

**BOARD OF COUNTY COMMISSIONERS
WASHOE COUNTY, NEVADA**

TUESDAY

10:00 A.M.

JANUARY 16, 2024

PRESENT:

Alexis Hill, Chair
Jeanne Herman, Vice Chair
Michael Clark, Commissioner
Mariluz Garcia, Commissioner
Clara Andriola, Commissioner

Janis Galassini, County Clerk
Eric Brown, County Manager
Nathan Edwards, Assistant District Attorney

The Washoe County Board of Commissioners convened at 10:00 a.m. in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. Following the Pledge of Allegiance to the flag of our Country, County Clerk Jan Galassini called roll and the Board conducted the following business:

23-0004 AGENDA ITEM 3 Invocation.

Jason Miller, founder of Reno Satanic, provided the invocation.

24-0005 AGENDA ITEM 4 Public Comment.

County Clerk Jan Galassini conducted a PowerPoint presentation on the 2023 Silver Sleigh Charity Drive. Since 2012, the County Clerk's Office has organized food drives to benefit the Food Bank of Northern Nevada (FBNN). She explained that County staff competed departmentally for the Silver Sleigh trophy by collecting the most items per employee. Ms. Galassini highlighted the departments that competed for the year, as shown in the PowerPoint. The theme for the food drive for 2023 was snow people. She announced the winner of the Silver Sleigh trophy was the Washoe County Public Guardian's (WCPG) Office, with 43.31 points and 43 items per employee. WCPG Tracey Bowles accepted the award. The District Attorney's (DA) Office was recognized for donating approximately half of the total contribution. Ms. Galassini informed that staff contributed over 4,500 pounds of food, which was approximately a 50 percent increase from the previous year's collection. The FBNN reported that the contribution was one of the largest group donations of 2023. She thanked and congratulated the participants.

Chair Hill acknowledged the leadership of the WCPG's Office and the DA's Office.

Mr. Tom Green remarked that it was appropriate for the invocation to have

been delivered by Reno Satanic founder Jason Miller due to the struggle between good and evil and for the soul of the nation. He expressed opposition to the principles that he associated with Satanism. He indicated that individuals who considered themselves patriots and devoted to Jesus Christ denounced Satan and the works of Satanism. Mr. Green stated he and the individuals he referenced represented light, righteousness, and truth. He observed the Board was teetering toward darkness, which he attributed to Satan, and asserted it needed to be condemned when noticed. He pointed out Vice Chair Herman was one year older than United States (US) President Joe Biden. He speculated at least two of the Commissioners voted for President Biden and would support him during the 2024 US Primary Election. Mr. Green highlighted the differences between Vice Chair Herman and President Biden. He opined Vice Chair Herman earned her position and was not bribed. He noted she was a Commissioner for nine years. He alleged the Board was exploiting Vice Chair Herman's limitations in order to exclude her. He alleged City of Reno Mayor Hillary Schieve prevented her from assuming a position on the Reno-Sparks Convention and Visitors Authority (RSCVA) board. Mr. Green asserted Vice Chair Herman deserved to be the next Board of County Commissioners (BCC) Chair. He questioned why she was not being regularly prepared for the Chair position, given that she currently served as the BCC Vice Chair. He mentioned it was unlikely that Commissioner Garcia would be selected for the position, and he believed Commissioner Garcia displayed low character and a lack of confidence by not looking at Commissioner Clark during the BCC meetings. He thought the presence of deputies from the Washoe County Sheriff's Office (WCSO) at the BCC meetings was disappointing. He postulated Chair Hill requested their presence because people like him started attending the meetings. He asked if he appeared dangerous to the Board.

Mr. Gordon Gossage communicated his desire to be appointed to the Library Board of Trustees (LBT). He wished to contribute to emphasizing cooperation instead of conflict. He stated if he was appointed, the LBT could resolve the issue of the lack of libraries in Sun Valley and proposed co-creating a library that specialized in Spanish language materials. He suggested collaborating with the leading entities associated with the Reno Rodeo to generate a Western heritage collection. He asserted the LBT's primary service should be to assist the library director in achieving organizational goals. Mr. Gossage was in favor of establishing a sounding board for ideas, analyzing alternatives, providing public support, and responding to the library director. He divulged his experience with managing librarians, which included providing corporate libraries with staffing, online research, and an executive search service for public libraries. Additionally, he had 47 years of experience managing start-ups and rapidly growing software and web-based companies. He used his professional experience while participating on a board for the International Institute of New England (IINE) for 10 years. During his five years of experience with Regenesys Reno, Mr. Gossage combined his business skills and passion for social justice to focus on community and stakeholder engagement. He added that he actively participated, professionally and personally, in social media. He recognized the necessity of balancing logic, facts, and emotion when engaging in civil conversation with readers. He stated he recently used his skills to support library staff as they navigated controversies. He talked about his experience involving online harassment and a failed attempt to suppress his ability to speak through a lawsuit filed against him. He

acknowledged the pressures that elected and appointed officials faced. He assured that no challenge would prevent him from serving his term on the LBT and vowed to seek common ground for LBT matters.

Mr. Pete Todoroff introduced himself as an 80-year-old Vietnam War veteran. He shared his experience from Friday, January 12, 2024, during which the freeway had not been plowed when he was traveling to his 1:00 p.m. appointment at the Veterans Affairs (VA) hospital. He compared the condition of Kirman Avenue to a skating rink. He was appalled regarding its condition, noting how much he paid in fuel taxes. He pointed out he used a cane and mentioned there was an individual on Kirman Avenue who was using a walker and an oxygen tank. He recounted that 58,000 Americans lost their lives in Vietnam. He indicated he only recognized two of the names on his mail-in ballot and asked why former US President Donald Trump was not included.

Ms. Pam Darr provided copies of documents that were distributed to the Board and placed on file with the Clerk. She was informed that Utah State Treasurer Marlo Oaks and Utah Attorney General Sean Reyes were contacting other state treasurers and attorney generals regarding Bureau of Land Management (BLM) land. She claimed the purpose was to restrict access to public lands and create Natural Asset Companies (NACs) which could be included on the stock exchange, allowing for the sale of natural resources. She referenced a website offering information that she believed should concern Nevada residents. Ms. Darr noted she and other residents enjoyed the open space and multi-use areas. She stated they did not want international companies to manage public lands, as they belonged to the citizens. She emphasized the importance of the matter to current and future residents. She added that many individuals moved to Washoe County because of the open space. She expressed disapproval of the invocation that was delivered during Agenda Item 3 and described it as negative. Ms. Darr commended Vice Chair Herman for her interest in the BCC Chair position and wished her luck.

Mr. Terry Brooks read an original poem focusing on poor health related to homelessness.

Mr. Robert Beadles indicated that none of his input was directed at Vice Chair Herman and Commissioner Clark. He referenced the meeting's invocation and stated he and other members of the public observed a lot of immoral acts taking place in the County. He added that four people at the dais were acting in ways that were perplexing to Christian individuals who wanted the best for County residents. He said he was accused of wrongdoing because he identified the improper actions committed by County officials. Mr. Beadles remarked that he did not fear the Board. He did not understand why County Manager Eric Brown was still occupying his position despite allegations that were made. Chair Hill asked Mr. Beadles to direct his comments to the full Board. Mr. Beadles alleged Manager Brown and a member of staff criticized the election integrity resolution proposed by Vice Chair Herman after it was reviewed by the DA's Office. He questioned what the Board was afraid of and why the resolution was not itemized on the meeting's agenda. He accused the Board of adding favors for other entities to the BCC agenda and exploiting the residents. He claimed Manager Brown employed out-of-state corporations that were

originally not registered in Nevada to oversee the County's elections. Mr. Beadles pointed out the fourth Registrar of Voters (ROV) resigned and claimed to have a video recording proving four ROVs served the County. He questioned why Deputy ROV Cari-Ann Burgess was authorized to fill the ROV position when she was not qualified. He remarked on the personal implications of not terminating Manager Brown from his role or demanding his resignation.

Ms. Susie Howell referenced the invocation delivered during the meeting and characterized some Board affiliates as public serpents. She speculated the Board was determined to maintain election fraud. She pointed out that the January 15, 2024, Iowa Caucus involved the hand-counting of paper ballots, which was completed in hours. She questioned how much time was needed to finish counting votes. She described the mail ballots as bizarre, and recalled that based on the people she asked, only one person in each household received a mail ballot. Ms. Howell recounted when residents wore face masks and referenced testimony delivered by the former National Institute of Allergy and Infectious Diseases (NIAID) Director, Dr. Anthony Fauci, to Congress. She alleged the Board was determined to force members of the public to wear face masks. She expressed disappointment with the Board for the decisions it made despite the residents' wishes. She supported and complimented Vice Chair Herman. She admonished the Board for disregarding Vice Chair Herman.

Ms. Tracey Thomas recited a Bible verse. She expressed disappointment with the dismissal of the previous BCC meeting's invocation. She stated God did not appear where he was not invited and asserted the invocation was a sincere conversation with God that did not require a title or a degree to deliver it. She preached about honoring God through words and actions as well as asking God for courage. She talked about the impact of words and the freedom people had to use them wisely. Ms. Thomas encouraged using words of life and referenced a scriptural verse. She claimed someone publicly conveyed false statements about her and said she prayed for his or her ability to recognize the immoral and manipulative tactics that members of the public had witnessed. She invited the Board to consider her public comment as encouragement rather than judgment. Ms. Thomas asked if anyone was alarmed by the number of Narcan kits donated to the Department of Juvenile Services. She questioned if any of the Commissioners had inquired about measures to reduce the need for the Narcan kits. She opined Vice Chair Herman was the only Commissioner who earned the BCC Chair position. She referenced remarks from individuals discouraging voting based on politics and asserted that voting for someone simply because a person served with them on another board was also a political vote. She wished the Commissioners would vote righteously and not politically. Ms. Thomas commented that she and other individuals supported Vice Chair Herman because she was real. She advised the remarks made by a staff member about Vice Chair Herman should be addressed immediately and with severity. She added that a staff member exhibiting such behavior would have been terminated under former County Manager Katy Simon's authority.

Mr. Richard Van Dine introduced himself as a resident of Reno and District 4. He indicated he was attending the BCC meeting for the first time. He expressed concern

and disappointment with Commissioner Andriola, as he observed she did not act as a Republican. He acknowledged she was appointed by Nevada Governor Joe Lombardo, and he believed Commissioner appointments should be the County's responsibility. He suggested she reconsider her political affiliation and cease deceiving residents of District 4, given its strong conservative leanings. Mr. Van Dine pledged to work towards maintaining District 4's conservative values. He requested Commissioner Andriola resign, or the residents would take action as her employer during the elections at the end of her term to vote for someone else. He declared the Commissioners were employees of the taxpayers and the Commissioners were supposed to consider the public's input more than they currently do. He was in favor of enabling and maintaining balance on the Board. He warned that the Board being unbalanced would result in the destruction of the County in a similar manner to the rest of the Country. Referencing the invocation delivered during Agenda Item 3, Mr. Van Dine said Satan was trying to take over the Country, and Christian citizens would not allow that to happen. He referenced Agenda Item 12J2 and believed the matter should be given more consideration to maintain a balance. He emphasized the importance of the residents learning to work together, thanked the Board, and assured them that he would return.

Ms. Janet Butcher informed no delegates would be sent to the Republican National Committee (RNC) from the 2024 Presidential Preference Primary (PPP) Election ballot; therefore, it was a waste of time and money. She brought attention to the caucus scheduled for February 8, 2024, and advised contacting the Washoe Grand Old Party (GOP) Office for information. Ms. Butcher displayed documents, which were distributed to the Board and placed on file with the Clerk. She spoke in opposition to the Consent Agenda because it allowed for a single vote and limited the public to commenting once for a set of items. She pointed out monetary issues were itemized under the Consent Agenda with reports that did not include funds. She hoped the items concerning the ROV were separated. She acknowledged the Board's attempt to expedite the meetings and questioned whether doing so was more important than hearing the public's input. She indicated she would deliver public comments on Agenda Items 12J1 and 12J2.

Mr. Eric Lerude stated he lived in the downtown area of the City of Reno and was a long-time County resident. He divulged he was a lawyer and a businessman. He informed that he and his wife founded the Reno-Tahoe Odyssey relay, which he described as a running event showcasing the region to the community and visitors outside of the community. He mentioned he was heavily involved with issues pertaining to downtown Reno and served on the Downtown Reno Partnership (DRP) Board of Directors. He indicated his wife participated in the Washoe County Leadership Academy. Mr. Lerude shared that he and his wife raised their two sons in Reno and had a lot of family and friends in the area. He communicated his and his wife's adoration for the community. He commended the Commissioners' commitment to public service and recognized how challenging the role was. He attended the meeting to address Agenda Items 6 and 12J2. He was concerned about some residents who participated in public meetings and discussed their attitudes. He opined those people disrupted typical government operations. He did not believe those individuals attended the meetings with open minds, reasonable attitudes, and an approach to constructively consider solutions for complex problems. Mr. Lerude

thanked former ROV Jamie Rodriguez for her service. He recalled Ms. Rodriguez filled the ROV position after the previous ROV resigned due to harassment. He remarked that such behavior was both dangerous and distressing. He thought it was unfortunate that Mr. Beadles filed lawsuits against Ms. Rodriguez, Chair Hill, and Manager Brown regarding the 2020 Presidential Election, as the claims were determined to be without merit. He alleged Mr. Beadles continued to pursue an extreme and unfounded agenda. He requested that the Commissioners select Chair Hill or Commissioner Garcia as the next BCC Chair because he believed they demonstrated their ability to be open-minded and take the position seriously. He noted their preparedness and ability to think critically. Mr. Lerude expressed unease about whether Vice Chair Herman and Commissioner Clark could appropriately assume such an important role. He observed they often agreed with the individuals he had previously referenced and seemed to only consider their own best interests. He endorsed Ms. Burgess, believing she was capable of fulfilling the responsibilities.

Ms. Afshan West, the executive director of Safe Embrace, indicated she was commenting as a Safe Embrace representative and as an advocate for the individuals the organization strived to positively impact. She expressed gratitude for the \$10,000 donation referenced in Agenda Item 12G1. She stated the contribution acted as a beacon of hope for individuals enduring the cycle of domestic and sexual violence in addition to being a testament to the Board's commitment to its community. She informed Nevada ranked as the fourth highest in domestic violence in the nation and emphasized the urgency of Safe Embrace's mission. Ms. West explained Safe Embrace was dedicated to ending the domestic abuse cycle through comprehensive prevention and intervention programs. Safe Embrace's approach included the use of a confidential emergency shelter, a 24-hour crisis hotline, legal advocacy, and support groups. She indicated the donation was a vital aid that enabled Safe Embrace to bridge the gap in essential services and offer stabilization and relocation assistance to victims. Safe Embrace understood escaping from an abusive situation was an overwhelming task that was often hindered by societal stigma and financial barriers. Ms. West stated Safe Embrace's aim was to assist in empowering survivors to be self-sufficient so they could rebuild their lives independently from their abusers. She described Safe Embrace's plan to enhance its stabilization services by providing direct emergency financial assistance to individuals approaching homelessness due to domestic violence, sexual violence, and human trafficking. Additionally, aid for transportation, moving costs, and deposits would be offered. She assured Safe Embrace monitored all services and financial expenditures through databases managed by Eide Bailly LLP. She affirmed documentation concerning the use of funds would be provided upon request. Ms. West said the donation reinforced the belief that, through joint efforts, a significant difference could be made for those affected by domestic and sexual violence. She added that the donation would enable Safe Embrace to expand its reach to more individuals in need. She thanked the Board for supporting Safe Embrace's mission to create a safer community.

Ms. Jennifer Willett introduced herself as the All Voting is Local (AVIL) Nevada Grassroots Manager. She explained All Voting is Local aimed to ensure safe, fair, and accessible voting by identifying and dismantling threats to voter freedom. Referencing Agenda Item 12J2, she expressed gratitude to Ms. Rodriguez for her service as the ROV.

She recognized Ms. Rodriguez's role in increasing transparency in the election process, doubling the staff, and championing legislation to expand voting access for historically marginalized communities in the State. Ms. Willett asserted that Nevadans needed officials to protect and expand democracy in the State. She advocated for a succeeding ROV that would be committed to ensuring Nevadans' voting rights were protected. She voiced AVIL's support for appointing Ms. Burgess to the interim ROV position and noted Ms. Burgess's six years of experience as an election administrator. She brought attention to the turnover rate of Nevada election officials since the previous presidential election. She informed that top election officials in 11 Nevada counties had resigned, resulting in 96 percent of Nevadan residents voting with a new election official overseeing the process during the upcoming election. Ms. Willett believed the high turnover rates among election officials should be considered a potential crisis to democracy, particularly because harassment, violent threats, burnout, and a lack of trust due to election conspiracies were cited by officials. She highlighted the importance of supporting election officials and urged the Board to collaborate with the ROV Office to implement strategies to support them.

Ms. Caroline Grossman stated she spoke on behalf of progressive leaders in Washoe County who were devoted to voter engagement and organization around issues that benefited working-class Nevadans. She wanted to emphasize the importance of the ROV in relation to upholding the principles of democracy. She believed it was of the utmost importance that the ROV possessed the necessary skills and expertise to ensure democratic processes were smooth and effective. She opined the person appointed to the ROV role should be well-versed in electoral procedures, voter engagement, and the intricacies of the electoral system. She thanked Ms. Rodriguez for her effort to uphold democracy during her tenure with Washoe County. She claimed Ms. Rodriguez impacted voter access, increased staffing for the ROV Office, and established accountability in the democratic process. She asserted democracy thrived when there was transparency, accessibility, and integrity in electoral processes. She declared appointing an individual who did not have the appropriate experience could jeopardize the integrity of elections. She accepted Ms. Burgess's appointment as interim ROV. She thought Ms. Burgess had enough experience in the administrative side of elections to maintain the ROV Office temporarily. She urged the Board to prioritize competence and expertise in selecting a permanent ROV. She said a qualified and knowledgeable ROV would enhance the efficiency of the electoral process and instill confidence in the community. She thanked the BCC for its attention to the matter and trusted it would make a decision that upheld the values of democracy while serving the best interests of the residents of Washoe County.

Ms. Val White declared free speech meant she was not limited to using vocabulary approved by the BCC. She asserted the Commissioners could not dictate what was civil or how she should deliver her comments. She asked the Board to re-open the interim ROV position because she felt Ms. Burgess did not meet the job qualifications. She said the County declined to hire a 20-year County employee with a decade of experience who exceeded the job qualifications. She spoke about COVID-19 (C19) and claimed it was a hoax. She did not believe allegations that election workers were being threatened because she had not seen any evidence to support those claims. She opined Manager Brown was not suited for his position and stated several complaints had been raised against him. She

thought Vice Chair Herman was the best choice for Chair of the Board. She speculated that Chair Hill and Commissioner Garcia could not adequately serve Washoe County due to their partisan positions. She asked the Board to terminate Manager Brown's employment, reject Ms. Burgess as interim ROV, elect Vice Chair Herman as Chair, and cease political maneuverings.

Mr. Cliff Nellis stated he was offended that the Board allowed a member of the Satanic community to provide the meeting's invocation. He recommended Vice Chair Herman be elected as Chair. He spoke about claims of threats against members of the ROV Office. He opined Ms. Tracey Hilton-Thomas was qualified to hold the ROV position and hiring her would signal to the public that Manager Brown did not control the Board. He pointed out that the US was not a democracy but a constitutional republic. He mentioned the Elections Group and speculated it wanted to rig elections, which he would not tolerate.

Mr. George Lee expressed his support for Vice Chair Herman to be elected as Chair of the Board. He echoed the comments of Mr. Nellis.

Mr. James Benthin supported Vice Chair Herman to be elected as Chair of the Board, which he thought would bring balance to the BCC. He told a story about doing the right thing and said he thought the BCC had the same opportunity to do the right thing.

Ms. Patty Kress thanked the Board members for their service. She spoke about Ms. Burgess's appointment as interim ROV. She said she had over 25 years of experience working in Human Resources (HR), where she was responsible for hiring qualified, experienced candidates. Upon reviewing Ms. Burgess's background, Ms. Kress did not believe that Ms. Burgess was qualified to serve as interim ROV. She encouraged the Board to re-open the position to seek more qualified candidates. She opined Ms. Hilton-Thomas had the experience and knowledge to serve as the ROV and run elections for the community. She supported Vice Chair Herman in serving as Chair of the Board. She expressed distaste that the BCC invited members of the Satanic community to lead the invocation.

Mr. Matthew Wilkie claimed that 135 Washoe County residents experiencing homelessness passed away in 2023, which was a 36 percent increase from 2022. He pointed out that the County claimed a 50 percent decrease in homelessness. He declared shelters and overflow spaces in the County were at or over capacity. He thought it was unacceptable that while the crisis persisted, members of the BCC had been on a multi-state media tour touting the success of the County's efforts to address homelessness. He speculated that the Community Homelessness Advisory Board (CHAB) had essentially been dissolved. He asked the BCC to address homelessness better and listen to those with lived experience. He recalled spending time talking to people experiencing homelessness and said the things he heard kept him up at night. He requested a staff member show him where data regarding people experiencing homelessness was located on the County's website.

Mr. Tony Jacobs reiterated Mr. Wilkie's comment regarding the number of unhoused residents who passed away in 2023. He stated the local shelters were at capacity.

He declared most services were inaccessible for disabled people because they lacked transportation. He opined the CHAB did not care what happened to the homeless population. He speculated that the WCSO was willing to arrest and jail people for being homeless when they did not go to a shelter. He thought people did not want to stay at the Cares Campus because it was unkept. He wondered about the location of emergency shelters and if there were any. He reported that during the last snowstorm, his son spent all his Christmas money and allowance to purchase blankets, tarps, hand warmers, and food for the groups of unhoused individuals living in the alley near his home. He mentioned allegations against Manager Brown and his wife.

Ms. Julie Adams informed she worked in the polls during the last election and had voiced her concerns about the elections to the BCC. She requested that Ms. Hilton-Thomas be appointed as interim ROV. She did not think Manager Brown had the people's best interest at heart. She believed Vice Chair Herman had the experience, knowledge, and wisdom to lead the Board. She expressed dismay that a Satanist gave the invocation.

Mr. Drew, no last name given, spoke about members of his family who suffered from alcoholism. In his professional career, he recalled cleaning up thousands of car accidents resulting from impaired driving. He asserted driving under the influence was illegal in order to protect people. He thought people who worked in government were supposed to be held to a higher standard. He mentioned Diversity, Equity, and Inclusion (DEI) initiatives and said he did not believe in them. He speculated there were people in power who did not have consequences for their actions. He asked the Board to terminate the employment of Library Director Jeff Scott and Manager Brown.

Mr. Rich Bissett thanked the Board for agreeing to hear the Desert Research Institute (DRI) presentation. He asked the Board to continue hosting similar presentations. He believed the scientific community needed to weigh in on climate change issues. He asserted the increased heat through the summer would not go away or moderate. He recalled living in Reno when the Truckee River was so low, he could easily walk across it. He appreciated that the Board was taking climate concerns seriously. He expressed excitement to see the DRI presentation. He noted there were a lot of commenters declaring they were religious, but he felt the things they said were not Christ-like.

Ms. Joni Hammond mentioned previous comments regarding community members threatening County staff. She asserted there was no evidence to substantiate those claims. She thought it was a national theme that Liberals insinuated Republicans participated in criminal activity. She believed the roles were reversed. She recalled Mr. Bissett's comment about Christians not being Christ-like. She declared that she could judge others as Christ judged them because she had morals. She alleged people threatened Mr. Beadles, who was trying to ensure elections were run properly and competently. She urged the Board to elect Vice Chair Herman as Chair. She opined Vice Chair Herman was honest, trustworthy, hardworking, knowledgeable, and willing to work with people regardless of their political affiliation.

Ms. Sandee Tibbett suggested Reno rebrand as the biggest corrupt County in

the world. She alleged Washoe County was an organized criminal syndicate run by people who thought they were above the law. She claimed County officials only cared about their careers and bank accounts. She believed the County neglected the community while profiting off its constituents. She spoke about public areas throughout the county being in disarray. She wondered if the Board knew or cared about what was happening in the community. She opined the City of Sparks smelled like a sewage plant. She speculated the County's judicial system was corrupt. She declared the DA's Office did not find anything illegal in Vice Chair Herman's election resolution and asked why it had not been brought before the Board. She spoke about recent allegations against Manager Brown and suggested he resign or be fired immediately.

Ms. Valerie Fiannaca remarked there was an ongoing battle between good and evil. She thanked Commissioners Garcia and Clark for hearing her complaints regarding a homeless camp near a school. She thought the County had the means to help unhoused residents, considering the amount of money it allocated to homeless services. She thanked the Board for the LBT members it recently appointed. She opined the appointees were logical people who would improve the library system. She alleged one Commissioner could single-handedly provide the County with clean elections. She claimed there was a qualified person who applied to work for the ROV Office multiple times but was turned down. She stated the ROV Office and the County were corrupt. She believed a member of the County's Communications Department lied when relaying information regarding Vice Chair Herman's election integrity resolution. According to a letter she possessed, the State Ethics Commission experienced turnover in its legal representation because attorneys felt ethical issues occurred within that body. She urged the Board to read *The Tipping Point* by Malcolm Gladwell. She expressed consternation regarding the Consent Agenda and Block Votes because she wanted the Board to vote on each agenda item individually.

Ms. Kathy Kyte expressed trepidation regarding selling BLM land and natural resources. She disagreed with the use of mail-in ballots for elections. She recalled a commenter mentioning that the Board had handlers and did not appreciate it if they did. She wondered if the Commissioners sold their souls and recommended that they watch the movie *Damn Yankees*. She discussed face masks, claiming they were not good. She spoke about God and hoped the Board would convert to Christianity. She expressed dismay that a member of the Satanic community gave the invocation.

Ms. Darla Lee declared the US was a nation under God. She opined the invocation was inappropriate. She expressed support for Vice Chair Herman to be elected as Chair of the Board, noting Vice Chair Herman was the longest-serving Commissioner. She stated that while Vice Chair Herman was soft-spoken, she was wise. She pointed out that Vice Chair Herman was a woman of faith. She reiterated her request that Vice Chair Herman be elected as Chair and Commissioner Clark as Vice Chair.

Mr. Scott Finley provided a document that was distributed to the Board and placed on file with the Clerk. He asked the BCC to pass a resolution formally condemning the Truckee Meadows Public Lands Management Act (TMPLMA). He wondered how the

TMPLMA protected Washoe County's environment when it sought to parcel out public lands for private development. He declared he lived within a one-minute walk from property owned by the BLM, where he walked his dogs, rode horses, and enjoyed the high desert landscape. He alleged that the property near his home would be turned over to private land developers if the TMPLMA passed. He mentioned affordable housing and said if the only way someone could afford to live in an area was through the destruction of the environment, they were not wanted in Washoe County. He opined that quality, not quantity, was essential to social stability. He asserted infinite growth was impossible in a finite system, and the Earth and Washoe County were finite. He speculated the passage of the TMPLMA would signal that private developers could acquire all public land in Nevada. He predicted that over time, there would not be any public land left in Washoe County for future generations to enjoy. He claimed Senator Jacky Rosen developed the TMPLMA. He reiterated his request to the BCC to pass a resolution against the TMPLMA.

Ms. Penny Brock provided a document that was placed on file with the Clerk. She reported the *Reno Gazette Journal* (RGJ) published an article indicating that the National Broadcasting Company (NBC) selected Washoe County as one of the counties to watch during the 2024 election cycle because it was a swing county. She noted Washoe County had been referred to as the swingiest county in Nevada. She thought it was important for the Board to recognize that the eyes of the nation would be on Washoe County during elections. She encouraged the Board to vote to use paper ballots and hand-counting methods, which she believed were the most honest and secure way to hold an election. She remarked there was an attempt to ban paper ballots and hand-counting in 2023, but Governor Joe Lombardo vetoed the bill. She claimed France and other countries outlawed electronic voting machines. She reported that Former President Donald Trump won the Iowa Caucus vote by over 50 percent.

Mr. Bruce Parks stated he was the chairman of the Washoe County Republican Party (WCRP). He opined that public officials did not listen to the constituents. He mentioned the PPP and the Republican Caucus and indicated there was a significant difference between the two. He explained the Republican Party chose to hold a caucus vote to prove to the Secretary of State's (SOS) Office that an election could be held using paper ballots and verifying voter identity, while ensuring complete transparency and receiving results in one day. He claimed the SOS's Office reported that the PPP was not binding to any of the parties; therefore, the results were irrelevant. He pointed out the County planned to spend \$5.2 million in taxpayer dollars to conduct the PPP. He suggested Republican voters participate in the caucus if they wanted their voices heard. He recalled a previous speaker's comments regarding turnover in the ROV Office. He speculated that was because the ROV was appointed, not elected. He noted the ROV was elected in all other counties in Nevada except for Washoe and Clark. He recited a quote from Plato and stated if people were not involved in politics, they were wrong.

Ms. Brooke Westlake expressed her support for Vice Chair Herman to be elected as Chair of the BCC. She opined Vice Chair Herman was humble and hardworking. She thought Commissioner Clark should be elected to serve as the Vice Chair. She recalled having to provide identification when voting in Washoe County in the past, but that was

not the case for the previous election cycle. She pointed out that the ROV position had not closed on the County website and wondered how the Board could appoint someone to a position not set to close until January 29, 2024. She remarked she was married to an elected official who was removed from office when he did not follow the rules. She wondered why the law seemed to apply to some people and not to others. She encouraged the Board to reject the ROV appointment because recruitment for the position had not closed.

Ms. Thia Nielsen spoke in favor of a balanced discussion of all ideas with open debate and all Commissioners getting an equal and equitable voice with balanced agendas. She believed Vice Chair Herman represented and would support those ideals as Chair of the Board. She stated she had worked as a teacher for both private and public schools and remarked she had always been an activist and believed in standing up for what was moral, fair, and unpopular. She recalled being interviewed by *Focus on the Family*, which traveled from Colorado to interview her while she was a teacher because she stood up for family rights. She thought when she retired that she would have fun and not worry about political issues, but she got involved in them because she has a grandchild. She reiterated her support for Vice Chair Herman to serve as Chair.

Mr. Alan Munson expressed dismay that the invocation came from the Satanic community. He asserted he was a strong Christian and did not think it was a good idea to open the door to Satan. He declared his support for Vice Chair Herman to be elected as Chair and Commissioner Clark as Vice Chair. He thought Vice Chair Herman was receptive and willing to hear what others had to say, which would help the community. He opined Commissioner Clark was a strong leader willing to speak his mind. He appreciated the work Chair Hill had done but felt it was time for new leadership on the Board. He recalled a previous comment about the environment and stated that was something he had studied. He claimed carbon dioxide (CO₂) was not a poison; it was necessary for life on Earth. He reported there were droughts and bad weather throughout history. He wished there had been global warming the previous week after a heavy snowstorm in the area. He thanked the Board for the opportunity to speak.

Ms. Renee Rezendes declared her support for Vice Chair Herman to be elected as Chair. She spoke about allegations against Manager Brown. She opined that giving Manager Brown a raise was unethical because his salary was paid with taxes. She believed it was tyranny for people to be appointed instead of elected to positions. She was a poll observer for the past two elections and did not think all the practices of the County were above board. She speculated that she was mistreated as a poll worker, which she had complained about to the Senate.

Mr. Gary Schmidt provided a document that was distributed to the Board and placed on file with the Clerk. He claimed he had attended BCC meetings longer than some people in Chambers had been alive. He said God bless America and thanked God and the Founding Fathers for his freedom of speech. He discussed a proposed project from the Gerlach General Improvement District (GGID). He declared the GGID wanted to increase the zoning on a parcel of land it owned in order to build apartments, a mobile home park, and commercial and industrial buildings. He alleged an increase in density would violate

the character plan and Master Plan for Gerlach. He asserted there were members of the community who signed petitions and wrote letters in opposition to the project. He pointed out that the project would violate the GGID's charter.

Mr. Steve Ross expressed support for Vice Chair Herman to be elected as Chair. He claimed Mr. Robert Beadles did not come to meetings to disturb the Board; rather, he was present to shed light on things the Board did. Mr. Ross asserted that his family had built San Mateo County. He previously worked in the transportation business but left that field and moved to Louisiana, where he still resided part-time. He thought Louisiana and Nevada were similar, but Nevada had more corruption. He declared he was a drunk who did not drink, and his last drink was on June 12, 2016. He spoke about the Bible and believed the Board members would be judged by someone higher than them. He discussed a court case brought forth by Mr. Joey Gilbert, which was deemed frivolous and caused Mr. Gilbert to incur a \$90,000 fine. He mentioned a lawsuit where Mr. Beadles was fined \$100,000 and asserted Mr. Beadles would appeal the case to the Supreme Court.

Mr. Nick Martin spoke about Vice Chair Herman's election integrity resolution and was surprised that many people spoke against it when the Board last heard it. He claimed those who spoke against the resolution spoke from a script and traveled from out of town to speak against it. He noted a commenter stated that they were a nurse from Sacramento, California. He recalled attending a recent LBT meeting where people spoke in favor of Drag Queen Story Hour (DQSH). He thought people felt railroaded by the Board, causing them to speak out passionately about issues.

Mr. Bruce Foster wished the Board a happy New Year. He thought Mr. Schmidt should receive a medal for his perseverance. He spoke about the decline and decay of moral integrity and read a quote from Daniel Webster's speech to the New York Historical Society in 1852. He opined the government was at a crossroads and wondered which path the BCC would take. He expressed support for Vice Chair Herman to be elected as Chair. He appreciated that Mr. Beadles was looking into Manager Brown's background. He asked the Board to do the right thing regarding the ROV position.

Ms. Julie Osburn supported Vice Chair Herman being elected as Chair. She denounced Satan and invited the Holy Spirit into the meeting. She stated she was a retired firefighter paramedic and told a story about an impaired driving accident that claimed two lives and orphaned a child. She declared that driving under the influence created a ripple effect.

Mr. J.S. McElhinney III provided a document that was distributed to the Board and placed on file with the Clerk. He expressed a desire for secure and honest elections. He claimed anything digital was hackable and noted the federal government and several of its agencies had been hacked. He declared voting machines could be hacked to alter data, even if they were offline. He asserted one of the documents he provided was an article about Professor Alex Halderman of the University of Michigan who testified before Congress regarding how easily he and his team of researchers hacked into voting machines. He remarked that France tried using voting machines and ultimately switched back to paper

ballots because the machines were too easily defrauded. He pointed out that the US was a constitutional republic, not a democracy. He speculated that the founders of the US hated democracy because it was similar to mob rule.

Ms. Marsy Kupfersmith stated she was a senior advocate who sat on several senior boards throughout Washoe County. She declared she was supportive of Vice Chair Herman becoming the Chair. She thought Vice Chair Herman was a strong advocate for the senior community, showed up to senior events, and was always available to meet when asked to.

Mr. Phil Harrison encouraged the Board to elect Vice Chair Herman as Chair. He thought Vice Chair Herman had the tenure and experience to hold the position. He mentioned Item 12J2 and opined Ms. Burgess did not have the expertise to serve as the ROV. He expressed his support for paper ballots and noted that voting machines could be hacked. He suggested the County seek an ROV with experience processing paper ballots. He wondered about the amount of turnover in the ROV Office. He expressed distaste for the invocation.

Ms. Susan Van Ness said a prayer. She wondered who decided who gave the invocation during Board meetings. She declared she prayed for everyone in Chambers and would be there for people if they reached out to her. She asked God to be present at the meeting. She noted she signed for Manager Brown's lunch when it was delivered and invited him to have lunch with her.

Mr. Roger Edwards expressed his support for Vice Chair Herman to be elected as Chair. He spoke about the invocation and declared meetings historically started with a prayer to God, not Satan. He believed Mr. Schmidt was nearly as tough on the Gerlach issues as Mr. Edwards was on the Golden Valley Water Recharge issue. He remarked that he sat on the Regional Planning Commission (RPC) and disliked the GGID's project. He asked that Vice Chair Herman's voter integrity resolution be placed on an agenda. He thought people's voices were not heard when items requested by their Commissioner were not placed on the agenda. He stated Chair Hill was a representative of the Board and should represent the wishes of people in other districts.

Mr. Montgomery Turner spoke about the lack of law and code enforcement in Sun Valley. He recalled helping his neighbors clean up their yards and the volume of trash he removed from those properties. He declared his wife was recently assaulted, but the police did not help. He reported people experiencing homelessness tore down his fence and tried to move onto his property. He said he installed game cameras throughout his property and had only seen one member of law enforcement on his street in three months. He wondered what he was paying taxes for.

24-0006 **AGENDA ITEM 7** Recommendation to acknowledge receipt of the Washoe County Annual Comprehensive Financial Report (ACFR), auditor's report, and report on internal control for the fiscal year ended June 30, 2023 as presented; approve the re-appropriation of [\$43,169,335.09] for

the fiscal year 2024 budget, consisting of [\$23,128,475.69] for purchase order encumbrances committed in fiscal year 2023 and [\$20,040,859.40] for spending of restricted contributions and fees; and, authorize the Comptroller to proceed with distribution of the ACFR for public record, as required by law. Finance. (All Commission Districts.) FOR POSSIBLE ACTION

Washoe County Comptroller Cathy Hill pointed out that the complexity of the County's financial reporting increased with the regionalization of services offered by Washoe County. She thanked Eide Bailly for performing audit services for the County.

Eide Bailly Audit Partner Teri Gage reported that Washoe County had a clean audit, which meant the County's financial statements were found to be fairly presented as of June 30, 2023. She noted Eide Bailly also conducted an audit of the County's federal awards, which was also clean. She pointed out that her audit report detailed several statements from the prior year related to revenue recognition and the County's federal awards. She expressed appreciation for the Comptroller's Office and declared her work could not have been done without them.

There was no response to the call for public comment.

On motion by Commissioner Garcia, seconded by Vice Chair Herman, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 7 be acknowledged, approved, and authorized.

24-0007 **AGENDA ITEM 8** Presentation by Marie Baxter, Chief Executive Officer of Catholic Charities of Northern Nevada to provide a detailed overview on the donation of food services and other human services, especially to seniors, across Washoe County. (All Commission Districts.) FOR DISCUSSION ONLY

Ms. Marie Baxter, Chief Executive Officer of Catholic Charities of Northern Nevada (CCNN), conducted a PowerPoint presentation and reviewed slides with the following titles: Catholic Charities of Northern Nevada Presentation for the Washoe County Board of County Commissioners January 16, 2024; Our Mission and Vision; Our Services in Washoe County; History with Washoe County; Public Meal Provider; Summary of Dining Room Meals; Summary of Dining Room Volunteer Hours; Current Services for Seniors.

Ms. Baxter acknowledged Commissioner Clark for visiting CCNN and taking the opportunity to learn about its efforts. She noted other Commissioners visited CCNN before. In response to Commissioner Clark's question regarding whether Chair Hill had eaten the food at CCNN, Chair Hill stated she had not. She added that she was pleased the food was available to the community.

Ms. Baxter shared background on CCNN and noted it was one of the oldest

and largest providers of services. She informed CCNN offered services throughout Northern Nevada. She divulged that CCNN considered methods to help meet the basic needs of people and alleviate poverty. She highlighted CCNN's programs, such as the Saint Vincent's Dining Room food pantry and a wellness center covering all of Washoe County and Northern Nevada. Client choice pantries were in Sun Valley and Golden Valley as well as on Moana Lane. In addition to food services, necessities such as toiletries, blankets, and clothing were supplied. Ms. Baxter mentioned that CCNN offered home deliveries to senior citizens. She revealed the resource hub provided crisis intervention, case management, job placement services, and wraparound human services. She stated food was often used as an incentive to connect people to CCNN's services. CCNN also provided a mobility mentoring program, immigration legal services, a sober living program, and a workforce development program offered at CCNN's thrift stores. Ms. Baxter reported that 7,000 baskets were supplied during CCNN's 2023 Christmas and Thanksgiving holiday food distributions.

Ms. Baxter outlined CCNN's history with the County and noted they collaborated on a variety of programs. The Kids to Senior Korner, originally a Saint Mary's Regional Medical Center program, was maintained by CCNN after the County's relationship with the program ended. CCNN managed Meals on Wheels from 2015 to 2019. CrossRoads Sober Living, which was a standalone entity of the County, was formerly operated by CCNN as Battle Born Housing Plus. CCNN worked with Nation's Finest Veterans Housing to develop veterans' housing on property owned by CCNN. Ms. Baxter disclosed CCNN started providing Cares Campus meals. She shared the Saint Vincent's Dining Room had been active since 1963, and CCNN had been the public meal provider for decades. CCNN provided breakfast, lunch, and dinner services during the COVID-19 (C19) pandemic. It currently maintained services for lunch and dinner, and the meals were prepared and packaged in Saint Vincent's Dining Room.

Ms. Baxter informed CCNN was a National Council on Aging (NCOA) Benefits Enrollment Center (BEC), and as such, it offered benefits enrollments for senior residents and individuals with disabilities throughout Nevada. She expressed CCNN's dedication to its work with the senior population. CCNN made food pantries available to senior individuals twice a month in response to Supplemental Nutrition Assistance Program (SNAP) benefits being significantly reduced in 2023. She mentioned most pantries offered access once a month and other pantries were available to senior individuals throughout the month. She specified CCNN performed home modification services, for which there were significant grants that included ramp and grab bar installations. CCNN employed Certified Aging-in-Place Specialists (CAPS). Ms. Baxter divulged CCNN hired contractors to replace the underside plumbing system for an individual. She stated CCNN met with people to develop solutions so they could stay in their homes safely. Additionally, CCNN provided vaccination and health screenings for senior citizens. She indicated the federally funded rental assistance programs CCNN offered ceased in September 2023; however, CCNN still helped senior individuals maintain their housing.

Chair Hill complimented Ms. Baxter's presentation and communicated the County's appreciation for its continued partnership with CCNN.

Commissioner Clark noted how extensive the presentation was and thought the residents of the State needed to salute CCNN. He wondered who would provide the services offered by CCNN if CCNN did not offer them. He commented that no one could replace the efforts of CCNN if it was no longer operating. He said many charities lost their non-profit status because people frequently pursued financial benefits. He referenced CCNN providing free meals for the County and acknowledged CCNN would supply food for anyone who was hungry and in need. He recognized all charities needed more funds. Commissioner Clark wondered how CCNN's ability to assist vulnerable people would be impacted if residents who could afford to feed themselves took meals from CCNN. He noted the County had the funds and expressed his belief that the County should reimburse CCNN so it could continue its efforts. He believed there were many vulnerable populations apart from the Cares Campus residents. He pointed out CCNN provided services to the entire State and offered assistance for medical, dental, and mental health. He recalled Ms. Baxter indicated reimbursed funds from the County would be used to help senior residents maintain their housing. Commissioner Clark wanted others to be informed about the magnitude of CCNN's efforts. He predicted the availability of CCNN resources to other rural communities would be reduced if services were disproportionately accessed by Washoe County residents.

Commissioner Clark recounted an experience wherein he witnessed two well-dressed individuals who arrived in a high-end vehicle and obtained lunch from CCNN. While Commissioner Clark was observing the situation, one of the individuals shouted at him. Additionally, a CCNN staff member informed Commissioner Clark that the individuals regularly procured and criticized the food prepared by CCNN. Commissioner Clark mentioned he provided his business card to the CCNN lunch supervisor. He thanked Ms. Baxter for attending the meeting and presenting the information to the public. He thought CCNN would receive more donations and assistance if the public were aware of its services.

Chair Hill expressed gratitude for CCNN's volunteers and complimented them.

24-0008 **AGENDA ITEM 5** Announcements/Reports.

Commissioner Clark thanked everyone who made public comments. He asserted it was important for people to comment so the Board could better understand the needs and wants of the community. He recalled Mr. Pete Todoroff mentioned icy driving conditions. He wondered if there was a way for the County to help Mr. Todoroff and other veterans, so they would not have to walk across icy surfaces when going to appointments. He thought icy conditions created dangerous situations for drivers and pedestrians. He spoke about comments regarding death threats against employees of the Registrar of Voters (ROV) Office. He remarked the claims were elusive and requested documentation or other proof that the allegations were true. He remembered receiving messages from former employees who claimed they left the ROV Office because management treated them improperly. He noted many comments regarding the ROV, including that the ROV was elected in several other counties in Nevada. He suggested the Board change the ROV

Office from reporting to the County Manager to the County Clerk as it had in the past. He stated he had met Ms. Cari-Ann Burgess and said he liked her. He received an email from Mr. Larry Chesney, founder of *Picon Press*, who had positive things to say about Ms. Burgess. He claimed Mr. Chesney asked why the County directory was not on the County's website. He declared members of the public should be able to find staff contact information online. He requested an item be placed on a future agenda for the Board to vote on hosting the County directory on its website.

Commissioner Clark mentioned Mr. Matthew Wilkie's comment regarding the number of unhoused residents who passed away in 2023. He recalled attending the grand opening of the newest Cares Campus addition where he saw elected officials from the Cities of Sparks and Reno and Washoe County patting themselves on the back because homelessness was reported to have been reduced by 40 percent. He wanted to see the data used by the County to determine the number of people who moved out of the Cares Campus and were currently housed. He spoke about claims against County Manager Eric Brown and his wife and noted they were serious allegations. He declared everyone was innocent until proven guilty and requested an independent investigation be launched to look into the issue.

Commissioner Andriola expressed her disagreement with the invocation presenter. She asked for clarification on the legal requirements surrounding invocations. Assistant District Attorney (ADA) Nathan Edwards stated there was a trend throughout the Country where similar groups were signing up for local invocations. According to federal law, the County was not required to have invocations on the agenda; however, if it did place them on the agenda, it had to permit everyone who signed up to have a turn. Commissioner Andriola encouraged the entire faith-based community to contact the Office of the County Manager (OCM) to request to give an invocation during a Board of County Commissioners meeting.

Commissioner Clark stated the meeting's invocation was an example of unintended consequences. He believed in the separation of church and state. He noted Commissioner Andriola left the room during invocation while the rest of the Board stayed and listened. He remarked people messaged him asking why he remained at the dais during the invocation, to which he responded his faith was stronger than those words. He reiterated there were unintended consequences when asking for invocations during meetings.

Manager Brown informed that the County had hired Ms. Diane St. Jacques to fill the Assistant to the County Manager position. He said she came to the County with five years of experience at Truckee Meadows Community College (TMCC), where she was an Executive Assistant to the Dean of Liberal Arts. He welcomed Ms. St. Jacques and invited Commissioners to get to know her. He announced the current board and commission openings. He reminded the public that if they had applied for a Library Board of Trustees (LBT) position within the last year, their application was still valid, and they did not need to re-apply. He directed the public to contact Washoe 311 with questions regarding board openings. He stated people could obtain a copy of the County's employee directory by contacting Washoe 311.

Commissioner Garcia noted the Northern Nevada Public Health (NNPH) Board had two openings, one for a licensed professional engineer and one at-large position, which both closed on January 31, 2024.

Chair Hill remarked that there was a robust public comment period at the beginning of the meeting. She declared the Board would hear two more items before breaking for lunch. After lunch, the Board would hear the Consent Agenda, followed by the public hearing, and then the rest of the agenda items. She expressed appreciation towards the team that put together a mental health summit the previous week. She thought the event was an incredible convening of regional partners. She asserted the region was committed to addressing mental health care gaps in the community.

24-0009 **AGENDA ITEM 9** Presentation by DRI President Dr. Kumud Acharya on the impactful environmental science research being conducted in Nevada. (All Commission Districts.) FOR DISCUSSION ONLY

Desert Research Institute (DRI) President Dr. Kumud Acharya conducted a PowerPoint presentation and reviewed slides with the following titles: DRI; Nevada System of Higher Education; Who We Are; DRI; National Science Foundation Ranking; Private Drinking Water Wells; Microplastics; A Warming Planet; Predictive Wildfire & Smoke Models; Drought; The Nevada Water Resources Initiative; Western Regional Climate Center; Weather Modeling; ArkStorm 2.0 @ Sierra Front; OpenEt; Cloud Seeding; Archaeology; Life in Extreme Environments; Solar; EcoCELLs; Protecting National Park Scenery; DRI Nevada Robotics; K-12 Green Box Program; STEM Educator Professional Development; Undergraduate Research Immersion Internship Program; Supporting Students; Community Outreach and Engagement; Diversity of Funding Sources; Economic Impact & Return on State Investment; DRI Research Park; Thank You.

Dr. Acharya mentioned the DRI had been operating for over 60 years and accomplished beneficial work related to environmental impacts. He explained the DRI was one of eight institutions within the Nevada System of Higher Education (NSHE) and the only non-degree-granting institute within the NSHE. He specified that he reported to the NSHE Chancellor and the Nevada Board of Regents. The DRI's two main campuses were in Las Vegas and Reno. DRI consisted of over 600 scientists, engineers, students, and support staff. Dr. Acharya revealed the DRI employed over 150 Doctor of Philosophy (PhD) researchers across 40 disciplines. He informed the DRI was primarily funded by grants and contracts, for which DRI faculty wrote proposals for, and a small amount of funding from the State. He disclosed DRI scientists brought \$47 million annually into the State through research grants and contracts.

Dr. Acharya described how a majority of the DRI scientists' research pertained to human impact on the environment and the environment's impact on humans. He reported the DRI ranked among the top nine percent in the Country for geosciences overall. The majority of the DRI's work pertained to the field of geosciences. He stated that in the Country, the DRI ranked in the top six percent for atmospheric science and top three percent for geological and Earth sciences. He described a recent survey that was

conducted by DRI Associate Research Professor Dr. Monica Arienzo on water in over 170 personal wells in multiple counties in Northern Nevada. The survey revealed that, based on the guidelines set by the United States (US) Environmental Protection Agency (EPA), almost one-third of those wells had elevated concentrations of arsenic, and some had higher levels of uranium. Dr. Arienzo advised the households that possessed those water wells to install filtration systems to reduce those contaminants. Dr. Acharya noted the importance of the matter to everyone in attendance.

Dr. Acharya highlighted the growing environmental concern of microplastics, which could be found in such locations as the Alps, Lake Tahoe, and Lake Mead. He explained microplastics were typically released by larger macroplastics, and they could also be emitted from clothing materials, cosmetics, and detergents. He mentioned Dr. Arienzo and her research team were attempting to identify the source of the microplastics and ways to prevent them from contaminating water sources. Dr. Acharya revealed many microplastics were derived from dryer vents that entered the streets and were washed into the receiving water systems during heavy rainfall. He remarked on the significance of the topic on a global scale.

Dr. Acharya stated the DRI evaluated the impact of climate change on urban islands in such cities as Las Vegas, where a lot of construction occurred. He informed turf grasses were being discarded because of the drought, which resulted in the creation of heat islands that disproportionately impacted people. He mentioned Lake Mead's water levels were dropping rapidly due to the drought. He clarified the DRI was not a policy-making institute, so it did not develop policies; rather, it collected data for policymakers to refer to. Dr. Acharya reported on DRI research into the impact of wildfire on people, resources, and households. The DRI was developing predictive models to forecast wildfire paths based on such factors as environmental and wind conditions. He noted drought was a major topic. He added that the DRI was exploring ways to estimate evaporation from large bodies of water and the resulting impact on water deposits.

Dr. Acharya brought attention to the new program, Nevada Water Resources Initiative. The Nevada Department of Conservation and Natural Resources (DCNR) funded the DRI and the US Geological Survey (USGS) for the program. He explained that DRI scientists were working with the State engineers' office in assessing Nevada's groundwater system. He indicated there would be an improved understanding of the availability of groundwater and how best to manage it once the study was completed in approximately 40 years. He informed that sustainable management of the groundwater system was necessary to prevent water depletion.

Dr. Acharya spoke about the Western Regional Climate Center (WRCC), which was housed at the DRI and primarily funded by the National Oceanic and Atmospheric Administration (NOAA). He mentioned there were six climate centers in the Country. He explained the WRCC collected data for 11 states located in the western United States. The data was made available to policymakers, the states, and federal agencies.

Dr. Acharya referenced a photograph on the thirteenth slide illustrating an

atmospheric river. He stated DRI scientists were heavily involved in studying atmospheric rivers. He mentioned the City of Reno was familiar with atmospheric rivers because it experienced significant rain and snowfall. He said DRI scientists predicted events related to atmospheric rivers and the amount of water that particular atmospheric rivers would dispense in their corresponding regions. A map on the thirteenth slide was a drought monitor map co-authored by DRI for the purpose of conveying which parts of the Country were drought-stricken so appropriate actions could be considered.

Dr. Acharya provided details about the application (app) ARkStorm 2.0. He explained the USGS produced an app called ARkStorm 10 years prior. The app was developed to determine the impact on certain cities after experiencing a large amount of rainfall in a short period of time. He indicated the app was based on a major storm that occurred in 1861 and caused significant damage to California and Nevada. He described the storm as a once-in-200-year event. Dr. Acharya talked about a new project called OpenET, which was an app designed to examine evapotranspiration in fields based on satellite data. The app involved the collaborative efforts of the USGS, the Environmental Defense Fund (EDF), the National Aeronautics and Space Administration (NASA), and Google.

Dr. Acharya talked about one of the DRI's oldest programs, the Cloud Seeding Program, which commenced in the late 1960s. He explained the DRI used generators to seed clouds during winter months to increase precipitation by up to 15 percent. He believed the cloud seeders were placed in multiple locations including Nevada, Colorado, and Utah. The use of cloud seeders was based on local needs and funding acquired by the DRI. He mentioned the DRI was one of the pioneers of cloud seeding in the Country.

Dr. Acharya described the collaborative efforts of DRI anthropologists and archaeologists. The anthropologists' work consisted of understanding humans presently, whereas the archaeologists assessed the materials abandoned by past humans as well as how cultural and environmental conditions impacted their decision-making. He added that the DRI had more than 10 archaeologists who were studying artifacts. Dr. Acharya reported some DRI scientists were studying microbes and other organisms that lived in extreme environments in order to understand the difficulty of living in harsh conditions in the future.

Dr. Acharya mentioned the DRI generated nearly half of its electricity through solar power. He stated the DRI was heavily involved in solar research related to increasing the efficiency of solar programs. He referenced the twentieth slide featuring photographs of a climate control facility, Ecologically Controlled Enclosed Lysimeter Laboratories (EcoCELLs), located at the DRI campus in Reno. He indicated it allowed the DRI to replicate the climate conditions of any part of the world to perform agriculture-related research and develop agricultural innovations. Dr. Acharya reported that DRI scientists were monitoring the air quality of the US National Park Services (NPS) using a haze index (HI). The information gathered by the scientists was provided to planners so they could try to source control of that information.

Dr. Acharya spoke about the DRI's involvement with kindergarten through twelfth grade (K-12) science, technology, engineering, and mathematics (STEM) education. He brought attention to DRI's Nevada Robotics program, which introduced K-12 students to robotics and coding. He indicated the program was recently funded in part by Tesla, as well as many other agencies. He talked about the DRI green box educational program and described it as a self-contained teaching tool for K-12 schools. He mentioned there were over 150 different green boxes on 40 topics that could be provided to schools for free, as the program was completely funded by grants and contracts. Dr. Acharya indicated teachers could request green boxes from the DRI's website and be provided with the boxes and instructions on how to introduce a certain topic. He added that there was no need to pay for shipping to return the boxes. He noted the DRI offered a variety of educator training opportunities related to teaching science. He informed that the DRI offered the Undergraduate Research Immersion Internship program. The program aimed to introduce non-STEM community college students to science and provide them with an opportunity to work with DRI scientists. Dr. Acharya mentioned the program was three years old and popular. He indicated the DRI provided support to more than 50 students, a majority of those who attended the University of Nevada, Reno (UNR). He stated the DRI had students who assisted scientists with research. He divulged the DRI organized several kinds of community outreach events. The DRI's Science Distilled program was offered in Reno and featured scientists discussing science-related topics. He added that a similar program, which started during the previous year, was located at the Springs Preserve in Las Vegas.

Dr. Acharya reported the DRI received funding from various federal programs and private agencies nationwide. He said the DRI received funding from the State and highlighted that the DRI generated \$5.00 for every dollar awarded by the State. He mentioned the DRI's plan was to convert the 320 acres from its north campus in Reno into a technology park. He disclosed there was a separate board for the project. He clarified the DRI intended to lease its land to private investors for the construction of buildings so the technology companies could collocate with the DRI and generate a source of revenue for it.

Chair Hill believed the DRI was impressive and engaged in valuable work for the world.

Commissioner Clark recalled having received an email from an individual associated with the DRI about a previous comment of his, and he invited the individual to have coffee with him. During a discussion with another person affiliated with the DRI, it was revealed that the DRI had yet to present at a Board of County Commissioners (BCC) meeting. Commissioner Clark thought it was important for the County to observe the DRI's efforts. He pointed out many people drove by the DRI sign without being aware of the services it provided. He noted the western states relied on the DRI for scientific data, grant funding, and research. He complimented the DRI. He believed the County should draw attention to the DRI and help them in any possible way. Commissioner Clark supported adding the drought monitor maps generated by the DRI to the County's website so people could view the DRI's work. He suggested a partnership between the County and the DRI

so the County could notify residents about the DRI's efforts. He expressed gratitude toward Dr. Acharya for his presentation and his work.

Dr. Acharya invited the Commissioners to visit the DRI and offered them a tour of the facility.

Commissioner Garcia congratulated Dr. Acharya for the DRI's National Science Foundation (NSF) ranking and complimented DRI's outreach efforts. She referenced a portion of Dr. Acharya's presentation regarding human impact on the environment and the environmental impact on humans. She asked if there were pillars that the DRI prioritized. She inquired about whether projects were dependent on grant funding. Dr. Acharya informed the DRI primarily had three research divisions; atmospheric science, hydraulic science, and Earth and ecosystem science, which were related to the pillars of air, water, and earth. He indicated that fire was added as the fourth pillar once it became a major problem. He said the DRI was leading a \$20 million NSF project on wildfires involving UNR and the University of Las Vegas (UNLV). He noted people's actions affected human beings. He stated the DRI was recognized for its expertise in the areas of geoscience, hydrology, and atmospheric science, and he noted the DRI had several experts in those areas. He added that, depending on the available opportunities, the DRI could expand its areas of research. Commissioner Garcia thanked Dr. Acharya for the inclusion of fire and people in the DRI's field of research.

Vice Chair Herman thanked Dr. Acharya and commented that the DRI was responsible for providing valuable information to the Nevada Association of Counties (NACO) public lands for many years. She said she had a soft spot for the helpful information provided.

Chair Hill looked forward to collaborating with the DRI on fire-related research because of its significant impact on much of the community. She mentioned the DRI was expected to organize public events pertaining to fire.

PROCLAMATION

24-0010 **10A1** Proclaim the week of January 21- 27, 2024, as National Coroner/Medicolegal Death Investigation Professionals Recognition Week.
FOR POSSIBLE ACTION

Commissioner Clark read the proclamation.

Chief Medical Examiner and Coroner Dr. Laura Knight thanked the Board for recognizing the hardworking staff of the Medical Examiner's (ME) Office who did incredible work and dealt with death daily. She thanked her colleagues in law enforcement and other first responders.

Chair Hill thanked the ME's Office for its incredible work and dedication to the community.

There was no response to the call for public comment.

On motion by Commissioner Clark, seconded by Commissioner Andriola, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 10A1 be adopted.

1:30 p.m. The Board recessed to a closed session for the purpose of discussing negotiations with Employee Organizations per NRS 288.220.

23-0011 **AGENDA ITEM 17** Possible Closed Session for the purpose of discussing labor negotiations with Washoe County and/or Truckee Meadows Fire Protection District per NRS 288.220. FOR POSSIBLE ACTION

2:30 p.m. The Board reconvened with all members present.

DONATIONS

24-0012 **11A1** Recommendation to acknowledge retroactively various one-time gift card donations at a value of [\$3,960.00] from the Washoe Court Appointed Special Advocates (CASA) Foundation accepted by the Second Judicial District Court, Court Appointed Special Advocates (CASA) Program. District Court. (All Commission Districts.) FOR POSSIBLE ACTION

24-0013 **11A2** Recommendation to acknowledge a donation of [\$200.00] retroactive to October 2, 2023, from Patrick M. Kealy to fund the ongoing operations of the Washoe County Law Library and direct the Comptroller's Office to make the necessary budget amendments. District Court. (All Commission Districts.) FOR POSSIBLE ACTION

24-0014 **11A3** Acknowledge retroactively a one-time cash donation at a value of [\$100.00] from Susan J. Krump accepted by the Second Judicial District Court, CASA Program, and direct the Comptroller's Office to make the necessary budget amendments. District Court. (All Commission Districts.) FOR POSSIBLE ACTION

24-0015 **11B1** Accept a donation of 73 Narcan Kits to treat and prevent possible opioid overdoses by community members served by the Washoe County Department of Juvenile Services [estimated value \$3,285] donated by Quest Counseling and Consulting Inc. Juvenile Services. (All Commission Districts.) FOR POSSIBLE ACTION

24-0016 **11C1** Recommendation to accept a one-time cash donation of [\$2,182.00] from multiple private citizens during a car show fundraiser to the Washoe County Sheriff's Office Honor Guard. To be used for equipment and travel expenses. Sheriff. (All Commission Districts.) FOR POSSIBLE ACTION

24-0017 **11C2** Recommendation to accept a donation of [\$500.00] from the Reno

Air Racing Association, Inc., dba: National Championship Air Races to the Washoe County Sheriff's Office for the Citizen Corps Program (CCP), including but not limited to the purchase of food and beverages to be used in emergency response, training, drills, support events or rehab during disasters, and, if approved, authorize Comptroller's Office to make appropriate budget amendments. Sheriff. (All Commission Districts.) FOR POSSIBLE ACTION

There was no response to the call for public comment.

On motion by Commissioner Garcia, seconded by Commissioner Andriola, which motion duly carried on a 5-0 vote, it was ordered that Agenda Items 11A1 through 11C2 be accepted.

CONSENT AGENDA ITEMS – 12A1 THROUGH 12J1

24-0018 **12A1** Recommendation that the Board of County Commissioners approve and authorize the Chair to execute the attached resolution establishing the Opioid Settlement Fund pursuant to the One Nevada Agreement as a Special Revenue Fund for the purpose of accounting for the distribution of all monetary recovery from the defendants to Washoe County. Comptroller. (All Commission Districts.) FOR POSSIBLE ACTION

24-0019 **12A2** Information and acknowledgement by the Board of County Commissioners of contracts and purchases that have exceeded or are expected to exceed [\$300,000.00] that may include services and supplies for all County departments. For this quarterly report, there are no vendor purchases in the aggregate amount of known expenditures that will exceed the \$300,000 reporting threshold that have not previously been acknowledged by the Board. Comptroller. (All Commission Districts.) FOR POSSIBLE ACTION

24-0020 **12B1** Recommendation to accept a National Children's Alliance Grant (NCA) Chapter Grant to the to the District Attorney's Office acting as the fiscal agent of the Children's Advocacy Centers of Nevada in the amount of [\$112,446, no match] from the U.S. Department of Justice through the National Children's Alliance to fund chapter activities; retroactive from January 1, 2023 through December 31, 2023, if approved, direct the Comptroller to make the necessary budget amendments, and retroactively authorize the District Attorney or his designee to sign the cooperative agreement. District Attorney. (All Commission Districts.) FOR POSSIBLE ACTION

24-0021 **12C1** Recommendation that the Board of County Commissioners review and acknowledge receipt of the Washoe County Law Library Annual Report

2023. District Court. (All Commission Districts.) FOR POSSIBLE ACTION

24-0022 **12D1** Authorize the County Manager to designate one or more employees to be responsible for developing and biennially updating a language access plan for the County pursuant to Nevada Assembly Bill 266. Human Resources and Manager's Office. (All Commission Districts.) FOR POSSIBLE ACTION

24-0023 **12E1** Recommendation to accept the SilverSummit Community Improvement funding in the amount of [\$75,000.00, \$50,532.00 county match] retroactive for the period of January 1, 2024 to December 31, 2024, to include authorizing the creation of a one (1) FTE Homeless Services Case Manager in the Housing & Homeless Services Division of the Human Services Agency, effective and contingent on Job Evaluation Committee (JEC) review and approval, with the recognition that if grant funding is reduced or eliminated, the position hours will be reduced and/or the position will be abolished accordingly unless additional funding is secured; and if approved authorize the Director of Human Services Agency to execute the award and related documents; direct the Human Resources Department to make the necessary staffing adjustments as evaluated by the Job Evaluation Committee (JEC), and direct the Comptroller's Office to make the necessary budget amendments and net zero budget adjustment. Human Services Agency. (All Commission Districts.) FOR POSSIBLE ACTION

24-0024 **12F1** Recommendation to accept the Locals Foods in Schools Grant from the Nevada Department of Agriculture for the retroactive period of 9/25/23 - 6/30/24 for the purchase of local, regional or Nevada grown produce for use at the Wittenberg Hall Detention Facility National School Lunch and Breakfast program in the amount of [\$10,182.61 no county match]; authorize the Director of Juvenile Services to execute the grant award document retroactively; and direct the Comptroller's Office to make necessary budget amendments. Juvenile Services. (All Commission Districts.) FOR POSSIBLE ACTION

24-0025 **12G1** Recommendation to approve, pursuant to NRS 244.1505, Commission District Special Fund disbursement in the amount of [\$30,000.00] for Fiscal Year 2023-2024; District 5 Commissioner Jeanne Herman recommends a [\$20,000.00] grant to Washoe County Community Services Department -- a government entity -- to provide reimbursement for the Roads Department's reconstruction of, and various improvements to, Dugway Road; and a [\$10,000.00] grant to Safe Embrace -- a nonprofit organization created for religious, charitable, or educational purposes -- to support stabilization and relocation services for victims of domestic violence; approve Resolutions necessary for same; and direct the Comptroller's Office to make the necessary disbursement of net zero cross

fund and/or cross function budget appropriation transfers and disbursement of funds. Manager's Office. (Commission District 5.) FOR POSSIBLE ACTION

24-0026 **12G2** Recommendation to approve a FFY23 Department of Homeland Security (DHS) grant passed through the State Homeland Security Program (SHSP) from the State of Nevada, Division of Emergency Management (NDEM) awarding [\$89,183.67, no County match required], for upgrades and sustainment to the existing Northern Nevada Radio Cache. Grant term is retroactive from October 1, 2023 to September 30, 2025; If approved, authorize the County Manager or his designee to sign the grant award documents when received; and direct the Comptroller's Office to make the necessary budget amendments. Manager's Office. (All Commission Districts.) FOR POSSIBLE ACTION

24-0027 **12H1** Recommendation to accept the Status Report of Commissary Fund set up per NRS 211.360 to be utilized for the welfare and benefit of the inmates for items such as counseling, chaplaincy services, vocational training, and certifications programs for inmates in the jail, submitted by the Washoe County Sheriff's Office Commissary Committee for Third Quarter for Fiscal Year 2023. Sheriff. (All Commission Districts.) FOR POSSIBLE ACTION

24-0028 **12I1** Recommendation to accept Treasurer's status report for the period ending December 31, 2023, of payment of refunds and interest since last update in the amount of \$1,324.17 on certain property tax overpayments for residential properties at Incline Village/Crystal Bay, in compliance with the October 21, 2019 Order issued by the District Court in Village League to Save Incline Assets, Inc., et.al. vs. State of Nevada, et.al., Case No. CV03-06922, as modified and clarified by the settlement agreement regarding the processing of refunds. Treasurer. (All Commission Districts.) FOR POSSIBLE ACTION

24-0029 **12J1** Recommendation that the Washoe County Board of Commissioners acknowledge receipt of the updated Registrar of Voters selection of the Early Voting locations and schedule for the 2024 Presidential Preference Primary Election, to include the Spanish Springs Library at 7100 A Pyramid Lane Hwy in Sparks and Sparks Library at 1125 12th St. Sparks as required by NRS 293.3561(2)(b). Voters. (All Commission Districts.) FOR POSSIBLE ACTION

Commissioner Clark requested to remove Agenda Item 12J2 from the Consent Agenda and Vice Chair Herman echoed the request.

Chair Hill confirmed the removal of Agenda Item 12J2 from the Consent Agenda to allow for further discussion.

Chair Hill commended Vice Chair Herman for her donations to the community through Agenda Item 12G1.

On the call for public comment, Mr. Michael Lamb was not present when called to speak.

Mr. Robert Beadles requested to speak on 12J2.

Ms. Penny Brock spoke about Item 12A2, which approved contracts and services exceeding \$300,000. She wondered how the Board knew what exactly was being approved. She pointed out that according to Nevada Revised Statutes (NRS), any item over \$100,000 was to go before the Board of County Commissioners (BCC). She asserted Item 12A2 was being paid with taxpayer money and the Board should be more concerned with how money was being spent. She mentioned Item 12J1 and the Presidential Preference Primary (PPP). She declared presidential candidates had historically been selected through a caucus vote. She spoke about the costs associated with holding the PPP, including \$124,000 for 80 new mail drop boxes, which she opined would cause the County to lose chain of custody of ballots. She recalled her previous comment claiming that the eyes of the nation would be on Washoe County during the upcoming election.

Ms. Chris Garvey requested to speak on 12J2.

Ms. Janet Butcher declared the Staff Report for Item 12J1 indicated this would be the first PPP in Nevada, replacing the caucus election of delegates. She asserted that the Republican Party would not recognize any votes from the PPP, as it would still hold a caucus. She said the caucus utilized paper ballots, required voters to provide identification, and tallied votes using hand-counting methods. She pointed out there would be no ballot tracking for the PPP, which she did not trust. She spoke about the costs associated with the PPP and thought the Board could save a lot of money by listening to the concerns of the constituents regarding elections.

Ms. Val White was not present when called to speak.

Ms. Renee Rezendes recalled mentioning several issues she observed as a poll worker to County Manager Eric Brown. She did not think Manager Brown addressed any of the concerns she raised. She alleged she was mistreated when she questioned practices occurring in the processing room. Chair Hill interjected to ensure Ms. Rezendes was discussing Agenda Item 12J1, and Ms. Rezendes confirmed she was. She declared that during the last election cycle, she was the only observer present at the end of the night, at which time, she asked that security escort her to her car as it was late. She remarked after security walked all other Registrar of Voters (ROV) employees to their vehicles, former ROV Jamie Rodriguez would not permit security to walk Ms. Rezendes to her car. She did not think there was any reason for that. She asserted she would sit down with anyone who was interested to explain the things she saw as a poll observer.

Ms. Debbie Sauk spoke about Agenda Item 12A1. She read from the Staff

Report, noting the opioid settlement fund would be managed by the Office of the County Manager (OCM). She thought the account should be managed by the Human Services Agency (HSA) because the OCM did not have anything to do with the opioid settlement. She noted 12B1 was retroactive by more than one year. She thought the Board should have known about the item sooner. She pointed out the Staff Report was dated May 15, 2023, and wondered why it had taken so long to go before the Board.

Ms. Valerie Fiannaca requested to speak on 12J2.

Mr. Bill Neill requested to speak on 12J2.

Ms. Betty Thiessen requested to speak on 12J2.

County Clerk Jan Galassini advised the Board she received one emailed public comment, which was placed on file.

On motion by Commissioner Andriola, seconded by Commissioner Garcia, which motion duly carried on a 4-1 vote, with Commissioner Clark voting no, it was ordered that Consent Agenda Items 12A1 through 12J1 be approved. Any and all Resolutions or Interlocal Agreements pertinent to Consent Agenda Items 12A1 through 12J1 are attached hereto and made a part of the minutes thereof.

24-0030 **12J2** Recommendation to accept the resignation of Jamie Rodriguez, Registrar of Voters, effective March 15, 2024; to accept the County Manager's recommendation to appoint Deputy Registrar of Voters, Cari-Ann Burgess, to temporarily perform the duties of the Registrar of Voters pursuant to NRS 245.180 in the absence of Ms. Rodriguez, effective January 16, 2024; to accept the County Manager's recommendation to appoint Deputy Registrar of Voters, Cari-Ann Burgess, to the position of Interim Registrar of Voters effective March 16, 2024; and, if approved, to direct the Washoe County Clerk within 10 days of March 15, 2024, to certify the vacancy and new appointment of an Interim Registrar of Voters to the Secretary of State's Office. This appointment is pursuant to NRS 244.164 and/or 245.180 and, if approved, will remain effective until either resignation by the appointee or an appointment by the Board of a Registrar on a non-interim basis. While temporarily carrying out the duties of the Registrar of Voters until March 16, 2024, and while serving in an interim capacity, the appointee shall be vested with the same authority to carry out the powers and duties of a Registrar appointed on a non-interim basis. Voters. (All Commission Districts.) FOR POSSIBLE ACTION

Commissioner Clark recalled a public comment that claimed the Registrar of Voters (ROV) position was still open for applications and asked if that was true. County Manager Eric Brown explained the position listed on the County's website was for a Deputy ROV position. He thought the County's current Deputy ROV, Ms. Cari-Ann Burgess was capable of handling the Presidential Preference Primary (PPP) as she was

working closely with the Secretary of State's (SOS) Office, County consultants, and other department heads. He opined she deserved a chance to execute the PPP before the County made a final decision on who should fill the ROV position permanently.

Commissioner Clark asked if there was anything that would prevent Ms. Burgess from fulfilling the duties of the ROV as a Deputy ROV, and if the item needed to be voted on immediately. Manager Brown declared that many of the County's vendors, the SOS, and other outside parties preferred to work with a ROV. Commissioner Clark wondered why Ms. Burgess could not interact with those parties as the Deputy ROV. Manager Brown stated the staff in the ROV Office were new due to recent turnovers. He thought it was essential to establish clear leadership, especially with the hiring of an additional Deputy ROV. Commissioner Clark said that as the Deputy ROV, Ms. Burgess's current title should signal her status to the department. Manager Brown reminded Commissioner Clark the County was currently hiring an additional Deputy ROV.

Commissioner Clark wondered if Manager Brown knew former ROV Jamie Rodriguez intended to resign during his annual review with the Board. Manager Brown replied that Ms. Rodriguez was still the ROV during his annual review. Commissioner Clark reported that many of his constituents told him they had a hard time getting in contact with the ROV. He remarked he called the District Attorney's (DA) Office to inquire about Ms. Rodriguez's employment status and did not receive an answer. He spoke about documents submitted by Vice Chair Herman and asked for confirmation from Assistant District Attorney (ADA) Nathan Edwards that the content had been reviewed and the documents were not illegal for the Board to vote on. ADA Edwards thought Commissioner Clark's question was off the topic of the agenda item under discussion. Commissioner Clark declared it was a question that had to do with the ROV Office. ADA Edwards confirmed Commissioner Clark was discussing Vice Chair Herman's proposed election integrity resolution and stated the DA's Office had provided an opinion on the resolution. Commissioner Clark asked what the opinion was. ADA Edwards responded that the question was outside the scope of the item.

Chair Hill asked if the Board was required to accept the resignation of Ms. Rodriguez. Manager Brown responded that the Board needed to accept the resignation and designate an interim ROV. Chair Hill declared the County would not want a Deputy ROV operating as the ROV without being properly compensated for the additional work.

Vice Chair Herman wondered if Ms. Rodriguez was still employed by Washoe County. Manager Brown explained that Ms. Rodriguez had leave that extended until March 15, 2024. Vice Chair Herman asked if that meant she was still officially the ROV. Manager Brown stated Ms. Rodriguez would remain the ROV until the Board took action to establish an interim ROV. Vice Chair Herman wanted to continue the item until she was able to obtain more information. She said Ms. Burgess had not worked for the County or lived in the area for long. She remarked she met with Ms. Burgess and was concerned about Ms. Burgess's excitement regarding Dominion voting technology. She said she would not vote on this item until she obtained more information about Ms. Burgess.

Commissioner Andriola asserted the item was to acknowledge the resignation of Ms. Rodriguez and appoint an interim ROV. She emphasized this item would make Ms. Burgess the interim ROV, not the permanent ROV. She inquired about a timeline to hire a permanent replacement for the ROV. Manager Brown thought the County would open recruitment for the permanent replacement at the beginning of March after the PPP was completed. Commissioner Andriola noted Ms. Burgess would not automatically become the permanent ROV by serving as the interim.

ADA Edwards explained that since the current ROV was on leave until March 15, there was no one to carry out the duties of the ROV. Therefore, this item was to appoint a temporary ROV until March 16. After March 16, the Board could appoint an interim ROV until the position was permanently filled. He declared both of those appointments could be undone by the BCC at any time. He stated someone needed to be temporarily appointed to the position, so the County had a member of staff with authority from the BCC to carry out the duties of the ROV while the current ROV was on leave.

Vice Chair Herman claimed there was not an ROV during the 2022 election. She thought the Deputy ROV at the time stayed in their position but was not appointed to interim ROV after the resignation of the former ROV. She did not think it was necessary to appoint an interim ROV. Manager Brown recalled the Board appointed Ms. Rodriguez as interim ROV in that scenario following the resignation of Ms. Deanna Spikula. Chair Hill confirmed she remembered Ms. Rodriguez being appointed as interim ROV as well.

On the call for public comment, Mr. Robert Beadles wondered if Ms. Burgess was qualified to serve as interim ROV. He asked if the Board had seen her resume. He alleged Manager Brown wanted someone with little experience to fill the position. He spoke about a lobbyist ordinance previously signed by the Board and speculated there were lobbyists present in Chambers. He declared people wanted a competent, transparent election process administered by someone who was qualified to do the work. He thought Ms. Tracey Hilton-Thomas had the necessary experience to serve as the ROV. He wanted to know what made Manager Brown qualified to run elections considering he was not an elections official. He reiterated his request for the Board to appoint Ms. Hilton-Thomas as the ROV.

Ms. Chris Garvey thanked Commissioner Clark for pulling this item off the Consent Agenda. She asserted people wanted to have confidence in the election process. She wanted the Board to make a good choice when it came to the ROV. She thought this item was too important to rush into. She expressed the desire for fair and true elections which she opined the Board was responsible for.

Mr. Cliff Nellis was not present when called to speak.

Mr. Scott Finley read a document that was distributed to the Board and placed on file with the Clerk. Chair Hill asked if Mr. Finley's inquiries regarding Ms. Burgess's properties were appropriate. ADA Edwards thought it was germane for Mr. Finley to make those comments.

Ms. Penny Brock opined elections were a tangled web that kept getting thicker. She spoke about Strategy Rose, LLC, claiming the company did not have a website. She wondered if Ms. Burgess had anything to do with that company. She was interested to see how the PPP turned out. She asked about the amount of leave Ms. Rodriguez accumulated and did not believe County employees were allotted as much time off as Ms. Rodriguez was taking. She thought Ms. Burgess should remain the Deputy ROV because it was normal for deputies to step in if the main person was unavailable.

Ms. Debbie Sauk asked why the County had not opened the recruitment process for a permanent ROV. If Ms. Rodriguez's resignation was not effective until March 15, she thought the County had plenty of time to hire a new ROV. She recalled Chair Hill mentioning that Ms. Burgess's salary would be adjusted if she became interim ROV. She pointed out that the County would be paying two people for the same position until Ms. Rodriguez's leave ran out on March 15. She did not think that was fiscally responsible and encouraged the Board to vote no on this item.

Ms. Valerie Fiannaca agreed with the Board's acceptance of Ms. Rodriguez's resignation. She did not think Ms. Burgess met the necessary requirements to serve as interim ROV. She speculated the Board could restore the people's faith in elections by implementing paper ballots and hand-counting methods. She recalled receiving a phone call from a candidate who asked her why she was classified as a soft Republican. Ms. Fiannaca checked her voter registration which indicated she had only been registered in Washoe County since 2023, which she declared was untrue as she had been a registered voter in Washoe County since 1978. She asserted she was not a soft Republican. She claimed if the County could not get the voter rolls straight, people could not trust the ROV Office.

Ms. Janet Butcher thought the County had a problem hiring qualified people who would stay in a job. In the last three elections, the ROV Office had completely turned over. She claimed Manager Brown misinformed the County when Ms. Rodriguez was appointed as the ROV because he stated no other qualified applicants applied for the position. She opined Ms. Burgess was not qualified to serve as interim ROV. She asserted the County needed to hire someone with more election knowledge.

Ms. Susan Van Ness believed Ms. Burgess's resume should have been attached to the agenda. She asked if the Board had read Ms. Burgess's resume. She spoke about Ms. Burgess's qualifications which she gleaned from a news interview and Ms. Burgess's LinkedIn account. She reiterated her request to view Ms. Burgess's resume.

Ms. Renee Rezendes speculated that the County did not want a qualified person to serve as the ROV. She did not think Ms. Burgess would do a good job. She declared Ms. Hilton-Thomas was an honest person who could fill the position. She claimed Manager Brown wanted to hire someone he could control. She opined Manager Brown should be removed from his position because he was destroying the County with the decisions he made.

Ms. Betty Thiessen opposed the appointment of Ms. Burgess as interim ROV until people could see her resume to know what her background was.

Commissioner Clark spoke about Ms. Rezendes's comments. He wondered why elections had observers if they were going to be removed for calling attention to issues they witnessed. He thought election observers should be allowed to share their concerns with the ROV.

Commissioner Andriola clarified that the hiring process Ms. Burgess went through was the same process that the County had for any position, which Manager Brown confirmed. Commissioner Andriola noted she spoke with the SOS and was informed that the ROV had direct access to the SOS Office. She declared the SOS was committed to providing necessary resources, oversight, and compliance assurance to ensure the public their votes would be counted correctly. She wanted to confirm that the interim ROV would be in constant communication with Manager Brown and the SOS regarding the election process, which would guarantee third-party oversight to ensure election compliance. Manager Brown responded yes.

Commissioner Garcia thanked everyone who came to express their questions and concerns. She declared the Board cared about the election process. She felt a sense of urgency to approve this item as there were only 21 days until the PPP, and she wanted to move forward with a motion.

On motion by Commissioner Garcia, seconded by Chair Hill, which motion duly carried on a 3-2 vote, with Vice Chair Herman and Commissioner Clark voting no, it was ordered that Agenda Item 12J2 be accepted and directed.

24-0031 **AGENDA ITEM 21** Public hearing: Pro Pony, LLC's appeal of the Washoe County Board of Adjustment's failure to approve Special Use Permit Case Number WSUP23-0029 and opposing neighbor Jill Brandin's appeal, filed to preserve her right to judicial review. Pro Pony, LLC requests approval of a special use permit to bring an existing legal non-conforming commercial stable to board 35 horses into conformance with Washoe County Code and to allow for the construction of a 13,500 SF indoor riding arena structure. Pro Pony, LLC is also requesting modifications to remove the requirement for paved parking surfaces to allow non-paved surfaces (110.410.25(e)) and to waive landscape standards for commercial uses (110.412.40(a-d)). The applicant and property owner is Pro Pony, LLC. The address is 3400 Holcomb Ranch Lane (Silver Circle Ranch) in Reno. The Assessor's Parcel Number is 040-670-12. The Board of County Commissioners shall consider the appeal based on the record and any testimony and materials submitted at the public hearing. The Board of County Commissioners may approve or deny the special use permit. Community Services. (Commission District 2.) FOR POSSIBLE ACTION

Chair Hill asked if there were any disclosures from Commissioners

regarding the item. Commissioner Andriola asked for everyone's patience and stated she had a disclosure. She summarized that she received an advisory opinion from the Nevada Ethics Commission (NEC) pursuant to Nevada Revised Statutes (NRS) 281A.620 and related provisions concerning any duties to disclose associations, recuse herself from participation in the item, or both. She deemed it appropriate to exercise extreme caution in order to maintain transparency and comply with her obligations. She stated the NEC opinion was rendered because of her personal acquaintanceship with Dr. Bruce Witmer and Ms. Landess Witmer, who were the principal owners involved in the Silver Circle Ranch and Pro Pony, LLC (Pro Pony) application for a special use permit (SUP) to operate an enclosed equestrian center as provided in the agenda. Commissioner Andriola disclosed she was personal friends with the Witmer family for around four years, and during that friendship, she had ridden horses with them at their property known as Shadowood Farm in Washoe County. She said she also participated in rodeo events with them, including the annual Reno Rodeo Cattle Drive. Prior to becoming a County Commissioner, she participated with the Witmers in efforts to get the Pro Pony project approved by advocating at the Board of Adjustment (BOA) and with individuals who were serving as County Commissioners at that time, prior to the Board of County Commissioners (BCC) hearing of the matter. She noted she was not paid for any of her advocacy, did not board any horses at Silver Circle, and had never ridden at Silver Circle. Regarding involvement already disclosed, she informed the last activity was approximately May 2022, which was nearly a year prior to her BCC appointment. She reported the NEC reached the conclusion that she had no duty to disclose any of these activities or recuse herself from participating in the discussion or vote. She advised despite this conclusion they did recommend that she make a disclosure in the interest of transparency. She acknowledged she was bound by the opinion pursuant to NRS 281A.680 and she waived confidentiality of the opinion itself for those same reasons.

Chair Hill welcomed additional disclosures from Commissioners and there were none. She asked Assistant District Attorney (ADA) Nathan Edwards to explain the duties of the Board regarding the appeal. ADA Edwards responded that two appeals were filed, which were legally referred to as an appeal and a cross-appeal. He said the applicant, Pro Pony, filed an appeal of the technical denial of their SUP application. Additionally, the opposing neighbor, Ms. Jill Brandin, filed a cross-appeal based on NRS 278.3195, primarily to preserve the ability to file a petition for judicial review if she was aggrieved by the outcome of the hearing. He added that the BCC would sometimes address the question of standing in similar situations, and the determination of standing would affect the length of time allotted for presentations from each party. He referenced the legal definition of aggrievement found in the Staff Report for the item, and reported the definition informed determination of standing, which he stipulated went beyond dissatisfaction. He stated the applicant definitely had standing due to the denial of their application, but the determination of standing for the neighbor was a different question. He clarified that he was not taking a position on the question but restated that whether or not the neighbor had standing to appeal under Washoe County Code (WCC) and whether the neighbor satisfied the requirement in NRS 278.3195 that an appeal be filed in order to preserve judicial review were two different questions. He explained the BCC was not deciding whether Ms. Brandin would or would not have the ability to file for judicial review

even if it was determined she did not have standing to file the appeal in this case. He said that would be a question the court would potentially resolve but it was not in front of the BCC that day.

ADA Edwards summarized there were three questions for the BCC to answer. The first two were questions of substantial evidence with respect to the SUP application and whether to approve or deny it. He advised substantial evidence, as defined by the Nevada Supreme Court, referred to facts in the record that a reasonable mind would accept as adequate to support a conclusion. He informed if there was substantial evidence in the record to support the decision of the BCC, they were free to make that decision as a Board even if there was also substantial evidence to support the opposite decision. He explained the reason the courts allowed that was because the courts did not prefer to make themselves a last resort stand-in for the BCC or to insert themselves into land use decisions only to determine whether or not there was an adequate basis for the BCC to make whatever decision they made. He instructed the other question to answer was whether or not the neighbor had standing as defined by the Nevada Supreme Court. Chair Hill asked whether the neighbor would be able to speak for ten minutes after the applicant. ADA Edwards replied there was no question of whether Ms. Brandin would be able to speak, but the determination of whether she could speak for three minutes like any public commenter, or for ten minutes as an appellant was up to the Board. He said if the BCC found she did not have standing, then she would just have three minutes. He reminded Commissioners that was not determinative of whether or not she would be able to seek judicial review under NRS 278.3195. Chair Hill asked if a motion establishing standing was needed, or if it was sufficient to come to an informal consensus. ADA Edwards deemed discussion adequate, and that a motion was at the discretion of the Chair. He observed the appeal filed by each was agendized, and part of the appeal was standing. Chair Hill stated her opinion that the neighbor had standing. She wanted to ensure that was explained to the Board and that there was consensus as part of the record to allow the opposing neighbor, Ms. Brandin, to speak for up to ten minutes. Chair Hill invited the opinion of other Commissioners. Vice Chair Herman wondered whether allowing one neighbor to speak for ten minutes would result in questions from other neighbors who wanted that same allowance. Chair Hill sought guidance from ADA Edwards, who responded that because other neighbors had not filed appeals, only the appellant neighbor, Jill Brandin, would be given extra time to speak that day.

Chair Hill opened the public hearing.

Commissioner Clark stated he did not believe the neighbor had standing and wanted that on the record. Vice Chair Herman said she felt the same way. ADA Edwards reiterated that a motion was a possibility and, after careful consideration, recommended that because of the lack of consensus, the Chair should make a determination of standing based on what she knew and had heard, then move on to the substantive portion of the public hearing. Chair Hill thought the neighbor should be allowed ten minutes in front of the Board that day to make her case, regardless of other legal avenues she might pursue after the meeting. Commissioner Andriola questioned whether those actions amounted to the BCC taking an official position on standing, which she understood was not a

requirement. ADA Edwards explained the Chair determined the length of time allowed for the appellant, but it did not constitute a position on standing one way or the other from the BCC. He confirmed no legal vote on standing had been taken, and none was required. Chair Hill outlined the procedure to follow, which was staff presentation, ten minutes for the appellant, ten minutes for the neighbor, public comment, additional Commissioner discussion, and the vote.

Washoe County Planner Julee Olander conducted a PowerPoint presentation and reviewed slides with the following titles: Appeal: WSUP23-0029 Silver Circle Ranch; Request; BOA History; untitled site location map; Background; Evaluation; Site Plan; Elevations; Proposed Indoor Arena from Road; Operations; Parking; Traffic; Landscape Modifications; Community Input; Noticing; Recommendation & Possible Motion; Thank You.

Ms. Olander established that the appeal in front of the Board that day was from Silver Circle Ranch for commercial stables for 35 horses and for a 13,500 square foot indoor riding arena. She added the applicant also included a request to remove the requirement for paved parking surfaces and to vary the landscaping requirements for commercial properties adjacent to residential properties. She noted those were typical requests on equestrian properties. She provided some background, including the 2-2 vote of the BOA on November 2, 2023, and their inability to approve or deny the request. She reviewed the two appellants: the applicant and a neighboring property owner. She advised the property was located off Holcomb Ranch Lane, near the intersection with Lakeside Drive. She informed the subject parcel had been a horse boarding facility with stables and riding arenas on the property since the early 1970s. She reported the site had a current business license to board up to 35 horses, and the current business license was obtained before the commercial stables use type SUP requirement was in place. She commented approval of the SUP application would bring the commercial stable into conformance with current Code and would allow for construction of the indoor arena.

Ms. Olander explained there were two existing outdoor arenas, and the proposed 13,500 square foot steel indoor riding arena was planned to be in the same location as the existing outdoor arena closest to Holcomb Ranch Lane. She said the indoor arena would only be used for horse riding, training, and the storage of horse equipment. She was informed the applicant had found it difficult to offer riding throughout the year with the varied weather conditions locally, and the indoor arena would allow riding year-round. She described the arena was to be located at the lowest area of the site to minimize visual impacts. She specified the locations of various existing structures on the property as shown on the Site Plan slide, and stated the planned height of the indoor arena was 29 feet, less than the maximum allowed height at that location, which was 35 feet. She showed a rendering provided by the applicant of the proposed indoor arena as it would look from the road.

Ms. Olander communicated that the hours of operation would be 7 a.m. to 9 p.m. with riding lessons for one to five students for 30 minutes to an hour. She added there would also be up to four clinics for the trainer's students. She advised temporary

special event licenses would be required for any horse shows. She said a total of nine parking spaces were required, including five employee spaces, and reported there was sufficient parking on the site, including space for trailer turnaround. She noted there was one paved parking space that conformed to Americans with Disabilities Act (ADA) requirements. She reiterated that the applicant was requesting a waiver of any other paving on the site. She said staff supported that request, for the safety of the horses and riders. She related there were two entrances, one that led to the stables and barn and another that led to the pasture and riding arena. Due to the low volume of traffic generated at the site, she explained no traffic impact report study was required. She reviewed the landscaping modifications requested and noted that the property was in a very rural area where the buildings were not adjacent to any residential uses. She informed the applicant had planted approximately 20 fast-growing trees near the proposed indoor arena.

Ms. Olander summarized a neighborhood meeting that was held at the ranch on August 3, 2023, which 80-100 people attended. She said there were attendees both in support of and opposed to the proposal. She recounted the supporter perspectives as a desire for more boarding facilities and indoor riding arenas, the need to preserve and protect equestrian facilities and activities, the need to maintain and preserve the historic Silver Circle Ranch as a community asset, the opinion that the facility was safe and well maintained, support for horseback riding as a health sport and good for children, and a preference to preserve the rural western environment without the addition of more homes. She understood the perspectives of people opposed to approval of the SUP as concerns about more traffic, too many horses, surface and groundwater contamination, dust and odor concerns, blocking of views by a huge indoor arena, potential for flood damage in the area, opposition to commercial use in a residential neighborhood, and a view that it would be too intense a use for the size of the property, and would be detrimental to the health and safety of the neighborhood. She reported 37 parcel owners within 1,000 feet of the site were notified. She indicated the requirement for noticing was 500 feet and at least 30 parcels, but due to the lot size in the area she had to extend the notification radius to meet the required 30-parcel minimum. She voiced staff recommended approval of the SUP application based on a thorough analysis and believed impacts could be mitigated by the proposed conditions of approval. She noted a possible motion was included in the Staff Report. She offered her availability for any questions.

Chair Hill thanked Ms. Olander for her presentation and asked if there were any questions from Commissioners before listening to the presentation from the applicant, Pro Pony. There were none.

Pro Pony owner Bruce Witmer expressed his gratitude to all the neighbors in attendance that day, the Commissioners, and the individuals who provided diverse input to help Pro Pony work towards their goal of safety. He recalled the support of many people over the years who aided in the procurement of the property for Pro Pony and declared his intention to keep the land as a community resource. He applauded the vision of prior owners of the property and the size and strength of the local horsemanship community. He hoped Commissioners would support the SUP appeal.

Mr. Luke Busby, the lawyer for Pro Pony, LLC conducted a PowerPoint presentation and reviewed slides with the following titles: Pro Pony, LLC; History of the Silver Circle Ranch; Community Asset - Creating National Champions in Reno; Why is an SUP Necessary?; Bundle of Rights; Element No 1 – Consistency; Element No. 2 – Improvements; Element No. 3 - Site Suitability (1); Element No. 3 - Site Suitability (2); Element No. 4 - Issuance Not Detrimental; All Special Use Permit Application Findings are Met; Decisions Being Made Today.

Mr. Busby provided a quick overview of the Silver Circle Ranch property and the reasons for the SUP application appeal before the BCC that day. He emphasized the facility was a community asset with high-level training opportunities available to Washoe County residents of a variety of socio-economic means. He affirmed the importance of year-round training in a safe environment. He said granting the SUP would bring the property into conformance. He determined what his clients were asking for was part of the bundle of rights enshrined in both the Nevada Constitution and the United States (US) Constitution, which allowed owners to control, exclude, enjoy, and dispose of their property. He reviewed Pro Pony's satisfaction of all four elements required to have the SUP granted. First, of consistency between the SUP and the Southwest Truckee Meadows Area Plan (STMAP), he thought the request was clearly consistent with the STMAP. Second, regarding the adequacy of facilities and improvements, he offered the conclusion in the Staff Report for the item that supported the adequacy of facilities. He informed Commissioners of reports by an engineer, Mr. Hugh Ezell, which were submitted in support of the SUP. Regarding the third element, site suitability, he mentioned the facility had been in operation consistently for 50 years. He referenced a memorandum submitted with the application that further demonstrated site suitability. He described a number of other large buildings in the area, including a 45-car garage nearby. Finally, for the requirement of issuance not detrimental, he contended the modifications proposed in the SUP application were not detrimental to the public health, safety, or welfare, nor injurious to the property or improvements of adjacent properties, nor detrimental to the character of the surrounding area. In summary, he urged Commissioners to thoroughly review the memorandums and the application, along with the supplements, all of which he affirmed contained substantial evidence in support of all elements and requirements being met. He reviewed what was being decided that day, which was whether the elements were met for a SUP approval and whether the existing non-conforming use should be brought into compliance. He posited that every other complaint about the mere existence of the facility was irrelevant because Pro Pony had an existing business license as a non-conforming use.

Mr. Hugh Ezell, Pro Pony engineer, continued the review of slides in the applicant's presentation. He mentioned before he began any work on the project, he met with Washoe County Engineering because of various concerns he had regarding the project. He stated his belief that every problem could be addressed through engineering. He enumerated objections he expected the cross-appellant would talk about in regard to the site and the project, including flooding, traffic, horse waste, and problems associated with a commercial operation. He assured Commissioners he would deal with all the issues mentioned. He mentioned all the regulatory agencies watching what he was doing, and how he was working with them to ensure all concerns were addressed amicably and safely. He

said he was working with Nevada Department of Transportation (NDOT) in an ongoing process. Mr. Ezell showed a slide titled The Dry Creek Drainage Basin and explained drainage patterns in the area. He detailed his plans to mitigate flooding in that area. He was confident approval of the SUP appeal would not have any detrimental effects on the area, and offered to answer additional questions anyone might have about the proposal.

Ms. Michaela Jones, legal counsel for the appellant Jill Brandin, conducted a PowerPoint presentation and reviewed slides with the following titles: Introduction; the Code prescribes the legal findings that must be made in consideration of the application; the applicant's claimed "grandfathered use" does not exempt applicant from having to prove that its commercial stable operation meets the required legal findings; the importance of perspective; the required legal findings cannot be met (WCC 110.810.30); the floodplain site is not physically suitable for the construction of an indoor arena; the applicant falsely states;; Article 418- perennial stream requirements; the application is not consistent with master plan: staff report fails to cite or address policy SW 14; adequate improvements have not been made; safety assessment and site observations (1); safety assessment and site observations (2); the proposal to waive Code requirements is unlawful and unjustified; there is no reasonable basis to waive screening or landscaping requirements for a commercial operation in a residential neighborhood; the failure to include operational conditions is indefensible; THANK YOU!.

Ms. Jones said before jumping into the merits of Ms. Brandin's case, she wanted to briefly address the issue of standing. She noted she also submitted two extensive legal memoranda into the record on the topic. She referred to NRS 278.319, which provided the only right to judicial review. She recalled Commissioners were read the legal definition of "aggrieved" by ADA Edwards, and she emphasized the Nevada Supreme Court stated local ordinances such as that one may broaden the right of who could appeal but could not limit it. She concluded Jill Brandin clearly had standing in the issue, and the application sought to substantially affect her rights. Ms. Jones affirmed that Ms. Brandin and more than 45 neighboring property owners opposed the SUP application. She pointed out the request was not new, and Pro Pony sought the same approval that day as they sought in 2021, which was to operate a commercial stable in a High-Density Residential (HDR) zone and to construct an indoor arena in a Federal Emergency Management Agency (FEMA) flood zone. She recounted the BOA denied Pro Pony's request on February 3, 2022, and again on November 2, 2023. She asked the BCC to do the same that day and deny the application.

Ms. Jones emphasized a few overarching points. First, she noted the legal findings that needed to be made in consideration of the application. She remarked the applicant and supporters dedicated much time to applauding the quality of the trainers, the achievements of the riders, and the mental and physical benefits associated with the sport of horseback riding. She said however true those representations may be, none of them had any relevance to the required legal findings. She suggested the applicant relied on stories in the hope that the BCC would make an emotional decision instead of a legally justifiable one. Ms. Jones declared because the findings could not be made on the SUP application as proposed, it must be denied. The second point she made was that the applicant represented

to the BCC that because the commercial use was grandfathered, that aspect of the SUP could be approved without further consideration. Ms. Jones said that was wrong. She contended the applicant's claim to grandfathered use did not exempt them from having to prove that its commercial stable operation met Code requirements. She argued, to that end, the extensive evidence in the record showing how Pro Pony continued to intensify its commercial stable operations to the detriment of Ms. Brandin and other neighboring property owners was exactly the type of evidence that needed consideration by the BCC under Code. She said it was no secret that Pro Pony had campaigned across the entire state to rally support for the SUP application, choosing to rely on strength in numbers. She warned no matter how many times the story was told, it did not become any more relevant. She advised Code required consideration of the rights and interests of adjacent property owners in evaluation of the SUP application. She observed there was no required finding of popularity. She believed every immediately adjacent neighbor opposed the application, which could not be ignored.

Ms. Jones reviewed four necessary factors established in the Code for SUP application evaluation: consistency, improvements, site suitability, and issuance, not detrimental. She determined none of those findings could be made based on the application and the record before the Commissioners that day. She said while her position was thoroughly set forth in the record, she focused her remarks that day on pointing out the most glaring, indefensible legal errors and omissions.

Ms. Jones reviewed site suitability, and remarked the FEMA floodplain site was not physically suitable for the construction of the proposed arena. Before explaining why, she drew attention to the narrow gully wherein the applicant sought to build. She said Dry Creek flowed inside the eastern edge of the property and ultimately intersected with Last Chance Ditch in the upper northeastern corner of the parcel. She explained Dry Creek was a significant hydrologic resource and was explicitly defined as a perennial stream under Code. Ms. Jones contended Pro Pony falsely stated in its application that the existing stream on the property was not a perennial stream. She believed reliance on the applicant's false statement led to Dry Creek being identically misidentified in the Staff Report on the item, which resulted in requirements related to a perennial stream being overlooked. She said the proposal submitted by the applicant included the construction of an indoor arena within the sensitive stream buffer area of a perennial stream. She cited Article 418 of the Code, which set forth additional SUP requirements for construction within a sensitive buffer area, including additional site plans showing precise dimensions of the buffer area boundary line, inclusion of specific language in the conditions of approval, and, most notably, eight additional special review considerations that had not been analyzed let alone cited by the applicant or County staff. She indicated on that basis alone it would be a legal error to approve the SUP application as presented.

Shifting to the consistency factor, Ms. Jones deemed the application inconsistent with the STMAP. She said the Staff Report failed to acknowledge or address policy SW.14. She cited provisions detailed in SW.14.2 that explicitly stated construction in a FEMA flood zone was required to be elevated above the floodplain. She surmised, based on the plan provided by the applicant, the indoor arena was proposed to be

constructed within the base flood elevation. She noted the alternative provided in STMAP was avoidance of construction in the floodplain. Ms. Jones believed the consistency finding could not be made.

Regarding improvements conditions, Ms. Jones pointed out adequate road improvements had not been made. She informed Pro Pony used two access points from Holcomb Ranch Lane; the primary driveway and a dirt road located immediately to the west. She said Pro Pony did not have a valid NDOT permit for either of those encroachments, yet, at the BOA hearing, staff represented on record that it was an ongoing business so the encroachment permits must have already been granted. Ms. Jones asserted permits were not granted, and wondered how staff could claim the improvements finding had been met when there was not even an appreciation for the illegality of those encroachments. Ms. Jones reported she had engaged with a transportation safety planner engineer who opined that not only did Pro Pony fail to obtain the correct permit type to support its commercial use, but the applicant also did not hold a valid permit at all for the primary driveway. She added the expired permit for the driveway was residential rather than commercial, and was for passenger vehicles only, which was inadequate for the trucks, trailers, and semi-trailers utilizing that driveway for the business. As to Pro Pony's illegal use of the dirt road for daily operations and event parking, Ms. Jones was informed the dirt road could not be permitted under NDOT standards because it was too close to the primary driveway, and she contended Pro Pony's current use of that illegal road demonstrated the willful neglect of the property's operations.

Ms. Jones addressed the recommendation to waive certain Code requirements. She said to operate with a grandfathered use was a privilege, and now that Pro Pony sought to legitimize their operations with a SUP, its commercial stable operation needed to comply with the law. She described that principle was memorialized in Code Section 110.904.60. She commented that if the Staff Report was reviewed, discussion of waivers related to Pro Pony's request for a SUP to operate a commercial stable were absent. Instead, she said only the area immediately surrounding the proposed indoor arena was discussed. She believed under Code, that was wrong. She informed Code set forth detailed landscaping and screening requirements for locations where a commercial use adjoined a residential one. She held there was no reasonable basis to waive those requirements, especially when every adjacent residential property opposed the application. As a final point, she said the failure to include any operational conditions was not defensible. She summarized Pro Pony was a commercial business operation surrounded by residential properties and had unlimited hours of operation every day of the week. She questioned what possible justification there was for not imposing any limit on the days and hours of operation. She observed construction was not generally permitted on Sundays and wondered why events with 100 people in attendance and the use of PA systems could occur on Sundays. She scrutinized why there was no condition addressing the number of participants for daily lessons. She said the total failure to consider the residential character of the neighborhood and the adjacent properties could not be justified. For those reasons, she asked the BCC to affirm the BOA decision to deny the application.

Chair Hill thanked the presenters and solicited questions or comments from

the Board for either the applicant or the neighbor. Seeing none, she acknowledged the large number of people in attendance that day, and noted there were still 11 more items on the agenda. She asked if people agreed with the prior commenter, they could briefly state their agreement, but perhaps not use their full three minutes. She clarified that she did not want to dissuade participation or infringe on people exercising their rights to public comment, but she did strive to preserve efficiency in the running of the meeting.

On the call for public comment, Mr. Buzz Harris was not present when called to speak.

Ms. Jennifer Simmonds was not present when called to speak.

Mr. Harvey Miller expressed his hope that common sense would prevail through the process. He knew people on both sides of the issue, and he supported approval of the SUP application and construction of the indoor riding arena. He communicated Silver Circle had been operating since 1974 for the enjoyment of both recreational and competitive riders. He acknowledged there were many people who had concerns about the impact of the indoor arena and the traffic and safety issues that would be attached to that. He reasoned the indoor facility would have far less impact than the growth that the area had experienced in the last 50 years. In addition, he believed the current facility was operating near capacity, so additional traffic issues were somewhat mitigated. He concluded this was an enhancement rather than an expansion, and the intent was to allow facility use during harsh weather conditions that existed in the area. He recalled severe winds along with significant rain and snow as the winter season got underway. He held there was a nationally recognized trainer running the Silver Circle facility, which should lend some credibility to the operations. He said the Witmers had worked very hard to minimize the visual impact of the structure for the residents, and the primary purpose of the indoor arena was to allow for continued facility use despite shorter daylight hours and adverse weather during winter. He pointed out Washoe County had always been known as a horse community, with many residents participating in and supporting the Reno Rodeo, and more recently, some of the other professional horse events in the area. He felt this project should be approved to extend the history and cultural roots of the area.

Ms. Gayle McAmis shared her personal experience with Pair of Aces Stables, located at Silver Circle Ranch. She informed her daughter rode there for about five years and was currently a college freshman on the varsity equestrian team in Tennessee. Ms. McAmis continued to be invested in the indoor arena being built even though her daughter would not be using it. She related as a “horse mom”, she learned what amazing creatures horses were, and she wanted them and their riders to stay safe during inclement weather. She felt having an indoor place to ride would do exactly that. She wanted children with a passion for horses to have the opportunity to pursue their dreams. She said success in the sport required year-round mounted training, which the proposed indoor arena would enable. She appreciated the rural area around Holcomb Ranch Lane as one of Reno’s true treasures, and she urged that rural character be preserved for everyone to enjoy. She thought part of Landess Witmer’s intent with her purchase of Silver Circle Ranch was to be able to preserve the historic ranch as a horse property. Ms. McAmis was impressed by the time,

effort, and money Ms. Witmer had invested to do so. Ms. McAmis claimed the business was operated within its license, and that as a business owner, Ms. Witmer should be able to make legal and necessary improvements to the property. She asserted an indoor riding arena was the industry standard for training barns and would allow the business to thrive well into the future. Further, Ms. McAmis believed all requirements had been met regarding the structure. She hoped everyone shared her desires to maintain horse and rider safety, provide opportunities for children, preserve the rural character of the area, and allow legal business development.

Mr. Tom Ghidossi, manager of the Last Chance Irrigation Ditch (the Ditch) displayed a document, copies of which were distributed to the Board and placed on file with the Clerk. He informed Commissioners the Ditch was approximately 19 miles long and delivered water from the Truckee River to small farms and properties in the southwest portions of both Reno and Washoe County. He explained the Ditch was formed in the 1800s and was approximately 150 years old. He disclosed the Ditch delivered water to over 200 shareholders, which translated to over 3,000 acre-feet of water. He said each acre-foot of water had approximately 326,000 gallons of water in it, which he calculated as about one million gallons of water that were delivered each day in the summer. He advised there were also contracts with the City of Reno and Washoe County, and the Ditch was used for stormwater drainage in the winter months to prevent Reno from flooding. He reported it was his job to both maintain and protect the integrity of the Ditch. He expressed concern over the SUP application to build a large structure in a special flood hazard area very near the Ditch. He cautioned that area was one of the most fragile parts of the Ditch along the whole 19-mile stretch. He related JUB Engineering was hired to see if the proposed indoor arena construction could be a potential problem. He described a canal that ran downhill to the north of the proposed structure, and Dry Creek, which ran to the east of the proposed structure. He noted the two intersected on the northeast corner of the Pro Pony property, and the water went under Holcomb Ranch Lane. He recalled at times there was a tremendous amount of water that converged there, and there had been problems over the years, even without any structures being in the area. He questioned the claim from Pro Pony's engineer that there was no problem with the effects of the building. He said the opinion of JUB Engineering was different, and they believed there was a potential problem. He directed the attention of Commissioners to the maps and reports included in the materials he prepared for them. He acknowledged he was a retired farmer and not an engineer, but he felt the potential for damage in the area was easily seen. He expressed regardless of whether the SUP was approved or denied, his priority was protecting the Ditch, and it was vital that the project got the proper scrutiny and that the Ditch remained relevant in the mitigation process going forward.

Ms. Margo Piszvich informed Commissioners of two letters she filed previously, one on April 11, 2022, and one on December 4, 2023. She asked those to be included in the public record. She voiced surprise about the contention from Ms. Brandin's legal counsel that County staff did not know what they were doing. Ms. Piszvich did not understand why they were taking that position, and felt it was clear that County staff were operating competently. She claimed the opposition to the SUP was from an Incline Village resident who owned acreage across the street from Silver Circle Ranch. She said some

people believed that individuals purchased her property with the intention to develop it and build million-dollar homes. Ms. Piszvich believed that individual had contacted all Washoe County Commissioners to discuss the SUP and urge denial. She concluded the SUP application had the potential to be an issue of politics, which she opposed. Ms. Piszvich disputed the claim that approval of this SUP would affect the neighbor's property, and suggested there was ample evidence from County employees and members of other boards to show the concerned neighbor would not be affected. She knew the neighbors around the property might not be happy with the facility and proposed development, but she questioned the validity of the concerns presented in their report and was certain the SUP should be granted. She said a commercial stable was allowed in the Code, and the Staff Report said all conditions had been met and recommended approval. She hoped the BCC would approve the SUP application.

Mr. Chris Hsu was not present when called to speak. Ms. J. P. Puette read a letter on his behalf. She hoped Commissioners would follow the law and thought it would be good for them to hear from the closest neighbors, who she deemed were the most affected. She read a letter written by Mr. Hsu, detailing the concerns of his family, and his strong opposition to approval of the SUP. Ms. Puette recalled Mr. Hsu had publicly testified on essentially the same matter three times already and noted the BOA had rejected the SUP proposals for the structure twice. Ms. Puette asserted the size of the proposed structure was large enough to hold a jumbo jet.

Chair Hill interjected to request members of the public remain respectful to public commenters.

Ms. Puette advised the Staff Report recommended approval and evaluated the site as large and isolated. She did not feel the site was isolated and felt 12 acres was not a very large amount of space. She recalled having five horses previously on a 2,400-acre ranch. She said the letter writer shared the longest property border with Silver Circle Ranch of any adjacent property, and their house looked right at the operations of Silver Circle Ranch. The letter expressed a love of old Southwest Reno and its beautiful countryside, and believed the proposed development and resultant increased activity at Pro Pony would be injurious to neighboring properties. The letter cited dust, increased traffic, weekend events, flies, increased light, and bad smells.

Mr. Rich Lorson displayed an image, copies of which were distributed to the Board and placed on file with the Clerk. He introduced himself as a 38-year resident of Washoe County who lived less than a mile from Pro Pony. He focused on the issue of a commercial business deep inside a residential area, which he felt was inappropriate. He described a map of the area and highlighted a red line showing where commercial activity stopped. He explained all of the green area on the map was residential, except for the Pro Pony property. He reviewed how the line was established based on viewing satellite images on a map which indicated trees, vegetation, and which structures were businesses and which were homes. Mr. Lorson located Pro Pony 1.75 miles from the north end of Windy Hill, where other commercial businesses were situated. He informed it was 1.2 miles to the west of Holcomb Ranch Lane, and even further away from any other commercial

development to the south. He understood there was no other commercial business operation in that area to the west of the red line shown on his map. He advised there were horses and cattle in the fields in the residential area, which reflected the ranching history of that part of Reno. He said those were unrelated to a commercial business with a large number of horses, holding outdoor events, construction of a large indoor riding arena and infrastructure in a FEMA flood zone. He asked Commissioners not approve the SUP, which he feared could open the door to additional commercial businesses in that part of Reno, which was supposed to be residential.

Ms. Rhonda Shafer stated she had lived downstream from 3400 Holcomb Ranch Lane for 15 years. She asserted the proposed indoor arena was wrong and the County and Commissioners knew it. She believed the SUP and Staff Report totally ignored all of the science and Code related to flooding and the spread of pollutants associated with the very nature of the property. She cited health and safety risks posed to everyone by the operation and the indoor arena. She remarked Dry Creek was a FEMA-defined floodway, a perennial stream, and also a sensitive hydrologic resource with defined critical and sensitive buffers. She thought the concentration of 35 horses in that gully would produce 84 gallons of urine each day and 1,085 pounds of manure per day. She reasoned contaminated liquids and nitrates leaked into the very shallow groundwater table at every point where the horses and manure were kept, including into buffer zones. She imparted studies to assess the health of the watershed, the Truckee River and its tributaries, including Dry Creek, were available through the County's website. She calculated there were fewer than three acres of healthy, vegetative pasture on the site, most of which was a narrow gully in a flood zone. She informed Commissioners that in 2020, Dry Creek was listed as a known tributary impairment due to the concentrations of E. coli. She noted that, per the Centers for Disease Control (CDC), E. coli was a product of animal confinement. She concluded channel encroachments, removal of vegetation, channel degradation and sediment transport were contributing factors.

Ms. Shafer alleged those factors had existed at 3400 Holcomb Ranch Lane and would only be exacerbated by continued intensive and concentrated horse confinement. She thought the County stormwater program mandated the discharge of pollutant from stables be controlled, and specified animal waste that might become a pollutant was required to be properly contained, not in or next to an open dumpster, and not in outdoor runs and turnout areas in or near Dry Creek buffer zones. She articulated, like the flood program outlined in the STMAP, the stormwater program required buildings and confinement areas to be kept away from creeks and steep or flood-prone areas. She said compaction of surfaces impeded natural infiltration, increasing runoff and erosion. She understood very little vegetation remained in the gully, and old trees with bank-stabilizing roots would be removed to make space for the indoor arena and fire access roads, increasing imperviousness and preventing or retarding the penetration of water into the ground. Ms. Shafer pronounced Code called for impervious surfaces to be minimized, not greatly increased. She believed Code was intended to preserve public health and safety as well as existing property owner's rights, and this SUP application violated Code in many ways. She contended those violations were glossed over or avoided completely in the Staff Report, as had errors and omissions contained in the SUP application itself. She asked

Commissioners to please deny the SUP.

Mr. Ken Hubbart read a letter from a citizen who disclosed adamant opposition to approval of the SUP. The letter detailed her having lived near what is now Silver Circle Ranch for 74 years. For most of those years, despite the neighbor's proximity to the location, she was totally unaware of any commercial uses or activity. She wrote the barn was private, with no horse shows, dust, or loudspeakers. She contrasted that history with the current operation, which was on a much smaller piece of land, but with a much higher concentration of horses and participants. She was very concerned about the construction of a large, featureless, stainless-steel structure, especially because she understood it would be built on top of 10 feet of fill in a FEMA floodplain, which would elevate the structure even further. The writer reported since Pro Pony purchased the property, they had been operating a for-profit business in a HDR zone. She said with less than three acres of possible turnout, they already had 25 horses crammed into stalls and small runs in the flood-prone gully, and now they wanted to add 10 more horses. She thought the environmental and physical impact on the current and future physical health and welfare was unacceptable. She said the BOA had now denied the SUP twice, as well as previous similar applications, and she argued the commercial endeavor was out of character with the HDR neighborhood. She concluded Pro Pony should be relocated, and that everyone would benefit, even the horses. She requested denial of the SUP.

Chair Hill asked for order so public comment could continue.

Ms. Michaela Jones offered that because she was allowed 10 minutes to give her comments earlier, she waived the opportunity to speak during public comment. She agreed with Chair Hill about the importance of public order while people were speaking.

Ms. Cindy Lazetich divulged her address, which was directly below Pro Pony, and said that she had lived there for 40 years. She added she also owned property above Pro Pony. She informed she and her daughter had shown horses for several years along the West Coast. She explained she was very familiar with equestrian boarding and showing and was opposed to the SUP at Pro Pony's location, which she called dangerous. She believed Code precluded the intense, concentrated stable operation and huge industrial, three-story steel building within their residential neighborhood. She thought both were detrimental to the health, safety, and character of their neighborhood. She opined the current outdoor arena lights were never permitted. She argued the way the bright lights shone into oncoming evening traffic on Holcomb Ranch Lane and Highway 671 made the already accident-prone curve in the highway even more dangerous. She recalled the Silver Circle Ranch did not have dangerous night operations disrupting the quiet neighborhood when the Nelsons owned it. She respectfully requested that the SUP be denied again, as it had been denied the past two years.

Mr. Ben Volk stated he was a licensed professional engineer and an equestrian. He said he appreciated the need for facilities of the type being proposed, but he warned they should be built in suitable locations. He recalled commenting on the original

SUP on behalf of the Last Chance Ditch, as prior commenter Mr. Tom Ghidossi noted. He broadened his comments to include the regional impacts the facility would precipitate. He referenced the phrase “death by 1,000 cuts”, which he found applicable to this situation, where even though each cut may be small, they added up and resulted in death. He summarized allowance of construction of the proposed commercial riding facility in a clearly identified flood zone was the culmination of numerous tiny cuts that had occurred to the storm drain system in Washoe County. He described that Dry Creek started up in the foothills, ran through Pro Pony, flowed into the city limits, crossed Virginia Street, went through the airport, eventually went to Steamboat Creek, and ultimately flowed into the Truckee River. He declared the cuts into the fabric of Dry Creek raised the risk of flooding for every homeowner, canal company, commercial property, the airport, roadways, and every commercial development. He said to give the Pro Pony engineer credit, the project was only projected to generate a small number of gallons, but he stressed it was still another cut, and as that type of development occurred, the cuts became more frequent, and the bleeding, or flooding, more prevalent. He believed it started with the waiver of development standards, which led to more facilities that wanted to build in the floodplain. He reasoned developers might approach Commissioners hoping for additional waivers, after recalling that the paving and landscaping requirements were waived for everyone else. He queried when death might occur in this analogy and used the flood of 1997 as an example. He urged denial of the SUP.

Ms. Nancy Flanigan stated her address on Holcomb Ranch Lane and disclosed she had lived there for 50 years. She informed she also knew Warren Nelson and felt Pro Pony’s commercial business in their residential neighborhood had nothing to do with Mr. Nelson and did not honor his memory. She suggested Mr. Nelson lived at the ranch when he owned it, but the owners of Pro Pony did not live there. She recalled the Nelsons’ Silver Circle was a 55-acre ranch, which was home to his horses and the horses of a few of his friends. She affirmed they did not have disruptive night operations and did not have an industrial indoor arena next to Holcomb Ranch Lane. She felt that size and type of building only belonged along South Virginia Street. She reminded Commissioners of prior denials of this SUP and asked them to deny it again.

Mr. Pete Lazetich established his address and said he had lived there for over 40 years. He thought he was one of only a few people in town who owned property both above and below Pro Pony. He volunteered he grew up in Montana with family who were in the cattle and ranching business. He communicated he was now very familiar with South Reno, and that his wife and daughter had ridden together with a number of the people in attendance that day. He recalled everyone initially expected his family to be supportive of the Pro Pony project; however, the location selected for the indoor arena was absolutely not something he supported. He elaborated what was not taken into consideration was that when Warren Nelson had the property, there were over 55 acres. Mr. Lazetich informed subsequently some of the land was sold off and the remaining ranch was around 33 acres. He added Pro Pony only bought 12.5 of those acres, and of those, he contended less than three of those acres were actual turnout pasture. He stated the rest of the property was in a floodplain along with Dry Creek and the Last Chance irrigation ditch. He could not understand why someone would think it was suitable to build a 14,000 square foot

industrial steel warehouse in a sensitive floodplain. He emphasized the property was not anywhere near that capacity. He supported the horses, the trainers, and the riders but maintained trying to put 35 horses on three acres was absolutely bizarre. He urged Commissioners to deny the proposal.

Ms. Judy Vose displayed images, copies of which were distributed to the Board and placed on file with the Clerk. She informed she was a close neighbor to Pro Pony, though not directly adjacent. She added her property adjoined Steamboat Ditch, and she had water rights there. She said her barn was 310 feet from the ditch, and it was a floodplain. She pointed out nobody complained about giving her the right to use it there, and she had four horses. She recalled when she purchased the property there was an office building on it only 75 feet from the floodplain. She reported nobody informed her of a problem when she purchased the property. She explained there was not a bathroom in the office. She described the location of the road, fence, and structures in the images shown. She said the structures on the property were more elevated than the proposed indoor arena. She disputed concerns about the effects of animal waste related to the proposed project and compared the impact to other proposed development in the area.

Ms. Chrysann Collatos introduced herself as an equine veterinarian and avid equestrian. She informed she owned and operated High Desert Veterinary Service in Washoe Valley since 1996 and spoke in favor of the proposed covered arena construction at Silver Circle Ranch. First, regarding Ms. Reader's equestrian academy at Silver Circle, she thought everyone in the room would agree that Ms. Reader's nationally recognized and awarded program provided a valuable and affordable physically and mentally enriching growth opportunity for the youth of the community. Second, she felt construction of the indoor arena represented an important asset to equine welfare. She said as a board-certified veterinary internist she could cite numerous studies confirming that regular exercise both under saddle and at liberty was crucial to performance horse welfare. She advised stall confinement due to inclement weather had been associated with increased expression of stress-induced behaviors as well as increased incidence of both respiratory and gastrointestinal disease including colic, which was the number one killer of domestic performance horses. She warned horses unable to exercise on a regular basis on well-groomed footing also were at increased risk of serious musculoskeletal injury. Third, and in her view most important, she presumed anyone who had done their due diligence and had been part of the experience of the lengthy history of the SUP knew that Silver Circle Ranch was diligent, cooperative, and absolutely transparent in their response to each and every issue raised both by County officials and concerned neighbors. She cited flies, traffic, flood mitigation, licensing, and bad smells as examples of concerns that had been answered with concrete, substantive solutions. She suggested everyone be honest with one another about what the vote was about. She thought with no legitimate opposition, the intention of the votes was simple: a vote in favor of the SUP supported preservation of a historically significant, low-density equestrian property that provided a valuable source of growth and development for area youth, and a vote against supported death of rural heritage in favor of intensive, environmentally devastating high-end residential development.

Ms. Audrey Keller said she was a resident of Rancharrah and mentioned

the Rancharrah Equestrian Center which she reported was scheduled to be demolished shortly. She supported the request to allow Pro Pony owners Bruce and Landess Witmer to run a professionally managed, year-round equestrian business in Washoe County, especially because one was being lost. She observed commonalities between the property in question, the Rancharrah Equestrian Center, and the adjacent Bartley Ranch Park. She disclosed as a new homeowner in Washoe County she selected Rancharrah specifically because it was an equestrian-based development. She divulged they paid a premium for an equestrian community, and she was perplexed by fear from detractors about being in an equestrian-based community. She felt the opposite. She informed that both the existing Rancharrah facility and Silver Circle were directly adjacent to irrigation ditches. She noted both facilities were in a floodplain. She recalled when she bought her home, she had to sign an acknowledgement of her awareness of her property being in a floodplain, and she was sure that was the case in the Witmer's purchase also. She surmised, according to FEMA, everyone literally lived in a floodplain. She stated the Rancharrah indoor training facility housed 65 head of horses and was similarly situated in a floodplain and adjacent to an irrigation ditch. She suggested the proximity of the equestrian facility did not stop people from purchasing and building custom homes. Comparing the history of the Rancharrah facility and the proposed Pro Pony facility, she questioned the validity of concerns raised by neighbors. She thought the fact was that the neighbors wanted to build more homes near them rather than preserve western heritage. She supported Pro Pony and approval of the SUP.

Mr. Russ Earle stated his avid support for Pro Pony and Silver Circle Ranch. He was sorry that the dialogue had deteriorated to mud throwing, false accusations, and incorrect statements being presented as facts. He recalled the denial of the SUP application by the BOA. He offered the reasons for denial were actually not related to the SUP but were due to some BOA members seeking clarification on matters he felt were outside the scope of the SUP application, like licensure and the business more broadly. Mr. Earle asked Commissioners to look at this SUP as though it was the beginning of a project and acknowledged there were many checks and balances with state regulations, federal regulations, and County regulations. He supposed there were qualified people in the engineering and planning divisions who would look at the project under a microscope. He mentioned construction in other area floodplains, like Double Diamond Parkway and South Meadows Parkway, and he suggested the population of Reno would be reduced by half if those projects had not been allowed.

Mr. Earle summarized the SUP only amounted to approval to build four walls and a roof. He observed Pro Pony already had an outdoor arena in the same location and the number of horses allowed was not in question, only the building. He reiterated the building was the majority of what Commissioners were voting on. He reasoned once the SUP was approved, there would be a lot of eyes from regulators and opposers looking at the project, and he posited it would not go forward if it could not satisfy all of the checks and balances. He hoped everyone would look at the simplicity of the SUP application and the significant financial investment of the equine community in the area. He thought the trainer, Liz Reader, lived on the property, and he advised she was an asset to the

community, the County, and all the children in the area. He asked Commissioners to approve the SUP.

Ms. Amber Hart mentioned she lived near Silver Circle and drove past there every day. She stated her full support for the proposed indoor arena. She queried a few points in comments provided by people opposed to the project. She informed she was in attendance for one of the associated BOA meetings and wanted it to be on the record that the vote was split 2-2 and there was one vacant chair. Regarding the Last Chance Ditch, she revealed she had seen steers on a property across from the ranch access the water that ran through the property, and she found it interesting that the opposition had not brought that to the attention of the County. She thought if people were concerned about the water and possible toxicity, they would have raised this issue previously. Lastly, she said she had seen the owner of 3600 Holcomb Ranch Lane with steers and goats on the property, which she reasoned was inconsistent with their expressed concern about smell from animals. She observed that property was purchased with full knowledge of the existence and operation of Silver Circle.

Ms. Juliann Stitick was not present when called to speak.

Ms. Paige Standmeister, a 10-year-old rider at Pair of Aces Stables, shared the importance of horseback riding to her. She reported she got a lot of benefits from the activity, and it was her only form of exercise. She described riding helped her build up her confidence and required perseverance to get back on the horse after falling off. She expressed another reason she liked Pair of Aces was because she made a lot of friends who also liked horses. She explained weather restrictions sometimes prevented her and her friends from being able to ride, which made her sad. She observed another problem was noise from the road adjacent to the arena, which could spook the horses. She recalled an instance when that happened to her, and she fell off the horse. She believed an indoor arena was the solution, and asked Commissioners to approve the SUP so she and her friends could benefit from the sport year-round.

Ms. Sophie Moore, an instructor at Pair of Aces Stables, advised her primary concern was safety for both equine and human athletes. She noted there had already been a lot of conversation about the safety of the proposed indoor arena, which she supported, but she also wanted to address the relevance of some of the claims of the opponents. She recalled many had made claims about flies, dust, and noise, which she reasoned would all be reduced by an indoor arena as opposed to the current outdoor one. She said there were many claims about the size of the proposed arena, including a comparison to the size of a jumbo jet. She described her prior work at an equestrian center that was also an events center and said that the proposed Pro Pony arena paled in comparison to anything that size. She summarized overall there were a lot of claims about how four walls and a roof would be the end of times for the neighborhood, but she asked Commissioners to evaluate the legitimacy and relevance of those claims. She declared at the end of the day, the only effect of an indoor arena at Pair of Aces was a significant increase in the safety of the athletes. She believed those athletes deserved respect and a space to train.

Mr. Art O'Connor displayed images, copies of which were distributed to the Board and placed on file with the Clerk. He stated he was a resident of Holcomb Ranch Lane, had lived in the area for 50 years, and was a registered civil engineer and a professional land surveyor. He encouraged Commissioners to deny the SUP. He said this was the second time Pro Pony had applied with what he viewed as an intense commercial operation in a quiet, pastoral, residential neighborhood. He commented supporters called the operation historic, but he believed the site was never used for intense commercial purposes prior to Pro Pony. He claimed the owners of Pro Pony were not being straightforward with their SUP application. He recalled a prior BOA hearing during which the SUP was not approved and not appealed. He remarked this application was also denied by the BOA but had been appealed. He discerned unlike the first application, there were several important items missing from the current application that made it incomplete. He observed there was no traffic study and felt the Staff Report was severely biased in favor of the project. He reported though it made a traffic study a condition of approval, it made no mention of what would happen after the traffic study was done. He referenced prior commenters who pointed out missing encroachment permits, and that because it was a highway, Pro Pony would need two encroachment permits from NDOT. Mr. O'Conner contended Pro Pony did not have those and could not start the business legally without them. He declared, therefore, the application was incomplete and should never have been accepted. He observed missing from the application was also a SUP to hold events. He said the Code clearly stated that a SUP was required to hold outdoor sports and recreation events. He recounted Pro Pony had a business license and illustrated his point by way of comparison to a restaurant. He specified a restaurant would need a business license along with a license from the Health Department and potentially a liquor license, and that having a business license did not cancel the need for other licenses or permits. He surmised Pro Pony was holding events using what they called a temporary use permit. However, he claimed they were holding at least four events each year, which he did not consider temporary. He thought they needed a SUP, and this application needed to be rejected because it was incomplete and should never have been accepted in the first place. He reiterated his opinion that the Staff Report was biased and should be discarded entirely.

Mr. Matthew Karadanis stated his full support of the indoor riding arena. He found it inconceivable that a horse ranch in a rural part of a ranching community in Southwest Reno received so much pushback to build an indoor arena. He warned the bigger picture was that people who had grown up there and lived in the area their entire lives would view denial of this project as another nail in the coffin of the original character of Reno they all loved. He believed the project should be approved, and Commissioners needed to sift through the misinformation and misstatements presented that day.

Mr. Warren Gilbert advised he had owned a horse ranch in Southwest Reno since 1989 that was approximately half a mile away from Silver Circle Ranch. He recalled prior to the Double Diamond cattle ranch being sold and houses being built in Arrowcreek, Lakeside Drive, and other areas in Reno, he and his family used to be able to get on their horses and ride in any direction. He lamented that over the years, residential development had significantly restricted the availability of open areas to ride safely. He mentioned traffic problems in Southwest Reno. He asserted Nevada was a western state, and he thought there

were still true Nevadans who enjoyed horsemanship and wanted to raise their children by allowing them to experience its pure, unadulterated pleasure. He believed the proposed indoor equestrian center would offer individuals that opportunity and it could also be used to provide horse therapy for veterans with post-traumatic stress disorder (PTSD). He commented there was absolutely no rational reason to prevent the equestrian center from going forward. He suggested anyone who opposed construction of the indoor arena was most likely not a longtime Nevada resident or native Nevadan. He alleged some people did not truly understand the importance of maintaining the incredible history and spirit of Nevada that so many people had been privileged to experience and wished to offer to future generations. Regarding floodplains, he reported the Hidden Valley Golf Course was built on a floodplain. He said people who had lived in Nevada long enough could remember when water used to go up to Highway 395 through Washoe Valley on both sides. He recalled droughts and subsequent construction of many houses. He held those were true floodplains. He felt being a Nevada resident allowed unique freedoms that needed to be preserved.

Ms. J P Puette said she was a near neighbor, and wondered of the people present that day who claimed they lived nearby, how many were within 1,000 yards. She affirmed she was one of those, and asked Commissioners to reread the notes from their lawyer and vote on the basis of the law.

Ms. Julane Wehbe thanked Commissioners for listening to everyone. She read a letter from a friend who was unable to attend that day due to illness. She noted she also submitted e-comment on her own behalf and emailed all Commissioners. The letter relayed observations from a flood on January 9, 2017. The author observed flooding conditions at Dry Creek and the Silver Circle Ranch, including water flowing over the top of the Last Chance Ditch. He said the subsequent damage to that particular area required significant repairs to the ditch structure at that time by ditch master Norm Dianda. He added the storm also required emergency officials to voluntarily evacuate a total of 1,300 homes in South Reno neighborhoods. He recalled numerous road closures during that flood which included Holcomb Ranch Road and many others in the area. He advised 2024 was a La Niña year, and there could potentially be similar flooding conditions as in previous years. He warned flooding similar to 2017 would have significant impact on proposed construction at the Silver Circle Ranch.

Mr. Steve Humphreys pronounced he was there in favor of the indoor arena because he endorsed everything it offered to the community. He supported sport, competition, therapy, rehabilitation, education, exercise, and the horses, which he felt were the emblem of Nevada's culture, lifestyle, and the American West. He said people opposed to the project claimed a number of things, such as commercial use was not legal in an HDR zone, the number of horses allowed had gone up, the site was poorly suited to construct a building with a dirt floor due to the floodplain, events should not be allowed, traffic had increased, and that the business was detrimental to the surrounding area. He challenged those claims, using information he gathered from the public record. He informed Silver Circle Ranch had been in existence for over 50 years and while Code had changed around the ranch, the property had maintained its original use. He relayed that in the 1990s, a

commercial stables business license became necessary, and the property had held one ever since. He asserted Pro Pony had an active business license for commercial stables and their use was legal and non-conforming. However, to modernize the facility with the addition of an indoor arena, he acknowledged a SUP was required. He observed building in a floodplain was common in the Reno/Sparks area, and County engineers required all Codes to be met prior to issuing a building permit. He noted the warehouses built along East McCarran at University Farms, among others, were in a floodplain. He alleged Code allowed for a commercial stable in an HDR zone with a SUP or with a grandfathered legal, non-conforming use, which he claimed Pro Pony had. He said all events on the site were permitted and held to the same Code regulations as any other parcel that was zoned the same. He disclosed NDOT annual traffic data for Holcomb Ranch Lane showed a decline in traffic counts since 2019, which was the same year Pro Pony moved in. He summarized the Washoe County Staff Reports for the item stated that all conditions for the SUP had been met, and recommended approval with standard conditions. He said Silver Circle Ranch was not seeking to increase the number of horses or change its use, they simply wanted to add a building. He asked the Commissioners to please approve the indoor arena.

Ms. Ruby Tanner was not present when called to speak.

Ms. Ilaria Birnes shared horses had helped her a lot. She recalled feeling supported when she was stressed in third grade, and she was very grateful that they had been there for her. She hoped others had experienced that comfort also, and that people would continue to in the future.

Mr. Charlie White, in the interest of time, expressed his agreement with the comments of Mr. Steve Humphreys, particularly regarding the legality of existing Pro Pony operations, and the importance of focusing evaluation that day within the scope of the SUP application. He was strongly in favor of the SUP being approved.

Ms. Elle Morrison, a neighbor of the Silver Circle Ranch, stated her support for the SUP. She thought the building was necessary and wanted Commissioners to follow the staff recommendations. She ascertained there was no legal reason for the SUP application to be denied. She mentioned her daughter wanted to go to college on a riding scholarship, and was eager to have safe, year-round access to training.

Mr. Hugh Ezzell revealed he came with a lot of material to the meeting, prepared for a fight. He trusted he worked for two good people on the project, who should be commended for giving him a free hand, which was important to an engineer. He disclosed he was approaching 40 years of engineering, and a project like that was not really a big deal for him. He reported the project was not that technically challenging, but he did want to do it right. He recounted he had been listening to people that day, and he listened particularly carefully to the commenter sharing concerns on behalf of the Last Chance Ditch company. He noted the commenter expressed concerns but did not condemn the project. Mr. Ezzell commended Mr. Tom Ghidossi for his willingness to engage in conversation and said he would continue working with him as planning for the project progressed. He mentioned the engineer from JUB who cautioned against death by 1,000

cuts and felt those concerns were unfounded in this case. Mr. Ezzell assured Commissioners that this project would not contribute to the problems Mr. Volk referenced. He wondered what Mr. Volk's proposal was to mitigate the problems, and declared development could not be stopped.

Dr. Julie Kauffman said she lived down the street from the ranch. She reiterated the purpose of the proposed structure. She reasoned that the argument it would bring more traffic, flies, or dust was unfounded. She stated the structure would simply provide a safe place for riders and horses. She acknowledged she was not a horse person but was an athlete. She described the limitations that arose when conditions were too hot, snowy, windy, or icy to train outside and understood the importance of being able to continue training in an indoor, temperature-controlled environment. She thought the community needed to be more compassionate and allow the riders a safe, indoor riding space.

Ms. Erica Werner introduced herself as a homeowner and horse owner in Silver Circle Ranch. She recounted her family had been in Reno for over five generations, and specifically in that neighborhood for over 50 years. She explained her grandparents bought the home where she now resided in 1972, while much of the area was still farmland. She informed she bought it from her grandparents almost eight years prior. She disclosed she was just outside the 1000-foot radius a previous commenter mentioned and drove by Silver Circle Ranch every day. She said she currently owned horses and knew the importance of being able to work with a horse in a safe environment. She trusted that having an indoor arena gave horses and riders a safe place to ride and there would be fewer ways for the horse to get tripped up, which would reduce rider injuries. She related she made it a priority for her daughters to be safe when they were taught how to ride and properly take care of the horses. She affirmed she was in favor of the arena and looked forward to the project being completed.

Ms. Werner observed that some neighbors she talked with on a regular basis were the opposition. She believed they were concerned that the existence of the building would change some of the day-to-day things that happened at Silver Circle Ranch. She summarized it was currently a business, and with or without the indoor arena it would continue to be a business. She informed Commissioners the property received its business license in the 1990s and had complied with all of the requirements Washoe County put in place for a business of that type. She reported the facility had even gone above and beyond the requirements to make the property compliant with everything the County had asked for. She described it as modernized, with ADA-compliant bathrooms. She said when the barn was originally built in the 1970s, it had 33 stalls and there was no limit on the number of horses that could be housed there. She related Pro Pony had worked with Washoe County to put a number on how many horses they could safely house and keep on the property. She addressed the concern of increased traffic. She reasoned because the arena was not changing the business structure, no additional traffic would make its way onto the road because of the arena. She suggested if the opposition was concerned about road safety, they needed to take their concerns up with the proper committee that oversaw Nevada roads. Additionally, she expected if the proposed 24 new houses were built, the neighborhood

would have an increase in traffic. Lastly, she recalled floods had surged through the area from the ditches for years, even as recently as the prior year. She understood engineering of the site was planned to mitigate flooding concerns. She specified the building pad was not being raised, which meant there would be no change to the topography of the area, and the building had been structured to allow water to flow through. She added if there was damage, it was not the responsibility of Washoe County to do any repairs.

Mr. Steve Kauffman referenced the multiple reviews the SUP had undergone from different boards, along with the appeal and the cross-appeal, which he said were not a surprise to him. He remarked nobody had talked that day about the lawsuit filed by Ms. Brandin against Silver Circle Ranch and the Witmers for emotional distress. He mentioned that he lived down the street from the appellant and had observed cows that lived across the street from the horses at Silver Circle Ranch. He questioned what seemed like different concerns being applied to different animals. He asserted there had been a consistent pattern of harassment and lawsuits, not only in the Diamond J community but in the area surrounding Holcomb Ranch Lane. He reported that Ms. Brandin and her husband were formerly board members of the Diamond J Homeowners Association (HOA), and they convinced the community to sue their next-door neighbor in district court. He claimed they filed another lawsuit over a sprinkler in a lower court, and there had been other instances of the appellant encouraging neighbors to take various actions regarding properties in the community. He recalled the negative effects of activities undertaken by Ms. Brandin.

Ms. Lisa Trujillo said she was a proud third-generation Nevadan who was born and raised in Reno and remained deeply committed to the community. She reported Silver Circle was very active at full capacity and recalled riding at the barn in the 1980s and early 1990s with her sister, who was also a native Nevadan. She informed they boarded their horse there and rode in both the upper and lower arenas. She affirmed the horses were not cramped in the facility and that she was currently training there. She praised the owners and trainer. She referenced the history of the business as an active, for-profit boarding facility going back over 20 years. Ms. Trujillo felt Commissioners had been presented with insurmountable evidence in favor of SUP approval including legal facts, reports from the planning commissioner, water rights, and robust public comment. She expressed she was all for community growth and thought the proposed building should be simple to approve.

Ms. Ellie Buck shared she had been riding at Pair of Aces for five and a half years. She commented she would like an indoor arena because she would still be able to ride even in bad weather like snow, wind, and rain. She thought when the temperature was very cold or very hot it would be great to have an indoor arena, which she believed would keep the riders and the horses safe and comfortable. She wanted to still be able to ride in the winter. She hoped Commissioners would approve the SUP.

Ms. Jordyn Borgeson introduced herself as president of her college rodeo team at University of Nevada, Reno (UNR). She said she was a proud member of the horse community in Reno as well as an instructor at Silver Circle. She disclosed all the years of her life had been centered around horses in different parts of Nevada. She summarized that

experience gave her the knowledge to conclude the proposed arena was not just wanted for frivolous reasons, but was needed for students, riders, instructors, and, most importantly, the horses. She believed the arena was not just to keep people warm, it was to keep the equine athletes warm and safe on dry footing out of the wind. She informed that studies had shown that in cold temperatures, horses had the same burning feeling in their lungs that humans did when running out in the cold. She reasoned with the current bad weather, horses were also more prone to slipping while riding, injuring themselves and the rider. She declared it was a matter of safety for horses and riders and she did not understand why that had to be a debate. She described the lights in the lower arena, where the proposed arena was meant to sit, gave her just enough light to teach a lesson and were turned off at 6:00 pm. She questioned complaints about the amount of light being blinding to people. She added as far as other concerns related to the property as it currently was, she had never seen a cleaner barn with no flies or dust.

Mr. Connor Rankin read a letter from a neighbor of Silver Circle who was in favor of the arena. The neighbor did not board horses at Silver Circle, nor take lessons or have any affiliations with them. He noted at the last meeting, one of the people who opposed the SUP complained that his family liked to sit on the outdoor patio for dinner, but the experience was ruined by nearby horse waste. The neighbor questioned the validity of this concern and provided detailed reasons for his skepticism. He also dismissed the assertion that a commercial airliner could fit within the bounds of the proposed arena. He recalled observing Pete Lazetich and Tom Ghidossi in conversation before the meeting began that day. He did not understand the disparity of concern between the proposed indoor arena, and 24 homes that were under consideration for a different project nearby. He felt it was not right to approve one of the developments and not the other. He mentioned a photo shown in the meeting that day with vehicles backed up behind a horse trailer turning into Silver Circle. He provided details about routes he used when he towed his horses and said nobody seemed to mind when he used four lanes to turn. He reported he slowed for bikes, horses, construction, equipment, and more. He speculated residents who were truly concerned about the traffic would express more concern about all the homes being built that would absolutely create more traffic on the rural road. Additionally, he offered there were other route options people could use, especially on days when Silver Circle held events. He thought people bought property in that area because they loved the horses, cows, and livestock. He heard complaints about flies, but maintained horse people did not like flies and endeavored to keep them away from their barns and horses at all costs due to the diseases they could spread. He suspected cows were more likely to be the culprit of any increased fly population. He recalled times when he worked near cattle with an upsetting number of flies. He believed the future was not the sole jurisdiction of the small number of elderly people who were opposed to the Pro Pony project. He posited the future was the young people in the room, and he hoped Commissioners made the best choice for the community.

Mr. Bo Sanders identified himself as a fifth generation Nevadan, and disclosed Pete Lazetich purchased his parcel from Mr. Sanders's grandfather. He reported Dry Creek went through his valley and he was familiar with the way the area flooded. He was heartbroken about the fracture that had occurred in the neighborhood. He said there

was a faction of people who were angry, and he recalled similar disagreements occurring over other area development also. He theorized the disagreements were about development and control. He described that an aerial picture of the area from the 1940s would show his great-grandfather's house and pastures. He observed horses and cows had been a staple of that community, but more of that heritage was lost every day. He felt having a facility like Silver Circle that promoted horsemanship and a western lifestyle was valuable. He shared that the owners were great people who helped the community. He recalled the strong friendship between Pete Lazetich and his grandfather and was disheartened that the families were not on speaking terms because of this project. He was totally in favor of the existing outdoor arena being upgraded to an indoor facility. He did not think any of the opposition to the project was well-founded. He noted the neighboring Hsu family purchased their house two years prior, and nothing was different. He reasoned the only thing that was different was that the Hsus had built a pool behind their house, and he indicated he had not once seen them on their patio, despite driving by every night on his way home from work. He supposed the smell the neighbors were concerned about likely came from their goat pen, which was near their front patio. He reiterated his belief that the disagreement was about control, and he wished it could be fixed. He apologized for standing against people.

Ms. Michelle Deviny read a letter from a friend who wrote in support of the proposed indoor riding arena. In his letter, the individual said he had been a practicing equine veterinarian in the Reno/Sparks area for 35 years and although he did not provide veterinary services to horses at the Silver Circle Ranch, he worked there from the late 1980s through the 2000s. He reported the ranch was a working boarding and training facility with a consistent population of 20 or more horses. He felt the local area was in dire need of more facilities that enabled horse owners to have safe riding facilities throughout the year. He emphasized that was especially true in the heat of summer and in winter months when inclement weather was prevalent. He informed he had numerous clients and patients who lived in the Reno area as it had been a mecca for livestock and horse owners since the time the arena was developed. He thought it should be noticed that there were three other comparable buildings in height and square footage in the area that functioned as private, indoor riding facilities. Hence, he argued this proposed indoor structure was not unique to the area. He added the other buildings did not include the Rancharra indoor arena, which had recently closed. He believed the proposed building did not distract from the community, as the owner of Silver Circle had been very conscientious in the design, proposal, and placement of the structure. He strongly supported approval of the SUP for the building, and maintained an additional inclement weather riding facility was a much-needed addition to the community. Ms. Deviny voiced her own support of SUP approval.

Ms. Kathy Courtney was not present when called to speak. Ms. Gayle McAmis disclosed that she had already spoken on her own behalf, but asked if she could read a letter from a citizen that Ms. Courtney was going to read. ADA Edwards answered that Commission rules did not permit loaning time to someone else. Ms. Sandee Tibbet offered to read the letter, which suggested the health and safety of adults, kids, and horses would greatly benefit from construction of the indoor arena, as would the horse community in general. The letter writer expressed she believed this because she was the owner of a

small horse property near Silver Circle and had a 15,000 square foot indoor riding arena which had become home to a therapeutic riding group called Center for Adaptive Riding. She informed prior to that usage she housed up to 27 horses, averaging 17, and had no issue on her 2.5-acre property and no complaints from neighbors or the community for over 20 years. She thought it was a valued asset for the horse community because of the nature of the weather in the winter, and the ability to ride inside helped create safety for riders and horses. She theorized since it was no longer available, and since Rancharrah closed their indoor riding arena, there was nothing in the old South Reno ranch properties area to support the horse community. She understood the property in question was a much larger acreage than hers was. She affirmed from her viewpoint as an equine professional and a previous owner of an indoor arena, the construction of the proposed indoor arena was desperately needed and would be an incredible asset to the horse community, kids, and adults alike. She claimed all the properties surrounding Silver Circle Ranch were horse properties, had been so for many years, and would continue to be for many years to come. She trusted that the voice of an equine professional having run a similar facility in the same neighborhood would give Commissioners enough certitude to grant the building of the arena.

Mr. Bruce Witmer thanked the Commissioners for their attention that night but did not add anything further in the interest of time.

Ms. Landess Witmer displayed images, copies of which were distributed to the Board and placed on file with the Clerk. She stated that she and her husband, Bruce Witmer, owned Silver Circle Ranch. She expressed her gratitude for all of the Commissioners. She shared that she had over 630 letters in support of the proposed indoor arena, which did not count comments from the SpeakUp platform, which she estimated as approximately an additional hundred supporters. She described the supporters were people who were there, who rode, who knew, and who lived. She remarked they were all horse people. She indicated on the map where Pro Pony was located on the Silver Circle Ranch property, and also pointed out the location of another neighboring property owner who was in favor of approval of the SUP. She showed which neighbors had cows and said she did not understand the difference between cows and horses relative to their impact on land and people. She noted a comment filed on SpeakUp from the Chairman of the BOA, Mr. Rob Pierce, indicating that he wanted the matter to pass with a favorable vote. She said they had done everything, including hundreds of tours, and none of the opposition had ever wanted to tour. Ms. Witmer mentioned the Hsu family purchased their property on September 30, 2020, by which time she and her family had already been there for almost a year. She added another family purchased on July 24, 2020, wouldn't tour the already established Silver Circle Ranch property, and did not want to know them. She informed Silver Circle had been on that property since the 1970s, and Flying Diamond was purchased in 2008. She thanked the Commissioners and did not understand opposition to the SUP.

Mr. Robert Beadles stated his support for the proposed arena. He revealed he came from a long line of equestrians, and he summarized the issue was a continuation of a pattern of people who could be seen doing the right thing and others who could be seen doing the wrong thing. He shared his perception of Commissioner Andriola's voting

record and was glad there were so many people in attendance that day. He disclosed he did a lot of investing and he had heard there would be some development right across the street from the Silver Circle Ranch. He surmised Pro Pony just wanted to cover their arena so they had a safe environment for their horses and supporters. He remarked people would get to see whether Commissioner Andriola did the right thing or if she was again going to go against the people. He pondered what the impact on traffic would be from construction of housing with 10, 20, or 50 additional houses as compared to something that had been there for 50 years already. He wanted to see Commissioners vote for the people.

Ms. Bryn Klitzke, property manager of Silver Circle Ranch, displayed images, copies of which were distributed to the Board and placed on file with the Clerk. She showed examples of other large homes and buildings near Silver Circle Ranch, and concluded based on those existing buildings, the proposed indoor arena was not out of character with the area. Ms. Klitzke provided examples of cooperation between neighbors of the area, particularly related to livestock, but said that cooperation was being downplayed by some people to provide an impression of animal neglect and general bad intentions. She claimed there was consistent, vindictive harassment since plans for the indoor riding arena were made. She thought there had always been livestock and ranching in the area, and that relationships between neighbors had been amicable outside of formal meetings.

Ms. Renee Rezendes related that her family lived in Palamino Valley, and her grandkids were able to ride their all-terrain vehicles (ATVs) on land that was currently open, but she knew there were plans to build on that land. She said they would be losing a lot of their public land and wondered where kids were going to play. She was in favor of the indoor riding arena project because she thought places like that were needed for kids to go and to have healthy interactions with animals. She understood that a dog park was planned for the Wingfield Springs area, which she learned from a recent Sparks City Council meeting. She stated the dog park was approved at a cost of over \$700,000 and she surmised kids might not have a place to go and ride their ATVs and to play out in the desert, but there would be dog parks. She wondered if the area would become like New York, where she judged there were only disjointed pieces of property that were restrictive in use. She did not think that sounded very appealing and was in favor of the project because she believed kids needed to play and families needed to do what they loved. She hoped Commissioners would approve the SUP.

Mr. Gary Schmidt recalled when he came to Nevada in 1972 and passed fewer than six ranch houses on his regular seven-mile drive from his property on Mt. Rose Highway to South Virginia Street in Reno. He said there had been a lot of growth since then. He disclosed he currently lived in Virginia City and he and his wife had a couple horses. He stated Holcomb Ranch Lane was not always named that but used to be Holcomb Ranch Road. He thought history and heritage were being lost in Nevada, and he supported the SUP application. He cited a number of ranches, lodges, and businesses that were no longer in operation. He speculated eventually somebody in public works would rename Holcomb Ranch Road again, and probably name it Holcomb Estates Boulevard.

Ms. Jill Brandin questioned statements made by earlier commenters. She informed she and her husband bought Flying Diamonds' 32 acres more than 18 years prior, when the County had approved a 13-lot subdivision. She described she reverted it to four parcels that included open pasture and a farmhouse where her friends lived. She asked Commissioners to evaluate the facts. She believed a few horses and cattle dispersed over healthy pasture enriched the land, but she reasoned that was not the case with Pro Pony's intensive use. She stated Pro Pony's stable, where 35 horses would be crammed, was in a FEMA flood zone. She said there was no pasture to absorb the urine. She detailed Dry Creek ran from there directly onto her property, through Reno, and into the Truckee River. She warned the manure piled on the ground and in an open dumpster propagated flies and other diseases. She found it interesting that the Pro Pony engineer claimed he could solve every concern, though she questioned whether he understood Dry Creek was a perennial stream. She asserted FEMA policy would not allow water to run through the indoor arena. She observed if 20 horses were historically at Silver Circle as Gayle Nelson wrote, it was imperative to contextualize that Silver Circle was formerly a 55-acre ranch, not the 12.5 acres that Pro Pony owned as of that day. She calculated that proportion would result in a maximum of five horses on the property in question. She felt that site was not suitable for Pro Pony's intensity of use. She thought the proposed indoor arena would be in the same flood zone, and though Pro Pony said it was just a small, little barn, Ms. Brandin guessed the indoor arena would be more than twice the height and two times the width of the Commission Chambers. She stated if Commissioners looked at the facts, the space was large enough to fit two Boeing 737 aircraft. She declared that because indoor sports required such massive industrial buildings, the Code prohibited them in HDR zoning. She noted a similar building on Holcomb Ranch Lane was also denied by the BOA. She affirmed neighbors were consistently opposed to intensive businesses and indoor arenas as they were detrimental to public health and safety. She asked Commissioners to please deny the SUP.

Ms. Joylene Hill thanked Commissioners for their time listening to all of the commenters that day. She thought it was important for people to know that the Witmers were kind people, and what they were doing was for the community. She said they created opportunities for people like her daughters who had enjoyed improving their horsemanship. She felt the access created for children, veterans, and other community members was important and needed to be evaluated and preserved. She observed some of the concerns mentioned were about sound, lights, flies, dust, and smells. She reasoned that a building would help mitigate those concerns by providing a barrier. She suggested change sometimes created fear, and it was important to consider what might be driving people's opposition. Regarding the height of the building, she noted the proposed arena was lower than the maximum allowed by the Code in that area. She trusted, most importantly, that the arena was something for the community, and amidst other changes that had occurred in the community and would likely continue to occur, this project was a good way to preserve the Western way of life and the opportunity for people to enjoy Nevada the way it was.

Ms. Kathy Yriarte thanked the Commissioners for their time and patience. She said as the owner of a commercial stable and a professional trainer in Washoe County, she wanted to speak to the opposition's claim that waiving the commercial landscaping and

paving requirements was somehow not appropriate. She confirmed there was a precedent for that, and that her stable had an approved SUP. She reported they were approved unanimously in December 2023 for the exact same waivers being requested by Pro Pony for the safety of the horses and their handlers. She emphasized the importance of safety and the danger of pavement with horses could not be overstated. She claimed hers was not the first equestrian facility to be approved for those waivers, thus the precedent was clearly there.

Ms. Yriarte directed the attention of Commissioners to what was actually being heard that day. She asserted the hearing was not about waste, flies, traffic, or dust. She specified the matter at hand was the indoor arena, which was comprised of four walls and a roof that conformed to Code requirements in that area and not wasting precious water resources on commercial landscaping and dangerous paving. She echoed, as the opposition had stated over and over, that they did not want a commercial-looking facility. She recalled it had already been stated by Pro Pony multiple times that the existing trees and natural landscape would be preserved, and that only unsafe and diseased trees would be removed. They had also added natural landscaping back at the request of the neighbors. She suggested adding commercial-grade landscaping would inherently make the facility look more commercial, not less. She thought the indoor arena was no larger than many existing garages already constructed and approved in that area. She said she had many clients who lived in that area, and she traveled it frequently. She described numerous other garages, houses, barns, and buildings that were the same size if not bigger. She noted as the flooding had been mentioned multiple times, it seemed the opposition was incredibly concerned with Silver Circle Ranch's safety given that any issues with flooding would directly affect Silver Circle, not the neighbors. She reasoned if there was any damage due to flooding, it would be the responsibility of Pro Pony not only to cover the cost but also to ensure it was restored back to the required standard. She believed Pro Pony had worked tirelessly to meet or exceed every requirement that had been placed before them and had met all four conditions of approval set forth by County planning staff.

Ms. Liz Reader displayed images, copies of which were distributed to the Board and placed on file with the Clerk. She thanked the Commissioners for their time, energy, and devotion. She praised the children who spoke during public comment, which she thought demonstrated the confidence horse riding had helped them to build. She observed many things had already been addressed, including benefits to the community and questions about site engineering. Ms. Reader offered that she was happy to answer any questions about day-to-day operations and how the horses worked. She stated she was the owner-operator of Pair of Aces Stables and was happy to answer any concerns about horse welfare. She assured the horses were very well taken care of. She explained events at the property were fully permitted and followed the same rules as anyone else in the HDR zone, which meant keeping numbers under 100 people at events and only allowing 10 event days per year. She clarified they were allowed sound amplification at events, just like every one of the neighbors. She informed NDOT permits had been in process since 2020 and they had asked for extensions because exact specifications depended on the arena build. She felt the site engineer, Mr. Ezzell, could add clarity to that. She acknowledged the property was not in a commercial zone, but claimed there were numerous other commercial activities in

the area, and HDR zones did allow commercial activities under SUPs. Regarding the intensive use mentioned by some prior commentors, she communicated there was previously no limit on the number of horses allowed on the property, but Pro Pony had worked with the County to establish a cap of 35. She asserted two Boeing 737 airplanes would not fit in their building. She added not even one would fit and cited the dimensions of the aircraft and the arena. She suggested there were other things to think about, including the possibility that Ms. Brandin was a developer masquerading as an aggrieved neighbor and that this was a plot to develop the property. Ms. Reader surmised Ms. Brandin actually lived in Incline Village based on her driver's license, which put her status as a neighbor in question. Ms. Reader reported the lighting Pro Pony used was below what was allowed for a residence and was directed towards the arena to maximize illumination of the area. She asked Commissioners to let integrity be their currency and acknowledged there was a lot to the project on both sides. She reiterated she was happy to add clarity.

Ms. Donna Robinson remarked she did not live in the area, but she was an equestrian. She expressed that she rode year-round and thought an indoor arena would be a blessing. She agreed with the comments provided by Ms. Reader, who addressed much of what Ms. Robinson already planned to talk about, particularly regarding concerns about light, noise, and dust. She reasoned that an indoor facility would reduce all of those impacts. She said she did ride in the winter but had not ridden much that winter because of treacherous environmental conditions. She mentioned she also rode in the Reno Rodeo and without her horse she could not be there to represent the sponsors who spent thousands of dollars on sponsor flags. She believed an indoor arena was a good thing, and not as bad as everyone was making it out to be. She informed she had reviewed the plans for the facility, and it looked like it was as simple as enclosing an existing arena, thereby making it safe for the riders and the horses.

Ms. Valerie Fiannaca disclosed she lived in Bridle Path, which she thought was a very unique community. She did not judge the zoning was any different in her community from the HDR zoning in the community where Pro Pony was located. She said she lived on 1.25 acres and could have five horses on her property. She concluded it was safe to assume that owning 12 acres meant they could technically own 60 horses on the property, which meant Pro Pony only had half the number of horses they were allowed to have by Code.

County Clerk Jan Galassini advised the Board she received 68 emailed public comments which were placed on file.

Commissioner Clark thanked the Sheriff's Department for providing staff for the duration of the meeting. He hoped nobody would take his comments personally and apologized for the actions of the County in contributing to a lengthy process with the SUP application. He believed in private property rights and the bundle of rights. He asserted when someone owned a piece of property, what they did with that property should be up to them. He spoke to the good character of the Witmers, and discerned they were trying to do something they believed in and were passionate about, not trying to diminish anyone's property values. He was amazed that despite project approval by County staff, it still had

not been finalized because there were some neighbors who did not like it. He encouraged people to imagine themselves in the position of Pro Pony, who fielded ongoing objections from a few neighbors that prevented them from being able to move forward with their planned property use and enjoyment. He wanted to make a motion to approve the SUP as soon as possible, and thought it was outrageous to not allow people to use property in a way that was already approved by County staff. He wondered what the limits were of personal preference regarding rightful property use by another. He reiterated his belief in personal property rights, and concluded this was a property rights issue.

Vice Chair Herman could not see why anybody would oppose the SUP. She related she lived with horses and cows and could not imagine choosing to have 180 houses instead of the proposed indoor riding arena. She did not understand why it was such a stubborn issue, and echoed Commissioner Clark's apology about the complexity and length of the process. She expressed she would second the motion when it was made.

Commissioner Andriola thought it was important to look at the direction Commissioners were given by ADA Edwards regarding the item, part of which was to grant or deny the SUP based on facts. She affirmed the facts had been presented and all of the findings had been met in full. She trusted any concerns of non-compliance would have been brought by staff, who would have spoken with the applicant to mitigate the issues. She supported the project and thanked everyone for their time and comments. She advised that the issues of safety and preservation of heritage were paramount. She avowed her belief in property rights and did not support encroachment of development into areas that impeded equine communities. She was eager to vote in favor of SUP approval.

Commissioner Garcia expressed her appreciation for the time people took in submitting their comments and sharing their thoughts in the meeting that day. She informed she met with people on both sides of the issue, both in her office and on a site tour to see the property. She granted she initially had some flooding concerns but had the opportunity to ask all of her questions. She said she felt very comfortable with the next phase. She believed all the findings were met. She mentioned concerns from some commenters about losing history and heritage in Nevada, and urged both sides to be open to mending relationships and remember they were Nevadans and neighbors.

Chair Hill echoed Commissioner Garcia's hope that people would come together after the decision was made by the BCC. She also believed the findings were met and shared her experience that a SUP provided mutual assurance because of all the oversight from numerous agencies and the continuance of conditions that needed to be met. She supposed that did not provide any immediate feelings of relief, but hoped concerned neighbors would ultimately feel like they had more control because of the ongoing compliance requirements of the SUP.

On motion by Commissioner Andriola, seconded by Commissioner Garcia, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 21 be approved with conditions as provided in Attachment J, having made all the findings based on the record and evidence provided. Consistency, adequate improvements, site suitability, and

issuance not detrimental were all found to have been met. ADA Edwards asked if the motion included the landscaping and parking waivers, and Commissioner Andriola confirmed that yes, the motion included all other conditions that staff put on record.

BLOCK VOTE – 14, 16, AND 18

24-0032 **AGENDA ITEM 14** Recommendation to reappoint one attorney member and one non-attorney member to the Law Library Board of Trustees. It is recommended that Patricia Halstead serve as an attorney member for a two-year term expiring on January 31, 2026, and Cortney Young serve as a non-attorney member for a two-year term expiring January 31, 2026. Candidates will satisfy the attorney position and non-attorney position required for the Law Library Board of Trustees. Applicants for the attorney position include Patricia Halstead (incumbent) and Krissta Kirschenheiter. Applicants for the non-attorney position include Scott Benton, Scott Finley, Rosanna Garibay, and Cortney Young (incumbent). District Court. (All Commission Districts.) FOR POSSIBLE ACTION

Public comment for each item in the Block Vote was held concurrently.

On the call for public comment, Ms. Cortney Young sought reappointment to the Law Library Board of Trustees. She declared the board worked to create and maintain a space for the public and legal practitioners. She remarked some people engaged with the legal system could not afford attorneys and needed help navigating the complex legal system. During her time as a trustee, she and her colleagues worked to ensure necessary resources were maintained and supported. She mentioned the Lawyer in the Library program, which allowed people to meet with licensed attorneys to get answers to questions or assistance filing documentation to advance their cases. She pointed out that her reappointment was unanimously recommended by her colleagues. She expressed pride in the organization and the valuable resources it offered. She asked the Board of County Commissioners (BCC) to reappoint her so she could continue her work.

Mr. Scott Finley provided a document that was distributed to the BCC and placed on file with the Clerk. He declared he was a law student enrolled in the Paralegal Law program at Truckee Meadows Community College (TMCC) who regularly utilized the Law Library. As a disabled veteran who was learning American Sign Language (ASL), he thought his presence on the board could help represent marginalized communities. While on active duty in the United States Air Force (USAF), one of his duties was records custodian, which involved preserving records, including physical documents, electronic files, and continuity guides. He viewed the Law Library as a historical archive that was important to Washoe County and the justice system. He believed books held immense cultural value due to their significant influence on people. He pointed out that he had never served on a County board, nor been employed by the County. He was not related to any County employees. He asserted a vote for him was a vote against nepotism and for merit.

Ms. Penny Brock stated as a taxpayer, she had the right to know where her

money was going. She spoke about Agenda Item 16, which augmented the Capital Improvements Fund and the Parks Capital Projects Fund. She wondered what augment meant. She asked where the money would come from and declared the taxpayers had a right to know where the money would come from. She pointed out that the Board approved a \$1.6 billion budget in 2023. She noted property taxes would increase in 2024 and wondered why.

Ms. Debbie Sauk wondered if the departments should be responsible for budget overages. She thought projects should not get extra money if they did not procure competitive bids. She suggested the contractor be held responsible for additional funding if they went over budget. She spoke about Agenda Item 18, claiming that the Staff Report indicated there were five changes in the proposed ordinance, but she only saw four listed. She asked what the additional change was.

On motion by Commissioner Garcia, seconded by Commissioner Andriola, which motion duly carried on a 5-0 vote, it was ordered that Patricia Halstead be reappointed to the Law Library Board of Trustees as an attorney member for a term expiring on January 31, 2026, and Cortney Young be reappointed as a non-attorney member for a term expiring January 31, 2026.

24-0033 **AGENDA ITEM 16** Recommendation to approve a resolution to augment the Capital Improvements Fund in the amount of [\$18,618,598.96], and the Parks Capital Projects Fund in the amount of [\$444,487.05] to increase revenue, expenditure, and transfer authority for capital projects for fiscal year 2024 in accordance with Nevada Revised Statute (NRS) 354.598005; and direct the Comptroller to make the appropriate budget amendments. Finance. (All Commission Districts.) FOR POSSIBLE ACTION

Public comment for each item in the Block Vote was held concurrently. See Agenda Item 14 for the public comment relevant to this item.

On motion by Commissioner Garcia, seconded by Commissioner Andriola, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 16 be approved and directed.

24-0034 **AGENDA ITEM 18** Initiation of a proposed ordinance amending Washoe County Code (“WCC”) Chapter 45 to set the matter for an introduction and first reading of the ordinance on January 23, 2024, and, if supported, set a public hearing for second reading and possible adoption of the ordinance on February 13, 2024. If passed, the proposed ordinance will modify: 1) the definition of “child care” found in WCC 45.010(5) to mirror the definition of “child care facility” found in Nevada Revised Statutes (“NRS”) 432A.024; 2) the definition of “division director” and selection process thereof in WCC 45.010(4) and WCC 45.020(2)(b), respectively; and 3) the composition of the Washoe County Human Services Agency (“WCHSA”) in WCC 45.020(1) to reflect the addition of new divisions within WCHSA.

Human Services Agency. (All Commission Districts.) FOR POSSIBLE ACTION

Public comment for each item in the Block Vote was held concurrently. See Agenda Item 14 for the public comment relevant to this item.

On motion by Commissioner Garcia, seconded by Commissioner Andriola, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 18 be initiated and a first reading be set.

6:38 p.m. **The Board recessed.**

7:00 p.m. **The Board reconvened with all members present.**

24-0035 **AGENDA ITEM 13** Recommendation to award Washoe County Bid No. 3231-24 and approve the Agreement for Services to provide custodial services to low security buildings to the lowest, responsive, responsible bidder, [staff recommends Qual-Econ, LLC., in the amount of \$27,625.00 per month]; and authorize the Purchasing and Contracts Manager to execute a three year agreement effective February 1, 2024 through January 31, 2027, with two additional one year renewal options on behalf of Washoe County [estimated annual value \$331,500.00 plus cost for call-back services]. Community Services. (All Commission Districts.) FOR POSSIBLE ACTION

Division Director of Operations for the Community Services Department (CSD) Eric Crump stated this item was to approve an agreement for custodial services in the County’s low-security buildings. He pointed out that the County had two custodial contracts, one for high-security buildings and one for low-security buildings. He recalled that the high-security contract came before the Board in November of 2023 but was tabled due to some performance concerns that staff was working through with the vendor. He predicted the high-security agreement would be back before the Board in February.

Chair Hill asked for verification that one of the high-security facilities was the courthouse, which was where Commissioner Clark reported staff had concerns, to which Mr. Crump responded yes.

Commissioner Clark explained that Chief Judge Lynne Jones was unhappy with the quality of custodial services at the courthouse. He thought there had been several complaints in writing that Mr. Crump did not have on file. He wanted the issues with the high-security buildings addressed before he agreed to this item. He opined this contract should have gone out for bid and wondered if there was a minority-owned janitorial company that could get the contract. He asked why the County would continue working with a contractor that was allegedly not doing a good job.

Mr. Crump noted the item did go out for bid. He reported the County received two bids, and Qual-Econ was the lowest responsive, responsible bidder. He said while Qual-Econ was the County's current custodial vendor, this item was not a contract renewal.

Commissioner Clark asserted that until the issues with the high-security facilities were resolved, he could not use taxpayer money to hire a company that was not doing a good job.

Mr. Crump agreed with Commissioner Clark. He thought custodial services were something the County took seriously. He explained that he met with the custodial vendor on a weekly basis and inspected facilities on a monthly basis. He noted there was a robust work order system in place where departments could identify custodial or facility issues. He recalled a comment claiming that he did not know about the issues, to which he responded he was consistently informed of issues through the work order system. He believed that the system performed well. He declared he was working with the vendor to address recent issues.

Commissioner Clark announced that Chief Judge Jones planned to come before the Board and discuss the issues with the custodial services. He declared when the employees at the high-security facilities were happy with the services, he would be happy. He wanted to get answers on the high-security contract before he approved this item.

Chair Hill asked if the contract would go back out to bid if this item was not approved, which Mr. Crump confirmed. She inquired if the County would enter into a month-to-month contract with the current vendor until a new vendor was approved. Mr. Crump responded yes and suggested this item could be tabled similarly to the high-security contract. If that happened, the County would enter into a short-term contract with the current vendor to bridge the service gap until the issues with the high-security contract were resolved. He noted he met with Court Administrator Alicia Lerud to learn more about the issues at the courthouse. He thought those problems were being addressed and things were improving.

Commissioner Clark wanted to table this item until issues at the courthouse were resolved. He intended to reach out to the department heads located at low-security facilities to inquire if they were happy with the custodial services in their buildings.

Commissioner Garcia asked if the motion was to table the item or go back out to bid. Commissioner Clark confirmed the motion was to table the contract.

Assistant District Attorney (ADA) Nathan Edwards recalled the Board previously tabled a contract for ballot printing to see if there was a local vendor that could do the job. That was allowed because there was a substantial public interest being served by tabling the item. He thought that was also the case with this item.

Chair Hill expressed consternation towards tabling this item. She remarked

the Board had not heard of issues with low-security buildings and pointed out that Qual-Econ was working with Mr. Crump's team to resolve issues at high-security facilities.

Commissioner Garcia pointed out that the Board did not have a meeting the last Tuesday of the month, so the item would likely come back in February. Mr. Crump confirmed, noting he planned to bring the high-security contract before the Board in February and thought he could bring this item back during the same meeting.

There was no response to the call for public comment.

On motion by Commissioner Clark, seconded by Commissioner Andriola, which motion duly carried on a 4-1 vote, with Chair Hill voting no, it was ordered that Agenda Item 13 be tabled.

23-0036 **AGENDA ITEM 15** Discussion and possible action to initiate amendments to WCC Chapter 15 concerning the Purchasing and Contracts Manager's authority as stated in Washoe County Code 15.490, to make specified expenditures to purchase supplies, materials, equipment and contractual services required by the County in an annual amounts or estimated annual amounts up to \$300,000 per vendor contract or up to \$300,000 in the aggregate spend or encumbered per vendor, and submit to the Board of County Commissioners for award all purchase of supplies, materials, equipment and contractors services in annual amounts or estimated annual amounts in excess of \$300,000 per vendor contract or in excess of \$300,000 in the aggregate spend or encumbered per vendor in accordance with the provisions of the Local Government Purchasing Act. Action may include direction to initiate amendments to the spending authority currently in code from \$300,000 to another amount. Finance. (All Commission Districts.) FOR POSSIBLE ACTION

Chair Hill invited Commissioner Clark to speak on the item since it was agendized at his request. Commissioner Clark said he wanted to see the amount reduced to \$100,000 for each expenditure category. He thought Commissioners had the right and the duty to protect the investments of taxpayers and look at all contracts that exceeded \$100,000, discuss them, and vote on them.

Commissioner Andriola recalled that in 2022 it was reported that the threshold was increased from \$100,000 to \$300,000 during a Board meeting. She wondered what the reason was for the increase from \$100,000 to \$300,000 at that time.

Manager Brown recalled at that time the Board of County Commissioners (BCC) felt that as the scope of County budgets continued to grow, it was necessary to expand the signature authority in accordance with that growth. He recalled the Board saw an inordinate number of items that did not necessarily require BCC approval that they thought could be handled by the contracts manager. He said they made the adjustment to \$300,000.

Commissioner Andriola acknowledged the amount of time spent in the meeting already that day but thought it would be helpful to understand what the process was for purchasing and contracts at the County. She knew there were a lot of moving parts with various components, including office supplies, larger equipment, and everything in between. She wondered if someone was present who could describe the process to ensure competitive bidding, and that contracts were appropriately awarded to the lowest responsible bidder with checks and balances in place. Manager Brown said Chief Financial Officer (CFO) Abbe Yacoben was present, and she provided the detail Commissioner Andriola was asking for.

Commissioner Clark cautioned that rather than relying on the recollection of Manager Brown for events of the meeting, there were also recorded minutes of that meeting that detailed exactly why the changes were made. He wished more members of the public were still present in Chambers, and wondered if there was space on the next agenda to discuss important matters when more people could engage with the issues. He thought elected and appointed officials needed to stand up for what was best for the taxpayer. He believed elected officials needed to live and die by their votes, and that Commissioners needed to vote on anything above \$100,000, as it was previously. He did not think there was a good reason why it was changed. He wanted the public to be able to review the voting record, which would be more comprehensive if the cap was reduced. He reiterated the importance of citizens being able to hear what Commissioners discussed.

Chair Hill invited Ms. Yacoben to address Commissioner Andriola's question. Ms. Yacoben summarized when a department decided they were going to procure something, they would look at Nevada Revised Statutes (NRS) 332 and 338 and follow those laws and do either a bid request for proposal, or a request for information. She said if it was a small purchase they would be permitted by law and by best practice to purchase that item. Ms. Yacoben informed in the current situation, her department would review proposals or bids and make a recommendation to award the bid to the lowest priced responsive, responsible bidder. She advised the only thing under discussion with this item was if it was under \$300,000, the Purchasing and Contracts Manager, for ease of flow and getting the work done, had the ability to sign. She specified if it was above \$300,000, it went to the BCC for a vote. She noted the same rules would still be followed, particularly for federal and state funds, which had very strict procurement rules, that were in many cases more restrictive than the protocols outlined in NRS.

Commissioner Garcia thanked Ms. Yacoben for the information about the bid request process and NRS. She said there was an efficiency to allowing staff that signing power. She recalled an earlier conversation about unintended consequences and thought maybe an unintended consequence of reducing the cap for signature authority would be longer BCC meetings. She recalled hearing from many members of the public that they did not like Block Votes. She mentioned her weekly meetings with Manager Brown, during which she always asked for information on bids in excess of \$100,000. She did not think any Code modification was needed and thought it would be a waste of taxpayer money for Commissioners and County staff to sit in Chambers for meetings in excess of nine hours. She said she was all about efficiency and saving taxpayer dollars and did not support the

item. She thought there were other ways of addressing spending concerns.

Commissioner Clark recalled the cap was \$100,000 a year or 18 months prior, and it had subsequently been increased to \$300,000. He wanted the cap to be reverted to \$100,000 so when he was talking to his constituents who wanted to know why something got approved, he would have good reasons including Commissioner deliberation and a vote. He thought those discussions should take place in the open rather than behind closed doors so people could hear what was talked about. He reasoned that the increase in the size of the County was not proportional to the increase in signing authority. He did not understand why the increase tripled so rapidly and was concerned by that. He compared the spending limit increase to credit cards, where people sometimes lost track of what they bought if they did not closely evaluate purchases. He thought looking at things closely was a prudent way to do business.

On the call for public comment, Mr. Robert Beadles endorsed the opinion of Commissioner Clark about reducing the limit back to \$100,000. He asked for the assistance of Commissioner Clark in asking Assistant District Attorney (ADA) Nathan Edwards if there had been any violations. He referenced a public records request (PRR) that he got on June 14, 2023, which stated that staff interpreted the language to mean certain things, but it did not say it was definitive. He said when he looked at NRS, he observed a cap of \$100,000. He recalled Ordinance 1690 moved the cap to \$300,000, which he thought was in stark violation of NRS, and possibly the Consolidated Financial Report (CFR). He wanted to know if this was an attempt to sweep some wrongdoing under the rug or if Commissioner Clark was simply trying to do the right thing by reducing the purchasing authorization by \$200,000 and improving transparency. He wanted to know if the County had been in compliance with NRS and the CFR under Ordinance 1690.

Ms. Penny Brock reiterated her concerns about the item, which she also shared earlier that day. She mentioned Strategy Rose, LLC, and Ms. Amber McReynolds. She recalled the October 24, 2023, BCC meeting, during which Manager Brown mentioned a consultant he hired for the Registrar of Voters (ROV). She said no information was provided, but she went home and submitted a PRR. She got back that the name of the consultant hired was Strategy Rose, LLC. She asked for a copy of their contract. She recalled their contract was for \$231,000 and was signed in either August or October and was for three months, October through December. She commented she had no idea what Ms. McReynolds did, but knew she started the National Vote At Home Institute (NVAHI), had her office in Washington, D.C., and was appointed to the United States Postal Service (USPS) Board by President Joe Biden. Ms. Brock said Ms. McReynolds oversaw the elections commission within the USPS and was known as a proponent of mail-in ballots. Ms. Brock questioned the end date of the contract, which was supposedly December 31, 2023. She stated that rather than providing answers to all of her questions, the matter was referred to the DA. She reported she received notice the information requested was going to be put together, after encouragement from the DA's Office. She said the requested information was sent to her with an access code. Despite trying the code four times, she was unsuccessful in obtaining access to the information. She advised she sent Washoe 311 an email informing them the access code did not work and noted she was still waiting for

a successful resolution. In the meantime, she disclosed she sent another request to learn whether Strategy Rose, LLC had been retained for 2024. She noted that the question was referred to the DA, which she found suspicious. She reasoned the question should have been simple to answer if Strategy Rose, LLC had not been retained, but instead, it was referred to the DA's Office. She explained this was why she objected to anything, especially contracts, being issued without the knowledge of the BCC and the public. She asked why there was no transparency. She wanted to know who Strategy Rose, LLC was, and what they were doing.

Mr. Scott Finley displayed and read a letter, copies of which were distributed to the Board and placed on file with the Clerk.

Ms. Debbi Sauk wanted to make sure she was reading the item correctly. She understood if passed, this item would give authorization to the Comptroller or Purchasing and Contracts Manager to sign up to \$300,000 in purchases without requiring BCC discussion and review. Additionally, Manager Brown was already authorized to sign for contracts and purchases up to \$300,000, a cap which she recalled had recently been increased. She believed quite strongly that all of those limits should be no more than \$100,000. She did not think taxpayers should be paying what they were paying.

Mr. Gary Schmidt spoke about the PRR process. He stated that when a request was made to Washoe 311, the requester got a link with a passcode. He reported that on many occasions he had experienced that process not working. He observed that his records requests were for information already available to the public, which precluded the need for a passcode when they were sent. He thought the process should be changed because there was no threat that information could be stolen when it was already public.

Chair Hill asked Mr. Schmidt to focus his comments on the spending limit item under discussion.

Mr. Schmidt supported a limit of no more than \$100,000 and thought there should be an amendment to WCC Chapter 15 that mandated any and all County purchases to be posted to the County's website. He said if items came up for a vote, all exhibits or supplemental information became available under Open Meeting Law (OML) to anyone. Conversely, purchases and contracts under \$100,000 were only available through a PRR. He believed everything that was purchased, with the possible exception of some policing materials, should be public. He suggested all purchases, no matter how small, be posted on a website so that all people, including Commissioners, could access that information.

Commissioner Andriola asked for clarification about the original vote to increase the spending limit, which Chair Hill affirmed was unanimous. Chair Hill related there were many changes to WCC Chapter 15 at the time of that vote, which were brought by staff as recommendations. Commissioner Andriola sought to ascertain the original reason for the change, which she did not think was clear in the Staff Report. She assumed it was not an arbitrary decision to make such a significant change. Chair Hill confirmed the increase was one of a large number of changes. Commissioner Andriola wondered about

the impact to staff in breaking every item down and wondered about unintended consequences. She wanted to understand more of the background and details of the change before taking any further action.

Commissioner Garcia asked for further clarification from Ms. Yacoben. She wondered how the spending limits in Washoe County compared to other jurisdictions locally and regionally.

Ms. Yacoben responded that the limit for the City of Las Vegas was \$500,000 for goods, and that services was a lower number. She said her experience was that there was a fine line between bringing everything forward for discussion and getting things done. She acknowledged that transparency, public input, and Commissioner review were important, but noted that sometimes the price given on a bid was only held for a certain number of days.

Commissioner Garcia thanked Ms. Yacoben for her perspective. She echoed Ms. Yacoben's respect for transparency and also understood the importance of that to constituents. She thought there was a line between evaluation and efficiency, and ultimately, she did not want taxpayer dollars to be wasted. She did not support the item.

Commissioner Clark pointed out there was not a BCC meeting the previous week, which he thought contributed to the length of the meeting that day. He wanted people to keep in mind that Commissioners were effectively conducting two meetings on the same day. He shared Ms. Brock's concerns about Strategy Rose, LLC, and he did not feel right about being uninformed as an elected official. He thought it was the opposite of transparency, and wished the Commissioners could have a regular meeting to evaluate contracts and fully understand where taxpayer money was being committed. He echoed the opinion of Commissioner Garcia about efficient use of time, and also wanted to be a good steward of public funds. He felt underinformed about what contracts the County had signed, and, more importantly, surmised the public did not have any knowledge of what was taking place.

Chair Hill requested a procedural opinion from ADA Edwards. Her understanding was that a motion in support of the item would initiate staff coming back for a first reading. She said the item before the BCC that day was just permission to open the chapter. ADA Edwards affirmed her summary of the process. Chair Hill stated that she did not want to see a change but was open to a motion in support of initiation from anyone who wanted that change. She did not want the motion to be tabled after so much discussion, only to come back to the BCC.

Commissioner Garcia moved to maintain the current Purchasing and Contract Manager's authority as stated in the Staff Report. Chair Hill seconded the motion.

On discussion, Commissioner Andriola asked if there had been any violations. She divulged her previous experience in purchasing and said she understood federal requirements regarding compliance. She wondered if it was possible to get more

information on potential conditions of non-compliance, if the matter were to come back to the Board. Ms. Yacoben said she was not aware of any violations but would ask her team and inform the Commissioners of any issues of non-compliance that the County experienced. ADA Edwards stated his understanding was that Commissioner Garcia's motion was to not initiate amendments. Commissioner Garcia confirmed her intention was to keep the authority the same and not initiate amendments.

On motion by Commissioner Garcia, seconded by Chair Hill, which motion duly carried on a 3-2 vote with Commissioners Clark and Andriola voting no, it was ordered that the current Purchasing and Contract Manager's authority be maintained with no initiation of amendments to it.

23-0037 **AGENDA ITEM 19** Discussion and possible approval of amendments to the Washoe County Board of Commissioners Rules of Procedure Handbook (most recently adopted on October 4, 2022). The purpose of the rules is to provide parliamentary authority and to establish supplemental rules of procedures for the conduct of County Commission meetings and individual Commission members where such rules are not inconsistent with the laws of the State of Nevada. Possible amendments may include but are not limited to the following subjects within the rules of procedure: consent agenda parameters, order of business, virtual appearances by remote technology system, terms of officers, communication records, clarifying applicability of Robert's Rules of Order, and placement of items on Board agendas. Commissioners may propose additional amendments for adoption as well. Manager's Office. (All Commission Districts.) **FOR POSSIBLE ACTION**

Commissioner Clark divulged the item was one of several that he requested to be added to a Board of County Commissioners' (BCC) agenda. He remarked that Chair Hill and County Manager Eric Brown seemingly had control over the agendas. Because the Board minimally interacted off the dais, Commissioner Clark wished to itemize matters so the Commissioners could discuss them publicly. He asked how anyone other than the BCC Chair or the County Manager could get matters placed on an agenda.

Chair Hill and Commissioner Garcia referenced Article 5.5 of the BCC Rules of Procedure Handbook, which indicated that any Commissioner could request the addition of an item on a BCC agenda in a public meeting or by contacting the Chair, the County Manager, or both. Additionally, after consulting with the legal counsel and the County Manager, the Chair could determine if an item should be placed on an agenda based on whether the item substantially conflicted with the law or the ability of the County to carry out its administrative operations and duties.

Commissioner Clark asked if an item he requested would appear on a BCC agenda if it did not conflict with the County and was not illegal. Chair Hill inquired about the items Commissioner Clark wanted to be on a future agenda. She believed the Board included items requested by Commissioner Clark on the agendas and asked him to inform

her if an item was missing. Commissioner Clark clarified his request was for himself and other Commissioners to be notified by Chair Hill or Manager Brown if a requested item was incorporated into an agenda. He indicated he asked for multiple matters to be heard by the Board and did not receive subsequent information about them. He thanked the Board for including Agenda Item 19 on the agenda. Commissioner Clark questioned how long it would take for items requested by the Commissioners to be placed on an agenda and whether the items would be itemized at an appropriate time when the matter was still relevant to the constituents.

Chair Hill thought the information voiced by Commissioner Clark was being communicated, and she apologized. She responded in the affirmative to Commissioner Clark's questions. Commissioner Clark asserted the information had not been communicated to him. Manager Brown disagreed with Commissioner Clark's perception and commented that the Board's support staff communicated with Chair Hill. Commissioner Clark said he would locate the instances when he requested items that were not provided a response.

Manager Brown specified that there were instances when a Commissioner requested an item to be included on a BCC agenda; however, it was not of interest to a majority of the Commissioners. In response to Commissioner Clark's question regarding how that worked, Manager Brown referred to Article 5.5. of the BCC Rules of Procedure Handbook. Commissioner Clark described a hypothetical scenario in which the rest of the Board met in secrecy and decided not to add an item to an agenda. He added that he was not approached by Manager Brown or anyone else from his staff regarding a Commissioner's request to itemize a matter. Manager Brown replied that Commissioner Clark did not meet with him individually, while the other Commissioners did. Commissioner Clark indicated that Manager Brown could send him an email. Manager Brown claimed Commissioner Clark did not respond to Manager Brown's emails.

Chair Hill acknowledged Commissioner Clark's input and assured him the Board would consider ways to communicate with him.

Commissioner Clark asked for anyone to submit a public records request (PRR) to review his emails with Manager Brown and verify if Commissioner Clark responded to Manager Brown's emails. He criticized Manager Brown's claim that Commissioner Clark did not reply to Manager Brown's emails.

Chair Hill did not want to impede Commissioner Clark's opportunity to recommend changes to the draft BCC Rules of Procedure Handbook. She suggested removing Article 7.4 from the draft BCC Rules of Procedure Handbook, as the Board never participated in an annual internal evaluation. Furthermore, it was her understanding that the Board could not conduct an internal evaluation based on direction from the District Attorney's (DA) Office and the structure of Open Meeting Law (OML). Assistant District Attorney (ADA) Nathan Edwards clarified the Board could conduct a general internal evaluation by itemizing it on a BCC agenda and performing the evaluation as a Board in front of the public. He advised individual evaluations of the Commissioners could be

problematic. Chair Hill suggested amending the verbiage of Article 7.4 to indicate that evaluations would occur at the BCC's annual retreats, since the retreats provided an opportunity for such discussions. She mentioned specifying how evaluations would be performed due to the policy being confusing as written.

Referencing Article 6.2 of the draft BCC Rules of Procedure Handbook, Commissioner Garcia proposed removing one of the Commissioners' and County Manager's announcement items from the ordinary order of business. She noted the Board received warnings in the past regarding potential OML violations as a result of passionate discussions taking place during those items. She added that the violations were at no fault of any individual. She expressed concern regarding OML violations and believed eliminating an item would prevent violations and streamline meetings. She suggested that Commissioners who had important input wait until the end of the meeting to provide it.

Chair Hill proposed that County staff add language pertaining to dignity to Article 9.4.1 of the draft BCC Rules of Procedure Handbook.

Regarding Commissioner Garcia's proposed amendment, Commissioner Clark disagreed with removing either of the Commissioners' and County Manager's announcement items. He stated the Commissioners did not have many opportunities to discuss matters to avoid OML violations. He believed the item should be included at the start of the meeting when there were many members of the public in attendance, as well as at the end of the meeting so the Commissioners could address matters that arose during the meeting. He pointed out the public had their forum to provide input as citizens, and he viewed the Commissioners' and County Manager's announcement sections as the same sort of forum for the Commissioners, as they were still citizens. Commissioner Clark did not want to change the Commissioners' ability to comment. Commissioner Clark recommended enforcing a time limit for when the Commissioners requested an addition to an agenda.

Commissioner Clark informed he was viewing an email regarding the Registrar of Voters (ROV) sent to Manager Brown on December 29, 2023. He added that ADA Edwards asked Commissioner Clark to forward the email to him, but Commissioner Clark did not receive a response. He indicated that Manager Brown's claim that he replied to Commissioner Clark's emails was demonstrably incorrect.

Commissioner Garcia recognized the Commissioners' and County Manager's announcement sections were a proper forum for the Commissioners to share ideas. She clarified she did not want to stifle anyone's ability to speak and was considering the efficiency and seamlessness of the BCC meetings. She reiterated no one was at fault for the Board having been cautioned for nearly violating OML. She noted the Commissioners were passionate and intelligent people who readily addressed matters.

ADA Edwards mentioned the Board was warned about violating OML on multiple occasions. Commissioner Clark remarked that ADA Edwards sat at the dais to maintain decorum.

Commissioner Garcia believed the DA's Office did a lot for the Board and prevented it from getting into trouble. She voiced her respect for the DA's Office. She stated discussion during the Commissioners' and County Manager's announcement items jeopardized the Board. She brought attention to Article 9 of the BCC Rules of Procedure Handbook outlining how the Board could communicate. Commissioner Garcia pointed out that after the agendas were published on Thursdays, the Commissioners had five days to study them and ask questions before the meetings. She stated she utilized the County's staff, including on the day of the meeting. Although she understood the importance of transparency, she believed the Board could improve its communication to prevent the public from being burdened by Board tension. She noted the Commissioners were elected to complete County tasks and requested that the Commissioners review Article 9 before dismissing her proposal. She thought having two opportunities for Commissioners' and County Manager's announcements was excessive.

Commissioner Andriola recognized Commissioner Garcia's suggestion for efficiency. She divulged she met with staff, conducted a lot of research, asked a lot of questions, and arrived prepared for the BCC meetings. She indicated she might have prepared commentary to contribute during the first Commissioner's and County Manager's announcement section. She noted there might be input at the end of the meeting that was pertinent to matters considered during the meeting. She understood Commissioner Garcia was not attempting to suppress anything. Commissioner Andriola added that waiting to provide input until the next meeting could delay when matters were addressed, such as requests. She expressed uncertainty regarding whether she supported Commissioner Garcia's proposal at this time.

Commissioner Andriola disclosed she spoke with Commissioner Clark. She suggested considering a section for communications pertinent to the meeting item requests. Chair Hill added that there could be a condition for staff to keep the Commissioners apprised of the progress of their requests. She recalled a Commissioner had a request and hoped he or she received communication on it. She complimented the Board's support team and noted they kept the Commissioners informed. Chair Hill thought Commissioner Andriola's suggestion was fair.

Commissioner Clark wished to have the ability to communicate at the dais and on the record so the public could hear his remarks. He pointed out there were people who watched the meetings online, and he wanted to be able to communicate with individuals who could not attend the meetings in person. He noted it was acceptable for staff to share or participate in discussion amongst themselves or with the Office of the County Manager (OCM) for behind-the-scenes activities. He asserted the Board's actions should be executed publicly. He supported OML and wanted tasks to be carried out properly. He did not think the Commissioners' and County Manager's announcements item occupied much time. Because Commissioner Clark likely spoke the most during those items, he speculated the removal of one of the items from the agenda was a way to stifle him. He observed he often used much of the meeting time and commented that there was a reason for that, as he wished to discuss matters. He wanted people to understand his thought processes and how he represented them. He believed it was important for the

Commissioners to have a chance to deliver input at the beginning and the end of the meetings. He said he would submit a public comment card and provide three minutes of public comment, if necessary, to have his input on the record. Commissioner Clark noted the Board would save time by allowing him to provide feedback at the dais.

Commissioner Garcia acknowledged Commissioner Clark's stance and reiterated she was not attempting to stifle anything. She mentioned she utilized the Commissioners' and County Manager's announcements sections during nearly every meeting. She thought the Board's communication was not its strength, which had been the case for a year. She hoped to see some improvements within the upcoming year. Referencing Commissioner Andriola's feedback, Commissioner Garcia believed the Commissioners could organize their thoughts in accordance with the agenda. She clarified the Commissioners could ask the Chair for permission to share input regarding the agenda items, and the Commissioners could save their general comments for the end of the meeting. She expressed concern regarding the Board committing OML violations.

Commissioner Clark pointed out most of the attendees had departed by the end of the meeting, which was the same problem that resulted from opening public comment being removed from the BCC agendas. He observed people often completed their business at the meetings and left after doing so. He did not wish to deliver comments to an empty room. In the event the Board voted in favor of removing one of the Commissioners' and County Manager's announcement sessions, he stated the afternoon session should be removed. Commissioner Clark specified that the morning session allowed for a room full of members of the public who were awake and alert, which was when he wished to speak to them. He disapproved of removing either session.

Vice Chair Herman was in favor of keeping the current order of business. She commented that there were matters that arose during the meeting as well as items that the Commissioners wanted to discuss on the record before addressing agenda items. She added that she could use the opportunity to make an announcement in the morning or later during the meeting if she had forgotten.

Chair Hill remarked that the discussion the Commissioners engaged in was productive. She was pleased with Agenda Item 19 and thanked Commissioner Clark for requesting that it be itemized. She addressed Vice Chair Herman's interest in changing the mission that was located on the Chamber's wall. Vice Chair Herman recalled some people thought a portion of the language was a bit aggressive. Chair Hill wondered how the Board would consider the matter. Vice Chair Herman stated such matters were typically considered during the Board retreats. Since there would not be a Board retreat scheduled for a year, Chair Hill suggested workshopping at a future meeting to ensure everyone was comfortable with the mission's language displayed on the wall.

ADA Edwards requested that the Board clarify which changes would or would not be a part of the BCC Rules of Procedure Handbook, as there were other versions of the Rules of Procedure Handbook in the agenda materials and on the County's website. Chair Hill stated she was in favor of the portable document format (PDF) version on the

County's website, noting it was the most updated. She noted Commissioners had provided staff with general direction for the item. She suggested the staff return to a future meeting with the amended Rules of Procedure Handbook.

Commissioner Clark requested that the staff present a corrected, updated version of the BCC Rules of Procedure Handbook for the upcoming week or during the week to eliminate confusion regarding the italicized portions. ADA Edwards mentioned a week was a limited timeframe to provide an updated document to the Board. Commissioner Clark suggested allowing enough time to sufficiently edit the Rules of Procedure Handbook because there seemed to be confusion about which areas were italicized for being proposed changes. ADA Edwards mentioned he had an idea regarding a timeframe for requested agenda items to be heard by the Board and assured he would work with the OCM on the matter.

Based on the Commissioners' feedback, Commissioner Garcia withdrew her suggestion to remove one of the Commissioners' and County Manager's announcements items. Chair Hill thought the suggestion was beneficial to the discussion and expressed concern. Commissioner Clark added that the discussion was constructive and observed the Commissioners did not get the opportunity to participate in such discourse. He noted the item was on the agenda, so the Board did not violate OML and could explore some ideas. He believed doing so would make the process smoother for the Board and contribute toward improved communication in the future. Chair Hill agreed with Commissioner Clark's input.

On the call for public comment, Ms. Penny Brock recalled instances when Commissioner Clark and Vice Chair Herman requested agenda items that were never included on a BCC agenda. She mentioned Vice Chair Herman requested a matter concerning election integrity that did not appear on an agenda despite being approved by the DA's Office. She stated the public had a right to ask for items to appear on an agenda and revealed she had made requests to itemize matters. She hoped agenda items requested by the Commissioners and members of the public would be incorporated into future agendas.

Mr. Scott Finley read from a letter that was provided to the Board and placed on file with the Clerk. He stated the PDF version of the BCC Rules of Procedure Handbook was uploaded for both copies of the document, so he was uncertain about the copy that the Commissioners were reviewing. He mentioned there were no italics in that version of the document.

Ms. Janet Butcher confirmed there were items requested by Vice Chair Herman and Commissioner Clark that were not added to BCC agendas. She indicated she documented every meeting and the events that occurred during the meetings. She commented that Vice Chair Herman's and Commissioner Clark's requests were ignored.

Mr. Gary Schmidt read from Article 5.5 of the BCC Rules of Procedure Handbook. He referenced the description for Agenda Item 23, noting voting was not permitted on the

item. He claimed the Board was consistently violating the OML. He informed no one could poll three Commissioners and ask if they agreed to place an item on an agenda because that would be an illegal activity. Mr. Schmidt asserted deliberation among three Commissioners constituted an OML violation.

24-0038 **AGENDA ITEM 20** Recommendation for discussion and possible action in regard to the appointment and/or reappointment of Commissioners to boards and commissions, alteration of terms of service on boards and commissions where legally permissible, and such other action as the board of commissioners may desire to take in regard to those administrative matters. Boards and commissions for which possible changes to appointments could be made under this item include all of the boards and commissions listed at the end of this agenda as the “various” boards and commissions that commissioners may be members of or liaisons to. Manager's Office. (All Commission District.) FOR POSSIBLE ACTION

Chair Hill wanted her boards to remain the same, except for the Nevada Association of Counties (NACO) Board of Directors, which she believed Commissioner Andriola should take. She noted Vice Chair Herman attended every NACO meeting, and Chair Hill wanted to ensure two Commissioners could regularly attend NACO Board meetings.

Chair Hill asked each Board member if they would like any changes made to their assigned boards, to which all Commissioners requested to continue serving on their current boards.

On the call for public comment, Ms. Janet Butcher appreciated that Commissioner Clark would still serve on the Community Homelessness Advisory Board (CHAB) and that Vice Chair Herman would remain on the Washoe County Internal Audit Committee.

On motion by Chair Hill, seconded by Commissioner Garcia, which motion duly carried on a 5-0 vote, it was ordered to change the second NACO representative from Chair Hill to Commissioner Andriola.

24-0039 **AGENDA ITEM 6** Election of Chair and Vice Chair of the Washoe County Board of Commissioners. FOR POSSIBLE ACTION

On the call for public comment, Mr. Tom Taber stated he had been involved in city, county, and state politics for 47 years. He spoke about his professional and volunteer work and noted those positions taught him how to read people. He recalled the Commissioners used to rotate the Chair and Vice Chair positions throughout the Board members to allow all districts to have their representative serve as Chair. He pointed out that of the five Commissioners, three were rookies, one had four years of experience, and one had nine years of experience. He asked the Board to appoint Vice Chair Herman as Chair.

Mr. Robert Beadles agreed with Mr. Taber's comments. He opined Vice Chair Herman would do a great job as Chair after serving on the Board for nine years. He asked the Commission to consider diversity, equity, and inclusion (DEI) practices when considering who should serve as Chair. He did not think a Board member could serve as the Chair while running for office and wondered if that was why former Chair Bob Lucey resigned from the position when he did. He hoped Commissioner Andriola would vote for Vice Chair Herman to be the Chair. He believed Vice Chair Herman was incredible and entitled to the Chair position.

Mr. E. Gerscovich was not present when called to speak.

Ms. Penny Brock was disappointed Agenda Item 6 was left until the end of the meeting. She thought it was wrong to wait until everyone present at the beginning of the meeting had left to hear this item. She appreciated that those no longer present in Chambers spoke during initial public comment to request that Vice Chair Herman be named as Chair. As a taxpayer and voter, she supported Vice Chair Herman as the Chair and Commissioner Clark as the Vice Chair.

Ms. Chris Garvey noted Commissioner Garcia was her representative, and she owned land in Vice Chair Herman's district. She urged the Board to elect Vice Chair Herman to the position of Chair. She thought Vice Chair Herman's knowledge and experience on the Board was necessary for a leadership position. She opined that, over the years, Vice Chair Herman showed she listened and responded to the concerns of both urban and rural residents of Washoe County. Ms. Garvey believed this allowed people to put their trust in Vice Chair Herman and elect her as a Commissioner three times. She pointed out that the Chair position was one of leadership and mentorship. She claimed the Chair was responsible for mentoring new Commissioners, which she felt Vice Chair Herman would do well at. She asked the Board to appoint Vice Chair Herman as the Chair.

Mr. Scott Finley provided a document, which was distributed to the Board and placed on file with the Clerk. He thought the Board should appoint Vice Chair Herman as the Chair and Commissioner Garcia as the Vice Chair. He believed that Vice Chair Herman was the most seasoned Commissioner due to her having served for over nine years on the Board. He opined Vice Chair Herman fulfilled the duties and responsibilities of the Chair expertly when Chair Hill was not present. Aside from her intelligence and honesty, he believed Vice Chair Herman could maintain bipartisanship and bridge any issues plaguing the Commission. He noted Commissioner Garcia was one of the youngest members of the Board and said serving as Vice Chair was an excellent opportunity to prepare Commissioner Garcia to serve as Chair in the future. He reiterated his request for the Board to appoint Vice Chair Herman as Chair and Commissioner Garcia as Vice Chair.

Ms. Janet Butcher opined it would be nice for Vice Chair Herman to serve as Chair. She claimed while Vice Chair Herman was mild in manner, she was strong in knowledge, which would stabilize the Board. She believed Vice Chair Herman was fair and would not treat other Board members poorly. She remarked that Commissioner Clark had a lot of background with the County and would make a good Vice Chair.

Ms. Susan Van Ness thought it was time for Vice Chair Herman to be the Chair. She asserted Vice Chair Herman was a hard worker, working six or seven days per week. She spoke about a time when Vice Chair Herman gave money to a struggling waitress while having lunch with Ms. Van Ness. She declared that District 5 and former President Donald Trump loved Vice Chair Herman. She asked the Board to make Vice Chair Herman the Chair.

Ms. Renee Rezendes claimed Vice Chair Herman earned the Chair position more than any other Board member. She recalled being invited to meet with the Elections Group and pointed out that when she called Vice Chair Herman and Commissioner Clark to ask what the meeting was about, they were unaware the meeting was taking place. She alleged that Vice Chair Herman and Commissioner Clark were deliberately left out of the loop, which caused them to be unable to provide additional information to their constituents regarding the meeting. She opined Vice Chair Herman would never treat other Commissioners in that manner. She wanted a Chair who would be transparent and inclusive. She thought it was time for Vice Chair Herman to serve as Chair because she was level-headed, fair, kind, and knew what living in rural areas of Washoe County was like.

Mr. Gary Schmidt said he had attended Commission meetings for over 50 years. He reported in the late 1970s and early 1980s, he had better attendance at Commission meetings than some Commissioners. He noted that he owned various properties for sale in Washoe County. He opined all five Commissioners were competent enough to conduct meetings as the Chair. He disagreed with others' beliefs that Vice Chair Herman should be the Chair because it was her turn; he believed the decision should be looked at more closely than that. He asserted Vice Chair Herman was qualified to serve as Chair based on her capacity and experience serving on the BCC.

Ms. Betty Thiessen pointed out that Vice Chair Herman had been at every BCC meeting Ms. Thiessen attended. She thought Vice Chair Herman was reliable, honest, transparent, and bipartisan. She believed Vice Chair Herman would do well as the Chair despite her age. She asked the Board to vote for Vice Chair Herman as Chair and Commissioner Clark as Vice Chair.

County Clerk Jan Galassini advised the Board she received emailed public comments, which were placed on file.

Commissioner Garcia reflected that former Commissioner Vaughn Hartung resigned on March 15, 2023. She thanked Chair Hill and Vice Chair Herman for stepping in during that time. She agreed with the comments that Vice Chair Herman had a sweet disposition and opined working with her on both the Board of County Commissioners (BCC) and the Sun Valley Citizen Advisory Board (CAB) was great. She pointed out that Vice Chair Herman had to step in as Chair when Chair Hill was away, and despite being nervous, she made it through the meeting with some guidance and support. She asserted it took a lot of courage to step up as Chair. She stated Chair Hill's attendance was impeccable aside from the one planned absence. Commissioner Garcia believed Chair Hill possessed

strong leadership skills. She appreciated Chair Hill's ability to communicate and serve as the forward-facing leader for Washoe County. She declared both Chair Hill and Vice Chair Herman possessed tremendous work ethic and cared deeply about their constituents. She reported they worked well together with a general sense of respect. She proposed that Chair Hill and Vice Chair Herman keep their existing seats because they were doing a tremendous job and balanced each other out. She wanted the BCC to improve its communication and be a strong regional leader. She said many important things were coming up, such as capital improvement projects (CIP), seniors, and behavioral health, which the Board would need to work collaboratively on.

Commissioner Clark stated he met Vice Chair Herman in 2014 when she was running for Commissioner, and he was running for Assessor. He said he developed a good relationship with her over the years. He spoke about Mr. Schmidt's comment and agreed that Vice Chair Herman had earned the position of Chair. He felt that Vice Chair Herman being continuously passed over for Chair disenfranchised the voters in District 5. He noted District 5 was the fastest-growing district in the County and thought it would be appropriate for Vice Chair Herman to be elected as Chair. He asserted he was not interested in serving as the Chair. He pointed out that a Democrat had been in the Chair position for the past year and felt a Republican should serve as Chair for the following year. He remarked that most public commenters had asked that Vice Chair Herman be elected as Chair.

Commissioner Andriola thought Vice Chair Herman's presence on the Board helped maintain stability during turnover through the years. She said that previous Commissioners encouraged Vice Chair Herman to serve as the Chair, but Vice Chair Herman had not wanted to do so. She spoke about Vice Chair Herman's attendance at agenda review meetings, noting it could be hard to attend those meetings, but attendance was essential for leadership. She expressed concern regarding the discussion of politics surrounding this item because she believed dealing with community issues should not involve political parties. She pointed out that the Commissioners had political party affiliations because the Legislature created the BCC. She did not think Vice Chair Herman was ready to be Chair because she had only attended 20 percent of agenda review meetings.

Commissioner Garcia echoed Commissioner Andriola's points about attendance and thought it was an important aspect of the job. She mentioned that Board members not serving as Chair or Vice Chair did not attend agenda review meetings, and she often had constituents contact her before she knew what was on the agenda. She remarked she recently reached out to Vice Chair Herman requesting a meeting to address a constituent concern she received from someone in District 5, but Vice Chair Herman never responded. She declared she meant no disrespect to Vice Chair Herman and held a lot of respect for her.

Commissioner Clark said Vice Chair Herman had been pushed to the side for nine years. He spoke about Commissioner Andriola's political affiliations and claimed her comments were political suicide. Chair Hill interjected to ask Commissioner Clark not to attack his coworkers.

Commissioner Andriola declared she did not want that train of thought to continue. She asserted Agenda Item 6 was not political; the business was important to her constituents and the whole of Washoe County. She had immense respect for Vice Chair Herman and thought attending the agenda review meetings would pose an excellent opportunity to prepare Vice Chair Herman to serve as the Chair. She recalled a presentation given to the BCC about working to improve as a group and expressed excitement for the Board to move forward collectively.

Commissioner Clark stated while Vice Chair Herman had not wanted to serve as Chair in the past, she wanted to now. He thought Vice Chair Herman serving as Chair was a prime opportunity for the Board to collaborate and work better together. He asked the BCC to vote for Vice Chair Herman to be Chair because she had the institutional knowledge and leadership necessary to help the Board get along better.

Vice Chair Herman remarked that as far as her attendance, she had only been the Vice Chair for a few months. She declared she usually had to attend those meetings by phone and tried to be at every meeting.

Chair Hill said it had been the honor of her life, and she hoped to have the opportunity to work with Vice Chair Herman again. She opined it was a joy to work with all members of the BCC because they all loved the community.

Vice Chair Herman thanked the public for their comments.

On motion by Commissioner Garcia, seconded by Chair Hill, which motion duly carried on a 3-2 vote, with Vice Chair Herman and Commissioner Clark voting no, it was ordered that Chair Hill and Vice Chair Herman remain in their existing positions as Chair and Vice Chair.

24-0040 **AGENDA ITEM 22** Public Comment.

Mr. Robert Beadles claimed the Board consistently lacked a singular vote needed to solve the County's problems. He commended two Commissioners for their service to the public. He stated he would do his best to ensure some of the Commissioners were not reelected.

Ms. Penny Brock was not present when called to speak.

Mr. Scott Finley stated he had a career background in financial management in the United States Air Force (USAF). He asserted that carbon dioxide (CO₂) was not a pollutant and said the world's environments were dynamic, despite appearing static. He claimed that CO₂ was blamed for climate change because of imprecise predictive computer models. He thought that labeling CO₂ as a pollutant was problematic because it diverted attention away from other definitive pollutants. He opined government policy would likely prioritize CO₂ pollution reduction over the reduction of pollution from toxic compounds

like perfluoroalkyl and polyfluoroalkyl substances (PFAS) found in Swan Lake. He remarked that unlike CO₂, heavy metals and PFAS were toxic to almost all life forms. He declared that because Earth's climates were complex, it could not be definitively stated that Earth's warming was a negative occurrence. He noted that water vapor was a greenhouse gas (GHG) like CO₂ and said labeling water as a pollutant would be silly. He mentioned combustion engines produced CO₂ and water. He claimed there were too many variables to label climate change as a problem or determine its source. He requested the Board pass a resolution to affirm its prioritization of Swan Lake's PFAS mitigation over carbon emission reductions.

Mr. Tom Taber accused the Registrar of Voters (ROV) Office of being negligent in fulfilling its duties. He said his voter registration records were inaccurate. He stated he had experience as a Robert's Rules of Order (RRO) parliamentarian and declared that a Chair could not make a motion nor second a motion under RRO, yet he saw that occur frequently during Board of County Commissioners (BCC) meetings. He commented that the Board was important to the County and claimed three Commissioners were controlling the Board.

Ms. Janet Butcher shared that she was upset Chair Hill was reelected as Chair and discussed Vice Chair Herman's experience. She distributed a document, copies of which were placed on file with the Clerk. She explained she submitted a scorecard she drafted. She questioned why Commissioner Andriola's idea for a scorecard had not been completed and mentioned that political affiliation played a role in Commissioner elections.

Ms. Renee Rezendes accused members of the Board of collaborating prior to the meeting. She stated she found Chair Hill's past behavior towards Vice Chair Herman to be distasteful. She asserted that Vice Chair Herman was a fair and good person and claimed that Chair Hill wanted to retain power. She said she did not agree with Commissioner Andriola's actions. She thanked Vice Chair Herman for her work.

Mr. Gary Schmidt shared that he was persuaded to run for office in the Nevada State Assembly a few years prior. He recounted the percentage of votes he received and stated he lost by a couple of points. He declared it was a tough job and mentioned he did not regret losing the election. He said a blatant violation of Open Meeting Law (OML) had occurred during the meeting. He suggested the Board change its policy and include a statement on the agenda with Commissioner comments that said any Commissioner may make a motion to place an item on a future agenda. If the motion was seconded, the Commission would vote whether to place the item on a future agenda and on what date. If the item carried, the item would be placed on the agenda. He explained his suggestion required at least two Commissioners and he asserted it was transparent and legal. He noted the item would have to be agendaized as an action item and state that the suggested agenda items would be voted on if they received a second during a meeting. He declared it would reduce controversy.

Ms. Jane Taber disclosed that she lived in the local community since the age of 16. She claimed members of the Board violated RRO during Agenda Item 6 and

said the Chair position was a position that required knowledge and skill. She stated Vice Chair Herman possessed the qualities to be Chair and contended that the Board violated RRO. She asserted that the Board made a mistake by electing Chair Hill as Chair of the Board and said the decision was void. She also suggested the Board either withdraw the action, face the consequences of the action, or have a discussion with the District Attorney's Office.

Mr. Bill Neill submitted a book entitled *More Than a Carpenter* by Josh McDowell and Sean McDowell that the Clerk distributed to the Board.

24-0041 **AGENDA ITEM 23** Announcements/Reports.

Commissioner Clark said he wanted to address an issue he had previously attempted to discuss. He explained that Board of County Commissioners vacancies were appointed by the Governor and stated the Governor appointed Commissioner Andriola. He pointed out the Governor appointed a person from the same political party as the exiting Commissioner. He noted former Chair Vaughn Hartung was a Republican and Commissioner Andriola was appointed as a Republican. He discussed Commissioner Andriola's voting record and said he would canvass District 4 to relay Commissioner Andriola's voting record to its citizens. He asserted that citizens of District 4 had to know how their Commissioner represented them.

Chair Hill mentioned that Commissioner Clark's comments did not follow the Board's rules of respect.

Vice Chair Herman stated she had never lost an election before. She asked if her clean elections resolutions would be heard in December when the November elections were completed. She said she had not received a status update regarding the resolutions. Chair Hill advised that the Registrar of Voters (ROV) Office had to review the resolutions. She asked County Manager Eric Brown to provide an update. Manager Brown said he received a status update the previous day and shared that the review was not concluded. Chair Hill asked Manager Brown to keep Vice Chair Herman apprised. Vice Chair Herman asked who reviewed resolutions. Manager Brown informed that the ROV would review the resolutions for operational issues and said the resolutions were also shared with the Secretary of State's (SOS) Office.

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9:34 p.m. There being no further business to discuss, the meeting was adjourned without objection.

ALEXIS HILL, Chair
Washoe County Commission

ATTEST:

JANIS GALASSINI, County Clerk and
Clerk of the Board of County Commissioners

Minutes Prepared by:
Heather Gage, Deputy County Clerk
Taylor Chambers, Deputy County Clerk
Kendra DeSoto-Silva, Deputy County Clerk
Danielle Howard, Deputy County Clerk