

**PETITIONER'S
EVIDENCE**

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038-341-22
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FEB 01 2017

WASHOE COUNTY ASSESSOR

Mike Clark
Washoe county Board of Equalization
Reno, NV

Dear Mr. Clark:

Enclosed find a copy of my letter to the County Board of Equalization.
Your Assessor, Alasdair R. Holwill recommended that Tom Bradley and
myself appeal our taxes after consulting with you, his supervisor.

Sincerely,
Eugene V. Elliott
10 Zane Grey Lane
Parcel number 038-341-22

Petitioner Ex # A Date 2/2/17
APN 038-341-22
Number of Pages 15

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Washoe County Board of Equalization

To whom it may concern:

I would like to get my property taxes reduced. I have a detached barn/garage that I use to store my classic cars. However, I can no longer get my classic cars into or out of the barn where they are stored because of the damage to that driveway because of water and mud run-off caused ruts in the driveway.. Also my travel trailer is now blocked by the ruts, I had planned on selling it this January and now it cannot be removed from the property.

My up hill neighbors have built a number of buildings and in one case has dumped his loose soil left over from building a garage in a way that has changed the water runoff from his property. As a result, water and soil now runs down onto my property to the barn and causes deep ruts in the driveway in addition to making a mud covered mess on my concrete driveway According to this neighbor the building department ordered him to dump his loose soil over his fence, exacerbating the already serious problem.

A representative of the County (Alasdair R. Holwill) inspected the properties and recommended that my down-the-hill neighbor, Tom Bradley and myself appeal our taxes because the damage has rendered the area unusable. This was after he consulted with his supervisor, Mike Clark.

Cleaning the driveway will not cure the problem because each rainstorm will repeat the damage, causing the ruts to get deeper and deeper and exposing more rocks to the surface.

I do not see an easy answer to this problem since my uphill neighbors keep exacerbating the problem by putting up more buildings and driveways and are now dumping excess dirt on the hill so that it flows down into my yard and that of my other neighbors.

Since the barn and driveway area to the barn are essentially no more useable, I believe the value of my property has declined. I hate to lower the value of my property but I see no alternative given the present situation. I

would like to present this petition with my downhill neighbor Tom Bradley of 15 Zane Grey Lane who has the same problem.

It should be noted that water runoff has been argued extensively in court: Clark vs. Powers, J96 Nev. Pp. 498-505, it was found that Clark County had, by acting in conjunction with various private parties, caused large amounts of water to be cast upon the properties of the Powers.... The county was found in error and the Nevada Supreme Court affirmed with all five judges in agreement.

Damage to 10 Zane Grey Lane caused by run-off from neighbors

The enclosed pictures show some of the damage. Note that the mud-water combination is digging out under the concrete driveway. This shows the futility of putting a hard surface on the barn driveway which has deep ruts. In the past the runoff would be mostly water and it would go to the back yard which is sandy and it would sink. Now you can see in the pictures that show my utility trailer that the back yard is surrounded with mud. I have the trailer filled with yard trimmings but I cannot get it out through the rut-filled barn driveway. I was going to sell my other trailer but the same story applies there. I have two classic cars sitting in the barn and I do not dare take them out either. The usual suggestions for fixing this involve my neighbor Mr. Tom Bradley of 15 Zane Grey and I spending lots of money to repair a problem that is not of our making and will reoccur often. In addition, we will have to stay home to apply stopgap measures to make sure the problem doesn't get worse. In other words we will become prisoners in our own homes. Worse, my leach field is located next to this barn driveway and I have been told that a mud situation like this can completely plug a leach field. This information about plugging of leach fields with mud can also be found on EPA's website. There is no sewer in this area for us to hook to if this should happen. I am also concerned about the other side of my yard where my well sits. Water and mud have surrounded the well head casing. This water and mud wash off the 25 Nightowl Drive leach field. Horse manure can also wash into my yard and in the direction of my well. If the sanitary shield should fail this could be a disaster. According to the EPA website well water should not be drunk in these instances until the well is tested. More expense and time.

Picture 1 shows how the water is undercutting my driveway. The washout is 10 inches below my driveway. Picture 2 shows the same thing from a short distance. This is the lee side of the driveway where the water has already crossed the driveway. Picture 3 shows how deep one of the ruts is. Picture 4 shows a distance shot of the damage. Picture 5 shows ruts leading to my barn door. Pictures 6 and 7 shows another picture of ruts. 8 shows a more Southerly view of the barn driveway. 9 shows a more Northerly view. 10, 11 and 12 show the west side of the main driveway to the house and this is the side that the water comes down the hill from the neighbors due to the fact that their runoff does not go to Nightowl drive as it should. Pictures 13 and 14 shows the aforementioned utility trailer and the mud that has flowed

down beside it. It used to sit on my sandy soil but now is surrounded by the mud wash. Some of the excess water used to go here to the back yard and sink into the sandy soil. Now it will probably continue to the next house down the hill exacerbating the problem.

The mud is coming heavily from Powning's (25 Nightowl Drive) new building area. Greg Powning dug a foundation for his RV garage which was scheduled to be 18 feet by 50 feet. He simply put the dirt over the fence on the hill leading to 10 and 15 Zane Grey Lane. The water-mud combination seems to be worse than just water.

Another part of the problem is the drain at the bottom of Nightowl drive is not as open as it once was. It was changed at taxpayer expense and partially covered with asphalt. We did not have this problem before the owners of 25 and 55 Nightowl Drive started adding buildings, concrete and asphalt.

We feel that drainage is a Washoe County Building Department problem but Mr. Bradley and I talked to Mr. Kimball Corbridge at the building department and he denied this and said that we lived downhill from other houses and we should expect property damage.

We are at a stage where we do not know what to do other than follow Mr. Holwill's advice (he is from the County Board of Equalization) and ask for a reduction in our taxes. We do not want to do this since it will lower the value of our houses. I do not plan on selling but at my 77 years of age anything can happen.



Septic Systems—What to Do after the Flood

Where can I find information on my septic system?

Please contact your local health department for additional advice and assistance. For more information on onsite/decentralized wastewater systems, call the National Environmental Services Center at (800) 624-8301 or visit their website at www.nesc.wvu.edu.



Do I pump my tank during flooded or saturated drainfield conditions?

No! At best, pumping the tank is only a temporary solution. Under worst conditions, pumping it out could cause the tank to try to float out of the ground and may damage the inlet and outlet pipes. The best solution is to plug all drains in the basement and drastically reduce water use in the house.

What if my septic system has been used to dispose wastewater from my business (either a home-based or small business)?

In addition to raw sewage, small businesses may use their septic system to dispose of wastewater containing chemicals. If your septic system that receives chemicals backs up into a basement or drain field take extra precautions to prevent skin, eye and inhalation contact. The proper clean-up depends on what chemicals are found in the wastewater. Contact your State or EPA for specific clean-up information.

What do I do with my septic system after the flood?

Once floodwaters have receded, there are several things homeowners should remember:

- Do not drink well water until it is tested. Contact your local health department.
- Do not use the sewage system until water in the soil absorption field is lower than the water level around the house.
- Have your septic tank professionally inspected and serviced if you suspect damage. Signs of damage include settling or an inability to accept water. Most septic tanks are not damaged by flooding since they are below ground and completely covered. However, septic tanks and pump chambers can fill with silt and debris, and must be professionally cleaned. If the soil absorption field is clogged with silt, a new system may have to be installed.
- Only trained specialists should clean or repair septic tanks because tanks may contain dangerous gases. Contact your health department for a list of septic system contractors who work in your area.
- If sewage has backed up into the basement, clean the area and disinfect the floor. Use a chlorine solution of a half cup of chlorine bleach to each gallon of water to disinfect the area thoroughly.

- Pump the septic system as soon as possible after the flood. Be sure to pump both the tank and lift station. This will remove silt and debris that may have washed into the system. Do not pump the tank during flooded or saturated drainfield conditions. At best, pumping the tank is only a temporary solution. Under worst conditions, pumping it out could cause the tank to try to float out of the ground and may damage the inlet and outlet pipes.
- Do not compact the soil over the soil absorption field by driving or operating equipment in the area. Saturated soil is especially susceptible to compaction, which can reduce the soil absorption field's ability to treat wastewater and lead to system failure.
- Examine all electrical connections for damage before restoring electricity.
- Be sure the septic tank's manhole cover is secure and that inspection ports have not been blocked or damaged.
- Check the vegetation over your septic tank and soil absorption field. Repair erosion damage and sod or reseed areas as necessary to provide turf grass cover.

Remember: Whenever the water table is high or your sewage system is threatened by flooding there is a risk that sewage will back up into your home. The only way to prevent this backup is to relieve pressure on the system by using it less.

1. What are some suggestions offered by experts for homeowners with flooded septic systems?
2. Use common sense. If possible, don't use the system if the soil is saturated and flooded. The wastewater will not be treated and will become a source of pollution. Conserve water as much as possible while the system restores itself and the water table falls.
3. Prevent silt from entering septic systems that have pump chambers. When the pump chambers are flooded, silt has a tendency to settle in the chambers and will clog the drainfield if it is not removed.
4. Do not open the septic tank for pumping while the soil is still saturated. Mud and silt may enter the tank and end up in the drainfield. Furthermore, pumping out a tank that is in saturated soil may cause it to "pop out" of the ground. (Likewise, recently installed systems may "pop out" of the ground more readily than older systems because the soil has not had enough time to settle and compact.)
5. Do not dig into the tank or drainfield area while the soil is still wet or flooded. Try to avoid any work on or around the disposal field with heavy machinery while the soil is still wet. These activities will ruin the soil conductivity.
6. Flooding of the septic tank will have lifted the floating crust of fats and grease in the septic tank. Some of this scum may have floated and/or partially plugged the outlet tee. If the septic system backs up into the house check the tank first for outlet blockage. Clean up any floodwater in the house without dumping it into the sink or toilet and allow enough time for the water to recede. Floodwaters from the house that are passed through or pumped through the septic tank will cause higher flows through the system. This may cause solids to transfer from the septic tank to the drainfield and will cause clogging.
7. Locate any electrical or mechanical devices the system may have that could be flooded to avoid contact with them until they are dry and clean.
8. Aerobic plants, upflow filters, trickling filters, and other media filters have a tendency to clog due to mud and sediment. These systems will need to be washed and raked.



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