

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

MONDAY

9:00 A.M.

SEPTEMBER 26, 2005

PRESENT:

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

Amy Harvey, County Clerk
John Berkich, Assistant County Manager
Melanie Foster, Legal Counsel

The Board met in special 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:

05-1016 AGENDA

John Berkich, Assistant County Manager, said a note had been received from Chairman Weber and Commissioner Larkin to move non-controversial Items 8, 10A, and 10B to be voted on in a block after the consent agenda. Commissioner Sferrazza requested Item 9 be moved to the block for vote. Chairman Weber asked Item 7 be moved up to right after consent.

In accordance with the Open Meeting Law, on motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried, Chairman Weber ordered that the agenda for the September 26, 2005 special meeting be approved.

Sam Dehne, local resident, requested the Board analyze several items that are critical to the community for the next agenda. He started to read a headline out of an editorial in the *Reno Gazette-Journal*. Chairman Weber interrupted him and stated this item was the approval of the agenda. Mr. Dehne said he was segueing into some things he would like put on the agenda, such as an analysis of fiscal policies the Board has control over. Chairman Weber again interrupted him and apologized, reminding him Item 3 was the approval of today's agenda. She said he had the opportunity under public comment to ask for an agenda item. Mr. Dehne said her blunder of not having public comment before approving the agenda caused him to segue in the wrong direction. He directed a comment to Commissioner Galloway, and Chairman Weber informed him comments should be directed to the Chairman. Mr. Dehne said he would like the agenda reopened so public comment could come in and directed the clock be stopped for a moment. Chairman Weber said she was Chairman of the meeting. Mr. Dehne interjected it would be an

illegal meeting to have the Board voting on things before the public speaks. Chairman Weber asked Mr. Dehne if he would like her to go into recess and have him removed. Mr. Dehne asked what he had done and said this was his three minutes. Chairman Weber advised Mr. Dehne he had 30 seconds and asked the clock be stopped. Mr. Dehne said he wanted it put on the agenda today, and Chairman Weber said he was excused and asked him to have a seat.

Commissioner Galloway pointed out that people should be commenting on this agenda, not what they want on some future agenda. He said, if they wanted something on a future agenda, public comment is the appropriate venue.

Gary Schmidt, local resident, stated he approves of the new way the Board is handling the consent agenda. It is his feeling that this makes the agenda item less contentious and more understandable. He credited Commissioner Galloway with creating the block consent items, which eliminates moving items into the consent agenda. He said he believed additional improvements could be made and the consent agenda was not necessary. He further stated each item could be called and dealt with individually. He asserted the best way to handle the agendas was to go down the agenda as it was published and posted.

05-1017 PUBLIC COMMENTS

Chairman Weber insisted that from today forward there would be decorum in the meeting room. That the Open Meeting Law does not require a public body to tolerate comments that are willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive, inflammatory, irrational, or amounting to personal attacks. She said Section 8.05 of the Nevada Open Meeting Law manual states, "The Chair of a public body may, without the vote of the public body, declare a recess to remove a person who is disrupting the meeting." She said there are Deputy Sheriffs in the back of the room and violators would be removed.

Guy Felton, local resident, said public officials whose actions are ominous, sinister, and tyrannical invite and deserve uninhibited, vehement, and caustic contempt. He requested his remarks be agendized for an opportunity to have a give and take in-depth discussion, and said "you people are deathly afraid of give and take discussion." He said the Board preferred "cheap shots" in response to criticisms with no rebuttal permitted and said there are no insults too severe for corrupt public officials who lie, as Bonnie Weber did during the meeting of July 12th. Chairman Weber interjected she was giving him a warning; and, if he would like to continue he could, but she would call a recess on the next inappropriate comment. Mr. Felton asked Chairman Weber if she lied on July 12th. Chairman Weber said he had one minute and 54 seconds to continue. Mr. Felton continued stating, in a loud voice, there are no insults too severe for corrupt public officials who hide the people's business from the people by arrogantly refusing to answer questions about the people's business and by use of the hide and seek consent agenda. There are no insults too severe for corrupt public officials who defecate on the principle of openness by not televising all meetings with equal camera treatment given to

all speakers and by playing games with the start times of meetings to intentionally confuse the public. There are no insults too severe for corrupt public officials who misrepresent key laws like District Attorney Gammick did here on September 13. Chairman Weber interrupted saying she was calling a recess to have Mr. Felton removed.

9:27 a.m. The Board recessed until Mr. Felton left the meeting.

9:31 a.m. The Board reconvened with Commissioner Sferrazza absent.

Chairman Weber reread a portion of the section of the Open Meeting Law pertaining to comments to a public body.

Jerry Grow, local resident, said the fees for the private golf courses were too high for locals and the \$26.00 rate for seniors and juniors at the County course is too high. He said he felt the market study wasted \$70,000 of taxpayers' money and suggested public courses be consolidated.

9:32 a.m. Commissioner Sferrazza returned to the meeting.

Al Hesson, local resident, addressed the Board about the anti-Iraq war vigils held across the Country and how Bush supporters were nowhere to be seen. After Mr. Hesson used a profanity, Chairman Weber interrupted him and asked him not to make inflammatory comments. Mr. Hesson responded he did not believe his comments were inflammatory and continued speaking even after the timer went off signaling his three minutes were up. He said he was taking the 15 seconds he was deprived of when Chairman Weber interrupted him. Chairman Weber tried several times to get him to stop talking, until he loudly said she had interrupted him for 15 seconds. Commissioner Humke called for a point of order, stating the speaker's time had expired. Chairman Weber said the Board was in recess until Mr. Hesson's removal.

9:39 a.m. The Board recessed until Mr. Hesson was removed from the meeting.

9:41 a.m. The Board reconvened with Commissioners Humke and Larkin absent.

Andy Manor, local resident, said she was extremely upset about how the Commission was being treated after observing the broadcast of last week's meeting. She commended the Board for calmly taking the continual verbal abuse. She said people had the right to speak, but that they need to speak with honesty, integrity, and respect. She stated she had not observed that in a number of meetings and she was tired of it. She commented she was glad Chairman Weber was taking a stand on this type of behavior because she liked to see things getting done at meetings, not people pontificating on the television, making slanderous comments, and being rude.

Gary Schmidt, local resident, addressed the Order and Alternative Writ of Mandate issued regarding his censure by the Board for his activities on the Board of Equalization (BOE). He also addressed his request for an Open Meeting Law

investigation and review of Chairman Weber for the retreat two weeks ago. He said on February 11th, he was acting Chair of the BOE and attempted to begin the meeting with a Salute to the Flag and, according to Mr. Schmidt, Peter Simeoni, Legal Counsel to the BOE, would not let him because it was not on the agenda. Mr. Schmidt said that is “bunk”. He feels that the Open Meeting Law is to publish the business of the County, and that the Pledge of Allegiance does not fall in that category. He said he asked for a written opinion, which he did not receive; and he sued Mr. Simeoni and Dick Gammick, District Attorney, for the bias they demonstrated against him. He stated two weeks ago Chairman Weber conducted the Pledge at a retreat without it being on the agenda. He believed Melanie Foster, Legal Counsel, and Mr. Gammick have taken two different positions on the same issue with Ms. Foster sitting silently two weeks ago. He asked who has the bias against whom.

9:41 a.m. Commissioners Humke and Larkin returned to the meeting during Mr. Schmidt’s public comment.

Sam Dehne, local resident, addressed freedom of speech and said the deputies followed illegal orders. He said the government officials in this community are trying to squelch public input and the first amendment is not superceded by anything in State, County, or City laws. He complained that the media were pawns and should be reporting on what was happening here.

Juanita Cox, local resident, said Mr. Felton and Mr. Hesson were loud but not offensive in her opinion. She addressed the Board on an individual’s right to speak and concluded freedom of speech is not free.

Chairman Weber acknowledged the right of people to speak but said there will be decorum. She stated the Board would follow the Open Meeting Law, which states what can and cannot be said.

05-1018 PRESENTATION – NATIONAL AWARDS FOR COMMUNICATION PROGRAMS – COMMUNITY RELATIONS

Kathy Carter, Community Relations Director, discussed the awards presented to the County at the National City and County Communication and Marketing Association Conference. She stated the County was awarded two first place, one second, and one third place award. She said the awards were presented for the best in the nation and not for a certain population group. She introduced the Community Relations team that included Mike Wolterbeek, Public Information Officer, Mimi Fujii-Strickler, Marketing Coordinator, Chris Matthews, E-Government Information Officer, and Karena Miller, Community Outreach Coordinator.

Commissioner Larkin congratulated the Community Relations team for the great Channel 17 programming that is produced using few resources. Chairman Weber and Commissioner Galloway thanked the team for their hard work. Commissioner Humke commented on the versatility of the team.

COMMISSIONERS'/MANAGER'S ANNOUNCEMENTS

Commissioner Humke introduced Dr. Mary Anderson, the new Washoe County District Health Officer.

Commissioner Larkin said he was informed by the Water Resources Department that there was a vacant seat on the Regional Water Planning Commission for a County representative. Melanie Foster, Legal Counsel, said the creation of a subcommittee of interested Commissioners would have to be an agenda item for the next meeting. Commissioner Larkin requested it be placed on the October 11, 2005 agenda. He commented on the training presented by the Josephsen Institute on ethics in government.

Commissioner Galloway requested a golf course supply/demand curve analysis be done. He commended the Chairman on her efforts to have a reasonable meeting at which people talk about the issues before the Board. He said the meeting is where the Board does the public's business, and the Board cannot have things reach the point where it is so disruptive that it becomes an escalating circus to see who can top the previous speaker in insulting or provoking the Board or staff. He felt it makes it impossible to conduct business later and noticed the same things carry over into comments on later items. He stated it was part of an escalating pattern, and he would like to get back to business. He said trying to provoke an irrational reaction or anger from the Board is unacceptable. The Board has to make rational decisions and should not make decisions in anger or because they were provoked.

Commissioner Sferrazza supported Chairman Weber on what happened today; however, he did not believe the Board had the right to censor what people say during their three minutes. He said they could be removed if they were disruptive, go beyond the three minutes, or speak outside of their three minutes; but he believed the First Amendment applies to the three minutes of public comment. He said during that three minutes they could be critical, saying some things that are not nice, which is what the First Amendment is about.

Chairman Weber asked for a presentation of a budget on health care issues for low-income families in Incline Village as a future agenda item. She also commented on her experiences at the Josephsen Institute training conference.

05-1019 MINUTES

On motion by Commissioner Larkin, seconded by Commissioner Humke, which motion duly carried, Chairman Weber ordered that the minutes of the regular meeting of August 23, 2005 be approved.

05-1020 AGREEMENT – ROBERT AND MARJORIE QUILICI FAMILY TRUST AND RONALD L. ANDERSON AND DIANA Q. ANDERSON FAMILY TRUST – WATER BANKING AGREEMENT – WATER RESOURCES

Upon recommendation of Vahid Behmaram, Water Rights Manager, and Paul Orphan, Engineering Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Larkin, seconded by Commissioner Humke, which motion duly carried, it was ordered that an agreement between Washoe County and the Robert and Marjorie Quilici Family Trust and the Ronald L. Anderson and Diana Q. Anderson Family Trust, concerning the Water Banking Agreement, be approved and Chairman Weber be authorized to execute the same.

05-1021 RESOLUTION – COMMISSION DISTRICT 1 SPECIAL FUNDING ACCOUNT – COUNTY MANAGER

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

RESOLUTION AUTHORIZING THE GRANT OF PUBLIC MONEY TO THE NEVADA STATE FAIR

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

WHEREAS, The Board of Commissioners of Washoe County has determined that a certain amount of money is available in Fiscal Year 2005/2006, to make a grant of money to the Nevada State Fair for the purchase of three portable bleachers for the show ring when 4H youth are exhibiting their animals and that by providing this grant of money a substantial benefit will be provided to the 4H youth in Washoe County; now, therefore, be it

RESOLVED, By the Board of Commissioners of Washoe County that the Board hereby grants to the Nevada State Fair, a grant for fiscal year 2005/2006 in the amount of \$3,000.

05-1022 STATUS REPORT – WORKPLACE WELLNESS PROGRAM – COUNTY MANAGER

John Berkich, Assistant County Manager, said the taskforce had been studying successful Workplace Wellness Program models around the County, which included looking at the demographics and health risks for employees, dependents and

retirees that are part of the program. He said the taskforce had selected a consultant, Dr. Hunsberger, from several proposals submitted. Dr. Hunsberger is defining the Workplace Wellness Program, developing a written request for proposals for a third party implementer, and collecting demographic and health risk data for participants in the program. After this work is completed, Dr. Hunsberger will hold focus groups and establish a structure of what the program would look like once it is implemented, including a written plan, a Request for Proposal (RFP) for implementation, and a checklist and evaluation instrument. The plan would be brought back to the Board prior to issuing the RFP's and the RFP would be awarded in April 2006 with the plan to start in July 2006.

Upon recommendation of Michelle Kling, Workplace Wellness Taskforce Chairman, Joanne Ray, Human Resources and Workforce Development Director, and Jim Jeppson, Risk Manager, through Katy Singlaub, County Manager, on motion by Commissioner Larkin, seconded by Commissioner Humke, which motion duly carried, Chairman Weber ordered that the status report on the Workplace Wellness Program be accepted.

05-1023 RECLASSIFICATIONS – HUMAN RESOURCES

Upon recommendation of Joanne Ray, Human Resources and Workforce Development Director, through John Berkich, Assistant County Manager, on motion by Commissioner Larkin, seconded by Commissioner Humke, which motion duly carried, Chairman Weber ordered that the following position reclassifications submitted through the job evaluation and classification process be approved:

Department	Current Position	Pay Grade	Recommended Job Class	New Pay Grade
Senior Services	Administrative Secretary Supervisor	K	Administrative Secretary	J
Senior Services	Administrative Assistant I	K	Administrative Assistant II	L
District Attorney	Account Clerk (7 positions)	G	Family Support Specialist (7 positions)	I
District Attorney	Principal Account Clerk	J	Family Support Supervisor	K
Public Defender	Lead Investigator – PD	N	Chief Investigator – PD	P
Community Development	Administrative Assistant II	L	Administrative Secretary Supervisor	K
Assessor	Appraisal Specialist	H	Office Support Specialist	H

ABOLISHED JOB CLASSES

Job Class Title
Lead Investigator – PD
Appraisal Specialist
Personal Property Appraiser

05-1024 RATIFICATION – COLLECTIVE BARGAINING AGREEMENTS – WASHOE COUNTY EMPLOYEES’ ASSOCIATION – LABOR RELATIONS

Upon recommendation of Steve Watson, Labor Relations Manager, through Katy Singlaub, County Manager, on motion by Commissioner Larkin, seconded by Commissioner Humke, which motion duly carried, it was ordered that the amendments to the Non-Supervisory and Supervisory Collective Bargaining Agreements with the Washoe County Employees’ Associations for the period of July 1, 2005 through June 30, 2008 Labor Agreement be ratified and Chairman Weber be authorized to execute the same.

05-1025 SALARY RECOMMENDATIONS FOR NON-REPRESENTED EMPLOYEES – HUMAN RESOURCES

Sam Dehne, local resident, said he favored approving the salary recommendations for non-represented employees.

Upon recommendation of Joanne Ray, Human Resources and Workforce Development Director, through John Berkich, Assistant County Manager, on motion by Commissioner Larkin, seconded by Commissioner Humke, which motion duly carried, Chairman Weber ordered that the general salary increases and the benefit recommendations for the defined group of non-represented employees, which include confidential employees, Unclassified Management, Juvenile Services, Law Library, District Court and Justice Court employees, for the period of July 1, 2005 through June 30, 2008 be approved.

05-1026 GRANT – AUGMENTATION OF LIBRARY COLLECTIONS – LIBRARY

Upon recommendation of Arnie Maurins, Library Associate Director - Operations, through Nancy Cummings, Library Director, on motion by Commissioner Larkin, seconded by Commissioner Humke, which motion duly carried, Chairman Weber ordered that the State Grant-in-Aid Funds in the amount of \$46,295 for fiscal year 2006 and \$46,295 for fiscal year 2007, for augmentation of Library collections be accepted.

It was noted that the Grant-in-Aid funds, upon receipt of the money for fiscal year 2006 would be credited to Internal Order #10501-432100, with \$21,295 to be expended out of account number 710314 (Library Materials) and \$25,000 from account

number 710317 (Library Materials Updates). The entire \$46,295 for fiscal year 2007 will most likely be assigned to Internal Order #10501-710317 (Library Materials Updates).

05-1027 DONATION – INCLINE VILLAGE ROTARY CLUB – OUTDOOR BENCHES – LIBRARY

In response to a question submitted by Commissioner Larkin, John Berkich, Assistant County Manager, said he was informed that the benches would be out of direct sunlight and the teak oil finish is very low maintenance.

Upon recommendation of Arnie Maurins, Library Associate Director - Operations, through Nancy Cummings, Library Director, on motion by Commissioner Larkin, seconded by Commissioner Humke, which motion duly carried, Chairman Weber ordered that the donation from the Incline Village Rotary Club of two outdoor benches valued at \$1,500 each, for use at the Incline Village Library, with one bench to be installed in the fall of 2005 and the other to be installed in the summer of 2006, be accepted with the gratitude of the Board.

05-1028 INTERLOCAL AGREEMENT – DISPLAY OF COLLECTION – LIBRARY

Commissioner Sferrazza thanked the City of Reno for providing the materials relating to Northern Nevada's past for display at the Washoe County Library and the librarians for putting the display together.

Upon recommendation of Arnie Maurins, Library Associate Director - Operations, through Nancy Cummings, Library Director, on motion by Commissioner Larkin, seconded by Commissioner Humke, which motion duly carried, it was ordered that the Interlocal Agreement between Washoe County and the City of Reno regarding Washoe County's Public Library System Display of the City of Reno's Collection of Books, Papers, and Things Relating to Northern Nevada's Past be approved and Chairman Weber be authorized to execute the same.

05-1029 RESIGNATION/APPOINTMENT – SPANISH SPRINGS CITIZEN ADVISORY BOARD – COMMUNITY DEVELOPMENT

John Berkich, Assistant County Manager, said Lynda Donovan requested her appointment be deferred.

On motion by Commissioner Larkin, seconded by Commissioner Humke, which motion duly carried, Chairman Weber ordered that the resignation of Beth Yuill from the Spanish Springs Citizen Advisory Board be accepted.

05-1030 AGREEMENT – CONSULTING SERVICES – MANAGEMENT SERVICES/GRANTS ADMINISTRATOR

In response to a question submitted by Commissioner Larkin, John Berkich, Assistant County Manager, said the consultant would bring the report back to the local entities in October 2005.

Upon recommendation of Gabrielle Enfield, Grants Administrator, through John Slaughter, Management Services Director, on motion by Commissioner Larkin, seconded by Commissioner Humke, which motion duly carried, it was ordered that a community support agreement for consulting services for the development of the Washoe County Continuum of Care Strategy, and the Reno Area Alliance (RAAH) for the Homeless Strategic Plan for fiscal year 2005/06 be approved and Chairman Weber be authorized to execute the same.

It was noted that Washoe County, the City of Reno, the HOME Consortium, and the City of Sparks jointly fund this agreement in the following amounts: Washoe County \$8,471, City of Reno \$8,471, City of Sparks \$8,471, HOME Consortium \$8,471, and the total amount of the agreement would be \$33,884. It was further noted that the remaining \$1,171 required to support this agreement would come from the following budget adjustments:

Account	Title	Increase/(Decrease)
60043-710400	Affordable Housing Resource Council (AHRC)/Payments to Other Agencies	(\$1,171)
60045-710100	Continuum of Care/Professional Services	\$1,711

05-1031 GRANT – STATE OF NEVADA – MANAGEMENT SERVICES/GRANTS ADMINISTRATOR

Upon recommendation of Gabrielle Enfield, Grants Administrator, through John Slaughter, Management Services Director, on motion by Commissioner Larkin, seconded by Commissioner Humke, which motion duly carried, Chairman Weber ordered that the Community Development Block Grant (CDBG) award in the amount of \$38,000, from the State of Nevada, to support a Community Health Care Needs Assessment and Business Plan for low-income residents of Incline Village be accepted and the Finance Department be directed to make the following budget adjustments:

Account	Title	Increase/(Decrease)
TBD-431100	Health Care Access for Low-Income Residents of Incline Village/ Federal Revenue	\$38,000
TBD-710100	Health Care Access for Low-Income Residents of Incline Village/ Professional Services	(\$38,000)

It was noted that the term of this award would be from July 1, 2005 to December 31, 2006.

**05-1032 AGREEMENT – INCLINE VILLAGE CHILDREN’S CABINET –
PROVISION OF PRIMARY CARE SERVICES – MANAGEMENT
SERVICES/GRANTS ADMINISTRATOR**

In response to a question submitted by Commissioner Larkin, John Berkich, Assistant County Manager, said the difference in the amounts in the resolution was corrected. He said the assessment, which was discussed in a prior item, would determine the demographics of the uninsured and underinsured in Incline Village. He said there are currently 2,300 people that qualify as having low and moderate income and last year almost 600 people were served.

Sam Dehne, local resident, said he favored accepting the grant.

Upon recommendation of Gabrielle Enfield, Grants Administrator, through John Slaughter, Management Services Director, on motion by Commissioner Larkin, seconded by Commissioner Humke, which motion duly carried, it was ordered that a Community Support Contract for Children’s Cabinet at Incline Village Clinic for fiscal year 2005/06 in the amount of \$35,670 be approved and Chairman Weber be authorized to execute the same. It was further ordered that the following resolution be adopted and Chairman Weber be authorized to execute the same:

**RESOLUTION AUTHORIZING THE GRANT OF PUBLIC MONEY TO A
NONPROFIT ORGANIZATION CREATED FOR RELIGIOUS, CHARITABLE
OR EDUCATIONAL PURPOSES**

WHEREAS, NRS 244.1505 provides that a board of county commissioners may expend money for any purpose which will provide a substantial benefit to the inhabitants of the County and that a board may make a grant of money to a nonprofit organization created for religious, charitable or educational purposes to be expended for a selected purpose; and

WHEREAS, the Board of Commissioners of Washoe County has determined that \$35,670 in funding is needed to address the basic health care needs of the uninsured and underinsured of Incline Village; now, therefore, be it

RESOLVED, by the Board of Commissioners of Washoe County that:

1. The Board hereby grants to Children’s Cabinet Incline Village, a nonprofit organization created for religious, charitable or educational purposes, a grant for fiscal year 2005-2006 in the amount of \$35,670 (Community Support).

2. The Board finds that in making this grant a substantial benefit will be provided to the inhabitants of the County by providing basic health care to low income, uninsured, and underinsured clients living in the Incline Village area.

3. The maximum amount to be expended from the grant and the conditions and limitations upon the grant are as set forth in the Grant Program Contract, was placed on file with the Clerk.

05-1033 DONATION – HEALTH CARE ACCESS WASHOE COUNTY – COMMUNITY HEALTH CARE NEEDS ASSESSMENT AND BUSINESS PLAN – MANAGEMENT SERVICES/GRANTS ADMINISTRATOR

Commissioner Galloway commented the low income residents of Incline Village need health services, and the County has the responsibility to provide those services like those provided to citizens in the Truckee Meadows. He said if the assessment supports Incline Village being called an underserved area, it could relieve the County of some of those future costs.

Upon recommendation of Gabrielle Enfield, Grants Administrator, through John Slaughter, Management Services Director, on motion by Commissioner Larkin, seconded by Commissioner Humke, which motion duly carried, Chairman Weber ordered that the donation from Health Care Access Washoe County (H.A.W.C.) to support a Community Health Care Needs Assessment and Business Plan for low-income residents of Incline Village in the amount of \$10,000 be accepted with the gratitude of the Board and the Finance Department be directed to make the following budget adjustments:

Account	Title	Increase/(Decrease)
TBD-484000	Health Care Access for Low-Income Residents of Incline Village/ Donation	\$10,000
TBD-710100	Health Care Access for Low-Income Residents of Incline Village/ Professional Services	(\$10,000)

05-1034 AFFIRMATION OF APPOINTMENTS – OPEN SPACE AND REGIONAL PARK COMMISSION – PARKS

In response to a question submitted by Commissioner Larkin, John Berkich, Assistant County Manager, said this matches previous Board appointments with terms.

On motion by Commissioner Larkin, seconded by Commissioner Humke, which motion duly carried, Chairman Weber ordered that the terms of appointment to the Open Space and Regional Park Commission for Robert Jacobson from September 13,

2005 to June 30, 2007, John Bradbury from September 13, 2005 to June 30, 2008, and Tina Nappe from September 13, 2005 to June 30, 2009 be affirmed.

05-1035 APPROVAL – MASTER PLAN DESIGN – BASQUE SHEEPHERDER’S CAMP EXHIBIT – PARKS

Upon recommendation of Bill Gardner, Park Planner, through Karen Mullen, Regional Parks and Open Space Director, on motion by Commissioner Larkin, seconded by Commissioner Humke, which motion duly carried, Chairman Weber ordered that the Master Plan design for the Basque Shepherder’s Camp Exhibit at the Great Basin Adventure, Rancho San Rafael Regional Park, be approved.

05-1036 RESOLUTION – ATTORNEY GENERAL – ASSISTANCE IN PROSECUTION OF GRAND LARCENY CASE – DISTRICT ATTORNEY

Gary Schmidt, local resident, discussed this item and how he felt it should be handled, but he requested it be continued because the staff report lacks sufficient detail on what is involved.

Juanita Cox, local resident, commented she was pleased the District Attorney felt there was a conflict of interest.

Commissioner Sferrazza said he felt it was appropriate that the District Attorney’s Office avoid any appearance of impropriety and this action was the right thing to do.

Upon recommendation of Melanie Foster, Assistant District Attorney, on motion by Commissioner Larkin, seconded by Commissioner Humke, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Weber be authorized to execute the same:

RESOLUTION REQUESTING THE ASSISTANCE OF THE ATTORNEY GENERAL IN THE PROSECUTION OF A CASE OF GRAND LARCENY

WHEREAS, the Office of the District Attorney is responsible for the prosecution of criminal offenses which have occurred within the County of Washoe; and

WHEREAS, the District Attorney’s Office has recently been called upon to prosecute a case involving a charge of grand larceny against Donna Davis and Annette Titus; and

WHEREAS, there is a pending civil action against Washoe County and the Public Administrator that is based upon the same factual occurrences as are involved in the criminal case; and

WHEREAS, if the Washoe County District Attorney's Office proceeds with the prosecution of Davis and Titus there may be some suggestion of impropriety or conflict of interest; and

WHEREAS, it is essential in our judicial system that the conduct of the prosecutor remain free of any appearance of conflict of interest or impropriety,

NOW, THEREFORE, be it resolved by the Board of Commissioners of Washoe County as follows:

1. That in accordance with the provisions of NRS 228.130 the Nevada Attorney General is hereby requested to assume complete responsibility for the handling of the criminal prosecution in the case of Donna Davis and Annette Titus involving the charge of grand larceny.
2. That should the Attorney General agree to assume responsibility for the handling of the aforementioned case, the Comptroller of Washoe County will, upon submission of a duly verified claim, pay from the general fund of Washoe County all expenses that the Attorney General incurs in the prosecution of said case.

Business Impact Note: The Board of County Commissioners hereby finds that this resolution does not impose a direct and significant economic burden upon a business, nor did it directly restrict the formation, operation or expansion of a business.

05-1037 SETTLEMENT – AMES V. DEL CURTO, ET AL – DISTRICT ATTORNEY

In response to Commissioner Sferrazza, Melanie Foster, Legal Counsel, said it was not decided procedurally how this would be handled when the staff report was written. She said the County never had a possessory interest in the property, but the County had once maintained old Virginia Road, which was why the County was named in the suit. She indicated the City of Reno and the plaintiffs decided the property would be quitclaimed to the City of Reno. Commissioner Sferrazza said he would like that stated as part of the motion. Commissioner Galloway said that could be done later, and he did not want to go beyond the agenda. Ms. Foster said, if the agreement included anything other than quitclaiming to the City of Reno, she would bring it back to the Board.

Upon recommendation of Melanie Foster, Assistant District Attorney, on motion by Commissioner Larkin, seconded by Commissioner Humke, which motion duly carried, it was ordered that the settlement of the quiet title action Ames v. Del Curto, et al., be approved and Chairman Weber be authorized to execute any documents necessary to effectuate the settlement.

05-1038 **CONTRACT – SIERRA NEVADA COMMUNITY ACCESS
TELEVISION – PRODUCTION OF OPEN ARMS ADOPTION
PROGRAM – SOCIAL SERVICES**

Sam Dehne, local resident, commented that \$50,000 seemed like a lot of money for 10 programs, but he favored the program. He said, to put it in perspective, it would only cost \$3,600 to televise the Airport Board meetings for a full year. He hoped pay raises for Sierra Nevada Community Access Television (SNCAT) employees were included in this contract.

Juanita Cox, local resident, commented that these programs are forever and can be shown for many years. She said the funds are worth expending.

Upon recommendation of Mike Capello, Social Services Director, on motion by Commissioner Larkin, seconded by Commissioner Humke, which motion duly carried, Chairman Weber ordered that the Director of Social Services be authorized to approve a contract between Washoe County and SNCAT dba The Media Center to produce 10 episodes for the “Open Arms” Adoption Program to promote the recruitment of adoptive homes for the children of Washoe County for the period of September 26, 2005 through June 30, 2006 in the amount of \$50,000.

It was noted that the grant award would expire September 30, 2005 and any unexpended funds must be returned or the funds would be lost to the County. It was also noted the funds are currently available in Internal Order – 10446-Adoption Incentive Grant. The \$50,000 contract with the Media Center and billboard advertising would deplete the grant award.

05-1039 **CASH AND JUROR FEE DONATIONS – SOCIAL SERVICES**

Upon recommendation of Mike Capello, Social Services Director, on motion by Commissioner Larkin, seconded by Commissioner Humke, which motion duly carried, Chairman Weber ordered that the following cash donations in the amount of \$7,048.44 and juror fee donations in the amount of \$840.00 be accepted with the gratitude of the Board:

\$2,519.56	United Way (Cash Donation)
\$845.88	Nevada Health Solutions (Cash Donation)
\$580.50	A and H Insurance Inc. (Cash Donation)
\$52.50	Adams & House, Inc. (Cash Donation)
\$300.00	The Grout Medic (Cash Donation)
\$250.00	Steve C. Hamilton, Inc. (Cash Donation)
\$2,500.00	Dan Mills Construction Nevada, Inc. (Cash Donation)

It was further ordered that the Finance Department be directed to make the following budget adjustments:

Cost Object/Account	Title	Amount of Increase
Revenues:		
20026-484000	General Donations	\$3,998.44
20224-484000	Juror Donations	\$840.00
20095-484000	Foster Care Donations	\$3,050.00
Expenses:		
20026-710500	General Donations/Other Expense	\$3,998.44
20024-710500	Juror Donations/Other Expense	\$840.00
20095-710500	Foster Care Donations/Other Expense	\$3,050.00

05-1040 ACCEPTANCE OF CASH DONATION – WASHOE COUNTY HONORARY DEPUTY SHERIFF ASSOCIATION – SHERIFF

Upon recommendation of Diane Nicholson, Undersheriff, through Dennis Balaam, Sheriff, on motion by Commissioner Larkin, seconded by Commissioner Humke, which motion duly carried, Chairman Weber ordered that the clarification on acceptance of \$19,000 cash donation from the Washoe County Honorary Deputy Sheriff Association, to fund the replacement of desktop PC's in the Sheriff's Office with laptop computers and docking stations, be approved with the gratitude of the Board and the Finance Department be directed to make the following budget adjustments:

Account	Title	Increase/(Decrease)
108830-484000	Information Technology Replacement donations	\$19,000
108830-711504	Information Technology Replacement equipment <\$10,000	(\$19,000)

05-1041 AGREEMENT RENEWAL – PYRAMID LAKE PAIUTE TRIBE – SHERIFF

Upon recommendation of Jim Lopey, Assistant Sheriff, through Dennis Balaam, Sheriff, on motion by Commissioner Larkin, seconded by Commissioner Humke, which motion duly carried, it was ordered that the Mutual Aid Agreement between the Pyramid Lake Paiute Tribe and Washoe County Sheriff's Office be renewed and Chairman Weber be authorized to execute the same.

05-1042 GRANT – HUMAN SERVICES CONSORTIUM/COMMUNITY DEVELOPMENT BLOCK FUNDS – PROJECT WALKABOUT PROGRAM – SHERIFF

In response to a question submitted by Commissioner Larkin, John Berkich, Assistant County Manager, said Assistant Sheriff Lopey indicated the referrals come from parents, school counselors, and juvenile probation officers. He said there is a three-day assessment with children being chosen based on their need and their

willingness to participate. He said, once chosen, they will be part of the process along with their parents.

Upon recommendation of Dianne Nicholson, Undersheriff, through Dennis Balaam, Sheriff, on motion by Commissioner Larkin, seconded by Commissioner Humke, which motion duly carried, it was ordered that the \$24,367 grant from the Washoe County Human Services Consortium/Community Development Block Funds for Project Walkabout Program be accepted. It was further ordered that Chairman Weber be authorized to execute the grant program contract and the Finance Department be authorized to make the following budget adjustments:

Account	Title	Increase/(Decrease)
10058-431100	Project Walkabout – Federal Grants	\$24,367
10058-710119	Project Walkabout – Sub recipient Payments	(\$24,367)

05-1043 INDEPENDENT CONTRACTOR AGREEMENT – COMMUNITY EMERGENCY RESPONSE TEAM – OFFICE OF DOMESTIC PREPAREDNESS CITIZEN CORPS GRANT AWARD – SHERIFF

Upon recommendation of Jim Lopey, Assistant Sheriff, and Tami Cummings, Administrative Assistant II, through Dennis Balaam, Sheriff, on motion by Commissioner Larkin, seconded by Commissioner Humke, which motion duly carried, it was ordered that the Independent Contractor Agreement associated with the FFY 05 Office of Domestic Preparedness (ODP) Citizen Corp grant award in the amount of \$33,086.50 to Retain an Independent Contractor for the Community Emergency Response Team (CERT) Program be approved and Chairman Weber authorized to execute the same.

05-1044 CORRECTION OF FACTUAL ERRORS - ASSESSOR

Upon recommendation of Susan Goodlet, Principal Account Clerk, on motion by Commissioner Larkin, seconded by Commissioner Humke, which motion duly carried, it was ordered that the following Roll Change Requests correcting factual errors and the Order directing the Treasurer to correct the error be approved and Chairman Weber be authorized to execute the same:

PROPERTY OWNER	PARCEL NO.	AMOUNT	ROLL
McKinzie & Vogel Partnership	004-151-53	[-\$2,714.34]	2005 Secured
McKinzie & Vogel Partnership	004-151-53	[-\$1,911.80]	2004 Secured
Jeffrey X. Fisher	128-361-14	[-\$2,535.10]	2005 Secured
Jeffrey X. Fisher	128-361-14	[-\$1,841.24]	2004 Secured
Steven Boyle	131-012-38	[-\$1,811.08]	2004 Secured
Spanish Spring Pilots Association	089-160-54	[-\$1,487.87]	2004 Supplemental (Improvements Only)
Victor Delgadillo	002-493-03	[-\$680.26]	2005 Secured

PROPERTY OWNER	PARCEL NO.	AMOUNT	ROLL
Thomas J. & Marisa Menning	131-261-47	[-\$635.32]	2004 Secured
Raina Weathers	023-460-15	[-\$246.31]	2005 Secured
Raina Weathers	023-460-15	[-\$237.75]	2004 Secured
Raina Weathers	023-460-15	[-\$283.56]	2003 Secured
Kirman Properties LLC	012-073-26	[-\$244.80]	2005 Secured
Sean Adlao	160-365-02	[-\$204.91]	2003 Secured
Sean Adlao	160-365-02	[-\$207.41]	2004 Secured
Kirman Properties LLC	012-073-25	[-\$138.67]	2005 Secured
Dean A. & Kimberly Courtney	016-482-19	[-\$89.38]	2005 Secured
Dean A. & Kimberly Courtney	016-482-19	[-\$109.36]	2004 Secured
Dean A. & Kimberly Courtney	016-482-19	[-\$111.75]	2003 Secured
Donald E. Baskerville	027-443-01	[-\$72.33]	2004/05 Secured
Jerry D. & Joann B. Swinford	082-452-22	[-\$63.44]	2004 Secured
Theodore R. & Susanna C. Derocher	049-186-03	[-\$39.61]	2005 Secured
Joseph R. & Carol B. Peck	020-313-06	[-\$33.46]	2004 Secured

05-1045 EXPENDITURE APPROVAL – ENHANCED 911 FUND TO SBC – 911 EMERGENCY RESPONSE ADVISORY COMMITTEE

Upon recommendation of Gregg Lubbe, 911 Emergency Response Advisory Committee Chairman, on motion by Commissioner Sferrazza, seconded by Commissioner Humke, which motion duly carried, Chairman Weber ordered that the expenditure of \$125,258.55 from the Enhanced 911 Fund to SBC for the purpose of acquiring three new VESTA workstations for the upgrading of the Regional Emergency Communications Center be approved.

05-1046 DISCUSSION – EXTENSION OF MILITARY PAY DIFFERENTIAL – HUMAN RESOURCES

Commissioner Larkin said this was the County’s small way of saying thank you for what the troops are doing for the Country.

Sam Dehne, local resident, said he favored extending the differential for everyone called up, not just those serving in Iraq or Afghanistan. He commented on the low estimation of the fiscal impact of the extension. Commissioner Galloway reminded him the extension was only for County employees, not for everyone in the community.

Gary Schmidt, local resident, said he strongly supports the extension and U.S. troops around the world. He said he also supports Al Hesson’s right to protest against them. He asked what the troops serving would think about how Mr. Hesson and Guy Felton were treated this morning. He speculated they would be insulted by the Board’s suppression of their freedom of speech. He asked who the Board thought it was that it could make a value judgment on what could be buried in consent or what should

receive its brief moment in the spotlight. He said there should be no consent or block and items should be taken one at a time.

Upon recommendation of Joanne Ray, Human Resources and Workforce Development Director, through John Berkich, Assistant County Manager, on motion by Commissioner Sferrazza, seconded by Commissioner Humke, which motion duly carried, Chairman Weber ordered that the extension of the Military Pay Differential be approved.

05-1047 PURCHASE – IT NETWORK EQUIPMENT – 350 S. CENTER STREET BUILDING RENOVATIONS – PUBLIC WORKS

Upon recommendation of Roger Van Alyne, Capital Projects Division Director, through Tom Gadd, Public Works Director, on motion by Commissioner Sferrazza, seconded by Commissioner Humke, which motion duly carried, Chairman Weber ordered that the IT equipment purchase for the 350 S. Center Street Building Renovation from BMD Solutions in the amount of \$60,176.55 be approved.

05-1048 PURCHASE – IT NETWORK EQUIPMENT – MILLS B. LANE JUSTICE CENTER – PUBLIC WORKS

Upon recommendation of Roger Van Alyne, Capital Projects Division Director, through Tom Gadd, Public Works Director, on motion by Commissioner Sferrazza, seconded by Commissioner Humke, which motion duly carried, Chairman Weber ordered that the IT network equipment purchase for the Mills B. Lane Justice Center from BMD Solutions in the amount of \$190,249.72 be approved.

05-1049 APPOINTMENT – RANCHO SAN RAFAEL ADVISORY BOARD – PARKS

Commissioner Galloway requested the staff report state who currently serves on the Board and the vacancy being filled.

After further discussion, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Weber ordered that Gene Gardella be appointed to serve as an at-large representative to the Rancho San Rafael Advisory Board with a term from September 26, 2005 to June 30, 2007.

05-1050 DISCUSSION – GOLF COURSE OPERATIONS – PARKS

Doug Doolittle, Regional Parks and Open Space Assistant Director, said five public meetings were held that were heavily attended. He said the meetings lead to the recommendation by the taskforce to stop the meetings and to continue the status quo operation of the public golf courses in response to the fate of three of the six courses being up in the air. They also recommended the public courses work together on marketing and tee time reservations. He discussed the Economics Research Associates

(ERA) report highlights on the regional golf market as described in the staff report dated September 26, 2005.

John Sherman, Finance Director, discussed the financial status of the County golf courses, including the need for General Fund transfers. In response to Commissioner Galloway's request for a study on whether reducing fees would increase rounds of golf, he stated at some point there is a point of diminishing return where no additional revenue would be generated; but there also would be no change in costs. He said the County courses do not operate in a vacuum; and, if the County lowered fees or offered other incentives, other operators might do the same. He addressed the pressures on the golf courses, which include weather and the over supply of courses.

Mr. Doolittle described what was being done to promote the courses and the results of the promotions. He said both courses are better maintained and that has generated positive comments. He stated food and beverage service for both courses is out for proposal as is the Sierra Sage golf pro operation. He sees a continued need for General Funds to help fund the operation of the courses and addressed the need for capital projects required to fix an infrastructure that is starting to deteriorate.

Gary Schmidt, local resident, said he found the golf course fiasco that has developed over the last several years amusing. He stated, if this Board was the Board of Directors for a major corporation and he was a stockholder, they would all be fired. He said he intended to attempt to fire at least two Commissioners a year from November. He said government should not be in the business of running golf courses because of competing with the private sector. He stated he was a competent business operator and manager, an economist, and an expert in marketing and market analysis; and the Board is demonstrating it is not. He said the Board is in an area they ought not be in; and Parks and Recreation is certainly not any of those things, nor is Finance. He stated golf courses are not public parks, neither are they open space. He said the County should liquidate because it had no business being in the golf business. He said the County could sell subject to the land use remaining that of a golf course, which would put competent private sector people operating the golf courses.

Juanita Cox, local resident, said the County must be run as a business. She felt lowering fees should bring in more people along with targeting new golfers, such as seniors that have never golfed and students.

Jack Keeper, local resident, said more innovative promotions were needed. He suggested collaborating with casinos to offer affordable golf packages and making sure golf was featured in brochures placed in hotel rooms. He also suggested placing a two for one coupon in the local newspaper.

Gerry Grow, local resident, said the average golfer could not afford the local golf fees, especially at private courses. He said new courses would never be built because of the cost of land and water if the County did away with the public courses. He commented, when the quality of the course goes down, golfers stay away and right now

they are going to Carson City because the courses are in better shape and have lower fees. He said all revenues should stay at the golf courses. He stated he disagreed with Mr. Schmidt because recreation is a function of government, which should not expect to make a profit.

Commissioner Galloway asserted that developers build golf courses to sell houses. He said all the entities should require, when zoning any future development, that the maintenance of the golf course could not be passed off to a homeowners association or private club; and the developer cannot get rid of the liability of building a golf course. He said the operation of the golf course should be guaranteed by some kind of bond over a long time, which would discourage the building of courses that would lose money. He said Mr. Keeper suggested the best short-term ideas, and they should be tried. He clarified he was requesting a price/demand curve and asked what would be the cost per round of golf if the course were operating at 100 percent capacity. He said if the cost were below that amount, it would require a subsidy.

In response to Commissioner Larkin, Mr. Sherman said depreciation is included as an expense in the Golf Enterprise Fund, which should capture the fixed asset cost over the life of the asset. He said the biggest concern with this fund is having sufficient cash in the fund, which required the General Fund transfer. He confirmed the fees were not covering the \$34 to \$36 operating cost that also did not include depreciation.

Commissioner Humke requested a written response to whether there would be packaging of restaurant meals and rounds of play, was there any means testing on the subsidy for senior and junior rounds of golf, was resident versus non-resident status determined, and does the Reno Sparks Convention and Visitors Authority subsidize tourist rounds of golf like the County tries to subsidize resident rounds.

Commissioner Sferrazza said he had reviewed the reports and was satisfied with the information provided.

In response to Chairman Weber, Mr. Doolittle said Economics Research Associates (ERA) is a research company that has done over 200 golf course reports, and their report for the County was completed. He said they recommended that the golf courses be consolidated if capital expenditures are brought up to par. He said the last Golf Taskforce meeting was held in June 2005. Chairman Weber said she also felt Mr. Keeper had some great ideas and agreed the County needed better marketing of the courses. She said she shared concerns about golf courses being run by government versus private enterprise, and the County should reevaluate it.

Commissioner Galloway suggested requiring, when a new golf course is built, that the conversion of the course to low maintenance open space and/or public use be bonded; and that would be the understanding of the people that buy the houses. He said recreation is part of the County's mission and maybe the name of the department should be Parks, Recreation, and Open Space. He said there is a reliance on the golf

courses and he did not want to dump them, but possibly scale back while preserving the open space.

In response to Commissioner Sferrazza, Mr. Doolittle said the debt was associated with irrigation projects at the Sierra Sage and Washoe County golf courses. Commissioner Sferrazza said he supports funding that because the water rights sold were from Sierra Sage, even though the proceeds cannot be used for that purpose. He said he agreed with Commissioner Galloway that open space should be preserved if a course is closed and not turned into more houses.

Commissioner Larkin said the Golf Enterprise Fund was established in 1982, but in the intervening years things have changed dramatically; and the County must adapt. He said last year the County committed \$500,000 of General Funds to support golf and this year the forecast is \$221,828. He said it must be decided how much and what kind of golf will be available. He encouraged the taskforce to meet and bring back to the Board something the golfers and the County can live with in terms of cost.

Commissioner Humke said issues of subsidization are being dealt with in a very competitive free enterprise market; and the County has already decided to participate in various functions in the area of recreation, which other entities also do. He theorized a private nonprofit could move in and take over the existing courses or start new courses. He said there is a place and need for municipal courses just as there is a need for baseball, football and all of the sports.

Commissioner Sferrazza requested another look be taken at possible uses for the sale of the water rights in the North Valleys.

Upon recommendation of Mr. Doolittle, through Karen Mullen, Regional Parks and Open Space Director, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried, Chairman Weber ordered that the report as written be accepted and staff be directed to move forward on the items brought forward during the discussion.

11:39 a.m. The Board recessed.

12:04 p.m. The Board reconvened with all members present.

05-1051 2002 REGIONAL PLAN SETTLEMENTS

Mike Harper, Community Development Planning Manager, reported that on October 14, 2005 there would be a status report to the Court. He said he would agendize a report to the Board on October 11, 2005 to seek direction for the October 14th meeting.

Melanie Foster, Legal Counsel, reminded Chairman Weber and Commissioner Galloway that the County's list of legal issues that are believed to exist

under the settlement agreement is due to the Court on October 10th. She said they are working on the draft and would be getting it to them so they would have plenty of time for review. She said the list does not need to be a complete statement, but needs to be sufficient to let the Court and the other parties have an idea of what the County believes are the legal issues.

**REPORTS/UPDATES FROM COUNTY COMMISSION
MEMBERS**

Commissioner Galloway stated there is a Nevada Tahoe Regional Planning Agency (TRPA) meeting scheduled for Thursday, but he did not receive his agenda. He said he would like to talk with Mike Harper, Community Development Planning Manager, about some TRPA matters.

Commissioner Sferrazza reported he attended the Reno Sparks Convention and Visitors Authority (RSCVA) meeting where Jeff Beckleman, CEO of the RSCVA, was given notice regarding the termination of his contract within 30 days. He said he was appointed to a committee of four people to look for an interim Director; and they hope to have a recommendation at their next meeting, along with a process for selecting the permanent Director. Commissioner Sferrazza said he attended the Truckee Meadows Water Authority Investment Committee meeting with the Chairman, and he believed they have a solid investment policy after eliminating some of the risks that were in the policy.

Commissioner Humke reported that a list of fee increases passed unanimously by the District Board of Health would come to the Board of County Commissioners for approval after it is finalized, which is expected to be done by the end of the calendar year.

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There being no further business to come before the Board, the meeting adjourned at 12:45 p.m.

BONNIE WEBER, Chairman
Washoe County Commission

ATTEST:

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

*Minutes Prepared by
Jan Frazzetta,
Deputy County Clerk*