

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

1:00 P.M.

NOVEMBER 18, 2003

PRESENT:

David Humke, Chairman
Jim Shaw, Vice Chairman
Jim Galloway, Commissioner
Pete Sferrazza, Commissioner *
Bonnie Weber, Commissioner

Amy Harvey, County Clerk
Nancy Parent, Chief Deputy Clerk
Katy Singlaub, County Manager
Leslie Admirand, 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:

03-1225 AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioner Sferrazza temporarily absent, Chairman Humke ordered that the agenda for the November 18, 2003 meeting be approved.

PUBLIC COMMENTS

Al Hesson, local resident, criticized President Bush, spoke against the war in Iraq, and expressed outrage over the lack of proper treatment of the Veterans in our Country.

Sam Dehne, local resident, expressed his concern regarding the traffic problems stating that gridlock and road rage are out of control in this community.

MANAGER'S/COMMISSIONERS' COMMENTS

Chairman Humke reported on a Future Farmers of America (FFA) event he recently attended and acknowledged the wonderful kids who participated.

03-1226 INTRODUCTION OF NEW COUNTY EMPLOYEES

Chairman Humke invited approximately 15 new Washoe County employees to come forward and introduce themselves to the Board. The Board members welcomed the new employees.

03-1227 MINUTES

On motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioner Sferrazza temporarily absent, Chairman Humke ordered that the minutes of the regular meeting of October 21, 2003 be approved.

03-1228 RESOLUTION – HONORING THOMAS O. FENNESSY, JR.

On motion by Commissioner Weber, who read the Resolution into the record, seconded by Commissioner Shaw, which motion duly carried with Commissioner Sferrazza temporarily absent, it was ordered that the following Resolution be adopted and the Chairman be authorized to execute the same:

RESOLUTION

WHEREAS, The Washoe County community lost a friend, neighbor and community activist in the passing of Thomas O. Fennessy, Jr. on October 28, 2003; and

WHEREAS, Tom served on the North Valleys Neighborhood Advisory Board as Vice Chairman for over 6 years; and

WHEREAS, He served as a Chief Warrant Officer in the United States Air Force for 23 years and as a Reservist for 10 years; and

WHEREAS, Tom was very dedicated to the North Valleys community, whether it was cleaning up a neighborhood, supporting Job Corps or beautifying the gateway to the Stead community with flowers, bushes, trees, a welcome sign and flag pole; and

WHEREAS, Tom definitely led by example the true meaning of being a neighbor and getting involved in the community by selflessly donating his time and energy; now, therefore, be it

RESOLVED, That the Washoe County Board of Commissioners, on behalf of all the citizens of Washoe County, honor the life of Thomas O. Fennessy, Jr., reflect upon his remarkable record of serving his country and community, and offer condolences to his family and friends who, through his many contributions of time and effort, made Washoe County's North Valleys area a better place for all.

03-1229 SEXUAL ASSAULT - MEDICAL CARE - PAYMENT

Pursuant to NRS 217.280 to 217.350, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioner Sferrazza temporarily absent, Chairman Humke ordered that payments with funds from the District Attorney's account designated Sexual Assault Victims Expenses be authorized for initial emergency medical care and follow-up medical or psychological treatment for 44 sexual assault victims in an amount totaling \$10,389.65 as set forth in a memorandum from Lidia Osmetti, Office Manager, District Attorney's Office, dated October 29, 2003 and placed on file with the Clerk.

**03-1230 RESOLUTION – AMENDED TAHOE AREA PLAN –
COMMUNITY DEVELOPMENT**

Upon recommendation of Eva Krause, Planner, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioner Sferrazza temporarily absent, it was ordered that the following Resolution be adopted and Chairman Humke be authorized to execute the same:

**RESOLUTION
ADOPTING THE AMENDED TAHOE AREA PLAN (CP00TA-002)
A PART OF THE WASHOE COUNTY COMPREHENSIVE PLAN**

WHEREAS, Section 278.150 and 278.210, Nevada Revised statutes, specifies that the Washoe County Planning Commission may prepare, adopt and amend a master (comprehensive) plan for all or any part of the county, subject to County Commission approval;

WHEREAS, The Washoe County Planning Commission has found that the TAHOE ARE PLAN, a part of the Washoe County Comprehensive Plan, and the most recent amendment, provides a long-term general plan for the development of the County including the subject matter currently deemed appropriate for inclusion in the Comprehensive Plan;

WHEREAS, Section 278.220, Nevada Revised Statutes, specifies that the Board of County Commissioners of Washoe County, Nevada, may adopt and endorse plans for Washoe County as reported by the Planning Commission, in order to conserve and promote the public health, safety and general welfare;

WHEREAS, A public hearing on the adoption of the Washoe County Comprehensive Plan, including the TAHOE AREA PLAN, was first held on May 21, 1991, with the most recent amendment to the TAHOE AREA PLAN being held on July 8, 2003, by the Board of County Commissioners of Washoe County, Nevada;

WHEREAS, At the conclusion of the public hearing, the Board of County Commissioners endorsed the amendments to the TAHOE AREA PLAN, a part of the Washoe County Comprehensive Plan;

WHEREAS, The amendment to the TAHOE AREA PLAN, a part of the Washoe County Comprehensive Plan, has completed all the necessary requirements for adoption as specified in the Nevada Revised Statutes and Article 820, Amendment of Comprehensive Plan, of the Washoe County Development Code; now therefore, it is hereby

RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY, NEVADA, That the Board does hereby adopt and endorse the amended TAHOE AREA PLAN, a part of the Washoe County Comprehensive Plan, to serve as a guide for the orderly growth and development of Washoe County, Nevada.

03-1231 RESOLUTION – SALE OF PROPERTIES – LIEN OF DELINQUENT ASSESSMENT – TREASURER

Upon recommendation of Bill Berrum, Treasurer, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioner Sferrazza temporarily absent, it was ordered that the County Treasurer be directed to give notice of the sale of properties subject to the lien of a delinquent special assessment in the following special assessment districts (SAD's): WCAD 21 – Cold Springs Sewer, WCAD 23 – Arrowcreek Water, WCAD 25 – Calle de la Plata Road, WCAD 26 – Matterhorn Road, WCAD 30 – Antelope Valley Road. It was further ordered that the following Resolution be adopted and Chairman Humke be authorized to execute the same:

RESOLUTION NO. 03-1231

A RESOLUTION DIRECTING THE COUNTY TREASURER TO GIVE NOTICE OF THE SALE OF PROPERTIES SUBJECT TO THE LIEN OF A DELINQUENT ASSESSMENT; RATIFYING ALL ACTIONS PREVIOUSLY TAKEN; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.

WHEREAS, the Board of Commissioners (the "Board") of the County of Washoe (the "County"), State of Nevada, pursuant to different ordinances heretofore duly passed and adopted, created County improvement districts as more particularly described at Exhibit A attached hereto and incorporated herein (the "Districts"), and ordered the acquisition of improvements within said Districts, and determined to defray a portion of the entire cost and expense of such improvements by special assessments, according to benefits, against the benefited lots, tracts and parcels of land ("properties") in the respective Districts; and

WHEREAS, the Board has by their respective ordinances levied assessments against the properties; and

WHEREAS, the Board has directed and hereby reaffirm their direction to the County Treasurer to collect and enforce the assessments in the Districts in the manner provided by Nevada's Consolidated Local Improvements Law, NRS Chapter 271; and

WHEREAS, the assessment installments on certain properties in the Districts are delinquent ("delinquent properties") and remain delinquent after delivery by certified mail, return receipt requested, of a ten day delinquency notice to each delinquent property owner; and

WHEREAS, the Board desires that the County Treasurer proceed with a notice of the sale of the delinquent properties as provided in NRS 271.545 and sell the delinquent properties pursuant to NRS 271.540 to NRS 271.630.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF WASHOE, STATE OF NEVADA AS FOLLOWS:

1. The Board hereby exercises its option to cause the whole amount of the unpaid principal of the assessments on the delinquent properties to become due and payable as provided in NRS 271.410.

2. The Board hereby ratifies all action previously taken by the County Treasurer and directs the County Treasurer to give notice of the sale of the delinquent properties and to sell the delinquent properties pursuant to NRS 271.540 to NRS 271.630. The sale shall take place at 11:00 a. m. on January 29, 2004, in the Washoe County Commission Chambers, 1001 E. Ninth Street, which the Board hereby finds a convenient location within the County.

3. If some irregularity or circumstance arises before the sale of any delinquent property such that in the opinion of the Washoe County Treasurer the public interest would best be served by withdrawing such a delinquent property from sale, the Washoe County Treasurer is hereby expressly authorized to make such a withdrawal. The Treasurer shall report to the Board in writing concerning his decision to make such a withdrawal and shall state the reasons for the decision.

4. The County Treasurer shall give the notice as provided in NRS 271.545, by publication in the Reno Gazette Journal, a newspaper of general circulation in the County, and such notice to be published at least once a week, for three consecutive publications, by three weekly insertions, the first such publication to be at least 15 days prior to the day of sale. It shall not be necessary that the notice be published on the same day of the week, but not less that 14 days shall intervene between the first publication and the last publication. Such service by publication shall be verified by the affidavit of the publisher and filed with the County Treasurer. The County Treasurer or his designee shall

also give written notice of sale by mailing a copy of such notice, by first-class mail, postage prepaid, at least 20 days prior to the day of sale, to the last known owner or owners of all properties subject to sale or other designated person at his or her last-known address or addresses; and to any person or governmental entity that appeared in the records of the County to have a lien or other interest in the delinquent property. Proof of such mailing shall be made by the affidavit of the County Treasurer or his designee and such proof shall be filed with the County Treasurer. Proof of the publication and proof of the mailing shall be maintained in the permanent records of the office of the County Treasurer until all special assessments and special assessment bonds issued (if such special assessment bonds have been or are hereafter issued) shall have been paid in full, both principal and interest, until any period of redemption has expired or property sold for an assessment, or until any claim is barred by an appropriate statute of limitations, whichever occurs last.

5. The officers of the County are hereby authorized to take all action necessary to effectuate the provisions of this Resolution.

6. The resolution is effective on passage and approval.

EXHIBIT A
(Assessment Districts)

WCAD #25	Calle de la Plata Road
WCAD #26	Matterhorn Road
WCAD #30	Antelope Valley Road
WCAD #21	Cold Springs Sewer
WCAD #23	Arrowcreek Water

03-1232 RIGHT-OF-WAY AND EASEMENTS – GOLDEN VALLEY ROAD
– PUBLIC WORKS

Upon recommendation of Jack Holmes, County Surveyor, through Tom Gadd, Public Works Director, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioner Sferrazza temporarily absent, Chairman Humke ordered that the acquisition of right-of-way and easements for Golden Valley Road be approved. It was further ordered that the Chairman be authorized to execute the documents when presented.

03-1233 STREET NAME CHANGE – OLD MOUNT ROSE HIGHWAY TO
BUM'S GULCH ROAD – PUBLIC WORKS

Upon recommendation of the Regional Street Naming Committee, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioner Sferrazza temporarily absent, Chairman Humke ordered that the request to rename a portion of Old Mount Rose Highway to Bum's Gulch Road be approved effective November 18, 2003. It was noted the easement is located south off

the Mt. Rose Highway (SR 431), approximately 1.25 miles north of the intersection of State Route 723 (Slide Mountain Ski Bowl Highway) and adjacent to Sky Tavern.

03-1234 STREET NAME – TRAILS END LANE – PUBLIC WORKS

Upon recommendation of the Regional Street Naming Committee, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioner Sferrazza temporarily absent, Chairman Humke ordered that the request to name an unnamed easement Trails End Lane be approved effective November 18, 2003. It was noted the easement is located along the southern boundary of the government home site tracts, one street north of Killington Drive.

03-1235 ARROWCREEK REVERSION TO ACREAGE MAP – PARKS

Upon recommendation of Mike Boster, Planner, through Karen Mullen, Parks and Recreation Director, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioner Sferrazza temporarily absent, it was ordered that the Arrowcreek Reversion to Acreage map be approved and the Chairman be authorized to sign the map upon presentation.

03-1236 AGREEMENT – LIONEL SAWYER & COLLINS – LEGISLATIVE RELATED SERVICES – STRATEGIC PLANNING

Upon recommendation of John Slaughter, Strategic Planning Manager, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioner Sferrazza temporarily absent, it was ordered that an agreement between Washoe County and Lionel Sawyer & Collins, concerning general legislative services in the amount of \$60,000 plus pre-approved actual expenses, be approved and Chairman Humke be authorized to execute the same. It was noted these services include representation during the interim session of the Nevada Legislature, as well as certain pre-session activities and services. It was further noted the term of the agreement is from the date of approval until October 31, 2004.

03-1237 SUBLEASE AGREEMENT – SAINT MARY'S REGIONAL MEDICAL CENTER, INC. – SUN VALLEY WIC CLINIC – PUBLIC WORKS

Upon recommendation of Jean Ely, General Services Division Director, through Tom Gadd, Public Works Director, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioner Sferrazza temporarily absent, it was ordered that a Sublease Agreement between Washoe County (SubLessor) and Saint Mary's Regional Medical Center, Inc. (SubLessee), concerning use of the Sun Valley WIC Clinic for a three month period and for such other terms and conditions as stated therein, be approved and Chairman Humke be authorized to execute the same. It was noted that approximately \$4,737.60 in revenue will be generated and no funding transfers are required.

**03-1238 BREACH OF AGREEMENT - CANYON SOLUTIONS, INC. –
RENO JUSTICE COURT**

Judge Barbara Finley, Reno Justice Court, was present to respond to questions from the Board members. She stated she has seen the correspondence sent to the County Commissioners by Canyon Solutions, and that correspondence does not change the Court's position on seeking litigation against Canyon Solutions.

Upon recommendation of Marie Etchemendy, Court Administrator, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioner Sferrazza temporarily absent, Chairman Humke ordered that the Washoe County District Attorney's Office be authorized to take legal action against Canyon Solutions, Inc., for the breach of a computer support and maintenance service agreement between the County of Washoe (on behalf of Reno Justice Court) and Canyon Solutions, Inc.

**03-1239 MEMORANDUM OF UNDERSTANDING – BUREAU OF LAND
MANAGEMENT FIELD OFFICES – COMMUNITY
DEVELOPMENT**

Bill Whitney, Senior Planner, provided background information and responded to questions concerning the Bureau of Land Management (BLM) Resource Management Plans (RMP) for public lands in northern Washoe County.

Upon recommendation of Mr. Whitney, on motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried with Commissioner Sferrazza temporarily absent, it was ordered that a Memorandum of Understanding between the County of Washoe and the Alturas, Eagle Lake and Surprise Field Offices of the Bureau of Land Management, United States Department of the Interior, be approved and the Chairman be authorized to sign the document to involve Washoe County as a Cooperating Agency in the development of Resource Management Plans for public lands in northern Washoe County. It was further ordered that staff provide quarterly progress updates to the Board.

**03-1240 ACHIEVEMENT OF EXCELLENCE IN PROCUREMENT
AWARD - PURCHASING**

Chairman Humke presented the National Purchasing Institute's "President's Award for Meritorious Service" to Charlene Collins, Buyer, Purchasing Department. He also presented the National Purchasing Institute's "Achievement of Excellence in Procurement Award" for 2003 to John Balentine, Purchasing and Contracts Administrator. The Chairman congratulated Ms. Collins and Mr. Balentine and noted this is the eighth year in a row that the Washoe County Purchasing Department has won the procurement award. Ms. Collins and Mr. Balentine thanked the Board for this recognition.

On motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Commissioner Sferrazza temporarily absent, the Board acknowledged receipt of the awards, commended the staff of the Purchasing Department, and acknowledged that Mr. Balentine became President of the National Purchasing Institute on October 21, 2003 and will serve a one-year term of office.

* **1:50 p.m.** Commissioner Sferrazza arrived while the Board was seated as the Truckee Meadows Fire Protection District Board of Fire Commissioners.

03-1241 **DISCUSSION - VOTING MACHINERY AND PROCEDURES - REGISTRAR OF VOTERS**

Dan Burk, Registrar of Voters, reviewed the security procedures used to guarantee the integrity of the voting systems in Washoe County, noting the system used in Washoe County is GEMS (Global Election Management System), which is now called Diebold. He explained the current system is a stand-alone system and is not connected to the Internet, so it is impossible for anyone to "hack" into the system. Mr. Burk further explained the process used by the citizen Election Certification Board to test the equipment and verify the accuracy of the system. The GEMS system can be used with either the Accu-Vote or the touch screen systems.

Commissioner Galloway asked Mr. Burk how he felt about having a local system versus having a statewide system. Mr. Burk stated Washoe County has been using the Global system since 1995 and has invested approximately \$800,000 in the system. The goal has always been to have a wholly integrated system of voter registration and vote tabulation, and the goal would be drastically changed if Washoe County has to go to another system. Mr. Burk further stated the investment of time in getting the current system where it is today, as well as the money, would be lost. He did note that the new system would be paid for through the Help America Vote Act (HAVA) and not with County funds.

Commissioner Sferrazza asked how the Certification Board members are chosen. Mr. Burk advised they select individuals based on their technical expertise. Commissioner Sferrazza stated he wanted to be sure there was at least one person from each political party. Mr. Burk stated both major political parties are invited to attend the observation process.

Commissioner Shaw asked Mr. Burk if he was asking to wait until after the next election to see how the systems perform and then determine if there is a need to change to get the touch system in place by 2006. Mr. Burk confirmed that he would rather make the changes step-by-step.

Commissioner Weber advised that she has been involved in some of the election certification processes and stated she feels it is important to stay with a system in which so much time and money has been invested and that the community supports. She

asked if there was a way for the voter to get a receipt and to feel confident that their votes are tabulated correctly. Mr. Burk said providing the voters a piece of paper showing their votes will be much more costly, it will take longer for people to vote, more voting machines would have to be purchased, and the process would be much more convoluted. He advised both Diebold and Sequoia are in the process of developing such a system.

Commissioner Galloway asked why the Registrar would not want to provide a paper backup ballot that matches the touch screen votes. He also asked if Mr. Burk agreed with the concern being expressed nationwide that there is no voting system absolutely secure from hackers. Mr. Burk stated he does disagree with that statement based on the fact that the computers have been counting the ballots for over 25 years and no ballot has ever been lost. Commissioner Galloway asked how he knows that. Mr. Burk stated the systems have a triple-check back up memory system, and they know that every ballot in the system equals every signature in the poll books.

Commissioner Weber stressed that there has to be a way to assure the voter that his vote was counted correctly.

Commissioner Shaw stated he has always felt confident that his votes were counted accurately, that the system worked, and that the people working in the polling places were doing their jobs. He congratulated Mr. Burk and his staff for their excellent performance.

Secretary of State Dean Heller stated there are going to be some dramatic changes in the election process because of the new federal law, and the biggest change is that the Secretary of State is now the person responsible for the elections in his state rather than the individual County Registrars or County Clerks. He said that 70 percent of Nevada, which is Clark County, has been voting electronically on the touch screen system for 13 years; and all of these same issues were hashed out back then. HAVA requires that there be at least one touch screen system in every polling place and that there be a statewide voter registration system. The Secretary said he has not yet decided on a system for Nevada and explained that his goal is to have one system for the state rather than 17 different systems. He advised that he and his staff are analyzing both the Diebold and Sequoia machines and systems based on security, accuracy, deliverability, and numerous other factors. Secretary Heller stated they are also looking into the voter verifiable receipt issues.

Commissioner Galloway asked if the Secretary supported the use of the voter verifiable receipt (VVR) either statewide or at the counties' options; and, if so, whether any federal funds would be available for that. Secretary Heller stated he thinks the costs of having a VVR printer available could be covered by the state, but that issue has not yet been discussed and examined. He noted that there are 3,000 to 3,500 machines in Clark County and adding a VVR to each one of them could be an issue, so leaving that open as an option to allow counties to add it later should be considered.

A discussion ensued concerning holding a public meeting, such as a televised town hall type forum, whereby the citizens and officials of the other counties could provide input to Secretary Heller on this issue.

Barbara Reed, Douglas County Clerk-Treasurer, stated there was a meeting last week of the County Clerks and Registrars, all 17 counties were represented, and they unanimously took the position that they felt the decision for the voting units should be made locally. Ms. Reed said they do not believe the federal money being made available for HAVA limits the state to one vendor. She stressed that having the safest, most secure, and most accurate election process is everyone's goal.

Marilyn Brainard, a precinct worker, stated Washoe County does an excellent job of conducting elections, and the changes that are coming need to be studied very carefully. Jack Keeper, poll worker, expressed his concerns regarding electronic voting and voter fraud. James Clark, Washoe County Republican Party, stated there must be a paper trail to backup electronic voting and assure the integrity of the count. Martha Rugg, West Truckee Meadows Citizen Advisory Board, stated there is no such thing as a computer that cannot be hacked, and a verifiable receipt is very important. Lois Avery, area resident, expressed concerns regarding touch screen voting and cited a situation in Texas where a faulty computer chip reversed the outcomes of two races. Sam Dehne, local citizen, stated a recent audit of the Secretary of State's office showed that his computer system is in total disarray and asked how that office could possibly conduct an election. Terri Shannon, election and poll worker, stated HAVA does not have to be implemented until the 2006 election, and she suggested this process be slowed down and due process be followed. Gary Schmidt, Washoe County resident, stated that there are ways to hack into and corrupt even stand alone computer systems.

Commissioner Galloway noted correspondence was received from several individuals, which has been entered into the record. On motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Humke ordered that staff be directed to help facilitate the suggested public forum, with a wider reach, for people to provide input to the Secretary of State concerning this matter and that the Secretary of State is requested to give high priority to the individual counties having the option of having a secured voter verifiable paper trail internal to the touch screen voting machines.

**03-1242 DIRECTION - CONSULTANT ON GOLF COURSE
MANAGEMENT - TASK FORCE ON REGIONALIZING
MANAGEMENT OF PUBLIC GOLF COURSES - PARKS**

On motion by Commissioner Weber, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Humke ordered that the recommendation concerning Board direction to staff on hiring a consultant with expertise in golf course management to prepare a comprehensive report on operation and maintenance of the publicly owned golf courses in the Truckee Meadows and establishing a community-

based task force to review the feasibility of regionalizing the management of the public golf courses be continued to November 25, 2003.

**03-1243 APPEARANCE - PAT PUSICH, WORTH GROUP ARCHITECTS -
ARBORETUM RESOURCE/VISITOR CENTER - RANCHO SAN
RAFAEL REGIONAL PARK**

Karen Mullen, Parks and Recreation Director, stated it has always been part of the master plan for Rancho San Rafael to have a gateway approach into the Arboretum and for the Arboretum to be a resource for the community on planting, landscaping, etc. She said staff has worked cooperatively with other groups providing similar information, such as the University and the Cooperative Extension Service, to define the needs.

Pat Pusich, Worth Group Architects, demonstrated their proposed designs of the Resource/Visitor Center by displaying numerous drawings on the overhead screen. He stated they worked with the Friends of Rancho San Rafael and various subcommittees in designing a project that captured the views, provided exhibit space, classrooms and library, and provided space for the master gardeners and a gift shop.

Ms. Mullen stated this would be a one-stop shop for the community to access information on landscaping, water conservation, defensible space and soils analysis. She advised that funding for the project could possibly come from the voter approved bond and staff would also be working with the numerous partners in seeking grants and donations to fund the project.

On motion by Commissioner Weber, seconded by Commissioner Galloway, which motion duly carried, Chairman Humke ordered that the proposed conceptual design of the Arboretum Resource/Visitor Center at Rancho San Rafael Regional Park be approved.

**03-1244 COMPREHENSIVE ANNUAL FINANCIAL REPORT - YEAR
ENDED JUNE 30, 2003 - COMPTROLLER**

John Sherman, Finance Director, congratulated Washoe County Comptroller Kathy Garcia on receiving the Nevada Society of Certified Public Accountants Outstanding CPA in Government Award.

Ms. Garcia then conducted a PowerPoint demonstration of the Annual Financial Report for the Year Ended June 30, 2003, presenting the highlights of revenues, expenditures, assets and debts, in total and by category or function. She stated the report has been audited by Kafoury, Armstrong and Company, and they have issued an unqualified opinion. Ms. Garcia also acknowledged her staff, especially Carolyn Stoffel, Supervisor of Accounts Payable, who will be retiring in January after 19 years. Chairman Humke invited Ms. Garcia to introduce her staff, and she did so.

Felicia O'Carroll, Kafoury, Armstrong and Company, confirmed that they did issue Washoe County an unqualified opinion, which is the highest opinion an entity can receive. She also stated they conducted a compliance audit, which was required because the County accepted \$19-million in federal funds; and they found nothing to report. Laurel Jackson, Kafoury, Armstrong and Company, advised the only reportable condition they found was an item in the Air Pollution Control Program, which was actually a timing issue in reporting encumbered costs that had not actually occurred at the time.

Ms. Garcia advised that if the Board moves to accept the report, that will also authorize the augmentation of the 2003/04 fiscal year appropriations for prior year encumbrances and reserves for projects totaling \$26.5-million for incomplete construction contracts.

On motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, Chairman Humke ordered that the Comprehensive Annual Financial Report for the Year Ended June 30, 2003 (audited) be accepted and the aforementioned augmentation be completed.

Sam Dehne, Reno citizen, stated it appears the County is in fantastic shape and he does not see how the County can claim to be poor. There is a lot of money that could be used for fixing the roads.

03-1245 1.5-CENT PROPERTY TAX - FORMAL RESERVATION TO SUPPORT THE NEXT JAIL EXPANSION

Commissioner Galloway stated the jail is going to have to be expanded sometime in the future, and the County has to try to stay ahead of the needs. He said he does not think the Board has a choice but to put the 1.5-cent property tax money aside for the future jail expansion. Commissioner Shaw agreed and moved to approve the recommendation from John Sherman, Finance Director, that the revenue derived from the currently imposed 1.5-cent property tax be formally reserved to support the funding of the future construction and operating cost of the next jail expansion. Commissioner Galloway seconded the motion.

Commissioner Sferrazza stated he thought the 1.5-cents was going to be used for other purposes as well and asked if the recommended action is to dedicate 100 percent of the 1.5-cents to the jail expansion. Mr. Sherman confirmed that is what staff is proposing. He called attention to the Jail Expansion Funding Model on page 2 of the agenda memorandum. Commissioner Galloway asked if the Board would have the flexibility to temporarily interrupt the jail funding in order to deal with some other emergency should one arise. Mr. Sherman stated that could be done as this is a Board policy decision.

Commissioner Weber stated she could not support the recommendation, as she believes the public should have been allowed to vote on this tax, and that did not

happen. Commissioner Sferrazza stated he did not vote for this tax and agreed with Commissioner Weber. Commissioner Galloway discussed the \$3.64 property tax cap and stated if they had not levied the 1.5-cents when they did, they would probably have no ability to levy any additional tax in the future. Chairman Humke stated this tax does already exist and the Board does have a statutory obligation to provide for a detention facility, so he will reluctantly go along with the recommendation.

On call for the question, the motion carried on a 3 to 2 vote with Commissioners Galloway, Humke and Shaw voting "yes," and Commissioners Sferrazza and Weber voting "no."

03-1246 BILL NO. 1404 - ESTABLISH STORM WATER DISCHARGE PROGRAM - PUBLIC WORKS - WATER RESOURCES

Bill No. 1404, entitled, "**AN ORDINANCE ESTABLISHING A STORM WATER DISCHARGE PROGRAM BY WASHOE COUNTY WITHIN CERTAIN AREAS OF WASHOE COUNTY; AUTHORIZING THE DEPARTMENT OF WATER RESOURCES AND/OR PUBLIC WORKS TO ISSUE PERMITS TO BUSINESSES AND CONSTRUCTION DISCHARGERS; PROVIDING PROCEDURES FOR ENFORCEMENT; AND OTHER MATTERS RELATING THERETO**" was introduced by Commissioner Shaw, the title read to the Board and legal notice for final action of adoption directed.

03-1247 2002 REGIONAL PLAN SETTLEMENTS UPDATE

Commissioner Weber expressed her concern that as a member, and now Chairman, of the Regional Planning Governing Board, she has been advised that she is not allowed to represent Washoe County and her District when considering the settlement agreement at that level. Legal Counsel Leslie Admirand stated the issue needs to be addressed by Madelyn Shipman, Assistant District Attorney.

03-1248 REPORTS/UPDATES - OTHER BOARDS/COMMISSIONS

Commissioner Weber reported she has attended several Citizen Advisory Board meetings concerning the power line going through the North Valleys where the property owners, the Bureau of Land Management and Washoe County representatives have shared a great deal of information. She stated the process has been very good so far.

Commissioner Sferrazza discussed possible consolidation with the Truckee Meadows Water Authority (TMWA) and requested a follow-up item be scheduled on a future agenda for Board discussion. Katy Singlaub, County Manager, stated the item would be on the December 16, 2003 agenda.

Commissioner Galloway reported that the Tahoe Regional Planning Agency (TRPA) has issued the permit needed for the Incline Village Maintenance facility; however, the new Incline Library is still in the preliminary planning review stage

at TRPA. He asked that County management make every effort to follow-up with everyone involved to resolve the situation so the project can be put out to bid in time for construction to occur in the next season.

Commissioner Shaw stated he has received numerous calls concerning the proposed teen ranch in Palomino Valley and expressed his hope that the issue is resolved soon.

COMMUNICATIONS AND REPORTS

The following communications and reports were received, duly noted, and ordered placed on file with the Clerk:

03-1249 COMMUNICATIONS:

- A. Copy of Notice of Completion between Washoe County Utility Services Division and Mike's Trenching Inc., for the Lemmon Valley Water System Improvements, Project #4. (BCC Item No. 03-612)
- B. Regulations of the Washoe County District Board of Health Governing Food Establishments adopted by the Washoe County District Board of Health on February 26, 2003, amended by the Washoe County District Board of Health on July 24, 2003, approved by the Nevada State Board of Health on October 24, 2003 and filed with the County Clerk on October 27, 2003.
- C. Application of Verdi Meadows Utility Company, Inc. for an increase in water and sewer rates filed with the Public Utilities Commission of Nevada. (Copy forwarded to Water Resources Department November 3, 2003)

03-1250 REPORTS – Annual (Fiscal Year 2002-2003)

- A. Gerlach General Improvement District Fiscal Year 2002-2003 Audit

03-1251 REPORTS – Monthly (September 2003)

- A. Washoe County Treasurer

03-1252 REPORTS – Quarterly (September 2003)

- A. Constable – Incline Village/Crystal Bay Township
- B. Justice Court – Incline Village-Crystal Bay Township
- C. Justice Court – Sparks Township
- D. Washoe County Sheriff's Office Civil Section

03-1253 REPORTS – Monthly (October 2003)

- A. Court Clerk

03-1254 REPORTS – Annual (Fiscal Year 2004)

- A. Regional Transportation Commission Fiscal Year 2004 Budget

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There being no further business to come before the Board, the meeting adjourned at 5:22 p.m.

DAVID E. HUMKE, Chairman
Washoe County Commission

ATTEST:

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

*Minutes Prepared by
Lori Rowe and Sharon Gotchy
Deputy County Clerks*