.

Mr. Keimach reviewed the total compensation slides (15 – 18), which showed Washoe County was fairly competitive. He said the County should continue to monitor the compensation, but the mix of pay was appropriate to the County's current demographic. He said the Hay Group's clients talked a lot about the changing demographics of the workforce, because people at the upper end of the age group might have different needs for cash and benefits than employees coming into the workforce. He advised the State of New Mexico had trouble recruiting at the lowest level and the people they did recruit tended not to stay very long. He stated the demographics of the workforce would determine where they were coming from, where they were going, and what they valued as a group; and the County needed to stay on top of that.

Mr. Keimach said the Board's job in the compensation strategy (slide 20) was to provide oversight, and the process followed was shown on slides 21 and 22. He stated County management had done an excellent job of ensuring that everyone understood the process and, when changes were made, it was very clear that they needed to be affordable and in the best interests of the County as an employer and as a provider of services.

Mr. Keimach stated since 2007 there had been some pretty severe issues and at some point salary increases went to zero. He said it had been difficult for companies to stay in business, but the public sector had to and it was very challenging. He stated the matrix (slide 24) showed the fiscal impact and how employees reacted to it.

Mr. Keimach said the County was already doing the compensation strategies on the "To" side (slide 27). He stated behaviors would be very different if rewards were viewed as a cost rather than as an investment. He said the County was encouraged to take that longer view, which would put the County in a much better place when the the next downturn happened. A copy of the presentation was placed on file with the Clerk.

Mr. Keimach said the County had done a very good job in communicating with its employees and with the stakeholders regarding the value of the compensation program, and had been resolute in adhering to a good job design and good job evaluation and measurement.

There was no public comment or action taken on this item.

### **13-208      AGENDA ITEM 19 – MANAGEMENT SERVICES**

**Agenda Subject: "Discussion and direction to staff regarding legislation or legislative issues proposed by legislators, by Washoe County or by other entities permitted by the Nevada State Legislature to submit bill draft requests, or such legislative issues as may be deemed by the Chair or the Board to be of critical significance to Washoe County--Management Services. (All Commission Districts.)"**

John Slaughter, Management Services Director, said there was no specific Legislation yet to take a position on. He stated AB68, Consolidated Tax bill, and AB114, online gaming, was before the Governor. He stated an avalanche of bills was being drafted and would be out in the next few weeks.

Mr. Slaughter said staff was tracking the various tax bills, all of which were still being discussed. He stated no position was being taken on the Washoe County Schools funding bill, because staff was not sure what the bill would look like at the end of the process.

Mr. Slaughter said regarding the bills related to abatements, the Legislators needed know that it was understood there was a need to provided abatements

to induce development in the State, but there also needed to be balance regarding how much involvement the Commissioners had and with the impact on revenues. He stated staff provided that input to the Legislators as the bills moved forward.

Mr. Slaughter stated there were bills relating to open meetings and records and, even though transparency in government was fully supported, there had to be a balance with the impact on the daily operations of local governments. He said the trend was to deal with how quickly records had to be turned over after being requested, but dealing with older records might require research that could preclude handing them over immediately.

Mr. Slaughter said AB87 dealt with the zoning and processing of the permitting for the construction of new schools. He stated the issue in this region was each of the three jurisdictions had different standards for the construction of new schools. He said Assemblyman Skip Daly was working with the staff of the local jurisdictions and the Regional Planning Commission on the process so, when new schools were built, they would understand what to expect in each of the jurisdictions.

Mr. Slaughter said AB150 created a new Legislative Commission on the oversight and accountability of government, including local government. He stated the Commission would have subpoena powers and the ability to call local governments in to explain accountably issues within the organization. SB202 would reinstitute the Commission for Intergovernmental Relations and would be a more collaborative type of arrangement. He said staff testified that AB150 might be overly broad.

Mr. Slaughter said Kevin Schiller, Social Services Director, and Ken Retterath, Adult Services Division Director, were in Carson City almost daily. He stated Kristin Erickson, Deputy District Attorney, and Lieutenant Eric Spratley, Sheriff's Office, were dealing with the judiciary committees and criminal issues and Sean Sullivan, Deputy Defender, was also in Carson City almost daily. He said Alice McQuone, Manager's Office; Paul Kelly, Community Services Department Planner; and Kim Martin, Social Services Eligibility Case Compliance Reviewer, were working from here to provide some of the backend support needed to track the bills.

Commissioner Berkbigler asked about the status of SB2, which would allow local governments to make decisions on issues not clearly outlined in State law. Mr. Slaughter said SB2 already had a hearing. He stated the Nevada Association of Counties' (NACO's) SB66 also dealt with home rule. He stated one bill was broader based and one dealt with very specific topics. Katy Simon, County Manager, said the bill turned the whole premise of home rule on its head because currently the rule of law stated if there was any doubt regarding whether the county commissioners had the authority to do something, they did not; but the bill would erase that law. She stated she could not imagine that bill would be approved. Mr. Slaughter said NACO's two bills and the earlier bills he mentioned on oversight and accountability were competing ideas.

Commissioner Berkbigler understood the recalculation in the consolidated tax bill would decrease the amount of money Washoe County would receive under AB68. Mr. Slaughter replied it would slightly, but he believed that would occur the second year out. Ms. Simon said part of that had to do with the selection of the base year and how growth would occur, so it might or might not have a huge impact on the County. She advised the County agreed in principle with the structure and how the formula was presented, because it was a vast improvement over the current structure. Commissioner Berkbigler noted she had the distinct displeasure of following that Interim Committee, and she believed the study was ineffective and Washoe County was unfortunately bearing the burden of part of the ineffectiveness of that study.

Chairman Humke asked if the Legislative Oversight Committee created by AB150, would be a statutory or standing committee. Mr. Slaughter replied it would be a standing committee put forward by a long list of members and it would operate during all interims. He stated it had its first hearing and there might be a second hearing, because there was a lot of information provided about the bill.

Chairman Humke asked if there had been any budget closings. Mr. Slaughter believed there had not been any, but the closing dates on the published schedule were still a ways out. He noted compared to the last session, he was not hearing so much angst about the budget's progress.

Chairman Humke said he was very proud of the work everyone on the legislative team was doing.

There was no public comment or action taken on this item.

**13-209      AGENDA ITEM 22 – CLOSED SESSION**

**Agenda Subject: “Possible Closed Session for the purpose of discussing labor negotiations with Washoe County, Truckee Meadows Fire Protection District and/or Sierra Fire Protection District per NRS 288.220.”**

**1:25 p.m.**      On motion by Commissioner Berkbigler, seconded by Commissioner Hartung, which motion duly carried, it was ordered that the meeting recess to a closed session for the purpose of discussing negotiations with Employee Organizations per NRS 288.220.

**4:40 p.m.**      The Board convened in closed session with Commissioner Berkbigler absent, for the purpose of hearing the Work Card Permit Appeal for Terra Maddox.

**5:39 p.m.**      The Board reconvened in open session with Commissioner Berkbigler absent.

**Agenda Subject: "WORK CARD PERMIT APPEAL - Terra Maddox."**

Commissioner Jung felt the highly educated pre-school teacher would be a gem in helping prepare the children to enter kindergarten, and if she had a child she would have no qualms about sending them there.

Commissioner Jung made a motion to approve the work card appeal for Terra Maddox based on the owners of the daycare conducting random drug screenings and because of their willingness to share those results with Social Services for the next three years. Commissioner Hartung seconded the motion.

Chairman Humke asked if Commissioner Jung would entertain an amendment to the conditions. He stated Social Services confirmed a work card would be good at any licensee in Washoe County, and he felt it would be important to pass on the condition to any other licensee if the Appellant went elsewhere. He said if random drug testing was satisfactory to Social Services, such testing would be a requirement of any licensee the Appellant wished to work for. He stated additionally there should be a requirement that the Appellant execute a disclosure and release to her employer, as well as to the Washoe County Social Services Licensing Division. Commissioner Hartung asked how the Board could require Social Services or anyone else to police that condition. He said the current employer had agreed to do that but, if the Appellant changed employers in two years, how could that condition be followed up with a new employer. Chairman Humke said it would be up to Social Services to police the condition and, if they could not do it, they could pull the Appellant's work card.

Commissioner Hartung asked if Social Services monitored the employment of permit holders. Colette Imasaki, Social Worker III, said every facility was required to notify Social Services within 30 days of a new employee commencing employment, but not every facility was good about doing that. She said regarding the disclosure, she asked if Ms. Maddox was being required to disclose her history to any employer. Chairman Humke stated Ms. Maddox would be giving permission to the employer to release information regarding the random drug testing results to Social Services. Ms. Imasaki advised there was no provision in the childcare-licensing regulations regarding random drug testing of any early childhood education employee in any licensed facility. She stated some facilities had policies relating to random drug testing, while others did not. She said if the Appellant left Sweet Dreams and went to another facility, there would be no way to guarantee the new employer would conduct random drug testing. Chairman Humke said the Board was trying to provide the Appellant with some conditions and, if Social Services could not police those conditions, the Board should be told that now, because he would vote no on granting the permit. Ms. Imasaki said if the Appellant went to work at another child-care facility, she could not guarantee random drug testings would be done because there were no regulatory provisions to do them. She suggested the Board consider conditioning the work card permit to be valid solely for her employment with Sweet Dreams Academy.

Chairman Humke asked if the work card could be restricted in that way. Paul Lipparelli, Legal Counsel, said the County's child-care licensing ordinance did not expressly contemplate the Board imposing conditions. However, given the Board's role as the review body and as the highest policy-making body in the County, if the condition was imposed and the Appellant and the Appellant's prospective employer all agreed to it, there would unlikely be a problem. Commissioner Weber stated the entire responsibility could be put on Ms. Maddox to let any other employer know what her situation was for next three years.

Commissioner Hartung asked if two years would be a better term, because it had been 10 years since her last offense. Commissioner Jung said her motion was a good one.

Mr. Lipparelli asked if the motion was based on the record established in the closed meeting. Commissioner Jung replied it was. Mr. Lipparelli said the Appellant should come up and consent to any conditions being imposed.

Chairman Humke noted the motion had not been amended.

**5:48 p.m.** The Board recessed to give the Ms. Maddox time to consider the conditions.

**5:50 p.m.** The Board reconvened with Commissioner Berkbigler absent.

Commissioner Jung asked if Ms. Maddox agreed to the conditions and gave permission to her potential employer to share the results of the testings with Washoe County's Social Services Department. Ms. Maddox said she agreed and stated her name for the record.

There was no public comment on this item.

On the call for vote, the vote was 4-0 in favor of the motion with Commissioner Berkbigler absent.

## **13-211      AGENDA ITEM 21 – REPORTS AND UPDATES**

**Agenda Subject: “Reports/updates from County Commission members concerning various boards/commissions they may be a member of or liaison to.”**

Commissioner Weber said the Commission on Aging would be meeting next Wednesday in Carson City, which she might not be able to attend because she was going to Gerlach, Nevada to meet with the community. She stated there would be a Regional Transportation Commission (RTC) meeting on Friday at 9:00 a.m. and a V&T Railway Commission meeting next Monday. She said the Nevada Works Board was holding an elected official's roundtable in Pershing County at the end of the month.

Commissioner Hartung said the Investment Committee went through the process of looking for a new advisor and both of the candidates were highly qualified. He stated Public Financial Management, Inc. (PFM) was chosen, because they had been doing a phenomenal job for the County. He said the contract for Jay Alden, Truckee River Flood Management Authority Executive Director, was extended to five years. He felt Mr. Alden was providing good leadership.

Commissioner Jung said she went on a Sun Valley General Improvement District (SVGID) field trip to look over her area and to go to Gepford Park where a request had been put in for Community Development Block Grant (CDBG) funds to replace the concession stand. She stated she would be testifying about that request in Carson City on March 20, 2013. She said she attended a District Board of Health meeting where a proposed rate increase was polled. She stated the District Board of Health also held a budget hearing, but the budget would not be approved until a clearer idea of what would be coming before the Commission was known, which should happen by the end of the month. She stated the reason Mr. Alden's contract was being extended to five years was to put it in sync with the attorney's contract. She reminded everyone that this Saturday, she and Commissioner Weber would be holding their "Conversations with Your Commissioners" meeting.

Chairman Humke said the subcommittees of the Reno Sparks Convention and Visitors Authority (RSCVA) had been meeting and there would be a Board meeting on March 28, 2013. He stated the RTC would be holding a meeting on Friday. He said in 48 hours, he would be holding his "Conversation with Your Commissioner" meeting at the South Valleys Library from 5:00 to 7:00 p.m. He stated staff from the Nevada Department of Transportation (NDOT), Truckee Meadows Fire Protection District (TMFPD), and the Regional Transportation Commission (RTC) would be present to talk with the people about the area's issues.

Commissioner Hartung said 27 people attended his "Fireside Chat," which he felt was a good turnout. He stated he had representatives present from the Sheriff's Office (SO), the TMFPD, and the RTC. He said he briefly visited with the citizens of East Truckee Canyon, and he was in the process of scheduling a meeting with them.

Commissioner Weber said she met with Senator Harry Reid, Congressman Mark Amodei, and Senator Dean Heller about the Sierra Nevada Job Corp when she attended the National Association of Counties (NACo) conference in Washington, D.C. She stated she was now contacting the staff of the Sierra Nevada Job Corp about making sure they contacted those folks. She said Senator Reid said there was a possibility the Job Corp program could go into another department. He stated it was an expensive program, but the results were fabulous.

Commissioner Weber said "Conversations with the Park Commissioners" would be held in chambers, and she suggested considering having an open house here. She said this room was available and it should be used. Commissioner Hartung asked how the resulting quorum issues would be dealt with. Paul Lipparelli, Legal Counsel, said

the meeting should be noticed if a quorum of three Commissioners might be present or, alternatively, avoid having three Commissioners present.

**13-212            AGENDA ITEM 24 – PUBLIC COMMENT**

**Agenda Subject: “Public Comment. Comment heard under this item will be limited to two minutes per person and may pertain to matters both on and off the Commission agenda. The Commission will also hear public comment during individual action items, with comment limited to two minutes per person. Comments are to be made to the Commission as a whole.”**

There was no response to the call for public comment.

**COMMUNICATIONS AND REPORTS**

The following communications and reports were received, duly noted, and ordered placed on file with the Clerk:

**13-213**            Summary of all claims made against the Nevada Tahoe Conservation District for tortious conduct for the calendar year 2012.

**13-214**            Summary of all claims made against Washoe County for tortious conduct for the calendar year 2012.

**13-215**            Summary of all claims made against the Truckee Meadows Fire Protection District, Sierra Fire Protection District, or Washoe County Fire Suppression District for tortious conduct for the calendar year 2012.

**QUARTERLY FINANCIAL STATEMENTS**

**13-216**            Clerk of the Court – Quarterly Financial Statement – Quarter Ending December 2012.

**13-217**            Washoe County Sheriff’s Office - Fiscal Year 2012/13 – 2nd Quarter Report of Civil Fees and Commissions.

**13-218**            Washoe County School District – 2nd Quarter Report for the period July 1, 2012 through December 31, 2012.

\* \* \* \* \*

**6:05 p.m.** There being no further business to discuss, on motion by Commissioner Jung, seconded by Commissioner Weber, which motion duly carried with Commissioner Berkgigler absent, the meeting was adjourned.

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**DAVID HUMKE**, Chairman  
Washoe County Commission

**ATTEST:**

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

*Minutes Prepared by:  
Jan Frazzetta, Deputy County Clerk*