

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

TUESDAY

10:00 A.M.

OCTOBER 19, 2021

PRESENT:

Bob Lucey, Chair

Vaughn Hartung, Vice Chair

Alexis Hill, Commissioner

Kitty Jung, Commissioner (via telephone)

Jeanne Herman, Commissioner

Janis Galassini, County Clerk

Eric Brown, County Manager

Mary Kandaras, Chief Deputy District Attorney

The Washoe County Board of Commissioners convened at 10:00 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 roll and the Board conducted the following business:

21-0809 **AGENDA ITEM 3** Appearance by Shirley Folkins-Roberts, Executive Director NNCCF (Northern Nevada Children's Cancer Foundation), to receive a \$10,000 donation from Washoe County in honor of Jeff McCaskill's (Washoe County Sheriff's Office) and NNCCFF's service to the community.

Ms. Folkins-Roberts explained the NNCCF was a local organization providing children in northern Nevada with both financial and emotional assistance. She noted Sgt. McCaskill helped with many of their events and did anything needed to help, including shaving his head each year for the annual St. Baldrick's Foundation event. She said she was honored to accept the donation, adding the William Pennington Foundation would fully match it.

Vice Chair Hartung pointed out Agenda Item 11C1 was related to this item. Chair Lucey indicated he would open Agenda Item 11C1 concurrently so the Board could take action on the donation from Vice Chair Hartung's special disbursement fund.

Speaking to the character of Sgt. McCaskill, Vice Chair Hartung told a story about how the sergeant was one of the first responders on a scene where a man passed away while mowing his lawn; the sergeant finished mowing the lawn after his shift to help the man's wife. Vice Chair Hartung said the NNCCF was Sgt. McCaskill's passion, and he thought it was unfair that children got cancer. He asked how long the donation match would last. Ms. Folkins-Roberts said the match would last through February 4, 2022. Vice Chair Hartung said \$20,000 would go to the NNCCF. Ms. Folkins-Roberts presented Vice Chair Hartung with a plaque.

Sgt. McCaskill expressed gratitude for the opportunity and thanked Vice Chair Hartung and the Board for the gesture. He said this would help local families.

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

21-0810 **11C1** Recommendation to approve Commission District Special Fund disbursement in the amount of [\$10,000] for Fiscal Year 2021-2022; District 4 Commissioner Vaughn Hartung recommends a grant to Northern Nevada Children's Cancer Foundation (NNCCF) to support emotional and financial support to local kids fighting for their lives battling cancer; approve Resolutions necessary for same; and direct the Comptroller's Office to make the necessary disbursement of funds. Manager's Office. (Commission District 4.)

This item was opened concurrently with Agenda Item 3; see minute item 21-0809 for the discussion that took place.

There was no public comment on Agenda Item 11C1.

On motion by Vice Chair Hartung, seconded by Commissioner Hill, which motion duly carried on a 5-0 vote, it was ordered that consent agenda item 11C1 be approved and directed. The resolution pertinent to agenda item 11C1 is attached hereto and made a part of the minutes thereof.

10:09 a.m. **The Board recessed.**

10:11 a.m. **The Board reconvened with all commissioners present.**

Vice Chair Hartung thanked the NNCCF for the plaque, saying he was honored to support them.

21-0811 **AGENDA ITEM 4** Presentation by Kendra Kostelecky, Waste Management, Northern Nevada addressing the Recycling Education Program, litter mitigation efforts by collection drivers, and customer survey scores. (All Commission Districts.)

Ms. Kostelecky conducted a PowerPoint presentation and reviewed slides with the following titles: Rate Increase Effective May 1, 2021; Automated Recycling Contamination Education Letters; Most Common Types of Contamination; Litter Mitigation Efforts; Lighter Loose Recycling Area of Concern; Customer Survey Results (8 slides); Customer Comments; Register Your Account; Landlords; and Questions.

Ms. Kostelecky noted Waste Management (WM) educated its customers about contamination in several ways outside the education program: bill inserts; commercials and stories in print and broadcast news; social media campaigns; direct contact via phone, email, and text; and websites. They found notification letters were the

most impactful because they included pictures of the specific contaminant that was included. She explained the first two letters were simple notifications while the next two came with a \$12.95 fee. The fifth notification included a fee and the removal of the cart. She explained the sorting process and how plastic bag liners disrupted the process and broke the sorting equipment, causing increases in costs.

Vice Chair Hartung spoke about his shredder and the difficulties in taking shredded paper out of the bag. He asked how to address that problem. Ms. Kostelecky said paper under two inches was considered contamination. She said people needed to decide whether to recycle paper or shred it. She suggested shredding sensitive documents, adding that shredded material could not be handled through single-stream recycling (SSR) because it was difficult to capture. She explained large plastics included packing tubs and children's toys, and household hazardous waste (HHW) included small electronics like telephones. Even though aluminum was recyclable, items like sharp pieces of aluminum from door frames would not be because they could be dangerous to sorters. That type of metal could be dropped off at the Commercial Row facility.

Ms. Kostelecky remarked surveys were not conducted by cold calling, but anyone who reached out to WM online or by phone was given the opportunity to participate in one. WM used that feedback to see where they could improve. She indicated WM had 37,103 residential customers and 401 commercial customers, but the survey results she highlighted were only from residential customers. About 65 customers a month completed the survey.

Ms. Kostelecky encouraged people to register their accounts online to receive notifications about weather or fire incidents which could disrupt service. These would also inform customers about other services such as free dump days. She stated auto-pay did not need to be set up in order to receive notifications. She reviewed the process for landlords to assign service contacts so their residents could be informed of contamination issues.

Ms. Kostelecky said October was the third month of WM's HHW collection program, and ratepayers were not charged for the program. WM was on target to collect more than a million pounds of HHW whereas past events maxed out at around 5,000 pounds of material. This program was designed in part, she explained, to bring about awareness of other, non-WM businesses in the community who handled HHW. She mentioned WM did not require stickers in May or November, so Washoe County residents could place up to six extra bags at the curb for free in November.

Commissioner Hill remarked Ms. Kostelecky helped with many of the river cleanup events she attended by supplying free dumpsters, and she praised the WM drivers with whom she interacted. She inquired about the number of customers whose recycling containers had been removed. Ms. Kostelecky responded some people forfeited their cans because they did not want to participate in the program, but she estimated WM removed fewer than 30 cans in 2021. She said her team's goal was to determine why the information about contamination was not getting to customers. Commissioner Hill wanted to ensure recycling continued to be encouraged.

Commissioner Hill asked which plastic numbers could currently be recycled. Ms. Kostelecky said SSR could recycle numbers 1, 2, 3, 4, 5, and 7. The most highly recyclable plastics were numbers 1, 2, and 3; anything higher than that was more difficult to recycle, so manufacturers were less likely to purchase those plastics. She said WM would still accept them. She explained WM did not actually recycle anything, they separated the commodities and sold them to end users. Commissioner Hill felt a campaign might be needed to educate people that certain plastics would not be recycled. She offered to put Ms. Kostelecky in contact with a group who sought to reduce their plastic usage.

Vice Chair Hartung questioned what should be done with shredded paper, saying businesses shredded much of it because it contained sensitive information. Ms. Kostelecky responded people needed to make a choice between shredding paper for privacy purposes or recycling it. She recommended recycling paper that did not contain sensitive information and utilizing other local businesses who specialized in collecting shredded paper. WM was collecting items which could be resold, so including commodities which could not be recycled would be a wasted effort.

Commissioner Jung asked whether electronic waste (e-waste) fell under the category of HHW. Ms. Kostelecky confirmed it did and WM partnered with two companies, Lifecycle Solutions and GrayMar Environmental Inc., who were licensed to handle such waste. Commissioner Jung asked whether e-waste could be put in a bag during the month of November, to which Ms. Kostelecky replied no, only normal trash could be placed in a bag without a sticker. In May, July, and October, she went on, vouchers were sent to customers to take advantage of GrayMar's HHW processing at WM's expense. E-waste could be brought to GrayMar or HERO Environmental Services year-round for a fee.

Commissioner Jung inquired whether the surveys included questions geared specifically toward recycling, such as the ease of or satisfaction with recycling. She offered to help with messaging about reducing plastic use because some estimates indicated plastic might last for 50,000 years. She emphasized the importance of informing people to reduce their usage and only use commodities which could be recycled by their local waste management companies. She spoke about the difference between those companies in other areas and WM in northern Nevada, which was the owner of their own dump.

Commissioner Jung brought up the high degree of litter in the region, wondering whether some of it came from garbage flying off trucks. She said she observed garbage flying off trucks not owned by WM headed to the Lockwood dump. She pondered whether WM communicated with people who used the Lockwood dump, asking them to be mindful of spilled trash. She expressed appreciation for WM moving to an SSR program and encouraging recycling. Ms. Kostelecky responded WM could work with Concentrix to add any questions Commissioner Jung wanted to the surveys.

Vice Chair Hartung pointed out there was no simple way to dispose of e-waste, so many people dumped it in remote areas. He thought it was incumbent upon the Board to work with WM to figure out how to easily dispose of those items. He sought a discussion with regional partners about this topic since there were challenges in all five

districts. He opined it was cheaper for the County to subsidize the dumping of e-waste rather than utilize crews to collect it from rural areas, adding that work crews could not enter private property.

Chair Lucey thought Ms. Kostelecky and other WM officials should return at a future meeting so there could be a discussion to address some remaining concerns.

Commissioner Herman said trash spreading throughout Washoe County was the impetus for initially involving WM, had who promised it would be handled. She said it had been a disappointment as both public and private lands in Sun Valley still experienced much garbage. She noted she voted against the last WM contract because citizens in rural areas had different waste needs; for instance, she paid for two regular cans. She felt changes were needed for rural residents.

Chair Lucey observed there had been improvement in the level of service, and the WM team was cognizant of issues within city limits. However, he continued, some service was lost in rural areas, such as around Toll Road where some residents no longer had home pickup. He questioned how many similar locations existed in Washoe County, as well as what could be done for rural areas with dirt roads. He requested more details during a future agenda item.

Chair Lucey said residents would be happy to put extra trash out in the month of November pursuant to the franchise agreement. He stressed WM was a great partner, and a portion of the franchise fee came back to the County, which organizations like Keep Truckee Meadows Beautiful then utilized for specific projects.

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

21-0812 **AGENDA ITEM 5** Presentation of Excellence in Public Service Certificates honoring Washoe County employees who have completed essential employee development courses.

County Manager Eric Brown recognized the following employees who completed essential employee development courses:

Promote Yourself! Mini Certificate Program

Stephanie Martel, Assessor's Office

Essentials of High Performing Teams

Stephanie Martel, Assessor's Office

Essentials of Personal Effectiveness

Magali Cooke, Human Services Agency

Essentials of SAP for Financial Staff

Stephanie Martel, Assessor's Office

Chair Lucey thanked all employees who took the extra time to take courses. He noted the certificate programs were not part of their normal business duties, but these employees took the initiative to invest in their personal growth and create a great workforce.

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

21-0813 **AGENDA ITEM 6** Public Comment.

Ms. Janet Butcher requested that the Board declare an end to the state of emergency. She opposed COVID-19 (C19) injection mandates for County and City employees as well as the public. She asked the Board to ban injection passports and all methods of verifying the medical status of citizens. She believed the purpose of C19 injection verification was to construct a two-tiered society resulting in segregation and discrimination based on medical status.

Mr. Stewart Handte said he presented serious accusations to the Board involving Washoe County Deputy District Attorney Amos Stege several months prior. He alleged Mr. Stege illegally obtained confidential information from his internal affairs files. He said he made a public records request pursuant to Nevada Revised Statute 239 but had not received a response. He restated his public records request and demanded the County enlist the aid of an outside law enforcement agency to investigate this issue.

Mr. Bruce Foster displayed a document, a copy of which was placed on file with the Clerk. He requested the Board pass a resolution to end the state of emergency and remove C19 vaccine mandates for County employees. He asked the Board to ban vaccine passports, which he felt would construct a two-tiered society resulting in segregation and discrimination. He believed the Board and the Washoe County Health District had not provided education regarding good health practices.

Ms. Katherine Snedigar asserted the County's rules and regulations did not apply to her. She said code enforcement staff needed to learn they could not arbitrarily go onto private property unless they had permission or were accompanied by the Sheriff with a warrant. She noted code enforcement staff could take pictures from a public street but not from a private road. She noted the County had no administrative manual that showed how codes were created.

Mr. Nicholas St. Jon demanded a scientific panel to present scientific evidence for maintaining the County's state of emergency. He asked the Board to pass a resolution prohibiting a vaccine passport, and to count hospitalizations rather than C19 cases. He wanted a resolution to make Washoe County a second amendment sanctuary county.

Ms. Erin Massengale requested the Board agendaize and pass a resolution to ban vaccine passports and end the public health emergency. She noted some counties in California considered banning vaccine passports. She spoke about a friend who had been

fired because he refused to be tested or get the C19 vaccine. She said it was sad when people had to choose between employment and moral principles.

Ms. Melanie Sutton demanded the Board end the state of emergency and remove C19 vaccine mandates for County and City employees. She asked the Board to ban mask mandates, vaccine passports, and all other methods of verifying the medical status of citizens. She said the purpose of vaccine verification was to construct a two-tiered society resulting in discrimination. She mentioned her aunt who had stage four cancer also had C19 when she passed away, so that was on her death certificate.

County Clerk Jan Galassini advised the Board she received emailed public comments from Ms. Pamela Tsigidinos and Ms. Elise Weatherly, which she placed on the record.

21-0814 AGENDA ITEM 7 Announcements/Reports.

County Manager Eric Brown reminded the public that the public comment period for redistricting would close Friday October 22. He noted the County had received some input online and through the library drop boxes, but anyone who had not provided comment had until Friday to do so.

Mr. Brown mentioned there were approximately eight beds open at Our Place and 14 at the men's Nevada Cares campus. He said staff was working on a dashboard to provide real-time daily updates of available bed counts at each facility. He hoped the dashboard would be available in the near future. He said County staff was communicating with partners at the City of Reno to coordinate bed availability. He noted the warming room was now open at the shelter and capacity needs would be closely monitored.

Commissioner Hill reiterated the warming center was open and anyone who needed to get off the street or the river could go there to stay warm. She said it was important for people to know nobody would be turned away. She announced a short-term rental (STR) workshop would be held at 5:00 p.m. to hear from the community about how the STR ordinance was working. She said additional information could be found at washoecounty.gov/str. She hoped to see people attending the Zoom event.

Speaking on the National Association of Counties' (NACO) Western Interstate Region Conference that she attended in Salt Lake City, Commissioner Herman thought the participants were some of NACO's hardest working commissioners, supervisors, and judges; they were always in Washington DC talking to legislators. She mentioned the western states had issues that were different from those of other states, such as the lack of private land which resulted in a lower tax base for the County. She noted she was on the Public Land Steering Committee and the Rural Action Caucus, both of which attempted to educate people from the east. She expected a significant amount of new legislation.

Commissioner Herman wished to Board could stop the COVID-19 (C19) public health emergency in Washoe County. She requested a forensic audit of the last election, especially the tax and voter rolls.

Vice Chair Hartung noted the Northern Nevada Children's Cancer Foundation presented him with a plaque which he thought belonged to the County. He suggested the plaque be displayed in the Manager's Office reception area.

Commissioner Jung mentioned Ms. Marsy Kupfersmith won the Nevada Senior Citizen of the Year award at a gala event in Las Vegas the prior Saturday. She noted Ms. Kupfersmith had served on the Washoe County Senior Services Advisory Board, as well as boards for the Cities of Reno and Sparks, and had been very involved with senior issues locally. She said she would use the funds remaining in her campaign account to host a local party honoring Ms. Kupfersmith when C19 transmission rates reached a more moderate level.

Chair Lucey congratulated Ms. Kupfersmith for the award, stating the honor was well deserved. He noted October was National Breast Cancer Awareness month. He said the County took pride in supporting breast cancer awareness and encouraged everyone to wear pink when the opportunity arose and make donations if possible. He mentioned seeing some of the cattle guards that were installed to prevent wild horses and burros from traveling, though he was disappointed because some of the gates had already been damaged by vehicles. He reminded everyone that feeding wild animals was illegal because it drew them closer to the community where they could be a nuisance. He stated Districts 1 and 2 had been experiencing issues with bears, noting bears often traveled back relatively quickly after relocation. He knew Incline Village residents often dealt with bears by using bear boxes, but bears could break into garages. He advised people to be cognizant of trash and food storage.

Chair Lucey mentioned Senator Ben Kieckhefer resigned from his Senate District (SD) 16 seat and the responsibility of filling that seat fell on the counties that seat represented. SD 16 represented part of Washoe County and all of Carson City, and the county with the largest population would create the process for the appointment, which he then outlined: applications would be available on the Washoe County website on October 20, the application window would open October 22 at 9:00 a.m. and close October 28 at 12:00 p.m., and applications could be submitted in person at the Washoe County Manager's Office or by emailing SD16applications@washoecounty.gov. He stated the Carson City Board of Supervisors would conduct interviews to determine their nomination on November 4 and the Board would conduct interviews on November 9. The two boards would meet and appoint an individual on November 10.

Vice Chair Hartung asked about the best way for people to determine whether they lived in SD 16. Chair Lucey replied residents could search their address on Carson City's and Washoe County's websites; the results would indicate the legislator for that address. The Nevada Secretary of State and the Nevada State Legislature websites could also provide that information through an address search. Vice Chair Hartung

suggested hyperlinks be added to the website where the application would be made available.

In response to Commissioner Jung's query, Chair Lucey reiterated the application would be made available online on October 20.

21-0815 **AGENDA ITEM 8** Appearance by Dwayne Smith, P.E., Engineering and Capital Projects Division Director, Washoe County Community Services Department, with updates and recommended strategies for reclaimed water in the South Truckee Meadows - with direction to staff. Community Services. (Commission District 2.)

Director of Engineering and Capital Projects Dwayne Smith conducted a PowerPoint presentation, a copy of which was placed on file with the Clerk. He reviewed slides with the following titles: Strategies for Maximizing the Use of Treated Effluent; Discussion Topics; Regional Sewersheds; STM Reclaim Water Service Territory; Effluent Management in South Truckee Meadows; Approved Uses of Class A; Our Focus; Challenges; Why Use Reclaim Water; Management Strategies; 2021 Utility Rate Study; Rate Study Findings; Sanitary Sewer System; Revenue, Expenses and Fund Balances; Staff Recommendations; Focuses On Core Values; Current Studies; Possible Direction to Staff; and Next Steps.

Mr. Smith noted the majority of the reclaimed water efforts focused on the South Truckee Meadows (STM) areas of Damonte Ranch, Double Diamond, and Thomas Creek. He said there were three storage tanks in those areas including Huffaker Reservoir, which was a 4,000-acre foot reservoir. He stated the STM included 34 miles of piping and associated infrastructure that allowed delivery of reclaimed water during the irrigation seasons and for construction water throughout the year. He noted the reclaimed water was treated to a Class A standard, which was high-quality tertiary treated water that was filtered and disinfected; it was a full contact water not available for drinking. He indicated the STM was very responsive to customer issues regarding water quality, most recently addressing boron and arsenic levels. He stated the collection system had been sealed to a greater degree, and arsenic concentrations had been reduced from 300 parts per billion (ppb) to between 30 and 40 ppb. Staff had been very proactive with the utility by implementing management strategies and capital projects to accommodate development.

Mr. Smith reviewed the approved uses for Class A reclaimed water and listed the top 10 users of STM's reclaimed water. He noted the top 34 of all 337 customers used 90 percent of the reclaimed water, and all reclaimed water needed to be used for irrigation or construction purposes because it could not enter the Truckee River environment. He stated the inflow was greater than the outflow, so more reclaimed water was treated daily than there were places to put it. He said the final phase of the Huffaker Reservoir lining project had been completed. The reservoir was used to store and protect valuable reclaimed water resources. He stated the STM was subject to wet and dry seasons, so the reclaimed water system needed to be augmented with other resources during dry times. The utility owned Whites Creek and Thomas Creek water resources and used them

to supplement reclaimed water. He said discussions would be initiated with potential customers to increase reclaimed water use. He summarized the 2021 utility rate study results which showed that, of the three scenarios, realigning the customer base would ensure the sewer sheds were equivalent to the customer base. He said that scenario was used in Cold Springs, so the STM would be the sewer purveyor even though there were annexations due to large residential projects. He stated the annual revenue for the reclaimed water utility was approximately \$1 million per year. He noted sewer customers had the responsibility to pay for the conveyance, treatment, and management of reclaimed water because the utility was unable to discharge water indiscriminately.

Mr. Smith reviewed staff recommendations indicating that the STM needed to incentivize both current and future reclaimed water customers. He noted reclaimed water was only treated to Class A because that was the standard for irrigation and construction purposes. He sought direction from the Board about returning with a resolution that would outline the specifics and details of merging the two business areas and removing user rates and fees. The step after the resolution would be to make ordinance changes, so it would be a multi-step process.

12:01 p.m. Commissioner Herman left the meeting.

Vice Chair Hartung emphasized that golf courses and other facilities owned water rights and could use them; the Washoe Golf Course owned approximately 400 acre feet of Truckee River water. Moving these facilities to reclaimed water would allow those water rights to be used elsewhere to sustain users. He asked who bought the infrastructure if a privately-owned golf course wished to use that water, to which Mr. Smith replied the golf course would be required to construct it. This item's recommendation would not change that part of the process. He spoke about the 4,000 acre feet of water that went to the Tahoe-Reno Industrial Center, saying they left a good portion of that water in the river.

Vice Chair Hartung wondered what would happen if the County needed that water for drinking water, especially considering the average household used 15,000 gallons each month. He asked what golf courses should be told if the water were needed for more important purposes than irrigation. Mr. Smith admitted the STM water reclamation facility did not offer class A+ water treatment, though the treatment process they currently used would not preclude them from treating to class A+ in the future. He recognized the significant costs associated with the operation and maintenance of treating water to a class A+ standard, which was one of the reasons they did not opt for A+ treatment when planning the expansion. If there were no other options and water was needed for things other than irrigation, he offered, staff would have the ability to make those choices.

Vice Chair Hartung indicated he would not agree to a future resolution without the inclusion of an offramp because he did not want to bind future boards to agreements for use of the water. He wanted to take reclaimed water from a liability to an asset.

Commissioner Hill stated she was not prepared to offer direction and requested more information about the budget in a staff report. Mr. Smith responded he was prepared to invite the consultant who performed the rate study to make a presentation for the Board.

Chair Lucey reiterated this was the initial step in the process and a resolution would need to come to the Board prior to any ordinance change; there would be time for input and presentations at future business meetings.

On motion by Chair Lucey, seconded by Vice Chair Hartung, which motion duly carried on a 3-1 vote with Commissioner Herman absent and Commissioner Hill voting no, it was ordered that staff be directed to move forward with a resolution and a future staff report outlining the details of potentially merging Business Areas 11 and 12 and incentivizing existing and new reclaimed water users.

PROCLAMATIONS

21-0816 **9A1** Proclaim October 2021 as Infant Safe Sleep Awareness Month.

Commissioner Hill read the proclamation and presented it to Human Services Agency (HSA) Division Director Ryan Gustafson. Mr. Gustafson thanked the Board for the proclamation. He said nearly 25 unsafe sleeping fatalities had occurred in Washoe County during the past five years, and the goal was to reduce that number to zero. He noted the HSA was partnering with other agencies to raise public awareness of basic safe sleep techniques.

21-0817 **9A2** Proclaim the week of October 17-23, 2021 as National Friends of Libraries Week.

Chair Lucey read the proclamation and presented it to Board of Directors of the Friends of Washoe County Library (FWCL) Vice President Kyle Waxman. He said the FWCL had been tremendously successful in their book sales and fundraisers. He stated the library system would suffer without their continued support.

Ms. Waxman thanked the Board for their support, noting the County made the book sale site available to the FWCL. She mentioned the next FWCL sale would be held on November 13.

There was no response to the call for public comment.

On motion by Commissioner Hill, seconded by Vice Chair Hartung, which motion duly carried on a 4-0 vote with Commissioner Herman absent, it was ordered that agenda items 9A1 and 9A2 be adopted.

DONATIONS

- 21-0818** **10A1** Recommendation to retroactively approve acceptance of a donation of a K-9 dog, equipment, handler training, and travel costs valued at [\$16,317.00] from the Washoe County K9 Partners to the Washoe County Sheriff's Office K9 Unit. Sheriff. (All Commission Districts.)

Vice Chair Hartung said a successful canine program would not be possible without the Washoe County K9 Partners (WCK9P). He expressed gratitude for their support, noting that training K9 dogs was expensive. Chair Lucey thanked the WCK9P for the donation.

On motion by Vice Chair Hartung, seconded by Chair Lucey, which motion duly carried on a 4-0 vote with Commissioner Herman absent, it was ordered that agenda item 10A1 be approved.

CONSENT AGENDA ITEMS – 11A1 AND 11B1

- 21-0819** **11A1** Acknowledge the communications and reports received by the Clerk on behalf of the Board of County Commissioners, including the following categories: Communications and Monthly Statements/Reports. Clerk. (All Commission Districts.)

- 21-0820** **11B1** Recommendation to acknowledge receipt of the audit procedure materials from the County's external auditor BDO USA LLP Comptroller. (All Commission Districts.)

There was no public comment on the consent agenda items listed above.

On motion by Vice Chair Hartung, seconded by Commissioner Hill, which motion duly carried on a 4-0 vote with Commissioner Herman absent, it was ordered that consent agenda items 11A1 and 11B1 be approved.

- 21-0822** **AGENDA ITEM 12** Recommendation to appoint either Sheryl Bennett, John Klacking, or Thomas Young as the Washoe County Commission's non-elected member to the District Board of Health for a term from October 20, 2021 to September 30, 2025. Manager's Office. (All Commission Districts.)

Chair Lucey said this item was an appointment for the District Board of Health (DBH). He mentioned Mr. Young had been appointed to serve on the DBH in 2017 to complete David Silverman's term, and it was now time to reappoint someone to fill that seat on the DBH. He indicated there were three applicants under consideration; their applications were in the commissioner's packets. He explained voting process.

Vice Chair Hartung thanked the applicants, noting they were all highly qualified for the position.

Chair Lucey thanked the applicants and Mr. Young for his service on the DBH because it was a very important board. He asked Commissioner Jung whether she would email her recommendation to County Clerk Jan Galassini. Commissioner Jung indicated she would text her vote to Ms. Galassini's cell phone.

Ms. Galassini distributed and collected the ballots. Chief Deputy District Attorney Mary Kandaravos verified the votes. Ms. Galassini read the votes: Vice Chair Hartung, Commissioner Hill, and Chair Lucey voted for John Klacking, and Commissioner Jung voted for Thomas Young.

There was no response to the call for public comment.

On motion by Vice Chair Hartung, seconded by Commissioner Hill, which motion duly carried on a 4-0 vote with Commissioner Herman absent, it was ordered that John Klacking be appointed to the District Board of Health for the term of October 20, 2021 to September 30, 2025.

21-0823 **AGENDA ITEM 13** Recommendation and possible action to approve a Resolution to Delegate Decision Making Authority Regarding Litigation to the Chair of the Washoe County Board of County Commissioners or the Washoe County Manager pursuant to NRS 241.0357. Manager's Office. (All Commission Districts.)

Chair Lucey said this item was a correction to the prior week's meeting. He mentioned Nevada Revised Statutes specifically defined a subcommittee for any governing body. He stated he and County Manager Eric Brown created a subcommittee with the inclusion of "and" in the resolution. This item would modify the resolution to change "and" to "or" as originally drafted.

Commissioner Hill thanked staff for adding a part to the resolution requiring that any agreement reached or action taken under the resolution would be presented to the Board of County Commissioners at the next available meeting. This would ensure the public was informed about any litigation matters.

On the call for public comment, Ms. Janet Butcher said delegation so narrowly granted had the possibility of bias and defied common sense.

On motion by Commissioner Hill, seconded by Chair Lucey, which motion duly carried on a 3-1 with Vice Chair Hartung voting no and Commissioner Herman absent, it was ordered that agenda item 13 be approved.

21-0824 **AGENDA ITEM 14** Public Comment.

Ms. Janet Butcher mentioned the trucking issues affecting the Los Angeles and Long Beach ports. She said virtually all private owner-operated trucks were shut out of those ports. She opined operating the ports 24 hours a day seven days a week would not resolve the issue.

21-0825 **AGENDA ITEM 15** Announcements/Reports.

There were no announcements or reports.

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12:41 p.m. There being no further business to discuss, the meeting was adjourned without objection.

BOB LUCEY, Chair
Washoe County Commission

ATTEST:

JANIS GALASSINI, County Clerk and
Clerk of the Board of County Commissioners

*Minutes Prepared by:
Carolina Stickley and Derek Sonderfan, Deputy County Clerks*