

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY 5:15 P.M. APRIL 8, 1997

PRESENT:

Grant Sims, Chairman  
Joanne Bond, Vice Chairman  
Jim Galloway, Commissioner  
Mike Mouliot, Commissioner  
Jim Shaw, Commissioner

Judi Bailey, County Clerk  
John MacIntyre, County Manager  
Madelyn Shipman, Legal Counsel

The Board met 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:

97-312 WORK CARD PERMIT APPEAL - SCOTT FRANCIS BENNETT, SR.

This appeal was considered on MONDAY, APRIL 7, 1997, prior to the Caucus meeting, the Board having convened with Chairman Sims presiding, to consider the appeal of SCOTT FRANCIS BENNETT, SR. of the Sheriff's denial of his work permit as a private security guard with AMERICAN PROTECTIVE SERVICE.

On motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, the Board convened in closed personnel session to hear testimony as to why the work card should or should not be granted. The appellant was present to offer testimony during the closed personnel session as was Lurena Horning, Records Section of the Sheriff's office. Following testimony of both parties, the Board convened in open session and the following action was taken.

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the Sheriff's denial be overturned and the appeal of SCOTT FRANCIS BENNETT, SR. be upheld and the work card for his employment as a private security guard with AMERICAN PROTECTIVE SERVICES be issued upon his receipt of a new hire slip.

97-313 AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sims ordered that the agenda for the April 8, 1997, meeting be approved.

PUBLIC COMMENTS

Mary Hansen representing an ad hoc committee comprised of various leaders of the community of Sun Valley stated that their group's motto is "Looking Fine By `99" and that their goals are: 1) to improve public perception of Sun Valley, 2) to help Sun Valley students as well as adults be proud to say they live in Sun Valley, 3) to enhance the quality of life in Sun Valley, and 4) to make Sun Valley more visually appealing by people cleaning up their properties, getting rid of old cars, etc. She stated that their plans will require involvement and assistance from many County departments and requested that an item be placed on the May 13, 1997, Board agenda so that they can bring specific items to the Board's attention and, hopefully, receive the Board's endorsement of the project. Four other people in the audience stood up to show their support of Ms. Hansen's comments and the project "Looking Fine By `99."

MINUTES

On motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, Chairman Sims ordered that the minutes of the regular meetings of March 11 and 18, 1997, be approved.

97-314 KENNEL PERMIT APPEAL - DEWAYNE PLUMLEE

Katie Stevens, Animal Control Officer, provided background information regarding the application for a kennel permit by DeWayne Plumlee to keep four dogs at 1900 Eastlake Boulevard in New Washoe City, stating that there are existing kennels on the property, which is a little more than one acre in size and that out of 17 neighbor notifications of this application, staff received 2 letters in opposition to granting the permit.

Ms. Stevens then answered several questions of the Board.

DeWayne Plumlee stated that they are in the process of moving; that he has already transferred to Fallon; and that they will be putting their house on the market soon. He stated that his dogs are only out in the kennel during the day when he and his wife are working; that they bring them in the house when they are home; that his kennel is at least 100 feet from the back property line; that he put plywood on one side of the kennel because of horses next door; and that all of the dogs in the neighborhood bark. He then responded to several questions from Board members.

Animal Control Officer Hughes stated that while processing this application, he went to the Plumlee's house four or five times; that it was usually at a time when they were not at home; that he would pull the truck into the driveway, get out shutting the truck door, and knock on their door; and that he never heard the dogs bark. He further stated that the kennel is very nice; that there are two big dog houses; that there is cement all the way around the kennel; that the kennel is covered on top; and that the dogs are extremely friendly.

Commissioner Galloway asked if a temporary permit could be granted.

Ms. Stevens stated that the Board can place any conditions they wish on a permit. In response to Commissioner Galloway, Mr. Plumlee stated that it is their intention to be moved to Fallon by the end of summer.

There was no response when Chairman Sims asked if there was anyone else who wished to speak concerning this kennel permit.

On motion by Commissioner Galloway, seconded by Commissioner Mouliot, which motion duly carried, Chairman Sims ordered that a kennel permit be granted to DeWayne Plumlee to keep four dogs at 1900 Eastlake Boulevard for a period of one year.

97-315 PROCLAMATION - FAIR HOUSING MONTH IN NEVADA

Katy Copeland, Executive Director of Truckee Meadows Fair Housing, addressed the Board, stating that it has been 29 years since Fair Housing was passed in this country and that they have made tremendous strides in ensuring equal and fair housing opportunities for everyone. Ms. Copeland further thanked the County Commission for its support.

On motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, it was ordered that the following proclamation, which was read into the record by the County Clerk, be adopted and that Chairman Sims be authorized to execute on behalf of Washoe County:

P R O C L A M A T I O N

WHEREAS, April 1, 1997 marks the 25th anniversary of Title VIII of the Civil Rights Act of 1968, the Federal Fair Housing Act which provides equal opportunity for all persons in the sale, rental, and financing of housing and prohibits discrimination on the basis of race, color, religion, sex or national origin; and

WHEREAS, The Fair Housing Amendments Act of 1988 added familial status and disability to those classes protected by Title VIII and added strong new rights, remedies, monetary penalties and judicial and administrative enforcement procedures; and

WHEREAS, Illegal barriers to equal opportunity in housing, no matter how subtle, that diminish the rights of some of our citizens,

diminish the rights of all; and

WHEREAS, It is the solemn and sworn duty of government at all levels to protect and defend the rights of all citizens and oppose housing discrimination whenever and wherever it occurs; and

WHEREAS, Truckee Meadows Fair Housing actively works to ensure equal housing opportunity for all people in the Truckee Meadows to freely choose where they want and can afford to live; and

WHEREAS, Washoe County supports the efforts of Truckee Meadows Fair Housing and all other agencies pursuing fair housing; and

WHEREAS, Implementation of fair housing policy requires the positive commitment, involvement and support of each one of our citizens; now, therefore be it

PROCLAIMED BY THE BOARD OF COMMISSIONERS OF WASHOE COUNTY, NEVADA, That the month of April 1 through April 30, 1997, is "FAIR HOUSING MONTH" in Nevada.

97-316 PROCLAMATION - NATIONAL COUNTY GOVERNMENT WEEK

On motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the following proclamation, which was read into the record by the County Clerk, be adopted and duly executed by the Board:

P R O C L A M A T I O N

WHEREAS, County government traces its roots to the English shire of a thousand years ago, serving as the citizen's local government voice since its inception; and

WHEREAS, When the federal government was formed, the framers of the Constitution chose to provide states the freedom to create county governments. Subsequently, early state constitutions conceptualized the importance of county government and its dual value to both the state and federal government; and

WHEREAS, Changes in structure and greater autonomy from the states, rising revenues and stronger political accountability have ushered in a new era for county government as they enter the 21st century; and

WHEREAS, The practice of devolution -- the shift of responsibilities and programs from the federal level to state and county governments -- continues to evolve and with these changes come the possibility of greater autonomy and flexibility. That flexibility and greater local control have been welcomed by counties as they pursue what is best for citizens and the communities in which they live; and

WHEREAS, The County will pursue key initiatives by seeking public input through the Community Countdown 2000, which is a national campaign to raise public confidence and increase understanding about the roles and responsibilities of counties; and

WHEREAS, County governments have seized opportunities and met challenges in the past. In recognition of the leadership, innovation and valuable service provided by our nation's counties; now, therefore, be it

PROCLAIMED, That the Board of County Commissioners of Washoe County, Nevada, hereby proclaims April 13-19, 1997, as NATIONAL COUNTY GOVERNMENT WEEK.

97-317 PROCLAMATION - VOLUNTEER RECOGNITION WEEK

On motion by Commissioner Bond, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the following proclamation, which was read into the record by the County Clerk, be adopted and duly executed by the Board:

P R O C L A M A T I O N

WHEREAS, Thousands donate their time, energy and expertise to Washoe County and other organizations that provide services to County residents; and

WHEREAS, Volunteers contribute to the enrichment of our community and make Washoe County a better place to live; and

WHEREAS, Volunteers are a valuable resource to Washoe County departments/agencies and contribute to the cost-effectiveness of government operations; and

WHEREAS, Volunteers strengthen the democratic process by participating in local government activities and working to solve community problems; and

WHEREAS, On April 13-19, 1997, citizens across the United States of America will thank volunteers for their many contributions as part of NATIONAL VOLUNTEER WEEK, now, therefore, be it

PROCLAIMED, That the Board of County Commissioners of Washoe County, Nevada, hereby proclaims April 13-19, 1997, as VOLUNTEER RECOGNITION WEEK.

97-318 ACCEPTANCE OF DONATION - MATERNAL AND CHILD HEALTH PROGRAM - HEALTH

Upon recommendation of Dave Rice, District Health Officer, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sims ordered that the donation of a laptop computer to the Maternal and Child Health Program from Washoe Medical Center for the District Health Department's Homeless Clinic be accepted with the Board's gratitude.

97-319 BUDGET AMENDMENT - FY 1996/97 EARLY INTERVENTION CLINIC PROGRAM - HEALTH

Upon recommendation of Dave Rice, District Health Officer, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sims ordered that an amendment to the District Health Department Fiscal Year 1996/97 Early Intervention Clinic Program budget in the amount of \$25,000 resulting from a donation by Saint Mary's Health Network be approved and the following account transactions be authorized:

Account Number	Description	Amount
002-1700-17150-5802	Donations	\$25,000.00
-17150-7398	Miscellaneous Expenses	25,000.00
	Total	\$25,000.00

97-320 INCREASE PETTY CASH FUND - JUVENILE SERVICES

Upon recommendation of Bill Berrum, Treasurer, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Sims be authorized to execute:

RESOLUTION Increase Petty Cash Fund from \$300 to \$400 for the Washoe County Department of Juvenile Services

WHEREAS, the Board of County Commissioners of Washoe County, pursuant to NRS 354.609, has the authority to create and fund petty cash fund accounts; and

WHEREAS, the Washoe County Department of Juvenile Services has requested an increase in their petty cash fund from \$300.00 to \$400.00 to assist in the administration of that office;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF WASHOE COUNTY, NEVADA, as follows:

1. That, pursuant to the provisions of NRS 354.609, the County Treasurer and the County Comptroller are hereby authorized and directed to take all necessary steps to establish and account for the \$100.00 increase in the petty cash fund (for a total of \$400) for the Washoe County Department of Juvenile Services.

2. That the above additional \$100.00 will be transferred from the Washoe County Treasurer's Commercial Bank Account.

3. That said petty cash fund be used exclusively for transactions related to the Washoe County Department of Juvenile Services.

4. That the Director of Juvenile Services shall henceforth be held accountable for the petty cash fund authorized by this resolution.

5. That the County Clerk is directed to distribute copies of this resolution to the Washoe County Treasurer, Comptroller, Director of Juvenile Services and the Nevada Department of Taxation.

97-321 1997 LAKE TAHOE EROSION CONTROL GRANT (BURTON/SANTINI) - SKI WAY WATER QUALITY IMPROVEMENT PROJECT - PUBLIC WORKS

Upon recommendation of Kimble Corbridge, Engineer, through David Roundtree, Public Works Director, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that an "Application for Federal Assistance" for the 1997 Lake Tahoe Erosion Control Grant (Burton/Santini), which funds would be used for the Ski Way Water Quality Improvement Project, be approved and accepted. It was further ordered that Chairman Sims be authorized to execute said application.

97-322 ACCEPTANCE OF RIGHT-OF-WAY DEED - PORTION OF KITTS WAY - ENGINEERING

In response to Commissioner Bond, David Roundtree, Public Works Director, explained that Kitts Way has dedicated portions on each end that the County has maintained; that as part of the Pagni Lane Interchange project, there will be some circulation needs to be met so that both pedestrian and vehicular traffic can access the school which this road can provide; and that the owner of this right-of-way has offered it to the County. He further stated that this is the only portion of Kitts Way that is not paved and that there is a substantial base there.

Upon recommendation of David Price, County Engineer, through Mr. Roundtree, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the right-of-way deed for Kitts Way be approved, that Chairman Sims be authorized to execute, and that Engineering staff be directed to record the document with the County Recorder.

97-323 ACCEPTANCE OF RIGHT-OF-WAY DEED - PORTION OF KLONDIKE DRIVE - ENGINEERING

Upon recommendation of David Price, County Engineer, through David Roundtree, Public Works Director, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the right-of-way deed for Klondike Drive be approved, that Chairman Sims be authorized to execute, and that Engineering staff be directed to record the document with the County Recorder.

97-324 CORRECTION OF FACTUAL ERRORS - 1996-97 & 1995-96 UNSECURED TAX ROLLS

Upon recommendation of Tom Sokol, Assistant Chief Deputy Assessor, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the following Roll Change Requests, correcting factual errors on tax bills already mailed, be approved for the reasons stated thereon and mailed to the affected property owners, a copy of which has been placed on file with the Clerk. It was further ordered that the Order on each roll change directing the Treasurer to correct the error be approved and Chairman Sims be authorized to execute on behalf of the Commission.

Mercury Aviation, Inc.	Personal Property ID # 2/433-021
Moana Lane Nursery	Personal Property ID # 2/905-063
Port of Subs Administration	Personal Property ID # 2/211-023

97-325 ACCEPTANCE OF CASH DONATIONS - WASHOE COUNTY SHERIFF'S OFFICE

Upon recommendation of Sheriff Richard Kirkland, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sims ordered that cash donations totaling \$1,987 be accepted with the Board's gratitude.

It was noted that a \$1,000 contribution was received from the Washoe County Sheriff's Supervisory Deputies Association, \$887 was contributed by the Washoe County Deputies Association, and a check for \$100 was received from United States Gypsum Company; and that the funds will be used to support participation in Peace Officers Memorial Services.

97-326 AUTHORIZATION TO EXPEND FUNDS FOR TRAINING PROGRAMS - SHERIFF

Upon recommendation of Sheriff Richard Kirkland, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sims ordered that authorization to expend \$1,782.00 for two training programs be granted. It was noted that the two programs are "Boat Rescue Operations" and "Law Enforcement Incident Command System."

97-327 ACCEPTANCE OF DONATION - INFLATABLE RAFT - SHERIFF

Upon recommendation of Sheriff Richard Kirkland, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sims ordered that the donation by Mr. Dick Curtis of one Quick Silver 12' Inflatable Raft (\$2,000 value) to be used by the Hasty Team for river rescue and other water related emergencies be accepted with the Board's gratitude.

97-328 AGREEMENT - R.A.M. ENTERPRISE, INC. - REPAIR LOG FLUME - WILBUR D. MAY GREAT BASIN ADVENTURE - RANCHO SAN RAFAEL PARK

Upon recommendation of Karen Mullen, Assistant Director, Parks and Recreation Department, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that an agreement between Washoe County and R.A.M. Enterprise, Inc. concerning repair of the log flume in the Great Basin Adventure, Rancho San Rafael Regional Park, be approved and Chairman Sims be authorized to execute on behalf of Washoe County. It was further ordered that the following account transactions be authorized:

Increase Revenue Account 6404-5887: \$21,931.56

Increase Expense Account 6404-7878: \$21,931.56

97-329 PURCHASE OF USED WATER TANKER TRUCK - GERLACH ROADS DIVISION

Upon recommendation of Bud Fujii, General Services Director, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, Chairman Sims ordered that the purchase of a used water tanker truck, in the 3,200 to 4,000 gallon range, to replace an out-of-service tanker for the Gerlach Roads Division be approved. It was noted that the Finance Division concurs with the recommendation and has determined that the funds, in the not-to-exceed amount of \$35,000 are available in the Equipment Services Division Fund.

97-330 AWARD OF BID - BOWER'S MANSION PARK, ROADWAY AND PARKING LOT RECONSTRUCTION AND OVERLAY - PUBLIC WORKS

This was the time to consider award of bid, Notice to Contractors for receipt of sealed proposals having been published in the Reno Gazette-Journal on March 5 and 12, 1997, for Bower's Mansion Park Improvements, Roadway and Parking Lot Reconstruction, on behalf of the Engineering Division of the Public Works Department.

Proof was made that due and legal Notice had been given.

The following is a summary of the bids received:

Contractor	Base Bid Amount	Alternate No. 1
Canyon Creek Construction, Inc.	\$328,697.69	\$ 2,880.00

Granite Const. Company	\$340,340.00	\$ 3,840.00
Sierra Nevada Construction	\$340,898.07	\$ 3,648.00
Bertagnolli Construction	\$368,611.50	\$ 7,680.00
Interstate Utility Construction	\$437,833.70	\$11,894.00

Upon recommendation of Jim Palabay, Engineering Division, through David Roundtree, Public Works Director, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, it was ordered that the Base Bid and Alternate No. 1 be awarded to the lowest responsible bidder, Canyon Creek Construction, Inc., in the amount of \$331,577.69; and that Chairman Sims be authorized to execute the contract documents when presented.

97-331 AWARD OF BID - UNDERWATER INSPECTION OF WATER STORAGE TANKS - BID NO. 1982-97 - UTILITY DIVISION

This was the time to consider award of bid, Notice to Bidders for receipt of sealed bids having been published in the Reno Gazette-Journal on February 19, 1997, for underwater inspection of water storage tanks for the Utility Division of the Public Works Department. Proof was made that due and legal Notice had been given.

Bids, copies of which were placed on file with the Clerk, were received from the following vendors:

Aqua-Spec, Inc.  
Conrady Consultant Services

Resource Development Co., Inc., submitted a "no-bid" response; and Dive/Corr, Inc., and Underwater Training Center failed to respond to the invitation to bid.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Sims ordered that Bid No. 1982-97 for underwater inspection of water storage tanks for the Utility Division of the Public Works Department be awarded to the lowest responsive, responsible bidder, Aqua-Spec, Inc., for the initial inspection of thirteen water storage tanks, in the net amount of \$10,715.00. It was further ordered that the Purchasing and Contracts Administrator be authorized to execute the agreement for the underwater inspection of water storage tanks and that this award shall be utilized to June 30, 1998, provided there is no increase in the cost of such service.

97-332 REFUND OF TAXES - NEVADA E. BESSO TRUST

Pursuant to District Attorney Opinion No. 6340, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Sims be authorized to execute on behalf of Washoe County:

RESOLUTION -- Directing the County Treasurer to Refund Taxes

WHEREAS, the Board of Commissioners of Washoe County, pursuant to NRS 354.240 has the authority to direct the County Treasurer to refund to an applicant the amount of money paid into the County Treasury in excess of the amount legally payable; and

WHEREAS, Nevada E. Besso, Trust (Taxpayer) made application for the refund of 1993-1994, 1994-1995 and 1995-1996 real property taxes because, based upon assessment errors, the Assessor's Office misappraised the Taxpayer's property, APN 039-170-08; and

WHEREAS, Nevada E. Besso, Trust has overpaid taxes for fiscal years 1993-1994, 1994-1995 and 1995-1996 in the amount of \$1,632.05; and

WHEREAS, it is the opinion of the Board of Commissioners of Washoe County that the applicant for a refund has just cause for making such application and that the granting of such refund would be equitable.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Washoe County as follows:

- 1. That the Treasurer of Washoe County be and hereby is authorized and directed to refund to Nevada E. Besso, Trust a total of \$1,632.05, that amount being the taxes overpaid by Nevada E. Besso for the tax years 1993-1994, 1994-1995 and 1995-1996 on APN 039-170-08.
- 2. That the Treasurer of Washoe County is further directed to debit the account of each governmental entity which has shared in the excess of the taxes collected in error for its pro rata share of the refund.

97-333 REFUND OF TAXES - CATHOLIC COMMUNITY SERVICES OF NORTHERN NEVADA

Pursuant to District Attorney Opinion No. 6341, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Sims be authorized to execute on behalf of Washoe County:

RESOLUTION -- Directing the County Treasurer to Refund Taxes

WHEREAS, the Board of Commissioners of Washoe County, pursuant to NRS 354.240 has the authority to direct the County Treasurer to refund to an applicant the amount of money paid into the County Treasury in excess of the amount legally payable; and

WHEREAS, Catholic Community Services of Northern Nevada made application for the refund of 1996-1997 real property taxes because the Taxpayer's property, APN 012-163-18 and APN 012-163-21, was tax-exempt for a portion of fiscal tax year 1996-1997; and

WHEREAS, Catholic Community Services of Northern Nevada has overpaid taxes for fiscal year 1996-1997 in the amount of \$3,895.28; and

WHEREAS, it is the opinion of the Board of Commissioners of Washoe County that the applicant for a refund has just cause for making such application and that the granting of such refund would be equitable.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Washoe County as follows:

- 1. That the Treasurer of Washoe County be and hereby is authorized and directed to refund to Catholic Community Services of Northern Nevada a total of \$3,895.28, that amount being the taxes overpaid by Catholic Community Services of Northern Nevada for the tax year 1996-1997 on APN 012-163-18 and APN 012-163-21.
- 2. That the Treasurer of Washoe County is further directed to debit the account of each governmental entity which has shared in the excess of the taxes collected in error for its pro rata share of the refund.

97-334 REFUND OF TAXES - GOLDIE B. REDICAN

Pursuant to District Attorney Opinion No. 6339, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Sims be authorized to execute on behalf of Washoe County:

RESOLUTION -- Directing the County Treasurer to Refund Taxes

WHEREAS, the Board of Commissioners of Washoe County, pursuant to NRS 354.240 has the authority to direct the County Treasurer to refund to an applicant the amount of money paid into the County Treasury in excess of the amount legally payable; and

WHEREAS, Goldie B. Redican (Taxpayer) made application for the refund of 1993-1994, 1994-1995 and 1995-1996 real property taxes because, based upon an assessment error, the Assessor's Office misappraised the Taxpayer's property, APN 082-325-05; and

WHEREAS, Goldie B. Redican has overpaid taxes for fiscal years 1993-1994, 1994-1995 and 1995-1996 in the amount of \$1,729.97; and

WHEREAS, it is the opinion of the Board of Commissioners of Washoe County that the applicant for a refund has just cause for making such application and that the granting of such refund would be equitable.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Washoe County as follows:

1. That the Treasurer of Washoe County be and hereby is authorized and directed to refund to Goldie B. Redican a total of \$1,729.97, that amount being the taxes overpaid by Goldie B. Redican for the tax years 1993-1994, 1994-1995 and 1995-1996 on APN 082-325-05.
2. That the Treasurer of Washoe County is further directed to debit the account of each governmental entity which has shared in the excess of the taxes collected in error for its pro rata share of the refund.

97-335 REFUND OF TAXES - SIERRA NEVADA COLLEGE

Pursuant to District Attorney Opinion No. 6338, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Sims be authorized to execute on behalf of Washoe County:

RESOLUTION -- Directing the County Treasurer to Refund Taxes

WHEREAS, the Board of Commissioners of Washoe County, pursuant to NRS 354.240 has the authority to direct the County Treasurer to refund to an applicant the amount of money paid into the County Treasury in excess of the amount legally payable; and

WHEREAS, Sierra Nevada College (Taxpayer), made application for the refund of 1996-1997 real property taxes because its property, APN 127-040-08 was tax-exempt; and

WHEREAS, Sierra Nevada College has overpaid taxes for fiscal year 1996-1997 in the amount of \$40,232.73; and

WHEREAS, it is the opinion of the Board of Commissioners of Washoe County that the applicant for a refund has just cause for making such application and that the granting of such refund would be equitable.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Washoe County as follows:

1. That the Treasurer of Washoe County be and hereby is authorized and directed to refund to Sierra Nevada College a total of \$40,232.73, that amount being the taxes overpaid by Sierra Nevada College for the tax year 1996-1997 on APN 127-040-08.
2. That the Treasurer of Washoe County is further directed to debit the account of each governmental entity which has shared in the excess of the taxes collected in error for its pro rata share of the refund.

97-336 REFUND OF TAXES - TANGLEWOOD MUSICAL PRODUCTIONS

Pursuant to District Attorney Opinion No. 6337, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Sims be authorized to execute on behalf of Washoe County:

RESOLUTION -- Directing the County Treasurer to Refund Taxes

WHEREAS, the Board of Commissioners of Washoe County, pursuant to NRS 354.240 has the authority to direct the County Treasurer to refund to an applicant the amount of money paid into the County Treasury in excess of the amount legally payable; and

WHEREAS, Tanglewood Musical Productions (Taxpayer) made application for the refund of 1993-1994, 1994-1995 and 1995-1996 personal property taxes because, based upon a reporting error, the Assessor's Office misappraised the Taxpayer's property, I.D. #2/110-113; and

WHEREAS, Tanglewood Musical Productions has overpaid taxes for fiscal years 1993-1994, 1994-1995 and 1995-1996 in the amount of \$818.48; and

WHEREAS, it is the opinion of the Board of Commissioners of Washoe County that the applicant for a refund has just cause for making such application and that the granting of such refund would be equitable.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Washoe County as follows:

1. That the Treasurer of Washoe County be and hereby is authorized and directed to refund to Tanglewood Musical Productions a total of \$818.48, that amount being the taxes overpaid by Tanglewood Musical Productions for the tax years 1993-1994, 1994-1995 and 1995-1996 on I.D. #2/110-113.
2. That the Treasurer of Washoe County is further directed to debit the account of each governmental entity which has shared in the excess of the taxes collected in error for its pro rata share of the refund.

97-337 RATIFICATION OF APPOINTMENTS - SOCIAL SERVICES ADVISORY BOARD

Upon recommendation of May Shelton, Director, Social Services Department, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sims ordered that the reappointments of Jackie Reilly and Jacques C. Maye, Jr., and the appointment of Diana Haberland to the Washoe County Social Services Advisory Board for two-year terms expiring February 25, 1999, be ratified.

97-338 AUTHORIZATION TO ADVERTISE FOR BIDS - ANNUAL PAVEMENT MAINTENANCE OVERLAY, SURFACE TREATMENT AND PAVING PROGRAM FY 96/97

Upon recommendation of Greg Belancio, Engineering Division, through David Roundtree, Public Works Director, who was present and responded to questions from Board members, on motion by Commissioner Bond, seconded by Commissioner Galloway, which motion duly carried, Chairman Sims ordered that:

1. Receipt of the list of roads, attached to the agenda memorandum, to be overlaid (repaved, new paving of graveled roads) and slurry sealed (surface treated) be acknowledged; and
2. The Department of Public Works be authorized to advertise the work for bid in three separate contracts (Truckee Meadows Overlay, Incline Village Area Overlay, and Slurry Sealing), for subsequent consideration of contract awards by the Board.

97-339 CHILD PROTECTION SYSTEM - EVALUATION, DISCUSSION AND DIRECTION TO STAFF - CONSULTANT AND TASK FORCE(S) RECOMMENDATIONS REQUIRING BUDGETARY ACTIONS

John Sherman, Management Analyst, provided the staff report stating that the recommendations resulting from the National Child Welfare Leadership Center (NCWLC), the Citizen's Task Force, and the Technical Working Group evaluations of the County's child protective services system which will require budgetary considerations have been categorized by department; and that, to the extent possible, staff has attempted to outline the fiscal impacts of implementing the various recommendations so that the Board will have comprehensive information when reviewing and approving departments' budget requests. He then briefly covered each of the items in the agenda memorandum, noting where assistance funds from other sources might be available. Mr. Sherman then answered questions of the Board concerning computer systems, staff support for a permanent Citizen's Task Force, as well as the function of

such a task force, etc. Mike McMahon, Human Services Coordinator, responded to questions concerning funding provided to various agencies through the Washoe County Human Service Consortium and noted that there has been a shift by the service agencies to allocating more funding for child care.

Chairman Sims noted that some recommendations are already in process; that there are others that will be implemented; that everything always comes down to funding; and that resources are always limited. He then asked Mr. Sherman to prioritize the items based on the studies in case the Board has to choose which ones to fund at budget time.

In response to Commissioner Galloway, May Shelton, Director, Social Services Department, stated that if the Board wanted to focus on additional assessments and services for children under the age of six, which is the most vulnerable group, that would represent approximately one-half of the cases and one-half of the costs. Chairman Sims requested that Mr. Sherman incorporate that into the prioritization.

Susan Rose and Candy Von Ruden, Citizen Task Force members, addressed the Board citing their concerns with various recommendations and offering ideas and suggestions.

A discussion then ensued regarding the Citizen Task Force continuing as constituted and various objectives for such a group were discussed and the Board requested that Mr. Sherman present a report on all of those options in conjunction with the other reports needed for the Board to make the budget decisions.

#### 97-340 CHILD PROTECTION SYSTEM - PROPOSED AMENDMENTS TO NEVADA REVISED STATUTES 432B - THREAT OF HARM

John Sherman, Management Analyst, distributed the latest version of proposed amendments to Nevada Revised Statute Chapter 432B, which is legislation to broaden the ability of the Department of Social Services to intervene in cases where a "threat of harm" exists and was one of the recommendations of the National Child Welfare Leadership Center after their evaluation of Washoe County's Child Protective Services system.

Commissioner Mouliot expressed his belief that it is imperative that the law includes "exposure to controlled substances" as a threat of harm.

Legal Counsel Madelyn Shipman explained the proposed amendments in detail and stated that it is very important that everyone understand that Washoe County is not trying to take children from their homes, but is trying to be able to provide a broader base under which the agency can assume jurisdiction and provide services. She also noted that "repeated referrals" was omitted from this latest version and should be put back in. Mr. Sherman stated that he specifically took that out from his understanding of the Board's previous discussion. Ms. Shipman stated that it was one of the specific items clearly identified by the task force and the consultant as being a factor where a threat of harm could exist.

Commissioner Galloway expressed a concern about broadening the jurisdiction past the point that staff is available, as well as pre-judging people before they have their day in court. Ms. Shipman explained that there are many different types of referrals and it was felt that there should be at least one prior substantiated referral of abuse or neglect; and that substantiated means that there must be evidence that could be submitted to a court.

John Gancarek, Child Protective Services Coordinator, further explained how they determine substantiation and stated that while this does require a judgment call, there is also oversight and established policy and criteria that is followed.

Chairman Sims stated that he is satisfied with the language regarding the prior referrals and would be in favor of adding that back in. Commissioner Galloway stated that it should be specific that the prior referrals were for abuse or neglect. He also expressed a concern that the word "arrested" should not be in the statute because it cannot be assumed that an arrest always results in a conviction. Legal Counsel Shipman advised that the Legislative Counsel Bureau will probably make changes also.

Susan Rose, Citizen Task Force member, spoke regarding the difficulty in substantiating child abuse.

On motion by Chairman Sims, seconded by Commissioner Bond, which motion unanimously carried, it was ordered that the language in the draft labeled "Attachment B" under 2.(d)(1), 2.(d)(2) and 2.(e) be added back into the draft labeled "Addendum" and that staff be directed to convey to the legislature the County's desire to expand the jurisdiction of the Social Services Department to provide additional services due to threat of harm. In voting for the motion, Commissioner Galloway noted that his concerns are on the record.

97-341 REPORT - ORGANIZATIONAL STRUCTURE OF THE ROADS DIVISION (continued from March 18, 1997)

6:30 p.m. This was the time set for consideration of recommendations resulting from an analysis of the organizational structure of the County Roads Division, continued from the March 18, 1997 meeting. Gary Goelitz, Finance Division, presented the staff report stating that the report and recommendations have been in development for over six months; that this particular analysis involved a very extensive employee involvement process; and that many issues have been raised and dealt with as evidenced by the fact that the report currently before the Board is "Version No. 4." Mr. Goelitz then summarized and reviewed the recommendations that he considered the most important, which are detailed beginning on page 4 of his March 28, 1997, memorandum and also drew the Board's attention to additional information that has been distributed, some of which is the result of continuing input from employees of the Roads Division.

Mr. Goelitz then responded to several questions of the Board, one area of contention being the employee input and/or decision-making authority concerning staffing of the Roads Division.

Reno Road Station employees Clark Sanford and Dan Walton expressed their gratitude for being included in the analysis and stated that they still have concerns regarding the Superintendent and Assistant Superintendent positions, that the employees need to have more decision making authority regarding staff, work crews, work assignments, etc.; that better communication between management and line employees is needed; and that more equipment, not less as recommended, is necessary. They also stated that it would be a waste to evaluate the Equipment Parts Worker position as that position was studied by Personnel within the last two years and has not changed.

In response, Mr. Goelitz advised that the recommendation to re-evaluate the Equipment Parts Worker position was meant to determine whether or not that position could act as an Administrative Assistant-type position to the Roads Superintendent, which would be a position that would take care of the routine paper work so that the Superintendent could be out in the field.

Jim Mayes, Acting Road Superintendent, discussed the study by Lorick Associates Consultants, performed on behalf of the Regional Transportation Commission, noting that although the two reports are somewhat contradictory, there are good ideas in both. He stated that productivity is up; that Pavement Condition Index is up; and that the Roads Division is doing more without asking for more money or more people. Mr. Mayes also stated that they have been working on the team effort as well as getting into the Continuous Improvement program and urged the Board to consider both reports before making any final decisions.

Chairman Sims commended Mr. Mayes and staff of the Roads Division stating that they have done an outstanding job. He further stated that this report is not negative; that it was meant to be a tool for the department to use to continue to make improvements; and that any recommendations that are implemented will only be done with the full support and involvement of the people.

Harry Lorick, Lorick Associates Consultants, noted that the study he performed two years ago did not include Incline Village and Gerlach; and that he has been working with staff and those areas are now included in the system. Mr. Lorick also stated that of the eight agencies he has been reviewing recently, Washoe County is the most efficient.

Dave Roundtree, Public Works Director, stated that he is convinced that the Road Superintendent does need some assistance, but it may not be necessary for the position to be an Assistant Road Superintendent. He also urged the Board not to implement the recommendations concerning the Equipment Parts Worker, stating that the position was evaluated by Personnel less than two years ago and it is a very necessary position. Mr. Roundtree further stated that incorporating drainage structures will have financial implications as staff is already stretched pretty thin.

Mitch Clements, Reno Roads Division and member of the steering committee, stated that they have gone over these issues four times and that he would like to think that the report is a tool and a great opportunity for improvement. He added that there are several other concerns, such as nepotism, favoritism, promotional, hiring and disciplinary practices, and lack of leadership that need to be addressed; and that he is very concerned about the work being done right and the department's accountability. Mr. Clements stated that this is the first effort at trying to get to the truth on all these issues and that there is still a lot of work to do.

Following further discussion, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, Chairman Sims ordered that the report(s) be accepted with the re-wording of recommendations #4 and #16, as outlined by Mr. Goelitz in his memorandum dated April 8, 1997; and that staff be directed to implement the recommendations contained within the report, noting the clarifications to recommendations #9 and #21 made by Mr. Goelitz at this meeting. It was further ordered that staff be directed to draft the qualifications required for the Roads Superintendent position, with input and feedback from the Roads Division employees, as well as compliance with the County's strategic plan, and bring same back to the Board for final approval prior to beginning the recruitment process.

97-342 SPANISH SPRINGS REGIONAL PARK - PROPOSED EXCHANGE OF BLM LAND

Chairman Sims recused himself from this item, stating that his company does work with Globe Enterprises, and turned the gavel over to Vice Chairman Bond.

Karen Mullen, Assistant Director, Parks and Recreation Department, presented the staff report and answered questions of the Board. On motion by Commissioner Mouliot, seconded by Commissioner Shaw, which motion duly carried, Vice Chairman Bond ordered that the Parks and Recreation Department be directed to begin negotiations with the Bureau of Land Management, Mr. Kiley and the adjacent property owner in an attempt to acquire property for a proposed regional park in Spanish Springs and to keep the Board informed concerning the progress of the project.

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Chairman Sims resumed the gavel.

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97-343 ORDINANCE NO. 974, BILL NO. 1149 - AMENDING WCC CHAPTER 45 - AUTHORIZING INTERNAL REVIEW BOARD TO HEAR CHILD CARE WORK PERMIT APPEALS

7:00 p.m. This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on March 28, 1997, to consider second reading and adoption of Bill No. 1149. Proof was made that due and legal Notice had been given.

Debra Williams, Washoe County Sheriff's Office, presented the staff report and answered questions of the Board. The Chairman opened the public hearing by calling on anyone wishing to speak for or against adoption of said Ordinance. There being no response, the hearing was closed.

On motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Sims ordered that Ordinance No. 974, Bill No. 1149, entitled, "AN ORDINANCE AMENDING WASHOE COUNTY CODE CHAPTER 45 BY AMENDING SECTIONS 45.350, 45.365 AND 45.370 RELATING TO WORK PERMIT APPEAL PROCESS AND ADDING NEW SECTIONS 45.307 AND 45.366 PROVIDING DEFINITION OF INTERNAL REVIEW BOARD AND APPEAL PROCESS; AND OTHER MATTERS PROPERLY RELATING THERETO," be approved, adopted and published in accordance with NRS 244.100.

97-344 ORDINANCE NO. 975, BILL NO. 1150 - AMENDING WCC CHAPTER 25 - AUTHORIZING INTERNAL REVIEW BOARD TO HEAR WORK PERMIT APPEALS

7:00 p.m. This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on March 28, 1997, to consider second reading and adoption of Bill No. 1150. Proof was made that due and legal Notice had been given.

Debra Williams, Washoe County Sheriff's Office was present and responded to questions from Board members. The Chairman opened the public hearing by calling on anyone wishing to speak for or against adoption of said Ordinance. There being no response, the hearing was closed.

On motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Sims ordered that Ordinance No. 975, Bill No. 1150, entitled, "AN ORDINANCE AMENDING WASHOE COUNTY CODE CHAPTER 25 BY REPEALING SECTIONS 25.2661 THROUGH 25.2267 [LOCKSMITHS AND SAFE MECHANICS] AND ADDING NEW SECTIONS 25.2261 THROUGH 25.2268 [LOCKSMITHS AND SAFE MECHANICS], AND AMENDING SECTIONS 25.225 AND 25.239 [MASSAGE BUSINESSES] AND SECTIONS 25.323, 25.339 AND 25.345 [PRIVATE PATROLMEN AND SECURITY GUARDS] WITH REGARD TO PERMIT APPEAL PROCESS; AUTHORIZING AN INTERNAL REVIEW BOARD FOR PURPOSE OF HEARING WORK CARD APPEAL; ESTABLISHING PROCESS, AND OTHER MATTERS PROPERLY RELATING THERETO," be approved, adopted and published in accordance with NRS 244.100.

LEGISLATIVE REPORT

Mary Henderson, Government Affairs, advised that Assemblyman Humke introduced a bill which would revoke the motor vehicle privilege tax, (the fair-share tax) which would have a negative impact on northern Nevada of approximately \$4.5-million; that there was a good meeting concerning water legislation, but those bills, as well as many others, are still at bill drafting; and that after a meeting on Emergency Assistance, Assemblywoman Evans directed the State to pay Washoe County approximately \$777,000 in EA funds.

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There being no further business to come before the Board, the meeting adjourned at 9:40 p.m.

GRANT D. SIMS, Chairman  
Washoe County Commission

ATTEST: JUDI BAILEY, County Clerk