



MINUTES OF THE WASHOE COUNTY SENIOR SERVICES ADVISORY BOARD MEETING

March 1, 2017

Washoe County Senior Center, 1155 E. 9th Street, Reno, Nevada 89512
Game Room

1. **Call To Order** - Meeting was called to order at 3:05 p.m. by Chairman Dr. Larry Weiss
2. **Roll Call** – Dr. Larry Weiss asked for the roll call; Sandra Vasquez took the roll. There was a quorum present.

WASHOE COUNTY SENIOR SERVICES ADVISORY BOARD PRESENT:

PRESENT

Dr. Larry Weiss
Connie McMullen
Marsy Kupfersmith
Barbara Korosa
Dennis Chin

Donna Clontz, Alternate
Wayne Alexander
Gary Whitfield
Sandra Dexter
Stan Dowdy, Alternate

ABSENT (EXCUSED*)

Ken Romeo
*Garth Elliot

WASHOE COUNTY STAFF PRESENT

Ken Retterath
Sandra Vasquez
Angela Owings

Leslie Admirand (DA)
Abby Badolato

ADVISOR (ABSENT)

Victoria Edmondson

3. *Public Comment –

Dennis Chin stated he will be stepping down soon from the Board and in the past 15 years he has seen things change. He commented it is imperative for Washoe County to start doing things and work on the Master Plan template; that it would be good to get together and have a conference on aging with the state, county, city, university, and medical experts. Dennis expressed his thanks for the time and effort and stated it was a pleasure being associated with the Board.

Gary commented if it was appropriate to add a member of each of the medical centers in the community; Dennis stated it was appropriate.

4. *Member Announcements – No member announcements.

5. Approval of the Agenda for the Advisory Board Meeting on March 1, 2017.

Motion to approve the Agenda was made by Dennis Chin and seconded by Marsy Kupfersmith. Motion passed unanimously.

6. Approval of the Minutes for the Advisory Board Meeting on February 1, 2017.

Motion to approve the minutes was made by Dennis Chin and seconded by Stan Dowdy. Motion passed unanimously.

7. *Update on WCSSAB ordinance change

Donna handed out memo for "Washoe County code changes affecting the Senior Services Advisory Board" (see attachment) and explained that when she read it she noticed there were changes they were not aware of. There was a change on the Board member numbers, ex-officio seats were removed, and there were changes in the role of the Board. Donna stated she contacted county commissioners and Amber Howell in regards to the changes. She submitted the memo to Amber Howell and suggested the size of the Board consist of 9 permanent members, add to their role that they make recommendations to the BCC, add back the 'recommending and evaluating programs and policies' and add the statement of the age of 60 and over for eligibility for certain senior services. Donna stated she went to the county commission and did public comment and gave them a copy of the proposed ordinance changes. It was supposed to be heard on February 28th but the first reading has been pushed to March 14th.

Barbara Korosa stated if there is going to be a change in Board members, this means that some members will be leaving the Board when some have just been appointed.

Leslie Admirand stated that if the composition of the Board is changed through the ordinance, then it basically is a new Board and that would require new members to be appointed.

Ken stated that when the ordinance goes to the first reading, the second reading is fairly quickly afterwards.

Dennis stated that in the past, the director of senior services has used the Board for different things. Donna suggested for the Board to read the memo and think about what they would like to see the Board doing.

8. *Update on Sparks Senior Citizen Advisory Committee – Donald Abbott

Donald stated he reached out to the City Manager February 7th and followed up of the 24th of February and there seems to be a positive interest in a Sparks committee.

9. Discussion, planning, and possible approval of activities for Older American Month in May 2017 – SCAC Chair Donna Clontz and Larry Weiss

Donna stated a group has been working on a safety fair that deals with seniors and they want to have a fair for half a day for one day in May. They have also asked Senior Law and City Attorneys to have a law panel for seniors. There will also be a baseball game and other events at places such as Incline Village. Marsy has spoken with people from different library locations and they are excited about hosting events for OAM. The next meeting is March 9th and Wayne is looking into getting free to low cost tickets to museums. Donna also stated she found out that there is a senior health and fitness day which is an organized activity on the last Wednesday of May. Sanford Center will also have an event and talking about medication usage.

Stan stated they are meeting with AARP to brainstorm ideas on how AARP can help with OAM. Marsy stated she has reached out to the Native American community and they are excited and would like to participate and maybe host an event.

10. *Update on allocated resources in North Valley for bus roundtrip transportation from Cold Springs to Reno (requested by Commissioner)

Ken stated Garth Elliot was looking into this item and he was talking to Commissioner Herman. Donna stated she had talked to Commissioner Herman and she mentioned she had gotten a partner to work on getting a van from a car dealer. The van would be used by seniors from Cold Springs to go to Reno and run errands as a group. Ken stated he knows Commissioner Herman wants information on this item.

11. *Update on Senior Legislation – Connie McMullen, Donna Clontz

Connie stated things at the Legislatures are going fast and it's the third week of session. Long term care expansion of Ombudsman is moving on through the house. Expansion of duties for elder rights attorney (elder and disabled rights attorney) has also expanded the age to all ages and not just over 60. There was a request for studies on behavioral health and cognitive health. There are 4 studies on rates and 3 of them are to be exempt and they have to go to the money committee which means they can go from one house to the other without dying. Sleep time bill for caregivers in the home was sponsored by Julia Ratti. Bill for minimum wage for \$12/hr and another one for \$15/hr is still moving. Medicaid expansion is subject for question and there are over 300,000 people in Medicaid expansion. Bill on vital signs where home agencies would be able to do vital signs in the home is also moving along the house. Nothing yet on Meals on Wheels, but there is money in the governor's budget for it. Bill for paid leave for caregivers is sponsored by AARP. Connie stated she will provide bill numbers if asked for them. Donna stated Jane Gruner is giving updates of Legislature to the Washoe County Senior Coalition. Gary stated he forwards the information he learns from the committee to the VA. Bill for Adult Daycare has a raise, but they are having a difficult time with Medicaid.

12. *Update on Commission On Aging, including Senior Issues Day – Connie McMullen

Connie stated Senior Issues Day went really well, but she didn't think as many legislators attended. Breakfast could have been better but lunch was great and the presentations were good. They did miss the Heidi Gansert appointment; but were able to see Julia Ratti and they took pictures to tweet. Donna stated over 270 seniors gave their name so that they can be kept up to date on what is going on in the legislature. Over 100 seniors attended and over 25 people rode the RTC bus that was provided. She led three groups and some got to sit on the floor with their representatives. Marsy stated they met with all legislators, except one; they had about 10-15 minutes to talk and people shared their stories. She met with Assembly woman Lisa Krasner and they talked about the caregiver bill and Lisa stated she wanted to co-sponsor the bill. When they were trying to find out who the sponsor was, it turned out it was Shannon Bilbray-Axelrod and she was in the room with them and Lisa and Shannon started to talk about sponsoring the bill. Marsy also stated 11 of 12 legislators met with them, except Don Gustavson who was too busy. She made sure she thanked every attaché. Larry stated the seniors that went had name tags that Donna and her husband made for them and people asked where they came from. Donna commented that at the joint meeting, several seniors stated they didn't use the internet, but they would like to keep track of what is going on in the legislature. She has arranged to give updates and advocacy materials on two Thursdays from March-June at the conference room at the Reno Center from 9-10am.

13. *Open Meeting Law training – Leslie Admirand

Leslie gave a handout (see attachment) about Nevada Open Meeting Law. Open Meeting Law (OPL) is also known in other jurisdictions as Sunshine Law and it's basically to keep government open and transparent and have the actions of a public body to take place in public with the allowance of public input.

The legislative intent of OML is that all public bodies exist to aid in the conduct of the people's business and their actions be taken openly and that their deliberation be conducted openly. The five basic pillars of OML are public body, meeting, notices required, agenda requirement, and requirements for the minutes. A public body is any administrative, advisory, executive or legislative body of the state or local government which expends or disburses or is supported in whole or in part by tax revenue or which advises or makes recommendations to any entity (example would be county commissioners, city councils, and advisory). This includes subcommittees or other subsidiaries of boards, commissions, committees; therefore subcommittees are subject to provisions of OML. A public body is NOT the Legislature of the State of Nevada, courts, and most non-profit, and private boards. Staff meetings are not a public body; they are not open to the public. The second pillar, meeting is defined as a gathering of members of a public body at which a quorum is present to deliberate toward a decision or to take action on any matter over which the public body has supervision, control, jurisdiction, or advisory power. The gathering can be electronically, everywhere and anywhere except during breaks of meetings such as parking lots, water coolers, and bathrooms. A quorum is a simple majority of the constituent membership of a public body or another proportion established by law or as required by specific statute. The current board is made up of 10 members at the moment, a quorum would be 6. To deliberate means to collectively examine, weigh and reflect upon the reasons for or against the action. The term includes without limitation the collective discussion or exchange of facts preliminary to the ultimate decision. Every legislative session may have OML. An action is a decision made by a majority of the members present during a meeting of a public body and/or commitment or promise made by a majority of the members present during a meeting. Donna asked in regards to non-action items on an agenda, how the Board can do non-action items without getting to the point of deliberating. Leslie recommended that items that need to be discussed or be action items can be talked about in items such as #17 which is agenda items for the next Board meeting. Leslie responded that the item would be more as an update item. In addition to standard meetings and properly noticed and open to the public and a quorum is present, meetings can be held via telephone or video conference. It is important to know the electronic communication must not be used to circumvent the spirit or letter of the Open Meeting Law and the public must be able to hear or observe; this means members should not be using emails or text messages to communicate with other members of the Board. Closed meetings are allowed to consider character, alleged misconduct, and professional misconduct, physical or mental health of a person, prepare or grade exams, and it does not include discussion of appointment of any person to a public office or as member of body. Attorney conferences are outside the definition of meeting and are to receive information from the attorney regarding potential or existing litigation and to deliberate toward a decision on the matter or both. A social function is not always a meeting and if the members do not deliberate toward a decision or take action on any matter. The definition of a meeting is a walking quorum; it is any series of gatherings of members of a public body at which less than a quorum is present, the members of the public body attending one or more of the gatherings collectively constitute a quorum and the series of

gatherings was held with the specific intent to avoid the provisions of this chapter. It is important to know that when an email is sent, do not 'reply all.' The third pillar, notice, has to have content so that the public has the right to know day, time and place. There has to be posting in four prominent places with proof including place of meeting, the website, and names and contact info for supporting material. Notice can also be given by mail if there is a subscription and it has to be posted by 9am three working days prior to the meeting, not including weekends and holidays. The fourth pillar (agenda) has to be clear and complete; it is the right of the public to know what is going to be discussed. It has to show action vs. discussion. An action item is "for possible action," there needs to be a decision or consensus with motions and votes. It is important to stick to the agenda and for it to have public comment at the beginning and end. The materials need to be available to the public at the meetings, which include the agenda, backup materials, and they can be given by email if requested. Any handouts given in the meeting also need to be posted in the website 24 hours after the conclusion of the meeting. The fifth pillar (minutes) have to be audio recorded and transcribed and must be available within 30 working days after the meeting. In regards to violations, actions taken in violation of the OML are void. Attorney General's office has primary jurisdiction to enforce OML and willful violation can result in misdemeanor charges and fines. If convicted of an OML violation, a member of a public body vacates their seat automatically. If Attorney General finds a violation, the public body must include an item on the next agenda posted for a meeting of the public body which acknowledges the findings. The Attorney General's office may bring a legal proceeding to void an action allegedly taken in violation of the OPL. A private citizen may also bring a legal proceeding. The Golden Rule of OML is if not sure whether a certain act should be done in the open; it should always happen at a properly noticed open meeting. There are other sources of information, such as reviewing the provisions of NRS Chapter 241, don't assume that other public body members will be able to spot every issue and rely on your knowledge and discuss issues with the public body legal counsel. Leslie stated her office will defend OML violations unless there is a willful disregard of any notices. Leslie advised the Board on public comment and future agenda items that those items are not items for discussion with question toward staff.

14. *Jeff Klein from Nevada Senior Services Adult Day Care Centers of Las Vegas consultation update – Ken Retterath

Ken stated the contract with Jeff Klein has ended and he will get the list of programs Jeff Klein created for Adult Day Care. Sandra will make sure Dennis gets a paper copy.

15. *Nutrition Program update- Ken Retterath

Ken stated they put in a CIP (Capital Improvement Project) request for the kitchen to do some things and get new equipment.

Donna asked if a presentation could be made when appropriate to know about the budget. Ken stated he will make a presentation once they know what they get.

Larry stated if they know what they can advocate for, then that would help.

Dennis Chin asked why they don't fundraise, Ken stated he believe as a government entities they are not allowed to fundraise.

Connie stated she spoke with senator Ratti and she said she is going to introduce a bill to raise the cap on property tax because the counties are so strapped; but for seniors it won't apply until their home is sold.

16. Discussion and possible direction to staff on Advisory Board roles and issues for Board Retreat on March 8th or 15th - Larry Weiss

Larry stated staff did a survey and it seems the 8th is the day that most members can be present. Larry stated he has a draft agenda of items such as: Define the role of the advisory board. Discuss Bylaws change such as: development of long and short term departmental goals, recommending and evaluating programs and policies, reviewing the quality of departmental services provided, providing technical assistance, reviewing and making recommendations regarding the division's proposed budget, and reviewing and providing input to director regarding community trends and needs. Review, discuss, and agree on the ordinance presented to administration and commissioners. Review Master Plan and Bylaws; also to find out what each member is interested in and identify any potential collaborators. Larry also stated he was able to get Holly Buttermann as a facilitator for the retreat meeting. Staff is welcomed to the meeting and the meeting will be from 1pm-5pm.

17. Agenda items for the next Board meeting

Next meeting is joint meeting that City of Reno is hosting and Gary would like to ask in the meeting the annual budget and what it costs to provide transportation from RTC. Connie requested Access to Health be invited to talk about the transportation they provide. For May meeting Donna would like a report on the budget so they can know what has been requested and that way they can help support the senior program. Marsy stated she has a possible guest speaker; the new director of WC Library system Jeff Scott may make a presentation in regards to what is available to seniors from the library. Update on Sparks Senior Citizen, Older American Month, and other items that are currently a standing agenda item.

18. *Public comment

Dennis asked if it's possible to invite past directors to the Older American Month. Donna stated anything is possible. Agustin Cortez commented that there has been many hit and runs. He also stated his thought that since the senior population is growing, then why is the advisory board downsizing. Donna stated the Senior Health Advocate program was created by SCAC and they are recruiting volunteers. Part of their role would be to work the information desk at WCSS Reno Center.

19. Adjournment

Motion to adjourn was made by Dennis Chin and seconded by Gary Whitfield. Vote was unanimous. Meeting adjourned at 4:40 pm.