

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

MONDAY

2:00 P.M.

NOVEMBER 10, 2008

PRESENT:

Bob Larkin, Chairman
Bonnie Weber, Vice Chairman
Jim Galloway, Commissioner
David Humke, Commissioner*
Kitty Jung, Commissioner

Amy Harvey, County Clerk
Katy Simon, County Manager
Melanie Foster, Legal Counsel

The Board convened at 2:09 p.m. in special 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:

Katy Simon, County Manager, stated the Chairman and Board of County Commissioners intend that their proceedings should demonstrate the highest levels of decorum, civic responsibility, efficiency and mutual respect between citizens and their government. The Board respects the right of citizens to present differing opinions and views, even criticism, but our democracy cannot function effectively in an environment of personal attacks, slander, threats of violence, and willful disruption. To that end, the Nevada Open Meeting Law provides the authority for the Chair of a public body to maintain the decorum and to declare a recess if needed to remove any person who is disrupting the meeting, and notice is hereby provided of the intent of this body to preserve the decorum and remove anyone who disrupts the proceedings.

08-1172 AGENDA ITEM 3 – SENIOR SERVICES

Agenda Subject: “Proclamation – November 2008 National Family Caregivers Month. (All Commission Districts.)”

Katy Simon, County Manager, read and presented the Proclamation to Grady Tarbutton, Senior Services Director. Mr. Tarbutton thanked the Board for their continued support. He introduced Wanda Brown, Nevada Division of Aging Services, Barbara Devers, American Home Companion and Sandra Barelli, Retired and Senior Volunteer Program. He commented these individuals represented agencies that provided funding for services which allowed seniors to remain independent and stay within their homes. Ms. Brown, Ms. Devers and Ms. Barelli thanked the Board for this recognition and their continued support.

***2:13 p.m.** Commissioner Humke arrived.

In response to the call for public comment, Sam Dehne applauded the efforts of family caregivers in the community.

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 3 be adopted, authorized and executed. The Proclamation for same is attached hereto and made a part of the minutes thereof.

08-1173 AGENDA ITEM 4 – SOCIAL SERVICES

Agenda Subject: “Proclamation – November 2008 as Adoption Month. (All Commission Districts.)”

Katy Simon, County Manager, read and presented the Proclamation to Kevin Schiller, Acting Social Services Co-Director. Mr. Schiller thanked the Board for their continued support and for recognizing this valuable resource. He said adoptive and foster parents were very significant to what Social Services provided on a daily basis. Mr. Schiller introduced Samantha Sevcsik, Adoption Supervisor, Kelly Orr and Mary Encarnacion, adoption staff and several adoptive foster parents who thanked the Board and staff for their recognition and continued support.

There was no response to the call for public comment.

On motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 4 be adopted, authorized and executed. The Proclamation for same is attached hereto and made a part of the minutes thereof.

08-1174 AGENDA ITEM 5

Agenda Subject: “Public Comment. Comment heard under this item will be limited to two minutes per person and may pertain to matters both on and off the Commission agenda. The Commission will also hear public comment during individual action items, with comment limited to two minutes per person. Comments are to be made to the Commission as a whole.”

Sam Dehne spoke on the County voting system and the General Election held on November 4, 2008.

08-1175 AGENDA ITEM 6

Agenda Subject: “Commissioners’/Manager’s Announcements, Requests for Information, Topics for Future Agendas and Statements Relating to Items Not on the Agenda. (No discussion among Commissioners will take place on this item.)”

Katy Simon, County Manager, indicated Agenda Item 13, discussion and possible position regarding Placer County's proposal to narrow Highway through Kings Beach was pulled and would be continued to the November 18, 2008 meeting.

Commissioner Humke said Soroptimist International of Reno put together backpacks consisting of toys, toiletries, clothing and snacks for children being removed from their homes due to child abuse and neglect and placed into foster care. He remarked this was a much needed service and commended the group for this worthwhile contribution. Commissioner Humke congratulated several law enforcement officers from the City of Reno, the City of Sparks, Washoe County Sheriff's Office and the Nevada Highway Patrol (NHP) for receiving recognition from the American Society for Industrial Security.

Commissioner Weber congratulated Chairman Larkin and Commissioner Jung on their recent reelections. In recognition of Veteran's Day, she thanked all Veterans for their service.

Chairman Larkin announced the passing of a long time member of the Warm Springs Citizen Advisory Board (CAB), Phil Anderson, and sent the Board's condolences to the family. He stated he received a message from a citizen who praised Registrar of Voters Dan Burk for a successful early voting campaign in Washoe County. Chairman Larkin said on November 3, 2008 a public meeting was held to discuss the Virginia Peaks Wind Project. He noted comments were not on the locations of the turbines, but the routing of the transmission line. He said a public hearing would be scheduled in the near future and requested the actual date and time of that public hearing. He said he requested the next steps for WC-3 from the Western Regional Water Commission (WRWC).

Commissioner Galloway announced the passing of Ted Harris, a prominent member of the Incline Village community. He said Mr. Harris had been involved in many issues at the Lake and would be sorely missed. On behalf of the Board, Commissioner Galloway sent condolences to the family. He indicated he would be unable to attend the Regional Planning Governing Board (RPGB) meeting scheduled for November 13, 2008 and requested an alternate attend. He stated if an alternate attended that the issue of how the County could keep from worsening the amount of overhang between the amount of not only approved subdivisions, but already approved zoning and the amount of water available, be discussed.

Commissioner Jung congratulated Chairman Larkin on his recent reelection. She announced that the North Valleys CAB meeting scheduled for November 10, 2008 was cancelled due to a lack of agenda items.

Chairman Larkin explained that due to the Nevada Association of Counties (NACO) conference Commissioner Weber was also unavailable to attend the

RPGB meeting. Commissioner Galloway said he would advise the RPGB that two Commissioners would be unavailable.

CONSENT AGENDA

08-1176 AGENDA ITEM 7A

Agenda Subject: “Approve minutes for the Board of County Commissioners’ meetings of September 23 and October 14, 2008.”

There was no response to the call for public comment.

On motion by Commissioner Jung, seconded by Commissioner Humke, which motion duly carried, Chairman Larkin ordered that Agenda Item 7A be approved.

08-1177 AGENDA ITEM 7C - COMPTROLLER

Agenda Subject: “Acknowledge receipt of the Interim Financial Report for Washoe County Governmental Funds for the three months ended September 30, 2008 – Unaudited. (All Commission Districts.)”

Katy Simon, County Manager, acknowledged that Darin Conforti was the new Budget Manager.

There was no response to the call for public comment.

On motion by Commissioner Jung, seconded by Commissioner Humke, which motion duly carried, Chairman Larkin ordered that Agenda Item 7C be acknowledged.

08-1178 AGENDA ITEM 7D – SENIOR SERVICES

Agenda Subject: “Accept grant awards and subsequent amendment for Fiscal Year 2008/09 retroactively for the period July 1, 2008 through June 30, 2009 from the Regional Transportation Commission for transportation of senior citizens and people with disabilities in Gerlach and Incline Village [\$12,000 for Gerlach and \$18,000 for Incline Village with no County match]; and if accepted, authorize Chairman to sign the First Amendment for same and direct Finance to make appropriate budget adjustments. (All Commission Districts.)”

There was no response to the call for public comment.

On motion by Commissioner Jung, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 7D be accepted, authorized, executed and directed.

08-1179 AGENDA ITEM 7E(1) – SOCIAL SERVICES

Agenda Subject: “Direct Finance to make appropriate budget adjustments for the Discretionary Grant Donation [\$5,000] from the Trustees of the Walter S. Johnson Foundation to Support the Forum “Exploring Strategies to Improve Outcomes for Infants and Young Children in Foster Care” retroactive to October 13-14, 2008 and for facilitation of the ensuing policy development sessions. (All Commission Districts.)”

On behalf of the Board, Commissioner Galloway thanked the Trustees of the Walter S. Johnson Foundation for their generous donation.

There was no response to the call for public comment.

On motion by Commissioner Jung, seconded by Commissioner Humke, which motion duly carried, Chairman Larkin ordered that Agenda Item 7E(1) be directed and accepted.

08-1180 AGENDA ITEM 7E(2) – SOCIAL SERVICES

Agenda Subject: “Authorize Department of Social Services to reduce reimbursement rates in Emergency Room and outpatient services from 60% to 30% of billed charges effective for the October 2008 billing through the end of Fiscal Year 2008/09 and to authorize the Department to retroactively adjust these rates if there are sufficient funds available at the end of the fiscal year. (All Commission Districts.)”

There was no response to the call for public comment.

On motion by Commissioner Jung, seconded by Commissioner Humke, which motion duly carried, Chairman Larkin ordered that Agenda Item 7E(2) be authorized.

08-1181 AGENDA ITEM 7E(3) – SOCIAL SERVICES

Agenda Subject: “Authorize Department of Social Services to purchase food and refreshments for community stakeholders participating in the Service Array Assessment Process meetings [not to exceed \$2,500 total for all of the community stakeholder meetings]. (All Commission Districts.)”

There was no response to the call for public comment.

On motion by Commissioner Jung, seconded by Commissioner Humke, which motion duly carried, Chairman Larkin ordered that Agenda Item 7E(3) be authorized.

08-1182 AGENDA ITEM 7E(4) – SOCIAL SERVICES

Agenda Subject: “Accept cash donations [\$1,915.34] and Juror Fee Donations [\$1,080]; and if accepted, authorize Department of Social Services to expend these funds to benefit children in care and families who are clients and direct Finance to make the appropriate budget adjustments for Fiscal Year 2008/09. (All Commission Districts.)”

On behalf of the Board, Commissioner Galloway thanked the various donors for their generous donations.

There was no response to the call for public comment.

On motion by Commissioner Jung, seconded by Commissioner Humke, which motion duly carried, Chairman Larkin ordered that Agenda Item 7E(4) be accepted, authorized and directed.

08-1183 AGENDA ITEM 7F – COMMUNITY DEVELOPMENT

Agenda Subject: “Approve State of Nevada Importer and Wholesale Dealer of Wine, Liquor and Beer License and a Washoe County Importer/Wholesaler Intoxicating Liquor License for Michael S. Jones, dba Sierra Fine Wines; and if approved, direct that each Commissioner sign the original copy of the State of Nevada *Application for License for Importer and Wholesale Dealer of Wine, Liquor, and Beer.* (All Commission Districts.)”

There was no response to the call for public comment.

On motion by Commissioner Jung, seconded by Commissioner Humke, which motion duly carried, Chairman Larkin ordered that Agenda Item 7F be approved and directed.

08-1184 AGENDA ITEM 7G – SHERIFF’S OFFICE

Agenda Subject: “Accept donation (\$400) from Dr. Raymond Kahle to the Washoe County Sheriff’s Office Critical Incident Stress Management Team for the purchase of equipment, training materials and team response incidentals. (All Commission Districts.)”

On behalf of the Board, Commissioner Galloway thanked Dr. Raymond Kahle for his generous donation to the Washoe County Sheriff’s Office.

There was no response to the call for public comment.

On motion by Commissioner Jung, seconded by Commissioner Humke, which motion duly carried, Chairman Larkin ordered that Agenda Item 7G be accepted.

08-1185 AGENDA ITEM 7H - LIBRARY

Agenda Subject: “Accept State Grant-in Aid Funds [\$31,530] for Fiscal Year 2009 for the augmentation of Library Collections, and if accepted, authorize Chairman to sign the grant award and direct Finance to make appropriate budget adjustments. (All Commission Districts.)”

There was no response to the call for public comment.

On motion by Commissioner Jung, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 7H be accepted, authorized, executed and directed.

08-1186 AGENDA ITEM 7I – WATER RESOURCES

Agenda Subject: “Approve Water Rights Deed and associated Agreement between Zahler Enterprises, Inc. and Washoe County transferring 5.816 acre-feet of underground water rights in support of future development in the Mt. Rose Corridor area; and if approved, authorize Chairman to execute Deed and Agreement and direct Water Rights Manager to record both documents. (Commission District 1.)”

There was no response to the call for public comment.

On motion by Commissioner Jung, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 7I be approved, authorized, executed and directed.

08-1187 AGENDA ITEM 7J(1) – PUBLIC WORKS

Agenda Subject: “Approve Change Order No. 3 to Aspen Developers Corp. for the Crystal Bay Phase I Water Quality Improvement Project [\$9,749.50]; and if approved, authorize Public Works Director to execute the necessary documents.”

There was no response to the call for public comment.

On motion by Commissioner Jung, seconded by Commissioner Humke, which motion duly carried, Chairman Larkin ordered that Agenda Item 7J(1) be approved, authorized and executed.

08-1188 AGENDA ITEM 7J(2) – PUBLIC WORKS

Agenda Subject: “Accept donation of a witness box for the James V. Mancuso Justice Court at Incline Village from contractor Ira Rodman. (Commission District 1.)”

On behalf of the Board, Commissioner Galloway thanked Mr. and Mrs. Ira Rodman for their generous donation to the Incline Village Justice Court.

There was no response to the call for public comment.

On motion by Commissioner Jung, seconded by Commissioner Humke, which motion duly carried, Chairman Larkin ordered that Agenda Item 7J(2) be accepted.

08-1189 AGENDA ITEM 7J(3) – PUBLIC WORKS

Agenda Subject: “Award bid for 911 Parr Detention Facility – Intake/Booking Area Floor Replacement Project to the lowest responsive and responsible bidder (staff recommends B.T. Mancini in the amount of \$81,140). (All Commission Districts.)”

There was no response to the call for public comment.

On motion by Commissioner Jung, seconded by Commissioner Humke, which motion duly carried, Chairman Larkin ordered that Agenda Item 7J(3) be awarded.

08-1190 AGENDA ITEM 7J(4) – PUBLIC WORKS

Agenda Subject: “Approve two Washoe County Applications (Lemmon Valley School and Park Pedestrian Project and Cold Springs Drive Pedestrian Facility) for Transportation Equity Act Enhancement Funds for Fiscal Year 2010/11. (Commission District 5.)”

There was no response to the call for public comment.

On motion by Commissioner Jung, seconded by Commissioner Humke, which motion duly carried, Chairman Larkin ordered that Agenda Item 7J(4) be approved.

08-1191 AGENDA ITEM 7J(5) – PUBLIC WORKS

Agenda Subject: “Approve Right-of-Way Grant (NVN 085782) for continued use of 10 acres of Bureau of Land Management owned property located on Highland Ranch Parkway for the Washoe County Public Works Road Division maintenance yard through December 31, 2010; and if accepted, authorize Chairman to execute the grant documents [no fiscal impact]. (Commission Districts 4 and 5.)”

There was no response to the call for public comment.

On motion by Commissioner Jung, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 7J(5) be approved, authorized and executed.

08-1192 AGENDA ITEM 7K(1) – PARKS

Agenda Subject: “Approve Exhibit Loan Agreement [\$42,700] between Washoe County and Arkansas Museum of Science and History Incorporated (dba Museum of Discovery) for the 2009 spring exhibit entitled “Predators” and approve Agreement between Washoe County (Wilbur D. May Museum) and Mace Loftus for curation and provision of live Wild Cats, Wolves and Snakes [\$32,500] for the Wilbur D. May Museum; and if all approved, authorize Chairman to sign agreements. (All Commission Districts; facility locate in Districts 3 and 5.)”

There was no response to the call for public comment.

On motion by Commissioner Jung, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 7K(1) be approved, authorized and executed.

08-1193 AGENDA ITEM 7K(2) PARKS

Agenda Subject: “Authorize Regional Parks and Open Space Department to solicit written proposals to select a qualified respondent for production and promotion services for live musical performances at the Robert Z. Hawkins Amphitheater in Bartley Ranch Regional Park. (All Commission Districts; facility locate in District 2.)”

There was no response to the call for public comment.

On motion by Commissioner Jung, seconded by Commissioner Humke, which motion duly carried, Chairman Larkin ordered that Agenda Item 7K(2) be authorized.

08-1194 AGENDA ITEM 7L- MANAGER

Agenda Subject: “Cancel November 25, 2008 Washoe County Commission Meeting. (All Commission Districts.)”

There was no response to the call for public comment.

On motion by Commissioner Jung, seconded by Commissioner Humke, which motion duly carried, Chairman Larkin ordered that Agenda Item 7L be approved.

08-1195 AGENDA ITEM 7M

Agenda Subject: “Execute Resolution designated by the short title “2008 Sierra Fire Protection District Canvass Resolution”; declaring the results of an election held within the Sierra Fire Protection District, Nevada, on the General Obligation Bond and Special Elective Tax Question submitted to the qualified electors of the District at the election held on Tuesday, November 4, 2008; providing other matters relating thereto; and providing the effective date hereof. (Commission Districts 1 and 2.)”

There was no response to the call for public comment.

On motion by Commissioner Jung, seconded by Commissioner Humke, which motion duly carried, it was ordered that Agenda Item 7M be adopted, authorized and execute. The Resolution for same is attached hereto and made a part of the minutes thereof.

08-1196 AGENDA ITEM 7B – REGISTRAR OF VOTERS

Agenda Subject: “Canvass of the November 4, 2008 General Election. (All Commission Districts.)”

Dan Burk, Registrar of Voters, reviewed highlights of the November 4, 2008 General Election. He stated the County now had the highest number of active registered voters ever witnessed, and since the Primary Election, there were an additional 25,000 voters. Mr. Burk said the number of citizens who voted early was 101,000 which was 142 percent higher than any other election previously held in the County. He indicated there were 19 early voting locations and thanked Chairman Larkin for securing the Scolari stores and noted over 40,000 citizens voted at those store locations. Mr. Burk indicated there were 99 polling places on Election Day, which were opened on time and fully staffed. He praised the Washoe County School District for scheduling their Teacher In-Service Day on Election Day making the schools available for polling locations. He said the last cartridges were delivered by 10:30 p.m. and staff completed counting cartridges by 1:00 a.m. Mr. Burk said over 150 County employees volunteered to serve during the Election and, of that number, Technology Services gave their entire staff as back-up. He thanked staff and all of the volunteers for their hard work, support and dedication.

Mr. Burk acknowledged there were delays on Election night. He explained 12 cartridges, three from early voting and nine from Election Day, did not load properly. He said the County had an old uploading mechanism with the Sequoia System, but explained a prototype was being developed in-house to be more accurate. He indicated staff received reports back from cartridges that had no results registered on them. Mr. Burk said most came from the warehouse as back-ups and when placed into the upload system gave a reading of “no tally, no totals,” which had never been seen in an election. As a consequence, staff felt it necessary to conduct an audit of every card, delaying the process by approximately two hours.

Mr. Burk explained in the Verdi TV District there was a tie concerning the two candidates who placed second. He said a process was completed to ensure all of the votes were counted; however, in that process it was discovered that a sliver of property consisting of 52 registered voters located by the Truckee River was not included. He said of those 52 voters 35 cast a ballot. Mr. Burk provided a map of the area, which was placed on file with the Clerk. He noted at one point that piece of property was thought to have been in the City of Reno and not the Verdi TV District and vice versa making it difficult to identify the correct area. Consequently, the tie would need to be broken and perhaps endure a contest of the election initiated by someone in the District if it were felt the losing candidate was not treated fairly by the Registrars Office. Mr. Burk apologized for the error.

Greg Neuweiler, Election Task Force Chairman, stated due to the attention placed on this election, the Election Task Force increased from three to five members. He introduced the members and thanked them all for their participation and dedication. He remarked the warehouse where the machines were kept was very organized and praised staff for their preparation. He commented because of the organization, 150 machines a day were able to be certified. Mr. Neuweiler explained NRS required that the Task Force audit a minimum of 2 percent of all of the machines used during the election and noted the report given to the Board listed the actual machines tested. He explained the paper rolls arrived with the memory card and were sealed in boxes away from the polling place. Mr. Neuweiler indicated because of the room that would be needed the Task Force audited on the following Saturday. He said 32 polling locations were randomly chosen selecting the boxes with the printer rolls in them and randomly selected paper rolls out of each of the bins making a double-blinded study. He fully explained the process that was used to randomly audit the machines and to complete the audit of 64 unidentified voters. Mr. Neuweiler said as a result of the audit everything matched perfectly and there were no discrepancies.

Chairman Larkin thanked the Election Task Force for their time and attention that was given and said the Board truly appreciated their efforts. He said the “no discrepancies” between the visual and the electronic copies was extraordinary.

Commissioner Weber thanked Mr. Burk and staff for a remarkable job. However, she was concerned about the Verdi TV District and asked for that portion of the canvass not to be accepted and allow those 35 voters to vote again. Melanie Foster, Legal Counsel, replied after review from the District Attorney’s (DA) Office it was concluded that the Board had a ministerial function to conduct the canvass and any alteration in what had occurred could only happen pursuant to an order from a court with appropriate jurisdiction in Washoe County as a result of a challenge filed by a party withstanding. Commissioner Weber said 35 votes were important and was dumbfounded that the Board could not vote on the canvass and have the Verdi TV District withheld. Ms. Foster stated she was reviewing NRS and would respond with a clarification. Commissioner Weber asked who discovered the problem. Mr. Burk replied a staff member of the Registrar’s Office discovered the problem after a candidate called from

that District to see how the tie would be resolved. He explained after a thorough review with the Geographic Information System (GIS) staff it was concluded that this plot of parcel belonged within the District and should have been on their ballot. Commissioner Weber said the process for a candidate was so important and to ask the candidates to accept this to be resolved as a court action, did not seem like the correct solution.

Commissioner Galloway clarified there was a sliver of an area that had 52 registered voters, 35 of which cast votes in the election, but the candidates for that District were not listed on those ballots. Mr. Burk stated that was correct. Commissioner Galloway stated the registered voters in that area voted on the rest of the ballot, but did not have the opportunity to make their wishes known for the TV District. Mr. Burk said that was correct. Commissioner Galloway commented then the election results were incomplete; however he would await word from legal counsel.

Ms. Foster said NRS specifically stated that in certifying the canvass the Board shall make note of any clerical error that occurred during the course of the election, which in effect this was. She said any individual who was the subject of a tie for an elected office was entitled to a recount and provided for the drawing of lots to fill that seat, but the statute did recognize that there may be a clerical error that would be noted in making the report; however, that did not erase the obligation to finalize the canvass. Commissioner Galloway said then a canvass did not mean that the results of that particular race was perfect and final if the Board made a note to state what the deficiency was. Ms. Foster said in this situation it was being relayed that the Board was comfortable that the machines accurately counted the votes that were cast, however; would be acknowledging that there were a group of eligible voters who were not provided the opportunity to vote for a particular office. Commissioner Galloway asked if by making the distinction of noting the deficiency would that be acceptable and be a clean record for a decision, but note the Board had no authority to call for a new election. Ms. Foster said she was unaware of anything in the election statutes that authorized the Board to start a process for a special election on this issue.

Commissioner Humke asked how many separate ballots had to be processed for the election. Mr. Burk stated 174 versions had to be designed.

Commissioner Weber asked if the two candidates for the Verdi TV District could speak. Chairman Larkin indicated this was the time to canvass with the Registrar of Voters and would not be appropriate to debate; however, they would have an opportunity to speak during public comment. Commissioner Weber stated it could make a determination if the candidates could lend credence to their positions and felt it was owed to the two candidates. Chairman Larkin deferred to legal counsel in terms of general comments concerning the canvassing.

Ms. Foster said there was a procedure available for the defeated candidate to challenge the results of an election that had to be completed within 14 days of the election. Mr. Burk clarified any voter in the Verdi TV District had the right to file a contest of elections. Commissioner Weber commented the candidates were not defeated.

Mr. Burk said that was correct, but a person had to be defined as the defendant and someone defined as the person complaining. He said when there was a tie the law required the process could move forward with the contest of election.

Chairman Larkin clarified the Board must canvass the election as required by law. Ms. Foster replied the canvass was required within six working days of the election. Chairman Larkin stated the law also provided for notices of clerical errors and discrepancies. Ms. Foster said the proper language noted the Board shall note separately any clerical errors discovered. Chairman Larkin said the clerical error was an error within that particular precinct whether those individuals were included within the City of Reno or the Verdi Township. Ms. Foster stated that was correct.

Commissioner Galloway suggested a motion to declare the results official as reported in the attested summary and statement of votes cast. With respect to the Verdi TV District, the Board finds that the votes cast appeared to be counted correctly. The Board also finds that eligible candidates names did not appear on ballots cast by 35 voters for the Verdi TV District area.

In response to the call for public comment, Kim Toulouse said he was a candidate involved in the tie for the Verdi TV District. He clarified it did not matter if this was in the City of Reno because there would be citizens in the Somersett area, which was in the City, who voted on this race that would have not been allowed to vote for the District, a general improvement district that encompassed a geographical area. He commented he pointed this out in an e-mail to Mr. Burk who felt there was not an issue until it was researched and determined this area was in the District. Mr. Toulouse asked the Board not to certify the vote since it was known there were problems with a particular vote. He felt disenfranchisement occurred since this was not on a sample ballot or on a voting machine.

Sam Dehne gave his opinion concerning the vote results and the General Election.

Christopher Sewell stated he was the other candidate who tied in the election for the Verdi TV District and said this cut to the heart of what the Country was made from, a citizen's right to vote. He said since individuals did not have their right to vote he asked the Board that the Verdi Township election not be certified because citizens were disenfranchised.

Commissioner Galloway asked Mr. Sewell what he felt about the suggested motion. Mr. Sewell felt that response should be left to legal counsel.

Commissioner Humke said there had been a suggestion to certify the canvass of the election except for the results of the Verdi TV District; however, how would that affect the candidate who came in first. Ms. Foster stated that candidate would not be elected. She said by law, the Board was mandated to conduct the canvass and had until November 13, 2008 to have that completed and, if it was not completed, there was a

strong argument to have committed malfeasance. Commissioner Humke asked for a definition of a ministerial act. Ms. Foster explained all of the work for the election had been completed and the job of the Board was to state to the best of their knowledge the votes shown on the canvass were the votes cast. Commissioner Humke said the difference then was under a discretionary act the Board sometimes sat as quasi-judisdictional, but under a ministerial act the Board was required to act with some known flaws. He asked if there had ever been a special election or a contested election that had taken place absent judicial action. Ms. Foster said there were ways for citizens to trigger special elections and explained that resulted in an initiative and referendum process, or a recall process. However, she could not recall a situation where the Board or any other body of government had the ability to call a special election.

Chairman Larkin said there was no dispute that there were 5,689 votes cast in the Verdi TV District. Mr. Burk agreed there was no dispute to that number. Chairman Larkin said there was also no dispute to how those particular ballots were cast; however, there was a clerical error with 35 potential uncast votes and according to legal counsel the Board had a ministerial act to canvass this election by November 13, 2008.

Commissioner Galloway asked what the law provided if the results of an election of a particular race were not declared official. Ms. Foster said the law did not contemplate that possibility, but imposed a mandatory duty upon the boards of county commissioners to complete the canvass by the sixth working day after an election.

Commissioner Weber said every vote was important and stated she would not vote in favor of a motion to certify the canvass; however, could support an alternative.

Chairman Larkin said there was a suggested motion made and asked for the motion to be restated.

Commissioner Galloway moved to declare the results of the November 4, 2008 General Election official as reported in the attached summary report and statement of votes cast, noting that in respect to the Verdi TV District the Board was aware there was an area of that District in which 35 votes were cast on other matters, but the candidates for the Verdi TV District were not present on the ballot presented to the eligible voters of that area. Commissioner Humke seconded the motion.

Commissioner Weber said she would not support the motion.

Chairman Larkin said an alternative existed, but there was a process that had to be followed.

Commissioner Humke thanked both of the candidates for running for office and participating in the American system; however, the Board had to comply with NRS and noted their remedy was the law.

On call for the question, the motion passed on a 4 to 1 vote with Commissioner Weber voting “no.” The certified Abstract of Votes cast in the General Election on November 4, 2008 is attached hereto and made a part of the minutes thereof.

* * * * *

Later in the meeting, on motion by Commissioner Weber, seconded by Commissioner Humke, which motion duly carried, Chairman Larkin ordered that Agenda Item 7B be reopened.

Commissioner Weber indicated she would be changing her vote to an “aye” vote on this item.

On motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, Chairman Larkin ordered that Agenda Item 7B be approved. The certified Abstract of Votes cast in the General Election on November 4, 2008 is attached hereto and made a part of the minutes thereof.

08-1197 AGENDA ITEM 8 – WATER RESOURCES

Agenda Subject: “Discussion and adoption of the Mayberry Ranch Estates Septic to Sewer Conversion Project Proposed Schedule of Fees and Charges and provide possible direction to staff. (Commission District 1.)”

3:50 p.m. Commissioner Weber left the meeting.

Rosemary Menard, Water Resources Director, requested consent to establish a set of fees and charges for the septic-to-sewer conversion for the Mayberry Ranch Estates properties. She explained the project was driven by the Juniper Ridge sewer that went through Idlewild Drive in the 1990’s. She stated the current regulations required anyone that was within 400 feet of the Juniper Ridge sewer, hook-up when their sewer systems failed. She said a plan had been conceived to provide a system and noted that 90 percent of the homeowners would be affected by the 400 foot rule. Ms. Menard said staff worked with the community to establish a mechanism on what the cost would be and how that cost would be paid.

3:55 p.m. Commissioner Humke left the meeting.

Ms. Menard indicated staff met with the residents on October 21, 2008 to review the material. She explained and reviewed the proposed Schedule of Fees and Charges as listed in the staff report, which was placed on file with the Clerk. She said because these properties were adjacent to the Truckee River, funds were obtained from the Truckee River grant fund to offset the \$5,000 per property if hook-up was completed by June 30, 2010. She said with that offset the cost to the individual property owner was approximately \$10,500 with the on-site cost estimated at \$5,000 making the total cost per property approximately \$15,500.

Commissioner Galloway asked what would happen to the cost and what legal requirement would be satisfied for residents who did not hook-up by the June 30, 2010 deadline. Ms. Menard replied there would be a number of footnotes in the costs for the project unit cost and could be adjusted every year based on the weighted cost of capital. She said each year the \$10,500 would be adjusted by the weighted cost of capital by the pervious year and would be the baseline for the next year's cost. Ms. Menard said sewer connection fees were occasionally reviewed and revised and the homeowners would have to pay the cost of the connection fee in place at the time. Ms. Menard said the Truckee River grant funds was an incentive program for residents to hook-up sooner so the effect of the septic system effluent on the Truckee River would be abated sooner rather than later.

Commissioner Galloway said there were two different contracts completed for these sewers. He stated the proposal by staff was to treat them as one project to bring everyone into a range they were originally told to pay. He remarked no one had to connect; however, asked for legal verification if this was lawful to be treated as one project.

Peter Simeoni, Deputy District Attorney, stated this was lawful. He added the law required property owners who received sewer water service be treated in a uniform and equal manner. He said the Courts only required rough proportionality and no mathematical certainty as to the particular cost each property owner would pay.

4:00 p.m. Commissioner Humke returned.

Commissioner Galloway asked if a septic system were to fail and had to be replaced would the requested fee be comparable. Ms. Menard replied it would be comparable.

There was no response to the call for public comment.

On motion by Commission Galloway, seconded by Commissioner Humke, which motion duly carried with Commissioner Weber temporarily absent, Chairman Larkin ordered that Agenda Item 8 be adopted and directed.

08-1198 AGENDA ITEM 9 – TRUCKEE RIVER FLOOD MANAGEMENT

Agenda Subject: “Recommendation to approve the payment of tenant relocation claim payment (from 125 N. Edison Way) to Claimant #12-272-05-T-5 [\$100,230.23]; and if approved, authorize Chairman to execute all agreements and documents to accomplish settlement and payment of the claim and authorize use of the 1/8-cent sales tax dedicated to the Truckee River Flood Project to fund the claim. (Commission District 4.)”

Commissioner Galloway asked if this was lawfully necessary. Greg Saulter, Deputy District Attorney, replied this was a federally financed project so the federal rules would apply. He said under those rules if the County initiated negotiations to acquire a property and as a result of that initiation someone moved, which under Federal law became a displaced person, they were entitled to relocation benefits. Commissioner Galloway commented State law recently stated the same rule would be enforced. Mr. Saulter said under State statute if the County acquired property for a public works project the County was required to provide benefits that were substantially similar to the federal requirements.

4:03 p.m. Commissioner Humke left the meeting.

There was no response to the call for public comment.

On motion by Commissioner Galloway, seconded by Chairman Larkin, which motion duly carried with Commissioners Humke and Weber temporarily absent, it was ordered that Agenda Item 9 be approved, authorized and executed.

08-1199 AGENDA ITEM 10 - FINANCE

Agenda Subject: “Recommendation to eliminate 20 vacant Family Support positions in the District Attorney’s Office for an estimated annual net savings of \$502,600 (\$1,508,000 in personnel costs less 66.7% federal reimbursement) and direct Human Resources and Finance to make necessary adjustments. (All Commission Districts.)”

There was no response to the call for public comment.

On motion by Commissioner Galloway, seconded by Commissioner Jung, which motion duly carried with Commissioners Humke and Weber temporarily absent, Chairman Larkin ordered that Agenda Item 10 be approved and directed.

08-1200 AGENDA ITEM 11 – COMMUNITY DEVELOPMENT

Agenda Subject: “Introduction and first reading of an Ordinance to adopt amendments to the Regional Road Impact Fee Capital Improvements Plan and accompanying fees as referred to Washoe County by the Regional Transportation Commission of Washoe County on May 16, 2008; and other matters properly relating thereto. (All Commission Districts.)”

4:05 p.m. Commissioner’s Weber and Humke returned.

There was no response to the call for public comment.

Bill No. 1567, entitled, "AN ORDINANCE TO ADOPT AMENDMENTS TO THE REGIONAL ROAD IMPACT FEE CAPITAL IMPROVEMENTS PLAN AND ACCOMPANYING FEES AS REFERRED TO

WASHOE COUNTY BY THE REGIONAL TRANSPORTATION COMMISSION OF WASHOE COUNTY ON MAY 16, 2008; AND OTHER MATTERS PROPERLY RELATING THERETO," was introduced by Commissioner Humke, the title read to the Board and legal notice for final action of adoption directed.

08-1201 AGENDA ITEM 12 – COMMUNITY DEVELOPMENT/MANAGEMENT SERVICES

Agenda Subject: “Update, discussion and direction to staff by the County Commission on the status of the Neighborhood Stabilization Program, including allocation of funds to regional jurisdictions, program priorities, and basic regional data on foreclosures. (All Commission Districts.)”

Eric Young, Planner, stated recently Congress passed the Housing Economic Recovery Act of 2008 which became the Neighborhood Stabilization Program. He said the State of Nevada would receive approximately \$71 million with \$24 million available for jurisdictions other than Las Vegas. He said Washoe County and the Cities of Reno and Sparks, as the Washoe County H.O.M.E. Consortium, would receive approximately \$4.6 million. Mr. Young said the intended program needed to be returned to the State in the form of an application so the State could send their application back to Housing and Urban Development (HUD). He indicated the money was being proposed for a series of programs; acquisition and rehabilitation of foreclosed homes for resale to households between 1620 AMI; acquisition and rehabilitation of foreclosed homes to convert to rental units for households below 50 percent of AMI; and down payment assistance for households below 20 percent of AMI. Mr. Young said it was anticipated that the expenditure of this money would generally reflect the percentages across the three jurisdictions. He said for the unincorporated area staff identified Sun Valley as a target region; the City of Sparks identified a region in their urban core; and the City of Reno identified Stead as their target area. Mr. Young said HUD emphasized the need to target and identify areas of the greatest need and HUD provided the criteria to define that need. He said another parameter to identify the programs and target areas was the requirement that all of these funds be committed in 18 months and any funds that were not committed in that time frame would return to HUD. He said these programs were chosen for the greatest potential impact and the greatest potential for program funds.

Chairman Larkin said this was discussed with Governor Jim Gibbons, along with the Mayors of the Cities of Reno and Sparks, and although he was not satisfied with the overall allocation and distribution, it provided a compromise. He said the recommendation to move forward with the purchase of homes for rentals versus down payment assistant was a proper approach.

Commissioner Jung commended the Chairman and the two Mayors for their hard work in achieving these funds for the region.

Commissioner Galloway asked if the County had the ability to administer the funds to residents who would be successful in the program. Mr. Young explained the

County intended to partner with existing agencies in the region, such as the Reno Housing Authority, who had experience administering these programs and had been recognized throughout the Country for their educational programs and the requirements for potential renters. He said the purpose of neighborhood stabilization was to prevent the neighborhood from experiencing a physical decline due to the number of foreclosures in that area. Mr. Young said by partnering with these local agencies who had high standards for their renter's, staff felt there was an opportunity to maintain high physical standards throughout the neighborhood.

There was no response to the call for public comment.

On motion by Commissioner Jung, seconded by Chairman Larkin, which motion duly carried, it was ordered that Agenda Item 12 be approved.

08-1202 AGENDA ITEM 14 – MANAGEMENT SERVICES/GOVERNMENT AFFAIRS

Agenda Subject: “Discussion and direction to staff regarding legislation or legislative issues proposed by legislators, by Washoe County or by other entities permitted by the Nevada State Legislature to submit bill draft requests, or such legislative issues as may be deemed by the Chair or the Board to be of critical significance to Washoe County, or issues arising out of the special legislative session. (All Commission Districts.)”

Katy Simon, County Manager, said staff heard from the Legislative Council Bureau (LCB) on the Bill Draft Request (BDR) regarding a fuel surcharge. She said in the last legislative session a similar concept had been proposed and said the LCB opined that at least 51 percent of the revenue generated from such a surcharge would need to go to the courts, so in the last session that bill was withdrawn. She said staff recommended the current fuels surcharge BDR be withdrawn. Ms. Simon added it was also being opposed by Las Vegas Metro because they had other plans for fundraising and did not want this to conflict with those initiatives.

Chairman Larkin asked with the passage of RTC-5 would the County not carry that particular BDR. John Slaughter, Management Services Director, replied that particular bill would come through Regional Transportation Commission (RTC) as a secured BDR.

Ms. Simon asked for a motion to be made to withdraw the BDR for the fuels surcharge. Commissioner Humke asked if the subject matter could be changed for a BDR as a placeholder. Mr. Slaughter replied the rules had changed for local government BDR's in that any bill that had not been pre-filed by December 12, 2008 was declared no longer feasible. He said a placeholder becomes difficult if there was not a specific BDR.

On motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, Chairman Larkin ordered that the BDR for the fuel surcharge be withdrawn.

4:20 p.m. The Board convened as the Board of Fire Commissioners for the Sierra Fire Protection District (SFPD).

4:44 p.m. The Board adjourned as the SFPD Board of Fire Commissioners and convened as the Board of Fire Commissioners for the Truckee Meadows Fire Protection District (TMFPD).

4:54 p.m. The Board recessed.

6:01 p.m. The Board reconvened as the Board of County Commissioners with Chairman Larkin absent and Vice Chairperson Weber assuming the gavel.

PUBLIC HEARINGS

08-1203 AGENDA ITEM 17 – COMMUNITY DEVELOPMENT

Agenda Subject: “Second reading and adoption of an Ordinance amending provisions relating to Washoe County Code Chapter 110, Article 916 by amending the names of and identifies the vote of the fire agencies who serve as members of the Parcel Map Review Committee, and adding the Washoe County Fire Services Coordinator, and other matters properly relating thereto. (Bill No. 1566) (All Commission Districts.)”

The Vice Chairperson opened the public hearing by calling on anyone wishing to speak for or against adoption of said Ordinance.

Roger Pelham, Senior Planner, said this change reflected that the region had different fire agencies then when the Code was last updated.

Commissioner Galloway asked for clarification of the strike-out language on page three. Mr. Pelham explained the Reno Fire Department would review on behalf of the Truckee Meadows Fire District. He said whichever jurisdiction the parcel map was in that would be the Fire Agency that would vote.

The Vice Chairperson closed the public hearing.

On motion by Commissioner Humke, seconded by Commissioner Jung, which motion duly carried with Chairman Larkin absent, Vice Chairperson Weber ordered that Ordinance No. 1387, Bill No. 1566, entitled, "**AN ORDINANCE AMENDING PROVISIONS RELATING TO WASHOE COUNTY CODE CHAPTER 110, ARTICLE 916 BY AMENDING THE NAMES OF AND IDENTIFIES THE VOTE OF THE FIRE AGENCIES WHO SERVE AS**

MEMBERS OF THE PARCEL MAP REVIEW COMMITTEE, AND ADDING THE WASHOE COUNTY FIRE SERVICES COORDINATOR, AND OTHER MATTERS PROPERLY RELATING THERETO," be approved, adopted and published in accordance with NRS 244.100.

08-1204 AGENDA ITEM 18 – COMMUNITY DEVELOPMENT

Agenda Subject: “Comprehensive Plan Amendment Case No. CP06-018 (Population Element). (All Commission Districts.)”

To adopt an amendment to the Washoe County Comprehensive Plan by replacing the existing Population Element with a new Population Element that is revised with the 2008 to 2030 Washoe County Consensus Forecast that reflects current and future population forecasts that are in conformance with the Truckee Meadows Regional Plan; and, if adopted, authorize the Chair to sign the adopting resolution after a finding of conformance with the Truckee Meadows Regional Plan by the Regional Planning Commission. (All Commission Districts.)

Vice Chairperson Weber opened the public hearing by calling on anyone wishing to speak for or against Comprehensive Plan Amendment Case No. CP06-018.

Commissioner Galloway asked if this was required by the Regional Plan. Don Morehouse, Planner, confirmed that was correct. Commissioner Galloway remarked the population figure was just over 600,000 and was in the ball park of how much water there was to sustain the population.

The Vice Chairperson closed the public hearing.

On motion by Commissioner Humke, seconded by Commissioner Jung, which motion duly carried with Chairman Larkin absent, it was ordered that Agenda Item 18 be adopted and authorized.

08-1205 AGENDA ITEM 19

Agenda Subject: “Reports/updates from County Commission members concerning various boards/commissions they may be a member of or liaison to (these may include, but not be limited to, Regional Transportation Commission, Reno-Sparks Convention & Visitors Authority, Debt Management Commission, District Board of Health, Truckee Meadows Water Authority, Organizational Effectiveness Committee, Investment Management Committee, Citizen Advisory Boards).”

Commissioner Humke said he attended a facilities meeting of the Reno-Sparks Convention and Visitors Authority (RSCVA) where there was an acceptance of the final report of the AdHoc Committee to recommend the Reno-Sparks Livestock Event Center (RSLEC) Funding Task Force. He stated a positive outcome from the report was to seek and emulate those communities which had formed a coalition of cultural, athletic

and character building organizations for youths along with the Reno Rodeo Association to work together in a coordinated fashion to globally review the needs of the community. Commissioner Humke congratulated Chairman Larkin and Commissioner Jung on their recent reelections and Commissioner-elect John Breternitz.

Vice Chairperson Weber said Commissioner Galloway would be honored November 14, 2008 at the Nevada Association of Counties (NACO) conference for his 12 years on the County Commission. She said she planned on attending an RSCVA Marketing meeting on November 11, 2008.

Commissioner Jung wished a happy Veteran's Day to the many veterans who served our country and noted there was a parade scheduled on November 11, 2008 in downtown Reno. She said the Organizational Effectiveness Committee (OEC) was scheduled to meet on November 12, 2008 and said she would be attending NACO for the remainder of the week. She announced she would be emcee at the Humane Society's "Affur to Remember" fundraising event on November 14, 2008.

In response to an earlier request, Katy Simon, County Manager, said the presentation for the Virginia Peaks Wind Project would be held on November 25, 2008 at the Lazy Five Library.

08-1206 AGENDA ITEM 20

Agenda Subject: "Possible Closed Session for the purpose of discussing negotiations with Employee Organizations per NRS 288.220."

There was no closed session scheduled for this meeting.

* * * * *

AGENDA ITEM 22 – ADJOURNMENT

6:17 p.m. There being no further business to come before the Board, on motion by Commissioner Humke, seconded by Commissioner Jung, which motion duly carried with Chairman Larkin absent, it was ordered that the meeting be adjourned.

ROBERT LARKIN, Chairman
Washoe County Commission

ATTEST:

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

*Minutes Prepared by:
Stacy Gonzales, Deputy County Clerk*



WASHOE COUNTY COMMISSION

1001 E. 9th Street
P.O. Box 11130
Reno, Nevada 89520
(775) 328-2005

**RESOLUTION
ADOPTING THE UPDATED POPULATION ELEMENT (CP06-018),
A PART OF THE WASHOE COUNTY COMPREHENSIVE PLAN**

WHEREAS, Sections 278.150, 278.170 and 278.210, Nevada Revised Statutes, specify 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, Section 278.160, Nevada Revised Statutes, specifies that the master plan shall include the following subject matter or portions thereof as deemed appropriate: community design, conservation plan, economic plan, historic properties preservation plan, housing plan, land use plan, population plan, public buildings, public services and facilities, recreation plan, safety plan, seismic safety plan, solid waste disposal plan, streets and highways plan, transit plan, and transportation plan, and such other plans as judged necessary;

WHEREAS, Public hearings on the adoption of the updated POPULATION ELEMENT, a part of the Washoe County Comprehensive Plan, were held on June 5, 2007 and October 7, 2008 by said Planning Commission;

WHEREAS, The Washoe County Planning Commission has found that the POPULATION ELEMENT, a part of the Washoe County Comprehensive Plan, together with the applicable maps and descriptive matter, provide a long-term general plan for the development of the County including the subject matter currently deemed appropriate for inclusion in the Comprehensive Plan, and has submitted the amendment to the POPULATION ELEMENT to the Board of County Commissioners, Washoe County, with the recommendation for approval and adoption thereof;

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 POPULATION ELEMENT, was first held on May 21, 1991, with the most recent amendment to the POPULATION ELEMENT being held on November 10, 2008 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 POPULATION ELEMENT, 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;

08-18-09

WHEREAS, A public hearing for the review of conformance of the Washoe County Comprehensive Plan, including the POPULATION ELEMENT, was first held on October 23, 1991, with the most recent amendment to the POPULATION ELEMENT being held on _____, 2008, 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 POPULATION ELEMENT, 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, be it

RESOLVED, That the Board of Commissioners of Washoe County, Nevada, that the Board does hereby adopt and endorse the updated POPULATION ELEMENT, a part of the Washoe County Comprehensive Plan, to serve as a guide for the orderly growth and development of Washoe County, Nevada.

ADOPTED this ____ day of _____, 200_.

WASHOE COUNTY COMMISSION

Robert M. Larkin, Chair

ATTEST:

Amy Harvey, County Clerk

08-18-04

Summary- a resolution canvassing the results of an election on the general obligation bond and special elective tax question submitted to the qualified electors of Sierra Fire Protection District, Washoe County, Nevada.

RESOLUTION NO. ____

A RESOLUTION DESIGNATED BY THE SHORT TITLE "2008 SIERRA FIRE PROTECTION DISTRICT CANVASS RESOLUTION"; DECLARING THE RESULTS OF AN ELECTION HELD WITHIN SIERRA FIRE PROTECTION DISTRICT, NEVADA, ON THE BOND AND SPECIAL ELECTIVE TAX QUESTION SUBMITTED TO THE QUALIFIED ELECTORS OF THE DISTRICT AT THE ELECTION HELD ON TUESDAY, NOVEMBER 4, 2008, AUTHORIZING THE ISSUANCE BY THE DISTRICT OF ITS GENERAL OBLIGATION BONDS; AUTHORIZING THE SUPERINTENDENT OR HIS DESIGNEE TO ARRANGE FOR THE SALE OF THE BONDS; PROVIDING OTHER MATTERS RELATING THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF.

WHEREAS, the Sierra Fire Protection District in Washoe County in the State of Nevada (the "District," the "County," and the "State," respectively), is a political subdivision of the State duly organized, existing and operating as a fire district under the provisions of Nevada Revised Statutes ("NRS") 474.460 to 474.540, inclusive, and the general laws of the State; and

WHEREAS, the Board of Fire Commissioners of the District (the "Board") has determined that it is necessary and advisable that the District incur a bonded indebtedness (the "Bonds") pursuant to NRS 474.511 and 474.512 (the "Project Act"), to NRS 350.011 through 350.0165 (the "Debt Management Commission Act"), to NRS 350.020 through 350.070 (the "Bond Election Act"), and to NRS 350.500 through 350.720 (designated in NRS 350.500 as the "Local Government Securities Law") (the "Bond Act"), in the maximum aggregate principal amount of \$5,200,000 for the purpose of defraying the cost of acquiring, constructing, improving and equipping fire stations and acquiring fire engines and fire fighting equipment as set forth in NRS 474.511 (the "Project"); and

WHEREAS, the Board has determined that it is necessary and advisable that the District levy a special elective tax pursuant to NRS 354.5982 (the "Special Elective Tax"), for the purpose of the Project and staffing, operating, maintaining and equipping fire stations; and

08-11-08

WHEREAS, pursuant to NRS chapter 387, the Board is authorized and empowered to undertake the Project and to issue the District's general obligation bonds to defray the cost of the Project wholly or in part, in the manner and on the conditions provided therein; and

WHEREAS, pursuant to the Project Act, to the Debt Management Commission Act, to the Bond Election Act, to the Bond Act, and to NRS chapter 293 and all laws supplemental thereto (the "General Election Act"), the Board, pursuant to a resolution adopted and approved on July 15, 2008, submitted to the electors of the District at the general election on Tuesday, November 4, 2008 (the "Election"), the following question:

SIERRA FIRE PROTECTION DISTRICT BOND AND SPECIAL ELECTIVE TAX QUESTION:

Shall the Sierra Fire Protection District be authorized to issue up to \$5,200,000 of general obligation bonds for the purpose of defraying the cost of acquiring, constructing, improving and equipping fire stations and acquiring fire engines and fire fighting equipment and to levy an additional property tax rate for the purpose of staffing, operating, maintaining and equipping the fire stations and acquiring and improving fire engines and fire fighting equipment of up to 4.5 cents per \$100 of assessed valuation for a period of 30 years? The bonds are expected to require a property tax levy for 30 years. The bonds are estimated to result in an increase in the property taxes that the owner of a new \$100,000 home will pay, which will average \$4.74 per year. In addition, the cost of the property tax levy for the owner of a new \$100,000 home is estimated to be \$15.75 per year. If this question is approved by the voters, any property tax levied as authorized by this question will be outside of the caps on a taxpayer's liability for property (ad valorem) taxes established by the legislature in the 2005 session.

08-11-08

(the "Question"); and

WHEREAS, by resolution duly adopted on July 10, 2008, the Debt Management Commission of Washoe County, Nevada approved the District's proposal to issue such Bonds, pursuant to the Debt Management Commission Act; and

WHEREAS, the Board has considered all matters in the premises and desires to adopt this resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF FIRE COMMISSIONERS OF THE SIERRA FIRE PROTECTION DISTRICT, WASHOE COUNTY, NEVADA:

Section 1. This resolution shall be known as and may be cited by the short title "2008 Sierra Fire Protection District Canvass Resolution" (the "Resolution").

Section 2. The returns of the board of election for each precinct and voting district, if any, for the District for the Election as verified by the Washoe County Registrar of Voters are hereby accepted and approved.

Section 3. The Election, including, without limitation, the election on the Question, was, and it hereby is declared to have been, held and conducted in accordance with law.

Section 4. The Question submitted to the qualified registered electors of the District at the Election was *not* carried and the same hereby is declared *not* to have carried by the following vote:

BOND AND SPECIAL ELECTIVE TAX QUESTION:

**TOTAL VALID BALLOTS CAST:
REJECTED BALLOTS:**

YES: 4230
NO: 4615
8845
0

08-11-05

Section 5. All action heretofore taken (not inconsistent with the provisions of this Resolution) by the Board and by the officers of the District relating to:

- A. The Election;
- B. The Special Elective Tax;
- C. The Project; and
- D. The issuance of the Bonds for the Project

is hereby ratified, approved and confirmed.

Section 6. The officers of the District are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of the Question and of this Resolution.

* Strike inapplicable words.

Section 7. All bylaws, orders, and other resolutions, or parts of bylaws, orders, and other instruments in conflict with this Resolution, are hereby repealed. This repealer shall not be construed to revive any bylaw, order, or other instrument, or part thereof, heretofore repealed.

Section 8. The Chief Financial Officer of the District (the "Chief Financial Officer") or his designee is hereby authorized to arrange for the issuance and sale of the Bonds in accordance with the Bond Act in a total principal amount not to exceed \$5,200,000.

Section 9. The Chief Financial Officer or his designee is authorized to specify the terms of the Bonds, the method of their sale, the final principal amount of the Bonds, the terms of their repayment and security therefor, and other details of the Bonds, and to advertise the Bonds for sale, subject to the Bond Act and to ratification by the Board by the adoption of a bond resolution specifying the Bond terms and details and approving their sale (the "Bond Resolution").

Section 10. The officers of the District are hereby authorized to take all action necessary or appropriate to effectuate the provisions of this Resolution, including without limitation (a) assembling of financial and other information concerning the District, the Project and the Bonds; (b) if deemed appropriate by the Chief Financial Officer or his designee, preparing and circulating an official statement for the Bonds and preparing and circulating a preliminary official statement, a notice of bond sale for the Bonds, or both, in the forms specified by the Chief Financial Officer or his designee. The Chief Financial Officer or his designee is authorized to deem the official statement or preliminary official statement to be a "final" official statement on behalf of the District for the purposes of Rule 15c2-12 of the Securities and Exchange Commission.

Section 11. The Chief Financial Officer or his designee shall, after arranging for the sale of the Bonds, present the proposed terms of the sale to the Board for its approval by adoption of the Bond Resolution.

Section 12. The District hereby declares its intent to reimburse the costs of the Project out of the Bonds. This is a declaration of official intent under Section 1.150-2 of the Regulations promulgated under the Internal Revenue Code of 1986, as amended.

Section 13. The Board hereby determines and declares that:

09-11-80

A. The District intends to incur expenditures with respect to the Project prior to the incurrence of the Bonds and to reimburse those expenditures from the proceeds of the Bonds; and

B. The maximum principal amount of the Bonds expected to be used to reimburse such expenditures is \$5,200,000; and

C. The payment of costs related to the Project and the reimbursement of such costs from the proceeds of the Bonds is consistent with the District's budgetary and financial circumstances as of the date of this Resolution. The District does not currently have moneys which are, nor does the District reasonably expect moneys to be, allocated on a long-term basis, reserved or otherwise available pursuant to the District's budget to pay the expenditures which the District intends to reimburse.

Section 14. If any section, paragraph, clause, or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Resolution.

Section 15. This Resolution shall be in full force and effect from and after its adoption, except for Sections 8 to 13, inclusive, which shall be in full force and effect only if the Question was approved by a majority of the votes cast by the registered voters of the District.

PASSED AND ADOPTED this November 10, 2008.

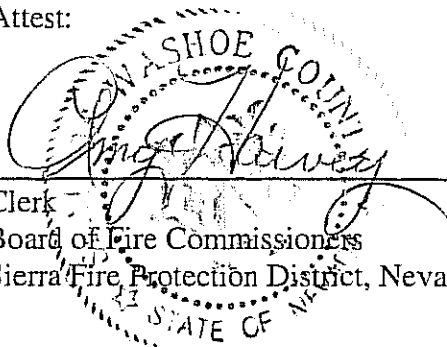
08-11-80

(SEAL)



Chairman
Board of Fire Commissioners
Sierra Fire Protection District, Nevada

Attest:



Clerk
Board of Fire Commissioners
Sierra Fire Protection District, Nevada

STATE OF NEVADA)
)
 COUNTY OF WASHOE) ss.
)
 SIERRA FIRE)
 PROTECTION DISTRICT)

I am the duly elected and acting Clerk of Washoe County, Nevada and ex officio Clerk of the Sierra Fire Protection District (the "District") and do hereby certify:

1. The foregoing pages are a true, accurate and a complete copy of a resolution adopted by the Board of Fire Commissioners (the "Board") of the District taken at a lawful meeting thereof held on November 10, 2008 (the "Resolution").

2. The members of the Board were present at such meeting and voted on the passage of such resolution as follows:

Those Voting Aye: Jim Galloway
 David Humke
 Kitty Jung
 Robert M. Larkin
 Bonnie Weber

Those Voting Nay: None

Those Absent: None

3. The original of the Resolution has been approved and authenticated by the signatures of the Chairman of the Board and myself as County Clerk and has been recorded in the minute book of the Board kept for that purpose in my office, which record has been duly signed by the officers and properly sealed.

IN WITNESS WHEREOF, I have hereunto set my hand on behalf of the Sierra Fire Protection District on this November 10, 2008.

(SEAL)


 Clerk
 Board of Fire Commissioners
 Sierra Fire Protection District, Nevada

08-1193

The undersigned District Fire Chief does hereby certify:

1. All members of the Board were given due and proper notice of the meeting held on November 10, 2008.

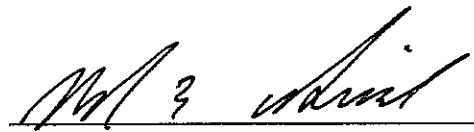
2. Public notice of the meeting was given and such meeting was held and conducted in full compliance with the provisions of NRS 241.020. A copy of the notice of meeting and excerpts from the agenda for the meeting relating to the Resolution, as posted no later than 9:00 a.m. on the third working day prior to the meeting on the District's website, if any, and at the following locations:

- a. Washoe County Administration Complex
1001 East Ninth Street, Bldg. A
Reno, Nevada
- b. Washoe County Courthouse-Clerk's Office
Virginia and Court Streets
Reno, Nevada
- c. Washoe County Central Library
301 South Center Street
Reno, Nevada
- d. Sparks Justice Court
630 Greenbrae Drive
Sparks, Nevada

is attached as Exhibit A.

3. Prior to 9:00 a.m. at least 3 working days before such meeting, such notice was mailed to each person, if any, who has requested notice of meetings of the Board in compliance with NRS 241.020(3)(b) by United States Mail, or if feasible and agreed to by the requestor, by electronic mail.

IN WITNESS WHEREOF, I have hereunto set my hand on this November 10, 2008.



District Fire Chief
Sierra Fire Protection District, Nevada

08-1195

EXHIBIT A

(Attach Notice of Meeting)

08-11-08

COUNTY COMMISSIONERS

Bob Larkin, Chairman
Bonnie Weber, Vice-Chairman
Jim Galloway
David Humke
Kitty Jung

COUNTY MANAGER

Katy Simon

**ASSISTANT
DISTRICT ATTORNEY**

Paul Lipparelli

AGENDA

WASHOE COUNTY BOARD OF COMMISSIONERS

COMMISSION CHAMBERS - 1001 E. 9th Street, Reno, Nevada

Note Date Change: November 10, 2008

2:00 p.m.

NOTE: Items on the agenda without a time designation may not necessarily be considered in the order in which they appear on the agenda. Items may be moved to or from the Consent Agenda at the beginning of the Board Meeting or may be voted on in a block.

The Washoe County Commission Chambers are accessible to the disabled. If you require special arrangements for the meeting, call the County Manager's Office, 328-2000, 24-hours prior to the meeting.

08-19-5

Public Comment during the Commission Meeting on November 10, 2008 will be for all matters, both on and off the agenda, and be limited to two minutes per person. Additionally, public comment of two minutes per person will be heard during individual action items on the agenda. Persons are invited to submit comments in writing on the agenda items and/or attend and make comment on that item at the Commission meeting.

The Chairman and Board of County Commissioners intend that their proceedings should demonstrate the highest levels of decorum, civic responsibility, efficiency and mutual respect between citizens and their government. The Board respects the right of citizens to present differing opinions and views, even criticism, but our democracy cannot function effectively in an environment of personal attacks, slander, threats of violence and willful disruption. To that end, the Nevada Open Meeting Law provides the authority for the Chair of a public body to maintain the decorum and to declare a recess if needed to remove any person who is disrupting the meeting, and notice is hereby provided of the intent of this body to preserve the decorum and remove anyone who disrupts the proceedings.

The County Commission can deliberate or take action only if a matter has been listed on an agenda properly posted prior to the meeting. During the public comment period, speakers may address matters listed or not listed on the published agenda. The Open Meeting Law does not expressly prohibit responses to public comments by the Commission. However, responses from Commissioners to unlisted public comment topics could become deliberation on a matter without notice to the public. On the advice of legal counsel and to ensure the public has notice of all matters the Commission will consider, Commissioners may choose not to respond to public comments, except to correct factual inaccuracies, ask for County staff action or to ask that a matter be listed on a future agenda. The Commission may do this either during the public comment item or during the following item: **"*Commissioners'/Manager's Announcements, Requests for Information, Topics for Future Agendas and Statements Relating to Items Not on the Agenda"**.

7. M. Execute Resolution designated by the short title "2008 Sierra Fire Protection District Canvass Resolution"; declaring the results of an election held within the Sierra Fire Protection District, Nevada, on the General Obligation Bond and Special Elective Tax Question submitted to the qualified electors of the District at the election held on Tuesday, November 4, 2008; providing other matters relating thereto; and providing the effective date hereof. (Commission Districts 1 and 2.)
8. Discussion and adoption of the Mayberry Ranch Estates Septic to Sewer Conversion Project Proposed Schedule of Fees and Charges and provide possible direction to staff--Water Resources. (Commission District 1.) Requested by Commissioner Galloway.
9. Recommendation to approve the payment of tenant relocation claim payment (from 125 N. Edison Way) to Claimant # 12-272-05-T-5 [\$100,230.23]; and if approved, authorize Chairman to execute all agreements and documents to accomplish settlement and payment of the claim and authorize use of the 1/8-cent sales tax dedicated to the Truckee River Flood Project to fund the claim--Truckee River Flood Management Project. (Commission District 4.)
10. Recommendation to eliminate 20 vacant Family Support positions in the District Attorney's office for an estimated annual net savings of \$502,600 (\$1,508,000 in personnel costs less 66.7% federal reimbursement) and direct Human Resources and Finance to make necessary adjustments--Finance. (All Commission Districts.)
11. Introduction and first reading of an Ordinance to adopt amendments to the Regional Road Impact Fee Capital Improvements Plan and accompanying fees as referred to Washoe County by the Regional Transportation Commission of Washoe County on May 16, 2008; and other matters properly relating thereto--Community Development. (All Commission Districts.)
12. Update, discussion and direction to staff by the County Commission on the status of the Neighborhood Stabilization Program, including allocation of funds to regional jurisdictions, program priorities, and basic regional data on foreclosures. Community Development/ Management Services. (All Commission Districts.)
13. Discussion and possible adoption of position regarding Placer County's proposal to narrow Highway through Kings Beach--Community Development. (Commission District 1.) Requested by Commissioner Galloway.
14. Discussion and direction to staff regarding legislation or legislative issues proposed by Legislators, by Washoe County or by other entities permitted by the Nevada State Legislature to submit bill draft requests, or such legislative issues as may be deemed by the Chair or the Board to be of critical significance to Washoe County, or issues arising out of the special legislative session--Management Services/Government Affairs. (All Commission Districts.)

4:00 p.m. 15. Sierra Fire Protection District--See separate agenda.

4:15 p.m. 16. Truckee Meadow Fire Protection District--See separate agenda.

08-1195

Dellera, Jaime T

From: Harvey, Amy
Sent: Monday, November 24, 2008 8:17 AM
To: Stern, Jennifer ; Dellera, Jaime T; Burk, Dan
Cc: Parent, Nancy
Subject: RE: Sierra Fire Protection District Canvass

Thanks Jennifer, as always you are on top of things and there to help us. We really appreciate it.

Have a very Happy Thanksgiving and if I don't see you in December, Merry Christmas.

Amy

From: Stern, Jennifer [mailto:JSTERN@shermanhoward.com]
Sent: Mon 11/24/2008 7:55 AM
To: Harvey, Amy; Dellera, Jaime T; Burk, Dan
Cc: Parent, Nancy
Subject: RE: Sierra Fire Protection District Canvass

Typically, the board canvasses the election results without adopting a resolution. As bond counsel, when there is a ballot question that we will be rendering an opinion on the bonds, we require the board to adopt a resolution and include a certificate with all of the exhibits which becomes part of the bond transcript. This evidences that all of the legally required steps were taken in the event of a challenge to the bond issuance. Since the ballot question did not pass, we will not need copies of the resolution and the exhibits to the certificate for a bond transcript. You may want to keep a copy of the canvass resolution for the county's records since the board did, in fact, take action on the resolution; however, I do not think it is necessary to complete the certificate with all of the exhibits regarding the election. I am just trying to minimize the work that the Clerk's office and Registrar of Voters' office would need to do; but, that, of course, is up to you.

08-11-08
5:51 PM

Jennifer Stern
Swendseid & Stern
50 W. Liberty Street, Suite 1000
Reno, Nevada 89501
(775) 323-1980 (Reno telephone)
(702) 387-6073 (Las Vegas telephone)
(775) 323-2339 (fax)
(Licensed to Practice in Nevada and California (inactive))
E-mail: jstern@sah.com

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From: Harvey, Amy [mailto:AHarvey@washoecounty.us]
Sent: Monday, November 24, 2008 7:41 AM
To: Stern, Jennifer ; Deller, Jaime T; Burk, Dan
Cc: Parent, Nancy
Subject: RE: Sierra Fire Protection District Canvass

Jaime,

I think we still need them for the record whether it passed or not, don't we?

Amy

From: Stern, Jennifer [mailto:JSTERN@shermanhoward.com]
Sent: Fri 11/21/2008 4:32 PM
To: Deller, Jaime T; Burk, Dan
Cc: Harvey, Amy; Parent, Nancy
Subject: Re: Sierra Fire Protection District Canvass

Since the question did not pass, we will not need all of the exhibits to the resolution for the bond transcripts. Thanks and have a good weekend.

Jennifer Stern
Swendseid & Stern
50 W. Liberty Street, Suite 1000
Reno, Nevada 89501
(775) 323-1980 (Reno telephone)
(702) 387-6073 (Las Vegas telephone)
(775) 323-2339 (fax)
(Licensed to Practice in Nevada and California (inactive))
E-mail: jstern@sah.com

08-11-85

This e-mail and any attached documents may contain provisions concerning a federal tax issue or issues. This e-mail and any attached documents are not intended or written to be used, and cannot be used, by any taxpayer for the purpose of avoiding penalties that may be imposed on any taxpayer by the Internal Revenue Service. For information about this statement, contact Sherman & Howard L.L.C. or visit our website at www.shermanhoward.com/PrivacyPolicy/Circular230/

----- Original Message -----

From: Deller, Jaime T <JDeller@washoecounty.us>
To: Burk, Dan <DBurk@washoecounty.us>
Cc: Harvey, Amy <AHarvey@washoecounty.us>; Parent, Nancy <NParent@washoecounty.us>; Stern, Jennifer
Sent: Fri Nov 21 16:45:31 2008
Subject: Sierra Fire Protection District Canvass

Hello,

On November 10th the Board of County Commissioners adopted the 2008 Sierra Fire Protection District Canvass Resolution. There are 10 appendix pages attached to the Resolution. I will need the following documents from your office to formalize this Resolution:

1. List of Precincts and Polling Places
2. Notice of Appointment of Election Officials
3. Copy of Registration Materials

4. Affidavit of Publication of Notice of Close of Registration
5. Affidavit of Publication of Notice of Election
6. Copy of Sample Ballot
7. Copy of Ballot Cards and Page Assemblies and/or Copy of Materials or Description thereof, or both utilized with Electronic Vote Recording Devices
8. Copy of Official Paper Ballot
9. Copy of Absentee Voting Materials
10. List of Election Results by Precinct

I placed a call to Jennifer Stern, Swendseid and Stern, to see if she already had these documents from you, but unfortunately she was not available. If you have given her office the requested documents, then please let me know and I will forward the Resolutions to her stating as such. However, if you have not, can you let me know when I might be able to expect these documents?

To me the list looks like this will be a large volume and I will need to discuss with Amy how she wants to handle the documents.

Thanks for your help.

JAIME DELLERA

Clerk's Office

Supervisor Board Records and Minutes

75 Court Street, #125

328-3411

328-3416 (fax)

08-11-08

Summary - a resolution canvassing the results of an election on the general obligation bond and special elective tax question submitted to the qualified electors of the Sierra Fire Protection District, Washoe County, Nevada.

RESOLUTION NO. ____

A RESOLUTION DESIGNATED BY THE SHORT TITLE "2008 SIERRA FIRE PROTECTION DISTRICT CANVASS RESOLUTION"; DECLARING THE RESULTS OF AN ELECTION HELD WITHIN THE SIERRA FIRE PROTECTION DISTRICT, NEVADA, ON THE GENERAL OBLIGATION BOND AND SPECIAL ELECTIVE TAX QUESTION SUBMITTED TO THE QUALIFIED ELECTORS OF THE DISTRICT AT THE ELECTION HELD ON TUESDAY, NOVEMBER 4, 2008; PROVIDING OTHER MATTERS RELATING THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF.

WHEREAS, Washoe County, in the State of Nevada (the "County," and the "State," respectively), was created pursuant to NRS 243.340 and is operating pursuant to the general laws of the State; and

WHEREAS, the Board of Fire Commissioners of the Sierra Fire Protection District (the "District"), pursuant to a resolution adopted and approved on July 15, 2008, submitted to the electors of the District at the general election on Tuesday, November 4, 2008 (the "Election"), the following question:

SIERRA FIRE PROTECTION DISTRICT BOND AND SPECIAL ELECTIVE TAX QUESTION:

Shall the Sierra Fire Protection District be authorized to issue up to \$5,200,000 of general obligation bonds for the purpose of defraying the cost of acquiring, constructing, improving and equipping fire stations and acquiring fire engines and fire fighting equipment and to levy an additional property tax rate for the purpose of staffing, operating, maintaining and equipping the fire stations and acquiring and improving fire engines and fire fighting equipment of up to 4.5 cents per \$100 of assessed valuation for a period of 30 years? The bonds are expected to require a property tax levy for 30 years. The bonds are estimated to result in an increase in the property taxes that the owner of a new \$100,000 home will pay, which will average \$4.74 per year. In addition, the cost of the property tax levy for the owner of a new \$100,000 home is estimated to be \$15.75 per year. If this question is approved by

08-1195

the voters, any property tax levied as authorized by this question will be outside of the caps on a taxpayer's liability for property (ad valorem) taxes established by the legislature in the 2005 session.

(the "Question"); and

WHEREAS, the Board of County Commissioners has canvassed the results of the Election and has considered all matters in the premises and desires to adopt this resolution.

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

1. This resolution shall be known as and may be cited by the short title "2008 Sierra Fire Protection District Canvass Resolution" (the "Resolution").

2. The returns of the board of election for each precinct and voting district, if any, for the District for the Election are hereby accepted and approved.

3. The Election, including, without limitation, the election on the Question, was, and it hereby is declared to have been, held and conducted in accordance with all applicable laws.

4. The Question submitted to the qualified registered electors of the District at the Election was *not* carried and the same hereby is declared *not* to have carried by the following vote:

BOND AND SPECIAL ELECTIVE TAX QUESTION:

YES:	<u>4,230</u>
NO:	<u>4,615</u>
	<u>8,845</u>
	<u>0</u>

**TOTAL VALID BALLOTS CAST:
REJECTED BALLOTS:**

08-195

5. The officers of the County are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of the Question and of this Resolution.

6. All bylaws, orders, and other resolutions, or parts of bylaws, orders, and other instruments in conflict with this Resolution, are hereby repealed. This repealer shall not be construed to revive any bylaw, order or resolution, or part thereof, heretofore repealed.

* Strike inapplicable words.

7. If any section, paragraph, clause, or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Resolution.

8. This Resolution shall be in full force and effect from and after its adoption.

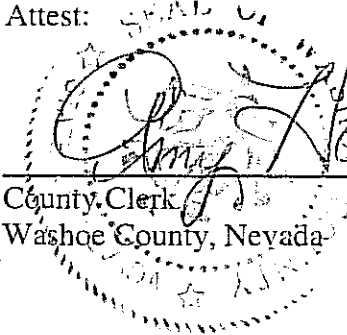
ADOPTED this November 10, 2008.



Chairman, Board of County Commissioners
Washoe County, Nevada

(SEAL)

Attest:



Amy Hawley
County Clerk
Washoe County, Nevada

5611-80

STATE OF NEVADA)
) ss.
WASHOE COUNTY)

I am the duly chosen, qualified and acting County Clerk of Washoe County (the "County"), in the State of Nevada, and do hereby certify:

1. The foregoing pages constitute a true, correct, complete and compared copy of a resolution of the Board of County Commissioners (the "Board") adopted at a meeting of the Board held on November 10, 2008 (the "Resolution").

2. The members of the Board voted on the Resolution as follows:

Those Voting Aye: Jim Galloway
 Dave Humke
 Kitty Jung
 Robert M. Larkin
 Bonnie Weber

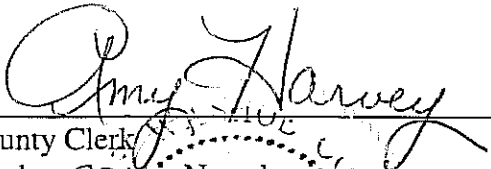
Those Voting Nay: none

Those Absent: none

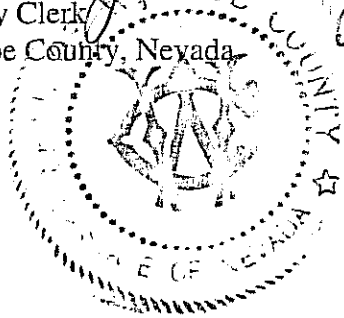
3. The original of the Resolution has been approved and authenticated by the signatures of the Chairman of the Board and myself as County Clerk and has been recorded in the minute book of the Board kept for that purpose in my office, which record has been duly signed by the officers and properly sealed.

4. If the Resolution declares that the Question (as defined in the Resolution) has carried, a certificate of the County Registrar of Voters pertaining to the registration of electors, results of, and other details concerning the election and the Question submitted by the Sierra Fire Protection District shall be attached hereto as Exhibit B.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the County this November 10, 2008.



County Clerk
Washoe County, Nevada



08-1195

The undersigned County Manager does hereby certify:

1. All members of the Board were given due and proper notice of the meeting held on November 10, 2008.

2. Public notice of such meeting was given and such meeting was held and conducted in full compliance with the provisions of NRS 241.020. A copy of the notice of meeting and excerpts from the agenda for the meeting relating to the Resolution, as posted no later than 9:00 a.m. on the third working day prior to the meeting, on the County's website, and at the following locations:

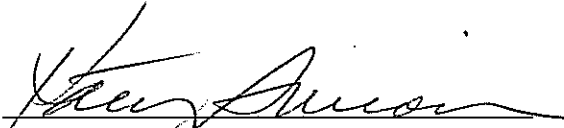
- (i) Washoe County Administration Complex
1001 East Ninth Street, Bldg. A
Reno, Nevada
- (ii) Washoe County Courthouse-Clerk's Office
Virginia and Court Streets
Reno, Nevada
- (iii) Washoe County Central Library
301 South Center Street
Reno, Nevada
- (iv) Sparks Justice Court
630 Greenbrae Drive
Sparks, Nevada

is attached as Exhibit A.

3. Prior to 9:00 a.m. at least 3 working days before such meetings, such notice was mailed to each person, if any, who has requested notice of meetings of the Board in compliance with NRS 241.020(3)(b) by United States Mail, or if feasible and agreed to by the requestor, by electronic mail.

4. If the Resolution declares that the Question (as defined in the Resolution) has carried, a certificate of the County Registrar of Voters pertaining to the registration of electors, results of, and other details concerning the election and the Question submitted by the Sierra Fire Protection District shall be attached hereto as Exhibit B.

IN WITNESS WHEREOF, I have hereunto set my hand this
November 10, 2008.


County Manager
Washoe County, Nevada

08-11-08

EXHIBIT A

(Attach Copy of Notice of Meeting)

5611-80

EXHIBIT B

STATE OF NEVADA)
) ss.
WASHOE COUNTY)

CERTIFICATE OF THE WASHOE COUNTY REGISTRAR OF VOTERS PERTAINING TO THE REGISTRATION OF ELECTORS, RESULTS OF, AND OTHER DETAILS CONCERNING THE ELECTION AND THE BOND AND SPECIAL ELECTIVE TAX QUESTION SUBMITTED BY THE SIERRA FIRE PROTECTION DISTRICT, NEVADA, ON TUESDAY, NOVEMBER 4, 2008.

I do hereby certify:

1. I am and at all times mentioned herein was the duly chosen, qualified and acting Registrar of Voters (the "Registrar") in Washoe County, State of Nevada (the "County," and "State," respectively).

2. Pursuant to Nevada Revised Statutes ("NRS") 387.335 and pursuant to a resolution (the "Election Resolution") adopted by the Board of Fire Commissioners (the "Board") of the Sierra Fire Protection District (the "District"), the Board caused to be submitted to the qualified electors of the District in each precinct and voting district, if any, in the District at a general election held in the District on Tuesday, November 4, 2008 (the "Election"), the following question:

SIERRA FIRE PROTECTION DISTRICT BOND AND SPECIAL ELECTIVE TAX QUESTION:

Shall the Sierra Fire Protection District be authorized to issue up to \$5,200,000 of general obligation bonds for the purpose of defraying the cost of acquiring, constructing, improving and equipping fire stations and acquiring fire engines and fire fighting equipment and to levy an additional property tax rate for the purpose of staffing, operating, maintaining and equipping the fire stations and acquiring and improving fire engines and fire fighting equipment of up to 4.5 cents per \$100 of assessed valuation for a period of 30 years? The bonds are expected to require a property tax levy for 30 years. The bonds are estimated to result in an increase in the property taxes that the owner of a new \$100,000 home will pay, which will average \$4.74 per year. In addition, the cost of the property tax levy for the owner of a new \$100,000 home is estimated to be \$15.75 per year. If this question is approved by

08-1195

the voters, any property tax levied as authorized by this question will be outside of the caps on a taxpayer's liability for property (ad valorem) taxes established by the legislature in the 2005 session.

(the "Question").

3. Except as provided in the Election Resolution and in the act now cited as NRS 350.020 through 350.070 and all laws amendatory thereof (the "Bond Election Act"), the Election and the registration therefor was had and conducted in accordance with NRS Chapter 293 and all laws amendatory thereof, and supplemental thereto, i.e., the election laws of the State (the "General Election Act"), so far as the same can be made applicable.

4. A list of the precincts and polling places for the election held in the District on Tuesday, November 4, 2008 is attached hereto as Appendix A.

5. Pursuant to NRS 293.217 and all laws amendatory thereof and supplemental thereto, no later than 31 days preceding the Election, I notified suitable persons who were all registered voters but who were not all of the same political party, of their appointment by me to act as election board officers for each precinct and voting district, if any, such members of each election board having charge of the Election, and being required to perform such duties in holding the Election and to make due return thereof as required by the General Election Act, and all laws supplemental thereto. A true and perfect copy of such notice is attached hereto as Appendix B.

6. Pursuant to the Election Resolution, the Bond Election Act, and to the General Election Act, and all acts amendatory thereof and supplemental thereto, any qualified elector of the District whose name did not appear on the list of qualified voters for his or her precinct in the District, as shown by the official records of the registry agency, was permitted to apply for registration before me at my official office or before a deputy registrar, in the manner provided by law; registration offices were open during regular office hours, i.e., 9:00 a.m. to 5:00 p.m. on Mondays through Fridays, with Saturdays, Sundays and legal holidays excepted, for registration of voters for the Election, up to and including the last day for registration of voters; but during the last day before registration closed, registration offices were open from 9:00 a.m. to 5:00 p.m. and from 7:00 p.m. to 9:00 p.m.

08-195

7. The registration materials were made available to all such voters during such period of time, copies of which are on file in the records in my office and attached hereto as Appendix C.

8. Notice of the Close of Registration for the Election was duly given by publication, in due compliance with NRS 293.560, and an affidavit of publication is attached hereto as Appendix D.

9. Notice of the Election was duly given by publication in due compliance with NRS 350.022 and 350.024, and an affidavit of publication is attached hereto as Appendix E.

10. A sample ballot was mailed to each registered voter in the District, in compliance with NRS 293.565 and 350.024, and included the registered voter's precinct number and polling place. A copy of the sample ballot is attached hereto as Appendix F.

11. An electronic vote recording system was used at all precincts for voting on the Question and a copy of the material so used, or a description thereof, or both is attached as Appendix G.

12. Where electronic vote recording devices were not used, one ballot box for the purpose of the Election was provided; and there were also provided for the use of the voters entitled to vote at the Election paper ballots, containing a statement of the Question to be voted upon and the instructions respecting the manner of marking the ballot, a copy of which is attached hereto as Appendix H.

13. At the Election, no person was permitted to vote who was not a citizen of the United States of America, 18 years of age or over, who had continuously resided in the State and in the District 30 days next preceding the Election, and who had not also complied with the registration laws of the State, but every person having such qualifications offering to vote was permitted to do so.

14. Absent voting was permitted in the manner provided by the General Election Act, and all laws amendatory thereof and supplemental thereto; and a copy of the absentee voting materials used at the Election are attached hereto as Appendix I.

15. Pursuant to NRS 293.273, the polls were opened at the hour of 7:00 a.m. and remained open until and were closed at the hour of 7:00 p.m. of the day of the Election.

16. Upon the completion of the vote cast at the Election at the polling place for the election precinct and voting district, if any, the election board therefor delivered to me, the

08-195

undersigned Registrar, the poll list and tally sheet kept by them during the Election, the registry list of qualified electors, and all mail ballots cast, such records to be kept on file in my office as provided by law.

17. Immediately after the closing of the polls the results of the Election were determined by me and the mail ballot count by the election officials was verified by me. The results disclosed that the following votes on the Question were cast:

<u>Election Precinct</u>	<u>Bond and Special Elective Tax Question</u>	<u>Total Valid Votes</u>	<u>Rejected Votes</u>
	“Yes”	“No”	

(Attach results of Election as Appendix J)

The votes disclosed by the canvass for all election precincts and voting districts, if any, of the Election on the Question and certified by the undersigned Registrar, were as follows:

QUESTION:

YES 4,230
 NO 4,615
TOTAL VALID BALLOTS CAST 8,845
REJECTED BALLOTS 0

08-1195

18. On November 10, 2008, all the returns then having been received, the Board of County Commissioners met and publicly canvassed the returns.

19. As a majority of the ballots cast on the Question is in favor of the issuance of the bonds, the proposal to issue the bonds carried and an entry of that fact has been made.

20. In addition, the undersigned Registrar did all acts and things in connection with the Question submitted at the Election necessary to carry out such registration and election as provided by the Election Resolution and by the laws of the State.

IN WITNESS WHEREOF, I have hereunto set my hand this November __, 2008.



[Handwritten Signature]

 Registrar of Voters
 Washoe County, Nevada

APPENDIX A

(Attach List of Precincts and Polling Places)

08-195

APPENDIX B

(Attach Copy of Notice of Appointment of Election Officials)

088-1195

APPENDIX C

(Attach Copy of Registration Materials)

298-1195

APPENDIX D

(Attach Affidavit of Publication of Notice of Close of Registration)

08.11.80

APPENDIX E

(Attach Affidavit of Publication of Notice of Election)

08-195

APPENDIX F

(Attach Copy of Sample Ballot)

08-195

APPENDIX G

(Attach Copy of Ballot Cards and Page Assemblies and/or Attach Copy of Materials or Description Thereof, or Both Utilized With Electronic Vote Recording Devices)

08-11-05

APPENDIX H

(Attach Copy of Official Paper Ballot)

08-195

APPENDIX I

(Attach Copy of Absentee Voting Materials)

08-1195

APPENDIX J

(Attach List of Election Results by Precinct)

08-1195

PROCLAMATION

WHEREAS, All children deserve to grow up in a safe and nurturing environment where they can benefit from positive relationship with caring adults; and

WHEREAS, Adoptive families acknowledge that children deserve parents who are there to love and protect them, to be compassionate and committed to children in need of a forever family which includes meeting their many needs, including medical, educational, developmental and cultural needs. Families that adopt foster children provide a bridge to healing for these children so that they have the physical and emotional well-being they need to reach their full potential in life; and

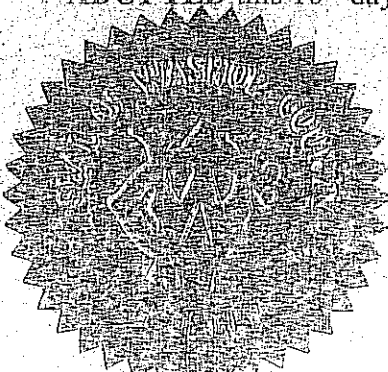
WHEREAS, Providing high quality, appropriate, and timely adoptive efforts and services to foster children and the adoptive families remains a goal of Washoe County. Important progress continues to take place. Many foster children are provided an adoptive family by the foster family who have loved and nurtured them throughout their stay in foster care. During 2007 Washoe County has finalized 147 adoptions, while there have been 91 adoptions finalized thus far in 2008; and

WHEREAS, Every year, many Washoe County families, extend the gift of a family to a child through adoption we wish to recognize the adoptive and foster families who have made this commitment. Additionally, we wish to recognize relatives who provide homes, and often adopt, children from their extended families who are part of the foster care system in order to provide these children the opportunity to be raised by family; and

WHEREAS, November is deemed to be National Adoption Month, a time in which focus and attention is paid to adoptive families and the need for adoptive homes. On November 15, 2008 here in Washoe County we will be celebrating National Adoption Day. On this momentous day, 24 adoptions will be finalized while all the adoptions finalized throughout the year will be celebrated. These efforts demonstrate the Washoe County community's dedication to ensuring that every child can thrive in a secure, loving, and stable home; therefore, be it

PROCLAIMED, That the Washoe County Board of Commissioners hereby recognizes adoptive parents and their commitment and dedication to the children on our communities and proclaims November 2008 as Adoption Month.

ADOPTED this 10th day of November 2008.



Robert M. Lark

Chairman
Washoe County Commission

08-11-08

PROCLAMATION

WHEREAS, Washoe County celebrates the care given to elderly by their families, neighbors and friends; and,

WHEREAS, November has been designated National Family Caregivers Month to thank, support, educate and empower family caregivers; and

WHEREAS, Family caregivers provide more than 80% of all homecare services for the elderly, which allows them to remain at home, in familiar surroundings with the most important people in their lives; and,

WHEREAS, Collectively it is believed that these individuals contribute \$306 billion annually to the nation's health care system, significantly reducing costs to Medicare, Medicaid, and private payers; and,

WHEREAS, The need for family caregivers will increase in the years ahead because of the rapid increase in the number of Washoe County elders; and,

WHEREAS, Two-thirds of all caregivers are employed in addition to providing care to a relative; and,

WHEREAS, Caregivers provide quality loving care despite substantial stresses and burdens as a consequence of care giving duties for the frail, elderly and disabled; and,

WHEREAS, Caregivers perform a critical and unrecognized role in preventing health care errors by being active, involved and informed in the medical services their relatives receive; and,

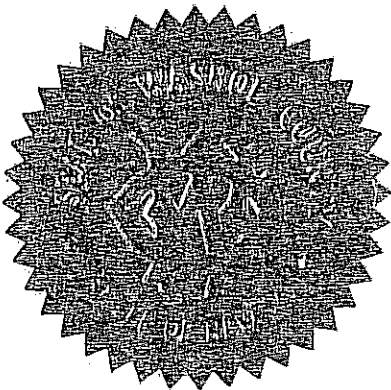
WHEREAS, We recognize the many agencies that support caregivers including the Nevada Division for Aging Services, Washoe County Alzheimer's Association, Nevada Caregivers Support Group, the Continuum, Inc., Angel Associates, Platinum Adult Day Care, Share the Day and others; and,

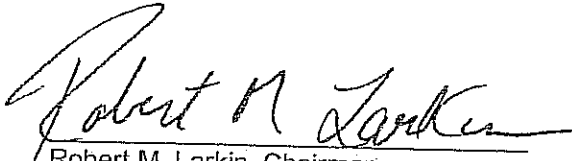
WHEREAS, The Nevada Caregiver Coalition is a valuable resource in our community which recognizes, advocates and offers caregiver training to all caregivers; and,

WHEREAS, Washoe County Senior Services, as part of its mission, provides caregivers with information, training and guidance in providing care, and with social and health services that assist with care giving including DayBreak Adult Day Services; now, therefore be it

PROCLAIMED, By the Washoe County Board of Commissioners that November 2008 is designated as **NATIONAL FAMILY CAREGIVERS MONTH.**

ADOPTED this 10th day of November, 2008.




Robert M. Larkin, Chairman
Washoe County Commission

08-11-08