

APPROVED APRIL 05, 2018

The Regular Meeting of the Douglas County Board of County Commissioners was held on March 1, 2018 in the meeting room of the County Administration Building, 1616 8th Street, Minden, NV, beginning at 1:00 PM.

Call to Order – Meeting called to order at 1:00 PM

Commissioners Present:

Steve Thaler, Chairman
Barry Penzel, Vice Chairman
Nancy McDermid, Board Member
Larry Walsh, Board Member
Dave Nelson, Board Member

Commissioners Absent:

Staff Present:

Ron Pierini, Sheriff
Kathy Lewis, Clerk-Treasurer
Doug Ritchie, Chief Deputy Civil District Attorney
Larry Werner, County Manager

INVOCATION – Moment of Silence for the Reverend Billy Graham.

PLEDGE OF ALLEGIANCE – Led by Chairman Thaler

PUBLIC COMMENT

Barry Penzel stated that he is very concerned about the tragedy in Florida is reminiscent of previous events and he proposed a joint meeting with the Board of Commissioners, School Board, Judges, Sheriff's Office and District Attorney to discuss physical security and what actions they could jointly take. He went on to say that there has to be a security analysis of the situation. Mr. Penzel added that he can secure the school but wondered if that is what the County wants. He said that he would like input from all departments on this matter.

Jim Slade declared that he supports Mr. Penzel's idea of a joint meeting. Mr. Slade told the story of Louis Zamperini, the world-class runner expected to win in Tokyo. When the games were canceled he went to war and his plane was shot down and he was later taken as a prisoner of war. Mr. Slade went on to say that due to Mr. Zamperini's high social status he was tortured viciously. He added that the movie "Unbroken" was based on Mr. Zamperini's life. Mr. Slade went on to say that Mr. Zamperini was truly a broken man until his wife took him to see the Reverend Billy Graham.

**DOUGLAS COUNTY BOARD OF COMMISSIONERS
MEETING OF MARCH 1ST, 2018**

APPROVAL OF AGENDA

MOTION to approve agenda with the change of moving item 13 to the seventh spot; carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Nancy McDermid, Board Member
SECONDER:	Barry Penzel, Vice Chairman
AYES:	Thaler, Penzel, McDermid, Walsh, Nelson

APPROVAL OF PREVIOUS MINUTES

Board of County Commissioners - Special Meeting - Jan 22, 2018 12:00 PM
MOTION to approve the Jan 22, 2018 minutes; carried

RESULT:	APPROVED [4 TO 0]
MOVER:	Nancy McDermid, Board Member
SECONDER:	Barry Penzel, Vice Chairman
AYES:	Thaler, Penzel, McDermid, Walsh
ABSTAIN:	Nelson

Board of County Commissioners - Special Meeting - Jan 23, 2018 2:00 PM
MOTION to approve the Jan 23, 2018 minutes; carried

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Nancy McDermid, Board Member
SECONDER:	Larry Walsh, Board Member
AYES:	Thaler, Penzel, McDermid, Walsh, Nelson

**ADJOURN AS BOARD OF COMMISSIONERS
CONVENE AS DOUGLAS COUNTY LIQUOR BOARD**

LIQUOR BOARD

1. For possible action. Discussion on the election of the Chairperson of the Douglas County Liquor Board in compliance with Nevada Revised Statute (NRS) 244.350 (Kathy Lewis)

Kathy Lewis, Clerk-Treasurer, opened the item for discussion.

Vice Chairman Penzel said he believed the chair of the Board should be the chair of the Liquor Board.

MOTION to appoint Chairman Thaler as Chairman of the Douglas County Liquor Board; carried.

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RESULT:	APPROVED [UNANIMOUS]
MOVER:	Barry Penzel, Vice Chairman
SECONDER:	Nancy McDermid, Board Member
AYES:	Pierini, Thaler, Penzel, McDermid, Walsh, Nelson

2. For possible action. Discussion to approve adding Stephen Judge to the existing On-Site Beer and Wine Retail Liquor License, with Entertainment Endorsement, for Hard Rock Cafe International (USA) Inc., dba Hard Rock Cafe. Mr. Judge has signed a Waiver of Notice of Hearing. Hard Rock Cafe is located in Harveys Lake Tahoe located at 18 Hwy 50, Stateline Nevada 89449. (Sergeant Bernadette Smith)

Captain Dan Coverley said this is simply an addition to the existing liquor license. He added that the applicant has fulfilled his requirements and the Sheriff's Office has no objections.

MOTION to approve the addition of Stephen Judge to the existing On-Site Beer and Wine Retail Liquor License, with Entertainment Endorsement, for Hard Rock Café International (USA) Inc., dba Hard Rock Café; carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Nancy McDermid, Board Member
SECONDER:	Dave Nelson, Board Member
AYES:	Pierini, Thaler, Penzel, McDermid, Walsh, Nelson

**ADJOURN AS DOUGLAS COUNTY LIQUOR BOARD
RECONVENE AS BOARD OF COMMISSIONERS**

DOUGLAS COUNTY PRESENTATIONS

For presentation only. Presentation on the progress of the Main Street Gardnerville Program. (Lisa Granahan, Debbi Lehr, and Meredith Fischer)

Lisa Granahan, Economic Vitality Manager, stated that the Main Street Gardnerville program focuses work in three areas and one of those is creating distinctive downtowns. She added that The Main Street Gardnerville program has had a year of transition, but the program continues to progress. Ms. Granahan said that the program is a shining star for the County. Ms. Granahan introduced Debbi Lehr and Meredith Fischer.

Debbi Lehr and Meredith Fischer shared a presentation on the following items:

- 2017 Main Street Gardnerville Accomplishments
- Business Inventory
- 10 Year Volunteer Investment
- Main Street Program Welcome Slide
- NV State Main Street Program
- Main Street Approach
- What's Next

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- Surveys
- Q2 Top 3 Issues Facing Downtown
- Q3 What do You Want to Improve
- What Business Residents Want to See
- Age Breakdown
- Market Overview
- Demographics City of Gardnerville
- Strong Market Base
- Parks and Rec
- Family Friendly Sample Ideas
- Health and Wellness Sample Ideas
- Community Place-Based Assets
- Combined Family Friendly/Health and Wellness Strategy
- Reason to Stop for Placemaking
- Improving Image Through Slogans

To see the full presentation, please see the Board packet.

Commissioner McDermid said she remembered when this program first started and liked that the State of Nevada adopted the program.

RESULT: FOR PRESENTATION ONLY.
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CONSENT CALENDAR

MOTION to approve consent calendar minus item G; carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Nancy McDermid, Board Member
SECONDER:	Larry Walsh, Board Member
AYES:	Thaler, Penzel, McDermid, Walsh, Nelson

FINANCE

A. For possible action. Discussion to accept the auditor's report on Douglas County's general ledger balances through February 14, 2018 per NRS 251.030 (Geoff Bonar)

CLERK-TREASURER

B. For possible action. Discussion to accept the cumulative voucher sheets for checks issued for the 2/2/18 Payroll, 1/26/18 Payables, 1/29/18 Payables, 2/2/18 Payables, and 2/9/18 Payables. (Kathy Lewis)

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COMMUNITY DEVELOPMENT

C. For possible action. Discussion to accept a grant, bargain, and sale deed for the Right of Way encompassing the southern half of Lampe Drive from Highway 395 east approximately 290 feet, including the curb return at the southeast corner of the intersection. The Right of Way to be dedicated to the County contains approximately 8,946 square feet (Erik Nilssen).

PUBLIC WORKS

D. For possible action. Discussion to approve a contract between Douglas County and Douglas Disposal, Inc. for reimbursement of costs of necessary improvements to the Douglas County Solid Waste Transfer Station for electrical service and plumbing improvements, up to an amount of \$99,999. (Ron Roman)

RECORDER

E. For possible action. Discussion to accept the January 31, 2018, Report of Fees from the Recorder's Office. (Karen Ellison)

SENIOR SERVICES

F. For possible action. Discussion to approve acceptance of additional supplement of \$4,744 award from the Nutrition Services Incentive Program (NSIP) grant funds from the State of Nevada Aging and Disability Services Division for reimbursement of food purchased through the Senior Center (Grant Number 04-000-57-NX-18). (Travis Lee)

TECHNOLOGY SERVICES

G. For possible action. Discussion to approve an Interlocal Agreement for the Douglas County Technology Services Department to provide technology services to the East Fork Fire Protection District for five years with Fiscal Year 2018/19 payments in the amount of \$113,071. (Sherri McGee)

Item G pulled for discussion.

H. For possible action. Discussion to rescind Policy 400.04, Information Systems Advisory Committee Functions, that has been replaced by Policy 400.06, Technology Steering Committee Policy. (Sherri McGee)

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REPORT OF FEES

I. For possible action. Discussion to accept the receipt of the Clerk and Tahoe General Services Report of Revenue and Transactions for the month of January 2018. (Kathy Lewis)

J. For possible action. Discussion to accept receipt of the DMV Report of Revenue and Transactions for the month of January 2018. (Kathy Lewis)

ADMINISTRATIVE AGENDA

CONSENT CALENDAR ITEMS PULLED FOR FURTHER DISCUSSION

G. For possible action. Discussion to approve an Interlocal Agreement for the Douglas County Technology Services Department to provide technology services to the East Fork Fire Protection District for five years with Fiscal Year 2018/19 payments in the amount of \$113,071. (Sherri McGee)

Commissioner McDermid said she wanted to pull this item to make sure she knows where the money will go. She mentioned that she believes the money should stay in the IT department.

Tammy James, Technology Services Infrastructure and Operations Manager, said she is proud of this contract because it is a sign of committed service to the East Fork Fire District (EFFPD). She added that the general fund provides Technology Services their budget so some things can't be separated out. Ms. James said the budget includes all the services they facilitate and the \$113,071 is the cost of services each year.

Commissioner McDermid asked if this contract will significantly impact staff time.

Ms. James stated that it will not impact staff time because staff is currently providing services to EFFPD.

Commissioner McDermid questioned whether or not EFFPD was paying for those services in the past.

Ms. James replied that they were, but it was through a cost allocation.

Commissioner McDermid asked if this will impact Technology Services budget.

Ms. James said she is confident it will not but is concerned that failing infrastructure may take up more staff time. She said she believes the contract is a great opportunity to show partnership with the East Fork Fire District.

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Commissioner McDermid said she just wants to make sure IT staff is not impacted negatively by this.

Ms. James stated that Sheri McGee, Chief Technology Officer, will reevaluate after one year to make sure the contract is still renewable.

Tod Carlini, East Fork Fire District Chief, shared that the contract provides for a five percent increase each year and it is renewable with an automatic renewal each year. He added that there are provisions that if there are substantial changes needed for East Fork, it is their responsibility make the changes. He added that the IT services have been successful and that EFFPD are very IT driven. Chief Carlini said this can help them make data-driven decisions because the system is dependable.

Vice Chairman Penzel asked Chief Carlini what FD309 represented in the cost allocation account.

Chief Carlini stated that he did not know the answer to that question.

Commissioner McDermid said she thinks the contract is good; she went on to say that she is concerned about the ability to track the money.

Larry Werner, County Manager, stated that his office will track the money.

MOTION to approve the Interlocal Agreement between Douglas County and the East Fork Fire Protection District for five years with Fiscal Year 2018/19 payments in the amount of \$113,071; carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Nancy McDermid, Board Member
SECONDER:	Dave Nelson, Board Member
AYES:	Thaler, Penzel, McDermid, Walsh, Nelson

DISTRICT COURT

1. For possible action. Discussion to approve a request from the Ninth Judicial District Court and China Spring/Aurora Pines to hire an Assistant Director at 10% (\$49.02 hourly, \$101,961.60 annually) above the mid-range with no financial impact to the General Fund. (Wendy Garrison)

Wendy Garrison, Director of China Spring Youth Camp, stated that they have selected a candidate for the assistant director at the camp. She added they appointed the person through a selection committee and Judge Young approved the appointment of Derek Lopez.

Vice Chairman Penzel thanked Ms. Garrison for coming in. He added that the opportunity for youth at China Spring does not get highlighted enough and a lot of the tragedies are stopped by places like China Spring.

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Commissioner McDermid added that having an assistant director is good for Ms. Garrison because it will help with her workload.

MOTION to approve a request from the Ninth Judicial District Court and China Spring/Aurora Pines to hire Derek Lopez for the position of Assistant Director at 10% (\$49.02 hourly, \$101,961.60 annually) above the mid-range with no financial impact to the General Fund; carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Nancy McDermid, Board Member
SECONDER:	Larry Walsh, Board Member
AYES:	Thaler, Penzel, McDermid, Walsh, Nelson

DISTRICT ATTORNEY

2. For possible action. Review possible alternative options to address building deficiencies and space constraints at the Judicial and Law Enforcement Center (JLEC), and discuss the status of a possible advisory ballot question regarding the funding of the JLEC expansion project. (Zach Wadle)

Zach Wadle, Deputy District Attorney, said that the Board has discussed deficiencies with Judicial and Law Enforcement Center (JLEC) and asked for funding alternatives. He added that the Board directed staff to find a ballot question but, also asked for other alternatives. Mr. Wadle said staff has researched some alternatives and after the Board hears this staff seeks direction for funding.

Larry Werner, County Manager, said that they have considered renting space adjacent to the JLEC and building a facility to house a certain element of the JLEC temporarily. He added that it felt premature to look at a major expansion and said this would buy four to five years. Mr. Werner said they saw some things on the horizon that showed the \$31 million ballot question would be premature.

Commissioner McDermid applauded the alternatives and said that while she believes renting space can relieve some of the problems, she is concerned about the inability of separating victims and assailants. She added that she was concerned with security in the parking lot for staff and public.

Judge Tom Perkins said the first thing would be to establish a safe space for the victim-witness room. He added that they were not confident that the public would approve the vote but he wanted to reassure the Board that their concerns would be noted.

Commissioner McDermid asked if the witness room would be in a rented space.

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Judge Perkins said the plan would go to the Board before anything was finalized.

Chairman Penzel stated that there is a need for physical security issues and he believed the approach is measured and it is a good decision.

Chairman Thaler declared that the Board recognizes the issues, but they have learned that there are other options besides going for a long shot. Chairman Thaler added that he does not believe this is kicking the can down the road, because if the vote fails it would be back to square one.

Public Comment

Jim Slade stated that he takes Judge Perkins and the others involved at their word and believes that this is a real need. He added that the reason a new JLEC building is needed is because of the growth of the County. Mr. Slade said the need for an expanded or new JLEC is a reminder that growth does not pay for itself. He declared that the County adopted a growth management ordinance and that was done to set sustainable growth and to curtail the runaway growth. Mr. Slade believes that is why the County had so many foreclosures. Mr. Slade mentioned that a lot of residents would be supportive of the Board if they could control growth. Mr. Slade explained that best way to control growth would be to wipe the building permit allocations. He reported that the County Manager's Office stated that last year, 125 permits were issued and estimated the number of permits this year to be around 200. He reiterated that wiping the current allocation would show that the County was serious about growth management and would lead to a much better chance of passage if the Board was more committed to growth control.

John Engles stated that he was a reserve cop with the Los Angeles Police Department (LAPD) for 13 years. He said in regards to school safety, he does not understand why the kids are allowed to wander around off campus. He believes it needs to be locked down when the school starts. Mr. Engles also stated that witnesses need to be protected.

Chairman Thaler stated that as a direction to staff, he would like them to rescind the previous direction for placement on the ballot and to move forward to have any court staff to continue to work with any County staff to look for alternatives.

Judge Perkins asked for a specific direction for staff to come up with additional ideas.

Commissioner McDermid said the County doesn't need to take their eye off the ball and at some point, there has to be a greater solution. She stated that this issue is not caused by growth because if there is no development the County dies out. Commissioner McDermid said these issues are not going away and security is important. She added that there has to be some solution to the problem. She agreed with Chairman Thaler that it should not be a ballot question.

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Chairman Thaler said that in 1982 they moved into the building but even at a slow growth, he has seen more activity in the JLEC building. He added that the clientele has changed, so they need a safer way for Judges to enter and exit the building.

Commissioner Walsh said he was not sure when the state demographer was ever correct, but there was an article online stating that California has the worst quality of life of all 50 states and he believes that could push new residents to Douglas County. He offered that he supports the practical solutions discussed.

Commissioner Nelson said he believes it is a good idea to table the ballot question for now, because there has to be alternatives. He said he would not have supported the ballot question because he wants to see other options. Commissioner Nelson stated this gives the Board the chance to do that and added that he lived in California and his city had zero growth and was financially sound, so the idea that you need growth is not appropriate.

MOTION to withdraw the previous direction, especially concerning a ballot issue and direct the County Manager to work with staff to bring forward practical alternatives to the situation; carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Barry Penzel, Vice Chairman
SECONDER:	Larry Walsh, Board Member
AYES:	Thaler, Penzel, McDermid, Walsh, Nelson

3. For possible action. Discussion and public hearing on the Douglas County Redevelopment Agency's proposed recommendation to the Board of County Commissioners to dissolve Redevelopment Area No. 1. (Zach Wadle')

Zach Wadle, Deputy District Attorney, provided a recap about the Board's decision to dissolve Redevelopment Area (RDA) one and advised that the legal process involves three meetings. He added that the RDA has to have a public hearing on the action, then the Board has to conduct another hearing, and finally the Board has to adopt an ordinance. Mr. Wadle said the Board is currently on step one. He added that there are two notice requirements for this meeting, first it must be published in the Record Courier and then a notice must be mailed to all of the affected property owners. Mr. Wadle confirmed that both of the notice requirements have been met. He stated that after public notice, there were two primary questions that came up. The first was whether or not the action would change land use zoning and reported that it would not change zoning. Mr. Wadle added that the second question was whether or not property tax would increase and per Mr. Wadle, property taxes will not be increased because of this action.. He added that this action only affects where the property tax proceeds go. Mr. Wadle said that any new development or property value appreciation after the date of formation goes to the redevelopment agency for use on redevelopment projects. He clarified that money does not go to agencies like East Fork Fire, Town of Genoa,

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Mosquito Abatement, so long as RDA is in place. Mr. Wadle said the dissolution would stop property tax from going to RDA. He mentioned that the current RDA funds have to be used for the RDA.

Commissioner McDermid said that if Carson Plaza had not been built, the residents would not have seen any property tax increases.

Mr. Wadle replied by stating it was fair to say a substantial amount of RDA money was due to new developments in the area.

Commissioner Walsh asked Mr. Wadle about the remaining money and whether or not there is a time limit as to when it has to be spent.

Mr. Wadle replied by saying no and advised that they have to have findings to spend the money.

Commissioner Nelson clarified that when they created RDA one it was cherry picked around areas ready to develop. He added that RDA one took a lot of money away from the County. He went on to say that he feels that RDA's only serve to take money from the County in favor of select projects.

Commissioner McDermid clarified that there was a mobile home park that used to be in that RDA and that is taking out old development in favor of new ones.

Chairman Thaler asked the Board to stay on the topic.

Public Comment

Ted Throudson confirmed that he is a Genoa resident. He said he heard there is a sewage plant that needs upgrading and the RDA has something to do with it. Mr. Throudson said he understands that someone rejected all bids to upgrade the sewage plant and the upgrades are necessary to accommodate growth. He asked if the removal of the RDA district will cause a problem for the sewage plant improvements.

Terri Schultz asked if the people who live in the RDA have the same tax rate as the rest of the County. She also asked what happens when the three million dollars is depleted.

Terry Faff said that everyone has learned something about RDAs. He said one thing Commissioner McDermid said was that everyone gets the same rate, which is true, but the population in North County has increased since this happened. He added that those people require police and fire protection over and above what was needed when the base rate was established but now more money is needed. Mr. Faff said that is the kind of lesson he hopes is learned from RDA one. Mr. Faff added that if you build a convention center, there will be a need for police and he believes they need to be careful about the structure for RDAs. Mr. Faff mentioned

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that the County could think about sunset or decreasing the rate and that the County needs to look at what happened here for the future.

Jim Slade mentioned that the RDA had a reasonable purpose and that it did some good things for the County but it has outlived its usefulness and is taking money from entities that need the money. He added that everyone loves Genoa but they should not have their own fund for pet projects. He went on to say that to and to suggest that all the tax money only comes from the private sector is absurd. He added that the majority comes from price appreciation and for someone who lives in Genoa Lakes to say otherwise is self-serving. Mr. Slade mentioned that if the County believes in priority based budgeting then RDA should be dissolved. He concluded by saying Genoa may have good projects but they should not have their own separate fund that cuts the line.

John Lufrano said his district has been a beneficiary of working with the County and RDA one has helped North County as well as Indian Hills. He asked about the funds in the account and how they will be spent.

Philip Ritger wanted to clarify a few things and stated that if the Board looked at the chart, it's safe to say areas like Genoa Lakes were put in as revenue sources. He does not want to argue for retaining the RDA but until the legislature threatened to absorb RDA funds the projects in Genoa never existed. Mr. Ritger stated that the Board needs to understand that the Towns do not participate in the general fund, so when they talk about priority-based budgeting, it puts Genoa in a difficult position. He added that this is not about getting in line with the rest of the County because they do not use the same funding pool.

Chairman Thaler stated that the formation and dissolution of a RDA is a complicated issue.

Larry Werner, County Manager, stated that there was money used for the sewage plant and the reason they did that was to handle the sewage generated in the RDA and treat sewage all the way to Genoa Lakes. Mr. Werner said that there were projects completed in Genoa like the sidewalks and roads.

Mr. Wadle said that Genoa's tax rate is not different due to the RDA, it only affects where taxes go. Mr. Wadle added that all the projects listed in the packet are just to give the public an idea as to what has been completed. He added that the Board will prioritize the use of the three million dollars in the budget .

Chairman Thaler encouraged the public to ask questions prior to the meetings and not wait for public comment.

Commissioner McDermid stated that she received the mailed notice about RDA one and her neighbor's concerns were that they are now going to have to pay for the wastewater treatment plant. She stated that they are current users and rates have been set for five years.

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Vice Chairman Penzel declared that since police are funded through the general fund it's an issue and it has always been a number one priority to take care of the community. He added that it doesn't matter how many people move into the County, those people need to be taken care of. He mentioned that the County is barely maintaining an increase in regards to births and deaths, so the only thing the County can count on for additional money is an increase in ad valorem taxes. Vice Chairman Penzel stated that RDAs allow population limited areas to develop. He added that the sewer system is the same thing, the County can't put the pipe in the ground for free and the road was never going to be changed because there was no money. Vice Chairman Penzel stated that the RDA helped finish that and it doesn't affect taxes. He went on to say that it hurts those benefiting from taxes in Genoa. He concluded by saying Genoa would not be where it was today if it were not for RDA one.

Mr. Wadle stated that all RDAs have to sunset after 30 years.

Vice Chairman Penzel said that the Board rejected the bids for the sewage plant. He mentioned that the Board works with tax increments often, but every penny is an increment.

MOTION to recommend the Commissioners dissolve RDA one in its entirety; carried.

RESULT:	APPROVED [4 to 1]
MOVER:	Larry Walsh, Board Member
SECONDER:	Dave Nelson, Board Member
AYES:	Thaler, Penzel, Walsh, Nelson
NAYES:	McDermid

Chairman Thaler called for a break.

Meeting called to order.

4. For possible action. Discussion to approve a Settlement Agreement and Release of Claims with the Washoe Tribe of Nevada and California related to the construction of a waterline within the Jacks Valley Road right-of-way crossing Bureau of Indian Affairs Tract Number 672 T-1004, in the amount of \$49,500. (Doug Ritchie)

Doug Ritchie, Chief Deputy Civil District Attorney, stated that the next two items are about a waterline easement as part of plans to connect East Valley and West Valley water systems. He said that there is a section that crosses Indian land and the County has worked with the Washoe tribe on working through the scope of the easement. He added that the County has a right-of-way for public roads and is seeking to expand to include the water line.

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Public comment

Tod Carlini read a prepared statement for his public comment.

To review Chief Carlini's full statement please see the supplemental meeting material.

Ted Throudson said he lives within half a mile of the easement and he wants to compliment all members involved in reaching this agreement.

Chairman Thaler stated that the Chairman of the Washoe Tribe was present . Commissioner Thaler expressed his excitement about working with the Chairman of the Tribe.

MOTION to approve the settlement agreement and release of claims of the Washoe Tribe of Nevada and California in the amount of \$49,500; carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Barry Penzel, Vice Chairman
SECONDER:	Dave Nelson, Board Member
AYES:	Thaler, Penzel, McDermid, Walsh, Nelson

5. For possible action. Discussion to approve an Agreement for the Grant of an Easement for Right-of-Way for the construction of a waterline within the Jacks Valley Road right-of-way crossing Bureau of Indian Affairs Tract Number 672 T-1004, in the amount of \$49,999. (Doug Ritchie)

Doug Ritchie, Chief Deputy Civil District Attorney, declared this was the second of two items and this is the agreement for compensation. He added that the Washoe Tribe can work with the County to determine adequate compensation for the grant of the easement.

Public comment

Neil Mortimer said it was a pleasure to be there and hopefully they are able to address the outstanding issues and he hopes they can have an open relationship and hopes that the Board can work with the tribe further. Mr. Mortimer said it has been a lot of work and he appreciates that and he thinks it's better to work in advance instead of cleaning up. He added that no one likes California and controlled growth can prevent Nevada from changing.

MOTION to approve an agreement for the grant of an easement for a right-of-way crossing Bureau of Indian Affairs Tract Number 672 T-1004, in the amount of \$49,999; carried.

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RESULT:	APPROVED [UNANIMOUS]
MOVER:	Barry Penzel, Vice Chairman
SECONDER:	Larry Walsh, Board Member
AYES:	Thaler, Penzel, McDermid, Walsh, Nelson

AIRPORT

6. For possible action. Discussion to approve the 2018 Minden-Tahoe Airport Capital Improvement Plan. The 2018 plan includes four asphalt rehabilitation projects including runways, taxiways, and ramps and the design of a new east-side taxiway at a total cost of \$685,000. Federal Aviation Authority (FAA) Grants will provide \$642,187 with a local match requirement of \$42,813 that will come from the Airport reserve. (Bobbi Thompson)

Bobbi Thompson shared a presentation on the following items:

- 2018 CIP
- Map of Projects

To review Ms. Thompson's full presentation please see the Board packet.

Commissioner Walsh said he thinks the Airport Advisory Committee is doing a great job.

Vice Chairman Penzel asked about the fence on the north side and why it was open.

Ms. Thompson replied that they have to fix the road in the runway protection zone and then they could fix the fence.

Vice Chairman Penzel asked how they will handle parachute operations in the future in light of the recent tragedies.

Ms. Thompson replied by saying the Airport has a lot of restrictions but in ten days they will have an opinion on an accident that occurred and she will bring that forward to the Board. She concluded by saying it is way too early to make a determination.

Public comment

Terry Faff said he would like to see if they could find out how the County can get over a 90 percent grant for the JLEC building.

MOTION to approve the 2018 Minden-Tahoe Airport Capital Improvement Plan in the amount of \$685,000. FAA funding of \$642,187 and \$42,813 that will come from the airport reserve; carried.

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RESULT:	APPROVED [UNANIMOUS]
MOVER:	Larry Walsh, Board Member
SECONDER:	Nancy McDermid, Board Member
AYES:	Thaler, Penzel, McDermid, Walsh, Nelson

COMMUNITY DEVELOPMENT

7. For possible action. Discussion on the Introduction of Ordinance Number 2018-1499, an ordinance for a Zoning Map Amendment (ref. DA 18-004) for Ron Bommarito, Trustee of the Ronald D. Bommarito Trust, amending the existing zoning of SFR-1 (Single Family Residential-1 acre minimum net parcel size) to NC (Neighborhood Commercial) providing for zoning consistency with the existing Commercial master plan designation on a 0.15 acre parcel. The parcel is located at 185 Mill Street in the Genoa Community Plan area (APN 1319-09-702-026). (First Reading) (Heather Ferris)

Heather Ferris, Planning Manager, shared a presentation on the following items:

- Vicinity Map
- Master Plan
- Zoning
- Findings
- Planning Commission
- Recommendation

To review Ms. Ferris' full presentation please see the Board packet.

Vice Chairman Penzel asked if staff asked Mr. Bommarito to request this item.

Ms. Ferris stated that this has been a long-standing inconsistency and they are correcting it on his behalf.

Vice Chairman Penzel asked if there were any objections from Genoa.

Chairman Thaler asked if this went to the Genoa Town Board.

Ms. Ferris said she has not heard anything from them. She added that she spoke with Phil Ritger and he did not think it needed to go before that board.

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Public comment

Lynn Muzzy said that for this and the other items looking for a variance on density, it's his understanding that they are variances for items that were mistakenly zoned the wrong way. He believed that this will mean more congestion and the housing units in these six items come to 100. Mr. Muzzy said two commissioners expressed concerns about the lack of the growth but growth does not pay for itself and these variances don't try and preserve the rural nature of Douglas County.

MOTION to introduce Ordinance Number 2018-1499, an ordinance for a Zoning Map Amendment (ref. DA 18-004) for Ron Bommarito, Trustee of the Ronald D. Bommarito Trust, amending the existing zoning of SFR-1 (Single Family Residential-1 acre minimum net parcel size) to NC (Neighborhood Commercial) providing for zoning consistency with the existing Commercial master plan designation on a 0.15 acre parcel. The subject parcel is located at 185 Mill Street in the Genoa Community Plan area (APN 1319-09-702-026); carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Nancy McDermid, Board Member
SECONDER:	Larry Walsh, Board Member
AYES:	Thaler, Penzel, McDermid, Walsh, Nelson

8. For possible action. Discussion on the Introduction of Ordinance Number 2018-1501, an ordinance for a Zoning Map Amendment (ref. DA 17-115) for Hellwinkel Family, LLC, amending the existing zoning of SFR-1 (Single Family Residential- 1 acre minimum net parcel size) to MFR (Multi-Family Residential) providing for zoning consistency with the Multi-Family Residential master plan designation approved by the Board of Commissioners on September 18, 2017. The subject parcel is 2.09 acres and is located at 1691 County Road in the Minden/Gardnerville Community Plan area (APN 1320-30-802-008). (First Reading) (Heather Ferris)

Heather Ferris, Planning Manager, shared a presentation on the following items:

- Vicinity Map
- Master Plan
- Zoning
- Findings
- Planning Commission
- Recommendation

To review Ms. Ferris' full presentation please see the Board packet.

Vice Chairman Penzel asked when the deadline closed.

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Ms. Ferris stated that the opportunity for streamlined application was in September 2016.

Commissioner McDermid said she believes this is an excellent infield project and it is consistent with what's going on around it.

Public comment

Robb Hellwinkel stated that the political climate in 2005 was completely different and now he is surrounded by Multi-Family Residences. He said that there is a recorded easement going through the Minden gateway and he appreciates the staff's time on this matter.

MOTION to introduce Ordinance Number 2018-1501, an ordinance for a Zoning Map Amendment (ref. DA 17-115) for Hellwinkel Family, LLC, amending the existing zoning of SFR-1 (Single Family Residential- 1 acre minimum net parcel size) to MFR (Multi-Family Residential) providing for zoning consistency with the Multi-Family Residential master plan designation approved by the Board of Commissioners on September 18, 2017. The subject parcel is 2.09 acres and is located at 1691 County Road in the Minden/Gardnerville Community Plan area (APN 1320-30-802-008); carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Nancy McDermid, Board Member
SECONDER:	Larry Walsh, Board Member
AYES:	Thaler, Penzel, McDermid, Walsh, Nelson

9. For possible action. Discussion on the Introduction of Ordinance Number 2018-1500, an ordinance for a Zoning Map Amendment (ref. DA 17-117) for Bently Family Ltd. Partnership, amending the existing zoning of RA-5 (Rural-Agricultural 5 acre minimum net parcel size) to SFR-2 (Single Family Residential-2acre minimum net parcel size), providing for zoning consistency with the Single Family Estates master plan designation approved by the Board of Commissioners on December 7, 2017. The subject parcels are 26.18 and 10.69 acres in size and located approximately 450 feet north of the intersection of Fremont Street and Kiss Lane on both the east and west sides of East Valley Road, in the Johnson Lane Community Plan area (APN's 1320-11-001-035 and -036) (First Reading). (Heather Ferris)

Heather Ferris, Planning Manager, shared a presentation on the following items:

- Vicinity Map
- Master Plan
- Zoning
- Findings
- Planning Commission
- Recommendation

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To review Ms. Ferris' presentation please see the Board packet.

Vice Chairman Penzel said that in the presentation Ms. Ferris mentioned the sewer and asked about the joint meeting held. He added that when they say certain things in those meetings they become direction but this one does not seem to follow that. Vice Chairman Penzel stated that Johnson Lane has a nitrate plum, but they are allowing increased density for water and sewer, so he is concerned that they are going back to the same policy of wherever it happens they will approve it. He asked how they can correct that.

Ms. Ferris replied that this is the same issue discussed at the Master Plan hearings and that's why it was denied. She added that what the applicant brought back was sufficient to approve the Master Plan amendment

Vice Chairman Penzel said that he understands but he is still concerned about the issue.

Ms. Ferris said that in regards to the public services, she would have to look closer at county code to see if there any changes required because they aren't close enough to be required to hook up now but maybe in the future they will be.

Vice Chairman Penzel asked if the parcel is surrounded by sewer lines.

Ms. Ferris stated that she said it will have future sewer lines on two sides.

Vice Chairman Penzel stated that staff received an email about wells and he believes the issue is not the wells, but that it is the water the County needs to continue the process to hook up on existing water and sewer lines.

Public Comment

Carlo Luri thanked the staff for the hard work they have done. He added that the issue of sewer was brought up and he inquired of Geographic Information System (GIS) and determined that North County does plan to connect to that area. Mr. Luri mentioned that the argument that swayed the Board in December was that they are looking for fairness. Mr. Luri said that the Bentley family deeded more than 12 acres to Douglas County and that was at no cost to the County and they just want to be able to develop the parcel.

Chairman Thaler stated it is important to remember sometimes property owners pay their way by giving up property.

Commissioner Nelson stated that this Ordinance would increase density and double the number of wells in the area.

Vice Chairman Penzel stated he is voting for this item because of the reassurance from the property owner.

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MOTION to introduce Introduction of Ordinance Number 2018-1500, an ordinance for a Zoning Map Amendment (ref. DA 17-117) for Bentley Family Ltd. Partnership, amending the existing zoning of RA-5 (Rural-Agricultural 5 acre minimum net parcel size) to SFR-2 (Single Family Residential-2acre minimum net parcel size), providing for zoning consistency with the Single Family Estates master plan designation approved by the Board of Commissioners on December 7, 2017. The subject parcels are 26.18 and 10.69 acres in size and located approximately 450 feet north of the intersection of Fremont Street and Kiss Lane on both the east and west sides of East Valley Road, in the Johnson Lane Community Plan area (APN's 1320-11-001-035 and -036); carried.

RESULT:	APPROVED [4 to 1]
MOVER:	Larry Walsh, Board Member
SECONDER:	Nancy McDermid, Board Member
AYES:	Thaler, Penzel, McDermid, Walsh
NAYES:	Nelson

10. For possible action. Discussion on the Introduction of Ordinance Number 2018-1502, an ordinance for a Zoning Map Amendment (ref. DA 17-098) for Bentley Enterprises, amending the existing zoning of NC (Neighborhood Commercial) and A-19 (Agriculture-19 acre minimum parcel size) with a PD (Planned Development) Overlay zone to SFR-8,000 (Single Family Residential - 8,000 square foot minimum net parcel size) providing for zoning consistency with the existing Single Family Residential master plan designation on a 9.22 acre parcel. The parcel is located at 1280 Dresslerville Road in the Gardnerville Ranchos, Gardnerville (APN 1220-09-302-006). (First Reading) (Louis Cariola)

Louis Cariola, Senior Planner, shared a presentation on the following items:

- Vicinity Map
- Master Plan
- Zoning
- Findings
- Planning Commission
- Recommendation

To review Mr. Cariola's full presentation please see the Board packet.

MOTION to introduce Ordinance Number 2018-1502, a Zoning Map Amendment (ref. DA 17-098) for Bentley Enterprises, amending the existing zoning of NC (Neighborhood Commercial) and A-19 (Agriculture-19 acre minimum parcel size) with a PD (Planned Development) Overlay zone to SFR-8,000 (Single Family Residential - 8,000 square foot minimum net parcel size) providing for zoning consistency with the existing Single Family Residential master plan designation on a 9.22 acre parcel. The subject parcel is located at 1280 Dresslerville Road in the Gardnerville Ranchos, Gardnerville (APN 1220-09-302-006); carried.

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RESULT:	APPROVED [UNANIMOUS]
MOVER:	Nancy McDermid, Board Member
SECONDER:	Dave Nelson, Board Member
AYES:	Thaler, Penzel, McDermid, Walsh, Nelson

11. For possible action. Discussion on the Introduction of Ordinance Number 2018-1503, an ordinance for a Zoning Map Amendment (ref. DA 17-097) for Holstein Farms, LLC, amending the existing zoning of SFR-1 (Single Family Residential- 1 acre minimum net parcel size) to SFR-1/2 (Single Family Residential – one-half acre minimum net parcel size) providing for zoning consistency with the existing Single Family Residential master plan designation on a 5.43 acre parcel. The subject parcel is located at 1291 Centerville Lane in the Gardnerville Ranchos, Gardnerville (APN 1220-09-401-001). (First Reading). (Louis Cariola)

Louis Cariola, Senior Planner, shared a presentation on the following items:

- Vicinity Map
- Master Plan
- Zoning
- Findings
- Planning Commission
- Recommendation

To review Mr. Cariola’s full presentation please see the Board packet.

Vice Chairman Penzel stated that it was hard to read the numbers on the slides.

Mr. Cariola said they will make the text bigger and clearer next time.

MOTION to introduce Ordinance Number 2018-1503, an ordinance for a Zoning Map Amendment (ref. DA 17-097) for Holstein Farms, LLC, amending the existing zoning of SFR-1 (Single Family Residential- 1 acre minimum net parcel size) to SFR-1/2 (Single Family Residential – one-half acre minimum net parcel size) providing for zoning consistency with the existing Single Family Residential master plan designation on a 5.43 acre parcel. The subject parcel is located at 1291 Centerville Lane in the Gardnerville Ranchos, Gardnerville (APN 1220-09-401-001); carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Nancy McDermid, Board Member
SECONDER:	Larry Walsh, Board Member
AYES:	Thaler, Penzel, McDermid, Walsh, Nelson

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12. For possible action. Discussion on the Introduction of Ordinance Number 2018-1504, a Zoning Map Amendment (ref. DA 17-099) for Gordon Gregory, Gregory Family Trust, amending the existing zoning of TC (Tourist Commercial) to SFR-1/2 (Single Family Residential – one-half acre minimum net parcel size) providing for zoning consistency with the existing Single Family Residential master plan designation for four 0.44 acre parcels located south of Sandy Bowers Avenue between Genoa Street and Eureka Street parcel in the Topaz Community plan area (APNs: 1022-29-310-001, 002, 003, 004); and other properly related matters. (First Reading) (Louis Cariola)

Louis Cariola, Senior Planner, shared a presentation on the following items:

- Vicinity Map
- Master Plan
- Zoning
- Findings
- Planning Commission
- Recommendation

To review Mr. Cariola's full presentation please see the Board packet.

MOTION to introduce Ordinance Number 2018-1504, a Zoning Map Amendment (ref. DA 17-099) for Gordon Gregory, Gregory Family Trust, amending the existing zoning of TC (Tourist Commercial) to SFR-1/2 (Single Family Residential – one-half acre minimum net parcel size) providing for zoning consistency with the existing Single Family Residential master plan designation for four 0.44 acre parcels located south of Sandy Bowers Avenue between Genoa Street and Eureka Street parcel in the Topaz Community plan area (APNs: 1022-29-310-001, 002, 003, 004); carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Larry Walsh, Board Member
SECONDER:	Barry Penzel, Vice Chairman
AYES:	Thaler, Penzel, McDermid, Walsh, Nelson

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13. For possible action. Discussion on the following requests: (1) Introduction of Ordinance Number 2018-1496, an ordinance for a Zoning Map Amendment (ref. PD 17-002) for Keith Serpa, Project LM, LLC amending the existing zoning of SFR-8,000 (Single Family Residential- 8,000 square foot minimum net parcel size) and PF (Public Facilities) by establishing an SFR-8,000 and PF Planned Development Overlay Zone, and other properly related matters; (2) a Tentative Subdivision Map to subdivide 87.02 acres into 178 single family residential lots, the smallest being 6,004 square feet, with 33 acres of common area and open space, and an approximately 9 acre remainder parcel; and (3) a Variance to Improvement Standards to allow for one ingress and egress into the development with future secondary access being provided by adjacent developments in accordance with the North Douglas County Specific Plan. The subject property is located east of Highway 395 on North Sunridge Drive approximately 1/3 mile south of Topsy Lane in the Indian Hills/Jacks Valley Community Plan. The applicant is Keith Serpa for Project LM, LLC; (APN 1420-05-401-005); Planned Development (PD) 17-002; and Land Division Application (LDA) 17-028. (First Reading) (Heather Ferris)

Heather Ferris, Planning Manager, shared a presentation on the following topics:

- Board of Commissioners
- Master Plan
- North Douglas County Specific Plan Boundaries
- Background
- Valley Knolls Planned Development and Tentative Subdivision Map
- Phasing Plan
- Elevations Variance to Improvement Standards
- Code Provisions
- Planning Commission Action
- Recommendation

To see Ms. Ferris' full presentation please review the supplemental meeting materials.

Chris Baker on behalf of the applicant said there was a disconnect from the requirements to what the requester wanted. He added that the specific plan was jointly drafted with Bureau of Land Management (BLM) and Douglas County. Mr. Baker said the County went through the right process and those are requirements as part of the Master Plan and the bulk of the discussion was on the variance to the second access standards. He added that he agrees with the staff recommendation.

Commissioner McDermid asked which road was the secondary access.

Mr. Baker stated the surrounding property owners have not agreed to it, so it would be one of the three listed.

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Commissioner McDermid said there was a renewed traffic study but when the remainder parcel is developed with multifamily they will have to supplement that traffic study.

Mr. Baker said they would and they took that into consideration.

Commissioner McDermid said that she understands it's not this project but any new development would change the traffic study.

Vice Chairman Penzel stated he had concerns over the secondary access and from all the correspondence, he is not alone. Vice Chairman Penzel said the assurance they are supposed to obtain is that after the 20th home is built they will have the secondary access, but he would like a firm secondary access prior to that.

Mr. Baker declared that they have to leave stubbed roads and the condition states that in accordance with the specific plan. He added that they are only following the conditions set by County codes.

Vice Chairman Penzel stated that if the secondary access was never developed, Mr. Baker's client would be limited to 20 homes.

Mr. Baker said that was correct.

Vice Chairman Penzel asked if they have been unsuccessful in contacting the surrounding property owners.

Mr. Baker said he would not say unsuccessful but they do not know the surrounding owner's plans currently. He added that there are numerous stub roads in a number of districts because they did not build any more homes.

Commissioner McDermid asked if the permanent emergency access would be put in during the first 20 homes and if phase two is in the south parcel.

Mr. Baker said yes they can build the permanent secondary access with the first 20 homes and clarified that the phasing is different from construction.

Commissioner Nelson clarified that Mr. Baker and his company will take the risk of providing that exit and not go any further until they get the 21st home.

Chairman Thaler said that if they knock out 20 houses and to get 21st the company has to build the road. He mentioned that once he spoke to Mr. Baker, he does not think it's appropriate to build a road to nowhere without the guarantee of those future homes. Chairman Thaler said now the company will put in that road whether they get the 21st home or not. He also asked if they could put in any condition that these homes will be deed restricted or affordable.

Mr. Baker said that at this point the applicant will not be going vertical and he is not a home builder but what he can say is because of the Master Plan they changed the third phase to multifamily

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Chairman Thaler stated that it is hard to tell at a glance where the deed restricted homes are located.

Mr. Baker said this development doesn't lend itself to that but he can't speak for the builder.

Commissioner Walsh said he doesn't think the secondary access is going to limit the number of permits but it would limit the number of Certificate of Occupancies to 20.

Public comment

Terry Faff said he is concerned with the private meetings and has an issue with the setbacks because you can hear everything from your neighbor when homes are that close. He added that there is no guaranteed secondary access and they should be able to guarantee that. Mr. Faff mentioned there is another development he wants to do on this parcel, so why can't the developer do it all together. Mr. Faff said this would be a good opportunity for an affordable restriction.

Jim Slade stated he doesn't understand why this item was brought forward in the agenda but he thinks it was to accommodate the developer. He mentioned that the two major concerns at the previous meeting were secondary access and improvements for future homeowners. Mr. Slade declared there is no indication as to where the secondary access will be so this is inadequate. He asked if the applicant is going to build 20 and wait for another owner forever. Mr. Slade added that it's foolish just like the applicant orally stating that the emergency access will be built before the first phase is done. He believes since the applicant is asking for a zoning map amendment, this is the County's one opportunity to ask for more from the developer. Mr. Slade mentioned that the developer has not afforded anything and the Board should ask for more things in the open space the applicant still hasn't provided anything for the smaller lots and the applicant hasn't made adequate commitments. Mr. Slade concluded by saying the Board should deny this application. He also would like the Chief Civil Deputy to explain why he misspoke when granting the continuance.

Doug Ritchie, Chief Civil Deputy District Attorney, stated that the Board can choose to grant the continuance. He believes he said "must" and it would have been more appropriate to use "should".

Chairman Thaler asked Ms. Ferris to clarify if the Board should work together with the developer and stated that the Board's job is to get as much information as possible but their job is not to say no to a developer. Chairman Thaler believes the Board needs to hold developers accountable to the Master Plan but the Board asked for secondary access and they got more than what they asked for.

Ms. Ferris stated that the County's job is not to say no to developments but to figure out if something works with the Master Plan. She believes the application is consistent with County code and zoning. Ms. Ferris said that Mr. Faff asked if

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they can require affordability and they cannot require it but can give them the option to. She mentioned that Mr. Slade asked about the secondary access and if he could read condition A1 it clearly states that the applicant will pay for that. Ms. Ferris stated that as far as amenities for future residents, they are constructing multiuse paths consistent with the plan.

Vice Chairman Penzel stated that Ms. Ferris has done an admirable job, but he still is concerned with the secondary access. He mentioned that he is not comfortable saying that planning for a secondary access is mitigation. Vice Chairman Penzel believes mitigation is actually there and able to touch and the finding that it mitigates it is a stretch in his opinion. He added that the developers have as much right to access to the Board as any member of the public and he was not alone there were three people in the room. Vice Chairman Penzel met in the community development room because that is his job regardless of who the developer is. Vice Chairman Penzel asked again how the Board mitigates the issue of the secondary access.

Ms. Ferris stated that the way planning views mitigation is you can mitigate things based on conditions of approval.

Vice Chairman Penzel asked if Ms. Ferris was comfortable with this.

Ms. Ferris said yes as long as it's consistent with County code.

Commissioner McDermid referenced packet page 561 and said number two talks about the setbacks. She doesn't believe it's a very big backyard and asked if there is room for a sidewalk. She asked if five-foot setbacks on the side were consistent with the zoning.

Ms. Ferris noted the zoning is Single Family Residential (SFR) 8000 and they can request reduced setbacks and they did that consistent with SFR 6000 and it does allow for sidewalks.

Commissioner McDermid said they have 178 proposed and one home will qualify for SFR 6000 so they are requesting setbacks for all of them.

Ms. Ferris stated that they have requested it based on the average of 6000 sq. feet.

Commissioner McDermid stated it's not fair that they all follow SR 6000 and asked if that makes sense.

Ms. Ferris said yes because that is what they can request.

Commissioner McDermid asked if this was consistent with Douglas County.

Ms. Ferris said she does not think it's unusual for a lot of this size to request those setbacks.

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Chairman Thaler said that Westwood has a number of different lot sizes and they do it so Douglas County has a history of doing this.

Commissioner McDermid wants to know why the developer is doing this and how many lots are at 6000 sq. feet.

Mr. Baker said, unfortunately, they have to design the setbacks with the smallest lots and Sunridge is the same way.

Commissioner McDermid stated that originally they asked for 300 homes and she asked what size the lots were for that request.

Mr. Baker stated that was a different zoning area, so when you talk about density vs design standards it's different. He mentioned that the average is a little over 7,600 feet and it is still consistent with the adjacent subdivision.

Commissioner McDermid said when you go in as a developer you jump through hoops to get the project approved. She understands Sunridge was built like that.

Commissioner Nelson said he has an issue with the Planned Development (PD) Overlay and he doesn't understand why the open space is clumped together as opposed to spreading out for more functionality. He believes the intent of the ordinance was to spread out those open common spaces.

Ms. Ferris said that this plan provides four paths and that's consistent with the Master Plan. She added that the drainage facility

Chairman Thaler stated that there is a developer that could have done 300 homes and now they are choosing to drop that number. He finds it interesting that now the Board is telling the developer how to develop their project. Chairman Thaler said he supports it because the developer went to the Board and made some changes. He doesn't believe that this development will be done in 30 years.

Commissioner Nelson stated that he believes there will be 300 homes here.

Commissioner Walsh asked if they will pave the emergency access to those first twenty homes.

Mr. Baker said yes they would.

Commissioner McDermid said the way this worked was Bureau of Land Management (BLM) was going to sell land and give it to Douglas County. She added that things have changed in 18 years and she agrees with Mr. Nelson about the issues with the PD overlay. Commissioner McDermid said that she may not like the development but they followed the code and she can't make findings against it. She believes they need to be looking at County code to update things to meet the 21st century. Commissioner McDermid said the Board is behind and looking at some of these things are critically important as they have more

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development coming in. She mentioned she is not against the project, but she doesn't like the current codes.

Mimi Moss stated the applicant could just meet all the requirements for 8000 sq. foot lots, but the plan sets the density and at the time there was no layout. She added in this case the parcel sizes don't meet the minimum so they have to have a PD overlay. Ms. Moss stated that yes it's encouraged but the open space is up to the developer. She added that they are following the plan and that is all they need to do. Ms. Moss said that they have a pedestrian connection and that's the bulk of this planning area. She wants to put on the record that the other properties have to follow the same plan.

Vice Chairman Penzel said this development was met with some resistance and he goes back to the development code. He mentioned that there was an issue about the school board and if you look at the Master Plan they provided an answer and they could absorb the 178 kids. Vice Chairman Penzel believes the main issue is the secondary access and he understands what Mr. Slade says but he is not here to say you should do extra things. Vice Chairman Penzel said he has to be able to trust this and he believes they are getting approval for properties that will be sold before they are built and someone will have to make sure things are followed.

Mr. Baker said the emergency access will be put in prior to the 21st home.

Chairman Thaler stated that everything is on record, so it will be on the record either way.

Larry Werner, County Manager, clarified that all of this gets transferred to a development agreement so it will be in writing.

Ms. Moss stated that it's not a condition of approval to enter into a development agreement.

Mr. Werner wondered if it is in the letter writing.

Ms. Moss replied yes, that is correct. She added they don't need an emergency access until the 21st home in the code.

MOTION based on the discussion and findings included in the staff report and at the December 12th, 2017 Planning Commission meeting, Planning commission and staff recommends the Board take the following actions subject to the conditions included in the staff report. (1) Introduction of Ordinance Number 2018-1496, an ordinance for a Zoning Map Amendment (ref. PD 17-002) for Keith Serpa, Project LM, LLC amending the existing zoning of SFR-8,000 (Single Family Residential-8,000 square foot minimum net parcel size) and PF (Public Facilities) by establishing an SFR-8,000 and PF Planned Development Overlay Zone, and other properly related matters; carried.

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RESULT:	APPROVED [UNANIMOUS]
MOVER:	Nancy McDermid, Board Member
SECONDER:	Larry Walsh, Board Member
AYES:	Thaler, Penzel, McDermid, Walsh, Nelson

SECOND MOTION to approve a tentative subdivision map reference LDA 17-028 to create 178 single family residential lots the smallest being 6,004 square feet, 33 acres of common area and open space and approximately nine acre remainder parcel with the elimination of condition A.11 and the following modification to condition A1C Solaris lane from North Sun Ridge drive to Radiant drive shall be constructed to the urban collector typical road section detail DCA01, the pavement width shall be a minimum of 20 feet wide on both the ingress and egress side of the center median as required by East Fork Fire and Paramedic District. Solaris Lane shall act as the primary ingress and egress for the development with the permanent secondary access being provided prior to the issuance of a certificate of occupancy for the 21st single family residence and that the secondary emergency access on the south end of the property will be paved up to the first 20 houses in the first phase of the project; carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Nancy McDermid, Board Member
SECONDER:	Larry Walsh, Board Member
AYES:	Thaler, Penzel, McDermid, Walsh, Nelson

Chairman Thaler called for a break.

Meeting reconvened.

FINANCE

14. For possible action. Discussion to accept Douglas County's 2017 Cost Allocation Plan and to direct staff to recover General Fund costs incurred in FY 2018-19 to develop the budget. (Vicki Moore and Chuck Mahoney, Mahoney & Associates)

Vicki Moore, Chief Financial Officer, and Chuck Mahoney, President of Mahoney & Associates, shared a presentation on the following topics:

- Background
- Need for Cost Allocation Plan
- Importance
- How are Central Services Cost Allocated
- Cost to be Allocated
- Summary of Allocated Costs
- County Resources Before Cost Allocation Plan

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- Full Cost of County Resources After Cost Allocation Plan
- 5 Year Historical Comparison of Cost Allocation Plan vs Budget
- Cost Allocation Comparison

To review Ms. Moore and Mr. Mahoney's full presentation please review the supplemental meeting materials.

Commissioner Nelson stated that if cost allocations plans are too high some organization will hire contractors to do payroll.

Mr. Mahoney said that is a concern, but the fact is it will cost more to do that because the private sector doesn't have that expertise within the County for each department.

Commissioner Walsh agreed with Mr. Mahoney that going outside of the County for payroll needs could cost more.

Vice Chairman Penzel declared that he doesn't like receiving the reports at the last minute and stated it's hard to make a decision without the time to review the item. He also asked about risk management accounts and what "FD" stands for.

Ms. Moore stated that the acronym "FD" stands for fund.

Vice Chairman Penzel asked if the central services line was the total number of expenditures from the general fund.

Mr. Mahoney stated that was just a piece of the fund and not all of them are general services.

Vice Chairman Penzel asked what the process was for finding allocated costs.

Mr. Mahoney said that there is an interview with each department and that information is used to see what is able to be allocated.

Vice Chairman Penzel asked if all the divisions were involved.

Mr. Mahoney replied that yes that is correct.

Vice Chairman Penzel asked what the adjusted services balance is.

Mr. Mahoney stated that is the full cost.

Vice Chairman Penzel also asked what reduced cost was.

Mr. Mahoney stated that the cost plan is saying what was allocated with whatever was not allocated.

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Ms. Moore mentioned that the District Attorney's Office is a hybrid and some cost is centrally assessed and some can't but there are certain things that can be allocated.

Mr. Mahoney stated that there are things that are taken out and the remainder is sent for allocation.

Vice Chairman Penzel asked if a town can trace back everything taken from their budget.

Mr. Mahoney stated they would need to take out each item individually and see if there are funds for treasurer services then they should have excluded that. He added that the longer the County does cost allocation reports the clearer they become.

Ms. Moore broke down the graph for Vice Chairman Penzel

Vice Chairman Penzel asked Ms. Moore about when she sat down with the assessor and asked if he agreed.

Ms. Moore said that once they get the plan back they send it out and make sure everyone is ok with it.

Larry Werner County Manager stated that what the Board saw was what was allocated and if there was a grant that is the allocation part.

Chairman Thaler asked if they spoke to the Town Boards.

Ms. Moore said that they talked to all three towns and they had a hard time with the costs going up, so they recommended a 20 percent increase but if the board gives direction they can negotiate it.

Chairman Thaler asked why 20 percent.

Ms. Moore stated that the allocation shows a higher amount because they are trying to recoup what is owed to the County.

Chairman Thaler said he understands the enterprise fund but not the increase.

Mr. Werner stated that the County has undercharged for previous years.

Public comment

Jennifer Davidson shared a presentation on the following topics:

- Inter-local Agreement for Service
- Historic Costs of Service to Minden
- Concerns for the Towns

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To review Ms. Davidson's full presentation please see the supplemental meeting materials.

Chairman Thaler asked what percentage the Town of Minden would agree with.

Ms. Davidson said she is willing to bring on a 20 percent increase.

Chairman Thaler asked what the Town will do next year.

Ms. Davidson stated this is a work in progress and she is willing to do the necessary work.

Chairman Thaler asked if anything is ever allocated back to the Town.

Ms. Davidson said the County pays a fee for wholesale water.

Chairman Thaler asked if there was anything cost allocated to Minden for road work.

Ms. Davidson declared that nothing is allocated for road work but they are willing to take on more responsibilities for the roads.

Vice Chairman Penzel asked if the balance would be paid out of the general fund. He stated that if that was the case all the taxpayers pay into and those taxpayers would be picking up the cost.

Mr. Werner responded to the Vice Chairman by saying what is not allocated the County will be paying for.

Vice Chairman Penzel asked if that means the Towns are asking the County to pick up the difference but are still charging fee payers the full rate for water.

Mr. Werner said that it's based on whether or not we had a full staff when East Fork left. He stated that the County didn't lose anything but if they went to true cost allocation some Towns could not pay it.

Vice Chairman Penzel is concerned about fairness because the County is asking outside of town County residents to subsidize the functions in the town, but Minden is requiring the full boat for the fees they charge. He added that by allocating, they now pit people against each other and he's not sure if there is a good solution in terms of fairness. He asked if someone can explain why they would cut the full boat allocation and yet absorb the full boat charge.

Commissioner McDermid stated that in the private sector you would send a bill for service and this is just numbers with no way to trace it back. She added that the state provides services to the County and those costs for services have gone way up. Commissioner McDermid said because of that things like health inspection are now contracted with Carson City. She mentioned that in terms of payroll, could the entities not shop around for payroll because her concern is that when

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she sees the way the state is dealing with the services the state provides, at some point that's too much.

Mr. Werner said that is why they don't want to do full cost allocation because if the Town contracts their own services in the meantime they won't see the cost go down. He added that it has to be a pretty substantial decrease in services because it's a balance.

Commissioner McDermid understands what Ms. Davidson presented because that is what the state did at some point Douglas County said the cost was too much and went another route.

Mr. Werner replied by saying that is why they settled on 20 percent.

Commissioner McDermid said that someone has to pay the difference.

Vice Chairman Penzel stated that it will be the taxpayer.

Mr. Werner said if the County provides a service they are willing to do that.

Commissioner McDermid asked who pays the other 80 percent.

Mr. Werner stated that whatever is left over is taken care of with the general fund.

Vice Chairman Penzel stated that everyone will pay the rest; the difficulty is because the County is a government agency. He added that Nevada Revised Statute (NRS) may not let them do that and this problem exists because the County has so many government entities. Vice Chairman Penzel said the County will arbitrarily reduce the cost or keep it as is. He mentioned that they have to look at it from the Towns aspect because the Towns have no way to increase revenue.

Tom Dallaire appreciates staffs help on this matter and stated that the health and sanitation fund is the only thing they are receiving anything for, so he doesn't like that they are doubling their cost services. He added that last year it went up from that year they stayed at \$20,000 and now it's up 14 percent from last year. Mr. Dallaire said they still have the same amount of money coming in and the 20 percent was the compromise because of that.

Vice Chairman Penzel asked if the Town would absorb the 20 percent what would happen.

Mr. Dallaire said they would increase the rate for garbage pickup.

Vice Chairman Penzel stated that the County is finally getting a handle on what the cost should be and the Towns are saying they can't pay that much. He asked how much they can pay.

Commissioner McDermid asked what the County provides the towns.

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Mr. Dallaire said he has not done that analysis yet, but the services from the treasurer, finance, HR and other general services.

Commissioner McDermid asked if the Town is getting any extra services.

Mr. Dallaire said no.

Chairman Thaler asked if the hardest part is to understand why it's gone up so much.

Mr. Dallaire said yes and how it applies to the Town specifically.

Chairman Thaler said he can argue both sides but the County provides services the Towns need. He added that even Commissioner Nelson said if the cost allocation costs too many people will shop around and if some entities went to contracting their own services, it won't matter unless it's a lot of money. He added that it always seems like if they County does not cost allocate the general fund will take the hit whether it's a Town or General Improvement District (GID), you will take a hit.

Mr. Dallaire said that trash is a mandatory service.

Mr. Werner stated that the increase is because of salary cost of employees. He added that if half the staff isn't working and next year if it's fully staffed that goes up.

Vice Chairman Penzel said the County can't farm out the cost of payroll but things like the trash they can.

Carl Schnook stated that it is not always more expensive to go out to the private sector because, at some point, the Town is going to say they can go out and get it done themselves. He added that the County is central government but they fracture the County by using GID's, Towns and cities. Mr. Schnock asked why do the Towns need road service and they should just hire a company when service is needed. He added that if there was central government, the County wouldn't have these issues with allocation.

Ms. Moore stated she appreciates the feedback and will work with the various entities.

Commissioner Nelson said that between the years 14-15 the program was put in place but asked if the methodology changes each year.

Ms. Moore said she doesn't know there is \$55,000 in cost but it makes up a lot of functions less liable because there are on a unified front.

Commissioner Nelson said that the reason he asks is that going up 36.2 and 12.8 the next year he doesn't see how that happens without changing methodology.

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Ms. Moore stated that each year they look at what's the best way to allocate based on what the divisions are currently doing and that could be the cause of the changes.

Commissioner Walsh asked Mr. Mahoney if the methodology has changed.

Mr. Mahoney stated no, with the exception of IT.

Commissioner McDermid asked why the giant cost changes.

Ms. Moore stated that it is a number of things, like filling vacant positions.

Kathy Lewis Clerk-Treasurer stated that the treasurer's office methodology has changed because the office has changed. She added that they did change things and hired an accountant, but it is something they look at every year.

Vice Chairman Penzel said the process is the same but the data has become more defined.

Chairman Thaler stated that they have to rely on staff for these things and even if the Towns will have to take a hit staff has provided the Board with a recommendation.

Commissioner McDermid asked if all of the people who will have to pay have had a meeting with Ms. Moore.

Ms. Moore said that they did not meet with Public Works but they have not mentioned any issues. She added that the judges are part of the general fund and all others affected have accepted it.

Doug Ritchie Chief Civil Deputy District Attorney stated that Nevada Revised Statute (NRS) 269.590 said that the Board sets the budget and only asks for the advice of the Towns.

Chairman Thaler asked if they met with China Spring.

Ms. Moore stated yes.

MOTION to accept Douglas County's 2017 Cost Allocation Plan and to direct staff to recover General Fund costs incurred in FY 2018-19 to develop the budget; carried.

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RESULT:	APPROVED [UNANIMOUS]
MOVER:	Larry Walsh, Board Member
SECONDER:	Barry Penzel, Vice Chairman
AYES:	Thaler, Penzel, McDermid, Walsh, Nelson

Chairman Thaler called for a break.

Reconvened meeting.

15. For possible action. Discussion to approve the Community Grant Committee's recommendation of \$96,450, or some other amount up to \$195,354, previously budgeted for community grant awards, funded from the General Fund and Social Services Fund, to various applicants for FY 2017-2018. (Vicki Moore, Kathy Kaiser and Karen Beckerbauer)

Kathy Kaiser, Senior Budget Analyst, and Karen Beckerbauer, Manager of Social services, shared a presentation on the following topics:

- What is the Community Grant Program
- How are Community Grants Funded
- How the Community Grant Program has Evolved
- Recommendations

To review Ms. Kaiser and Ms. Beckerbauer's full presentation please see the Board packet.

Chairman Thaler asked if Ms. Kaiser spoke to any of the applicants.

Ms. Kaiser said no the decision was made off applications.

Commissioner McDermid stated that the Board reworked the application that the different organizations work out because the County needed more information.

Commissioner Walsh said he would like to have seen personal interaction to get more out of this project.

Commissioner Nelson has an issue with doing this because he does not like government picking winners and loser. He believes this is taxpayer money not government money and not everyone wants to give to the charities the County selects.

Vice Chairman Penzel said that when he and Commissioner McDermid sat down and created this. He added that one purpose was to budget as line items things that should be done by the County. He believes that it's a good role for government because as taxpayers, they really influence how many people can be fed or kids getting scholarships. Vice Chairman Penzel added that maybe this is better with a basic screening and then give recommendations to the Board, but he

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appreciates staff working for the government and trying to save the government money.

Chairman Thaler stated that these organizations are not charities; if these organizations didn't do what they did Douglas County would be doing it. He added that the boys and girl club, suicide prevention, etc. each and every one of these organizations is beneficial and he knows about them personally. Chairman Thaler said he used to be in that field and it would be hypocritical to not want to give grants when the County asks for federal grants all the time. He mentioned that if all the federal grants would go away, the County would go without services. Chairman Thaler stated that last year the Board made this decision and said they would do it last year and now a year later they don't want to do it that money would not do too much for the roads, so why not give it to these people.

Commissioner McDermid said she is disappointed that all the money was not allocated but it was budgeted for already and there are many other ways to solve County issues. She added that most of these organizations are run by volunteers and they are taxpayers and they fill a huge part as to what makes Douglas County great. Commissioner McDermid believes being able to put money aside is great and agrees with Chairman Thaler

Public comment

Linda Larson said that Backpack Buddies can provide 7-weekend meals for \$3.20. She added that last year they gave out 96,000 pounds of food and they purchase or get the food from the food bank. Ms. Larson said that they function on 100 volunteers with 5000 hours of volunteering and they have a good relationship with the County.

Catherine O' Brien said that the Kids with Horses program has been around for 19 years and the last 4 years they expanded to almost 90 clients. She mentioned that they just got a grant to begin a veterans program, but they need bigger horses. Ms. O' Brien said they work with kids and adults with disabilities.

Steve Decker said the Family Support Council Shelter program saves the County \$180,000 a year and the children they work with are another \$50,000 saved a year. He added that they apply for the grant for therapy services for individuals who are not covered by Medicaid and those services go to the County if they did not provide. Mr. Decker added that part of the grant goes in rent and the funds from the County are for things they can't get without funds. He stated that they can't run the program without it. Mr. Decker declared he has seen people come in as victims and then they come back to work for them. He mentioned that right now they are bringing in \$20,000 a month that used to come out of the County.

Taylor Lambert is here for the Carson Valley Boys and Girls Club. She stated that the After School Alliance said that one in five school-aged children are home without parents after school, with nearly half of American children living in low-income families. Ms. Lambert said for those with kids, they know the importance of the time after school. She added that the Carson Valley branch serves 150 kids

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and they do not turn kids away for financial needs. She asked the Board that they ask to allocate funds for the healthy habits program. Ms. Lambert declared that over the last two years membership has gone up 17 percent and the increase is attributed to strong out of school enrichment programs. Ms. Lambert noted that the Carson Valley branch is 100 percent community funded and growing. She stated that like other nonprofits they serve who needs them the most and hope they consider supporting continuing to support their efforts.

Carl Schnook stated he is the president of Welcome All Veterans Everywhere (WAVE). He stated that he would like to give suggestions to staff. He agrees with Commissioner Nelson but he looks further to what the County gets out of this. He comes to the Board with solutions and wants to give to back assets to the County. Mr. Schnook said his group looks to do that by providing to this County 161 member who do not receive any compensation and to that he would suggest that they consider adding a part of the application. He would like them to ask for the balance sheet and that would give you better incite to the passions of the organizations and he thanks the Board for the consideration.

Vice Chairman Penzel is a member of WAVE and suicide prevention.

Chairman Thaler wants to see the amount set aside used and to speak with each organization individually.

Commissioner McDermid thinks it would be advantageous to go back and figure out how to spend the rest of the money.

Vice Chairman Penzel believes staff did a good job and likes that they take input from community members.

Commissioner Nelson believes everyone is doing a great job and the organizations are worthy. He added that he has volunteered for a lot of charities so it's not that, but he likes Mr. Schnook's suggestion of a balance sheet

Commissioner Walsh stated he would like to go one step further and ask for a balance sheet. He added that he would like to see a consolidation of all the information people mentioned. Commissioner Walsh mentioned that whatever the numbers are it would help him in making a good decision.

Chairman Thaler believes this is two separate issues and he is not offended by any financial requests but today they need to make a decision on what they are going to do with the money set aside.

Larry Werner County Manager stated that they have options here and they are trying to look at where they saw the biggest impact on the County and how do they split this up.

Chairman Thaler declared it's not about who's here and who wasn't but he wants the committee to regroup and explain it face to face. He added that a lot of grants he applied for he didn't get.

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Doug Ritchie, Chief Civil Deputy District Attorney, said that as long as there is enough direction to the staff they are fine without a motion.

MOTION to approve previously budgeted amount to be allocated by the committee; carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Nancy McDermid, Board Member
SECONDER:	Steven Thaler, Chairman
AYES:	Thaler, Penzel, McDermid, Walsh, Nelson

CLERK-TREASURER

16. For possible action. Discussion to approve the Douglas County Clerk/Treasurer's proposed office restructure, effective March 1, 2018, along with new job descriptions and the phasing in of the proposed office restructuring to ensure the Clerk/Treasurer's budget remains cost neutral with the retirement of the current Assistant Clerk/Treasurer. (Kathy Lewis)

Kathy Lewis Clerk-Treasurer shared a presentation on the following topics:

- Current Structure
- Proposed Structure
- Benefits of Proposed Restructure
- Cost Comparison

To review Ms. Lewis' full presentation please see the Board packet.

Chairman Thaler stated he supports the reorganization and likes when departments look within to fill positions.

Ms. Lewis would like it effective immediately but it will take all year to roll out.

Chairman Thaler asked if it was cost neutral for this year's budget.

Ms. Lewis stated yes it was.

MOTION to approve the Clerk-Treasurer's proposed office restructure, effective immediately, along with new job descriptions and phasing in restricting to ensure budget remains cost neutral with the retirement of the current Assistant Clerk-Treasurer; carried.

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RESULT:	APPROVED [UNANIMOUS]
MOVER:	Nancy McDermid, Board Member
SECONDER:	Larry Walsh, Board Member
AYES:	Thaler, Penzel, McDermid, Walsh, Nelson

COUNTY MANAGER

17. For possible action. Discussion to approve a contract with Shaheen Beauchamp Builders for the Kahle Community Center Improvement Project, in the amount of \$407,000, and authorize the County Manager to approve contract change orders by up to 10% for any required added scope of services. (Scott McCullough)

Scott McCullough Project Manager, stated that the Kahle Community Center Improvement Project consists of a new roof, carpet, and masonry repair. He added that the County went to bid and received four bids and Beauchamp Builders was the best and most responsive bid.

Vice Chairman Penzel asked why one bid was twice as much.

Mr. McCullough said he is not sure and it could have been a mistake.

Vice Chairman Penzel asked if this was funded out of the room tax fund.

MOTION to approve a contract with Shaheen Beauchamp Builders for the Kahle Community Center Improvement Project, in the amount of \$407,000, and authorize the County Manager to approve contract change orders by up to 10% for any required added scope of services; carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Nancy McDermid, Board Member
SECONDER:	Larry Walsh, Board Member
AYES:	Thaler, Penzel, McDermid, Walsh, Nelson

18. For presentation only. Reports/updates from County Commission members concerning the various boards and/or commissions that they may be a member of or a liaison to or meetings/functions they have attended.

Nothing to report from the Commissioners.

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CLOSING PUBLIC COMMENT - None

ADJOURNMENT

There being no further business to come before the Board, the meeting adjourned at 8:43 PM

Respectfully submitted:

Steven J. Thaler, Chairman
Douglas County Board of Commissioners

ATTEST:

Kathy Lewis, Clerk-Treasurer