



**INCLINE VILLAGE • CRYSTAL BAY CITIZEN ADVISORY BOARD
LAKE TAHOE**

**DRAFT MINUTES
Monday, July 25, 2011
6:30 p.m.**

DRAFT: Approval of these draft minutes, or any changes to the draft minutes, will be reflected in writing in the next meeting minutes and/or in the minutes of any future meeting where changes to these minutes are approved by the CAB.

1. **CALL TO ORDER** - Vice Chairman Mike Sullivan called the meeting to order at 6:31pm.
2. **ROLL CALL/DETERMINATION OF QUORUM** – Vice Chairman Mike Sullivan announced for the record that Chair person Bea Epstein and Mark Alexander were absent (excused), and alternate Gerald Eick would fill in for Bea Epstein, and alternate Geoff Zahler filled in for Mark Alexander. Deborah Nicholas, Gerald Eick, Geoff Zahler, Guy Burge, Patrick McBurnett, David Zeigler. A quorum was confirmed.
3. **APPROVAL OF AGENDA FOR THE MEETING OF JULY 25, 2011** – Mike Sullivan made a motion to approve the agenda. Dave Zeigler approved the agenda; Deborah Nicholas seconded the motion to approve the Agenda of July 25, 2011.
4. **APPROVAL OF MINUTES FOR THE MEETING OF JUNE 27, 2011** – A motion was made to approve the minutes of June 27, 2011. David Zeigler wanted to clarify what he had previously stated in item 7 of the June 27, 2011 minutes; David said he wasn't against the 'Bonanza Meetings,' he is concerned that there might be a possible quorum since some of our CAB members attend the meeting, and this would be an violation open meeting law; he wanted those changes to reflect in the minutes. David Zeigler approved the minutes with the changes; Mike Sullivan seconded the motion to approve the Minutes for the June 27, 2011 meeting with the changes. Geoff Zahler and Gerald Eick abstained stating they weren't in attendance at the June 27, 2011 the meeting.
5. **REPORTS AND UPDATES** – The following reports and updates will be informational only and no action will be taken and will be limited to five minutes each.
 - A. **UPDATES/ANNOUNCEMENTS/CORRESPONDENCE** –
 - Mike Sullivan included a letter from Dennis Diullo regarding the King Beach Biomass Plant.
 - David Zeigler spoke about an email he had received from Washoe County referencing volunteer opportunities for the County. Washoe County is hosting an information system about volunteering opportunities.
 - Guy Burge said he had received an email regarding the Washoe County update from Sarah Tone; very interesting, and wanted to discuss these items with County Commissioner Breternitz.
 - B. **WASHOE COUNTY SHERIFF'S OFFICE, INCLINE SUBSTATION ITEMS** – No representative was present, however, the CAB members discussed topics related to the Sheriff's Department:
 - Patrick McBurnett reported that Sand Harbor traffic is horrible in the morning on the weekends. The traffic is backed up, causes congestion, and blocks the road. David Zeigler said last year was better with more lanes. Constable Hans Keller suggested that Patrick McBurnett contact the highway patrol. Gerald Eick said that the Highway Patrol is aware of the problem, and trying to figure out a solution. Guy Burge said that TRPA needs to know as well because they are working on improving transportation around the lake, and need to know of these issues. This might be part of their 'Pathways' project.
 - Mike Sullivan said that the NHP is patrolling the traffic at Chimney Beach parked on the fog line.
 - Mike Sullivan also said that someone passed him on Village going 50-60mph – Mike said he went to the sheriff station and wrote a report. Mike followed up with the report, and will appear in court when requested.
 - Patrick McBurnett: I witnessed a dangerous move made by a Highway Patrol Officer on Mt. Rose; officer passed illegally on a double yellow line to chase a vehicle; it was dangerous.
 - C. **WASHOE COUNTY ROAD DEPARTMENT, INCLINE STATION ITEMS** – No representative was present.
 - D. **NORTH LAKE TAHOE FIRE PROTECTION DISTRICT ITEMS** – No representative was present.
 - E. **IVGID ITEMS** – General Manager, Bill Horn, or an IVGID representative will give an update on the various IVGID projects and will report on any upcoming events.

General Manager Bill Horn reported:

- Golf course – cart restriction is lifted due to course conditions.
- Local catering businesses can cater at the venues for events.
- 4th of July – crowds were down 7% due to the holiday being on a Monday.
- Preston Field Renovation project: project is going well.
- Disc Golf Course Project and Diamond Peak ticket prices are topics being presented to the IVGID board on Wednesday.
- 3rd Creek Restoration: Sept – Oct.
- Road closure by the Hyatt on Lakeshore
- La Crosse tournaments on our fields during the weekends.
- Sharkfest is returning.
- Bill Horn had sent a letter to Katy Simon and Commissioner regarding Taxes due to IV property owners.

CAB Members had Questions for Bill Horn:

- How did the one way traffic work? Bill Horn said it went very well, they plan on doing it again.
- Why were there a lower number of people on the beaches on the 4th? Bill Horn said because it was on a Monday, additionally, the July 3rd was the busiest for the boat launch. Boat season started late this year.

F. WASHOE COUNTY UPDATE AND LIAISON REPORT

- There's a meeting on Wednesday, July 27, TRPA considering a resolution to Bill 271, that was passed; At retreat TRPA Breternitz recommended a resolution. In support getting regional plan update, and bi-state cooperation, encouraging a dialogue between the legislatures, and keep the environment and economy going in Lake Tahoe; please let me know if you have any specific comments.
- In the process of fundamental services review; report went to OAC. Report affects every aspect of the County. Management partners – July 12th release. Recommendations for changes; if Implement all changes a cost cutting/saving of \$29 million, with upfront costs to incur. 1/3 of the recommendations, the state has to make changes. 1/3 the commission can implement themselves; other 1/3 needs elected officials support and vote. Impressed with the report. Revenue projection – declining over the next few years; things aren't getting better. We need to be ahead of the curve. This report: fundamental services review is available online. It has good information in it. Gerald Eick asked if these changes changes over and above of the current initiatives for shared services. Commissioner Breternitz said yes.
- Commissioner Breternitz spoke about the shared services efforts – Sparks has been an observed in our efforts, and now they are active participants in the shared services efforts. Business licenses, and joining purchasing, HR, and IT. We will see how that shakes down. We need to keep efforts going along with other changes. Regarding Fire – opted out of the interlocal agreement with City of Reno. Patrick McBurnett complimented Breternitz and the County.
- Guy Burge – asked about the TRPA Bill 271. Commissioner Breternitz said the Legislation passed it. It's in affect. And we are working under those directions.
- Incline Village Tax Case: hearing that case tomorrow, July 26, 6:15pm, televised. Staff has come forth with considerations; all these things aren't recommended. We are recommending borrowing \$17 million from the Risk Management Fund, which \$35 million in that fund, and posing a GST on vehicles, and that would be implemented to pay back the Risk Management fund that we are pulling out. Bill Horn mentioned his letter. There will be a lot of legal talk for the next 3 years. My Concerns is with meeting the instructions with the Supreme Court and getting a program together to refund the tax contributions. Proponent of getting this resolved. I feel the assessments were unconstitutional. I started to have success, and got authority to negotiate to settle, and the Supreme Court stepped in. David Zeigler said he was surprised to read about the possibility of the revenue enhancement with Vehicle tax. Commissioner Breternitz: if you have a suggestion, please tell me. I'm not taking this lightly. The alternatives we have are cutting services and employees and we are doing this already. We might have to cut libraries and parks and recreation. This is the closest thing that makes sense. I haven't heard of any better recommendations. One of the thoughts that were suggested was to give credit, but the Supreme Court said we have to refund the money, not a credit. Unless, the people of incline said, this is the methodology we want, and then this is the way it has to go. Patrick McBurnett: A tax credit would be a great idea. For instance, cut the tax for X number of years. That is a great idea to give a credit. It's so simple. Commissioner Breternitz: I'm not even sure if a GST would pass. Patrick McBurnett asked if there anything we can do. I think the vast majority would want the credit. Commissioner Breternitz said the Initiative has to come from Incline Village. We don't have a consideration on our agenda for the

support of a credit versus a refund because we have been told we can't. Patrick McBurnett said he will make some calls to find out how we can work this out. Deborah Nicholas said that there are so many different properties, so a credit might not work for every solution. Commissioner Breternitz said it's very complex. Properties have changed hands, and different people paying property taxes. We are hiring additional people in the treasury office to research this work. This will take time to track down; we are showing good faith. Gerald Eick thanked Breternitz. I hope some validation of how much money will come out of the meeting. There are other jurisdictions – tax revenue withheld; what are the consequences for their constituents. He said he couldn't find the report online. An explanation or validation for the incident. Commissioner Breternitz said we have been hammering staff for an exact number, but we know it's over \$40 million. We will re-express our concern for getting an accurate number. Guy Burge said there are tax consequences with an attorney. You have to understand the tax laws. We are pre-mature. Think about buying someone's interest. Mike Sullivan said if you had evaluated this a few year ago, you would have been laying off more people four years ago. I'm concerned for you now – you are cutting a check for IV property owners, this will cause you guys to cut even more people. Will you become bankrupt? Commissioner Breternitz said we did lay off a lot of people several years ago; and no, we won't go bankrupt. Some of commission has said we don't think we are due to make these refunds. There has been no money set aside for this, which isn't the best business practice. We will have to go into services and employees if the GST is not approved tomorrow. Mike Sullivan said everyone would be all for this fact if we were excluded; I think it's strange that we will be taxed to be paid back. Commissioner Breternitz said it's unconstitutional to tax a part of the county, and not the rest. Mike Sullivan said your assessment was unconstitutional; Commissioner Breternitz agreed. Guy Burge said we need to get the community behind this. The GST is insignificant of a payment considering. Commissioner Breternitz said the he wanted to clarify the GST – it's rainy day money. In 2009 legislation, the state took from WC, and they gave WC permission to implement a \$.01 GST. We haven't felt comfortable to implement this tax when everyone is having financial troubles; but now, we have to consider imposing this tax. Guy Burge said the County's hard work demonstrates how they are making things right. They are doing the right thing.

- David Zeigler mentioned the Capital plans for Public Works; we are making way with the pedestrian pathways project. Commissioner Breternitz said yes, he signed that contract today.

6. PUBLIC COMMENT – Any person is invited to speak on any topic that is not listed as an action item on this agenda (public testimony will be received during each action item). Each speaker must fill out a "Request to Speak and/or Submit Comments for the Record" sheet, may discuss any matter not listed on the agenda as an action item, and must limit comments to three minutes. The comments may be discussed, but action may not be taken on any matter raised during this Public Comment period until the matter is specifically listed on a future agenda as an action item. Comments are to be made to the CAB as a whole.

Hans Keller – fundamental services review report, misrepresents the case loads in our township. I'm concerned as a resident and as a WC employee at the IV constable office. The report, it misrepresents the IV/CB court. It suggests that it should be possibly shut down or closed, or it be merged with WC/Reno services. People will have to go to Reno for criminal matters and civil matters, evictions, lockout orders, or anything regarding tickets. It would be nice to state your case up here, not down there. This is in the fundamental services review. Consolidating with Reno...we lose our township. I don't think it would save any money. How will it affect our services up here? I don't think Reno can provide the service that we expect and deserve. I would like you to make a motion to support township. The case load numbers are incorrect. The Incline beat turned into a South Reno Beat. July WC update from Sarah Tone, it says on page 2, there is a rise in burglaries, and solicitors casing neighborhoods. The sheriff's office is having a tough time patrolling because they have to come from Reno. They have done a better job, and getting to know the community better, however the case load has shot up in 2011. The Highway patrol has increased. The personal attention you get for when working with the Tahoe Women's Services had a tight relationship with the justice court and the Sheriff, and that will go away. Commissioner Breternitz answered a CAB members question regarding the money involved with this effect is \$260,000. Gerald Eick asked Commissioner if they are allowing alternative views. Commissioner Breternitz said Judge Tiras turned in his statistics today to the consultant with his recommendations. Guy Burge suggested we make an item on the agenda at the next meeting. Commissioner Breternitz said we welcome your comment on any aspect. Guy Burge requested the contact information for the consultant.

7. NEW BUSINESS - (The staff contact listed on items for Community Development may not be in attendance but can be contacted with code and policy questions.)

- A. Detached Accessory Dwelling Administrative Review Case No. DADAR11-004 for Steve Anderson (for possible action)** – To establish a Detached Accessory Dwelling (DAD) unit of 1,188 square feet. The parcel is located at 1645 Pine Cone Circle in Incline Village (APN 130-241-62), is 1.25 acres in size, is zoned Low Density Suburban (LDS), and is located within the Tahoe Area Plan. This request is authorized in Article 306, Accessory Uses and Structures, in the Washoe County Development Code, is in Commission District 1, within Section 23, T16N, R18E, MDM, Washoe County, Nevada. Staff Representative: Roger D. Pelham, MPA, Senior Planner, 775.328.3622, rpelham@washoecounty.us. Detached accessory dwelling are administratively reviewed by the Director, Department of Community Development. The Director considers all public comments in the review. Comments received during the CAB meeting will be sent directly to the assigned staff planner; all other citizen comments should also be sent directly to the assigned staff planner.

Mike Sullivan asked the CAB members for comments. The CAB members expressed their confusion about the deadline because they thought this case was already approved and granted; the CAB members weren't sure why they had to make a comment regarding this case. Misty Moga, the Recording Secretary, clarified that meeting dates and hearing deadline often changed, including our own CAB meeting schedule changed, and there is the possibility of other deadlines changed as well; Misty encouraged the CAB to proceed with recommendations for the record, regardless if they have already made them via email, or regardless if they believe the hearing date has passed. David Zeigler said we haven't received negative comments from the community surrounding the area. There isn't much to comment on this. There is no action. Mike Sullivan said he makes a recommendation that the project goes ahead as planned. David Zeigler made a motion to disapprove the project, Mike Sullivan, disregarding his previous statement, and seconded the motion to disapprove the project. Gerald Eick asked the CAB members 'do you think the community wants us to stop this project? We need to send the right message with the right cause. We need to be careful not to point the finger at the wrong cause. People are allowed to go through these projects without going through the right sequence and steps.' Mike Sullivan called the vote, all in favor of disapproving the project. David Zeigler was in favor of the motion. Those opposed of disapproving the project were Geoff Zahler, Patrick McBurnett, Guy Burge, Deborah Nicholas, Gerald Eick. The motion to disapprove the project failed for lack of support.

- B. Election of Officer** – Elections will be held to elect the Chair, Vice Chair and Secretary for the 2011-2012 Term of Office. David Zeigler made a motion for the current office continue; Bea Epstein to remain Chair person, Mike Sullivan to remain the Vice Chair person, and David Zeigler to remain the Secretary. Deborah Nicholas seconded the motion to make the current office the same. David Zeigler, Geoff Zahler, Patrick McBurnett, Deborah Nicholas, Gerald Eick, Mike Sullivan, were in favor of the motion to re-elect the current office. Guy Burge opposed the motion. The election is contingent on Bea Epstein's acceptance.

8. OLD BUSINESS

- A. Update on the Health Clinic** – Portia Adams will give an update on the Village Family Health Clinic, a subsidiary of Nevada Health Center. NV Health Centers closed in November, and asked IV hospital to take care of the low income, indigent population of Incline. Open on Tuesdays, 11am-7pm, averaging 8 patients a day. Not busy. We are mostly doing walk ins, and follow ups from hospital. We are working on grant money to keep it going. 90% of our patients are un-insured. Apply for the patient assistant program; fill out paper work and pay \$25. Hopefully grant money will cover the costs. David Zeigler: thank you for stepping up and taking the place. Have you seen the percentage drop? Portia said that the percentage has stayed the same. We have kept a few of the previous programs. Mike Sullivan asked how does the clinic markets? Portia Adams said that we opened so quickly, we have to apply to be Medicaid providers, until that occurs, we can't do too much promotion; can't stock vaccines, and other hurdles. We are seeing Medicaid patients and not charging them. We can do the 'well child' check ups and vaccines. Hopefully by the end of the year, we can get through some of these hurdles. Tahoe Forest Hospital District; Dr. Koch is the supervising physician. Guy Burge asked if it better for the hospital finances to send people to the clinic? Portia said she would assume so. There is a bigger impact at the hospital if someone can't pay for their bill. There is a great deal of triage at the hospital. If we could get grant money that we would be open to another day to meet the needs, if necessary. Guy Burge said we hope we can keep this going like we have saved the Incline Hospital. It's a valuable service to our community. David Zeigler asked if you able to access the patient records, and same patient load as before? Portia said yes. When the patient arrives, we can get their records. Guy Burge asked if someone needs an MRI, what would you do? Portia said it depends on the patient's payment options, and working with the hospitals. David Zeigler suggested putting the health clinic on a future agenda to get

an update regarding the clinics updates on services, grant money, additions such as Medicare, marketing and other changes.

9. CHAIRMAN/MEMBER COMMENTS

- David Zeigler requested to receive fewer of the same emails. Misty Moga said she will look into that.
- Gerald Eick, addressing Commissioner Breternitz, said going through all these tax issues, lets hopes we can keep the sense of community. We are all in the same County. Commissioner Breternitz said that the dialogue needs to take place, and it's so easy to believe that your own perspective is the right perspective. When negotiating, you have to mentally put yourself in the other person's shoe, and think 'what would I do in that situation?' Guy Burge agreed with Commissioner Breternitz.
- **Next Agenda Items:** (Items for the September 26, 2011 meeting must be submitted to the Chair by September 12, 2011).
- Mike Sullivan suggested an item presented by Hans Keller regarding constable court and services.
- David Zeigler suggested an item presented by Portia Adams or a representative from the Health Clinic regarding the recent Health Clinic updates/additions to services/changes/marketing.

10. ADJOURNMENT - Mike Sullivan make a motion to adjourn the meeting. David Zeigler approved the motion to adjourn, Deborah Nicholas seconded the motion to adjourn. The vote was called, and all members were in favor. The meeting adjourned at 8:03pm.

Respectfully Submitted by
Misty Moga, Recording Secretary