

# CARSON CITY BOARD OF SUPERVISORS

## Minutes of the March 5, 2009 Meeting

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A regular meeting of the Carson City Board of Supervisors was scheduled for 8:30 a.m. on Thursday, March 5, 2009 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

**PRESENT:** Robert Crowell, Mayor  
Supervisor Robin Williamson, Ward 1  
Supervisor Shelly Aldean, Ward 2  
Supervisor Pete Livermore, Ward 3  
Supervisor Molly Walt, Ward 4

**STAFF:** Larry Werner, City Manager  
Alan Glover, Clerk - Recorder  
Melanie Bruketta, Chief Deputy District Attorney  
Kathleen King, Recording Secretary

**NOTE:** A recording of these proceedings, the Board's agenda materials, and any written comments or documentation provided to the Clerk during the meeting are public record. These materials are on file in the Clerk-Recorder's Office, and available for review during regular business hours.

**CALL TO ORDER, ROLL CALL, INVOCATION, AND PLEDGE OF ALLEGIANCE (8:32:47) -** Mayor Crowell called the meeting to order at 8:32 a.m. Roll was called; a quorum was present. First Christian Church Pastor Ken Haskins gave the invocation. Mayor Crowell led the pledge of allegiance.

**PUBLIC COMMENTS AND DISCUSSION (8:37:20) -** Bill Davies distributed a memo and supporting materials to the Mayor and to the Clerk, and discussed his opposition to the proposed location of the Bureau of Land Management interagency fire facility on South Edmonds Drive. He suggested scheduling additional public meetings to develop a "plan to solve this problem without dumping this thing in our neighborhood." Mayor Crowell expressed the understanding that the fire facility is proposed to be constructed on BLM property. Mr. Davies reiterated the suggestion "there are other places ... a lot more compatible for this facility than our neighborhood." He expressed the opinion that BLM constructing the facility in spite of the expressed opposition "is not the best way to solve the problem." Supervisor Livermore advised that he and Supervisor Walt would contact Mr. Davies to discuss the matter further. Mayor Crowell called for additional public comment; however, none was forthcoming.

**1. ACTION ON APPROVAL OF MINUTES - February 5, 2009 (8:34:06) -** Supervisor Aldean moved to approve the minutes, as presented. Supervisor Williamson seconded the motion. Motion carried 5-0.

**2. CHANGES TO THE AGENDA (8:34:28) -** Mayor Crowell advised that item 5 would be withdrawn for further analysis. (9:17:25) At Deputy Public Works Director Ken Arnold's request, Mayor Crowell modified the agenda to address item 8 prior to item 7.

**3. CONSENT AGENDA (8:35:31) -** Mayor Crowell advised that item 3-3 would be heard separately. He entertained additional requests to hear items separate from the consent agenda and, when none were forthcoming, a motion. **Supervisor Livermore moved approval of the consent agenda consisting of one item from Purchasing and Contracts, 3-1; two items from the City Manager, 3-2, with recognition to the appointment of Derwin Bass to the Historic Resources Commission; one item, 3-4, from the Assessor; for a total of four items, as presented. Supervisor Aldean seconded the motion. Motion carried 5-0.**

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**3-1. PURCHASING AND CONTRACTS - ACTION TO DETERMINE THAT CONTRACT NO. 0809-188 IS A CONTRACT FOR ITEMS WHICH MAY ONLY BE CONTRACTED FROM A SOLE SOURCE AND, THEREFORE, NOT SUITABLE FOR PUBLIC BIDDING PURSUANT TO NRS 332.115, AND TO APPROVE CONTRACT NO. 0809-188, A REQUEST FOR THE PURCHASE OF WIRELESS BROADBAND MESH NODES FROM ENCOM WIRELESS DATA SOLUTIONS FOR A NOT-TO-EXCEED COST OF \$79,175 TO BE FUNDED FROM THE TELEMETRY SYSTEM FUND, AS PROVIDED IN FY 2008 / 2009**

**3-2. CITY MANAGER**

**3-2(A) ACTION TO APPOINT DERWIN BASS TO THE HISTORIC RESOURCES COMMISSION TO FILL THE ARCHITECT POSITION FOR A TERM ENDING JULY 2011**

**3-2(B) ACTION TO APPROVE A VOLUNTARY SEPARATION AGREEMENT FOR DEVELOPMENT SERVICES DIRECTOR WALTER SULLIVAN**

**3-3. TREASURER - ACTION TO CONTRACT WITH A THIRD PARTY CUSTODIAN**

(8:49:20) - Mayor Crowell introduced this item. Treasurer Al Kramer provided background information and reviewed the agenda report. He read the definition of indemnify into the record, and discussed the role of a third-party custodian. He advised that Bank of New York Mellon Trust Company handles \$23 trillion in trust, represents thousands of municipal accounts, and “does not indemnify any of those.” He relayed details of a conversation with Clark County Treasurer Laura Fitzpatrick relative to the indemnity provisions of their third-party custodian contract. In response to a question, he advised that, at his request, Bank of New York is supplying “proof of insurance up to the amount that we’ve asked for the City.” He expressed the opinion that the potential “weakness ... is so minimal” as to not cause concern. He offered to continue looking for a third-party custodian willing to include indemnification provisions in the contract, however.

Discussion took place regarding the provisions of the proposed contract, copies of which had been distributed to the Board members. In response to a question, Mr. Kramer advised of having given the required notice to terminate the contract effective March 31<sup>st</sup>. In response to a further question, he discussed the necessity of an “overlap” between two contracts during the transition period. Supervisor Williamson commended Mr. Kramer’s fiscal conservatism and, at her request, he provided a brief status report on the City’s investment portfolio.

In response to a question, Ms. Bruketta advised that the District Attorney’s office had reviewed the contract. Mayor Crowell called for public comment and, when none was forthcoming, entertained a motion. **Supervisor Williamson moved to approve the contract with Bank of New York Mellon Trust Company for third-party custodian services; fiscal impact is \$35,000 per year. Supervisor Livermore seconded the motion. Motion carried 5-0.** Mr. Kramer offered to provide a status report on the City’s investment portfolio. Mayor Crowell commended Mr. Kramer on a job well done.

**3-4. ASSESSOR - ACTION TO APPROVE THE PARTIAL REMOVAL / REFUND OF TAXES FOR PARCEL NUMBERS 007-031-04, (PORTION OF SECTION 17, T. 15 N. 4. 20 E.) AND 007-091-26 (PORTION OF SECTION 9, T. 15 N. 4. 20 E.) FROM THE 2008 / 09 REAL PROPERTY TAX ROLL PER NRS 361.060 IN THE AMOUNT OF \$321.13 (REFUND IN THE AMOUNT OF \$294.13)**

**RECESS BOARD OF SUPERVISORS (8:45:43) - Mayor Crowell recessed the Board of Supervisors.**

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**LIQUOR AND ENTERTAINMENT BOARD**

**CALL TO ORDER AND ROLL CALL (8:45:47)** - Chairperson Crowell called the Liquor and Entertainment Board to order at 8:45 a.m. Roll was called; a quorum was present, including Member Ken Furlong.

**ACTION ON APPROVAL OF MINUTES - February 5, 2009 (8:46:09)** - Member Aldean moved to approve the minutes, as presented. Member Livermore seconded the motion. Motion carried 6-0.

**4. DEVELOPMENT SERVICES - BUSINESS LICENSE - ACTION TO APPROVE OBAID MOBALIGH AS THE LIQUOR MANAGER FOR THE PACKAGED LIQUOR LICENSE FOR SMOKE SHOP LOCATED AT 1953 NORTH CARSON STREET, CARSON CITY, INCLUDING THE NON-REFUNDABLE INVESTIGATION FEE OF \$500.00 (8:46:30)** - Principal Planner Jennifer Pruitt introduced Senior Permit Technician Lena Tripp, and reviewed the agenda report. Member Aldean referred to Mr. Mobaligh's recent appearance before the Liquor and Entertainment Board with regard to a citation. In response to a question, Mr. Mobaligh advised of having purchasing an IDVisor device for the subject North Carson Street location. He further advised that all his employees have attended the Sheriff's servers education class. Member Williamson wished Mr. Mobaligh good luck in his new venture, and **moved to approve Obaid Mobaligh as the liquor manager for the packaged liquor license for Smoke Shop, located at 1953 North Carson Street, Carson City, including the non-refundable investigation fee of \$500.00. Member Aldean seconded the motion.** Chairperson Crowell called for public comment and, when none was forthcoming, a vote on the pending motion. **Motion carried 6-0.**

**ACTION TO ADJOURN THE LIQUOR AND ENTERTAINMENT BOARD (8:49:12)** - Chairperson Crowell adjourned the Liquor and Entertainment Board at 8:49 a.m.

**RECONVENE BOARD OF SUPERVISORS (8:49:15)** - Mayor Crowell reconvened the Board of Supervisors.

**ORDINANCES, RESOLUTIONS, AND OTHER ITEMS**

**5. HUMAN RESOURCES - ACTION TO ALLOW THE SHERIFF'S OFFICE TO SUPPLEMENT DEPUTY GARY UNDERHILL'S COMPENSATION TO KEEP HIS BI-WEEKLY PAY AND BENEFITS WHOLE DURING THE TIME PERIOD HE IS CALLED TO ACTIVE DUTY WHILE SERVING OUR COUNTRY IN IRAQ - Withdrawn.**

**6. CARSON CITY AIRPORT AUTHORITY**

**6(A) ACTION TO APPROVE AND ACCEPT A 2009 FEDERAL AVIATION ADMINISTRATION AIRPORT IMPROVEMENT (AIP) GRANT IN THE APPROXIMATE AMOUNT OF \$270,000.00 (NOT TO EXCEED \$300,000.00) (9:06:43)** - Mayor Crowell disclosed that Airport Authority Counsel Steve Tackes is his law partner, and that he would abstain from discussion and action on this item and on item 6(B). Mayor Crowell passed the gavel to Mayor *Pro Tem* Shelly Aldean.

(9:07:03) Mr. Tackes reviewed the agenda report and the attachments. In response to a question, he advised that the grant-funded engineering work would be relative to construction work which may be funded by an economic stimulus allocation. He acknowledged that everything prerequisite to beginning construction has been accomplished. "We will be shovel-ready ... in 120 days." Mr. Tackes further acknowledged that matching funds will be allocated by the Airport Authority.

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Mayor *Pro Tem* Aldean entertained questions or comments of the Board members and of the public. When none were forthcoming, she entertained a motion. **Supervisor Livermore moved to approve and accept the Federal Aviation Administration Airport Improvement grant in the approximate amount of \$270,000.00, not to exceed \$300,000.00, and authorize appropriate City personnel to communicate such approval to the FAA and execute such documents as may be necessary to receive the funds on behalf of the Airport Authority; the Carson City Airport to be responsible for the five percent match in the amount of \$13,500. Supervisor Williamson seconded the motion. Motion carried 4-0-1, Mayor Crowell abstaining.**

**6(B) ACTION TO APPROVE AND ACCEPT FEDERAL ECONOMIC STIMULUS FUNDS UNDER THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 IN FEDERAL AVIATION ADMINISTRATION AIRPORT IMPROVEMENT (AIP) GRANTS IN THE APPROXIMATE AMOUNT OF \$19 MILLION, OR SUCH LESSER AMOUNT AS DETERMINED BY THE U.S. SECRETARY OF TRANSPORTATION OR HIS DESIGNEE AGENCY (9:11:32) -** Mr. Tackes introduced this item, and reviewed the agenda report. He advised that both the subject item and item 6(A) were approved at a special Airport Authority meeting. In response to a question, he advised that the FAA has received previous grant requests from the Airport Authority, and will advise of “how much they think they can give us.” Airport Authority representatives will request project bids, provide the information to the FAA which will convert the earlier requests, together with new requests based on the bids, for funds under the economic stimulus bill.

Mayor *Pro Tem* Aldean called for questions or comments of the Board members and of the public. When none were forthcoming, she entertained a motion. **Supervisor Livermore moved to approve and accept federal economic stimulus funds under the American Recovery and Reinvestment Act of 2009 in Federal Aviation Administration Airport Improvement grants in the approximate amount of \$19 million, or such lesser amount as determined by the Secretary of Transportation or his designee agency, and authorize appropriate City personnel to communicate such approval to the FAA and execute such documents as may be necessary to receive the funds on behalf of the Airport Authority; no match required. Supervisor Williamson seconded the motion. Motion carried 4-0-1, Mayor Crowell abstaining.** Mayor *Pro Tem* Aldean thanked Mr. Tackes and returned the gavel to Mayor Crowell.

**7. PURCHASING AND CONTRACTS - ACTION TO DETERMINE THAT CONTRACT NO. 0809-189 IS A CONTRACT FOR THE SERVICES OF A PROFESSIONAL ENGINEER WHERE THE SELECTION WAS MADE ON THE BASIS OF THE COMPETENCE AND QUALIFICATIONS OF THE ENGINEER FOR THE TYPE OF SERVICES TO BE PERFORMED AND NOT ON THE BASIS OF COMPETITIVE FEES; AND, THEREFORE, NOT SUITABLE FOR PUBLIC BIDDING PURSUANT TO NRS 625.530; AND TO APPROVE CONTRACT NO. 0809-189 WITH BLACK AND VEATCH TO PROVIDE ENGINEERING SERVICES TO UPDATE THE IMPROVEMENT PROGRAM FOR THE MARLETTE HOBART WATER SYSTEM THROUGH OCTOBER 30, 2009, FOR A NOT-TO-EXCEED COST OF \$399,500.00 TO BE FUNDED FROM THE WATER FUND ACCOUNTS, AS PROVIDED IN FYs 2008/2009 AND 2009/2010 (9:29:25) -** Mayor Crowell introduced this item. Purchasing and Contracts Coordinator Sandy Scott reviewed the agenda report. She acknowledged that, pursuant to statute, professional services contracts are not required to be submitted to the bid process. Supervisor Aldean discussed the importance of negotiating professional fees to ensure the best price. Public Works Department Director Andrew Burnham

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advised of having requested qualifications for this contract. Black and Veatch was selected from eight responding engineering firms. At the City's request, Black and Veatch agreed to discount the subject project by \$65,000 in consideration of the current economic times. Mr. Werner advised that staff estimates project costs based on current rates.

In response to a question, Mr. Werner explained the importance of project-specific expertise. He advised that City staff engineers are hired with "a general background to help work with consultants," and that this is the most cost effective method. In response to a question, Mr. Burnham clarified that the funding source will be the Stewart Street project, originally budgeted at \$1 million and which "came in at half a million dollars for the water component ... We've moved this project into that account." Mr. Werner and Mr. Burnham acknowledged the City cannot budget into the future.

In response to a question regarding the contract term, Mr. Burnham explained that paragraph 7.2.1 is standard contract language. He acknowledged the prudence of amending the language to indicate no obligation to continue the contract beyond the October 30, 2009 term, and agreed to do so. In response to a further question, Mr. Burnham explained that the State is not a participant in this particular element of the project, but has been "in all the construction work that's gone on before this and will be a participant in the financing ... of replacing the pipelines ... as a result of this contract." He further explained, "This is a State system but we pay most of the costs for that system." He acknowledged that State buildings use City water. Mr. Werner provided additional clarification. In response to a further question, Mr. Burnham described City elements of the project, including hydropower and a "potential treatment plant," which will be owned and controlled by the City. Mr. Werner advised that if the State did the engineering, "the City would pay for it anyway." Mr. Burnham and Mr. Werner responded to additional questions regarding the water lines and other project details.

Supervisor Williamson provided background information on delays associated with the project, and expressed support for "anything we can do to use our own public, fast-track system." She recommended that Public Works Department staff take Mayor Crowell on a field trip of the project area. Discussion ensued. Mayor Crowell called for public comment and, when none was forthcoming, entertained a motion. **Supervisor Aldean moved to determine that Contract No. 0809-189 is a contract for the services of a professional engineer where the selection was made on the basis of the competence and qualifications of the engineer for the type of services to be performed and not on the basis of competitive fees and, therefore, not suitable for public bidding pursuant to NRS 625.530, and to approve Contract No. 0809-189 with Black and Veatch to provide engineering services to update the improvement program for the Marlette Hobart Water System through October 30, 2009 for a not-to-exceed cost of \$399,500.00 to be funded from the water fund accounts as provided in fiscal year 2008 / 2009 and from savings from the Stewart Street construction project, subject to the following amendment to paragraph 7.2.1 which shall read that the continuation of this contract beyond October 30, 2009 is subject to and contingent upon sufficient funds being appropriated, budgeted, and otherwise made available by the Carson City Board of Supervisors. Supervisor Livermore seconded the motion. Motion carried 5-0.**

**8. PUBLIC WORKS - UPDATE ON WATER SUPPLY AND RELATED ISSUES (9:17:33) -** Deputy Public Works Department Director Ken Arnold introduced this item, and reviewed the agenda report. He advised that the City "is sitting at about 80 percent of normal ..." He further advised that Marlette Lake water will not be available for this year's peak season. He discussed the importance of Marlette Lake as a source of water quantity as well as water quality as it is used for blending in the west side wells. He advised that nine City wells are currently impacted by uranium. Measures have been taken

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to maintain compliance with the “new uranium standard through blending ... and using this locational running annual average.” Mr. Arnold referred to the recently-distributed notices of levels exceeded. He advised of 37 calls from concerned citizens as a result of the noticing process, the majority of whom were “more curious ... than anything.” He stated that the uranium levels are “much, much lower than they’ve ever been historically ...” since the standard was established. He advised of having met with State officials, who are aware that Carson City is doing the best possible under the current conditions. “Getting Marlette Lake water back next year is ... a key portion of our compliance schedule ...” Mr. Arnold described details of the arsenic treatment plant construction which is underway at Fifth Street and Saliman Road. The treated water from the plant will help to blend some of the other arsenic-impacted wells in the same pressure zone.

Mr. Arnold referred to the interlocal agreement between the City and Lyon County and the “physical intertie” between the two water systems. The City is currently providing some water to Lyon County, which is in the process of reconstructing a much-needed booster station. Upon completion of the booster station in June, “they’ll be able to return the favor” to help with the City’s peak season. Mr. Arnold advised that Lyon County “has been great to work with,” and anticipates the City will receive 800 gallons per minute from Lyon County. He further advised that the Douglas County Commissioners will consider analysis of a water line connection between the Town of Minden and the north valleys area. The study includes evaluation of summer peaking needs for Carson City. Mr. Arnold advised that the City owns Carson Valley water rights “that, to date, we haven’t been able to fully access.” He further advised of having recently received the discharge permit for the springs from the Brunswick Reservoir. He discussed opportunities, including a “cost avoidance of between \$20 and \$30 million” for lining the reservoir. Staff is exploring additional opportunities to manage the 1,500 to 2,000 acre feet of water which currently flows to the River.

Supervisor Williamson commended Mr. Arnold, Public Works Department Director Andy Burnham, Mr. Werner, and Carson Water Subconservancy District (“CWSD”) representatives. She assured the community that Carson City is working with neighboring counties to achieve solutions to water issues in order to ensure the needs of all regional residents are met in the most cost-effective manner. She commended Supervisor Livermore’s service as a CWSD Board member. She noted the level of cooperation achieved between the neighboring counties to meet each other’s water needs. Mayor Crowell agreed, and discussed the benefit of infrastructure regionalization. Supervisor Livermore commended Mr. Arnold on the Little Lane project. Mayor Crowell entertained additional questions or comments of the Board members and of the public; however, none were forthcoming.

**9. CARSON CITY AUDIT COMMITTEE - DISCUSSION REGARDING THE POSITION OF INTERNAL CITY AUDITOR AND POSSIBLE ACTION TO DIRECT STAFF TO ISSUE A REQUEST FOR QUALIFICATIONS FOR AUDITING SERVICES TO COMPLETE THE AUDIT WORK PLAN RELATING TO THE AMBULANCE BILLING PROCESS, THE NDOT/ CARSON CITY FREEWAY PROJECT, THE PARKS AND RECREATION PROGRAMS, AND ANY OTHER PROGRAMS THE BOARD OF SUPERVISORS DEEMS APPROPRIATE FOR AUDIT REVIEW, AND TO ALLOW THE AUDIT COMMITTEE TO REVIEW THE RFQs AND MAKE A RECOMMENDATION TO THE BOARD OF SUPERVISORS AS TO WHO THEY WOULD RECOMMEND TO PROVIDE THE SERVICE (9:46:30)** - Mayor Crowell introduced this item. Supervisor Livermore distributed to the Board members and the Clerk copies of the City Auditor’s Work Plan for the period April 2008 to June 2009, and provided an overview of the same. He reviewed the agenda report, and provided background information on the audits listed in the distributed materials. He acknowledged the audit committee’s recommendation to outsource audits for the ambulance billing process,

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the NDOT / Carson City freeway project, and the parks and recreation programs. In response to a question, Ms. Bruketta advised that the District Attorney issued a recent opinion regarding the City's ability to outsource the auditor function.

Supervisor Williamson noted that the approved audit work plan was adopted by the Board of Supervisors in April 2008 based on the recommendations of previous Board members. Supervisor Livermore acknowledged that attempts have been made to inquire as to current Board members' audit priorities. He advised that the April 14<sup>th</sup> audit committee agenda will include discussion of a new audit plan for the next fiscal year. Supervisor Williamson suggested requesting of the new Board members their audit recommendations prior to pursuing the audits listed in the current work plan. She expressed support for a request for qualifications process, and recommended that the responses be directly reviewed by the Board of Supervisors without any cursory review by the audit committee.

In response to a comment, Mr. Werner suggested tasking an auditor with review of grants and outside checking accounts. In light of Supervisor Williamson's comments, he advised of not having previously considered that the new Board members hadn't been provided an opportunity to make audit recommendations. Supervisor Livermore noted that the Board always has the prerogative to modify the existing audit work plan. He reiterated the audit committee's recommendation to outsource the previously-listed audits. Supervisor Walt noted that the existing audit work plan expires June 2009. In response to a question, Mr. Werner advised that the audit committee identified elements of a previous audit plan requiring an external auditor to submit qualifications for performing "those particular types of audits." He further advised that the Board can revise the audit work plan at any time. Supervisor Walt requested to revisit the audit work plan once an auditor is hired. Considering the existing priorities, she expressed concerns over "other issues." She suggested considering the Parks and Recreation Department "as a whole" rather than just parks and recreation programs. Discussion followed. In consideration of the new Board members, Supervisor Aldean expressed support for discussing the existing priorities. She expressed further support for the audit committee recommending an external auditor to the Board "as long as nobody is excluded."

Mayor Crowell agreed with hiring an external auditor, but expressed concern over requesting qualifications for unspecified audit priorities. He suggested that the Board should determine the audit priorities prior to requesting qualifications. Discussion followed, and Supervisor Aldean provided background information on a previous structure between the internal auditor position and the Board without "an intermediary." She acknowledged Supervisor Livermore's vested interest in the audit committee, but suggested deferring action on the subject item in favor of further discussion as to "the wisdom of continuing to have an audit committee." At the Board's request, Mr. Werner advised of having inquired of Kafoury, Armstrong & Company representatives as to the utilization of audit committees. Kafoury, Armstrong & Company representatives responded that, in their experience working with local governments, almost none have audit committees. Because local governments have finance departments, controllers, etc., "the necessity of an audit committee was ... redundant." Mayor Crowell noted the requirement, pursuant to the City Charter, to have an internal auditor. Supervisor Williamson requested to agendaize, at a future Board meeting, the question of the necessity of an audit committee. In response to a comment, she advised of no opposition to moving forward on a parallel track with an internal auditor. In response to an earlier comment, Supervisor Livermore discussed the amount of time required of previous Boards to interface directly with previous internal auditors. He recommended appointing competent individuals to the audit committee and allowing them to "move forth with the public's business." Mayor Crowell suggested tabling this matter and requesting the external auditor to present information to the Board of Supervisors. He reiterated the importance of filling the auditor position, and identifying the direction.

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Mayor Crowell opened this item to public comment. (10:16:18) Bruce Kittess inquired as to whether direct interface between the auditor and the Board would be televised, thereby providing for public input. Mayor Crowell called for additional public comment; however, none was forthcoming. Mr. Werner advised of having received an e-mail regarding Kafoury, Armstrong & Company's recommendation, and read into the record the information contained therein. He offered to forward the e-mail correspondence to the Board members, and reiterated the need to determine how an audit committee would be used by the Board.

Mayor Crowell entertained a motion. **Supervisor Livermore moved to direct staff to issue a request for qualifications for auditing services to complete the audit work plan related to the ambulance billing process, the NDOT / Carson City freeway project, the parks and recreation programs, and any other program the Board of Supervisors deems appropriate for audit review, and allow the audit committee to review the requests for qualifications and make a recommendation to the Board of Supervisors as to who they would recommend to provide the service. Mayor Crowell seconded the motion. Motion carried 3-2.** Mayor Crowell reiterated the importance of agendaizing a presentation by the external auditor to discuss audit procedures, and noted the legitimacy of discussion regarding the necessity of an audit committee. Supervisor Aldean expressed understanding for the logic behind hiring an auditor, and concern that a contract external auditor may be reluctant to recommend eliminating the audit committee. She noted the Board's authority to decide the value of the audit committee in an advisory capacity. Discussion followed. Mayor Crowell recessed the meeting at 10:22 and reconvened at 10:31 a.m.

### **10. DEVELOPMENT SERVICES - PLANNING AND ZONING**

**10(A) ACTION TO RECOMMEND APPROVAL OF THE COMMUNITY DEVELOPMENT BLOCK GRANT ("CDBG") PROJECT FUNDING PRIORITIES FOR FY 2009 / 2010, AND TO OPEN A 30-DAY PUBLIC COMMENT PERIOD FROM MARCH 12, 2009 TO APRIL 13, 2009, FOR REVIEW OF THE CARSON CITY CDBG 2009 / 10 ANNUAL ACTION PLAN TO IMPLEMENT DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT PROGRAMS ASSOCIATED WITH THE CDBG PROGRAM (10:31:29)** - Planning Division Director Lee Plemel introduced this item and Management Assistant / CDBG Coordinator Janice Brod. Mr. Plemel reviewed the agenda report and the CDBG Program in conjunction with a PowerPoint presentation, a copy of which was provided for the record. He introduced CDBG Application Review Work Group Facilitator Tom Keeton. Ms. Brod reviewed the applications, copies of which were included in the agenda materials and summarized in the PowerPoint presentation, and the recommendations of the CDBG Application Review Work Group.

Mr. Keeton provided an overview of the application review work group meetings, and the recommendations. Mayor Crowell thanked Mr. Keeton and the application review work group participants for their service. He discussed the possibility of \$400,000 being allocated to Carson City's anti-drug program from the federal appropriations bill. In response to a question, Mr. Plemel advised that the Board could allocate funding to another applicant contingent upon the Community Counseling Center receiving funding from an alternate source. Supervisor Williamson noted the recommended action to open a 30-day public comment period, and that the Board would make a final determination at its May 7<sup>th</sup> meeting. Mr. Plemel requested the Board to take action at this meeting to be included in the CDBG 2009 / 10 draft annual action plan.

In response to a question, Mr. Plemel expressed uncertainty that the economic stimulus package will include 15 percent for public services. He acknowledged a separate application process will be required for any funds allocated from the economic stimulus package. He further acknowledged that additional funding will be allocated "with no strings attached."



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Mayor Crowell entertained public comment and, when none was forthcoming, a motion. Supervisor Aldean commended Mr. Keeton and the application review work group, and **moved to recommend approval of the Community Development Block Grant project funding priorities for FY 2009 / 10, as identified in Attachment A, and open a thirty-day public comment period from March 12, 2009 to April 13, 2009 for review of the Carson City CDBG 2009 / 10 Annual Action Plan to implement Department of Housing and Urban Development programs associated with the CDBG Program. Supervisor Williamson seconded the motion. Motion carried 5-0.** Mayor Crowell thanked Mr. Keeton, Mr. Plemel, and Ms. Brod. Mr. Keeton thanked the Board on behalf of the application work group.

**10(B) ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE AMENDING THE CARSON CITY MUNICIPAL CODE, TITLE 18, ZONING, CHAPTER 18.03, DEFINITIONS, SECTION 18.03.010, WORDS AND TERMS DEFINED, TO MODIFY THE DEFINITION OF “WIND ENERGY / CONVERSION FACILITY” TO “WIND ENERGY CONVERSION SYSTEM, PRIVATE USE” AND TO ADD A DEFINITION FOR “WIND MACHINE”; AND AMENDING THE CARSON CITY MUNICIPAL CODE, TITLE 18, ZONING, CHAPTER 18.05, GENERAL PROVISIONS, BY ADDING SECTION 18.05.080, PRIVATE USE WIND ENERGY CONVERSION SYSTEMS, TO SET FORTH SPECIFIC STANDARDS AND CRITERIA FOR THESE SYSTEMS, AND OTHER MATTERS PROPERLY RELATED THERETO** (11:00:07) - Mr. Plemel introduced this item, and reviewed the agenda report and attached materials in conjunction with a PowerPoint presentation, a copy of which was provided for the record. In response to a question, he explained the distinction between residential and non-residential use in compliance with the applicable statute. Twenty kilowatts is “more than enough power” to serve the annual needs of a single-family residence. Commercial applications would likely use a larger capacity wind turbine to generate more energy. Mayor Crowell expressed concern with regard to the Board’s action complying with the statute applicable to net metering. Mr. Plemel continued narrating the PowerPoint presentation, which included a series of photographs and summary points and recommendations from a 2001 noise study.

Supervisor Aldean expressed concern over the cumulative effects of noise. In response to a question, Mr. Plemel advised that the noise study indicates the cumulative effects of “two noise sources at 50 decibels results in 53 decibels of noise. ... that’s the doubling of the sound.” He was uncertain as to the number of decibels resulting from a combination of ambient noise and one wind turbine. He advised of having been provided descriptive information on the Skystream 3.7 wind turbine, which included a measurement of background sound versus the sound generated from the wind turbine. “As the wind level goes up, the noise of the generator goes up. However, as the wind level goes up, the ambient noise level goes up as well.” Supervisor Aldean noted the distinction between natural noise and artificially created noise, in terms of tolerance levels.

Mr. Plemel advised of having attended the Senate Government Affairs Committee meeting at which SB 114 was presented. The amendments presented were relative to solar energy; no statutory provisions relative to wind energy are proposed to be changed. Mr. Plemel anticipates that the legislation will promote alternative energy in terms of allowing regulation by local governments and homeowners associations. In response to a further question, he advised that the City would be unable to enforce wind turbine interference with FCC-regulated systems. Mr. Werner concurred. In response to a question, Mr. Plemel advised of not having discussed the regulation with Washoe County representatives. He surmised that the provision is included in the Washoe County ordinance “as a statement” indicating that wind turbines cannot interfere with FCC-regulated systems.

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In response to a question regarding noise levels, Mr. Plemel advised that the ordinance regulations would only apply to wind turbines. He reiterated that Carson City does not currently have a noise ordinance. In response to a question, Mr. Werner advised of a past “community effort” to evaluate the possibility of establishing a noise ordinance. “A determination was made, after a year or so ... that it is a huge endeavor and ... enforcement is always a problem. The Board elected not to go forward ...” In response to a question, Ms. Bruketta advised of ordinances pertinent to disturbing the peace and nuisance which may apply to noise.

Mayor Crowell called for a Public Service Commission or State Office of Energy representative; however, none was present. He opened this item to public comment. (11:33:01) Bruce Kittess advised of having learned a lot about wind turbines since the January 28, 2009 Planning Commission meeting. He read prepared remarks into the record, noting that the purpose of the proposed ordinance is “to comply with these Nevada statutes. The statutes were written in 1995 for solar systems only and then amended in 2005 by including wind.” Mr. Kittess expressed the opinion that the statutes were written “by a manufacturer’s lobbyist,” in that “they are ambiguous and ... another attack on private property rights” because they “override CC&Rs.” He expressed no objection to solar energy systems in residential zones “because they are safe, quiet, and visually acceptable.” He noted that solar systems are well-suited to Nevada and “are not site-specific.” “On the contrary, wind systems require specific site evaluation if they are to operate as expected.” Mr. Kittess expressed the belief that a 90-foot tall wind turbine does not belong in a one-acre residential neighborhood. He expressed concern over safety issues and interference with the quiet and visual enjoyment of residential property. He expressed the opinion that the proposed ordinance standards will be challenged in consideration of the current statutes. “Ninety feet won’t be high enough. Ten-foot setbacks will be too much. Whatever is specified will be argued as having the effect of prohibiting or unreasonably restricting the owner.” Mr. Kittess reiterated concerns over the “continued erosion of our private property rights.” He expressed the opinion that “if the proponents have the right to one or more 90-foot wind turbines in our neighborhood, then my neighbors and I should have the right to private contract to either limit or prohibit wind turbines.” He expressed certainty that, as the technology evolves, “there will be acceptable, safer wind turbines,” but noted “they were not addressed in the ordinance.” “It is the unreasonable Nevada statutes that prevent reasonable standards for residential zones.” Mr. Kittess requested the Board to postpone adopting the proposed ordinance. He advised of having addressed the Senate Government Affairs Committee on SB 114, and expressed the opinion that, without any amendment, “the 2005 revision is ... bad law.” He advised of the intent to attend the Assembly Government Affairs Committee meeting.

(11:38:59) Diana Howard, a resident of Valley View Drive, expressed the understanding that one of her neighbors is interested in installing a wind turbine. She expressed objection, and discussed the reasons for moving to her “acre and a quarter.” She advised of having worked for the Nevada State Energy Office for over 18 years, and acknowledged the “energy and water problems in Nevada.” She expressed objection to installing wind turbines in a residential area. She read into the record a portion of SB 236, passed in 2005, noting specifically that no wind energy system can be added to property in a residential area unless the consent of every property owner within 300 feet is first obtained. She advised of having discussed the issue with several of her neighbors, who have expressed objection to wind turbines in the neighborhood. She expressed concern over “constant noise,” maintenance and safety issues. She requested the Board to consider prohibiting wind turbines in residential areas “unless you do have enough acreage and within the feet of the neighborhoods that wouldn’t want them.” In response to a question, Ms. Howard advised she had been reading from SB 236 passed in 2005 and the corresponding statute. She advised of having discussed SB 114 with State Energy Office representatives, who informed her that there are no amendments relative to wind turbines. She circulated a copy of the bill she referenced among the Board members. Mr.

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Werner read from the pertinent statute, as previously referenced by Mr. Plemel, and suggested that the bill was likely a draft which was never passed. In response to a further question, Ms. Howard referred the Board members to Pete Kinisky of the State Energy Office. Mr. Werner read from NRS 116.2111.

(11:46:38) Bob Grosslock, a Carson City resident, questioned the need for wind turbines in residential zones. He expressed concern over “visual effects, safety, ... noise, property values, psychological needs.” He advised of having conducted significant research over the past two months which results indicate “that wind turbines are not found in residential areas, but predominantly in rural, industrial ...” He discussed the value of the view from his property, and advised of having considered changes to said view if wind turbines are allowed in residential areas. He challenged the Board members to imagine a “sea of wind turbines” throughout the valley floor in Carson City. He expressed no objection to renewable energy, but the “placement of the vehicle that collects such energy.” He reiterated objection to allowing wind turbines in residential areas, and suggested the City should refuse the state’s mandate to provide for this type of alternative energy.

(11:52:28) Dennis Montgomery, of Mariah Power in Reno, “designers and manufacturers of a vertical-axis wind turbine,” suggested the possibility of misperceptions. He advised that the turbine produced by Mariah Power “has a noise rating of less than 10 decibels.” “Not all wind turbines have to be noisy or obtrusive.” Mr. Montgomery noted that “beauty is in the eye of the beholder,” and expressed the belief that wind turbines “can be aesthetically pleasing and fit into a neighborhood or residential area, commercial, industrial.” He advised that the standard turbines produced by Mariah Power are 30 feet tall with the possibility of 20-foot extensions. He narrated a photograph of a wind turbine located at the Devin Bank in Chicago, Illinois. He suggested imposing restrictions on total height and kilowatts for certain parcels. He discussed the possibility of roof top and light pole units for parcels of less than one acre. In response to a question, Mr. Montgomery advised that a site analysis would be conducted, and that the Mariah product is rated for “the most constant winds, ... 12-15 miles per hour ... to produce energy.” In response to a further question, he advised that depending upon the home size and energy efficiency, the standard Mariah model, 30-feet in height with a 4-foot diameter rotor, would produce approximately a quarter of an average home’s energy needs on an annual basis depending on average wind speed.

Supervisor Livermore thanked Mr. Montgomery for his attendance and participation. In response to a question, Mr. Montgomery advised that guy wires are not used in order to occupy as little area as possible. In response to a further question, he described the design appearance of a typical wind turbine. Supervisor Walt expressed concern that wind turbines may not be effective in Carson City. In response to a question, Mr. Montgomery reiterated that on-site measurements are critical prior to installation. He advised that wind turbine design is also a factor, and that “there are sites in Carson City that would be ideal ...” Supervisor Aldean advised that the Nevada State Office of Energy designates Carson City as a poor place for wind generation. She expressed appreciation that Mariah Power is “responsible enough” to recommend a site evaluation prior to installation. She suggested that site evaluation should be included as a requirement in the proposed ordinance. She advised of a recent British study “warning that home turbines tend to fail to deliver what they promise in terms of generating electricity.” She expressed the opinion that solar and wind energy are “trendy,” and reiterated concern over the cumulative effect of wind turbines on the community. In response to a question, Mr. Montgomery advised that “constant wind at an average of 12 miles per hour” would be considered adequate. In response to a further question, he defined the term “constant.” Supervisor Aldean expressed additional concern over the 50 decibels proposed in the ordinance in consideration of the 10 decibels quoted by Mr. Montgomery for the Mariah Power unit.

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(12:03:51) Mary Fischer, a resident of Carson City, advised of having lived on a sailboat for a number of years and discussed recent installation of a wind turbine on her boat. She discussed concerns over the lack of aesthetic requirements included in the proposed ordinance, noise issues, and enforcement responsibilities. She recommended retaining the requirement for a special use permit, including the restrictions already discussed as part of the proposed ordinance, but not imposing the special use permit fee. This would provide the opportunity for requiring site evaluation prior to installation. Ms. Fischer expressed the belief that wind turbines “do not belong on ... less than five acres.” In response to a comment, she acknowledged the “balancing act” between considering private property rights and supporting and upholding the statutes.

(12:15:10) Ron Sulei discussed concerns over noise generated from the wind turbine braking mechanism which engages when winds “get too high.”

(12:16:50) Tim Howard, a Carson City resident, advised of having visited one of the Board members’ offices to leave a study conducted by the National Meteorological Society. He further advised that solar energy “is found to not be as effective and beneficial as wind generation.” He expressed the opinion that requiring wind turbines to be painted “would create more problems, plus the City does not paint their light posts.” He expressed support for a noise ordinance, and advised that wind turbines are “tested for over a year through the California system before they can be approved by NV Energy.” He suggested that too many restrictions may result in “more litigation ... class action suits.”

(12:21:20) Dennis Montgomery, of Mariah Power, advised that their product is marketed at a price of “\$6,500 shipped.” He expressed concern over a \$2,500 special use permit fee in addition to the cost of a wind turbine. He requested staff to look into the provisions associated with “severe wind storms” in the proposed legislation.

(12:22:48) Dennis Madeiros, of the Solar Store, discussed the importance of “common sense in spite of the technical data ..., in spite of the emotions ...” He suggested that economics will “dictate the common sense that we use.” He advised that half the cost associated with installation of a wind turbine is construction. “If I’m going to spend half the money on a foundation, I’m going to get the biggest turbine I can use and I’ll have one turbine. I’m not going to proliferate five or more or even three or four ...” With regard to wind speed and wind measurement, Mr. Madeiros suggested that manufacturers and retailers would be “remiss in our obligation to our customers if we didn’t say, ‘Make sure that you have enough wind.’” In consideration of “wind maps,” he advised that in Carson City proper, there’s “probably not that much” wind. Toward the Carson City / Washoe County line, there are more significant winds. Because of that, Mr. Madeiros suggested there will be very few wind turbines in Carson City proper. He circulated among the Board members test data from the National Renewable Energy Labs in Boulder, Colorado and reviewed the same. He explained the concept of a decibel as the ratio of a sound pressure wave, and discussed comparisons associated with 50 decibels. He expressed support for noise regulations as part of the proposed ordinance. With regard to aesthetics, he reiterated that common sense and economics will dictate the reality. He expressed support for restricting wind turbines of certain sizes and heights to certain size parcels. In response to a question, he discussed net metering. He acknowledged that the proposed ordinance allows for full utilization of the net metering standard for residences. He described various turbine sizes appropriate for residential use.

(12:30:25) Leslie Madeiros, of the Solar Store, advised the Board members that the Planning Commission has attempted to make recommendations compliant with the existing statutes. She requested the Board to encourage, by passage of the proposed ordinance, utilization of wind turbines in “a reasonable and common

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sense” manner. She expressed support for any interested consumer to conduct the necessary site evaluation in consideration of the “thousands of dollars” associated with purchase and installation of a wind turbine. She expressed the opinion that Carson City homeowners are “good, common sense, and knowledgeable people” who will “do their due diligence before they make a decision to spend thousands of dollars.” She expressed the further opinion that making the ordinance too restrictive “would not be in the best interests of Carson City either.” She advised that Douglas County “had to handle a lawsuit that wound up being lost ... because they were too specific.” She noted that “beauty is in the eye of the beholder,” and stated, “the less I pay for energy, the more beautiful it becomes.” She referred to recent high gasoline prices, and expressed support for using renewable energy wherever possible.

Supervisor Williamson noted that copies of the proposed ordinance had been provided to contractors, realtors, the Builders Association of Western Nevada (“BAWN”), and the State Office of Energy. In response to a question, Mr. Plemel advised of having received no response from BAWN. State Office of Energy representatives provided no comment, but advised they would be following Carson City’s progress. In response to a question, Ms. Bruketta advised of not having researched the possibility but advised that imposing no fee or a reasonable fee for a special use permit would be allowed. In response to a question, Mr. Plemel referred to the ordinance establishing special use permit fees. Ms. Bruketta acknowledged said ordinance could be amended. Mr. Plemel reviewed costs associated with processing special use permit applications. Discussion followed, and Mayor Crowell noted the Board’s responsibility to comply with the statute and implement a method by which to reasonably defend an action. He expressed concern over the special use permit process without any standards.

In response to a question, Mr. Plemel expressed the opinion that the outcome of SB 114 will not change the subject matter. He reiterated the understanding that SB 114 proposes amendment specific to solar energy efficiency. Supervisor Aldean expressed appreciation for the citizens’ comments, and the opinion that “common sense is not all that common.” She suggested the proposed ordinance is “a good start,” and reiterated concern over the potential for noise. She further suggested requiring noise evaluations at each potential site, and discussion followed. In response to a comment, she reiterated concern over the cumulative effect of noise and suggested that without a “starting place,” i.e., the measurement of existing ambient noise, there is no way to know the cumulative effect with the addition of wind turbines. She suggested evaluating test cases “in our own community” prior to passing an “over-arching ordinance.” She expressed support for implementing standards, but noted the special use permit process “allows people to weigh in.” In response to a question, Mr. Plemel advised of occasional inquiries, since 2005, regarding wind turbines. In response to a further question, he explained that setback requirements and height restrictions are zoning-district dependent. Supervisor Williamson expressed concern over adhering to state statute. Mayor Crowell reiterated the issue with respect to special use permits in that utilizing such a process may be considered an unreasonable restriction on a property owner’s ability to install a wind turbine. Discussion took place regarding the interpretation of “unreasonable restriction.” In response to a question, Ms. Bruketta reviewed the criteria to be evaluated in implementing regulations, including location, height, size, parcel size, noise level, etc. Supervisor Aldean expressed appreciation for the Planning Commission’s recommendation and the citizens’ participation, and the opinion that the ordinance needs “a little additional tweaking so that people are confident that their property rights are going to be as respected as the person who wants to install one of these devices.”

Supervisor Walt read into the record that portion of SB 114 pertinent to unreasonable restrictions. In response to a question, Mr. Plemel advised that the Government Affairs Committee removed wind from consideration. He explained the language pertinent to efficiency. Supervisor Walt inquired as to studies on wind turbine efficiency in the Carson City area. (12:50:20) Leslie Madeiros advised of NASA wind

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maps which designate “the whole Carson City / Reno area as being excellent to outstanding.” She emphasized, however, the importance of site specificity relative to wind turbine efficiency. “Gusts of wind” do not translate to “constant wind.” Ms. Madeiros expressed the belief that most manufacturers and retailers will emphasize the importance of site evaluation prior to installation.

Discussion took place regarding the operational efficiency of a wind turbine, and the appropriate Board action. (12:55:37) Bruce Kittess advised that federal subsidies have changed such that each consumer is paying a surcharge for NV Energy to provide an alternative energy rebate. He requested that Supervisor Aldean accompany him to the upcoming Assembly Government Affairs Committee hearing.

Supervisor Williamson suggested deferring action on this item for one month. Mayor Crowell expressed no opposition to ensuring due diligence pertinent to the ordinance. He reiterated concern that the special use permit process violates the current statute. He advised of cautionary suggestions from Nevada State Energy Office representatives to resolve the situation. He expressed concern that the City, by not acting, will leave itself open to liability. He suggested that prohibiting wind turbines on parcels less than five acres in size could be construed as an unreasonable restriction. Supervisor Aldean expressed the opinion that the City is prudently proceeding. She reiterated concern over passing the ordinance in the face of lingering doubts. Discussion followed, and Ms. Bruketta noted that the City has no restrictions at the present time. She suggested acting on the issue quickly to implement reasonable regulations.

Mayor Crowell entertained a motion. **Supervisor Williamson moved to introduce, on first reading, Bill No. 103, an ordinance amending Carson City Municipal Code, Title 18, Zoning, Chapter 18.03, Definitions, Section 18.03.010, Words and Terms Defined, to modify the definition of “wind energy / conversion facility” to “wind energy conversion system, private use,” and to add a definition for “wind machine;” and amending the Carson City Municipal Code, Title 18, Zoning, Chapter 18.05, general provisions, by adding Section 18.05.080, private use wind energy conversion systems, to set forth specific standards and criteria for these systems based on the findings contained in the staff report; with the idea that in the subsequent 45 days or less, we can propose amendments. Supervisor Livermore seconded the motion.** Ms. Bruketta advised that amendments would need to be submitted for first reading. Mayor Crowell called for a vote on the pending motion; **motion carried 3-2.** Supervisor Walt expressed support for alternative energy, and the opinion that a wind inventory should be conducted prior to passing the ordinance.

**11. DISTRICT ATTORNEY**

**11(A) ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE, TITLE 9, HEALTH AND WELFARE, BY ADDING CHAPTER 9.14, FUND FOR GENETIC MARKER TESTING, ADDING SECTION 9.14.010, CREATION OF FUND FOR GENETIC MARKER TESTING, WHICH CREATES A FUND IN THE COUNTY TREASURY FOR GENETIC MARKER TESTING FEES; ADDING SECTION 9.14.020, DEPOSIT OF MONEY INTO FUND FOR GENETIC MARKER TESTING, WHICH REQUIRES THE TREASURER TO DEPOSIT MONEY COLLECTED FOR GENETIC MARKER TESTING INTO THE FUND; ADDING SECTION 9.14.030, USE AND DISTRIBUTION OF MONEY IN FUND FOR GENETIC MARKER TESTING, WHICH DEFINES HOW THE MONEY IS USED AND DISTRIBUTED IN THE FUND, AND OTHER MATTERS PROPERLY RELATED THERETO** (1:06:16) - Ms. Bruketta introduced this item and reviewed the agenda report. Mayor Crowell entertained a motion. **Supervisor Williamson moved to introduce, on first reading, Bill No. 104, an ordinance amending Carson City Municipal Code, Title 9, Health and Welfare, by adding Chapter 9.14, fund for genetic marker testing; adding Section 9.14.010, creation of fund for genetic marker**

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testing, which creates a fund in the county treasury for genetic marker testing fees; adding Section 9.14.020, which requires the treasurer to deposit money collected for genetic marker testing; adding Section 9.14.030, use and distribution of money in fund for genetic marker testing, which defines how the money is used and distributed into the fund, and other matters properly related thereto. Supervisor Walt seconded the motion.

Mayor Crowell called for public comment; however, none was forthcoming. Sheriff Ken Furlong expressed strong support for the proposed ordinance. He advised of extensive discussions with Washoe County Crime Lab representatives, and advised that considerable work “will continue to need to be done on this issue.” Supervisor Aldean pointed out necessary clerical revisions to the bill. **Supervisor Williamson amended her motion accordingly; Supervisor Walt continued her second.** Mayor Crowell called for a vote on the pending motion; **motion carried 5-0.**

**11(B) ACTION TO DESIGNATE THE WASHOE COUNTY CRIME LAB AS THE FORENSIC LABORATORY TO CONDUCT OR OVERSEE GENETIC MARKER TESTING FOR CARSON CITY** (1:09:45) - Mayor Crowell introduced this item, and Ms. Bruketta reviewed the agenda report. Mayor Crowell opened this item to public comment; however, none was forthcoming. Sheriff Furlong advised that the Carson City Sheriff’s Office has a contract with the Washoe County Crime Lab for “a variety of criminalistic analyses.” The subject testing is not covered by said contract. Ms. Bruketta advised that no separate contract is necessary because the Washoe County Crime Lab will be designated, under the ordinance, to collect fees for genetic marker testing. Discussion took place regarding said fees.

Mayor Crowell entertained a motion. **Supervisor Livermore moved to designate the Washoe County Crime Lab as the forensic laboratory to conduct or oversee genetic marker testing for Carson City.** Supervisor Williamson seconded the motion. **Motion carried 5-0.**

**12. BOARD OF SUPERVISORS NON-ACTION ITEMS:**

**INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS** - None.

**CORRESPONDENCE TO THE BOARD OF SUPERVISORS** - None.

**STATUS REPORTS AND COMMENTS FROM THE BOARD MEMBERS** (1:12:45) - Supervisor Williamson distributed to the Board members and staff a report on the Arlington Square Ice Rink Demonstration Project, and reviewed the same. Supervisor Aldean thanked Supervisor Williamson for the report, and encouraged extending special projects Citywide.

**STAFF COMMENTS AND STATUS REPORT** - None.

**13. ACTION TO ADJOURN** (1:16:29) - Supervisor Aldean moved to adjourn the meeting at 1:16 p.m. Supervisor Williamson seconded the motion. **Motion carried 5-0.**

The Minutes of the March 5, 2009 Carson City Board of Supervisors meeting are so approved this \_\_\_\_\_ day of April, 2009.

ATTEST:

\_\_\_\_\_  
ROBERT L. CROWELL, Mayor

\_\_\_\_\_  
ALAN GLOVER, Clerk - Recorder