



STAFF REPORT

Report To: Board of Supervisors

Meeting Date: 12/21/17

Staff Contact: Nick Marano, City Manager (nmarano@carson.org)

Agenda Title: For Possible Action: To reappoint Stacey Giomi and Denise Bauer to the 9-1-1 Surcharge Advisory Committee each for a term that will expire on December 31, 2019.

Staff Summary: Pursuant to NRS 244A.7645, CCMC 4.05.030 creates a six member advisory committee called the "9-1-1 Surcharge Advisory Committee." Stacey Giomi and Denise Bauer occupy general public positions, both are seeking reappointment.

Agenda Action: Formal Action/Motion

Time Requested: Consent

Proposed Motion

Based on the City Manager's recommendation, I move to reappoint Stacey Giomi and Denise Bauer to the General Public position on the 9-1-1 Surcharge Advisory Committee each for a term that will expire on December 31, 2019.

Board's Strategic Goal

Quality of Life

Previous Action

N/A

Background/Issues & Analysis

N/A

Applicable Statute, Code, Policy, Rule or Regulation

NRS 244A.7645, CCMC 4.05.030

Financial Information

Is there a fiscal impact? Yes No

If yes, account name/number:

Is it currently budgeted? Yes No

Explanation of Fiscal Impact:

Alternatives

Re-open the position for additional applicants

Board Action Taken:

Motion: _____

- 1) _____
- 2) _____


Aye/Nay

(Vote Recorded By)




9-1-1 SURCHARGE ADVISORY COMMITTEE


BOARD DETAILS




OVERVIEW



SIZE 6 Seats



TERM LENGTH 2 Years



TERM LIMIT N/A

The board hereby creates an advisory committee called the "9-1-1 surcharge advisory committee" to develop a plan to enhance or improve the telephone system for reporting an emergency in Carson City and to oversee any money allocated for that purpose. The advisory committee shall be comprised of a minimum of five (5) members and a maximum of seven (7) members.



DETAILS

MEETINGS

- Time varies
- Typically on a quarterly basis or at the call of the chair
- Fire Station 51,
777 South Stewart Street, Carson City, Nevada

POWERS & DUTIES

To develop a 5-year master plan for the enhancement or improvement of the telephone system for reporting emergencies in Carson City and to oversee any money allocated for that purpose. The master plan must include an estimate of the cost of the enhancement or improvement of the telephone system and all proposed sources of money for funding the enhancement or improvement.

ADDITIONAL INFORMATION

[CCMC 4.05.pdf](#)

ADDITIONAL INFORMATION

[NRS 244A.7645 2011 .pdf](#)



Carson City, NV

9-1-1 SURCHARGE ADVISORY COMMITTEE

BOARD ROSTER



DENISE BAUER

2nd Term Dec 17, 2015 - Dec 31, 2017

Appointing Authority Board of Supervisors



ROBERT S GIOMI

1st Term Mar 02, 2017 - Dec 31, 2017

Appointing Authority Board of Supervisors



ANNE KEAST

4th Term Dec 07, 2017 - Dec 31, 2019

Appointing Authority Board of Supervisors
Office/Role Chair



TINA PETERSEN

4th Term Dec 07, 2017 - Dec 31, 2019

Appointing Authority Board of Supervisors
Position Local Exchange Carrier



DENISE L STEWART

3rd Term Dec 01, 2016 - Dec 31, 2018

Appointing Authority Board of Supervisors



WENDY TALAVERA

3rd Term Dec 01, 2016 - Dec 31, 2018

Appointing Authority Board of Supervisors

Profile

Robert _____ S _____ Giomi _____
 First Name Middle Initial Last Name

 Email Address

 Street Address

 Suite or Apt

Carson City _____
 City

NV _____
 State

89703 _____
 Postal Code

 Primary Phone

 Alternate Phone

Which Boards would you like to apply for?

9-1-1 Surcharge Advisory Committee: Submitted

Question applies to multiple boards

Why would you like to serve of this Board/Committee/Commission?

This is an area of particular interest for me.

Conflict of Interest

Question applies to multiple boards

Within the past twelve (12) months, have you been employed by Carson City (including as an elected official)?

Yes No

Question applies to multiple boards

Do you currently have a contract with Carson City for services/good?

Yes No

Question applies to multiple boards

If yes, please provide contract details:

Question applies to multiple boards

Have you been convicted of a felony, domestic violence or gross misdemeanor involving moral turpitude (conduct contrary to community standards of justice, honesty and good morals)?

Yes No

Education

Note: only complete this section if a degree is required for this position

College, Professional, Vocational or Other Schools attended:

N/A

Major Subject:

Degree Conferred:

Briefly describe the qualifications you possess which you feel would be an asset to this Board/Committee/Commission:

Former Fire Chief for Carson City. Performed extensive work on the 9-1-1 system during my employment. Developed the original ordinance which formed the 9-1-1 surcharge and the associated advisory committee. I have 35 years of emergency response and planning experience.

List the community organizations in which you have participated and describe participation:

President - Advocates to End Domestic Violence: Immediate Past President - Nevada Fire Chief Association: Chairman - Nevada Commission on Homeland Security Finance Committee (Governor's appointment): Member - Nevada State Emergency Response Commission (Governor's appointment)

List your affiliation with professional or technical societies: *if required for the position.

Personal/Professional References

Name, Telephone Number:

Steve Mihelic, 775-721-9435

Name, Telephone Number:

Lisa Lee, 775-883-5532

Name, Telephone Number:

Jennifer Schultz, 775-888-6627

I understand that my submitted application is considered public information. I understand the Board of Supervisors may require a pre-appointment background check for any position if deemed warranted.

I hereby declare that all statements given by me on this form are truthful and complete to the best of my knowledge.

I have read and understand the Carson City's Boards, Committees and Commissions Policies and Procedures.

I Agree *

1R. Stacey Giomi

2777 Ash Canyon Road
Carson City, NV 89703
(775) 721-8636
rsgiomi@gmail.com

EMPLOYMENT

Director of Facilities & Emergency Preparedness **February 2015 – Present**
NEVADA HEALTH CENTERS, INC. CARSON CITY, NEVADA

Manage two major aspect of a multi-million dollar, state-wide non-profit corporation. Nevada Health Centers is a Federally Qualified Health Center that provides medical, dental, and mental health services to un-insured, under-insured, and geographically isolated patients from 25 locations throughout Nevada. Responsibilities as Facilities Director include; facility acquisition, maintenance management, lease development, and construction management. Emergency Preparedness duties include; employee and patient incident investigations (including investigation of worker's compensation injuries), development and execution of the emergency action plan, employee training related to emergency management, development of OSHA compliance plan, and OSHA compliance management.

Carson City Fire Department **November 1983 – February 2015**

Fire Chief/Emergency Management Director **January 2005-Present**

Chief of Fire Department and Fire Marshal for City of Carson City. Responsible for all aspects of department operation including fire, emergency medical services (EMS), hazardous materials, code enforcement/investigations, and emergency management. Oversee a staff of 74 and a budget of \$13 million, including an enterprise fund of \$4.4 million. Coordinate city-wide disaster response and training with responsibilities across all city departments and divisions. Assigned to the citywide budget team developing the City's general fund and capital budgets. Developed and promulgated local ordinances relative to fire/building codes. Performed as Interim Department Director for the Human Resources Department, leading the City's team in negotiations with two Sheriff's Department bargaining units and the City's general employee association bargaining unit. Co-managed the Health and Human Services Department during a change in the Department Director position. Perform as Acting City Manager in the City Manager's absence.

Assistant Chief/Fire Marshal **January 2004-December 2004**

Responsible for code enforcement, fire prevention planning, public education programs, and coordination of the Department's hazardous materials program. Developed ordinances and the adoption of two cycles of the model fire code, including writing city ordinance and developing code amendments. Acted as the Fire Chief in the Chief's absence. Responsible for budgeting and program development. Responsible for emergency management function.

Training Chief/Emergency Manager **March 2003 – December 2003**

Responsible for providing and coordinating training for all fire department personnel. Provided training in emergency operations and emergency management to city staff. Coordinated federal and state grant programs in homeland security, hazardous materials, and wildland fuels management. Obtained grants in excess of \$3 million over a two-year period. Produced divisional budget and coordinated all new hire and promotional examinations. Responsible for all aspects of emergency management.

Battalion Chief **October 1997 - February 2003**

Responsible for the entire operations division of the Fire Department. This included program management, budgeting, apparatus and equipment specification and purchase, employee review, command/control of major fire, EMS, and hazmat incidents.

Sierra Front Incident Management Team **May 1992 - November 2002**

Assigned to the command staff (Information Officer and Safety Officer) and the Operations Section (Division Supervisor) of a Type II regional incident management team. Managed incidents in the western U.S., including wildland fires, floods, and public health incidents. This work was done as a collateral assignment while employed with Carson City Fire Department.

Captain **July 1992 - September 1997**

Responsible for operations within a single fire station. Supervision of a crew of five to seven emergency response personnel. Response to emergency incidents, employee counseling, manage individual aspects of special programs. Development of initial hazmat program for the Department. Additionally, perform all the duties related below.

Firefighter/Pump Operator Driver **November 1984 - June 1992**

Responsibilities included responding to and controlling fire and other related emergencies. Performed public education duties, drive fire apparatus and emergency vehicles to incident scenes, performed general apparatus and building maintenance, conducted fire prevention inspections, and other related duties.

Dispatcher **November 1983 – October 1984**

Responsibilities included receiving and processing emergency calls. Dispatched fire and ambulance resources to incidents. Maintained and updated computer files and computer aided dispatch systems.

Volunteer Firefighter/EMT **July 1980 – October 1983**

Performed community service standby events. Responded to station to provide coverage during full-time employee deployments. Responded to fire and EMS incidents.

Other Employment

EMT Course Coordinator
WESTERN NEVADA COMMUNITY COLLEGE

January 1999 – June 2002
CARSON CITY, NEVADA

Instructed EMT students, coordinated contract instructors, coordinated with local hospital and fire agencies to establish internships for students, and worked with State of Nevada for certification and testing of students. (Part-time)

Adult Softball Commissioner
CARSON CITY PARKS AND RECREATION

January 1983 – December 1998
CARSON CITY,
NEVADA

Managed 200 + team adult softball league for Carson City Recreation. Coordinated field maintenance, umpire rotations, team scheduling, and tournament scheduling. Managed food sales and field coordinators. Supervised 15 part-time staff in various positions. Managed a \$100,000 budget with spending authority for field supplies and staff. (Part-time)

Radio/Television Broadcaster
SELF EMPLOYED

November 1983 – February 2003
CARSON CITY, NEVADA

Freelance radio and television broadcaster covering regional and state sporting and news events as well as general radio announcing. Provided coverage for local and nationwide media outlets. (Part-time)

Operations Manager

WOODWARD COMMUNICATIONS (KPTL/KKBC RADIO)

June 1979 – October 1983

CARSON CITY, NEVADA

Radio broadcaster at a combination AM/FM radio station. Performed DJ work and news coverage. Managed operational details, including - scheduling, budgeting, promotions/marketing, and music programming.

EDUCATION

U.S. FIRE ADMINISTRATION - NATIONAL FIRE ACADEMY
Executive Fire Officer Certificate

EMITTSBURG, MARYLAND

Cogswell Polytechnical College

Bachelor of Science - Fire (Public) Administration
Bachelor of Science – Fire Prevention Technology
Graduated Summa cum Laude

SUNNYVALE, CALIFORNIA

WESTERN NEVADA COMMUNITY COLLEGE

Associate of Applied Science - Fire Science Technology

CARSON CITY, NEVADA

PROFESSIONAL AFFILIATIONS/SERVICE

- Past President – Nevada Fire Chiefs Association
- Past President – Northern Nevada Fire Chiefs Association
- Governor’s Appointment to:
 - o Nevada Commission on Homeland Security – Funding Committee
 - o State Emergency Response Commission
 - o Emergency Management Coordinating Council
 - o Homeland Security Working Group

COMMUNITY SERVICE

- President – Advocates to End Domestic Violence
- Member – University of Nevada Cooperative Extension, Fire Adapted Communities Advisory Board
- Past Member - Western Nevada College, Athletic Development Committee
- Past Member – Health Smart Community Service Organization
- Past Member – AYSO Youth Soccer Regional Council
- Past President – PTA, Al Seeliger Elementary School
- Past Chair– St. Teresa of Avila youth advisory group

REFERENCES

Mike Brown, State Government Affairs Director
R & R Partners
615 Riverside Dr.
Reno, NV 89503
775-690-7504
mbrown@ntfpd.net

Tod Carlini, Fire Chief
East Fork Fire & Paramedic Districts
P.O. Box 218
Minden, NV 89423
775-782-9048
tcarlini@co.douglas.nv.us

Jeff Page, County Manager
Lyon County Nevada
27 S. Main St.
Yerington, NV 89447
775-302-7088
jpage@lyon-county.org

Ken Riddle, Executive Director

Nevada Fire Chiefs Association
P.O. Box 370518
Las Vegas, NV 89137
702-287-6546
ken.riddle@cox.net

Stuart Stoloff, MD
2707 Ash Canyon Rd
Carson City, NV 89703
775-883-4915
drstoloff@sbcglobal.net

Profile

Denise

First Name

Bauer

Last Name

Middle Initial

[Redacted]

Email Address

[Redacted]

Street Address

Suite or Apt

CARSON CITY

City

NV

State

89706

Postal Code

[Redacted]

Primary Phone

[Redacted]

Alternate Phone

Which Boards would you like to apply for?

9-1-1 Surcharge Advisory Committee: Submitted

Question applies to multiple boards

Why would you like to serve of this Board/Committee/Commission?

I enjoy being a part of decision making for the 911 surcharge funds.

Conflict of Interest

Question applies to multiple boards

Within the past twelve (12) months, have you been employed by Carson City (including as an elected official)?

Yes No

Question applies to multiple boards

Do you currently have a contract with Carson City for services/good?

Yes No

Question applies to multiple boards

If yes, please provide contract details:

Question applies to multiple boards

Have you been convicted of a felony, domestic violence or gross misdemeanor involving moral turpitude (conduct contrary to community standards of justice, honesty and good morals)?

Yes No

Education

Note: only complete this section if a degree is required for this position

College, Professional, Vocational or Other Schools attended:

Major Subject:

Degree Conferred:

Briefly describe the qualifications you possess which you feel would be an asset to this Board/Committee/Commission:

List the community organizations in which you have participated and describe participation:

List your affiliation with professional or technical societies: *if required for the position.

Upload a Resume

Personal/Professional References

Name, Telephone Number:

Name, Telephone Number:

Name, Telephone Number:

I understand that my submitted application is considered public information. I understand the Board of Supervisors may require a pre-appointment background check for any position if deemed warranted.

I hereby declare that all statements given by me on this form are truthful and complete to the best of my knowledge.

I have read and understand the Carson City's Boards, Committees and Commissions Policies and Procedures.

I Agree *

NRS 244A.7645 Establishment of advisory committee to develop plan to enhance or improve telephone system; creation of special revenue fund; use of money in fund.

1. If a surcharge is imposed pursuant to [NRS 244A.7643](#) in a county whose population is 100,000 or more but less than 700,000, the board of county commissioners of that county shall establish by ordinance an advisory committee to develop a plan to enhance the telephone system for reporting an emergency in that county and to oversee any money allocated for that purpose. The advisory committee must consist of not less than five members who:

- (a) Are residents of the county;
- (b) Possess knowledge concerning telephone systems for reporting emergencies; and
- (c) Are not elected public officers.

2. If a surcharge is imposed pursuant to [NRS 244A.7643](#) in a county whose population is less than 100,000, the board of county commissioners of that county shall establish by ordinance an advisory committee to develop a plan to enhance or improve the telephone system for reporting an emergency in that county and to oversee any money allocated for that purpose. The advisory committee must:

(a) Consist of not less than five members who:

- (1) Are residents of the county;
- (2) Possess knowledge concerning telephone systems for reporting emergencies; and
- (3) Are not elected public officers; and

(b) Include a representative of an incumbent local exchange carrier which provides service to persons in that county. As used in this paragraph, "incumbent local exchange carrier" has the meaning ascribed to it in 47 U.S.C. § 251(h)(1), as that section existed on October 1, 1999, and includes a local exchange carrier that is treated as an incumbent local exchange carrier pursuant to that section.

3. If a surcharge is imposed in a county pursuant to [NRS 244A.7643](#), the board of county commissioners of that county shall create a special revenue fund of the county for the deposit of the money collected pursuant to [NRS 244A.7643](#). The money in the fund must be used only:

(a) In a county whose population is 45,000 or more but less than 700,000, to enhance the telephone system for reporting an emergency, including only:

(1) Paying recurring and nonrecurring charges for telecommunication services necessary for the operation of the enhanced telephone system;

(2) Paying costs for personnel and training associated with the routine maintenance and updating of the database for the system;

(3) Purchasing, leasing or renting the equipment and software necessary to operate the enhanced telephone system, including, without limitation, equipment and software that identify the number or location from which a call is made; and

(4) Paying costs associated with any maintenance, upgrade and replacement of equipment and software necessary for the operation of the enhanced telephone system.

(b) In a county whose population is less than 45,000, to improve the telephone system for reporting an emergency in the county.

4. If the balance in the fund created in a county whose population is 45,000 or more but less than 700,000 pursuant to subsection 3 which has not been committed for expenditure exceeds \$1,000,000 at the end of any fiscal year, the board of county commissioners shall reduce the amount of the surcharge imposed during the next fiscal year by the amount necessary to ensure that the unencumbered balance in the fund at the end of the next fiscal year does not exceed \$1,000,000.

5. If the balance in the fund created in a county whose population is less than 45,000 pursuant to subsection 3 which has not been committed for expenditure exceeds \$500,000 at the end of any fiscal year, the board of county commissioners shall reduce the amount of the surcharge imposed during the next fiscal year by the amount necessary to ensure that the unencumbered balance in the fund at the end of the next fiscal year does not exceed \$500,000.

(Added to NRS by [1995, 1056](#); A [1999, 1686](#); [2001, 621, 2125](#); [2007, 561](#); [2009, 641](#); [2011, 1124](#))

Chapter 4.05 - SURCHARGE FOR ENHANCEMENT OR IMPROVEMENT OF TELEPHONE SYSTEM USED FOR REPORTING EMERGENCIES

Sections:

Editor's note— [Ord. No. 2010-2, § I, adopted February 18, 2010](#), amended the title of Ch. 4.05 to read as herein set out. See also the Code Comparative Table and Disposition List.

4.05.010 - Authority and purpose.

1. This chapter is enacted pursuant to NRS 244A.7641 through 244A.7647 for the following purposes:
 - a. To establish an advisory committee to develop a plan for the enhancement or improvement of the telephone system for reporting emergencies in Carson City and to oversee any money allocated for that purpose.
 - b. To impose a surcharge for the enhancement or improvement of the telephone system for reporting an emergency in Carson City on:
 1. Each access line or trunk line of each customer to the local exchange of any telecommunications provider providing those lines in Carson City; and
 2. The mobile telephone service provided to each customer of that service whose place of primary use is in Carson City.

(Ord. 2008-21 § 3, 2008).

([Ord. No. 2010-2, § II, 2-18-2010](#))

4.05.020 - Definitions.

As used in this chapter, the words and terms defined in this section have the meanings ascribed to them unless the context requires otherwise.

"Incumbent local exchange carrier" has the meaning ascribed to it in 47 U.S.C. § 251(h)(1), as that section existed on October 1, 1999, and includes a local exchange carrier that is treated as an incumbent local exchange carrier pursuant to that section.

"Mobile telephone service" means cellular or other service to a telephone installed in a vehicle or which is otherwise portable.

"Place of primary use" has the meaning ascribed to it in 4 U.S.C. § 124(8), as that section existed on August 1, 2002.

"Supplier" means a person authorized by the Federal Communications Commission to provide mobile telephone service.

"Telephone system" means a system for transmitting information between or among points specified by the user that does not change the form or content of the information regardless of the technology, facilities or equipment used. A telephone system may include, without limitation:

- (a) Wireless or Internet technology, facilities or equipment; and
- (b) Technology, facilities or equipment used for transmitting information from an emergency responder to the user or from the user to an emergency responder.

"Trunk line" means a line that provides a channel between a switchboard owned by a customer of a telecommunications provider and the local exchange of the telecommunications provider.

(Ord. 2008-21 § 4, 2008).

[\(Ord. No. 2010-2, § III, 2-18-2010\)](#)

4.05.030 - Establishment of an advisory committee to develop a plan to enhance or improve telephone system for reporting emergency.

1. The board hereby creates an advisory committee called the "9-1-1 surcharge advisory committee" to develop a plan to enhance or improve the telephone system for reporting an emergency in Carson City and to oversee any money allocated for that purpose. The advisory committee shall be comprised of a minimum of five (5) members and a maximum of seven (7) members.
 - a. Members will serve without compensation.
 - b. A member appointed to the committee must:
 - (1) Be a resident of Carson City;
 - (2) Possess knowledge concerning telephone systems for reporting emergencies; and
 - (3) Not be an elected public officer.
 - c. As Carson City has a population of less than one hundred thousand (100,000), at least one member of the committee must be a representative of an incumbent local exchange carrier which provides service to persons in Carson City.
2. Members will be selected at large by the board at its discretion.
3. The board must appoint members for a term of two (2) years. In order to stagger the terms, the board must set the appointed members' terms to provide for terms of three of the appointed members to end in odd numbered years. A member may be reappointed to subsequent terms of two years. Any vacancy occurring during a member's term will be filled by the board. A person appointed to fill a vacancy occurring during a term must serve out the unexpired term of the member replaced.

(Ord. 2008-21 § 5, 2008).

[\(Ord. No. 2010-2, § IV, 2-18-2010\)](#); Ord. No. [2014-1](#), § I, 1-16-2014)

4.05.040 - Chairman, election and duties.

1. The committee must elect from its membership a chairman and vice-chairman.
2. The chairman will preside at meetings and be the signatory of any correspondence necessitated by operation of the committee.
3. The vice-chairman will carry out the duties of the chairman in his/her absence.

(Ord. 2008-21 § 6, 2008).

4.05.050 - Rules, regulations and bylaws.

The committee may adopt rules, regulations and/or bylaws regarding its meetings and procedures.

(Ord. 2008-21 § 7, 2008).

4.05.060 - Quorum.

A majority of members of the advisory committee will constitute a quorum. The approval of a majority of all members present to vote is necessary on any action the committee desires to take.

(Ord. 2008-21 § 8, 2008).

(Ord. No. [2014-1](#), § II, 1-16-2014)

4.05.070 - Meetings.

The committee must hold a public meeting not less than quarterly. Any member of the committee may request a meeting of the committee for special purposes. Such requests shall be made to the chairman, or in his absence, the vice-chairman. Notice of the meetings and the conduct of the meetings of the committee, including the taking of minutes and their transcription and retention, must comply with the provisions of chapter 241 of NRS, Nevada Open Meeting Law.

(Ord. 2008-21 § 9, 2008).

4.05.080 - Imposition of telephone surcharge.

1. For the duration of the imposition of the surcharges, the Board of Supervisors shall, at least annually, review and if necessary, update the master plan.
2. The board imposes surcharges for the enhancement of the telephone system for reporting an emergency in Carson City on:
 - (a) Each access line or trunk line of each customer to the local exchange of any telecommunications provider providing those lines in Carson City; and
 - (b) The mobile telephone service provided to each customer of that service whose place of primary use is in Carson City.
3. The surcharge on access lines to the local exchange of a telecommunications provider is twenty-five cents (\$0.25) per month per line.
4. The surcharge on trunk lines to the local exchange of a telecommunications provider is two dollars and fifty cents (\$2.50) per month per line.
5. The surcharge for each telephone number assigned to a customer by a supplier of mobile telephone service is twenty-five cents (\$0.25) per month per telephone number.
6. A telecommunications provider that provides access lines or trunk lines in Carson City and a supplier that provides mobile telephone service to customers in Carson City must collect the surcharge from its customers each month. Except as otherwise provided in NRS 244A.7647, each telecommunications provider and supplier must remit the surcharge it collects to the treasurer of the county in which the surcharge is imposed not later than the 15th day of the month after the month it receives payment of the surcharge from its customers. In accordance with NRS 244A.7647, a telecommunications provider or supplier which collects the surcharge imposed pursuant to this section is entitled to retain an amount of the surcharge collected which is equal to the cost to collect the surcharge.
7. The committee or city manager may adopt procedures as necessary to effectuate the provisions of this section.

(Ord. 2008-21 § 10, 2008).

(Ord. No. [2010-2](#), § V, 2-18-2010)

4.05.090 - Creation of special revenue fund; use of money in fund.

1. The board hereby creates a special revenue fund for the deposit of any money collected pursuant to NRS 244A.7643 and CCMC 4.05.080. The money in the fund must be used only for the following purposes:
 - (a) To enhance the telephone system for reporting an emergency including only:
 - (1) Paying recurring and nonrecurring charges for telecommunication services necessary for the operation of the enhanced telephone system;
 - (2) Paying costs for personnel and training associated with the routine maintenance and updating of the database for the system;
 - (3) Purchasing, leasing or renting the equipment and software necessary to operate the enhanced telephone system, including, without limitation, equipment and software that identify the number or location from which a call is made; and
 - (4) Paying costs associated with any maintenance, upgrade and replacement of equipment and software necessary for the operation of the enhanced telephone system.
2. If the balance in the fund created pursuant to subsection 1 of this section which has not been committed for expenditure exceeds \$1,000,000 at the end of any fiscal year, the board must reduce the amount of the surcharge imposed during the next fiscal year by the amount necessary to ensure that the unencumbered balance in the fund at the end of the next fiscal year does not exceed \$1,000,000.

(Ord. 2008-21 § 11, 2008).

[\(Ord. No. 2010-2, § VI, 2-18-2010\)](#)

4.05.100 - Penalty for failure to remit surcharges

Any telecommunications provider or mobile telephone service supplier that fails to remit surcharges due within 90 days after the date on which the telecommunications provider or supplier must otherwise remit the surcharges to the county treasurer will be subject to a penalty of 5% of the cumulative amount of surcharges owed by the telecommunications provider or supplier.

(Ord. 2008-21 § 12, 2008).

4.05.110 - Dispute of amount of surcharge or designation of place of primary use by customer of supplier of mobile telephone service: Notice by customer; review by supplier; refund, credit or explanation.

1. If a customer of a supplier of mobile telephone service believes that the amount of a surcharge imposed pursuant to NRS 244A.7643 or the designation of a place of primary use is incorrect, the customer may notify the supplier of mobile telephone service in writing of the alleged error. The notice must include:
 - (a) The street address for the place of primary use of the customer;
 - (b) The account number and name shown on the billing statement of the account for which the customer alleges the error;
 - (c) A description of the alleged error; and

- (d) Any other information which the supplier of mobile telephone service may reasonably require to investigate the alleged error.
- 2. Within 60 days after receiving a notice sent pursuant to subsection 1, the supplier of mobile telephone service shall review the records that the supplier of mobile telephone service uses to determine the place of primary use of its customers.
- 3. If the review indicates:
 - (a) That the alleged error exists, the supplier of mobile telephone service shall correct the error and refund or credit the customer for the amount which was erroneously collected for the applicable period, not to exceed the 24 months immediately preceding the date on which the customer notified the supplier of mobile telephone service of the alleged error.
 - (b) That no error exists, the supplier of mobile service shall provide a written explanation to the customer who alleged the error.
- 4. A customer may not bring a cause of action against a supplier of mobile telephone service for surcharges incorrectly imposed pursuant to NRS 244A.7643 unless he first complies with this section.

[\(Ord. No. 2010-2, § VII, 2-18-2010\)](#)