

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

TUESDAY

10:30 A.M.

SEPTEMBER 13, 2016

PRESENT:

**Kitty Jung, Chair**  
**Bob Lucey, Vice Chair**  
**Marsha Berkgigler, Commissioner**  
**Vaughn Hartung, Commissioner**  
**Jeanne Herman, Commissioner**

**Nancy Parent, County Clerk**  
**John Slaughter, County Manager**  
**Paul Lipparelli, Legal Counsel**

The Washoe County Board of Commissioners convened at 10:30 a.m. in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. Following the Pledge of Allegiance to the flag of our Country, the Clerk called the roll and the Board conducted the following business:

**16-0773      AGENDA ITEM 3 Public Comment.**

The following individuals spoke regarding concerns of the relocation of the Hillside Cemetery: Jay Carter, Frances K. Tryon, John W. Muran, Neil Brooks, Ardena Perry, Norm DeLorme, Berry Hall, Buck Sampson, Karel Rice, Barrie Lynn, and Ramona Richards. Barrie Lynn provided a handout, which was placed on file with the Clerk.

The above individuals' comments and concerns included: that 800 bodies would be moved to less than a one acre parcel of land; the property was not maintained; there were rumors that the new location would bury the remains seven layers deep; moving the remains of people who died from disease was dangerous; the deed stated the land was required to remain as a permanent cemetery; decades of ancestors were buried there; and Native American Indian Chief Johnson was buried in the cemetery and according to spiritual belief his remains could not be moved.

The following individuals spoke regarding the proposed changes to the Washoe County Code Chapter 55 regarding exotic animals: Ardena Perry, Elaine Carrick, Carole Fineberg, Kiska Icard, Paul Hurtado, Bill Maggiora, Tim Stoffel, Karin Benker, John Potash, David Knudsen, Richard A. Gammick, Daniel Gray, Willie J. Stevens Jr., Jimmie Martin and Anna Sheila Paul. Ardena Perry, Paul Hurtado, Kiska Icard, Tim Stoffel and Richard A. Gammick provided documentation, which were placed on file with the Clerk.

The above individuals' comments and concerns included: owners of exotic animals could not provide the care the animals deserved; the disbanding of the Animal Control Board; a restriction on the length and the weight of Python snakes could cause owners to withhold food to prevent them from becoming oversized; citizens believed the Animal Control Board should make decisions on any changes, not the Board of County Commissioners; the burdens on existing exotic animal owners; some exotic animals were classified incorrectly; changes would force exotic animal owners to own their pets illegally; there were more dog bite deaths than from exotic animals; species needed to be clarified for each Tier level; regulations were too stringent; people and animals needed to be trained to avoid rattlesnakes; allowing children to interact with exotic animals could teach them safe handling; non-congested areas could have increased dangers compared to congested areas; and there were no reported deaths from exotic animals.

Garth Elliott spoke regarding the State of the County Address and commended the progress the County had made to make life better for citizens. He said the County was on the threshold of a growth spurt. He indicated he was recently appointed to the Senior Citizen Advisory Board and he was very concerned for seniors in the future. He voiced his concerns about the recent changes to the sign Ordinance and the proposed exotic animal changes.

Doug Busselman introduced himself as the Executive Vice President of the Nevada Farm Bureau. He said the Nevada Farm Bureau wanted to be an active participant and provide input regarding the Economic Development and Conservation Act. He indicated the Farm Bureau informed their members, and other partners who had an interest in this type of legislation, about the upcoming open house events being held on September 16th and 19th. He wanted to ensure that consideration was given to livestock grazing operations when considering the wilderness designations. He said other recent wilderness bills contained provisions for effective management including the mechanical treatment of weeds, fire protection and the protection of access roads and other infrastructure that would allow for continued livestock grazing without restrictions. He stated there was a need to return unsuitable land into wilderness study areas for multiple uses. He thought it was essential to interact with those who had livestock grazing permits on the lands being sought for conversion.

Ron Williams displayed photos of debris present in the open space on Peavine Mountain. He asked for help to get the land cleaned up. He thought the dumping situation on Peavine Mountain, as well as other areas in the County, was out of control. He provided photos, which were placed on file with the Clerk.

William Naylor spoke regarding the South Valleys Area Plan. He stated recently he submitted a packet to the Board and he hoped they had time to review the information. He said there was a typographical error in Table Two of the allowed uses for Washoe Valley. He stated many times throughout the South Valleys Area Plan, an inconsistency was present regarding the actual zoning classification. He referred to the information provided to the Board, which stipulated what regulatory zones were

permitted within Old Washoe City. He provided the documents that were supplied to the Board, which were placed on file with the Clerk.

Elise Weatherly spoke about Marvin Neal and wondered about his dismissal from the Jan Evans Juvenile Detention Center.

Maureen O. Collins introduced herself as the President of the Old Washoe Estates Home Owners Association. She stated on September 6th a meeting was held in Carson City with Cody Phinney, Administrator of the Nevada State Department of Health and Human Services, and Chad Westom, Bureau Chief for Preparedness, Assurance, Inspections and Statistics. She indicated both of the Nevada State representatives confirmed that local governments were obligated to strictly adhere to local ordinances, rules, zoning restrictions, land use restrictions and building codes. She stated a violation of any of the above would cause the revocation of an existing medical marijuana establishment (MME) certificate. She commented that placing a marijuana business in a neighborhood residential area was equivalent to allowing an adult bookstore in the area and could reduce the home values by 10 percent. She stated the Nevada Revised Statute (NRS) 453A required compliance with the use table, which clearly indicated that MMEs were not allowed in Washoe City. She provided a copy of the business cards for Cody Phinney and Chad Westom, which were placed on file with the Clerk.

Sam Dehne spoke regarding professional football players and the National Anthem. He entertained the audience by playing his guitar and singing.

Marilyn Naylor spoke regarding a booklet entitled “Partners in Preservation”, which she provided to the Board. She hoped the Board would read it and understand the amount of money and hours that had been invested in the preservation of Washoe Valley, Nevada. She thanked the Board and the past Commissioners who helped in the development and defense of the South Valleys Area Plan. She asked the Board to continue to respect the hard-earned framework when making decisions about Washoe Valley. She stated the future efforts towards stewardship and preservation would continue to be documented on the website [www.washoevalleyalliance.org](http://www.washoevalleyalliance.org). She provided a copy of “Partners in Preservation”, which was placed on file with the Clerk.

David Stix introduced himself as the President of the Nevada Cattlemen’s Association. He stated he was representing nearly 500 members statewide with nearly 300,000 head of cattle currently on the State’s public ranges. He wanted to talk about the Federal Lands Bill; better known as the Economic Development and Conservation Act. He was very concerned about the cattle that was grazing on land that was included in the Lands Bill. He indicated the Bureau of Land Management (BLM) could not support the idea as the highest and best use of the land. He commented Nevada’s agricultural impact amounted to \$2.7 billion; and \$466 million of that came from beef. He asked the Board to please consider there were a lot of people that liked to eat beef.

Jeff Church stated he ran the website [www.renopublicsafety.org](http://www.renopublicsafety.org). He indicated he was the individual who filed a lawsuit against Washoe County over WC-1,

the Washoe County School District Capital Projects Funding Ballot Question. He quoted information from a handout regarding statements which were made in regards to the selection process of the Pros and Cons Committee for WC-1. The handout was placed on file with the Clerk.

Cathy Brandhorst spoke about matters of concern to herself.

Lani Estill spoke regarding the Wilderness Act. She stated her family owned Estill Ranches, LLC, a ranch west of Gerlach. She indicated the ranch had livestock grazing permits, water rights, right of ways, and private land within the Fox Mountain Wilderness Study Area and the Buffalo Hills Wilderness Study Area. She stated she was also a member of the Vya Conservation District Board. She thanked the County for the workshops that were held and thought it was a great way to involve people who were interested. She stated that she and her family were opposed to any new wilderness acts, but they were thrilled to see something happening and wished the wilderness study areas would be considered for release. She stated her ranch needed continued access to the lands and the water developments they had established. She asked the Board to please protect their existing rights.

Barbara Pratt spoke regarding medical marijuana. She wanted to know where the County stood regarding medical marijuana and recreational marijuana, and where they would draw the line. She stated marijuana was a dangerous drug in the wrong hands. She asked for law enforcement officers to be provided with guidelines for the enforcement of illegal marijuana and not to be punished for doing their jobs.

**16-0774      AGENDA ITEM 4 Announcements/Reports.**

Assistant County Manager Kevin Schiller stated Agenda Item 24 would be heard at 2:00 p.m.

Commissioner Herman stated it was an honor to have former District Attorney Dick Gammick present at the meeting. She wanted to know if there was any possible way for the seniors in Sun Valley to get the sign for a building approved. She thought there should be a variance to help get this resolved. She said the citizens who enjoyed shooting on Peavine Mountain had given up quite a bit because of areas that had become restricted. She commented there continued to be debris on the mountain and she wanted to offer a reward of \$1,000 to find the culprits. She noted there was still time to apply for the Verdi Community Advisory Board (CAB). She said her constituents were receiving diminished service from Waste Management and she wanted something to be done to resolve the problems. She requested information about obtaining a grant to study the drainage systems in the North Valleys and said if it took more than 2 hours she wanted approval for that. She wanted something to be resolved before the next flood. She wanted the Health District to investigate the permit to relocate the bodies buried in Hillside Cemetery. She spoke about the consolidation of the University of Nevada Reno (UNR) with the Cooperative Extension. She was apprehensive about the use of funds for the program and wanted to put a hold on the money until the experimental stage of the

program was complete. She said she had been working with Director of Planning and Development Bill Whitney and the Planning Department regarding a Revised Statute 2477 (RS2477) road in the County. She indicated there were many roads that would qualify under RS2477 and the Attorney General's Office was willing to assist the County. She suggested Mr. Whitney work on the project within the new land plan and said there would be a loss of many access roads in her District.

Commissioner Hartung wanted staff to research the issues at the Hillside Cemetery and come back to the Board with a resolution. He attended an opening for the Lincoln Way Senior Center in Sparks that included 45 apartments, of which 30 percent would be rented to veterans.

Commissioner Lucey requested approval for two hours of staff time to discuss legislation with the Nevada State Department of Agriculture in regards to the Reno-Sparks Livestock Events Center. He acknowledged the swearing in of the new Sparks Fire Chief Chris Maples. He mentioned the Reno Hot Air Balloon Races and the Reno Championship Air Races were major events in the County and he thanked all who participated. He was honored to be invited to speak to a civics class at Reno High School in regards to getting children involved in local government.

Commissioner Berkbigler stated she attended the Tahoe Regional Planning Agency (TRPA) meeting recently. She said there was a presentation from a group of people who were concerned about the loss of trees in Kern County. She indicated there were 66 million Sugar Pine Trees dying because of the Western Pine Beetle and the Mountain Pine Beetle. She stated there was a study program working to develop a Sugar Pine Tree that would be immune to the beetles. She said there was no solution to treating large areas of trees and this was a serious problem.

**12:29 p.m.** The Board recessed.

**12:40 p.m.** The Board reconvened with all members present.

**16-0775** **AGENDA ITEM 5** Proclamation – University of Nevada Reno, Mackay Stadium 50th Anniversary.

Commissioner Berkbigler presented a proclamation to Athletic Director Doug Knuth, Wolfie Jr., and cheerleaders McKenzie Rogers, Kinesiology Major; Ashley Espinoza, Philosophy Major; and Taylor Curtis, Veterinary Science Major.

Mr. Knuth stated it was an exciting time with a rapidly growing University. He indicated it was the 50th anniversary of Mackay Stadium where many people watched sporting events and made lifelong memories. He mentioned the stadium would be undergoing some renovations and reminded the audience there would be a home game Saturday night. He thanked the Board and the County for the continued support.

On motion by Commissioner Berkbigler, seconded by Commissioner Lucey, which motion duly carried, it was ordered that Agenda Item 5 be adopted.

**CONSENT ITEMS 6A through 6F5**

- 16-0776**      **6A** Acknowledge a grant award from the State of Nevada, Administrative Office of the Courts, Nevada Supreme Court to the Second Judicial District Court, [in the amount of \$40,000], [\$13,332 (33.33%) in-kind match required], to support dependency mediation in the Second Judicial District, effective August 16, 2016 through August 15, 2017, and direct the Comptroller's Office to make the necessary budget amendments. District Court. (All Commission Districts.)
- 16-0777**      **6B** Approve the settlement of the claim Jeff Pierce against Washoe County et al, for a [total sum of \$53,062.79] for all claims against all defendants. Comptroller. (All Commission Districts.)
- 16-0778**      **6C** Approve sole source purchase from Nor Cal Battery Company of DC power systems and batteries for power upgrades at the Water tank and Snowflake Washoe County Regional Communication System (WCRCS) radio sites. Expenditures will aggregate [to exceed \$100,000] but [not exceed \$200,000] and will remain within the available adopted budget during Fiscal Year 2016-2017 for the WCRCS. Technology Services. (All Commission Districts.)
- 16-0779**      **6D** Approve the First Modification of Parking License Agreement between Washoe County and the City of Reno Redevelopment Agency, retroactive to August 1, 2016 through July 31, 2019, to provide for the use of up to 100 parking spaces within the Parking Gallery located at 135 North Sierra Street [not to exceed \$54,048 annually]. Community Services. (Commission District 3.)
- 16-0780**      **6E1** Approve the Washoe County Sheriff's Office to purchase and expend operational funds related to hosting the National Sheriff's Association's 2017 Conference [estimated costs to be \$30,000] within the Washoe County Sheriff's Office existing FY 16/17 budget authority. (All Commission Districts.)
- 16-0781**      **6E2** Approve acceptance of reimbursement costs [up to \$11,975.10, no match required] from U.S. Immigration and Customs Enforcement Homeland Security Investigations (ICE-HSI) for the purchase equipment to be used to further assist the Internet Crimes Against Children (ICAC) unit for the retroactive period of 8/11/2016 – 09/30/2016. If approved, direct the Comptroller's Office to make the necessary budget amendments. (All Commission Districts.)

- 16-0782**      **6E3** Approve funding [\$1,219.21, no match required], provided by the U.S. Department of Justice, United States Marshals Service (USMS) to reimburse the Washoe County Sheriff's Office for overtime costs associated with the United States Marshals Service Task Force and the Regional Sex Offender Notification Unit for the fifth Sex Offender Compliance Sweep (Operation SOS) for the retroactive grant period of July 12, 2016 – July 14, 2016; and authorize Comptroller's Office to make the necessary budget amendments. (All Commission Districts.)
- 16-0783**      **6E4** Approve acceptance of up to [\$35,506.00, no County match required] in overtime reimbursement for deputies assigned full time to the Federal Bureau of Investigation (FBI) Northern Nevada Child Exploitation Task Force (NNCETF). Washoe County will be reimbursed for overtime and benefit costs directly related to activities in conjunction with the FBI NNCETF for Federal Fiscal Year October 1, 2016 – September 30, 2017. If approved, direct Comptroller's Office to make necessary budget amendments. (All Commission Districts.)
- 16-0784**      **6F1** Acknowledge Receipt of the Three-Year Schedule of Audits for Internal Audit Division. (All Commission Districts.)
- 16-0785**      **6F2** Acknowledge Receipt of Annual Report from the Internal Audit Division for FY 2015-16. (All Commission Districts.)
- 16-0786**      **6F3** Approve the revised Cooperative Agreement for the Creation of Nevadaworks. (All Commission Districts.)
- 16-0787**      **6F4** Approve recommendation for Commission District Special Fund disbursement [in the amount of \$14,225] for Fiscal Year 2016-2017; District 5 Commissioner Jeanne Herman recommends [\$10,000] grant Catholic Charities designated specifically for the Crossroads program, and [\$4,225] for additional Peavine Congested Area shooting signage; approve Resolution necessary for same; and direct the Comptroller's Office to make the necessary budget appropriation transfers. (Commission District 5.)
- 16-0788**      **6F5** Approve to accept a 2016 Nevada State Emergency Response Commission, Hazardous Materials Emergency Preparedness Training grant for \$7,995.00, no County match required, retroactive for the period of August 29, 2016 through October 10, 2016 and if accepted, direct the Comptroller's Office to make the appropriate budget amendments. (All Commission Districts.)

There was no public comment on the Consent Agenda Items listed above.

On motion by Commissioner Berkbigler, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Consent Agenda Items 6A through 6F5 be approved. Any and all Resolutions or Interlocal Agreements pertinent to Consent Agenda Items 6A through 6F5 are attached hereto and made a part of the minutes thereof.

**BLOCK VOTE (8, 9, 10, 11, 12, 13, 14, 15, 16 and 17)**

**16-0789** **AGENDA ITEM 8** Recommendation to approve a CHAFEE Sub-Grant Award from the State of Nevada - Division of Child and Family Services (DCFS) in the amount of [\$250,000 Match of \$62,500], retroactive to July 1, 2016 through June 30, 2017 to support youth in making the transition from foster care to economic self-sufficiency; authorize the Department to execute the Sub-Grant Award and direct the Comptroller's Office to make the appropriate budget amendments. Social Services. (All Commission Districts.)

There was no public comment on this item.

On motion by Commissioner Lucey, seconded by Commissioner Berkbigler, which motion duly carried, it was ordered that Agenda Item 8 be approved and directed.

**16-0790** **AGENDA ITEM 9** Recommendation to retroactively approve an Agreement with the Children's Cabinet [in the amount of \$425,983] to administer the Independent Living Program providing case management, independent living training and transitional services to youth ages 15-21 for the period of July 1, 2016 through June 30, 2017. Social Services. (All Commission Districts.)

There was no public comment on this item.

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

**16-0791** **AGENDA ITEM 10** Recommendation to approve Collective Bargaining Agreements with the Washoe County District Attorney's Investigator Association (WCDAIA) for the Non-Supervisory and Supervisory bargaining units for the three (3) year period beginning July 1, 2016 through June 30, 2019, and ratify same: including cost of living adjustments in base wages of 3% retroactive to July 1, 2016 [FY 16/17 estimated fiscal impact \$42,446]; 3.5% beginning July 1, 2017 [FY 17/18 estimated fiscal impact \$51,728]; and 2.5% beginning July 1, 2018 [FY 18/19 estimated fiscal impact \$38,870]; and updated agreement language regarding sick leave (bereavement) calculations, salaries, property reimbursement, training, and health plans; and approve same for the Chief

Investigator (DA) with the exception of additional training pay. [Total estimated fiscal impact is \$133,044.] Human Resources. (All Commission Districts.)

There was no public comment on this item.

On motion by Commissioner Lucey, seconded by Commissioner Berkgigler, which motion duly carried, it was ordered that Agenda Item 10 be approved.

**16-0792**     **AGENDA ITEM 11** Recommendation to approve Collective Bargaining Agreements with Washoe County Nurses' Association (WCNA) for Non-Supervisory and Supervisory bargaining units for the three (3) year period July 1, 2016 through June 30, 2019; and ratify same; including Cost of Living Adjustments in base wage of 3% effective retroactive to July 1, 2016 [FY16/17 estimated fiscal impact \$73,673], 3.5% effective July 1, 2017 [FY17/18 estimated fiscal impact \$89,290], and 2.5% effective July 1, 2018 [FY18/19 estimated fiscal impact \$64,284]; and updated agreement language regarding salaries, sick leave/bereavement calculations, and health plans. [Total estimated fiscal impact \$227,247.] Human Resources. (All Commission Districts.)

On the call for public comment, Elise Weatherly recognized the difficult job the Board had to attempt to satisfy the entire community. She thought earnings should be based on the amount of work a person did, not just the job title.

On motion by Commissioner Lucey, seconded by Commissioner Berkgigler, which motion duly carried, it was ordered that Agenda Item 11 be approved.

**16-0793**     **AGENDA ITEM 12** Recommendation to approve Collective Bargaining Agreement with the Washoe County Public Attorneys' Association (WCPAA) for the two (2) year period July 1, 2016 through June 30, 2018; and ratify same; including Cost of Living Adjustments in base wage of 3% retroactive to July 1, 2016 [FY 16/17 estimated fiscal impact \$377,600] and 3.5% beginning July 1, 2017 [FY 17/18 estimated fiscal impact \$457,926]; and updated language regarding health plans; and approve same for Confidential Attorneys [estimated impact FY 17/18 \$86,355, FY 18/19 \$104,736]. [Total fiscal impact is estimated at \$1,026,617]. Human Resources. (All Commission Districts.)

There was no public comment on this item.

On motion by Commissioner Lucey, seconded by Commissioner Berkgigler, which motion duly carried, it was ordered that Agenda Item 12 be approved.

**16-0794**     **AGENDA ITEM 13** Recommendation to approve the Collective Bargaining Agreement with the Washoe County Sheriff's Supervisory

Deputies Association (WCSSDA) bargaining unit for the three (3) year period beginning July 1, 2016 through June 30, 2019, and ratify same: including cost of living adjustments in base wages of 3% retroactive to July 1, 2016 [FY 16/17 estimated fiscal impact \$491,486]; 3.5% beginning July 1, 2017 [FY 17/18 estimated fiscal impact \$585,123]; and 2.5% beginning July 1, 2018 [FY 18/19 estimated fiscal impact \$446,785]; and updated agreement language regarding holiday pay, sick leave/personal leave, salaries, longevity, health plans, uniform & safety equipment, assignment differential, and resident assignments. [Total estimated fiscal impact \$1,523,394.] Human Resources. (All Commission Districts.)

There was no public comment on this item.

On motion by Commissioner Lucey, seconded by Commissioner Berkbigler, which motion duly carried, it was ordered that Agenda Item 13 be approved.

**16-0795** **AGENDA ITEM 14** Recommendation to approve Cost of Living Adjustments in base wage of 3% retroactive to July 1, 2016 [FY 16/17 estimated fiscal impact \$37,728]; 3.5% beginning July 1, 2017 [FY 17/18 estimated fiscal impact \$45,027]; and 2.5% beginning July 1, 2018 [FY 18/19 estimated fiscal impact \$34,506]; and update sick leave/personal leave and health plans; increase Level II or Level III Ballistic Vest allowance from \$800 to \$1,100 per vest; increase Safety Equipment allowance from \$125/qtr. to \$150/qtr.; add one-time Duty Weapon Replacement Allowance of up to \$525 for employees with a duty weapon ten (10) years or older effective September 1, 2017; add an 1.25% of base pay education incentive, effective October 3, 2016, for attaining a Nevada Executive P.O.S.T. certification; and cap longevity pay per classification; for the Confidential Undersheriff and Chief Deputy Sheriffs. [Total estimated fiscal impact is \$117,261.] Human Resources. (All Commission Districts.)

There was no public comment on this item.

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

**16-0796** **AGENDA ITEM 15** Recommendation to approve Collective Bargaining Agreements with the Washoe County Employees Association (WCEA) for the Non-Supervisory and Supervisory bargaining units for the two (2) year period July 1, 2016 through June 30, 2018, and ratify same: including cost of living adjustments in base wages of 3% retroactive to July 1, 2016 [FY 16/17 estimated fiscal impact \$3,552,969]; and 3.5% beginning July 1, 2017 [FY 17/18 estimated fiscal impact \$4,259,364]; and updated agreement language regarding salaries, holiday pay, sick leave/bereavement calculations, uniform allowances and health plans.

[Total estimated fiscal impact is \$7,812,333.] Human Resources. (All Commission Districts.)

There was no public comment on this item.

On motion by Commissioner Lucey, seconded by Commissioner Berkgigler, which motion duly carried, it was ordered that Agenda Item 15 be approved.

**16-0797**      **AGENDA ITEM 16** Recommendation to retroactively approve an Agreement with the Children’s Cabinet [in the amount of \$425,983] to administer the Independent Living Program providing case management, independent living training and transitional services to youth ages 15-21 for the period of July 1, 2016 through June 30, 2017. Social Services. (All Commission Districts.)

There was no public comment on this item.

On motion by Commissioner Lucey, seconded by Commissioner Berkgigler, which motion duly carried, it was ordered that Agenda Item 16 be approved.

**16-0798**      **AGENDA ITEM 17** Request by the Department of Human Resources/Labor Relations through the County Clerk pursuant to Washoe County Code 2.030 to approve a request to amend the Washoe County Code (Chapter 5) to update Attendance and Leaves language and directing the Clerk to submit the request to the District Attorney for preparation of a proposed ordinance pursuant to Washoe County Code 2.040. This amendment will allow unrepresented employee groups employees to follow suit with a recently negotiated provision with the Washoe County Employee’s Association related to Holidays and Personal Leave. Human Resources. (All Commission Districts.)

There was no public comment on this item.

On motion by Commissioner Lucey, seconded by Commissioner Berkgigler, which motion duly carried, it was ordered that Agenda Item 17 be approved and directed.

**1:00 p.m.**      The Board recessed.

**2:00 p.m.**      The Board reconvened with all members present.

**16-0799**      **AGENDA ITEM 24** Public hearing and possible action to approve the relocation of a medical marijuana dispensary within unincorporated Washoe County pursuant to section 3 of Senate Bill Number 276 as signed into law on June 9, 2015. The request is from Washoe Dispensary, LLC to move a medical marijuana dispensary location issued a State of Nevada

provisional medical marijuana certificate at 290 S. U.S. Highway 395 (APN 050-220-34) to 275 S. U.S. Highway 395 (APN 046-080-04). If approved, direct staff to notify the State of Nevada Division of Public and Behavioral Health in writing of the Board's approval of the relocation request. Manager. (Commission District 2.)

The Chair opened the public hearing by calling on anyone wishing to speak for or against approval of said item.

Maureen O. Collins spoke regarding the proposed move of the medical marijuana establishment (MME) in Washoe Valley. She asked that the minutes refer to additional public comments which took place during the August 9th Board of County Commissioners meeting.

Elise Weatherly spoke regarding the movement of the MME. She thought this was a moral issue rather than a legal issue and she wanted it to stay where it was.

Barbara Pratt spoke regarding her concerns about the side effects of medications. She said her main concern was the enforcement of Tier 1 drugs.

William Naylor thanked Commissioners Herman, Hartung and Lucey for their support. He stated information was given to the Board regarding the law against allowing MMEs in Old Washoe Valley. He was opposed to the move of the MME.

Cathy Brandhorst spoke about matters of concern to herself.

Douglas R. Studwell Jr. spoke regarding marijuana taxes. He was concerned about resources, such as water and septic systems in Washoe Valley. He asked the Board to use common sense and not to allow the MME to move.

Arlene Lampert requested the Board conduct their votes for all MME related items in the form of a roll call vote to clarify who voted in favor and in opposition.

Richard Copp introduced himself as a retired police officer. He understood there would be a question on a bill in November for recreational marijuana. He commented that he had just returned from Oregon and the countryside had changed in devastating ways. He noted Washoe Valley was a quiet residential community and there had been a cultivation facility there since he moved there two years ago. He was concerned about the future and wondered what type of control law enforcement would have over marijuana offenses.

Susan Kennedy was concerned about Chair Jung being a supporter of recreational marijuana and wondered if that might skew the Board towards its approval.

Ed Alexander introduced himself as a member of the dispensary in Washoe Valley. He stated all the water used on-site and any run-off water used in processing would be taken to a facility to be cleaned. He said the request was for a single storefront on one side of the street because it made sense to have the facilities together. He reiterated this was not a vote for marijuana, but a vote to move an approved facility.

Lance Bedard was concerned the security lighting at the MME would create urban blight. He noted what was proposed contradicted the South Valleys Master Plan to limit development and minimize the negative impacts on the character of Washoe Valley. He noted the majority of the impacts related to the degradation of light. He said best management practices included dark sky standards. He indicated his biggest concern was about the grow facility that was going to be located at 913 Washoe Drive. He said the property around that facility was mostly residential.

Pat Casagrande was concerned there were going to be five medical marijuana facilities and said they should not be located under one roof. She thought they needed to obtain a separate facility for each one of the MMEs. She stated there were already marijuana establishments on both sides of the road.

Chair Jung asked Legal Counsel Paul Lipparelli whether she should recuse her vote because she was a spokesperson for recreational marijuana. He stated it was fine to disclose the information, but he did not view it as an issue because medical and recreational marijuana were different topics.

Commissioner Berkbigler asked if any master plan or area plan in the County stated specifically that marijuana was as an allowed use. Assistant County Manager Kevin Schiller replied he did not believe so because the plans were all approved prior to 2014 when medical marijuana was passed.

Commissioner Berkbigler questioned whether a business type that was not specifically listed as an allowed use would ever be allowed in that area. Director of Planning and Development Bill Whitney replied several of the area plans detailed what was and was not allowed in specific areas. He said if an area plan went through a review and the Planning Commission and the Board adopted it, it would include restrictions on land uses, which would overrule the general Code. He indicated until that discussion occurred, the general Development Code for the entire County was followed. He explained that if an item was not mentioned in an area plan, the general Development Code would rule over the allowance or disallowance of the use.

Commissioner Berkbigler wondered whether the proposed relocation of the MME was allowed within the general Development Code and Mr. Whitney replied it was within an allowed area. He stated in 2014, the County Commission amended the Development Code to allow MMEs in certain types of regulatory zones. He said the proposed location was within one of the regulatory zones which allowed medical marijuana dispensaries. He stated Legal Counsel and the Planning Commission Attorney

would be able to explain more in depth, but he indicated the County was within the law based on the zoning regulations.

Commissioner Berkbigler wondered if the MMEs were intended to be patterned after pharmacies. Mr. Schiller stated, from the appearance and business perspective, they were modeled after pharmacies.

Commissioner Berkbigler asked whether the MMEs were required to have locked doors and if patients were required to have a card to gain access. Mr. Schiller confirmed that patient access required a card and there were various security provisions that were statutorily set as part of the submission for a security plan. He explained the businesses were required to adopt a security plan and receive approval from the Planning Commission and the Sheriff's Office.

Commissioner Berkbigler noted that Lieutenant Eric Spratley agreed that moving the dispensary to the grow and production facility would be safer because it would all be under one roof. She stated she was not a big supporter of marijuana but she thought that one owner should have one facility, which was all under one roof.

Commissioner Lucey asked Truckee Meadows Fire Protection District (TMFPD) Fire Marshal Amy Ray's opinion of having a combined facility. Fire Marshal Ray stated it would be easier and safer in her professional opinion.

Commissioner Lucey stated that after much consideration and discussion, medical marijuana was going to be in Washoe Valley and there was no other choice. He indicated he did not want to create more issues for Washoe Valley but it was important to move forward and resolve the issue in a proper manner.

Commissioner Herman stated the Board had no control over whether or not there was a dispensary in Washoe Valley, but she thought it made more sense to have the facilities all together. She noted there were citizens who did not want the medical marijuana facilities on both sides of the street, but that was already the case even if the proposed move did not occur.

Chair Jung stated combining the facility made more sense and to not vote for the move across the street would be unfair.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried with Commissioners Hartung and Herman voting "no", it was ordered that Agenda Item 24 be approved and directed.

**16-0800**      **AGENDA ITEM 7** Department presentation by the Health District highlighting services and operations. (10 minutes.)

County Manager John Slaughter stated this item would be heard at a later meeting.

**16-0801**      **AGENDA ITEM 18** Discussion and possible direction to the County Manager to utilize two or more hours of staff time to research the possibility to incorporate dental services into regional health care system emergency rooms. (Requested by Commissioner Vaughn Hartung.)

Discussion took place regarding this item; however, the Board did not find enough merit to spend staff time to research the request. Commissioner Hartung withdrew his request.

There was no public comment on this item.

**16-0802**      **AGENDA ITEM 19** Request by the Director of Regional Animal Services through the Washoe County Clerk, and pursuant to Washoe County Code (“WCC”) 2.030, to initiate amendments to WCC Chapter 55 (Animals and Fowl) to include: modifying the current kennel/cattery permit process in favor of creating a variance permit for persons who possess over the legal limit of three dogs or seven cats; modifying the current exotic animal permit process; vacating the animal control board; modifying the regulations concerning private possession and ownership of exotic animals within Washoe County; creating an animal exhibitor’s permit; and to incorporate policy direction related to the proposed code amendments provided at the Board of County Commissioners’ March 23 and June 28, 2016 meetings; and to direct the County Clerk to submit the request to the District Attorney’s Office for preparation of proposed ordinances in accordance with WCC 2.040. Regional Animal Services. (All Commission Districts).

Animal Services Manager Bobby Smith recommended hearing any public comments prior to the Board’s discussion.

Chair Jung requested Legal Counsel to clarify the language of the Open Meeting Law to ensure it could be handled as Mr. Smith suggested.

Legal Counsel Paul Lipparelli stated Agenda Item 19 followed the requirements for initiating amendments to the County Code. He indicated this was the Board’s opportunity to give direction to the Department to use department time and staff resources, including the District Attorney’s Office, to draft the bill. He indicated not only did this meet with the open meeting law, but it was a requirement of the County Code.

Commissioner Berkbigler asked Mr. Smith whether there was intent to put any one out of business or if it was just to allow for the permitting and licensing of exotic animal. Mr. Smith stated there was no intent to put anyone out of business.

Commissioner Berkbigler said if the United States Department of Agriculture (USDA) at the State or Federal level currently allowed a permit, a citizen would only need to submit a local permit for the security of the first responders who

might respond to a home where an exotic animal was kept. She inquired whether that could be included in the proposal.

Mr. Smith stated the USDA permit was for people who were exhibiting exotic animals. He explained there was both the private ownership and the exhibitor sides to consider. He explained the USDA permit did not regulate local laws so it was not covered under the County's jurisdiction. He said the USDA permit was a welfare permit to possess the animals and to exhibit them.

Commissioner Berkbigler stated the County did not intend to put exotic animal exhibitors out of business. She inquired whether the USDA permit was not enough protection for Nevada. Mr. Smith stated the protection was enough and if the USDA permitted a citizen, the County permit should be a simple process to complete.

Commissioner Hartung wondered about exotic animals being prohibited in congested areas. He indicated his home was on a little more than an acre and he thought he could easily house some of the animals in his rural lifestyle. He stated in Spanish Springs there were 10 acre parcels which were considered to be in a congested area. He was unclear of the difference between congested and non-congested areas.

Mr. Smith stated there were two proposals in the agenda item and it was up to the Commissioners to decide the direction. He reviewed a section of a PowerPoint presentation with detailed information about the difference in the Tier levels and the permitting process. The presentation was placed on file with the Clerk.

Commissioner Hartung referred to page 11 of the staff report, which stated Tier 3 exotic animals were prohibited in congested areas of the County in both proposals.

Chair Jung reminded Commissioner Hartung that this issue had been discussed the last time the topic came before the Board. She stated one of the concerns was that if it was dangerous in a congested area to own an exotic animal, then it was equally or even more dangerous in a non-congested area because there were less eyes and ears on where a potential escapee could be. She inquired whether private owners had UDSA inspections and Mr. Smith stated they did not.

Chair Jung thought there was confusion between commercial and private owners. She noted that people who advocated for exotic animals did not always possess the required licensing.

Commissioner Herman wanted to hear from the stakeholders and Chair Jung indicated the stakeholders would be the other 490,000 citizens in the County.

Commissioner Lucey stated he did not consider himself an expert in this area even though he owned a business that provided for animal safety and he owned veterinary hospitals. He wondered whether this was for exotic animals owned in a private

manner or a commercial manner. Mr. Smith indicated both private and commercial ownership were being discussed and needed the Board's direction.

Commissioner Lucey inquired whether the tiered system that was being proposed was for private ownership and Mr. Smith confirmed it was.

Mr. Smith stated the proposed recommendation was for a three Tiered system for exotic animals. Tier 1 would be based on what would typically be seen in pet stores; Tier 2 would be any intermediate exotic animal that could carry viruses; and Tier 3 would include the animals that would be seen in a zoo or zoo-like habitat. He indicated the tiered system was in place in the majority of Counties across the United States including California, Florida, Arizona and even Clark County, Nevada.

Commissioner Lucey thought this should be standard business for all of the 490,000 residents in the County. He stated they were not attempting to take anyone's animals away; they were creating a system in which the "bad actors" could not participate. He thought there could be more owners who were out of compliance and causing issues with these types of animals. He inquired whether the language was already in the current Code and was merely being clarified.

Mr. Smith stated the current Code was more restrictive for Tiers 1 and 2, and it was vague. He indicated the proposed changes would provide clarification and less restrictions for the private ownership of exotic animals.

Mr. Lipparelli stated in the past Commissioner Lucey had recused himself from voting on animal issues. He asked Commissioner Lucey if there was any reason to believe that his business interests would be affected negatively or positively if the proposal passed.

Commissioner Lucey stated it would not affect his business positively or negatively because they did not work with exotic animals.

Commissioner Hartung wondered if there was interest from the Board to give exemptions to the Great Basin Herpetological Society and the Animal Ark since they provided great services to the community.

Chair Jung was concerned about businesses that were not regulated visiting local schools where the children were allowed to interact with the exotic animals.

Mr. Smith stated they were not being regulated currently; however, in the exhibitors permit section, any exhibitor, non-profit zoological park or exhibitors who were non-profit for educational purposes could apply for an annual permit and the fees could be waived.

Chair Jung wanted the Great Basin Herpetological Society to comply with public safety standards for the community. She stated the Board was not making policy at

this point but was directing staff. She wanted clarification that the intent was to direct the County Clerk to request the District Attorney's Office to prepare the Ordinances to modify regulations and the animal exhibitors permit, vacate the Animal Control Board, change the variance permit and modify the current exotic animal language. She noted the only policy change would be vacating the Animal Control Board and directing the Clerk to alert the District Attorney's Office.

Mr. Smith stated they were seeking clarification and direction on multiple topics. He said there were three sections that needed clear direction from the Board and also the direction to proceed or not to proceed. Lastly, the Board would need the to give the Clerk direction.

The following individuals spoke regarding the proposed changes to the Washoe County Code Chapter 55 regarding exotic animals: Vicky Maltman; Bill Maggiora; Karin Benker; Alexandra Reid; Tim Stoffel; John Potash; Jeff Pierce; and Daniel Gray. Tim Stoffel and John Potash provided documents, which were placed on file with the Clerk.

The above individuals' comments and concerns included: the meaning of exotic was an animal from out of the area, not that it was inherently dangerous; there were minimal incidents involving exotic animals; requiring a million dollar insurance policy was excessive; there was no requirement for liability insurance for large breed dogs; there were more dog bites reported compared to exotic animal incidents; the weight limitations on snakes could encourage owners to starve their animals; education and outreach were more effective than punishments and fines; the need for detailed lists of the individual tiers and what specific animals belonged to which tier; blanket bans on exotic animals; possession of exotic animals prior to applying for a USDA permit would be out of compliance; citizens were not opposed to regulations as long as they were not excessive; more realistic lengths and weights for snakes; Poison Dart Frogs in captivity were not dangerous; there were no regulations for cold blooded animals by the USDA so they would not issue an exhibitor permit; first responders should not have to face additional dangers when responding to a property where dangerous animals were housed; animals could be trained to avoid venomous snakes while using non-venomous snakes for the training; there was a lack of education about exotic animals; and sterilization was impractical for some exotic animals.

Barbara Pratt stated she was speaking on behalf of the Reno-Sparks Livestock Events Center in regards to the Reno Rodeo. She said she heard many complaints from livestock handlers that they had been falsely accused of animal abuse. She did not believe the animals were treated badly. She wanted the Board to place some focus on the wild Mustangs during the exotic animal discussions.

Cathy Brandhorst spoke about matters of concern to herself.

Commissioner Hartung stated a good point was made regarding the requirements for a million dollar liability insurance policy considering the liability for

automobile insurance was only required to be \$300,000. He wondered if the restrictions were excessive.

Commissioner Lucey stated he agreed with Commissioner Hartung regarding the liability insurance coverage. He said other counties relied on the discretion of a city or risk manager to evaluate the level of liability insurance on a case by case basis. He thought the level of required insurance should be somewhat less.

Commissioner Herman stated the proposal included many topics and she thought many of them were excessive. She commented that the requirement to spay or neuter all dogs and cats was not feasible. She said she had raised animals of all sorts throughout her life and she could not understand taking away individuals Constitutional Rights to own the animals of their choice. She was not convinced there were enough reasons for most of the proposed rules.

Chair Jung stated she agreed with the liability insurance level that staff had suggested. She commented that staff had researched the information thoroughly before bringing it to the Board. She noted people might think that personal liability insurance was sufficient to cover animal incidents, but renters might not carry liability insurance at all. She stated she was ready to start considering the items one-by-one to provide staff with direction and to ensure the County was in conformance with the laws.

Mr. Smith stated he would provide a brief review of the information from staff before each item that needed direction. He reviewed a PowerPoint presentation with slides entitled: Animal Control Board (ACB); ACB; Private Ownership of Exotic Animals, and Exhibitor Permits. He reviewed Exhibit A from the staff report, which compared permit approvals from other jurisdictions. He stated in many of the areas that were researched, exotic animals were prohibited across the board. He said in some areas, Animal Control and the Zoning Department would issue the permit; in another area, the Department of Agricultural was who issued the permit and in Maricopa County, Arizona, the Board of County Commissioners was the issuing agency. He explained Exhibit B of the staff report, which detailed the liability insurance coverage requirements based on the types of exotic animals.

On motion by Commissioner Lucey, seconded by Commissioner Berkbigler, which motion duly carried with Commissioner Herman voting “no”, it was approved to direct the County Clerk to request the District Attorney’s Office to prepare a proposed ordinance regarding vacating the Animal Control Board, the Kennel/Cattery permit process and the exotic animal permit process.

Mr. Smith continued the PowerPoint presentation review for the next proposal. He read the list of the animals that qualified as exotic animals and he corrected the staff report language for the Tier 2 exotic animals stating it should have read any constrictor snake 10 feet “and” 30 pounds. He noted the Animal Services Department worked very closely with the Nevada Department of Wildlife (NDOW) to determine the proper tiers for the various species. He stated some of the species that were recommended

to be Tier 3 level animals by the NDOW would remain as Tier 2 animals as recommended by the Animal Services Department.

Mr. Smith reiterated Proposals 1 and 2 regarding the Tiered System for clarification. He stated Proposal 1 would require approximately 29 hours of staff time and Proposal 2 would require approximately 20 to 24 hours of staff time.

Planning Manager Bob Webb said the reason staff was recommending an administrative permit versus a Special Use Permit, was to allow an applicant to obtain written consent from the surrounding property owners within 500 feet, so the process could be approved by a Hearing Examiner; or if consent was not obtained in writing, the application could be heard by the Board of Adjustment. He noted in both cases a decision could be appealed to the Board of County Commissioners.

Mr. Smith commented that there were concerns regarding Tier 3 exotic animals in congested and non-congested areas. He noted Proposal 2 would prohibit Tier 3 animals throughout the County and only allow Tier 1 and Tier 2 animals. He stated the benefits would be public protection, public health, less issues with invasive species, and less concerns with animal welfare. He indicated it would require less staff time with no changes to Chapter 110 and prevent non-conformance issues when areas were annexed outside of the County.

Mr. Smith reiterated the proposed amendment to Chapter 55 of the County Code. He stated the approval would be for the breakdown of species of exotic animals into a three-tiered system

Commissioner Herman wanted a professional opinion regarding into which tiers the exotic animals should be placed.

Commissioner Hartung thought the item was being over-regulated and it would push many people to the Black Market to own exotic animals illegally.

On motion by Commissioner Lucey, seconded by Commissioner Berkgigler, which motion duly carried with Commissioner Herman voting “no”, it was approved to direct the County Clerk to request the District Attorney’s Office to prepare a proposed ordinance to breakdown the species of exotic animals into Tier 1, Tier 2 and Tier 3 animals.

Mr. Smith reiterated the proposed amendments to Chapter 55 of the County Code regarding the private ownership of exotic animals and the two proposals suggested by staff for the specific breakdown of the tiers of exotic animals.

Chair Jung wondered what mechanisms were in place for citizens who owned Tier 3 exotic animals currently to be grandfathered in if Proposal 2 was chosen.

Mr. Smith stated according to his communications with the District Attorney's Office, the citizens who were currently permitted for a Tier 3 animal would be grandfathered in, even if the proposal to prohibit them passed.

Chair Jung stated her opinion would be that Proposal 2 would be the best choice for the County. She said Proposal 1 and Proposal 2 were the same except that Proposal 2 would prohibit Tier 3 exotic animals throughout the County including in non-congested areas unless they had a permit for the animal.

Chair Jung moved to approve Proposal No. 2 regarding the breakdown of species of exotic animals into Tier 1, Tier 2 and Tier 3 animals. Commissioner Lucey seconded the motion. The motion failed on a vote of 3 to 2, with Commissioners Berkbigler, Hartung, and Herman voting "no".

Commissioner Berkbigler moved to approved Proposal No. 1 regarding the breakdown of species into Tier 1, Tier 2 and Tier 3 animals seconded by Commissioner Hartung. The motion failed on a vote of 3 to 2, with Chair Jung and Commissioners Lucey and Herman voting "no".

It was directed for this item to go back to staff.

Mr. Smith reiterated the proposed amendment to Chapter 55 of the Washoe County Code governing animal exhibitors. He stated this was a new Code section to manage the exhibitors throughout the County. He said it would include circuses, zoological parks, animal demonstrations and animal demonstrations for the purpose of education. He stated the process would include an application process with inspections and conditions as set forth in the staff report. He noted the items, which would be inspected would include housing, health certificates, insurance coverages and emergency plans for the transportation of animals through or within the County. He indicated Animal Control Officers would inspect the property or the exhibit and report to the Director for permit issuance or denial. He stated they were seeking direction for the new area of code section to include animal exhibitor's permits.

Commissioner Hartung thought the USDA permit process was backwards because the animal had to be possessed to apply for the permit. He said a citizen should apply for the permit prior to gaining possession of the exotic animal.

Mr. Smith explained that a USDA exhibitor's permit was provided to exhibitors, circuses and traveling exhibits. He stated if it was not required to be permitted by the USDA, then it would not be required in the Code. He used Mr. Potash's business "Get Rattled" as an example.

Commissioner Lucey asked for an explanation of the difference between an exhibitor and a commercial animal business.

Mr. Smith explained an exhibitor would be a traveling business such as a circus, performing animal show, animal demonstration, traveling animal exhibit or zoological park; and a commercial animal business was used to deliver educational programs or training to the public.

On motion by Commissioner Berkbigler, seconded by Commissioner Lucey, which motion duly carried, it was approved to direct the County Clerk to request the District Attorney's Office to prepare a proposed ordinance to create an animal exhibitor's permit.

**4:11 p.m.** Commissioner Lucey left the meeting

**16-0803** **AGENDA ITEM 20** Discussion and direction to staff regarding a recommendation to declare certain real property as surplus to the needs of Washoe County and authorize staff to begin disposition of each asset in accordance with the appropriate section of NRS; specifically Assessor's Parcel Numbers: 552-132-01, 552-132-02, 012-150-12, 018-164-07, 080-283-03, and a portion of 038-401-02; and certain Truckee River water rights appropriated under Claim No. 14 (362 acre-feet). Community Services. (All Commission Districts.)

Commissioner Hartung stated he preferred to sell the water rights as a block only.

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Berkbigler, which motion duly carried with Commissioner Lucey absent, it was ordered that Agenda Item 20 be authorized to be sold only as a block.

**16-0804** **AGENDA ITEM 21** Update and possible direction to staff on the Washoe County Economic Development and Conservation Act. (Washoe County Federal Lands Bill). Manager. (All Commission Districts.)

Director of Planning and Development Bill Whitney stated there were two open houses scheduled at the County Complex and they anticipated many people would attend to obtain information about the Public Lands Bill. He indicated he met with the Bureau of Land Managements (BLM) upper management recently and they were interested in what the County was doing. He stated he was scheduled to meet with the US Forest Service District Ranger in Carson City and would keep them and the BLM informed of the County's progress. He said that with the various constraints on the land, there was not much land which would be considered developable.

Commissioner Hartung asked for clarification on the land constraints. Mr. Whitney stated slopes were the largest constraints and the smaller constraints would be considered as environmental, such as high base and the petroglyph areas east of Sparks.

He stated the Moonrocks area was a special off highway vehicle (OHV) recreation area with extreme interest from the constituents who used the area.

Commissioner Berkbigler asked whether Mr. Whitney was referring to large or small mining interests. Mr. Whitney replied he would categorize them as smaller mining interests and prospectors.

Mr. Whitney stated that Commissioner Herman previously asked how many grazing permits were located within the disposal boundary. He indicated there were currently seven grazing permits. He had requested the status of the permits and would report to the Board when he received the information.

Commissioner Berkbigler wondered whether grazing would be prohibited in what she considered the old style wilderness areas that were rarely used except for grazing.

Mr. Whitney stated he was unsure if the language would prohibit grazing but he knew of other public lands bills that included special stipulations to allow for the continuance of certain entitlements such as grazing cattle or accessibility to a water feature that watered the cattle.

There was no action or public comment on this item.

**16-0805**      **AGENDA ITEM 22** Possible action to introduce and conduct the first reading of an ordinance amending the Washoe County Code at Chapter 110 (Development Code) within Article 302, Allowed Uses, at Section 110.302.05.3, Table of Uses (Commercial Use Types) to allow a new use type titled “Winery” in the Medium Density Suburban, Low Density Suburban, High Density Rural, Medium Density Rural, Low Density Rural, General Rural Agricultural, and General Rural regulatory zones; within Article 304 (Use Classification System) at Section 110.304.25 (gg) to create a new use titled “Winery” that would allow wineries to be established in certain residential regulatory zones subject to the approval of either a business license or an Administrative Permit; to allow recurring special events in conjunction with a winery use in certain rural and residential regulatory zones subject to approval of an Administrative Permit; within Article 410 (Parking and Loading) at Section 110.410.10.3 to establish parking standards for the Liquor Manufacturing and Winery commercial use types, and to make other changes necessarily connected therewith and pertaining thereto. And, if supported, set the public hearing for second reading and possible adoption of the Ordinance for September 27, 2016. Community Services. (All Commission Districts.)

The Chair opened the public hearing by calling on anyone wishing to speak for or against adoption of said Ordinance.

Nancy Parent, County Clerk, read the title for Bill No. 1770.

There was no public comment on this item.

Bill No. 1770 was introduced by Commissioner Berkbigler, and legal notice for final action of adoption was directed.

**16-0806**      **AGENDA ITEM 23** Regulatory Zone Amendment Case Number RZA16-004 --- Public Hearing and possible action: (1) To affirm, modify, or reject the findings of fact of the Washoe County Planning Commission recommending approval of the requested zoning change; (2) To approve a resolution adopting an amendment to the Spanish Springs Regulatory Zone map. The amendment would change the current regulatory zones on two parcels from: a. Public and Semi-Public Facilities (PSP) to Medium Density Suburban (MDS) on a ±8.04-acre portion of a ±22.04-acre parcel (APN 532-020-12); and b. Medium Density Suburban (MDS) and Public Semi-Public Facilities (PSP) to Parks and Recreation (PR) on ±13.98 acres of the same ±22.04-acre parcel (APN 532-020-12); and c. Parks and Recreation (PR) and Public Semi-Public Facilities (PSP) to Medium Density Suburban (MDS) on a ±1.969-acre portion of a ±70.34-acre parcel that is part of the Eagle Canyon Ranch Tentative Map Case Number TM13-002 (APN 532-020-19). If adopted, APN 532-020-12 will consist of 8.04 acres of Medium Density Suburban (up to 3 dwelling units per acre), 13.98 acres of Parks and Recreation (no dwelling units allowed), and 0.02 acres of Open Space (no dwelling units allowed). APN 532-020-19 will consist of 68.66 acres of Medium Density Suburban and 1.65 acres of Open Space. (3) If adopted, to direct the Director of the Planning and Development Division to sign and certify the amended Spanish Springs Regulatory Zone Map; and (4) If adopted, to authorize the Chair to sign a Resolution adopting the amendment to the Spanish Springs Regulatory Zone Map. • Applicant: Spanish Springs Associates LP; • Owner: Eagle Canyon Investors, LLC; • Location: Silent Sparrow Drive and Lanstar Drive. Community Services. (Commission District 4.)

The Chair opened the public hearing by calling on anyone wishing to speak for or against approval of said item.

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

On motion by Commissioner Hartung, seconded by Commissioner Berkbigler, which motion duly carried with Commissioner Lucey absent, it was ordered to affirm the findings of the Planning Commission; adopt the Regulatory Zone Amendment Case; direct the Director of Planning and Development to sign and certify the amended map; and authorize the Chair to sign a Resolution. The Resolution for same is attached hereto and made a part of the minutes thereof.

**16-0807**      **AGENDA ITEM 25** Public Comment.

Cathy Brandhorst spoke about matters of concern to herself.

John Potash spoke regarding the grandfather clause and stated that 14 years ago he was deemed grandfathered-in by the previous administration of the Animal Control Board when the consolidation from the City of Sparks to Washoe County occurred. He said recently he was informed he was no longer grandfathered-in and the location of the documentation proving it was unknown. He indicated he possessed a State Business License and a license from the Nevada Department of Wildlife, but when he applied for his jurisdictional business licenses he was told he could not get them without an exotic animal permit. He noted he had a giant sign on his door warning people that there were venomous reptiles inside. He stated he had safeguards and protocols in place. He said he recently had a risk assessment performed for his million dollar liability insurance policy and the Assessor was very impressed with the set-up of his operation and paperwork. He commented he had been working with venomous snakes for 16 years and had trained thousands of dogs. He noted the methods other trainers used with non-venomous snakes generally failed when a dog encountered a live rattlesnake on the ground.

**16-0808**      **AGENDA ITEM 26** Announcements/Reports.

There were no announcements or reports on this item.

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**4:37 p.m.** There being no further business to discuss, the meeting was adjourned without objection.

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**KITTY K. JUNG**, Chair  
Washoe County Commission

ATTEST:

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

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