

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

TUESDAY

10:00 A.M.

OCTOBER 18, 2016

PRESENT:

Kitty Jung, Chair
Bob Lucey, Vice Chair
Marsha Berkgigler, Commissioner
Vaughn Hartung, Commissioner
Nancy Parent, County Clerk
John Slaughter, County Manager
David Watts-Vial, Legal Counsel

ABSENT:

Jeanne Herman, Commissioner

The Washoe County Board of Commissioners convened at 10:07 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 Clerk called the roll and the Board conducted the following business:

County Manager John Slaughter explained an emergency situation occurred in the County recently; therefore, there would be an additional Agenda Item regarding the ratification of a Declaration of Emergency. He stated the item would be added after Agenda Item 11.

16-0892 AGENDA ITEM 3 Public Comment.

Elise Weatherly spoke regarding Marvin Neal and the Jan Evans Juvenile Justice Center. She provided a handout, which was placed on file with the Clerk.

Anthony Boggs stated he was a resident in the Rancho Haven area of Red Rock. He did not think it was a coincidence that there was a stop work notice placed on his home after the last Board meeting. He indicated the process of obtaining a permit to build his pole building was extremely frustrating. He thought the process and the denials were unfair and he was considering legal action. He provided documents, which were placed on file with the Clerk.

Kenneth Sherer shared his frustration with Anthony Boggs' issue.

Cathy Brandhorst spoke about matters of concern to herself.

Lani Estill was concerned about the Federal Lands Bill. She encouraged the Board to slow down and take a good look at what land was being disposed of and

what the current uses were. She stated currently her ranch used vacant land for sheep grazing. She indicated the Friends of Nevada Wilderness informed her that the land was going to be removed from the disposal map. She asked the Board to consider conducting a meeting regarding land use in Gerlach.

16-0893 **AGENDA ITEM 4** Introduction of new Washoe County Employees.

John Slaughter, County Manager, asked the following employees to introduce themselves to the Board:

Heather Belding	Social Services
Melanie Flores	Administration Health Services
Tyleranne Genio	Senior Services
Alasdair Holwill	Assessor's Office
Kristen Wofford	Environmental Health Services

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

16-0894 **AGENDA ITEM 5** Presentation of Excellence in Public Service Certificates honoring the following Washoe County employees who have completed essential employee development courses.

John Slaughter, County Manager, recognized the following employees for successful completion of the Excellence in Public Service Certificate Programs administered by the Human Resources Department:

Essentials of Management Development

Danielle Carlton	Treasurer's Department
Christine Tremlin	Human Resources
Cynda Horning	Reno Justice Court
Jonathan Lujan	Clerk's Office

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

PROCLAMATIONS

16-0895 **6A** Proclamation – October 16-22, 2016 is National Friends of Library Week.

Commissioner Lucey read and presented the Proclamation to Washoe County Library (Library) Director Jeff Scott; Library Liaison and Program Coordinator Beate Weinert; Library Development Officer Andrea Tavener; and Friends of Washoe County Library (Friends): Gretchen Kelly; Sheryl Stopper; Dan Erwine; Keith Judson; Sue Durst; Terry Kirschenheiter; Mary Jones; Roxie Naphan and Library Trustee Zanny Marsh.

Dan Erwine, Friends President, thanked the Board for the recognition.

Mr. Scott thanked the Friends for all their hard work.

Library Trustee Zanny Marsh thanked the County for giving her the opportunity to serve as a Trustee and to work with the people who were dedicated to literacy. She stated she was impressed with the work the Friends of Library did for the Library.

16-0896 **6B** Proclamation – October 24, 2016 is Food Day.

Commissioner Hartung read and presented the Proclamation to Kelly Seals, Barb Scott, Leah Tauchen and Nikki Boyce.

Leah Tauchen introduced the attendees and thanked the Board for the Proclamation. She stated the Washoe County Food Policy Council was a volunteer non-profit group established through the County Health District. She encouraged healthy eating.

16-0897 **6C** Proclamation – October is Breast Cancer Awareness Month.

Commissioner Berkbigler read and presented the Proclamation to Marilyn Kramer.

Marilyn Kramer thanked the Board for the Proclamation and for their recognition of Breast Cancer Awareness Month.

There was no public comment on the Proclamations.

On motion by Commissioner Lucey, seconded by Commissioner Hartung, which motion duly carried, with Commissioner Herman absent, it was ordered that Agenda Items 6A to 6C be adopted.

DONATIONS

16-0898 **7A** Approve the Memorandum of Agreement between the Washoe County Health District and the Washoe County Sheriff's Office allowing the Health District to provide personal protective equipment valued at [\$23,809.60] to the Sheriff's Office for the purpose of providing specialized equipment to protect Sheriff's Office personnel responding to incidents involving highly infectious diseases. Sheriff. (All Commission Districts.)

16-0899 **7B** Accept a community [donation of \$2,538.00] toward purchase of a self-loading gurney for the Gerlach Fire Department. Manager. (Commission District 5.)

On the call for public comment, Cathy Brandhorst spoke about matters of concern to herself.

On motion by Commissioner Berkbigler, seconded by Commissioner Lucey, which motion duly carried, with Commissioner Herman absent, it was ordered that Agenda Items 7A to 7B be approved.

10:54 a.m. Commissioner Berkbigler left the meeting

16-0900 **AGENDA ITEM 8** Request by the County Manager, through the County Clerk, pursuant to Washoe County Code 2.030, to approve a request to amend the Washoe County Code (Chapter 5) to allow the County the explicit power (by way of the Chief Information Officer and with approval of the Board of County Commissioners) to enter into agreements to share radio systems with governmental and private entities, and allow for the shared use, operation, maintenance, upgrade and replacement of such radio systems; and directing the Clerk to submit the request to the District Attorney for preparation of a proposed ordinance pursuant to Washoe County Code 2.040. Manager. (All Commission Districts.)

County Manager John Slaughter stated this was the standard process to amend the Code, which was a result of discussions with the District Attorney's Office and the Chief Information Officer.

Legal Counsel David Watts-Vial stated the Code amendment was necessary because there was not an existing agreement between the County, the State and NV Energy to allow for the shared use, operation, maintenance, and replacement of the radio systems. He stated the County was entering into this agreement to upgrade the current radio system and to allow for shared use. He explained until the last legislative session, the County did not have the explicit authority to enter into this type of agreement, but Nevada Revised Statute Chapter 244 was amended to allow the Board of County Commissioners to rule on matters of local concern. Matters of local concern were defined as items which affected areas within the County which were not within another entity's exclusive jurisdiction, were not of state interest or required to follow a uniformity of regulations, and did not regulate any businesses that were subject to substantial State or federal regulations. He said the rule specifically included matters of public health, safety and welfare. He noted the amendment would be protected under the new rule. If a motion was made to approve the shared use, operation, maintenance and replacement of the radio systems, he requested that the governance of such a system to be included in the motion.

On the call for public comment, Cathy Brandhorst spoke about matters of concern to herself.

Linda Bissett, NV Energy Government Affairs Executive, stated they supported the County's approval of this item although they historically worked without an agreement and would continue to do so if necessary. She said it was a matter of public safety. She noted the County and NV Energy had a good working relationship in the past but she thought it would be good to have an agreement to clarify their roles.

On motion by Commissioner Hartung, seconded by Commissioner Lucey, which motion duly carried, with Commissioner's Herman and Berkbigler absent, it was ordered to approve a request by the County Manager, through the County Clerk, pursuant to Washoe County Code 2.030, to amend the Washoe County Code (Chapter 5) to allow the County the explicit power (by way of the Chief Information Officer and with approval the Board of County Commissioners) to enter into agreements to share radio systems with governmental and private entities, to allow for the shared use, operation, maintenance, upgrade and replacement of such radio systems and to allow for an agreement for the shared governance of the radio systems; and to direct the Clerk to submit the request to the District Attorney for preparation of a proposed ordinance pursuant to Washoe County Code 2.040.

16-0901 **AGENDA ITEM 9** Appearance: City of Sparks, Steve Driscoll, City of Sparks Manager. Presentation and infographic on "It's Happening Here".

Steve Driscoll, City of Sparks Manager, introduced Adam Mayberry, Community Relations Manager. He presented the Board with a framed infographic of the City of Sparks on behalf of the Sparks City Council and Sparks Mayor Geno Martini. He indicated the City created the infographic to highlight events and the progress across the City. He stated more than 65 percent of people learned and were stimulated visually. The infographic was designed to focus on industry, community character, and economic vitality. He explained the highlighted areas were within a 15-minute drive of the Reno-Tahoe International Airport. He said the Tahoe-Reno Industrial Center (TRIC) was a key driver of economic vitality. He noted the infographic was available for download on their website at www.cityofsparks.us. He thanked the Board for its support and said he looked forward to a continued relationship with the County.

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

16-0902 **AGENDA ITEM 10** Department presentation on District Court Response to Domestic Violence – Judge Weller. District Court. [10 minutes]

Family Court Judge Chuck Weller thanked the Board for allowing him to provide an update. He stated it was his responsibility to oversee Court efforts to combat domestic violence. He said the most effective way to combat domestic violence was to issue a protection order to remove a person from a home, change custody of children, and require a person not to have contact with an applicant. He stated there was a Judge or

Master of the Court on call at all times for the issuance of emergency protection orders. He said the goal was to issue 50 percent of the protection orders within two hours of an applicant's arrival at the Courthouse, which was an improvement from the prior average of two days to issue an order. He stated the change prevented the applicant from having to come back the next day for an interview. The process was changed so the applicant's first stop was at the office of the Committee to Aid Abused Women (CAAW), then into a secured Courtroom where the applicant would go before the Judge or Master of the Court. He noted the protection orders were submitted to the Sheriff's Office electronically to eliminate the need for an applicant to present the documents in person. He understood the Sheriff's Office requested to have a civil filing office located within the Courthouse for the convenience of applicants for protection orders and landlord-tenant eviction notices. He stated the Department of Public Service (DPS) ran the state registry for protection orders. He indicated there were ongoing issues with the DPS computer system because it ran on an old DOS software program. He said the employees who were involved with the issuance of protection orders had moved to the first floor of the Courthouse with the exception of the CAAW, which remained on the third floor. He noted there was not a sufficient number of after-hour volunteer advocates to assist applicants with the protection order process. He asked if the Board could assist them to secure a civil filing office in the Courthouse and help the DPS to update their software. He stated space was a constant issue and it would be beneficial to relocate the CAAW office to the first floor of the Courthouse.

Chair Jung thanked Judge Weller for all he did for the community. She stated Family Court was the most violent court and the Judges were the most vulnerable. She said she appreciated Judge Weller's commitment to protecting the most vulnerable and for being a great advocate.

Commissioner Lucey stated this was a difficult topic and he was thankful for the job Judge Weller and his staff had done. He indicated the Board would do everything it could to help support the programs.

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

16-0903 **AGENDA ITEM 11** Department presentation regarding Pretrial Services - Jackie Bryant, Court Administrator and Heather Condon, Pretrial Services Manager. District Court. [10 minutes]

Heather Condon, Pretrial Services Program Manager, provided an update on the progress of the reform initiatives regarding Pretrial Services. She indicated Judge James Hardesty was heading up a pilot program that would include risk assessments to determine whether bail would be an option for an offender. She noted the implementation of the program would start on November 1st and all of the courts and law enforcement agencies were participating. She stated the Pretrial Services Department would be the hub for processing paperwork. She explained the key steps in the process were as follows: 1) A shared drive had to be created to allow documents to be securely accessed by Pretrial Services, the Reno Police Department (RPD), the Sparks Police Department (SPD), and

the local courts. She noted each entity with access to the documents was required to complete training to ensure the confidentiality of the information. 2) Each agency that booked offenders into the Washoe County Jail was required to complete a probable cause (PC) narrative sheet at the time of arrest to provide Pretrial Services and the Judge comprehensive information pertaining to the offender. 3) Arresting agencies were requested to refrain from including a monetary bail amount on the PC narrative sheet at the time of arrest with the understanding that a Judge would review the information and assess whether bail would be allowed. 4) A Judge would be required to address the bail of offenders seven days a week because offenders could not be booked into the jail without bail information attached to the charge. The Judge would approve the release of offenders whose risk could be mitigated by community supervision; otherwise, the Judge would impose a monetary bail for those who posed a higher risk. She indicated the most significant impact was staffing and she was thankful the County Manager's Office provided one full time employee from Social Services to assist temporarily. She noted supervision staff was being cross-trained to reduce the number of hours needed to implement risk assessments, but it was a temporary solution because the teams were strained. She was hoping to obtain approval for a third Pretrial Services Officer to assist with the increased workload. The initiatives would allow the imposition of bail within constitutional guidelines and the identification of risks. Pretrial Services could then mitigate the risks through community supervision, thus providing a safer community.

Commissioner Lucey thanked Ms. Condon for the update and commended her and her staff for implementing the program. He thought the program would be successful.

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

16-0904 **EMERGENCY ITEM** Resolution ratifying the October 14, 2016 declaration of emergency and other matters properly related thereto.

Legal Counsel David Watts-Vial explained there was a requirement to provide a three day-notice to the public for public meetings; however, Nevada Revised Statute (NRS) 241.020.2 allowed an exception when there was an emergency. He commented that within NRS 241.020.10, the definition of an emergency was an unseen circumstance, which required immediate action and included, but was not limited to, disasters caused by fire, flood, earthquake or other natural causes. The Open Meeting Law manual issued by the Attorney General's Office, stated that an emergency meeting could be called, or an item could be taken up on an emergency basis, only when there was a need to discuss or act upon an item that was truly unforeseen at the time the meeting agenda was posted or mailed; or before the meeting was called and the emergency was truly of such a nature that immediate action was required. He indicated the agenda was posted on October 12th and the fire which occurred two days later was unforeseen. He said the Attorney General's analysis indicated when an item was truly of such a nature that immediate action was required a Declaration of Emergency had to be confirmed at the next lawful meeting of the Board. He stated what was before the Board was the ratification of the Declaration of Emergency, because the emergency item could

not be placed on this agenda. The item would be placed on the next lawful agenda and there would be a ratification of the item at that time as well.

There was no public comment on this item.

On motion by Commissioner Lucey, seconded by Commissioner Hartung, which motion duly carried, with Commissioner's Herman and Berkbigler absent, it was ordered to approve the October 14, 2016 Declaration of Emergency. The Resolution for same is attached hereto and made a part of the minutes thereof.

16-0905 **AGENDA ITEM 12** Possible Closed Session for the purpose of discussing labor negotiations with Washoe County and/or Truckee Meadows Fire Protection District per NRS 288.220.

There was no need for a closed session.

16-0906 **AGENDA ITEM 13** Public Comment.

Cathy Brandhorst spoke about matters of concern to herself.

Linda Bissett, NV Energy, provided an update on electric service restoration in Little Valley. She said staff in the area was inspecting each meter and panel to ensure safety prior to restoration. She stated she was working with Assistant County Manager Kevin Schiller to expedite permits for the replacement of compromised panels.

16-0907 **AGENDA ITEM 14** Announcements/Reports.

County Manager John Slaughter reviewed the meeting schedule for the remainder of the year. He indicated the meeting for November 8th was previously cancelled due to the election; there would be a regular meeting, which would include a vote canvas, on November 15th; the November 22nd meeting would be cancelled; a special meeting would be scheduled for November 29th; there would be a regular meeting on December 13th; and the December 20th and 27th meetings would be cancelled. He stated the changes would be on the agenda for approval at the next meeting. He indicated the agendas could be larger due to the cancellation of meetings and end-of-the-year items. He introduced Christine Vuletich, the new Assistant County Manager.

Ms. Vuletich stated she was excited to join the Washoe County team and she looked forward to working with everyone.

Commissioner Lucey stated he missed thanking some individuals who were involved in the Little Valley Fire: Community Service Director Dave Solaro and his staff who worked diligently to secure the safety of the structures in the vicinity; Animal Services Director Shyanne Schull and her team for placing animals and livestock in

emergency shelters; AT&T; the National Guard; and NV Energy who depowered the electrical lines and restored the power afterwards.

Chair Jung wanted someone to communicate to Elise Weatherly to inform her that the control of the Jan Evans Youth Center was not under this body to govern. She wanted the appropriate contact information to be provided to Ms. Weather in writing. She wanted to ensure that staff was following up with Mr. Boggs' issue regarding a building permit. She asked for an update regarding a civil filing office at the Courthouse, as well as information about what the County could do to help the State with a new software program. She thought there should be a disaster debriefing and some standard operating procedures for what the roles of the Commissioners should be during a disaster.

Commissioner Lucey said there would be a public forum for the Washoe County Lands Bill on November 2nd at the Reno-Sparks Convention Center.

Commissioner Hartung suggested that staff provide notice of the Public Lands Bill forum because there could possibly be a quorum of County Commissioners.

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

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11:46 a.m. There being no further business to discuss, the meeting was adjourned without objection.

KITTY K. JUNG, Chair
Washoe County Commission

ATTEST:

NANCY PARENT, County Clerk and
Clerk of the Board of County Commissioners

*Minutes Prepared by:
Doni Gassaway, Deputy County Clerk*