

CARSON CITY BOARD OF SUPERVISORS  
Minutes of the September 7, 2006, Meeting  
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A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, September 7, 2006, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 8:30 a.m.

PRESENT:	Marv Teixeira	Mayor
	Robin Williamson	Supervisor, Ward 1
	Shelly Aldean	Supervisor, Ward 2
	Pete Livermore	Supervisor, Ward 3
	Richard S. Staub	Supervisor, Ward 4

STAFF PRESENT:	Linda Ritter	City Manager
	Alan Glover	Clerk-Recorder
	Noel Waters	District Attorney
	Ken Furlong	Sheriff
	Andrew Burnham	Public Works Director
	Larry Werner	City Engineer
	Cheryl Adams	Purchasing and Contracts Manager
	Joe McCarthy	Redevelopment/Economic Development Manager
	Ken Arnold	Public Works Operations Chief of Special Projects
	Juan Guzman	Open Space Manager
	Michael Suglia	Senior Deputy District Attorney
	Katherine McLaughlin	Recording Secretary
	Sandy Scott	Contracts Coordinator

(BOS 9/7/06 Recording 8:27:16)

NOTE: Unless otherwise indicated, each item was introduced by staff's reading/outlining/clarifying the Agenda Report and/or supporting documentation. Staff members making the presentation are listed following the Department's heading. Any other individuals who spoke are listed immediately following the item's heading. A recording of these proceedings is on file in the Clerk-Recorder's office. It is available for review and inspection during normal business hours.

**CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE, AND INVOCATION** - Mayor Teixeira convened the meeting at 8:30 a.m. Roll call was taken. The entire Board was present, constituting a quorum. Clerk-Recorder Alan Glover lead the Pledge of Allegiance. Rev. Chuck Nichter of the Wellspring Ministries gave the Invocation.

**PUBLIC COMMENTS AND DISCUSSION (8:34:03)** - Sam Dehne explained his military background and his reasons for attending the Board meetings. He indicated that some how his purpose had gotten off track. He had not intended to become confrontational or get in the Board's face. His intent had been to make sure that things are done in the correct manner. His objection to there being "armed guards" present was vocalized. He acknowledged that the Sheriff is in attendance due to other items on the agenda. He then explained that previously the meetings were aired several times between meetings. Recently, the meeting is aired on only one other occasion. He noted the occasion when his singing and playing the guitar had gone mute and explained that he would not be bringing the guitar again for that reason. He also indicated that the Attorney General's office is "setting" on his two complaints. He then advised that he is working with a

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developer to create a coalition to acquire the Lompa Ranch, which is for sale. He felt that it would be the perfect location for an airport with scheduled airline service.

**1. ACTION ON APPROVAL OF MINUTES - 8/3/06 (8:28:49)** - Discussion ensued on Item 5-4E on Page 5 regarding the name of the street that is an extension of Hot Springs Road at Roop Street and goes onto the Walmart property. Supervisor Aldean moved to approve the Minutes from the Carson City Board of Supervisors meeting of August 3, 2006, as possibly revised, depending upon the outcome of the discussion between Recording Secretary McLaughlin and City Engineer Werner. Supervisor Williamson seconded the motion. Motion carried 5-0.

**2. CHANGES TO THE AGENDA (8:39:24)** - City Manager Linda Ritter advised that the three items under Item Heading 8 were deferred so that the Builders Association of Western Nevada can review them in depth.

**3. SPECIAL PRESENTATIONS - PRESENTATION TO RUDY RAMIREZ, CARSON CITY'S 2006 LATINO EMPLOYEE OF THE YEAR (8:30:16)** - Mayor Teixeira briefly explained the item. District Attorney Noel Waters explained his reasons for nominating Mr. Ramirez. Mr. Ramirez thanked the Board for the recognition and Mr. Waters for nominating him. He briefly explained the staff's efforts to assist all Carson City residents regardless of their ethnic backgrounds. He opined that the award is made due to staff's backing of his nomination which is an indication of the team effort found within the Division. Credit should be given to the staff recognizing that effort. He, again, thanked the Board for the recognition and pledged to continue to do the best he could for the community.

**OTHER MATTERS (8:38:13)** - Mayor Teixeira then explained that he had a welcoming he needed to attend in approximately ten minutes. He passed the gavel to Mayor Pro-Tem Williamson and left the meeting. He was uncertain whether he would return before the meeting adjourned. (Mayor Teixeira left the meeting at 8:39 a.m. A quorum was still present.)

**LIQUOR AND ENTERTAINMENT BOARD (8:40:45)** - Mayor Pro-Tem Williamson recessed the Board of Supervisors session and convened the Liquor and Entertainment Board. For Minutes of the Liquor and Entertainment Board, see its folder for this date.

**BOARD OF SUPERVISORS (8:54:08)** - Following adjournment of the Liquor and Entertainment Board, Mayor Pro-Tem Williamson reconvened the Board of Supervisors session. A quorum of the Board was present, although Mayor Teixeira was absent.

**5. CONSENT AGENDA (8:54:12)**

**5-1. PURCHASING AND CONTRACTS**

**A. ACTION TO RENEW CONTRACT NO. 0203-130, JUNIOR SKI AND SNOWBOARD - FACILITY TO INCLINE VILLAGE GID DOING BUSINESS AS DIAMOND PEAK RESORT FOR THE 2007 JUNIOR SKI AND SNOWBOARD PROGRAM WITH THE SAME TERMS AND CONDITIONS AS ORIGINALLY BID ON JUNE 11, 2003, AND FEES OF \$18 PER CHAPERONE, \$18 PER JUNIOR INSTRUCTOR, AND \$22 PER PARTICIPANT**

**B. ACTION TO APPROVE CONTRACT NO. 0607-026, A REQUEST TO PURCHASE TWO (2) 2007 INTERNATIONAL DUMP/PLOW/SANDER TRUCKS FROM SILVER**

**STATE INTERNATIONAL FOR A NOT TO EXCEED COST OF \$246,370 FROM THE FY 2006/2007 STREET MAINTENANCE FUND EXEMPT FROM COMPETITIVE BIDDING**

**5-2. PUBLIC WORKS - ENGINEERING**

**A. ACTION TO APPROVE AND AUTHORIZE THE MAYOR TO SIGN A PARTICIPATION AGREEMENT BETWEEN NEVADA WEST LANDS, LLC, AND CARSON CITY FOR ROADWAY ENGINEERING DESIGN AND CONSTRUCTION ON LEPIRE DRIVE FROM FAIRVIEW DRIVE TO APPROXIMATELY 290 FEET EASTWARD, IN WHICH CARSON CITY AGREES TO REIMBURSE NEVADA WEST LANDS, LLC, AN AMOUNT, AS SPECIFIED IN THE AGREEMENT, NOT TO EXCEED A TOTAL OF \$64,609 FROM THE STREET MAINTENANCE OVERLAYS ACCOUNT AND OTHER MATTERS PROPERLY RELATED THERETO**

**B. ACTION TO APPROVE EASEMENT AGREEMENTS BETWEEN THE STATE OF NEVADA DIVISION OF STATE LANDS AND CARSON CITY WHEREBY THE DIVISION OF STATE LANDS AGREES TO (1) GRANT A PERMANENT EASEMENT UPON, OVER AND ACROSS CERTAIN REAL PROPERTY DESCRIBED AS ASSESSOR'S PARCEL NUMBER APN 10-041-55 (NEVADA STATE PRISON PARCEL ALONG EAST FIFTH STREET) FOR THE PURPOSE OF CONSTRUCTION, OPERATION AND MAINTENANCE OF UNDERGROUND UTILITY FACILITIES AND (2) GRANT TEMPORARY CONSTRUCTION EASEMENTS UPON, OVER AND ACROSS SAID REAL PROPERTY FOR THE PURPOSE OF CONSTRUCTION OF THE UTILITY FACILITIES AS PART OF THE CARSON CITY FREEWAY PHASE 2A UTILITIES RELOCATION PROJECT**

**C. ACTION TO APPROVE DEDICATION OF LAND AND CONVEY ALL THAT CERTAIN REAL PROPERTY LOCATED ON APN 008-125-55 FROM THE PROPERTY OWNER, THE BERNHARD FAMILY TRUST, TO CARSON CITY, DESCRIBED AS FOLLOWS: "RW-1" WHICH CONSISTS OF 1,100.7 SQUARE FEET AND "RW-2" WHICH CONSISTS OF 2,263.1 SQUARE FEET; AS SHOWN ON THE MAP TITLED "RECORD OF SURVEY NO. 2 FOR THE BERNHARD FAMILY TRUST, AND ALL THAT CERTAIN REAL PROPERTY LOCATED ON APN 008-125-56 DESCRIBED AS FOLLOWS: "RW-3" WHICH CONSISTS OF 9,662.3 SQUARE FEET; "RW-4" WHICH CONSISTS OF 10,685.0 SQUARE FEET; AND "RW-5" WHICH CONSISTS OF 5,808.0 SQUARE FEET AS SHOWN ON THE MAP TITLED "RECORD OF SURVEY #3 FOR THE BERNHARD FAMILY TRUST"**

**5-3. PARKS AND RECREATION - OPEN SPACE - ACTION TO APPOINT AND AUTHORIZE THE MAYOR, THE CITY CLERK-RECORDER OR DESIGNEE TO SWEAR MR. MARK WARREN AS THE APPRAISER FOR CARSON CITY WITH REGARD TO THE SELF-CONTAINED APPRAISAL OF THE FOLLOWING PROPERTY IN CARSON CITY OF APNS 7-031-04 AND 7-091-26, CONSISTING OF 111 ACRES LOCATED AT THE TERMINUS OF ASH CANYON ROAD - City Engineer Larry Werner - Supervisor Aldean pulled Item 5-2A for discussion. Supervisor Livermore moved to approve the Consent Agenda consisting of five remaining items, two from Purchasing and Contracts, two from Public Works - Engineering, and one from Parks and Recreation - Open Space, with the acknowledgement of the appointment of Mr. Mark Warren as an appraiser for Carson City, as presented. Supervisor Staub seconded the motion. Supervisor Aldean noted for the record that the Board had received some late material on Item 5-2B. It was her understanding that the Board is looking at the granting of two permanent easements and no temporary constructions easements are required for that freeway project. Discussion explained that the original packet had not contained the permanent easements. Therefore, late**

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material containing those easements had been distributed to the Board and is to be added to the material that had been distributed previously. The motion was voted and carried 4-0.

**5-2A. (8:55:58)** - City Engineer Larry Werner explained the heavy truck traffic on the southern portion of Lepire Drive which had necessitated an increase in the asphalt and gravel. The developer's project is residential in nature, therefore, he should not be required to pay for the increases. Supervisor Aldean moved to approve and authorize the Mayor to sign a participation agreement between Nevada West Lands, LLC, and Carson City for roadway engineering design and construction on Lepire Drive from Fairview Drive to approximately 290 feet eastward, in which Carson City agrees to reimburse Nevada West Lands, LLC, an amount, as specified in the agreement, not to exceed a total of \$64,609 from the Street Maintenance Overlays Account and other matters properly related thereto. Supervisor Livermore seconded the motion. Motion carried 4-0.

**6. CITY MANAGER - Linda Ritter - ACTION TO SUPPORT AN APPLICATION TO THE NEVADA COMMISSION ON ECONOMIC DEVELOPMENT FROM VELTEC SPORTS INC. FOR ECONOMIC INCENTIVES AS A RESULT OF LOCATING THEIR BUSINESS IN CARSON CITY (8:58:21)** - Northern Nevada Development Authority (NNDAA) Business Development Manager Larie Trippet explained Veltec Sports Incorporation's decision to relocate its distribution center to Carson City. Half of its employees will be relocated from the California site. The remainder will be hired from the area and sent to the California center for training. The plan is to have the center up and running by October. The average hourly wage is \$23.00. The average cost of housing in the Monterey area is \$700,000. It was felt that the employees who are being relocated will be able to afford housing in this area.

Sam Dehne supported the application although he felt that NNDAA operates in secret. He was glad to see them bring an item to the Board for airing in public. Discussion explained that the \$23 average hourly wage includes all of the employees. The calculation does not include the cost of benefits. Mr. Trippet also indicated that the firm must provide health insurance for its employees in order to qualify for the incentives.

Discussion explained the need for the Board to provide a letter of support to the Commission. The Commission will make the final decision regarding the incentives. Supervisor Livermore moved to support an application to the Nevada Commission on Economic Development from Veltec Sports Inc. for economic incentives as a result of locating their business in Carson City. Supervisor Staub seconded the motion. Motion carried 4-0.

**7. PUBLIC WORKS - Director Andrew Burnham - CONTRACTS - ACTION TO ACCEPT PUBLIC WORKS RECOMMENDATION AND AWARD THE "GOVERNOR'S FIELD DRAINAGE AND PAVING IMPROVEMENTS PROJECT", CONTRACT NO. 2006-037 TO (BIDDER NO. 1) SIERRA NEVADA CONSTRUCTION, INC., FOR A CONTRACT AMOUNT OF \$696,007 AND A CONTINGENCY AMOUNT OF \$69,600 FROM THE CAPITAL ACQUISITION/GOVERNOR'S FIELD ASPHALT REPAIR FUND 220-0000-452-6512 AS PROVIDED FOR IN FY 2006/2007 (9:03:55)** - Supervisor Livermore disclosed that Governor's Field is used by the Youth Sports Association (YSA). He is the Chair for YSA. He does not receive any compensation for serving as the Chair. He does not have a vested interest in the public park. The park is located on public property. He serves as a volunteer. Mr. Burnham introduced the item which included the efforts attempted several years ago to make improvements to the park. The cost estimate for the project is \$800,000. Funding for the project and construction

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work performed by City staff were limned. The project should be completed by November and ready for spring baseball. Construction will be prohibited on Fridays, Saturdays, and Sundays when the park will be open to the public. Supervisor Livermore explained the original paving for fields 4, 5, and 6 which was done in the late 1970s. He complimented Mr. Burnham and City Engineer Werner on their efforts to get the improvements made. He also indicated that it may be necessary for the park users to park their vehicles outside the park on occasions during the construction period. Efforts are being made to avoid conflicts between the users and the contractor and his employees. Supervisor Staub, while acknowledging that it may be too late at this time to consider it, suggested that a secondary access into the park be developed. Justification for his suggestion was provided. Mr Burnham concurred that it is a large park that is used by lots of people. He agreed to look into it. Additional comments were solicited but none were given. Supervisor Livermore moved to accept Public Works recommendation and award the Governor's Field Drainage and Paving Improvements Project, Contract No. 2006-037 to Bidder No. 1, Sierra Nevada Contractors, Inc., for a contract amount of \$696,007 and a contingency amount of \$69,600 from Capital Acquisition/Governor's Field Asphalt Repair Fund 220-0000-452-6512 as provided for in fiscal year 2006-2007. Supervisor Aldean seconded the motion. Motion carried 4-0.

**8. PUBLIC WORKS - ENGINEERING (8:39:24)**

**A. ACTION ON A MOTION FINDING THAT A PROPOSED ORDINANCE ADDING EROSION AND SEDIMENT CONTROL TO THE CARSON CITY MUNICIPAL CODE AND DIVISION 13, EROSION AND SEDIMENT CONTROL, TO THE DEVELOPMENT STANDARDS, DOES NOT IMPOSE A DIRECT AND SIGNIFICANT ECONOMIC BURDEN ON A BUSINESS NOR DIRECTLY RESTRICT THE FORMATION, OPERATION OR EXPANSION OF A BUSINESS, THAT A BUSINESS IMPACT STATEMENT HAS BEEN PREPARED, ACCEPTED AND IS ON FILE WITH THE BOARD OF SUPERVISORS AND THAT THE REQUIREMENTS OF THE CHAPTER 237 OF THE NEVADA REVISED STATUTES HAVE BEEN MET BY STAFF'S ACTION - Deferred.**

**B. ACTION TO INTRODUCE ON FIRST READING, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 18 ZONING, CHAPTER 18.16 DEVELOPMENT STANDARDS, BY ADDING DIVISION 13, EROSION AND SEDIMENT CONTROL, WHICH CONTAINS SECTION 13.1 INTRODUCTION; SECTION 13.2 MINIMUM REQUIREMENTS FOR EROSION AND SEDIMENT CONTROL; SECTION 13.3 CONSTRUCTION SWPPP; SECTION 13.4 CHECKLISTS FOR CONSTRUCTION SWPPPS; SECTION 13.5 BEST MANAGEMENT PRACTICES; APPENDIX 1 RECOMMENDED STANDARD NOTES FOR EROSION CONTROL PLANS AND REFERENCES - Deferred.**

**C. ACTION TO INTRODUCE ON FIRST READING, AN ORDINANCE AMENDING THE CARSON CITY MUNICIPAL CODE TITLE 12, WATER, SEWERAGE, AND DRAINAGE BY ADDING A NEW SECTION TITLED CHAPTER 12.18 EROSION AND SEDIMENT CONTROL. THIS NEW SECTION CONTAINS CHAPTERS 12.18.010 DEFINITIONS; 12.18.020 APPLICABILITY; 12.18.030 EXCEPTIONS TO APPLICABILITY; 12.18.040 PERMITS AND FEES; 12.18.050 FAILURE TO COMPLETE THE WORK; 12.18.060 DENIAL OF PERMIT; 12.18.070 RESPONSIBILITY OF PERMITTEE; 12.18.080 GENERAL REQUIREMENTS; 12.18.090 INSPECTION OF**

**SITES UNDER PERMITS; 12.18.100 MAINTENANCE REQUIREMENTS; 12.18.110 NOTIFICATION OF NEEDED MAINTENANCE; 12.18.120 ACTS RESULTING IN VIOLATION OF FEDERAL CLEAN WATER ACT; 12.18.130 ENFORCEMENT AND 12.18.130 REQUEST FOR HEARING - Deferred.**

**9. PUBLIC WORKS - PLANNING AND ZONING - Community Development Director Walter Sullivan**

**A. ACTION TO ADOPT BILL NO. 121, ON SECOND READING, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 18 ZONING, CHAPTER 18.03 DEFINITIONS, SECTION 18.03.010 WORDS AND TERMS DEFINED TO ADD THE DEFINITION OF AUTOMOBILE DEALERSHIPS, NEW, AMENDING TITLE 18 ZONING, CHAPTER 18.16 DEVELOPMENT STANDARDS, SECTION 18.16.005 DEVELOPMENT STANDARDS, DIVISION 4 SIGNS, SECTION 4.6 GENERAL REGULATIONS AND STANDARDS, 4.6.3 NUMBER OF FREESTANDING SIGNS BY ADDING SECTION C TO SPECIFY THE NUMBER OF FREESTANDING SIGNS ALLOWED FOR AUTOMOBILE DEALERSHIPS USE AND BY ADDING A NEW SECTION 4.7.8 NEW AUTOMOBILE DEALERSHIP USES, AND OTHER MATTERS PROPERLY RELATED THERETO. FILE ZCA 06-100 (9:09:57) - Mr. Sullivan had not received any comments between first and second reading regarding the proposed ordinance. Discussion ensued between Supervisor Aldean and Mr. Sullivan regarding the number of signs allowed per business and Supervisor Aldean's revision related to Section II 4.6.3. and Section III 4.7.8.a. Mr. Sullivan read the revision in Section 4.7.8.a. §2 that restricts the number of signs to one per street. He felt that it provided the necessary restrictions and addressed her concern. Supervisor Staub moved to adopt Bill No. 121 on second reading, Ordinance No. 2006-21, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 18 ZONING, CHAPTER 18.03 DEFINITIONS, SECTION 18.03.010 WORDS AND TERMS DEFINED TO ADD THE DEFINITION OF AUTOMOBILE DEALERSHIPS, NEW, AMENDING TITLE 18 ZONING, CHAPTER 18.16 DEVELOPMENT STANDARDS, SECTION 18.16.005 DEVELOPMENT STANDARDS, DIVISION 4 SIGNS, SECTION 4.6 GENERAL REGULATIONS AND STANDARDS, 4.6.3 NUMBER OF FREESTANDING SIGNS BY ADDING SECTION C TO SPECIFY THE NUMBER OF FREESTANDING SIGNS ALLOWED FOR AUTOMOBILE DEALERSHIPS USE AND BY ADDING A NEW SECTION 4.7.8 NEW AUTOMOBILE DEALERSHIP USES, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Aldean seconded the motion. Motion carried 4-0.**

**B. ACTION TO APPROVE A FINAL SUBDIVISION MAP KNOWN AS SUNDANCE RIDGE PHASE II FROM PEAK CONSULTING ENGINEERS, LLC (PROPERTY OWNER: NEVADA WEST LAND, LLC) RESULTING IN 32 RESIDENTIAL LOTS, ON PROPERTY ZONED GENERAL COMMERCIAL (GC), LOCATED AT 4024 AND 4012 LEPIRE DRIVE AND 823 NORTH EDMONDS DRIVE, APNS 010-351-92, 93 AND 04, WHICH FULLY COMPLIES WITH ALL OF THE CONDITIONS OF APPROVAL AS CONTAINED IN THE TENTATIVE MAP STAFF REPORT, PURSUANT TO THE REQUIREMENTS OF THE CARSON CITY MUNICIPAL CODE. FILES. FSM-06-104 (9:13:50) - Peak Consulting Engineers and the Applicant's Representative Keith Shaffer - All conditions of approval have been met. The maps have been reviewed by Engineering and Planning. They are ready to be recorded. The Board had just approved a participation agreement requiring the City to pay for the increased paving on the south side of Lepire. Once the Board approves the final map and it is recorded, lot sales can occur. Supervisor Aldean expressed her hope that the improvements are**

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completed prior to lot sales occurring. Staff has been working with the developer to ensure coordination of the two projects. Mr. Shaffer explained that the paving projects are almost finished. The sidewalk, curbs and gutters from Fairview to Phase 2 are complete. The paving should be completed soon, if not already done. The developer is doing the work. The City will reimburse him in accordance with the participation agreement when he finishes. Supervisor Staub moved to approve a Final Subdivision Map known as Sundance Ridge Phase II from Peak Consulting Engineers, LLC, property owner: Nevada West Land, LLC, resulting in 32 residential lots on property zoned General Commercial located at 4024 and 4012 Lepire Drive and 823 North Edmonds, APNs 010-351-92, 93, and 04, which fully complies with all of the conditions of approval as contained in the tentative map staff report, pursuant to the requirements of the Carson City Municipal Code; File No. FSM-06-104. Discussion noted that the street name had been changed from North Edmonds to Fairview, however, for consistency and continuity, the file and map had retained the name North Edmonds. Any new maps received after the date the street name was changed will use Fairview. Supervisor Livermore seconded the motion. Motion carried 4-0.

RECESS: A recess was declared at 9:19 a.m. A quorum of the Board was present when Mayor Pro-Tem Williamson reconvened the meeting at 9:35. Mayor Teixeira was absent as indicated.

**10. REDEVELOPMENT AUTHORITY (9:33:51)** - Mayor Pro-Tem Williamson then recessed the Board of Supervisors session and convened the Redevelopment Authority. For Minutes of the Redevelopment Authority, see its folder.

**BOARD OF SUPERVISORS (10:38:08)** - Following adjournment of the Redevelopment Authority, Chairperson Williamson attempted to return the gavel to Mayor Teixeira. Mayor Pro-Tem Williamson reconvened the Board of Supervisors session. The entire Board was present, constituting a quorum.

**11. BOARD OF SUPERVISORS - NON-ACTION ITEMS (10:38:10)**

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

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

**12. ACTION TO ADJOURN (10:38:13)** - Supervisor Aldean moved to adjourn. Supervisor Livermore seconded the motion. Motion carried 5-0. Mayor Pro-Tem Williamson adjourned the meeting at 10:39 a.m.

The Minutes of the September 7, 2006, Carson City Board of Supervisors meeting

ATTEST:

ARE SO APPROVED ON October 5, 2006.

/s/  
Alan Glover, Clerk-Recorder

/s/  
Marv Teixeira, Mayor