

CARSON CITY BOARD OF SUPERVISORS

Minutes of the April 2, 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, April 2, 2009 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

PRESENT: Mayor Robert Crowell
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
Neil Rombardo, 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 available for review, in the Clerk-Recorder's Office, during regular business hours.

1 - 4. CALL TO ORDER, ROLL CALL, INVOCATION, AND PLEDGE OF ALLEGIANCE (8:32:00) - Mayor Crowell called the meeting to order at 8:32 a.m. Roll was called; a quorum was present. First Methodist Church Reverend Bill McCord gave the invocation and led the pledge of allegiance.

5. ACTION ON APPROVAL OF MINUTES - March 5, 2009 (8:33:50) - Supervisor Aldean moved to approve the minutes, as presented. Supervisor Livermore seconded the motion. Motion carried 5-0.

6. ACTION TO ADOPT THE AGENDA (8:34:11) - At Mr. Werner's request, Mayor Crowell removed items 13(C), 13(D), and 17. Mr. Werner explained the need for further research. Supervisor Williamson suggested withdrawing items 15 through 18 relative to the Redevelopment Authority. Mayor Crowell reviewed the revised agenda, and entertained additional modifications. When none were forthcoming, he entertained a motion. **Supervisor Aldean moved to adopt the agenda, as amended. Supervisor Williamson seconded the motion. Motion carried 5-0.**

7. PUBLIC COMMENTS AND DISCUSSION (8:35:55) - Mayor Crowell opened this item to public comment; however, none was forthcoming.

8. SPECIAL PRESENTATION - PROCLAMATION FOR "CHILD ABUSE PREVENTION MONTH," APRIL 2009 (8:36:05) - Mayor Crowell invited Rhonda Roth to the podium, and read the subject Proclamation into the record, copies of which were included in the agenda materials. Ms. Roth thanked Mayor Crowell and the Board of Supervisors, and expressed appreciation for the community's commitment to protecting children. She invited the Board members, City staff, and the citizens present to visit a display at the Nevada State Legislature on April 15th. At Supervisor Williamson's prompting, Ms. Roth announced a CASA-sponsored candlelight vigil scheduled for 4:00 p.m. on the Legislative lawn.

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9. CONSENT AGENDA (8:39:10) - Mayor Crowell entertained 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 three items: item 9-1, Public Works Planning; item 9-2, Parks and Recreation, Resolution No. 2009-R-11; and item 9-3, City Manager for the three items, as presented.** Supervisor Aldean seconded the motion. Motion carried 5-0.

9-1. PUBLIC WORKS - PLANNING - ACTION TO APPROVE AND AUTHORIZE THE MAYOR TO SIGN A COMMUNITY DEVELOPMENT BLOCK GRANT (“CDBG”) PROGRAM CONTRACT BETWEEN THE CITY OF CARSON CITY AND THE BOYS AND GIRLS CLUBS OF WESTERN NEVADA FOR FUNDING IN THE AMOUNT OF \$253,500.00 TO BE PAID FROM APPROVED CDBG FUNDING, FOR THE MULTI-PURPOSE PLAYING FIELDS PROJECT

9-2. PARKS AND RECREATION - ACTION TO ADOPT A RESOLUTION ADOPTING AND APPROVING AN INTRASTATE INTERLOCAL CONTRACT BETWEEN CARSON CITY BOARD OF SUPERVISORS, CARSON CITY, NEVADA, AND STATE OF NEVADA DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES DIVISION OF ENVIRONMENTAL PROTECTION FOR THE URBAN FISHING POND PROJECT LOCATED AT THE CARSON CITY FAIRGROUNDS/FUJI PARK, WHICH RESOLUTION WILL ALLOW THE STATE TO GIVE A GRANT TO THE CITY TO SUPPORT THE INSTALLATION AND IMPLEMENTATION OF BEST MANAGEMENT PRACTICES (“BMPs”) ASSOCIATED WITH THE URBAN FISHING POND, AND ACTION TO AUTHORIZE PARKS AND RECREATION DIRECTOR ROGER MOELLENDORF TO SIGN THE NEVADA DIVISION OF ENVIRONMENTAL PROTECTION’S WORK PLAN FOR THE PROJECT

9-3. CITY MANAGER - ACTION TO AUTHORIZE THE MAYOR TO SIGN THE SUBORDINATION AGREEMENT REQUIRED PURSUANT TO THE AMENDED AND RESTATED COMMITMENT AGREEMENT FOR CONTINUING BUSINESS OPERATIONS BY AND BETWEEN CARSON CITY AND RICHARD CAMPAGNI

ORDINANCES, RESOLUTIONS, AND OTHER ITEMS

10. ITEMS PULLED FROM THE CONSENT AGENDA (8:39:49) - None.

11. HUMAN RESOURCES - ACTION TO APPROVE THE SUPPLEMENTAL MILITARY LEAVE COMPENSATION POLICY (8:40:01) - Mayor Crowell introduced this item. Human Resources Department Director Jennifer Schultz reviewed the agenda report and provided an overview of the draft policy attached thereto. Supervisor Aldean commended the policy, and noted a necessary clerical revision. Supervisor Livermore expressed support for the policy. Ms. Schultz acknowledged that the position of the employee called to active duty would be preserved. She reviewed the provisions of the Uniformed Services Employment and Re-employment Rights Act (“USERRA”).

Mayor Crowell called for additional questions or comments of the Board members and for public comments. When none were forthcoming, he entertained a motion. **Supervisor Livermore moved to approve the Supplemental Military Leave Compensation Policy, as presented.** Supervisor Aldean seconded the motion, subject to the previously-noted correction. Motion carried 5-0.

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12. BREWERY ARTS CENTER - PRESENTATION BY THE BREWERY ARTS CENTER ON ITS ACCESS ACTIVITIES PLAN AND BUDGET OUTLINING ACTIVITIES AND PROGRAMS PLANNED FOR THE FOLLOWING FISCAL YEAR WITH FUNDS AND CHANNELS RECEIVED BY THE CITY (9:08:39) - Mayor Crowell introduced this item. Brewery Arts Center Executive Director John Procaccini distributed to the Board members and the Clerk copies of a PowerPoint presentation and the Brewery Arts Center budget. Mr. Procaccini provided an overview of the budget, and Access Carson City General Manager Mike Furlong presented a video montage. Mr. Procaccini and Mr. Furlong narrated the PowerPoint presentation. In response to a question, Mr. Procaccini discussed past attempts at securing grant funding. In response to a further question, he advised of having spent the last four years “trying to create diverse revenue streams so ... we weren’t totally depending on donors and grants.” He referred to the profit and loss statement included in the distributed materials, and advised that recent consideration has been given to again pursuing grant funding. In response to a question, Mr. Furlong advised that a future presentation to the Douglas County Commissioners will include a request for funding to support the expansion into Douglas County. He and Mr. Procaccini responded to questions regarding the budget.

Mayor Crowell entertained additional questions or comments of the Board and of the public. (9:38:14) Marty Schwedhelm, a Lakeview resident, advised that cable television is not currently available in the Lakeview subdivision. In response to a question, Mayor Crowell explained that the City has no authority to direct Charter Cable to provide service to any other area of the community. Mr. Furlong advised that Access Carson City is not limited to Charter Cable, and can “reach virtually anybody that’s on the Internet ...”

(9:39:50) Richard Schneider expressed doubt that “Internet penetration is really that deep.” He expressed the opinion that, compared to other communities, Carson City’s Internet access is very, very slow. He advised that the highest DSL speed in Lakeview is 6 megabits per second. He requested the Board to “lean on these providers to start providing bigger pipes to us ...” Mayor Crowell thanked Mr. Schneider for his comments. In reference to earlier comments, he advised that cable television is federally regulated and is now a state franchise instead of local. He further advised of consideration given to Citywide wi-fi which has associated competitive issues, but which might also facilitate Internet capability in such places as the Lakeview subdivision. He noted the goal to create information technology such that all residents have access.

(9:43:42) Dave Morgan discussed the importance of every community having its own “portal to the Internet.”

Mayor Crowell called for additional public and Board member comments; however, none were forthcoming. (9:46:41) Mr. Procaccini expressed a willingness to do everything possible to “keep ahead of the curve.” He thanked Mr. Furlong and his staff for their vision and hard work. Mayor Crowell thanked Mr. Procaccini and Mr. Furlong for their presentation.

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13. FINANCE

13(A) ACTION TO APPROVE THE APPLICATION TO REMOVE THE UNCOLLECTIBLE ACCOUNTS RECEIVABLE SPECIFIED IN THE APPLICATION FROM THE RECORDS OF THE AMBULANCE FUND FOR A TOTAL AMOUNT OF \$717,960.89

(8:43:25) - Mayor Crowell introduced this item and, in response to a question, Fire Chief Stacey Giomi explained that the uncollectible accounts receivable figure represents a national average. He further explained that ambulance rates are established based on a regional analysis with no consideration given to Medicare or Medicaid benefits. Approximately 60 percent of the ambulance patients are Medicare or Medicaid beneficiaries. In addition, approximately 25 percent of the patients are "private pay," some of whom would likely qualify for Medicaid but never bother to subscribe. Chief Giomi advised that many ambulance patients provide inaccurate contact information and, in some cases, "outright incorrect names." He provided an example.

Chief Giomi advised that the uncollectible accounts receivable is to be written off from the "soft collect agency," with a referral to the "hard collect agency" which continues to work the accounts. Finance Department Director Nick Providenti advised that the figures are included in the annual budget, and that staff is working to address the write-offs in a more timely manner.

In response to a question, Chief Giomi advised that the ambulance service endeavors to become a preferred provider for every insurance company possible. In communities with only one ambulance service, insurance companies are reluctant to designate a preferred provider. Supervisor Livermore read e-mail correspondence into the record. In response to a further question, Chief Giomi advised that the ambulance service billing vendor reviews and verifies all the billing codes prior to sending an account to the collection service. Discussion followed and, in response to a comment, Chief Giomi assured the Board that the City works with National Business Factors, a local company, on uncollectible accounts. In response to a question, he advised that the City's Health and Human Services Department works with citizens on Medicaid qualification. Identifying patients who would qualify for Medicaid and "getting them to sit down and fill out the application ... isn't something the City is set up to do" in terms of time and resources. Supervisor Aldean suggested that the Health and Human Services Department attempt to educate and assist potential Medicaid beneficiaries.

In response to a question, Mr. Providenti advised that the uncollectible accounts receivable will be written off and removed from the accounts receivable list. Mayor Crowell advised of having reviewed the annual number of ambulance trips. In response to a question, Chief Giomi estimated the annual ambulance trips at 5500. In response to a further question, he advised that ambulance rates are annually reviewed. Based on regional rates, he does not anticipate proposing a rate increase this year. Mayor Crowell requested a briefing on the method by which rates are established and services defined.

Supervisor Aldean reminded the community of the CC Care Plus service for \$75 per year. Chief Giomi provided additional detail, and Supervisor Aldean encouraged citizens to subscribe. Mayor Crowell called for public comment and, when none was forthcoming, entertained a motion. **Supervisor Aldean moved to approve the application to remove the uncollectible accounts receivable specified in the application from the records of the Ambulance Fund for a total amount of \$717,960.89. Supervisor Williamson seconded the motion. Motion carried 5-0.**

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13(B) ACTION TO ADOPT A RESOLUTION CONCERNING THE FINANCING OF DRAINAGE AND FLOOD CONTROL PROJECTS; PROVIDING FOR THE REIMBURSEMENT OF EXPENDITURES FROM THE PROCEEDS OF BONDS; AND PROVIDING THE EFFECTIVE DATE THEREOF (9:00:45) - Mayor Crowell introduced this item. Mr. Providenti provided background information, and reviewed the agenda report. Relative to the section of Curry Street from Rhodes Street to Koontz Lane, Supervisor Aldean advised of the intent for the Regional Transportation Commission to cover the storm drainage costs in the approximate amount of \$1.3 million. In response to a question, Mr. Providenti advised that the cost will be reimbursed. Mr. Werner provided additional clarification, and discussion followed. In response to a further question, Mr. Providenti advised that storm drainage rate revisions will be presented as part of the annual budget process. He acknowledged that issuance of bonds will result in a corresponding increase in storm drainage fees.

Mayor Crowell called for additional questions or comments of the Board members and for public comment. When none were forthcoming, he entertained a motion. **Supervisor Williamson moved to adopt Resolution No. 2009-R-12, a resolution concerning the financing of drainage and flood control projects; providing for the reimbursement of expenditures from the proceeds of bonds; and providing for the effective date thereof; fiscal impact is a \$2 million estimate from the storm drainage fund.** Supervisor Aldean seconded the motion. Motion carried 5-0.

13(C) PUBLIC HEARING ON THE INTENT OF CARSON CITY, NEVADA TO AUTHORIZE A LOAN IN THE PRINCIPAL AMOUNT OF \$4,800,000 TO THE REDEVELOPMENT AUTHORITY, AND OTHER MATTERS PROPERLY RELATED THERETO - Withdrawn

13(D) ACTION TO ADOPT A RESOLUTION MAKING AN APPROPRIATION TO AND CONSENTING TO A PROJECT FOR THE CARSON CITY REDEVELOPMENT AUTHORITY; AUTHORIZING A LOAN IN THE PRINCIPAL AMOUNT OF \$4,800,000 TO THE AUTHORITY, AND OTHER MATTERS PROPERLY RELATED THERETO - Withdrawn.

14. RECESS BOARD OF SUPERVISORS

REDEVELOPMENT AUTHORITY - Withdrawn

15. CALL TO ORDER AND DETERMINATION OF QUORUM

16. ACTION ON APPROVAL OF MINUTES

17. FINANCE - ACTION TO ADOPT A RESOLUTION AUTHORIZING ISSUANCE OF A REDEVELOPMENT NOTE TO CARSON CITY IN THE PRINCIPAL AMOUNT OF \$4,800,000, AND OTHER MATTERS PROPERLY RELATED THERETO

18. ACTION TO ADJOURN THE REDEVELOPMENT AUTHORITY

19. RECONVENE BOARD OF SUPERVISORS

(9:47:59) Mayor Crowell recessed the meeting at 9:47 a.m. and reconvened at 10:03 a.m.

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20. PUBLIC WORKS - PLANNING AND ZONING

20(A) ACTION TO ADOPT BILL NO. 103, ON SECOND 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 (ZCA-08-127) (10:03:41) - Mayor Crowell introduced this item. Planning Division Director Lee Plemel reviewed the agenda report and proposed amendments to the pertinent statute pursuant to SB 114. He advised of having received no additional public comment following first reading on March 19th. In response to a question, Mr. Werner advised of the District Attorney's opinion that the Board may impose regulations pertinent to lot size. He further clarified that the current language of the statute allows this Board to establish lot size standards in any situation.

Supervisor Aldean provided an overview of discussion which took place at the March 19th Board meeting. After having inquired of District Attorney's staff regarding concerns expressed at said meeting, she expressed the opinion that the state statute provides "a tremendous degree of latitude" except with regard to affecting the efficiency of the wind energy conversion systems once they are installed. She advised of having requested District Attorney's staff to review an e-mail from a concerned citizen regarding federal provisions. Senior Deputy District Attorney Joel Benton was able to find no violation of federal law. "Given that," Supervisor Aldean suggested "stepping back" in light of having continued to receive communications from concerned citizens. She further suggested deferring action in consideration of the Planning Division staff's willingness to meet with a "representative number of opponents and proponents ... to see if we can't find some common ground." Supervisor Walt agreed, and advised of questions and comments to be addressed.

Mayor Crowell clarified his concerns over property owners installing a wind energy conversion system under the current special use permit process. Mr. Rombardo advised that the District Attorney's opinion didn't address this specific concern, but that the current special use permit process provides sufficient discretion for the Board. He expressed understanding for Mayor Crowell's concern over property rights issues, and the opinion that the issues would be defensible. He expressed support for deferring action in favor of developing more specific ordinance language, and reiterated that the current ordinance meets all state and federal laws. Supervisor Livermore expressed support for the suggestion to defer action, but encouraged the Board members to personally research wind energy conversion systems. He advised of having recently visited the Mason Valley area, and discussed his experience with regard to the noise generated from wind turbines there. He noted the importance of not prolonging a decision. Mr. Werner expressed support for the suggestion to request Planning Division staff to meet with a representative number of opponents and proponents.

Supervisor Walt requested concerned citizens to cite their sources of information. Supervisor Williamson expressed support for deferring action in favor of additional discussion. She advised of having conducted her own research, and of having been informed of the requirement for safe certification of a wind energy conversion system in order to qualify for a rebate. She referred to an IREC website which had "model

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ordinances" being proposed across the midwest and the east coast. She noted the importance of acknowledging the nation's direction toward renewable energy sources. Mayor Crowell noted the prudence of standards, and expressed concern over prolonging a decision.

Mayor Crowell opened this item to public comment. (10:22:34) Bob Grosolak expressed support for alternative energy sources, and opposition to "wind turbines ... in residential zones." He expressed agreement with Mayor Crowell's comments regarding the importance of standards. He discussed his understanding of a "residential zone," reiterated his point, and thanked Supervisor Aldean for her suggestion.

(10:23:56) Gil Yanuck discussed concerns regarding standards, particularly with regard to determining a "minimum lot size" and the effect of wind energy conversion systems on property values. He suggested considering lot size as well as placement of wind energy conversion systems. He further suggested scheduling a workshop between the opponents and proponents to review technical data regarding noise, size, durability, and maintenance. He thanked Supervisor Aldean for her suggestion.

(10:27:00) Marty Schwedhelm, a Lakeview resident and Lakeview Property Owners Association Board of Directors member, applauded Supervisor Aldean's recommendation to "step back" in favor of further review of technical data. He provided background information on his educational and work experience, and advised he is a retired commercial pilot. He expressed frustration at the method by which the "Planning Commission ... put forth the issue ... to the Supervisors." He described the proposed ordinance as "very unneighborly." He expressed support for renewable energy, and discussed the benefits of solar energy. With regard to wind energy conversion systems, he expressed concern over aesthetics, noise, safety, and incompatibility with a "neighborhood atmosphere." He noted the close proximity of most residences in the community, and suggested that "another person's rights stop at ... my property line." He expressed the opinion that the Board could impose reasonable restrictions pertinent to lot size. He expounded on his previously expressed concerns regarding noise, safety, and maintenance. He recommended the Board consider a 2:1 distance to height ratio from any residence and property line. He further recommended that the noise decibel level be measured "at the generating turbine directly" and "away from it a bit." He explained that noise degenerates exponentially out, and suggested establishing a noise standard measurement from the nearest residence or property line. He noted that "height and visibility encroachment" would be difficult to regulate, and suggested encouraging "neighbors to talk to neighbors before they do something like this." As a compromise, he recommended not allowing absentee property owners to install wind energy conversion systems; "only resident property owners." He further suggested a "cooperative program with immediate neighbors. ... If they have to share the pain, they ought to share the gain ..." He requested the Board to refer the matter back to the Planning Commission or to vote in opposition of the ordinance as presented.

(10:35:50) Tim Howard noted that the proposed ordinance requires the homeowner's responsibility over a wind energy conversion system. He referred the Supervisors to information he had cited in written materials provided to Mr. Plemel. He referred to the pertinent statute, and discussed the history of the interstate highway system. He read prepared remarks into the record, and requested the Board to take action on the proposed ordinance at this meeting.

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(10:40:20) In reference to Mr. Howard's comments, Dennis Parrish advised of having lived in the Lakeview Estates subdivision for the last four years. He discussed concerns over wind energy conversion systems interfering with residential views. He expressed support for solar energy systems, and opposition to wind turbines in residential areas.

(10:44:59) Richard Schneider thanked Supervisor Aldean and the Board of Supervisors, and commended Mr. Plemel on his efforts.

(10:45:35) Leslie Madeiros, of the Solar Store, reminded the Board of the considerable expense associated with installing a wind energy conversion system and the requirement for site specific analysis. She expressed the opinion that these two factors will deter most people from purchase and installation. She reiterated a previously-stated point that "beauty is in the eye of the beholder," and discussed value added to property by installation of a wind energy conversion system. In response to a question, she advised that the tax rebate for a wind energy conversion system can be up to thirty percent. The cost of a wind energy conversion system varies dependent upon the associated installation costs. Ms. Madeiros responded to additional questions regarding solar energy systems.

(10:55:03) In response to an earlier question, Tim Howard referred the Board members to a NV Energy website for information regarding the tax rebate.

(10:57:05) Bob Grosolak requested that any future workshops be scheduled in the evening.

(10:57:39) Marty Schwedhelm reiterated the options available to the Board to remand the matter to the Planning Commission, and "to step back" and review technical merits for location. He requested the Board to consider "their duty to all the people in town." He further requested giving consideration to "the neighborly way to go."

Mayor Crowell entertained a motion. **Supervisor Aldean moved not to adopt the ordinance, on second reading, and to direct staff to bring it back for first reading with any changes proposed by the Planning Commission, the Board members, and members of the general public; in order to find some common ground on the unresolved issues, staff will convene a meeting or series of meetings with proponents and opponents of a wind turbine ordinance and schedule a rehearing of the matter before the Planning Commission within sixty days. Supervisor Walt seconded the motion.** Discussion took place regarding the time frame imposed by the motion. Mayor Crowell called for additional discussion and, when none was forthcoming, a vote on the pending motion. **Motion carried 4-1.**

20(B) ACTION TO APPROVE AN ABANDONMENT OF PUBLIC RIGHT-OF-WAY APPLICATION FROM VOLTAIRE GREEN HOMES, LLC, TO ABANDON A 600-FOOT LONG, 60-FOOT WIDE PORTION OF WEST WILLOW STREET WEST OF VOLTAIRE STREET, AND ALSO THE 30-FOOT WIDE RIGHT-OF-WAY EXTENDING FROM THE WEST END OF APPION WAY NORTH APPROXIMATELY 568 FEET TO THE NORTHWEST CORNER OF THE SUBJECT PROPERTY, ON PROPERTY LOCATED AT 4500 AND 4600 VOLTAIRE STREET, APNs 009-253-10 AND 009-255-01, AND TO AUTHORIZE THE MAYOR TO SIGN THE ORDER OF ABANDONMENT (AB-09-002); 20(C) ACTION TO APPROVE A REQUEST FOR A TENTATIVE SUBDIVISION MAP FROM VOLTAIRE GREEN HOMES, LLC, FOR AN 8-UNIT COMMON OPEN SPACE SUBDIVISION KNOWN AS CITY VIEW GREENHOMES, LOCATED

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AT 4500 AND 4600 VOLTAIRE STREET, APNs 009-253-10 AND 009-255-01 (TSM-09-003)
(11:01:03) - Mayor Crowell introduced this item. Mr. Plemel requested to combine items 20(B) and 20(C), and Mayor Crowell modified the agenda accordingly. Mr. Plemel provided an overview of the two items, and expressed appreciation for the interesting development proposal. Principal Planner Jennifer Pruitt reviewed the staff reports in conjunction with displayed slides.

Supervisor Aldean advised of having met with the applicant and former Supervisor Richard Staub to discuss difficulties associated with the slope relative to the primary access point. In response to a question, Ms. Pruitt advised that the applicant met extensively with City Engineer Jeff Sharp and that the access issues have been resolved. Supervisor Aldean expressed support for the project, and concern over the lack of secondary access. In response to a question, Ms. Pruitt advised that the applicant met with Planning and Engineering Division staff and with Fire Chief Stacey Giomi. She further advised that staff evaluates projects on a case-by-case basis. The requirement for secondary access would have been determined and imposed in the early design stages of the project. Mr. Werner explained that the secondary access requirement was resolved by the proper fuels management plan. In response to a further question, he advised that the fuels management plan will be further developed in conjunction with Fire Department staff.

(11:11:10) Glen Martel, representing Voltaire Green Homes, confirmed quite a few meetings with Chief Giomi and Public Works Department personnel to resolve the slope issue. He advised that the fuels management plan will be incorporated into the CC&Rs and managed by the homeowners association. He expressed appreciation for City staff's efforts to "keep this project moving forward." Mr. Martel introduced Ben Smith, of BSA Construction, and discussed his experience with green building; and Steve Hendricks, the designer. Mr. Martel narrated a SlideShow presentation of the project.

In response to a question, Mr. Martel explained that the driveways are private; the open space will be maintained by the homeowners association. Mr. Martel acknowledged ample area for snow stacking within the subdivision so as not to impede traffic. In response to a further question, he discussed the requirement to extend the water lines. In response to a further question, he advised of no requirement to upgrade existing water lines to accommodate fire flow. In response to a comment, Mr. Martel advised that City officials had determined, through modeling and testing, sufficient water pressure in the area. In response to a question, Mr. Plemel described details of the water utilities in the area. Mr. Werner acknowledged no concerns with regard to the configuration of water utilities. He advised that the project design meets all City standards pertinent to the water utility. Mr. Martel described the locations of existing and to-be-installed fire hydrants.

Mayor Crowell opened this item to public comment and, when none was forthcoming, entertained a motion for item 20(B). **Supervisor Williamson moved to approve an abandonment of public right-of-way application from Voltaire Green Homes, LLC, to abandon a 600-foot long, 60-foot wide portion of West Willow Street, west of Voltaire Street, and also the 30-foot wide right-of-way extending from the west end of West Appion Way north approximately 568 feet to the northwest corner of the subject property, on property located at 4500 and 4600 Voltaire Street, APNs 009-253-10 and 009-255-01, based on seven findings and subject to the conditions of approval contained in the staff report, and to authorize the Mayor to sign the Order of Abandonment. Supervisor Aldean seconded the motion, subject to a correction to the Order of Abandonment which she noted. Mayor Crowell called for discussion on the pending motion and, when none was forthcoming, a vote. Motion carried 5-0.**

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Mayor Crowell entertained a motion for item 20(C). Supervisor Williamson moved to approve a request for a tentative subdivision map from Voltaire Green Homes, LLC, for an eight-unit, common open space subdivision, known as City View Greenhomes, located at 4500 and 4600 Voltaire Street, APNs 009-253-10 and 009-255-01, based on the findings and subject to the conditions of approval contained in the staff report. Supervisor Aldean seconded the motion. Motion carried 5-0. Mayor Crowell thanked Mr. Martel for his presentation.

21. CITY MANAGER - ACTION TO ADOPT A RESOLUTION DECLARING HALLOWEEN ACTIVITIES TO BE HELD ON FRIDAY, OCTOBER 30, 2009 (11:23:28) - Mayor Crowell introduced this item, Mr. Werner reviewed the agenda report, and Supervisor Walt provided background information. Mayor Crowell opened this item to public comment and, when none was forthcoming, entertained a motion. Supervisor Walt moved to adopt Resolution No. 2009-R-14 declaring Halloween activities to be held on Friday, October 30, 2009. Supervisor Livermore seconded the motion. Motion carried 5-0.

22. HEALTH AND HUMAN SERVICES - ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE, TITLE 4, LICENSES AND BUSINESS REGULATIONS, BY REPEALING CHAPTER 4.29, MASSAGE ESTABLISHMENTS, AND OTHER MATTERS PROPERLY RELATED THERETO (11:25:45) - Mayor Crowell introduced this item. Mr. Werner provided background information and reviewed the agenda report. Mr. Rombardo acknowledged having reviewed the proposed ordinance. Mayor Crowell opened this item to public comment and, when none was forthcoming, entertained a motion. Supervisor Aldean moved to introduce, on first reading, Bill No. 105, an ordinance amending Carson City Municipal Code, Title 4, Licenses and Business Regulations, by repealing Chapter 4.29, Massage Establishments, and other matters properly related thereto. Supervisor Williamson seconded the motion. Motion carried 5-0.

23. BOARD OF SUPERVISORS NON-ACTION ITEMS:

INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (11:28:00) - In response to a question, Mr. Rombardo reviewed the statutory provisions for privileged communications between the District Attorney and the Board.

CORRESPONDENCE TO THE BOARD OF SUPERVISORS - None.

STATUS REPORTS AND COMMENTS FROM THE MEMBERS OF THE BOARD - None.

STAFF COMMENTS AND STATUS REPORT - None.

24. ACTION TO ADJOURN BOARD OF SUPERVISORS (11:28:54) - Mayor Crowell adjourned the Board of Supervisors at 11:28 a.m.

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BOARD OF HEALTH

PRESENT: Chairperson John Bower

Vice Chairperson Robert Crowell
Member Shelly Aldean
Member Ken Furlong
Member Pete Livermore
Member Molly Walt
Member Robin Williamson

STAFF: Marena Works, Health and Human Services Department Director

Alan Glover, Clerk - Recorder
Melanie Bruketta, Chief Deputy District Attorney
Kathleen King, Recording Secretary

25. CALL TO ORDER AND DETERMINATION OF QUORUM (1:32:45) - Vice Chairperson Crowell called the Board of Health to order at 1:32 p.m. and passed the gavel to Chairperson John Bower. A quorum of the board was present. (2:15:13) At Vice Chairperson Crowell's request, Chairperson Bower provided background information on his education and experience.

26. PUBLIC COMMENTS AND DISCUSSION - None.

27. ACTION ON APPROVAL OF MINUTES - October 5, 2006 (1:33:13) - Member Aldean moved to approve the minutes, as presented. Member Livermore seconded the motion. Motion carried 6-0-1, Vice Chairperson Crowell abstaining.

28. HEALTH AND HUMAN SERVICES

28(A) INFORMATION ONLY TO PROVIDE THE BOARD WITH A SUMMARY PRESENTATION OF CARSON CITY HEALTH AND HUMAN SERVICES ("CCHHS") ACTIVITIES (1:34:00) - Chairperson Bower introduced this item. Health and Human Services Department Director Marena Works narrated a PowerPoint presentation, copies of which were provided to the board members and the Clerk. Member Williamson thanked Ms. Works for her presentation and, at her request, Ms. Works introduced Human Services Program Manager Kathy Wolfe, Animal Services Supervisor Pat Wiggins, Disease Prevention and Control Investigator Dustin Boothe, Public Health Preparedness Program Manager Angela Barosso, Environmental Health Specialist Neil Fox, Hospital Preparedness Planner Stacey Belt, and Environmental Health Inspector Theresa Hayes. Chairperson Bower commended the Health and Human Services Department staff on their professionalism and competence. Vice Chairperson Crowell commended Mr. Wiggins on his care of Arnold, the pot-bellied pig. Member Aldean discussed her involvement in the Circles of Support Initiative, and commended Ms. Wolfe and Ms. Works for their assistance.

28(B) INFORMATION ONLY BY DR. BOWER TO PROVIDE THE BOARD WITH A SUMMARY FROM HIS ATTENDANCE AT THE ANNUAL PUBLIC HEALTH PREPAREDNESS SUMMIT HELD FEBRUARY 18 - 20, 2009 (2:00:02) - Chairperson Bower introduced this item, and reviewed written comments, copies of which he had distributed to the board members and the Clerk. In response to a question, Ms. Works noted the benefit of verifying vaccination records through public and

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private schools. With regard to homeschoolers, she advised of the opportunity to verify vaccination records if said homeschoolers join sports or other extracurricular activities through the public school system. Vice Chairperson Crowell responded to questions regarding the certificate required to homeschool children. Member Aldean suggested providing vaccination literature to homeschoolers at the time the certificate is issued. In response to a question, Ms. Works described the state vaccination registry. Discussion took place regarding flu shot statistics and availability.

28(C) ACTION TO APPROVE, PER NEVADA REVISED STATUTES 439.550, THE ADOPTION OF UPDATED IMMUNIZATION REQUIREMENTS FOR CHILDREN IN PUBLIC SCHOOLS, PRIVATE SCHOOLS, AND CHILD CARE FACILITIES IN CARSON CITY (2:12:18)

- Chairperson Bower introduced this item, and Ms. Works reviewed the agenda report. Chairperson Bower entertained questions or comments and, when none were forthcoming, a motion. **Member Williamson moved to approve, per Nevada Revised Statutes 439.550, the adoption of the updated immunization requirements for children in public schools, private schools, and child care facilities in Carson City. Member Aldean seconded the motion. Motion carried 7-0.** In response to a question, Ms. Bruketta advised that home school and private school are defined differently under the statute. She offered to research the matter of including homeschoolers in the requirement. Chairperson Bower called for public comment; however, none was forthcoming.

29. ACTION TO ADJOURN THE BOARD OF HEALTH (2:15:46) - Member Aldean moved to adjourn the Board of Health at 2:15 p.m. Member Williamson seconded the motion. Motion carried 7-0.

The Minutes of the April 2, 2009 Carson City Board of Supervisors meeting are so approved this 7th day of May, 2009.

ROBERT L. CROWELL, Mayor

ATTEST:

ALAN GLOVER, Clerk - Recorder