

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY 9:00 A.M. MARCH 18, 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 E. 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:

97-251 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 March 18, 1997 meeting be approved with the following amendments: Delete - Item 9, Kennel Permit Appeal - Dewayne Plumlee, and Item 16, Revisions to Mental Health Competency Evaluation Process.

PUBLIC COMMENTS

Lori Phay, representing the North Valley Sports Complex, submitted a letter and master plan of the park and stated that in 1990 a bond issue was passed designating money for the park; that AYSO Region 710 Soccer has begun a campaign to raise funds to sod the multi-purpose field in Phase I of construction and they are underwriting all the expenses of raising money so that every penny raised will go directly to the park; that the neighborhood groups have been enthusiastic about the project, and that it is time for Washoe County to make a commitment to the park, as there is a great need for this park in the North Valleys.

97-252 AWARD AND COMMENDATION PRESENTATIONS - FRANK RICHARDSON, MIKE MCLEOD, & DEBORAH WISE - SHERIFF

Sheriff Richard Kirkland advised that the Neighborhood Service Team is an outstanding program that has brought together all County agencies to reduce the number of times the various agencies were responding to a variety of different problems in the County including code enforcement, health, fire, and law enforcement. He read the commendation into the record and presented awards to Deborah Wise, former Zoning Enforcement Officer, Mike McLeod, Zoning Enforcement Officer, and Sergeant Frank Richardson, in recognition of their work on the Neighborhood Service Team.

Chairman Sims congratulated the award recipients on behalf of the Board and thanked them for their outstanding efforts in developing The Neighborhood Service Team program.

97-253 APPOINTMENT - REGISTRAR OF VOTERS

Chairman Sims advised that four candidates were interviewed at the last meeting for the position of Registrar of Voters.

Commissioner Shaw moved that Laura MacMahon be appointed to the position of Registrar of Voters. Commissioner Mouliot seconded the

motion.

Chairman Sims stated that this decision is very difficult as all four applicants are outstanding, but he supports Dale Erquiaga because of his long experience in the Secretary of State's Office in the field of elections. Commissioner Galloway stated that he appreciates that all four applicants came with good qualifications, and he supports the appointment of Ms. MacMahon because of her experience with working with the various County Departments. Commissioner Bond stated that Mr. Erquiaga and Ms. MacMahon are both outstanding candidates and the decision is difficult, but she supports Mr. Erquiaga because of his practical experience with elections.

On call for the question the motion carried unanimously, and Chairman Sims ordered that Laura MacMahon be appointed to the position of Registrar of Voters.

On behalf of the Board, Chairman Sims thanked all the candidates for applying for the position.

Joanne Ray, Finance Division, advised that the salary for the Registrar position also needs to be addressed at this time, and she recommended that it be set at \$62,712, which is the top of the salary range, and would provide an approximate 8% increase. Chairman Sims commented that the salary issue is not specifically noted on the agenda. Legal Counsel Shipman requested that in the future the agenda item be clearer in including the salary issue on items such as this, but she feels that the salary is implied as part of the appointment and believes it is proper for the Board to vote on the salary issue.

Ms. Ray responded to questions and advised that normally when there is a promotion there is an approximate 10% increase, but the individual being appointed is already within 8% of the top of the salary range.

On motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried, Chairman Sims ordered that the salary for Ms. MacMahon as Registrar of Voters be set at \$62,712, which is the top of the salary range for that position.

Laura MacMahon thanked the Board for the appointment and their expression of confidence in her.

97-254 STATUS REPORT - 1996 ECONOMIC DEVELOPMENT AUTHORITY OF WESTERN NEVADA (EDAWN) ACTIVITIES

Jeff Codega, 1997 Chairman of the Economic Development Authority of Western Nevada (EDAWN), advised that current activities at EDAWN include a strategic plan update, to sharpen the focus on marketing, the recruitment of new businesses to the area and the expansion of existing businesses, and education of the work force. He stated that the market analysis will look at the Reno-Sparks area strengths and characteristics and consider the competition and how successful the community is in attracting the quality types of companies the area is looking for; that quality of life indicators is an important aspect of the process; that EDAWN staff has been placed on a pay-for-performance and incentive plan based on the kinds and numbers of jobs brought into the community; and that a lot of changes are happening in the community and they understand that change is a challenge and needs to be addressed in an appropriate fashion.

Kenneth Lynn, President of EDAWN, conducted a viewfoil presentation and discussed the new Mission Statement, new and expanding companies that occurred in 1996, industrial space issues, projects coming on line, a list of the top ten potential companies visiting for the first time, and 1997 EDAWN marketing initiatives. He stated that EDAWN wants to communicate their results more effectively with all their supporters.

A discussion commenced and Mr. Codega and Mr. Lynn responded to questions of the Board. Commissioner Galloway commented that, hopefully, the economic studies and models would analyze the impact of taxes generated by a company or industry for local government versus the public service burden on local government.

Chairman Sims agreed and stated that there needs to be a clear understanding of the impact on public services relative to companies coming into the area; that the Board has been very loyal in supporting EDAWN and during the budget process there needs to be some indicators of how successful EDAWN has been in diversifying the economy, as well as some action plans in terms of

improving the educational support for the non-gaming jobs coming into the area. Commissioner Bond asked if information could be provided that would indicate the reasons for businesses not locating in Washoe County, noting that in order to get into the competition arena, there needs to be an understanding of the weaknesses that may exist in the community.

Mr. Codega thanked the Board for their comments and noted that these issues are being worked on by EDawn and they look forward to sharing this information with the Board.

Chairman Sims stated that the Board supports EDawn's efforts and, as Washoe County is one of the major contributors, wants to insure that those efforts are improving and changing as the market changes.

Mr. Lynn then presented a copy of the EDawn 1996 Economic Development Report to the Board members.

97-255 WATER RIGHTS APPLICATION 62678 - UTILITY SERVICES

9:30 a.m. This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on February 28, and March 7 and 14, 1997, to consider water rights application 62678 filed on the 18th day of December 1996 by Kingsbury General Improvement District of Stateline to the State Engineer of Nevada for permission to change the point of diversion, manner and place of use of 1.0 cfs a portion of water heretofore appropriated under Permit No. 23017. Water will be diverted from Lake Tahoe at a new point located within Lot 1, SW 1/4 SW 1/4, Section 16, T.16N., R.18E., M.D.B.&M. or at a point from which the W 1/4 corner of said Section 16, bears N. 22 50' 57" W. a distance of 2,487.93 feet, (Burnt Cedar Intake Structure). Water will be used for municipal purposes from January 1st to December 31st of each year. The existing point of diversion was from Lake Tahoe located within Lot 3, Section 22, T.13N., R.18E., M.D.B.&M. (extended) or at a point from which the SE corner of said Section 22 bears S 64 40' 59" E. a distance of 6,056.71 feet. Water was used for quasi-municipal purposes from January 1st to December 31st of each year. Proof was made that due and legal notice had been made.

John MacIntyre, County Manager, reviewed background information regarding this item.

Dan St. John, Incline Village General Improvement District, responded to questions of the Board.

Chairman Sims opened the public hearing and called on those wishing to speak. There being no response, the public hearing was closed.

Following discussion, upon recommendation of the Utility Services Division Manager, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, it was ordered that Water Rights Application 62678 be approved and Chairman Sims be authorized to formally recommend approval of the application to the Nevada State Engineer.

97-256 ABANDONMENT CASE NO. 12-15-96 - REALTY EXECUTIVES/ANNE LOUISE CANTLON (APN 50-520-29 THROUGH 31) - COMMUNITY DEVELOPMENT

9:30 a.m. This was the time set in a Notice of Public Hearing mailed by certified mail to abutting property owners on March 6, 1997 and published in the Reno Gazette-Journal on March 7, 1997, to consider the recommendation of the Washoe County Planning Commission to conditionally approve Abandonment Case No. AB12-15-96 for Realty Executives/Anne Louise Cantlon Trust to abandon a 50-foot-wide public access easement encompassing a 4.82 portion of a 144.48-acre site, located east of Paddlewheel Lane in Steamboat Valley, the three parcels being designated General Rural (GR) in the South Valleys Area Plan, and situated in a portion of Section 3, T17N, R20E, MDM, Washoe County, Nevada. Proof was made that due and legal notice had been given.

Bob Katai, Department of Community Development, was present to respond to questions of the Board.

Chairman Sims opened the public hearing and called on those wishing to speak. There being no response the public hearing was closed.

It being the consensus of the Board that NRS 278.840 is being complied with and that the abandonment of the private easement

described in the aforesaid Notice appears to be in the best interest of the public and that no person would be materially injured thereby, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sims ordered that Abandonment Case No. AB12-15-96 for Realty Executives/Anne Louise Cantlon Trust be approved subject to the following conditions:

1. Prior to recordation of the Resolution and Order of Abandonment, the applicant shall submit to the County Engineer for review and approval, legal descriptions prepared by a registered professional, for the area of abandonment, and the replacement access easement which is required.
2. Retention of all public utility easements or relocation of all public utility easements to the satisfaction of and at no expense to Washoe County or the existing public utilities which originally accepted and approved said easements as well as any other public utilities now in existence which currently utilize said easements. Said relocations shall be evidenced by the recordation of properly executed documents reflecting the grant of the new easements to said public utilities and the relinquishment by said public utilities of their former easements.
3. The applicant shall comply with all conditions necessary to effect the Order of Abandonment within two years from the date of the action by the Board of County Commissioners or this conditional abandonment will be null and void.
4. No gates shall be installed within the replacement easement that will block vehicle, pedestrian or equestrian access to BLM land.

97- 257 ABANDONMENT CASE NO. AB12-17-96 - COR VAN DER STOKKER/STEVEN COURTNEY (APN 78-262-30 AND 33) - COMMUNITY DEVELOPMENT

9:30 a.m. This was the time set in a Notice of Public Hearing mailed by certified mail to abutting property owners on March 6, 1997 and published in the Reno Gazette-Journal on March 7, 1997, to consider the recommendation of the Washoe County Planning Commission to conditionally approve Abandonment Case No. AB12-17-96 for Cor Van der Stokker/Steven Courtney to abandon a portion of a roadway to facilitate the relocation of the north end of Dry Valley Road, located east of Red Rock Road in Rancho Haven, the two parcels totaling 19.66 acres, designated Low Density Rural (LDR) in the North Valleys Area Plan and situated in a portion of Section 1, T23N, R18E, MDM, Washoe County, Nevada. Proof was made that due and legal notice had been given.

Bob Katai, Department of Community Development, was present to respond to questions of the Board.

Chairman Sims opened the public hearing and called on those wishing to speak. There being no response the public hearing was closed.

It being the consensus of the Board that NRS 278.840 is being complied with and that the abandonment of the private easement described in the aforesaid Notice appears to be in the best interest of the public and that no person would be materially injured thereby, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sims ordered that Abandonment Case No. AB12-17-96 for Cor Van der Stokker/Steven Courtney be approved subject to the following conditions:

1. Prior to recordation of the Order of Abandonment, the applicant shall submit legal descriptions to the County Engineer for review and approval. The legal descriptions shall be prepared by a registered professional and shall be for the area of abandonment and the required replacement easements which shall connect to the remaining access easements.
2. Retention of all public utility easements or relocation of all public utility easements to the satisfaction of and at no expense to Washoe County or the existing public utilities which originally accepted and approved said easements as well as any other public utilities now in existence which currently utilize said easements. Said relocations shall be evidenced by the recordation of properly executed documents reflecting the grant of the new easements to said public utilities and the relinquishment by said public utilities of their former easements.
3. The applicant shall comply with all conditions necessary to effect the Order of Abandonment within two years from the date of the action by the Board of County Commissioners or this conditional abandonment will be null and void.

John MacIntyre, County Manager, advised that significant discussion was held regarding this item at yesterday's caucus. He stated that the application involves the Truckee River Mobile Home Park at Lockwood; that the total estimated acquisition cost is \$2,617,423, and there would be a maximum 25% match cost to Washoe County of \$654,356; that this action would be pursued through the Hazard Mitigation Grant Program which has approximately \$3,000,000 allocated for the six counties affected by the flood in January; and that the mobile home park has been identified as the number one project among all those counties.

David Price, County Engineer, provided an overview of the application and advised that the program would provide the opportunity to buy out properties that would be flooded consistently; and that the Lockwood area has been determined to be a site that fits into the repeated significant damage situation and meets a top priority status based on the benefit cost ratio criteria in accordance with Federal and State policy. Mr. Price then responded to questions of the Board advising that FEMA has assured that the final negotiations for the individual sites will be based on a pre-flood value fair market appraisal.

Tom Manning, State Hazard Mitigation Officer, responded to questions of the Board and advised that the four residences outside the trailer park that have a lower priority is due to the cost benefit ratio, noting that there is limited funding and all monies for the program are used until depleted; that no politics are involved in the way the program works; and that the cost benefit analysis is based on FEMA and actual flood insurance dollars, and is not based on SBA or other dollars. Mr. Manning then explained the application process and issues relative to acquisition.

Ron Albrecht, FEMA, Federal Coordinator for the individual and family grant program, responded to further questions of the Board.

Jerry McKnight, Finance Division, discussed financial matters regarding this issue.

Following further discussion, upon recommendation of Jerry McKnight, Budget Coordinator, and David Price, County Engineer, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the Application for Residential Acquisition/Physical Relocation be approved and Chairman Sims be authorized to execute. It was further ordered that the application be returned to Engineering for further processing.

Several people in the audience requested the opportunity to address the Board relative to this issue.

Leroy Schieler, Lockwood Road resident, submitted written information containing several concerns of some of the residents relative to the proposed buy out plan. He stated that he was told by a FEMA representative that if they did not accept any offer they would be forever banned from getting FEMA flood insurance.

Frank Wilson, Federal Hazard Mitigation Officer, FEMA, clarified that there is no penalty if a resident elects to participate or not participate in the program; and that they have the option to take the national flood insurance that is available to them, and FEMA will not deny it.

Toni Bartle, Lockwood area property owner, stated that she owns one of the four properties given a zero value and requested that this item be put on hold so that the homeowners can review the application. She advised that the homeowners were never notified of this proposed action; that the buy out of the mobile home park concerns her as a value is being given that she believes is incorrect; that there are many problems with the park relative to water and sewer problems which existed long before the flood occurred and she questions what costs are involved to bring the water and sewer up to standard; and that her property is going to be significantly affected.

Upon inquiry of Commissioner Bond, Mr. Price stated that the Truckee River Mobile Home Park is an advantage for the property owners and the park opens the door for the rest of these properties to be considered for assistance and/or buy out.

Mr. Manning provided additional information regarding how the program works and stated that there has been a lot of

misinformation. He suggested that community meetings be held with the residents to provide them with the proper information and explained that they were not in a position to discuss these issues with the residents until the owner of the trailer park said he wanted to do this project, which did not occur until this morning when he advised that he was not planning to reopen the park.

Chairman Sims asked if there would be any benefit to deferring this. Mr. Price stated that, in his opinion, there would be no advantage in doing so. Mr. Manning stated that time is an important factor as there is a 90-day timeframe for submission of the applications, advising that the application can be amended.

Following further discussion, Chairman Sims commented that it is the consensus of the Board that approving the application appears to be the best thing to do. He stated that the motion stands with the clear understanding that the application can be amended at some future date, and that State and FEMA representatives will meet with the property owners and residents immediately to clearly go through the program.

97-259 SEXUAL ASSAULT VICTIMS - MEDICAL CARE - PAYMENT

Pursuant to NRS 217.280 to 217.350, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, Chairman Sims 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 treatment for 12 victims of sexual assault in an amount totaling \$3,346.27 as set forth in a memorandum placed on file with the Clerk from Vickie Wedow, Administrative Assistant, District Attorney's Office, dated March 4, 1997.

97-260 CITY OF RENO V. COUNTY OF WASHOE - RELEASE OF CLAIMS - DISMISSAL OF LAWSUIT

Upon recommendation of Madelyn Shipman, Assistant District Attorney, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, Chairman Sims ordered that the proposed settlement of the City of Reno v. County of Washoe lawsuit be approved and the District Attorney be authorized to execute Release of Claims and stipulate to the dismissal of the lawsuit.

97-261 RESOLUTIONS - REQUESTING ASSISTANCE OF THE ATTORNEY GENERAL IN CRIMINAL MATTERS - DISTRICT ATTORNEY

Upon recommendation of Madelyn Shipman, Assistant District Attorney, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the following Resolutions be adopted:

RESOLUTION-Requesting the assistance of the Attorney General in the prosecution of a certain criminal matter.

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

WHEREAS, the District Attorney's Office has recently been called upon to determine whether to charge out and/or prosecute a case involving alleged neglect of the elderly; and

WHEREAS, the defendant in the case is related to one of the employees in the Washoe County District Attorney's Office; and

WHEREAS, if the Washoe County District Attorney's Office either proceeds or decides to not proceed with the prosecution of the defendant, there may be some suggestion of impropriety or conflict of interest; and

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

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

1. That in accordance with the provisions of NRS 228.130 the Nevada Attorney General is hereby requested to assume complete responsibility for the handling of the criminal prosecution relating to Washoe County Sheriff's Office Case No. 1745558-96 involving the charge of neglect of the elderly.

2. That should the Attorney General agree to assume responsibility for the handling of the aforementioned case, the Comptroller of Washoe County will, upon submission of a duly verified claim, pay from the general fund of Washoe County all expenses that the Attorney General incurs in the prosecution of said case.

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RESOLUTION-Requesting the assistance of the Attorney General in the prosecution of a certain criminal matter.

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

WHEREAS, the District Attorney's Office has recently been called upon to determine whether to charge out and/or prosecute a case involving alleged misdemeanor offenses of failing to maintain a lane and driving without a valid license and felony offense of driving while intoxicated; and

WHEREAS, a critical and necessary witness to the case is a prosecutor in the District Attorney's Office; and

WHEREAS, if the Washoe County District Attorney's Office were to proceed without the testimony of the prosecutor, the case could be jeopardized; and

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

1. That in accordance with the provisions of NRS 228.130 the Nevada Attorney General is hereby requested to assume complete responsibility for the handling of the criminal prosecution relating to Nevada Highway Patrol Case No. 6980858 and No. 6980859 involving the charges of failing to maintain a lane, driving without a valid license and driving while intoxicated.

2. That should the Attorney General agree to assume responsibility for the handling of the aforementioned case, the Comptroller of Washoe County will, upon submission of a duly verified claim, pay from the general fund of Washoe County all expenses that the Attorney General incurs in the prosecution of said case.

97-262 CORRECTION OF FACTUAL ERRORS - 1996/97 UNSECURED TAX ROLL - ASSESSOR

Upon recommendation of Thomas Sokol, Assistant Chief Deputy Assessor, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the following Roll Change Request correcting factual errors on a tax bill already mailed for the 1996/97 Unsecured Roll, be approved for the reasons indicated thereon and mailed to the property owner, a copy of which is placed on file with the Clerk. It was further ordered that the Order directing the Treasurer to correct the error be approved and Chairman Sims be authorized to execute on behalf of the Commission.

APN # 2/341-401 - Nevada Tool & Die

97-263 ACCEPTANCE OF MONEY DONATIONS - SHERIFF

Upon recommendation of Richard Kirkland, Sheriff, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, Chairman Sims ordered that donations totaling \$1200 for the Sheriff's Office be accepted with gratitude. It was noted that a check in the amount of \$500 was contributed by Edward B. McCaffery, Jr.; that \$100 was received from KRXI TV/KAME TV; and that a \$600 check was received from the Walter E. Gist Family Trust.

Upon recommendation of Gary Goelitz, Senior Administrative Analyst, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, Chairman Sims ordered that the transfer of \$16,000 from contingency to the Sheriff's Office and the unbudgeted capital outlay of \$16,000 for the purchase of a used passenger van for the Patrol Bureau be approved; and that the following account changes be authorized:

TRANSFER FROM:

Account	Description	Amount
001-1890-7328	Contingency	\$16,000.00

TRANSFER TO:

Account	Description	Amount
001-15083-7851	Capital Outlay-Vehicles	\$16,000.00

97-265 GRANT APPLICATION - EDWARD BYRNE MEMORIAL STATE AND LOCAL LAW ENFORCEMENT FORMULA GRANT - DISTRICT ATTORNEY

Upon recommendation of Brian Mirch, Finance Division, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, Chairman Sims ordered that the District Attorney's Office be authorized to apply for the Edward Byrne Memorial State and Local Law Enforcement Formula Grant in the amount of \$193,200 with the 25% match of \$48,300 to be taken out of the District Attorney's Commission approved base budget for fiscal year 1997-98. It was noted that the District Attorney's Office will come back to the Board for approval of acceptance of the award at a later date; and that the grant is being applied for in order to upgrade all computers in the District Attorney's criminal division.

97-266 WASHOE COUNTY SAFETY PROGRAM - RISK MANAGEMENT

Upon recommendation of Raymond Sibley, Risk Manager, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, Chairman Sims ordered that the Washoe County Safety Program, as outlined in the agenda material, be adopted.

97-267 RESOLUTION - DESIGNATING COUNTY'S APPLICANT AGENT - FEMA DISASTER RELIEF FUNDS

Upon recommendation of David Roundtree, Public Works Director, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the following Resolution be adopted:

RESOLUTION-Designation of Applicant's Agent

BE IT RESOLVED BY The Board of County Commissioners of Washoe County that David Roundtree, Director of Public Works, is hereby authorized to execute for and in behalf of Washoe County, a public entity established under the laws of the State of Nevada, this application and to file it in the appropriate State office for the purpose of obtaining certain Federal financial assistance under the Disaster Relief Act (Public Law 288, 23rd Congress) or otherwise available from the President's Disaster Relief Fund.

THAT Washoe County, a public entity established under the laws of the State of Nevada, hereby authorized its agent to provide to the State and to the Federal Emergency Management Agency (FEMA) for all matters pertaining to such Federal disaster assistance the assurances and agreements set forth.

97-268 BUDGET AMENDMENT - UNDERGROUND STORAGE TANK (UST) PROGRAM - HEALTH

Upon recommendation of Dave Rice, District Health Officer, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, Chairman Sims ordered that the amendments to the Underground Storage Tank (UST) Program be approved and the following account transactions be authorized:

Account Number	Description	Amount
002-1700-1726G1-7001	Salaries	(\$14,250.00)
-7237	PC Software	950.00
-7825	Special Equipment	10,300.00
-7829	PC Hardware	3,000.00
TOTAL		- 0 -

97-269 UNCOLLECTIBLE PERSONAL PROPERTY ACCOUNTS - COMPTROLLER

Upon recommendation of Kathy Garcia, Comptroller, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, Chairman Sims ordered that staff be authorized to delete the following accounts from the personal property tax rolls:

- personal property accounts #2/212-224, 2/212-197, and 2/212-231 in the amount of \$920.34, and
- personal property accounts #2/235-005 and 2/235-033, in the amount of \$198.71

It was noted that the Treasurer's Office has made every effort to collect these amounts and the accounts appear to be uncollectable; and that the District Attorney's Office concurs with this action.

97-270 WATER DEDICATION AGREEMENT - NELL J. REDFIELD FOUNDATION & SOUTHWEST POINTE ASSOCIATES, L.L.C. - UTILITY SERVICES

Upon recommendation of John Collins, Manager, Utility Services Division, Department of Water Resources, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the Water Dedication Agreement between Washoe County, The Nell J. Redfield Foundation and Southwest Pointe Associates, L.L.C., concerning the rights and obligations in connection with the conveyance by Developers to Washoe County of all or part of Water Rights Permits Numbers 60127 and 60128, be approved and Chairman Sims be authorized to execute.

It was noted that the developers intend to develop real property with Washoe County's community water system service territory, also known as Southwest Pointe, using said water rights.

97-271 WATER RIGHTS DEED - GARY D. AND LETA KAYE BADER - - UTILITY DIVISION

Upon recommendation of John Collins, Manager, Utility Services Division, Department of Water Resources, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the Water Rights Deed for 6.06 acre-feet of water rights from a portion of Permit 59607 between Gary D. and Leta Kaye Bader as Grantor and Washoe County as Grantee, be approved and Chairman Sims be authorized to execute. It was further ordered that the Utility Services Division Manager be directed to record the Water Rights Deed with the County Recorder.

It was noted that the water rights are dedicated in support of future parcel maps within the Verdi Planning Area.

97-272 WATER RIGHTS DEED - NORMA S. BOWERS, TRUSTEE OF REVOCABLE TRUST OF HAROLD N. AND NORMA S. BOWERS - UTILITY DIVISION

Upon recommendation of John Collins, Manager, Utility Services Division, Department of Water Resources, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the Water Rights Deed for 1.0 acre-foot of water rights from a portion of Permit 62168 between Norma S. Bowers as Grantor, and Washoe County, as Grantee, be approved and

Chairman Sims be authorized to execute. It was further ordered that the Utility Services Division Manager be directed to record the Water Rights Deed with the County Recorder.

It was noted that the water rights are dedicated in support of a commercial structure, APN 038-430-29, within the Verdi Business Park.

97-273 WATER RIGHTS DEED - SALVATORE CARCIONE AND MARY KATHLEEN CARCIONE - NORTH SPRINGS ESTATES, PHASE 3 - UTILITY DIVISION

Upon recommendation of John Collins, Manager, Utility Services Division, Department of Water Resources, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the Water Rights Deed for 9.0 acre-feet of surface water rights being a portion of Claim 143, 144 and 145 between Salvatore Carcione and Mary Kathleen Carcione, as Grantor, and Washoe County, as Grantee, be approved and Chairman Sims be authorized to execute.

It was further ordered that the Utility Services Division Manager be directed to record the Water Rights Deed with the County Recorder.

97-274 WATER RIGHTS DEED - LEWIS HOMES - GALENA TERRACE UNIT 6 - UTILITY DIVISION

Upon recommendation of John Collins, Manager, Utility Services Division, Department of Water Resources, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the Water Rights Deed for 48.69 acre-feet of water rights being all of Permit 19341, Certificate 5271, as further changed by application 62859, between Lewis Homes of Nevada, as Grantor, and Washoe County, as Grantee, be approved and Chairman Sims be authorized to execute. It was further ordered that the Utility Services Division Manager be directed to record the Water Rights Deed with the County Recorder.

It was noted that Lewis Homes of Nevada is dedicating 39.95 acre-feet of water rights in support of water service to Galena Terrace Unit 6 and 8.74 acre-feet of water rights in support of future projects.

97-275 WATER RIGHTS DEED - MANOUKIAN FAMILY TRUST - NORTH SPRINGS ESTATES PHASE 3 - UTILITY DIVISION

Upon recommendation of John Collins, Manager, Utility Services Division, Department of Water Resources, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the Water Rights Deed for 2.0 acre-feet of water rights from a portion of Claim 142, changed by application 62539, between Manoukian Family Trust, a Nevada corporation, as Grantor, and Washoe County, as Grantee, be approved and Chairman Sims be authorized to execute. It was further ordered that the Utility Services Division Manager be directed to record the Water Rights Deed with the County Recorder.

97-276 WATER RIGHTS DEED - ALVIN E. MILLER AND NADINE MILLER - MILLER PARCEL MAP - UTILITY DIVISION

Upon recommendation of John Collins, Manager, Utility Services Division, Department of Water Resources, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the Water Rights Deed for 4.04 acre-feet of water rights from a portion of Permit 57915 between Alvin E. Miller and Nadine Miller, as Grantor, and Washoe County, as Grantee, be approved and Chairman Sims be authorized to execute. It was further ordered that the Utility Services Division Manager be directed to record the Water Rights Deed with the County Recorder.

It was noted that the dedication of water rights is in support of the Miller Parcel Map, APN 50-371-35, within East Washoe Valley.

97-277 WATER RIGHTS DEED - NEVADA ICE COMPANY - PINE TREE RANCH SUBDIVISION UNIT 6 (MERIT HOMES, INC.) - UTILITY

Upon recommendation of John Collins, Manager, Utility Services Division, Department of Water Resources, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the Water Rights Deed for 18.0 acre-feet of water rights from a portion of Permit 13903, Certificate 3801, further changed by Permit 62404, between Nevada Ice Co., a Nevada general partnership, as Grantor, and Washoe County, as Grantee, be approved and Chairman Sims be authorized to execute. It was

further ordered that the Utility Services Division Manager be directed to record the Water Rights Deed with the County Recorder.

It was noted that the dedication of 10.76 acre-feet of water rights on behalf of Merit Homes, Inc., a Nevada corporation, is in support of Pine Tree Ranch Subdivision Unit 6, and 7.24 acre-feet is in support of future development.

97-278 WATER RIGHTS DEED - RESOURCE APPLICATION & DEVELOPMENT, LTD. - HAWCO INVESTMENT AND DEVELOPMENT - FUTURE PROJECTS - UTILITY DIVISION

Upon recommendation of John Collins, Manager, Utility Services Division, Department of Water Resources, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the Water Rights Deed for 14.06 acre-feet of surface water rights from a portion of Claim 102, further changed by application 62540, between Resource Application & Development, Ltd., as Grantor, and Washoe County, as Grantee, be approved and Chairman Sims be authorized to execute. It was further ordered that the Utility Services Division Manager be directed to record the Water Rights Deed with the County Recorder.

97-279 WATER RIGHTS DEED - W. R. ROGGENBIHL - HAWCO INVESTMENT COMPANY - FUTURE PROJECTS - UTILITY

Upon recommendation of John Collins, Manager, Utility Services Division, Department of Water Resources, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the Water Rights Deed for 3.7125 acre-feet of surface water rights from a portion of Claim 209 between W. R. Roggenbuhl, as Grantor, and Washoe County, as Grantee, be approved and Chairman Sims be authorized to execute. It was further ordered that the Utility Services Division Manager be directed to record the Water Rights Deed with the County Recorder.

97-280 WATER RIGHTS DEED - W. R. ROGGENBIHL - NORTH SPRINGS ESTATES PHASE 3 - UTILITY DIVISION

Upon recommendation of John Collins, Manager, Utility Services Division, Department of Water Resources, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the Water Rights Deed for 1.23 acre-feet of surface water rights from a portion of Claim 550 between W. R. Roggenbuhl, as Grantor, and Washoe County, as Grantee, be approved and Chairman Sims be authorized to execute. It was further ordered that the Utility Services Division Manager be directed to record the Water Rights Deed with the County Recorder.

97-281 TERMINATION OF CONTRACTS - PCS AND WALGREENS' HEALTHCARE PLUS - NEW CONTRACT - INTEGRATED HEALTH CONCEPTS - RISK MANAGEMENT

Following discussion, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Sims ordered that the termination of the current provider contracts with both PCS (retail pharmacy) and Walgreens' Healthcare Plus (mail order) be approved. It was further ordered that a new contract with IHC (Integrated Health Concepts) to provide administrative services for both the retail pharmacy network and mail order drug service effective July 1, 1997, be approved and the Risk Manager be authorized to sign all required notifications and Administrative Agreement.

97-282 REJECTION OF BID NO. 1978-97 - NEW 230 H.P. CLASS TRACK TYPE TRACTOR - EQUIPMENT SERVICES

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 December 9, 1996 for a new 230 H.P. Class Track Type Tractor for the Equipment Services Division of the General Services Department. Proof was made that due and legal Notice had been given.

One Bid, copy of which was placed on file with the Clerk, was received from the following vendor:

Cashman Equipment Company

Rocky Mountain Machinery submitted a "No-Bid" response. Arnold Machinery, Empire Equipment, Western Power, and Western Traction failed to respond to the invitation to bid.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sims ordered that the sole bid received on Bid No. 1978-97 for a new 230 H.P. Class Track Type Tractor for the Equipment Services Division of the General Services Department be rejected.

It was noted that, as the County's existing tractor is felt to be in good condition and its future usage is anticipated to be light, the Finance Division and Equipment Services have determined it to be more beneficial to the Equipment Services fund at this time to exercise the purchase option on the existing three-year-old Caterpillar D7 Tractor rather than enter into an agreement for a new tractor.

97-283 AWARD OF BID - TENNIS COURT REPAIRS & RESURFACING - BID NO. 1980-97 - PARKS AND RECREATION DEPARTMENT

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 10, 1997, for Tennis Court Repairs and Resurfacing at Golden Valley, Hidden Valley, and Washoe City, for the Parks and Recreation Department. Proof was made that due and legal Notice had been given.

Mike Sullens, Purchasing Department, responded to questions of the Board.

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

- Advanced Asphalt
- Sierra Nevada Construction
- Sierra Stripers & Asphalt Paving

Ace Asphalt Paving, Atlas Contractors, Classic Courts, and Kustom Koatings failed to respond to the invitation to bid.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Bond, seconded by Commissioner Galloway, which motion duly carried, Chairman Sims ordered that Bid No. 1980-97 for Tennis Court Repairs and Resurfacing at Golden Valley, Hidden Valley, and Washoe City for the Parks and Recreation Department be awarded to the lowest responsive, responsible bidder, Advanced Asphalt, in the net amount of \$68,102. It was further ordered that the Purchasing and Contracts Administrator be authorized to execute the agreement for the Tennis Court Repairs and Resurfacing pursuant to the terms and conditions of the bid as awarded by the Board.

97-284 RESOLUTION - REFUND OF TAXES - KENNETH AND LAUREN KNESPLER - APN 125-544-12

Upon recommendation of James Barnes, Deputy District Attorney, as stated in D.A. Opinion No. 6331, on motion by Commissioner Shaw, seconded by Commissioner Bond, 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, Kenneth and Lauren Knespler (Taxpayer), made application for the refund of 1995-1996 real property taxes because fire partially destroyed the Taxpayer's property, APN 125-544-12; and

WHEREAS, Kenneth and Lauren Knespler have overpaid taxes for fiscal year 1995-1996 in the amount of \$781.02; 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 Kenneth and Lauren Knespler a total of \$781.02, that amount being the taxes overpaid by Kenneth and Lauren Knespler for the tax year 1995-1996 on APN 125-544-12.
2. 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.

97-285 RESOLUTION - REFUND OF TAXES - NEVADA UTAH ASSOCIATION OF SEVENTH DAY ADVENTISTS - APN 013-137-12 AND 013-137-13

Upon recommendation of James Barnes, Deputy District Attorney, as stated in D.A. Opinion No. 6329, on motion by Commissioner Shaw, seconded by Commissioner Bond, 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 Utah Association of Seventh Day Adventists (Taxpayer), made application for the refund of 1996-1997 real property taxes because, based upon an Assessor's error, the Assessor's Office failed to recognize that the Taxpayer's property, APN 013-137-12 and APN 013-137-13 was tax exempt; and

WHEREAS, Nevada Utah Association of Seventh Day Adventists have overpaid taxes for fiscal year 1996-1997 in the amount of \$6,166.88; 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 Utah Association of Seventh Day Adventists a total of \$6,166.88, that amount being the taxes overpaid by Nevada Utah Association of Seventh Day Adventists for the tax year 1996-1997 on APN 013-137-12 and APN 013-137-13.
2. 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.

97-286 RESOLUTION - REFUND OF TAXES - TRUCKEE PRECISION - I.D. #2/531-010

Upon recommendation of James Barnes, Deputy District Attorney, as stated in D.A. Opinion No. 6330, on motion by Commissioner Shaw, seconded by Commissioner Bond, 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, Truckee Precision (Taxpayer) made application for the refund of 1994-1995 personal property taxes because it paid taxes on property, I.D. #2/531-010, which was not located in Nevada on the lien date; and

WHEREAS, Truckee Precision has overpaid taxes for fiscal year 1994-1995 in the amount of \$14,312.75; 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 Truckee Precision a total of \$14,312.75, that amount being the taxes overpaid by Truckee Precision for the tax year 1994-1995 on I.D. #2/531-010.
2. 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.

97-287 ADDITIONAL GIS POSITION - COMMUNITY DEVELOPMENT

Upon recommendation of Gary Goelitz, Senior Administrative Analyst, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, Chairman Sims ordered that the addition of a GIS position within the GIS Program of the Community Development Department be approved. It was further ordered that staff be directed to return to the Board no later than December, 1997 with a recommendation regarding whether or not to abolish the Cartographer position within the Registrar of Voters Department.

97-288 ORGANIZATIONAL STRUCTURE - ROADS DIVISION

John MacIntyre, County Manager, advised that considerable discussion was held regarding this item at yesterday's caucus. He referred to the memorandum dated March 14, 1997 directed to Commissioner Bond and signed by approximately 50 Roads Division personnel, and advised that it sets forth concerns regarding approximately 10 of the 25 recommendations proposed by Gary Goelitz, Senior Administrative Analyst, in his Analysis of the Organizational Structure of the Roads Division dated March 4, 1997, and requests that further discussion be held on these matters.

Following discussion, on motion by Commissioner Bond, seconded by Commissioner Mouliot, which motion duly carried, Chairman Sims ordered that this item be continued to the April 8, 1997 meeting; that staff be directed to address the issues identified in the March 14, 1997 memorandum; and that staff meet with Roads Division staff to determine if some consensus or modifications could be made between now and April 8.

Commissioner Galloway requested that any additional issues that come forth as a result of these meetings also be presented to the Board on April 8.

Commissioner Shaw requested that this item be placed on the agenda at a time certain.

COMMISSIONERS'/MANAGER'S COMMENTS

Commissioner Galloway referred to SB3 relative to funding measures regarding the North Shore Beautification and Water Quality Project and asked if the other Board members have had the opportunity to read the Bill and what sense the members have relative to direction to Mary Henderson, the County's lobbyist, regarding said Bill.

A discussion commenced and Chairman Sims requested that Board members review the proposed Bill to be prepared for discussion and staff direction at next Monday's caucus meeting.

COMMUNICATIONS AND REPORTS

97-289 COMMUNICATIONS

A. Notification from the City of Sparks of the intent to annex 4.24 acres of land located on the east side of Spanish Springs Road approximately 1 mile south of Las Posada Drive and the introduction of Bill 2064 to do so.

B. Notification from the Palomino Valley General Improvement District of the election of Ken McGuire by the sitting members, since a full board was not elected at the general election on November 5, 1996.

97-290 TAX DELINQUENT PROPERTY SALES

Treasurer, Return of Sale of Real Estate held on February 19, 1997:

Name	Parcel Number	Price
Cook Properties Limited Partnership		
Marlene A Cook, general partner	050-483-05	\$ 28,500.00
Raymond Beatty	050-483-06	\$ 29,000.00
Krystyna Tomana	061-220-02	\$ 3,750.00
Jim C & Julie Linscott		
Clifford & Tina Marie Springmeyer	066-090-06	\$ 13,000.00
Manjeet Singh Sodhi & Tej Kaur Sodhi	066-260-01	\$ 2,900.00
Alan R Davis and Shizuko Davis	074-052-18	\$ 1,700.00
Alan R Davis and Shizuko Davis	074-061-13	\$ 1,300.00
Alan R Davis and Shizuko Davis	074-062-20	\$ 1,700.00
John H and Ethel I Anundson	074-090-06	\$ 1,092.00
Ed Huff and Derek Russell	074-090-21	\$ 550.00
John H and Ethel I Anundson	074-090-23	\$ 1,092.00
John H and Ethel I Anundson	074-090-60	\$ 1,092.00
John H and Ethel I Anundson	074-161-15	\$ 6,500.00
John H and Ethel I Anundson	074-162-01	\$ 325.00
Joseph Naso, in trust for David Naso	074-170-27	\$ 2,800.00
John H and Ethel I Anundson	074-170-44	\$ 728.00
Genato Buendia	074-182-05	\$ 2,100.00
Joseph Naso, in trust for David Naso	074-182-07	\$ 10,196.00
Brenda Sue Knight	074-182-10	\$ 1,950.00
John H and Ethel I Anundson	074-222-14	\$ 1,092.00
Joseph Naso, in trust for David Naso	074-412-01	\$ 9,000.00
Alan R Davis and Shizuko Davis	074-420-17	\$ 2,100.00
Krystyna Tomana	079-230-01	\$ 5,050.00

97-291 REPORTS - MONTHLY [JANUARY, 1997]

- A. Animal Control
- B. County Clerk
- C. Court Clerk

- D. Sheriff Detention/Courts Facility
- E. Social Services
- F. Treasurer

97-292 REPORTS - QUARTERLY [OCTOBER 1 TO DECEMBER 31, 1996]

- A. Washoe County School District
- B. Washoe County
- C. Verdi Television District

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There being no further business to come before the Board, the meeting adjourned at 11:55 a.m.

GRANT D. SIMS, Chairman
Washoe County Commission

ATTEST: JUDI BAILEY, County Clerk