

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY 5:15 P.M. JUNE 9, 1998

PRESENT:

Joanne Bond, Chairman
Mike Mouliot, Vice Chairman
Sue Camp, Commissioner
Jim Galloway, Commissioner
Jim Shaw, Commissioner

Judi Bailey, County Clerk
Katy Simon, Interim County Manager
Madelyn Shipman, Legal Counsel

The Board met in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. Following the pledge of allegiance to the flag of our Country, the Clerk called the roll and the Board conducted the following business:

98-519 AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Shaw, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bond ordered that the agenda for the June 9, 1998, meeting be approved with the following changes: delete Items 6A and 6B, closed session and possible action concerning a Washoe County Department Head; 7C, acknowledgment of publication of Notice of Intent to augment budget and resolutions to augment the Indigent Tax Levy Fund and the Child Protective Services Fund; and 8C, Award of Bid for Galena Creek Park Flood Damage Repair Project.

PUBLIC COMMENTS

Gilbert M. Cortez, 5396 Carol Drive, Sun Valley, and owner of Sun Valley Vacuums at 5160 Sun Valley Blvd., stated that he and other members of the Latino Coalition are present to discuss several problems; that the first concerns his business and the fact that he was only allowed to post a banner advertising his business for 30 days when he sees many other businesses in Sun Valley posting banners continuously, and asked if there are two different sets of rules in this regard; that he thinks the current campaign to clean up Sun Valley is a good thing, but people going house-to-house in a "Gestapo-like" manner looking for violations is going overboard and asked if that is being done with the Board's blessing; that he was tagged for an awning that he patterned after every other awning in the neighborhood and feels he is being singled out; that the reason many folks don't get building permits is because of the hassle and the second class citizen treatment they get when they try to get a permit; that employees in the Building Department are rude and unwilling to be of service and some of the Inspectors don't even know their own code book as evidenced by the fact that one Inspector will tell you one thing and another will tell you something entirely different; and that the Building and Safety Department needs a lot of improvement, especially if they expect the citizenry of Sun Valley to support the program to clean up Sun Valley.

MINUTES

On motion by Commissioner Camp, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that the minutes of the regular meetings of May 12 and 18, 1998, be approved.

98-520 PROCLAMATION - HOMEOWNERSHIP WEEK

On motion by Commissioner Galloway, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the following proclamation, which was read by Chairman Bond, be adopted and duly executed:

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

WHEREAS, Homeownership strengthens families, builds communities and promotes personal well-being; and

WHEREAS, The Washoe County Partners in Homeownership is actively engaged in increasing homeownership opportunities for the people in Washoe County and is doing so through the successful efforts of a partnership of public, private and non-profit organizations, through the Washoe County HOME Consortium; and

WHEREAS, The Washoe County Partners in Homeownership is working to assist in the goals to reach an all-time high homeownership rate of 67.5% of all American households by the end of the year 2000; now, therefore be it

PROCLAIMED BY THE BOARD OF COMMISSIONERS OF WASHOE COUNTY, NEVADA, that June 6-13, 1998, is designated as Homeownership Week in Washoe County and the Board calls upon the people of Washoe County, Nevada to recognize this special observance with appropriate ceremonies and activities.

98-521 AMENDMENT TO LETTER OF CREDIT - SKY RANCH NORTH UNIT 2C - UTILITY SERVICES DIVISION

Upon recommendation of John Collins, Manager, Utility Services Division, Department of Water Resources, on motion by Commissioner Galloway, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bond ordered that the Amendment to Letter of Credit No. 869900036 for Sky Ranch North 2C, in the amount of \$82,650.00, be accepted. (The document was not placed on file with the County Clerk.)

98-522 ACCEPTANCE OF DEED - SADDLEHORN HOMEOWNERS ASSOCIATION - THOMAS CREEK ROAD RIGHT OF WAY - PUBLIC WORKS

Upon recommendation of James Gale, Senior Property Agent, through Dave Roundtree, Public Works Director, on motion by Commissioner Galloway, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the deed from the Saddlehorn Homeowners Association, concerning Thomas Creek Road and Arrowcreek Parkway rights-of-way, be accepted and Chairman Bond be authorized to execute.

98-523 ACCEPTANCE OF QUITCLAIM DEED - C. B. MADDOX - ARROWCREEK PARKWAY/ZOLEZZI LANE - RIGHT OF WAY - PUBLIC WORKS

Upon recommendation of James Gale, Senior Property Agent, through Dave Roundtree, Public Works Director, on motion by Commissioner Galloway, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the Quitclaim Deed from C. B. Maddox, concerning Arrowcreek Parkway right-of-way at the intersection of Zolezzi Lane, be accepted and Chairman Bond be authorized to execute.

98-524 GRANTS OF EASEMENT - EMMA GILBERTSON AND BILLY L. WHITE - EASTSIDE SUBDIVISION - PUBLIC WORKS

Upon recommendation of James Gale, Senior Property Agent, through Dave Roundtree, Public Works Director, on motion by Commissioner Galloway seconded by Commissioner Mouliot, which motion duly carried, it was ordered that Grants of Easement from Emma Gilbertson and Billy L. White, needed for storm drain facilities within the Eastside Subdivision, be accepted and Chairman Bond be authorized to execute.

98-525 SANITARY SEWER EASEMENT - CITY OF RENO - NORTH VALLEYS LIBRARY SITE - PUBLIC WORKS

Upon recommendation of James Gale, Senior Property Agent, through Dave Roundtree, Public Works Director, on motion by Commissioner Galloway seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the Sanitary Sewer Easement granted to the City of Reno by Washoe County to provide sanitary sewer services to the North Valleys Library site and neighboring properties,

be approved and Chairman Bond be authorized to execute.

98-526 DEED OF DEDICATION AND EASEMENTS - JACKLING AGGREGATE, LLC - HIGHLAND RANCH PARKWAY - PUBLIC WORKS

Upon recommendation of James Gale, Senior Property Agent, through Dave Roundtree, Public Works Director, on motion by Commissioner Galloway, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the Deed of Dedication, Grant of Easement and Slope Easement from Jackling Aggregate LLC, a Nevada Limited Liability Company, for a portion of Highland Ranch Parkway, be accepted and Chairman Bond be authorized to execute.

98-527 CHANGE ORDER NO. 1 - 1997/98 SLURRY SEAL PROJECT - GRANITE CONSTRUCTION - PUBLIC WORKS

Upon recommendation of Greg Belancio, Engineering Division, through Dave Roundtree, Public Works Director, on motion by Commissioner Galloway, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that Change Order No. 1 to increase the 1997/98 Slurry Seal of Selected Streets in the Truckee Meadows Area Project contract with Granite Construction Company an additional \$200,000 for surface treatment work on all the County-maintained paved streets within the town of Gerlach and a section of Highway 447 outside Gerlach, Nevada, be approved and Chairman Bond be authorized to execute.

98-528 APPROVAL OF DISTRICT COURT AS SUBGRANTEE OF FEDERAL GRANTS - RIDGE HOUSE - DISTRICT COURT

Upon recommendation of Cathy Krolak, Court Administrator, on motion by Commissioner Galloway, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bond ordered that the District Court be approved as a subgrantee official for the State of Nevada Department of Motor Vehicles and Public Safety, Office of Criminal Justice Assistance, Byrne Memorial Formula Grant (CFDA #16.579), for both FY 97/98 and FY 98/99. It was noted that the District Court will serve as subgrantee official for "pass-through" federal funds for The Ridge House project entitled "Forum for Treatment and Co-Case Management".

It was further ordered that the Comptroller be directed to post the following account transactions:

	Increase		Increase	
	Account	Amount	Account	Amount
FY 97/98	12135G-4301	\$ 50,885.94	12135G-7140	\$ 50,885.94
FY 98/99	12135G-4301	\$127,766.00	12135G-7140	\$127,766.00
		\$178,651.94		\$178,651.94

98-529 ADDITIONAL GRANT APPROPRIATIONS - NATIONAL SCHOOL LUNCH/BREAKFAST PROGRAM - JUVENILE SERVICES

Maryann Woolley, Juvenile Services, was present and responded to questions of the Board.

Upon recommendation of Brian Mirch, Senior Administrative Analyst, on motion by Commissioner Galloway, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bond ordered that additional grant appropriations for the Juvenile Services Department for the National School Lunch/Breakfast Program be approved and the following account changes be authorized:

Increase		Amount
Account		
12967G-4301	Federal Contributions	\$ 350.00
12967G-7461	Lunch Program	\$ 350.00
12987G-4301	Federal Contributions	\$13,000.00
12987G-7461	Lunch Program	\$13,000.00

It was further ordered that the "Claim for Reimbursement" form be approved.

98-530 ACCEPTANCE OF GRANT - E. L. CORD FOUNDATION - JUVENILE SERVICES

Maryann Woolley, Juvenile Services, was present and responded to questions of the Board.

Upon recommendation of Brian Mirch, Senior Administrative Analyst, on motion by Commissioner Galloway, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bond ordered that acceptance of a grant of \$12,000 from the E. L. Cord Foundation to help fund the Arts Alternatives programs at Wittenberg Hall and McGee Center be retroactively approved. It was further ordered that the following account transactions be authorized:

Increase Revenue	
Account	Amount
12751D-5802	Donations \$12,000.00
Increase Expenditure	
Account	Amount
12751D-7279	Other Supplies \$12,000.00

98-531 ACCEPTANCE OF DONATIONS - STEW L. OLIVER & KEEFE COMMISSARY NETWORK, INC. - SHERIFF

Upon recommendation of Sheriff Richard Kirkland, on motion by Commissioner Galloway, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bond ordered that two donations totaling \$1,650.00 from Stew L. Oliver (\$1,500) and Keefe Commissary Network, Inc., (\$150), designated for the Detention Canine Program, be accepted with the Board's gratitude.

98-532 ACCEPTANCE OF DONATIONS - INCLINE VILLAGE SUBSTATION K-9 PROGRAM - SHERIFF

Upon recommendation of Sheriff Richard Kirkland, on motion by Commissioner Galloway, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bond ordered that donations from members of the community up to the amount of \$15,000.00 for the Incline Substation K-9 Program be accepted with the Board's gratitude. It was further ordered that the following budget adjustments be authorized, which includes the purchase of the K-9 for \$3,000.00:

Increase Revenues:	
15225D-5802	Donations \$15,000.00
Increase Expenditures:	
15225D-7620	Travel \$4,000.00
15225D-7208	Animal Supplies \$8,000.00
15225D-7849	Other Capital Outlay \$3,000.00

98-533 ACCEPTANCE OF DONATION - AUDIO/VISUAL EQUIPMENT - SHERIFF

Upon recommendation of Sheriff Richard Kirkland, on motion by Commissioner Galloway, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bond ordered that the donation of one Sony 8mm video camera, model number CCD-TR66, serial number 276863, purchased via the Inmate Commissary Fund at no cost to the taxpayers be accepted with the Board's gratitude. It was noted that this video camera is used to record the work completed by the inmates and Sheriff's Community Work Program (SCWP) workers within the community, and as a promotional tool for the program to various courts, governmental agencies and service organizations.

Upon recommendation of Sharon Kvas, Department of Community Development, and based on the finding of conformance with the Truckee Meadows Regional Plan, on motion by Commissioner Galloway, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the following resolution be adopted:

RESOLUTION

ADOPTING THE AMENDED FOREST AREA PLAN (CPA97-F-1) 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 FOREST AREA 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 FOREST AREA PLAN, was first held on May 21, 1991, with the most recent amendment to the FOREST AREA PLAN being held on November 18, 1997, 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 amendment to the FOREST AREA PLAN, a part of the Washoe County Comprehensive Plan, pursuant to Section 278.0282, Nevada Revised Statutes, for conformance review with the Truckee Meadows Regional Plan;

WHEREAS, A public hearing for the review of conformance of the Washoe County Comprehensive Plan, including the FOREST AREA PLAN, was first held on October 23, 1991, with the most recent amendment to the FOREST AREA PLAN being held on January 14, 1998 and March 11, 1998, by the Truckee Meadows Regional Planning Commission, at which time the plan was deemed in conformance with the Truckee Meadows Regional Plan; and

WHEREAS, The amendment to the FOREST AREA PLAN, a part of the Washoe County Comprehensive Plan, which is in conformance with the Truckee Meadows Regional 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 FOREST 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.

98-535 RESOLUTION - ESTABLISHING ACCRUED BENEFIT ACCOUNT - FINANCE

Katy Simon, Interim County Manager, noted that the name of the proposed fund has been changed from the Retirement Leave/Buyout Fund to the Accrued Benefit Fund. Upon recommendation of Jerry McKnight, Director of Budget and Finance, on motion by Commissioner Galloway, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Bond be authorized to execute:

RESOLUTION

WHEREAS, the County has agreed to pay for certain accrued employee benefits at the time of retirement or separation from the County; and

WHEREAS, the resources and disbursements relative to the payment for such benefits may be separated from other County financial activity; and

WHEREAS, the County will annually budget for and/or transfer funds from the resources of the County to fund the payment of the benefits; and

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

Section 1. That the Accrued Benefit Fund 995500 is hereby created as an expendable trust fund subject to the Local Government Budget Act contained in NRS 354.

Section 2. That the County Comptroller is hereby directed to establish said fund on the official books and records of Washoe County for the purposes of accounting for the employee benefit buyouts, interest earnings on the assets of the fund and expenditures and disbursements from the fund.

Section 3. This Resolution shall be effective on passage and approval.

Section 4. The County Clerk is hereby directed to distribute executed copies of the Resolution to the Department of Taxation, the Comptroller and the Finance Division within 30 days.

98-536 AWARD OF BID - 1997/98 SLURRY SEAL & PAVING OVERLAY OF SELECTED STREETS IN INCLINE VILLAGE - PUBLIC WORKS

This was the time to consider award of bid, Notice to Contractors for receipt of sealed proposals having been published in the Reno Gazette-Journal on April 30 and May 7, 1998, for the 1997/98 Slurry Seal and Paving Overlay of Selected Streets in the Incline Village Area, Washoe County, Nevada, PWP-WA-1998-399 on behalf of the Public Works Department. Proof was made that due and legal Notice had been given.

Following is a summary of the bids received for the base bid and alternates Nos. 1 through 4:

Contractor	Amount
T.E. Bertagnolli & Associates	\$363,986.00
Granite Construction Company	\$369,945.00
Sierra Nevada Construction	\$430,480.00

Upon recommendation of Greg Belancio, Engineering Division, through Dave Roundtree, Public Works Director, on motion by Commissioner Shaw, seconded by Commissioner Camp, which motion duly carried, it was ordered that the bid for the 1997/98 Slurry Seal and Paving Overlay of Selected Streets in the Incline Village Area, Washoe County, Nevada, PWP-WA-1998-399 on behalf of the Public Works Department, be awarded to the low bidder, T.E. Bertagnolli and Associates, for the base bid and alternates Nos. 1 through 4, in the amount of \$363,986.00; and that Chairman Bond be authorized to execute the contract when presented.

98-537 AWARD OF BID - TRUCKEE RIVER HOMESITES DEMOLITION AND RECLAMATION PROJECT, LOCKWOOD - PUBLIC WORKS

This was the time to consider award of bid, Notice to Contractors for receipt of sealed proposals having been published in the Reno Gazette-Journal on May 4 and 11, 1998, for the Truckee River Homesites Demolition and Reclamation Project, PWP-WA-1998-459, Lockwood, Washoe County, Nevada, Project on behalf of the Public Works Department. Proof was made that due and legal Notice had

been given.

The following is a summary of the bids received:

Contractor	Total Base Bid
Earl E. Games, Inc.	\$36,882.45
Contri Construction	\$44,058.10
Ferretto Construction	\$64,156.47

Upon recommendation of David Price, County Engineer, through Dave Roundtree, Public Works Director, on motion by Commissioner Mouliot, seconded by Commissioner Camp, which motion duly carried, it was ordered that the bid for the Truckee River Homesites Demolition and Reclamation Project, PWP-WA-1998-459, Lockwood, Washoe County, Nevada, Project be awarded to the low bidder, Earl E. Games, Inc., for the base bid of \$36,882.45, and that Chairman Bond be authorized to execute the contract when presented.

98-538 AWARD OF BID - DETENTION FACILITY MEDICAL SERVICES - RFP NO. 2074-98 - SHERIFF'S DEPARTMENT

This was the time to consider award of bid, Notice to Bidders for receipt of sealed proposals having been published in the Reno Gazette-Journal on April 10, 1998, for detention facility medical services for the Sheriff's Department. Proof was made that due and legal Notice had been given.

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

EMSA Correctional Care
Correctional Medical Services
PHP Healthcare Corporation
CFMG
Prison Health Services, Inc.

Chairman Bond stated that there was considerable discussion on this item at the Caucus meeting. Capt. Don Means, Washoe County Sheriff's Office, responded to questions concerning the proposed contract.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Mouliot, seconded by Commissioner Galloway, which motion duly carried, Chairman Bond ordered that the proposal submitted by EMSA Correctional Care for the provision of detention facility medical services pursuant to Request For Proposal No. 2074-98 on behalf of the Sheriff's Department be accepted.

It was further ordered that the Purchasing and Contracts Administrator be authorized to execute an agreement between Washoe County and EMSA Correctional Care for the provision of inmate health care services, subject to the terms and conditions of the Request for Proposal and contractor's response thereto and approval by the District Attorney's Office and the County's Risk Manager. It was noted that the agreement shall be for an initial three-year period commencing July 1, 1998, and, upon mutual agreement of the parties, the contract may be renewed for two additional two-year periods; and that the estimated three-year value of the agreement is \$5,890,491.00.

98-539 AGREEMENT - LUMOS AND ASSOCIATES - TESTING AND INSPECTION SERVICES FOR 97/98 SLURRY SEAL AND PAVING OVERLAY OF SELECTED STREETS IN INCLINE VILLAGE - PUBLIC WORKS

Commissioner Camp disclosed that her company has done a minimal amount of work with Lumos and Associates, but stated that they are not involved in this particular project.

Upon recommendation of Greg Belancio, Engineering Division, through Dave Roundtree, Public Works Director, on motion by Commissioner Galloway, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the "Agreement for Testing

and Inspection Services" between Washoe County and Lumos and Associates, Inc., for the 1997/98 Slurry Seal and Paving Overlay of Selected Street in the Incline Village Area, Washoe County, Nevada, be approved and Chairman Bond be authorized to execute when presented.

98-540 AGREEMENT - HARDING LAWSON ASSOCIATES - ENGINEERING DESIGN AND CONSTRUCTION MANAGEMENT SERVICES - INCLINE VILLAGE #1 WATER QUALITY IMPROVEMENT PROJECT - PUBLIC WORKS

Pursuant to questions raised at the Caucus meeting, Dave Roundtree, Public Works Director, advised that the subject contract amount is \$230,500 and includes a very comprehensive list of tasks the contractor will be providing for the County including topographic surveys, public hearing processes, TRPA compliance requirements, final design, construction management, a maintenance plan and close-out of the project. Commissioner Galloway asked Mr. Roundtree to check into whether any Tahoe bond funds might be available for future maintenance of these facilities.

Upon recommendation of Kimble Corbridge, Engineering Division, through Dave Roundtree, Public Works Director, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the "Agreement for Engineering Design and Construction Management Services" between Washoe County and Harding Lawson Associates for the Incline Village #1 Water Quality Improvement Project, Washoe County, Nevada, be approved and Chairman Bond be authorized to execute when presented.

98-541 CAPITAL CONTRIBUTION FRONT ENDING AGREEMENT (CCFEA) - REGIONAL TRANSPORTATION COMMISSION - C.B. MADDOX - ARROWCREEK/RUBBLESTONE INTERSECTION IMPROVEMENTS - PUBLIC WORKS

Upon recommendation of Clara Lawson, Engineering Division, through Dave Roundtree, Public Works Director, on motion by Commissioner Camp, seconded by Commissioner Shaw, which motion duly carried, it was ordered that a Capital Contribution Front Ending Agreement (CCFEA) between Washoe County, C.B. Maddox, and the Regional Transportation Commission concerning the ArrowCreek/Rubblestone intersection improvements for Wedge Meadows Subdivision, be approved and Chairman Bond be authorized to execute when presented.

98-542 MEMORANDUM OF AGREEMENT - TOM DOLLEY/DOLLEY ENTERPRISES OF INCLINE VILLAGE - SNOWBLOWER - SHERIFF

Chairman Bond stated that Mr. Tom Dolley has assisted in emergency situations on numerous occasions, and Commissioner Galloway reported that on December 20, 1996, there was a severe snow fall in the Tahoe area, a woman and her children were stranded on Highway 28, and Mr. Dolley actually plowed the road ahead of her to get her home. Commissioner Shaw suggested a thank you letter signed by the whole Board be sent to Mr. Dolley.

Upon recommendation of Sheriff Richard Kirkland, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, it was ordered that a Memorandum of Agreement between Washoe County and Tom Dolley of Dolley Enterprises of Incline Village, concerning the use of Mr. Dolley's Snow-Go snowblower during emergencies involving inclement weather, be approved, Chairman Bond be authorized to execute, and a letter from the Board be sent to Mr. Dolley.

98-543 AGREEMENT - CENTER STREET MISSION - ALTERNATIVE HOUSING - SHERIFF

Upon recommendation of Sheriff Richard Kirkland, on motion by Commissioner Shaw, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that a professional services agreement between Washoe County and the Center Street Mission concerning alternative housing of inmates be approved and Chairman Bond be authorized to execute.

98-544 AGREEMENT - RENO RODEO ASSOCIATION - SECURITY SERVICES FOR 1998 RENO RODEO - SHERIFF

Upon recommendation of Sheriff Richard Kirkland, on motion by Commissioner Camp, seconded by Commissioner Shaw, which motion duly carried, it was ordered that an agreement between Washoe County, the Sheriff of Washoe County, and the Reno Rodeo Association concerning use of Sheriff's Office off-duty personnel for the purpose of providing security services for the 1998 Reno Rodeo be approved and Chairman Bond be authorized to execute.

Upon recommendation of Gary Goelitz, Senior Administrative Analyst, on motion by Commissioner Mouliot, seconded by Commissioner Galloway, which motion duly carried, it was ordered that a professional services agreement between Washoe County and the Warner Group, concerning assisting Washoe County in the review of bids for acquisition of an 800 MHz Trunked Radio System and development of a contract with a selected vendor, be approved and Chairman Bond be authorized to execute.

98-546 AGREEMENT - SAGE WIND - JUVENILE DRUG/ALCOHOL REHABILITATION SERVICES - DISTRICT COURT

Diane Freeman, representing Sage Wind, was present to respond to Board member's questions, advising that their program provides both evaluation and treatment for juvenile drug and alcohol offenders.

Upon recommendation of Cathy Krolak, Court Administrator, on motion by Commissioner Camp, seconded by Commissioner Shaw, which motion duly carried, it was ordered that a professional services agreement between Washoe County and Sage Wind concerning juvenile drug/alcohol rehabilitation services, in an amount not to exceed \$20,000, be approved and Chairman Bond be authorized to execute.

98-547 CORRECTION OF FACTUAL ERRORS - 1997-98 UNSECURED TAX ROLL - ASSESSOR

Upon recommendation of Tom Sokol, Assistant Chief Deputy Assessor, on motion by Commissioner Camp, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the following Roll Change Requests, correcting factual errors on tax bills already mailed, be approved for the reasons stated thereon and mailed to the affected property owners, a copy of which has been placed on file with the Clerk.

It was further ordered that the Order on each roll change directing the Treasurer to correct the error be approved and Chairman Bond be authorized to execute on behalf of the Commission.

NAME	APN/ID NO.
Sunrise Leasing	2/191-636
Sunrise Leasing	2/191-637
Community Service Agency Dev.	2/103-298

98-548 INCREASE CORONER FEES

Katy Simon, Interim County Manager, advised that she visited with the Coroner's office and stated that, although these fees have historically been increased only every two years, it is not intended that the new proposed fees be locked in for two years.

Upon recommendation of Vernon McCarty, Coroner, on motion by Commissioner Shaw, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that the fees charged by the Coroner for autopsy services in behalf of agencies outside Washoe County be increased to \$415.00 for the coming fiscal year (FY 98/99); and that the fee for select limited examination cases be increased to \$285.00.

98-549 (RE)APPOINTMENTS - NORTH VALLEYS CITIZEN ADVISORY BOARD

On motion by Commissioner Camp, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that the following actions be taken concerning the North Valleys Citizen Advisory Board:

1. Gary Ferro be reappointed as an at-large representative with a term to expire June 30, 2000;
2. That Michael Morris be removed as an at-large representative and Thomas W. Harrison be appointed in his place with the term expiring June 30, 1999; and
3. Betty Theissen and David Walsh be appointed to fill two at-large vacancies with terms to expire June 30, 2000.

On motion by Commissioner Camp, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that Helen Davis and Susan Severt be reappointed as at-large members for the Sun Valley Citizen Advisory Board with terms to expire June 30, 2000. It was further ordered that Vernon Hotz and Frances Short be appointed to fill two vacant at-large positions with terms to expire June 30, 2000.

98-551 APPOINTMENT - BOARD OF MASSAGE EXAMINERS

Upon recommendation of Karen Carmel, Business License and Zoning Enforcement Chairman, on motion by Commissioner Camp, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that the resignation of Gregory Smith from the Board of Massage Examiners be accepted. It was further ordered that Ron Reese, a current alternate on the Board of Massage Examiners, be appointed as a regular member of the Board with his term expiring June 30, 2000.

98-552 APPOINTMENT - REGIONAL WATER PLANNING COMMISSION - WASHOE COUNTY VOTING MEMBER

Upon recommendation of Steve Walker, Water Management Planner, on motion by Commissioner Camp, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that staff be directed to solicit nominations via advertisement for applicants to serve as the Washoe County voting member to the Regional Water Planning Commission and screen the applicants per required qualifications. It was further ordered that staff then schedule the qualified applicants for an interview with the Board at a regularly scheduled meeting after which the Board will make an appointment of an individual to complete John McQuay's term.

98-553 RESOLUTION - INITIATING AMENDMENT TO THE COMPREHENSIVE PLAN AND DEVELOPMENT CODE - SOUTH VALLEY WATER RESOURCES POLICIES

Dean Diederich, Principal Planner, Department of Community Development, advised that staff has been working on amendments to the South Valleys Area Plan related to water policy issues in conjunction with the three citizen advisory boards of the area, as directed by the Board in December, 1997; that one issue to be addressed is that the water dedication requirements need to be separated out for the four hydrographic basins that encompass the south valleys; and that there was universal displeasure from the citizen advisory boards for discussing any kind of water facility planning efforts. He further reported that staff is recommending that the water dedication policies of SV.4.1 and SV.4.2 should be investigated and is requesting that a work program for that be initiated by Board resolution. Mr. Diederich then responded to Board questions stating that the issue of who the water rights are being dedicated to is not being discussed; that this came about because of property owners in Pleasant Valley who feel that the requirement is not appropriate because they are in a different closed hydrographic basin than Washoe Valley; and that staff does concur that there needs to be distinction between the four basins.

Commissioner Camp stated that she wants everyone to be very clear that any resolution the Board passes directing staff to initiate this work program will affect Pleasant Valley only because the Washoe Valley residents have made it very clear that they do not want any changes made to the plan for their area. She further requested an explanation as to why "imported" water is being discussed. Mr. Diederich explained how the lines of a certain hydrographic basin can cut across and split parcel lines and that a water source from an adjoining or adjacent basin is technically imported water, and emphasized that the resolution staff is requesting is just to start this work program and the Board is not, at this point, adopting any changes. He also stated that the resolution does not need to be amended because it is fairly generic and would be accompanied by specific Board direction for what staff should be working on.

Tom Hall, Debbie Sheltra, and Jack Bauer, Washoe Valley residents, each spoke emphatically requesting that no changes be made in the policies for Washoe Valley. Ms. Sheltra stated that she does not think staff is telling the whole story concerning imported water; that imported can mean only one thing, i.e., transmission lines bringing water from someplace else; and she then implored the Board to take "imported" completely out of the proposal.

Steve Walker, Water Management Planner, stated that surface water is imported into Washoe Valley from Marlette Lake, from Galena Creek and from Brown's Creek; that he thinks it is this existing historical importation that is being recognized here; and that perhaps "imported" needs to be better defined especially as it relates to Washoe Valley.

Commissioner Galloway clarified that, if directed to proceed, staff would distinguish between historical importation and new importation of water.

Following further discussion, on motion by Commissioner Camp, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the following resolution be adopted; that Chairman Bond be authorized to execute; and that staff be directed to begin a work program that addresses changes to the South Valleys Area Plan which have been requested by citizens of Pleasant Valley, specifically SV.4.1 and SV.4.2 only, as they pertain to the Pleasant Valley and Truckee Meadows hydrographic basins only with no changes made in the Washoe Valley area. It was further ordered that the term "importation" be clarified to address the concerns of the residents of Washoe Valley.

RESOLUTION

INITIATING AN AMENDMENT TO THE WASHOE COUNTY COMPREHENSIVE PLAN AND THE WASHOE COUNTY DEVELOPMENT CODE RELATING TO SOUTH VALLEYS WATER RESOURCE REQUIREMENTS

WHEREAS, In response to citizen concern and input from various County Commissioners, the Washoe County staff has identified potential modifications aimed at improving the implementation of the South Valleys Area Plan, being a part of the WASHOE COUNTY COMPREHENSIVE PLAN, and the related sections in the WASHOE COUNTY DEVELOPMENT CODE;

WHEREAS, There is a need to initiate an amendment to the WASHOE COUNTY COMPREHENSIVE PLAN and the WASHOE COUNTY DEVELOPMENT CODE to increase the flexibility in code provisions and to reflect the difference in water resource availability between the various hydrographic basins of the South Valleys planning area;

WHEREAS, The current South Valleys Area Plan action program SV.4.1 does not distinguish between the unique needs of the Washoe Valley Hydrographic Basin, from the Pleasant Valley, Eagle Valley, or the Truckee Meadows Hydrographic Basins;

WHEREAS, The amendment to the South Valleys Area Plan, being a part of the WASHOE COUNTY COMPREHENSIVE PLAN, and related section in the WASHOE COUNTY DEVELOPMENT CODE will be required to be in conformance with the Truckee Meadows Regional Plan in order to conserve and promote the public health, safety and general welfare; and

WHEREAS, There is no one person, group or entity who might appropriately file a WASHOE COUNTY COMPREHENSIVE PLAN amendment, or a WASHOE COUNTY DEVELOPMENT CODE amendment application on this subject; now, therefore, it is hereby

RESOLVED, BY THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY, NEVADA, That the Board does hereby initiate an amendment to the WASHOE COUNTY COMPREHENSIVE PLAN and the WASHOE COUNTY DEVELOPMENT CODE, as authorized by Sections 110.818.05(a) and 110.820.05(b) of the Development Code, without prejudice to the final dispensation of the proposed amendments.

98-554 SPECIAL ASSESSMENT DISTRICT NO. 26 - MATTERHORN DRIVE - PUBLIC HEARING

7:00 p.m. This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on May 20 and 28, and June 5, 1998, for the Board to consider a proposed project and assessments within the proposed Washoe County, Nevada, Special Assessment District No. 26 (Matterhorn Drive) by gathering testimony in support of or opposition to formation of the special assessment district. Proof was made that due and legal Notice had been given.

Dave Roundtree, Public Works Director, stated that as previously directed, staff has prepared the preliminary plans and cost estimates and the preliminary assessment roll for the proposed assessment district for improvements (paving) to Matterhorn Drive from the intersection with Antelope Valley Road to a point approximately 4 miles south; that all affected property owners were notified; and that the responses received have been placed on file with the Clerk. He stated that a number of letters and concerns were received from an area referred to as "Fred's Mountain," which he located on the map; that upon review, it has been determined that the majority of people living in that area do use Red Rock Road for their primary access; and that staff would not be adverse to eliminating those parcels from the district. Mr. Roundtree further discussed the other protests that were received, one being from the International Community of Christ Church, which owns several parcels within the proposed district, and the others from two property owners in a subdivision at the southern end of the project.

Chairman Bond noted that considerable discussion had been held on this at Caucus and it was her feeling that the Board did not have a problem with deleting the Fred's Mountain residents from the district.

Chairman Bond opened the public hearing by calling on those wishing to speak against the proposed project and special assessment district.

Ginny Sievert stated that she has owned property on Alum Rock Road since 1979; that she has paid taxes and dues for 19 years on roads and property that she has used maybe 10 times; and that she cannot afford this assessment, especially since she divided it into four 10-acre parcels, which means four assessments for her at \$1,760 each. She asked if there was any special consideration that could be given for her situation.

Koh Murai, Fred's Mountain resident and representing the other Fred's Mountain residents, urged the Board to eliminate them from the district as previously stated.

William Sage stated that he lives in the subdivision at the southern end of Matterhorn; that those ten parcels pay for their own road upkeep; that they do not feel they will benefit from this project as it would be less than 100 feet of pavement involved with their subdivision; and that their main access for most of these lots is off of Oregon Boulevard.

Chairman Bond asked if anyone else wished to speak against the special assessment district and there was no response. She then asked for a show of hands from those in the audience in support of the project and many people raised their hands.

Ron Hess, Antelope Valley resident, spoke in favor of the project citing the current condition as a health and safety hazard because of the dust, urged the Board to keep everyone who uses the road in the district, and stated that the Fred's Mountain residents have a valid issue.

Faye Nagel, Antelope Valley Road, stated that when the Board of Directors first requested this project it was not their intention that the ten parcels at the very southern end of Matterhorn be included in the assessments as there is only one road in that area that circles around and comes back out on the same access; that the Fred's Mountain area was a big issue as they know that some of those people do use Matterhorn; and that she feels the church property is in the same situation as the Fred's Mountain people and that they do not generate that much traffic or have an impact. She further stated that the church has given the valleys 1500 acres of open space and offered water in case of fire emergencies.

Ralph Hogoboom stated that he owns vacant property just off of Matterhorn Drive and asked what the assessment will be if these other properties are deleted.

Mr. Roundtree responded that if the 37 lots from Fred's Mountain are eliminated from the district, the assessment for the remaining parcels would be \$1,960 each.

Rebecca Willis, representing the International Community of Christ Church, stated that the church is happy to pay its fair share, but that they believe the 26 parcels in what they refer to as their "north land" should not be included because it is totally undeveloped land which is only used once a week for religious services and is accessed from their south sanctuary. She then answered several questions from Board members stating that they have never subdivided any of their parcels; that the 26 parcels in question were purchased as subdivided in the original Red Rock Estates Subdivision; that they have placed stringent restrictions on themselves so that the land could not be sold without acquiring other lands to replace them; and that their long-range plans are to use these properties for religious activities. Ms. Willis stressed that they have no intention of selling these parcels and that the traffic impact is minimal. Chairman Bond reminded the Board that traffic is not the issue and the consideration is whether the project will benefit the properties.

Bill Foster, 1374 Antelope Valley Road, and Co-Chairman of the Roads Committee for the Red Rock Estates Property Owners Association, in support of the project, stated that maintenance of Matterhorn now consumes 70 to 80 percent of their annual budget; that if it were paved, they could then concentrate on the remaining roads in the association; that additional vehicle maintenance necessary because of the condition of the road probably costs him \$300 per year; that there have been several accidents which he attributes to the condition of the road; and that he is concerned about emergency vehicle access. Mr. Foster

stated that everyone who will benefit from the project, either now or in the future, should help pay for the project.

Ray Gerard, 1362 Antelope Valley Road, spoke in favor stating that right now the fire department has a difficult time on the dirt road.

Carolyn Brundtland, area resident, asked if the County had any other funds available to pay for some of the costs. Chairman Bond stated that there is no money.

Mark Menezes, 2160 Antelope Valley Road, supported the project stating that it's real scary to have kids who are just learning how to drive on that road in its current condition.

There being no one else wishing to speak, Chairman Bond closed the public hearing.

Chairman Bond stated that she would support deleting the Fred's Mountain parcels from the district, but while the other protesters have legitimate concerns, she believes they will benefit and their property values will be enhanced by this paving project.

Commissioner Galloway stated that he does not believe the ten parcels at the southern end of Matterhorn will benefit equally with the others; and that since it is an "all-or-nothing" assessment and cannot be apportioned according to benefit, he cannot support assessing these parcels the same as the rest.

On motion by Commissioner Mouliot, seconded by Commissioner Shaw, which motion duly carried with Commissioner Galloway voting "no," Chairman Bond ordered that the 37 parcels in the Fred's Mountain area be excluded from Special Assessment District No. 26 and that the Matterhorn Drive street project proceed as outlined by Mr. Roundtree.

98-555A SPECIAL ASSESSMENT DISTRICT NO. 26 - MATTERHORN DRIVE - RESOLUTION (disposing of protests) AND INTRODUCTION OF ORDINANCE (creating district)

John Swendseid, Bond Counsel, was present to advise the Commission on procedure regarding Special Assessment District No. 26, Matterhorn Drive, and distributed revised pages for both the resolution and the ordinance which reflect the elimination of the Fred's Mountain parcels from the district as determined by the Board during the public hearing (see previous item).

Following discussion, on motion by Commissioner Mouliot, seconded by Commissioner Shaw, which motion duly carried with Commissioner Galloway voting "no," it was ordered that the following resolution be adopted and Chairman Bond be authorized to execute:

RESOLUTION NO. 98-555

A RESOLUTION DISPOSING OF THE PROTESTS MADE AT THE HEARING ON THE PROVISIONAL ORDER FOR WASHOE COUNTY, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 26 (MATTERHORN DRIVE); DIRECTING THAT THE ENGINEER PREPARE AND FILE A REVISED AND DETAILED ESTIMATE OF COST, FULL AND DETAILED FINAL PLANS AND SPECIFICATIONS, AND A REVISED MAP AND ASSESSMENT PLAT; AND PROVIDING THE EFFECTIVE DATE HEREOF.

WHEREAS, the Board of County Commissioners (herein "Board") of the County of Washoe (herein "County") and State of Nevada, pursuant to a resolution, adopted May 12, 1998 (the "provisional order resolution") provisionally ordered the acquisition of a street project (the "Project") within the Washoe County, Nevada, Special Assessment District No. 26 (Matterhorn Drive) (herein the "District"); and

WHEREAS, pursuant to said resolution, the County Clerk gave notice of the time and place of hearing thereon, in the manner specified by law; and

WHEREAS, the manner of giving such notice by mail, publication and posting was reasonably calculated to inform the parties of the proceedings concerning the District which might directly and adversely affect their legally protected interests; and

WHEREAS, all owners of property to be assessed and interested persons so desiring were permitted to file a written protest or objection or to appear before said Board on Tuesday, June 9, 1998, and be heard as to the propriety and advisability of acquiring

the Project provisionally ordered, as to the cost thereof and manner of payment therefor, and as to the amount thereof to be assessed against said property; and

WHEREAS, the written and oral objections or protests received were duly considered, and the Board has determined that it is in the best interests of said District, the County, and inhabitants thereof to create the District as theretofore proposed; and

WHEREAS, the Board has determined (based upon the tabulation of the percentage of owners protesting prepared by the County Engineer, and filed with the County Clerk) that the total percentage of those owners filing written or oral objections for the entire District amounted to less than one-half of the total lots to be assessed; and

WHEREAS, the Board has now considered each and every written protest and objection and all oral protests and objections made at the hearing, and the Board finds that each and every written and oral protest or objection is without sufficient merit and is overruled and denied.

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

Section 1. The Board determines that each and every protest and objection filed or otherwise made (representing less than 50% of the area to be assessed) is without sufficient merit, and that the same is overruled and finally passed on by said Board except the district is modified as described in Section 2.

Section 2. The Board has determined, and does hereby determine, that, except as hereinafter stated, it is advisable to acquire the Project as provided by the provisional order resolution and does hereby order that assessments be levied therefor; except that the following are deleted from the District:

NO.	APN	NAME
62	7942021	Galliano, Christina, et al, Tr.
63	7942020	Bruschera, Arthur E. and Carmen E., et al
64	7942019	Whelan, Howard A. and Marilyn P.
65	7942018	Murai, Koh and Nanci
66	7942022	Dacus, Horace C. and Faye L.
67	7942012	B & W Enterprises, Inc.
68	7942010	Smith, Edward S. and Norma J.
69	7942011	Likes, Lawrence B. and Janet M.
70	7942023	Rural Telephone Company
71	7942024	Anderson, Robert S. and Sandra J.
72	7941001	Flint, Dick J. and Lucia J.
73	7941027	Red Rock Ranches, Inc.
131	7941026	Red Rock Ranches, Inc.
132	7941025	Red Rock Ranches, Inc.
133	7941003	Likes, David and Rachel
134	7941008	Chamberlain, Keith and Elena
135	7941009	Martinmaas, Luke F. and Connie A.
136	7941010	Schmidt, Charles R. and June E.

137	7941011	Anglin, Martin G., et al
138	7941014	Holt, James T. Jr., and Kristen L.
139	7941013	Tanner, Arthur L.
140	7941012	Pavey, Heather L., et al
141	7941007	Jordan, Jerry W.
142	7941004	Anderson, Forrest S.
143	7941006	West, Richard M. and Sheila K.
144	7941024	Charlton, Mark A.
145	7940014	McAbee, Joseph E., et al, Tr.
146	7940015	North Valley Estates
147	7940016	Brunn, Margaret L., et al
148	7940017	North Valley Estates
149	7940022	Charlton, Mark A.
150	7940007	Bell, Kay, Jr.
151	7940008	Irmer, Erich M. et al
152	7940009	Clark, Curtis E.
153	7940010	Roldan, George C. and Cristina O.
154	7940011	Evans, James R.
156	7940012	Keane, Patrick B.

Section 3. Any person who filed, and did not withdraw a written protest or objection as aforesaid, shall have the right, within 30 days from the effective date of this resolution, to commence an action or suit in any court of competent jurisdiction to correct or set aside such determination, but thereafter all actions or suits attacking the validity of the proceedings and the amounts of benefits, shall be perpetually barred.

Section 4. The County Engineer is requested and directed to prepare in the manner required by law and present to the Board:

- (A) A revised (to the extent necessary) and detailed estimate of the total cost of the District, including each of the incidental costs;
- (B) Full and detailed final plans and specifications; and
- (C) A revised (to the extent necessary) map and revised assessment plat.

Section 5. The officers of the County are directed to effectuate the provisions of this resolution.

Section 6. All resolutions, or parts thereof, in conflict herewith are hereby repealed to the extent of such inconsistency.

Section 7. The invalidity of any provision of this resolution shall not affect any remaining provisions hereof.

Section 8. The Board has determined, and does hereby declare, that this resolution shall be in effect after its passage in accordance with law.

* * * * *

Bill No. 1200, entitled, "AN ORDINANCE CREATING WASHOE COUNTY, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 26 (MATTERHORN DRIVE); ORDERING A STREET PROJECT WITHIN WASHOE COUNTY, NEVADA; PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS THEREFOR; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN DIRECTED TOWARD THE ACQUISITION AND CONSTRUCTION OF STREET IMPROVEMENTS IN SPECIAL ASSESSMENT DISTRICT NO. 26 (MATTERHORN DRIVE); AND PRESCRIBING OTHER MATTERS RELATING THERETO" was introduced by Commissioner Mouliot, the title read to the Board and legal notice for final action of adoption directed.

* * * * *

98-556 SPECIAL ASSESSMENT DISTRICT NO. 27 - OSAGE ROAD/PLACERVILLE ROAD - PUBLIC HEARING

7:00 p.m. This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on May 20 and 28, and June 5, 1998, for the Board to consider a proposed project and assessments within the proposed Washoe County, Nevada, Special Assessment District No. 27 (Osage Road/Placerville Road) by gathering testimony in support of or opposition to formation of the special assessment district. Proof was made that due and legal Notice had been given.

Dave Roundtree, Public Works Director, stated that this proposed district has been divided into two separate units; that Unit 1 is roadway and drainage improvements on Osage Road and two cul-de-sacs that go off Osage; that Unit 2 is roadway improvements to Placerville Road and a short section of Osage at the north; and that as previously directed, staff has prepared the preliminary plans and cost estimates and the preliminary assessment roll for the proposed assessment district. He reported that only one property owner has submitted a letter of protest objecting to formation of the district and that numerous letters of support have been received, which letters were placed on file with the Clerk.

Chairman Bond opened the public hearing by calling on those wishing to speak regarding the proposed special assessment district.

Robert Denson, White Owl resident, asked several questions concerning why some paving was already done on Placerville and how the County obtained the right-of-way for these roads, which questions were answered by Mr. Roundtree.

Wayne Momerak, 20-year area resident, expressed his support for the project and his appreciation to Chairman Bond and Mr. Roundtree, stating that they have tried many times in the past to get these improvements put in.

Bill Busey, 11681 Osage Road, submitted a petition containing 12 signatures of residents who support the project and formation of the district. Mr. Busey further stated that he would like to request that two speed humps be installed; that he has heard several other people express the same desire; and that it should be done in conjunction with the other improvements which would save the expense of doing a survey and retrofit at some later point.

Mr. Roundtree explained the current County policy concerning installation of speed humps which obligates staff to evaluate and monitor the traffic in order to determine if speed humps are justified.

There being no one else wishing to speak Chairman Bond closed the public hearing.

98-557A SPECIAL ASSESSMENT DISTRICT NO. 27 - OSAGE ROAD/PLACERVILLE ROAD - RESOLUTION (disposing of protests) AND INTRODUCTION OF ORDINANCE (creating district)

John Swendseid, Bond Counsel, was present to advise the Commission on procedure regarding Special Assessment District No. 27, Osage Road/Placerville Road.

Following discussion, on motion by Commissioner Mouliot, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Bond be authorized to execute:

RESOLUTION NO. 98-557

A RESOLUTION DISPOSING OF THE PROTESTS MADE AT THE HEARING ON THE PROVISIONAL ORDER FOR WASHOE COUNTY, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 27 (OSAGE ROAD/PLACERVILLE ROAD); DIRECTING THAT THE ENGINEER PREPARE AND FILE A REVISED AND DETAILED ESTIMATE OF COST, FULL AND DETAILED FINAL PLANS AND SPECIFICATIONS, AND A REVISED MAP AND ASSESSMENT PLAT; AND PROVIDING THE EFFECTIVE DATE HEREOF.

WHEREAS, the Board of County Commissioners (herein "Board") of the County of Washoe (herein "County") and State of Nevada, pursuant to a resolution, adopted May 12, 1998 (the "provisional order resolution") provisionally ordered the acquisition of a street project (the "Project") within the Washoe County, Nevada, Special Assessment District No. 27 (Osage Road/Placerville Road) (herein the "District"); and

WHEREAS, pursuant to said resolution, the County Clerk gave notice of the time and place of hearing thereon, in the manner specified by law; and

WHEREAS, the manner of giving such notice by mail, publication and posting was reasonably calculated to inform the parties of the proceedings concerning the District which might directly and adversely affect their legally protected interests; and

WHEREAS, all owners of property to be assessed and interested persons so desiring were permitted to file a written protest or objection or to appear before said Board on Tuesday, June 9, 1998, and be heard as to the propriety and advisability of acquiring the Project provisionally ordered, as to the cost thereof and manner of payment therefor, and as to the amount thereof to be assessed against said property; and

WHEREAS, the written and oral objections or protests received were duly considered, and the Board has determined that it is in the best interests of said District, the County, and inhabitants thereof to create the District as theretofore proposed; and

WHEREAS, the Board has determined (based upon the tabulation of the percentage of owners protesting prepared by the County Engineer, and filed with the County Clerk) that the total percentage of those owners filing written or oral objections for the entire District amounted to less than one-half of the total lots to be assessed; and

WHEREAS, the Board has now considered each and every written protest and objection and all oral protests and objections made at the hearing, and the Board finds that each and every written and oral protest or objection is without sufficient merit and is overruled and denied.

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

Section 1. The Board determines that each and every protest and objection filed or otherwise made (representing less than 50% of the area to be assessed) is without sufficient merit, and that the same is overruled and finally passed on by said Board.

Section 2. The Board has determined, and does hereby determine, that, except as hereinafter stated, it is advisable to acquire the Project as provided by the provisional order resolution and does hereby order that assessments be levied therefor; except that the following are deleted from the District: (none)

Section 3. Any person who filed, and did not withdraw a written protest or objection as aforesaid, shall have the right, within 30 days from the effective date of this resolution, to commence an action or suit in any court of competent jurisdiction to correct or set aside such determination, but thereafter all actions or suits attacking the validity of the proceedings and the amounts of benefits, shall be perpetually barred.

Section 4. The County Engineer is requested and directed to prepare in the manner required by law and present to the Board:

(A) A revised (to the extent necessary) and detailed estimate of the total cost of the District, including each of the incidental costs;

(B) Full and detailed final plans and specifications; and

(C) A revised (to the extent necessary) map and revised assessment plat.

Section 5. The officers of the County are directed to effectuate the provisions of this resolution.

Section 6. All resolutions, or parts thereof, in conflict herewith are hereby repealed to the extent of such inconsistency.

Section 7. The invalidity of any provision of this resolution shall not affect any remaining provisions hereof.

Section 8. The Board has determined, and does hereby declare, that this resolution shall be in effect after its passage in accordance with law.

* * * * *

98-557B BILL NO. 1201 - CREATING WASHOE COUNTY NEVADA SPECIAL ASSESSMENT DISTRICT NO. 27 - OSAGE ROAD/PLACERVILLE ROAD

Bill No. 1201, entitled, "AN ORDINANCE CREATING WASHOE COUNTY, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 27 (OSAGE ROAD/PLACERVILLE ROAD); ORDERING A STREET PROJECT WITHIN WASHOE COUNTY, NEVADA; PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS THEREFOR; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN DIRECTED TOWARD THE ACQUISITION AND CONSTRUCTION OF STREET IMPROVEMENTS IN SPECIAL ASSESSMENT DISTRICT NO. 27 (OSAGE ROAD/PLACERVILLE ROAD); AND PRESCRIBING OTHER MATTERS RELATING THERETO" was introduced by Commissioner Camp, the title read to the Board and legal notice for final action of adoption directed.

98-558 PALOMINO VALLEY GENERAL IMPROVEMENT DISTRICT - PUBLIC HEARING

7:00 p.m. This was the time set in a Notice of Public Hearing mailed to residents within the Palomino Valley General Improvement District on May 28, 1998, for the Board to receive evidence and testimony concerning a petition filed by the qualified voters in the Palomino Valley General Improvement District requesting that Washoe County assume responsibility for maintaining safe and drivable roads in the District, alleging that the District is not being properly managed and the roads are not being maintained, and requesting that action be taken concerning same. Proof was made that due and legal Notice had been given.

Chairman Bond noted that she has received many letters, which she placed on file with the Clerk, from residents concerned about the maintenance and upkeep on the roads in Palomino Valley. She then opened the public hearing by calling on those wishing to speak concerning this matter.

The following Palomino Valley residents/property owners spoke:

- Wayne Dennis, 6755 Quaking Aspen Road
- Evelyn Thompson, Right Hand Canyon
- Tom Harris, Curnow Canyon Road
- Emerson Kimball, 5200 Twin Springs Road
- Grant Lemeaux, Quaking Aspen Road
- Dave Mitchell, Crazy Horse
- Patricia Leonard, Amy Road
- John VanderMeer, Yellow Tail Road
- Wanda Wright, Warm Springs Property Owners Assn.
- Diedre Erwin, Paiute Creek Road
- Bob Akins
- C. R. Dick Brown, Quaking Aspen Road
- Harold Shotwell, 600 Ironwood Road
- Tony Bator, Rangeland Road/Winnemucca Ranch Road
- Carolyn Kengot
- Dave Warden, Right Hand Canyon

Larry Johnson, 5900 Quaking Aspen Road
Dan Moll, Amy Road
David Akola, 575 Curnow Canyon
Gail Scalzi
Donna Akins, 700 Serenity Place
Sally Miller, Basque Oven Road

The issues and concerns expressed were:

1. Many of the roads are not being maintained.
2. Having year-round access to their property.
3. Accountability of the local GID Board.
4. Possible conflict of interest concerning a GID Board member.
5. Police and fire emergency access is very difficult, if not impossible in places.
6. The GID cannot do all the work that is required with the money it currently receives.
7. Additional vehicle maintenance and repairs necessary due to the deplorable condition of the roads.
8. Not being able to talk at GID meetings or the public input being ignored by the Board members.
9. Safety of the roads; numerous accidents and rollovers because of the condition of the roads.
10. Maintenance work being done improperly and inappropriately.
11. New roads are proposed that are not necessary for the residents, but will benefit a proposed golf course that one of the GID Board members is involved with.
12. Roads have been put in for Board members' personal gain.
13. Uncooperativeness of the GID to furnish records.
14. Vehicles traveling too fast on dirt roads worsening the condition of the roads.
15. Signage for the roads; and stop signs, speed limit signs, etc., being stolen.

Mr. Dennis, a former GID Trustee, spoke at length stating that in 1990 the budget for the District was \$144,600; that they had basically the same amount of roads to maintain as there are today; and that they had no problem maintaining the roads. He further stated that the District's budget is now \$283,000 and he feels that should be more than adequate if it is being administered properly. Mr. Dennis stated that County assistance is needed for some capital improvements that have been postponed year after year; and that another area where the County should be helping is drainage and flood control, which are responsibilities that the GID is trying to handle with no additional funding.

Mr. Johnson and Mr. Akola stated that they are engineers with road construction and maintenance experience and offered to provide technical assistance to the GID Board. Many residents expressed that they do not want their roads turned over to the County for maintenance, and a few residents stated that they feel the GID does a good job considering the funds and the equipment they have to work with.

Fire Marshal Roy Slate, Truckee Meadows Fire Protection District, stated that at the request of Chairman Bond he performed an evaluation of the roads in Palomino Valley and his general finding is that the roads are substandard. He stated that some of the roads could very well be impassable for fire apparatus, especially in the spring, and some roads are so narrow that a fire engine probably could not get through.

Marshal Slate suggested that the areas of responsibility need to be defined and priorities established to begin to resolve the problems and offered the assistance of the Truckee Meadows Fire Protection District. He reiterated the necessity and importance of street signage and a numbering system so that emergency services such as fire, police, medical, etc., can get to where they are needed as quickly as possible.

Louis Test, attorney representing the Palomino Valley General Improvement District, introduced Maureen Sidley and explained that the Trustees have hired Sidley and Associates to take care of the finances, monitor the budget, etc., which appears to be working out much better than having volunteers taking care of the books. Ms. Sidley explained that everything is on a computer now, so the

Board can, and does, watch their budget very closely; that she has made necessary arrangements with vendors to reduce and eliminate late charges that the District had been paying; and that the District is within budget this year even after buying new equipment.

Mr. Test responded to the issues of the GID not furnishing requested information by stating that there are no by-laws; that the district operates according to a policy manual and resolutions that have been adopted over the years; and that copies of those are available. He acknowledged that the roads in the GID are not perfect; and stated that they were substandard when the GID took them over; and that a possible solution would be for the County and the GID to enter into an agreement whereby the County could take over maintenance of the major roads. Mr. Test further stated that the traffic problems of speeding and the way people drive on the dirt roads is something else that the GID has been working on to no avail; that that kind of traffic is very hard on the roads; that they put up all kinds of speed limit signs, stop signs, etc., which nobody obeys; that the signs, which cost about \$75.00 each, just get stolen or vandalized; and that since these are private roads, the Sheriff cannot enforce any traffic laws except in the case of a death or a DUI. He also said that there have been some good ideas put forth and a lot of constructive criticism at this meeting; that he is glad to see people like Mr. Johnson and Mr. Akola volunteer to provide technical assistance to the District; and that if the Trustees and the County can work out cooperative agreements for traffic enforcement and assistance with some of the road maintenance, they could begin to solve the problems.

In response to Chairman Bond, Dean Wall, Manager of Road Operations and Maintenance for Washoe County, stated that his department would gladly work with the GID Trustees to improve their operational techniques, sharing of resources such as joint material bidding, etc., or in any other way they can, if the Trustees request assistance. He also stated he does conduct in-house training sessions for his equipment operators from time-to-time and that the GID equipment operators are welcome to attend those sessions.

Chairman Bond reminded the residents that the GID Board members are elected by them, and if the current Trustees are not doing their jobs, there is an election coming up. She also encouraged the GID Trustees to take advantage of all the assistance that is being offered by the area residents and County staff and stated that that would be a big step in solving some of the problems. The other Commissioners concurred but it was pointed out that the County cannot provide any assistance unless and until the Palomino Valley General Improvement District Board of Trustees requests assistance. The Commissioners further agreed to postpone the decision as to whether or not the County should take over the roads in an effort to give the GID some time to try to resolve the problems.

On motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that this matter be continued to 7:00 p.m. Tuesday, September 8, 1998, and that in the interim staff provide regular reports as to whether any requests for assistance are received and, if so, what progress is being made on providing assistance, and including any other pertinent information.

98-559 TENTATIVE SUBDIVISION MAP CASE NO. TM5-8-97 - SCOTCH PINES - APPEAL (APN: 154-040-01)

7:00 p.m. This was the time set for continued consideration of the applicant's appeal related to the sanitary sewer requirements of the Utility Division from the Planning Commission's conditional approval of Tentative Subdivision Map Case No. TM5-8-97, Scotch Pines, a proposal to divide a 45.11 acre portion of a 72.266 acre lot into 38 lots with common area with minimum lot size proposed at 1 acre. The property, located on the east side of Mt. Rose Highway and at the terminus of Scotch Pine Road adjacent to Galena Forest Estates is designated Low Density Suburban (LDS) in the Forest Area Plan and situated in a portion of Section 9, T17N, R19E, MDM, Washoe County, Nevada.

Chairman Bond noted that the applicant's representative, Arne Hamala of Jeff Codega Planning/Design, Inc., has submitted a letter withdrawing their appeal. She then asked if there was anyone present who wished to speak concerning this matter.

There being no response, the public hearing was closed.

On motion by Commissioner Camp, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that Tentative Subdivision Map Case No. TM5-8-97, Scotch Pines, be approved subject to the following conditions:

THE TENTATIVE MAP APPROVAL ALLOWS THE SUBDIVIDER TO PROCEED WITH FULFILLING THE CONDITIONS OF APPROVAL AND RECORD A FINAL MAP FOR ALL, OR PORTIONS OF, THE DEVELOPMENT WITHIN TWO (2) YEARS FROM THE DATE OF THE PLANNING COMMISSION ACTION. FAILURE TO RECORD THE FIRST FINAL MAP WITHIN TWO (2) YEARS OF THE PLANNING COMMISSION ACTION, OR FAILURE TO RECORD THE LATEST MAP IN A SERIES WITHIN ONE (1) YEAR AFTER THE DATE OF THE MOST RECENTLY RECORDED MAP SHALL TERMINATE ALL PROCEEDINGS CONCERNING THE SUBDIVISION.

UNLESS OTHERWISE STATED, PRIOR TO FINALIZATION OF ANY PORTION OF THE TENTATIVE SUBDIVISION MAP, ALL CONDITIONS MUST BE MET OR FINANCIAL ASSURANCES TO ENSURE COMPLETION OF THE CONDITIONS MUST BE PROVIDED. THE AGENCY RESPONSIBLE FOR DETERMINING COMPLIANCE WITH A SPECIFIC CONDITION SHALL DETERMINE WHETHER THE CONDITION MUST BE FULLY COMPLETED OR WHETHER THE APPLICANT SHALL BE OFFERED THE OPTION OF PROVIDING FINANCIAL ASSURANCES.

A COPY OF ALL AGREEMENTS, EASEMENTS, OR OTHER DOCUMENTATION REQUIRED BY THESE CONDITIONS SHALL BE FILED WITH THE DEPARTMENT OF PUBLIC WORKS AND/OR DEPARTMENT OF COMMUNITY DEVELOPMENT.

THE DEVELOPER SHALL MEET WITH THE ENGINEERING DIVISION AND THE DEPARTMENT OF COMMUNITY DEVELOPMENT AT LEAST SIXTY (60) DAYS BEFORE THE ANTICIPATED DATE OF APPROVAL BY THE PLANNING COMMISSION TO REVIEW SCHEDULING, REQUIREMENTS, FINAL CONSTRUCTION DRAWINGS, AND DOCUMENTATION NECESSARY TO ADEQUATELY COMPLY WITH THE CONDITIONS OF APPROVAL AND THE APPLICABLE STATUTES, ORDINANCES, RULES, REGULATIONS, AND POLICIES. NO FINAL MAP WILL BE SCHEDULED FOR A PLANNING COMMISSION MEETING DATE THAT IS LESS THAN SIXTY (60) DAYS FROM THE DATE OF THIS MANDATORY MEETING.

A REQUEST FOR AN EXTENSION OF TIME FOR THE RECORDING OF A FINAL MAP MUST BE SUBMITTED TO THE DEPARTMENT OF COMMUNITY DEVELOPMENT AT LEAST SIXTY (60) DAYS PRIOR TO THE EXPIRATION DATE OF THE TENTATIVE SUBDIVISION MAP.

COMPLIANCE WITH THE APPLICABLE STATUTES, ORDINANCES, RULES, REGULATIONS, AND POLICIES AND WITH THE CONDITIONS OF APPROVAL OF THIS TENTATIVE MAP IS THE RESPONSIBILITY OF THE DEVELOPER, ITS SUCCESSOR IN INTEREST, AND ALL OWNERS, ASSIGNEES, AND OCCUPANTS OF THE PROPERTY, AND THEIR SUCCESSORS IN INTEREST.

A COPY OF THE FINAL ORDER FOR THE APPROVAL OF THE TENTATIVE MAP SHALL BE ATTACHED TO ALL PHASES / UNITS SUBMITTALS FOR FINAL MAP REVIEW 60-DAYS PRIOR TO RECORDATION.

GENERAL CONDITIONS

1. The subdivision shall be in substantial compliance with the provisions of Washoe County Development Code, Article 608 - Design Requirements. An advisory note shall be included on all final maps recorded for this subdivision that states the following information:

The building pad for each lot is recorded on the final map, including the location of the driveways. These building pads shall supersede the Washoe County Development Code standards for minimum lot width, and front, side and rear yard setbacks. No driveway shall be established which traverses the hillside beyond those shown as a driveway access. Lengthening of any driveway shall conform to the contour of the property.

Regulatory Zone for Review Purposes
Low Density Suburban
(Maximum 1 dwelling/acre)
Minimum Lot Area Required for Each Parcel
43,560 square feet
Maximum Building Height
35 feet / 2 story maximum

Variances to these standards may be processed as per Washoe County Code.

The Department of Community Development shall be responsible for determining compliance with this condition.

2. Final maps and final construction drawings shall comply with all applicable statutes, ordinances, rules, regulations, and policies in effect at the time of submittal of the tentative map or, if requested by the developer and approved by the applicable agency, those in effect at the time of approval of the final map.

3. Final maps shall be in substantial compliance with all plans and documents submitted with and made part of this tentative map request, as may be amended by action of the final approving authority. Substantial compliance shall be determined by the applicable agency and the Department of Community Development.

4. Development shall be in substantial compliance with the provisions of the Article 408 of the Development Code. The permitted exceptions to the Development Code allow: all setbacks shall be in accordance with the building pads delineated on the final map. The first and each succeeding final map shall not exceed the average gross density of 1 unit per acre. Each final map shall contain a cumulative table of the above information. The Department of Community Development shall be responsible for determining compliance with this condition.

5. Conditions, covenants, and restrictions (CC&R's), including any supplemental CC&R's, shall be reviewed, approved, and recorded by the District Attorney's office. The CC&R's shall require all phases and units of the subdivision approved under this tentative map to be subject to the same CC&R's, be under the authority of the same homeowners association, and be under the authority of the same architectural control committee. Said CC&R's shall indicate that each item listed below cannot be amended nor deleted without the prior written approval of Washoe County and shall be enforceable by Washoe County and are intended to bind the Association in perpetuity unless agreed to by Washoe County and specifically address:

- a) The following statement shall be included: Washoe County will not assume responsibility for maintenance of the private street system of the development nor will Washoe County accept the streets for dedication to Washoe County unless the streets meet those Washoe County standards in effect at the time of offer for dedication;
- b) The maintenance of the privately maintained drainage facilities shall be addressed in the CC&R's to the satisfaction of the District Attorney's Office;
- c) The maintenance of the pole fencing running along the open space easements 25 feet from the centerline of the intermittent creeks shall be addressed;
- d) It shall be noted that the open space running along the drainage ways is an integral part of the greenbelts of the adjacent subdivision and shall remain open;
- e) It shall be noted in the CC&R's that individual booster pumps may be needed due to elevation differences between the water service connection and the building site.
- f) It shall be noted in the CC&R's that street signs and house numbering must be properly displayed and maintained. The homeowner's association shall be responsible for the maintenance of "no parking" signage on the private roadway every 75 feet on both sides. It shall be further noted that the individual homeowners shall be responsible for house numbering display and maintenance.
- g) The Knox Box for the emergency access shall be maintained by the Homeowner's Association.
- h) The list of Design Review Committee approved landscaping materials and plants to be allowed within the snow storage easements on each residential lot as shown on the final map shall be included;
- i) the homeowner's association shall be responsible for snow removal of private roadways and fire hydrants and shall be performed at the accumulation of 4 inches of snow and every 24 hours thereafter during a storm event;
- j) the homeowner's association shall be responsible for the perpetual maintenance of defensible space;

k) a site plan for each individual lot showing the building envelope and allowable driveway cuts shall be provided and it shall be noted that variances to the allowable building pads shall be required to follow procedures within the Washoe County Development Code;

l) all lots in excess of 15% slope within the first half of the lot shall be required to utilize split foundations and such information shall be included on the site plan provided;

m) the homeowner's association shall be responsible for the perpetual maintenance of all landscaping materials and irrigation systems within the common open space situated at the entry gate;

n) Access through the gated entry to all emergency public services, including the Nevada Department of Forestry (NDF), Washoe County Sheriff's Office and Washoe County Utility Service Division shall be available without delay and access by other utilities shall be provided in a timely manner;

o) No driveways shall be established that traverse the hillside beyond those delineated on the building pad. Any extension of driveways not shown on the lot site plan shall follow the contours of the terrain. The CC&R's shall be in substantial conformance with the CC&R's of the Galena Forest Estates in relationship to structure size, height, exterior materials, especially roofing, fencing and nuisance and use articles.

6. A note shall be placed on all grading plans and construction drawings stating:

NOTE

Should any prehistoric or historic remains/artifacts be discovered during site development, work shall temporarily be halted at the specific site and the State Historic Preservation Office of the Department of Museums, Library and Arts, shall be notified to record and photograph the site. The period of temporary delay shall be limited to a maximum of two (2) working days from the date of notification.

7. The developer and all successors shall direct any potential purchaser of the site to meet with the Department of Community Development to review conditions of approval prior to the final sale of the site. Any subsequent purchasers of the site shall notify the Department of Community Development of the name, address, telephone number, and contact person of the new purchaser within 30 days of the final sale.

8. Prior to acceptance of public improvements and release of any financial assurances, the developer shall furnish to the Utility Division and/or Engineering Division a complete set of reproducible 'as built' construction drawings prepared by a civil engineer licensed in the State of Nevada.

9. The developer shall be required to participate in any applicable General Improvement District or Special Assessment District formed by Washoe County. The applicable division of the Department of Public Works shall be responsible for determining compliance with this condition.

10. The developer is to provide written approval from the US Postal Service for the plans for the installation of mail delivery facilities. The system, other than individual mail boxes, must be shown on the project construction plans and installed as part of the on-site improvements. The County Engineer shall be responsible for determining compliance with this condition.

11. The final map shall designate faults that have been active during the Holocene epoch of geological time and the final map shall contain the following note:

NOTE

No habitable structures shall be located on a fault that has been active during the Holocene epoch of geological time. The

Department of Community Development shall be responsible for determining compliance with this condition.

12. Construction drawings for on-site grading shall include a revegetation/landscape plan, approved by the Design Review Committee (DRC) for slope stabilization when outside the roadway easement to the satisfaction of the staff of Department of Community Development.

13. Construction drawings shall include rockery or other retaining walls for all slopes in excess of 3:1 slope when outside the roadway easement to the satisfaction of the staff of Department of Community Development. Lots 11 and 12 shall be consolidated into one lot and the rip-rap slopes on the southern portion of that lot shall be substituted by rockery walls.

14. Construction drawings shall include a security gate positioned at the beginning of the emergency access road on Jeffrey Pine Road to the satisfaction of the staff of the Department of Community Development.

15. Construction drawings shall include pole fencing running along the open space easements of the drainageways/creeks at the rear of the individual lots and shall connect with the Galena Forest Estates greenbelts to the satisfaction of the staff of Department of Community Development.

16. The applicant shall provide a traffic study conducted by an independent engineer, specializing in traffic analysis, licensed within the State of Nevada to determine:

a) if the left turns on Mt. Rose Highway to Douglas Fir warrants a left hand turn storage lane and

b) traffic calming techniques recommended from Scotch Pine Road to Mt. Rose Highway.

The study shall be submitted to Nevada Department of Transportation (NDOT) for review. If the study provides evidence accepted by Nevada Department of Transportation (NDOT) to substantiate the need of a left hand turn storage lane, the applicant shall provide the stripping, if sufficient roadway width exists, to provide the storage lane to the length allowed by NDOT.

17. A complete set of construction improvement drawings, including an on-site grading plan, shall be submitted to the County Engineer for approval prior to finalization of any portion of the tentative map. Grading shall comply with best management practices and shall include detailed plans for grading and drainage on each lot, erosion control, slope stabilization and mosquito abatement. Placement or disposal of any excavated material shall be indicated on the grading plan.

18. All open space shall be identified as common area on the final map. A note on the final map shall indicate that all common areas shall be privately maintained and perpetually funded by the Homeowner's Association. The County Engineer shall be responsible for determining compliance with this condition. The maintenance of the common areas shall also be addressed in the CC&R's to the satisfaction of the District Attorney's Office.

19. Any existing easements or utilities in conflict with the proposed development shall be abandoned or relocated. The County Engineering shall determine compliance with this condition.

20. Prior to release of any financial assurances for the private improvements, the developer shall provide the Engineering Division with a letter, prepared by a civil engineer licensed in the State of Nevada, certifying that the private improvements have been constructed in accordance with the approved plans. The County Engineering shall determine compliance with this condition.

21. A current title report shall be submitted to the Engineering Division with each final map at the final 22-day submittal. The County Engineering shall determine compliance with this condition.

STREETS AND TRAFFIC

22. All roadway improvements necessary to serve the project shall be designed and constructed to county standards and specifications and/or financial assurances in an appropriate form and amount shall be provided. The County Engineer shall be responsible for determining compliance with this condition.

23. The conditions, covenants, and restrictions (CC&R's) shall prominently note to the satisfaction of the County Engineer that Washoe County will not assume responsibility for maintenance of the private street system of the development nor will Washoe County accept the streets for dedication to Washoe County unless the streets meet those Washoe County standards in effect at the time of offer for dedication.

24. Adequate snow storage easements shall be identified on the final plat. The County Engineer shall be responsible for determining compliance with this condition.

25. Proposed landscaping and/or fencing along street rights-of-way and within median islands shall be designed to meet AASHTO site distances and safety guidelines. A minimum vertical clearance of 13 1/2 feet shall be maintained over all streets. The County Engineer shall be responsible for determining compliance with this condition.

26. The diameter of the turnaround island and anything located within the island, such as landscaping, parking, etc., shall be designed to provide safe sight distances and an adequate turning radius for garbage trucks, snow plows and moving vans. The County Engineer shall be responsible for determining compliance with this condition.

27. No parking signs shall be posted on the private roads. The County Engineer shall determine compliance with this condition.

28. Private streets shall be geometrically designed and constructed to applicable ITE and AASHTO criteria. Various curves do not meet the standard County design speed. A lower speed limit shall be determined and posted, or the substandard curves shall be revised to meet County standards. The County Engineer shall determine compliance with this condition.

29. A public turnaround easement shall be granted to the County, covering the private portion of Scotch Pine Road from the north property boundary through the turnaround. The turnaround shall be designed with a minimum diameter of 86 feet to the front face of curb and a minimum lane width of 21 feet from front face of curb to front face of curb. Maintenance of the turnaround and all other portions of the private street shall be the responsibility of the Homeowner's Association. The County Engineer shall determine compliance with this condition.

30. An appropriate taper section shall be provided between the existing public street and the proposed private street. The County Engineer shall determine compliance with this condition.

31. Street names shall be reviewed and approved by the Regional Street Naming Coordinator. One street cannot intersect another street at more than one point. Jeffrey Pine Road and Big Sage Lane shall be renamed as necessary.

32. Gated emergency access is required with the finalization of the first final map. The County Engineer shall determine compliance with this condition.

33. The minimum tangent length between curves on all local streets shall be 50 feet. The County Engineer shall determine compliance with this condition.

34. The southernmost intersection of Jeffrey Pine Road and Big Sage Lane shall be redesigned such that it is a "T" intersection with a stop sign on Big Sage Lane. The County Engineer shall determine compliance with this condition.

35. The proposed turnarounds on the ends of Scotch Pine Road shall be to the satisfaction of the County Engineer and the Nevada Division of Forestry (NDF). Prior to finalization of the affected final map an approval letter from NDF concerning the turnarounds shall be submitted to the County Engineer.

36. For any utilities placed in existing County streets, the streets shall be repaired to the satisfaction of the County Engineer. At a minimum, this will require full depth removal and replacement of asphalt for half street width and a Type II slurry seal for the entire street width. Full depth removal and replacement of asphalt for the entire street width may be required if the proposed utility location is too close to the centerline of the existing street.

37. Prior to submittal of the first final map, complete copies of the tentative map geotechnical reports (dated November 15, 1996, and June 12, 1997, prepared by Pezonella and Associates, Inc.) that are stamped and signed by a Nevada licensed engineer shall be submitted to the County Engineer.

DRAINAGE

38. The conditional approval of this tentative map shall not be construed as final approval of the drainage facilities shown on the tentative map. Final approval of the drainage facilities will occur during the final map review and will be based upon the final hydrology report.

39. Prior to finalization of the first final map, a master hydrology/hydraulic report and a master storm drainage plan shall be submitted to the County Engineer for approval.

40. Prior to the finalization of any portion of the tentative map, a final, detailed hydrology/hydraulic report for that unit shall be submitted to the County Engineer. All storm drainage improvements necessary to serve the project shall be designed and constructed to County standards and specifications and/or financial assurances in an appropriate form and amount shall be provided. The County Engineer shall be responsible for determining compliance with this condition.

41. Any increase in stormwater runoff resulting from the development and based upon the 10 and 100-year storm shall be detained on site. The County Engineer shall be responsible for determining compliance with this condition.

42. Standard reinforced concrete headwalls or other approved alternatives shall be placed on the inlet and outlet of all drainage structures, and grouted rock rip-rap shall be used to prevent erosion at the inlets and outlets of all pipe culverts to the satisfaction of the District Health Department and the Engineering Division.

43. The developer shall provide pretreatment for petrochemicals and silt for all storm drainage from the site to the satisfaction of the Engineering Division.

44. For all subdivisions larger than five acres, the developer shall obtain a Stormwater Discharge Permit from the Nevada Division of Environmental Protection (NDEP), and a copy of said permit shall be submitted to the County Engineer prior to construction. The Stormwater Pollution Prevention Plan, as approved by NDEP, shall be included with the construction improvement drawings.

45. A note on the final map shall indicate that all drainage facilities not maintained by Washoe County shall be privately maintained and perpetually funded by the homeowners association. The County Engineer shall be responsible for determining compliance with this condition. The maintenance of the privately maintained drainage facilities shall also be addressed in the CC&R's to the satisfaction of the District Attorney's Office.

46. Prior to issuance of a grading permit or finalization of the first final map, a wetlands delineation must be approved by the US Army Corps of Engineers. A copy of the wetlands delineation and the Army Corps approval shall be submitted to the County Engineer.

47. Prior to issuance of a grading permit or approval of the first final map, the developer shall obtain from the United States Army Corps of Engineers (COE) a 404 Permit for wetland dredge and fill for all roadway crossings of the two existing drainageways, or a letter from the COE indicating that a 404 Permit is not required. A copy of the permit/letter shall be submitted to the County Engineer.

48. The existing flows in the two major drainageways crossing the site shall be perpetuated. Flows from the southern drainageway shall not be routed into the northern drainageway. Existing 10-year and 100-year flows shall be calculated for each drainageway, and the calculations shall take into account the existing berm that diverts flows from the north drainageway to the south drainageway. The County Engineer shall determine compliance with this condition.

49. Flows from the existing portion of Scotch Pine Road shall be routed through the site. The County Engineer shall determine compliance with this condition.

WATER AND WASTEWATER

50. Water rights in accordance with the Forest Area Plan shall be dedicated to Washoe County. The water right must be in good standing with the State of Nevada Division of Water Resources and shall reflect the point of diversion, place of use, and manner of use satisfactory to the Utility Service Division.

51. Connection fees for water and sewer, improvement plan checking fees, and construction inspection deposit fees in accordance with Washoe County Ordinances shall be paid prior to the approval of the final map.

52. The developer shall construct and/or provide the financial assurances for the construction of the on-site and off-site water supply and sanitary sewer collection systems necessary to serve this project as required by the Utility Service Division. The financial assurances must be in a form and amount satisfactory to the Utility Service Division prior to approval of the final map.

53. No Certificate of Occupancy shall be issued until the water distribution system and dry sanitary sewer collection system have been completed and accepted for operation and maintenance by the Utility Service Division.

54. Improvement drawings shall be in compliance with Washoe County Design Standards. The developer shall submit plans and specifications for the water distribution and the sanitary sewer collection systems for the on-site and off-site improvements relative to this development to the Utility Service Division for review and approval prior to the final map submittal. The improvement drawings shall be designed by a Registered Engineer with the State of Nevada.

55. The water distribution system, the sanitary sewer collection system, and necessary easements must be offered for dedication to Washoe County along with the recordation of the final map.

56. A sanitary sewer report shall be prepared by the applicant's registered engineer which addresses:

- a) the estimated sewage flows generated by this project;
- b) projected sewage flows from potential or existing development within tributary areas;
- c) the impact on capacity of existing infrastructure; and
- d) proposed collection line sizes, on-site and off-site alignment, and maximum velocities for the entire tentative map. This must be approved by the Utility Service Division prior to the first final map.

57. No water meters will be set until the water distribution system is operationally approved by the Utility Service Division.

58. If infrastructure such as:

- a) wells, pump structures, controls, telemetry and appurtenances, storage tank and transmission line; or
- b) any pump stations and interceptors, treatment and disposal facilities are necessary to supply water and sewer service to the project, the developer will be responsible to fund the design and construction. However, actual design will be the responsibility of the Utility Service Division.

Prior to initiation of design the developer shall pay the estimated design costs to Washoe County. The Utility Service Division

may either, provide such design in-house, or select an outside consultant. When an outside consultant is to be selected, the Utility Service Division and the developer shall jointly select the consultant.

Funding of oversizing the design and infrastructure to accommodate future development as determined by accepted engineering calculations, shall be the responsibility of Washoe County. Washoe County shall either participate monetarily at the time of design and/or shall credit an appropriate number of service hook-ups to the developer at the time of recordation of the final map.

59. Utility Service Division approved improvement plans shall be used for the construction of any water distribution systems, any sewer collection systems or appurtenant facilities and must be inspected by the Utility Service Division.

60. It shall be noted in the CC&R's that individual booster pumps may be needed due to elevation differences between the water service connection and the building site.

FIRE PROTECTION

61. The plans submitted with a building permit application shall show evidence of compliance with the recommendations of the Nevada Division of Forestry. Those concerns are fire flows, fire hydrant number and location, access, sequential phasing of firebreaks during development, permanent firebreaks, minimum defensible space, use of fire resistant construction and/or roof material, sprinklering of structures, and spark arrestors in chimneys. Access and fire flows concerns shall be addressed prior to the introduction of any combustible materials to the site. The Nevada Division of Forestry shall be responsible for determining compliance with this condition.

62. Street signs and house numbering must be properly displayed and maintained. The Nevada Division of Forestry shall be responsible for determining compliance with this condition.

63. The applicant shall submit a letter to the Department of Community Development staff indicating that construction drawings involving all cut banks, slopes 2:1, drainage plans, creek crossings and soil stabilization have been reviewed and approved by Nevada Division of Forestry Resource Forester prior to the recordation of a final map.

64. A Timberland Conversion Certificate issued by the Nevada Division of Forestry Resource Forester is required prior to any ground breaking or start of any grading/construction on the project. A copy of the certificate shall be submitted to the Department of Community Development staff prior to the issuance of a grading permit.

65. A Knox Box shall be required for the emergency access to the satisfaction of the Nevada Department of Forestry (NDF) staff prior to the issuance of the first building permit for a single family residence.

LANDSCAPING/ARCHITECTURAL DESIGN

66. The developer shall submit to the staff of Department of Community Development a letter approving the proposed methods of erosion control and soil stabilization from the Washoe-Storey Conservation District.

67. Prior to the finalization of a final map, the developer shall submit a landscaping/architectural design plan to the Department of Community Development for review and approval by the Design Review Committee. Said plan shall address, but not be limited to: fencing, landscaping material (if plant material: type, size at time of planting, maturation size at full growth, period of time between planting and full growth), landscaping location, landscaping irrigation system, and financial assurances that landscaping will be planted and maintained. The plans shall address the following items in particular:

a) A list of landscape materials allowed within the snow storage areas on each individual lot. This list shall be incorporated into the CC&R's for the property;

b) Revegetation/landscape materials on 3:1 slopes outside the private roadway right-of-way;

- c) Landscape at private gate entrance;
- d) Landscaping of the circular turnaround before the private gate entrance;
- e) Rockery wall construction standards; and
- f) Pole or equivalent type fencing running along the drainage/intermittent creeks.

68. A certification letter or series of letters by a landscape architect registered in the State of Nevada shall be submitted to the Department of Community Development. The letter(s) shall certify that all applicable landscaping requirements of the Design Review Committee (DRC) have been met. Any landscaping plans and the letter shall be wet-stamped. The letter shall indicate any provisions of the code that have been waived by the Director of Community Development. Financial assurances to cover 110% of the landscape, fencing and rockery wall installation shall be retained until the certification letter is received.

HEALTH

69. Prior to the recordation of the first final map, perk tests shall be performed for each proposed lot under the direction of Washoe County District Health Department. The District Health Department approved location for each proposed septic tank location, leach field and repair area shall be depicted on the building footprint exhibit. Septic tank/leach field locations with recommended design standards shall be constructed on the approved test pit area. No lot may be recorded without an approved location by Washoe County District Health Department.

* * * * *

COMMISSIONERS' /MANAGER'S COMMENTS

Commissioner Camp requested that Dave Roundtree, Public Works Director, have his staff grade Jumbo Grade Circle.
Commissioner Galloway expressed his desire that the additional sales tax proposal be put to a vote of the people.

* * * * *

There being no further business to come before the Board, the meeting adjourned at 10:00 p.m.

JOANNE BOND, Chairman
Washoe County Commission

ATTEST: JUDI BAILEY, County Clerk