

CARSON CITY BOARD OF SUPERVISORS

Minutes of the April 18, 2002, Meeting

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A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, April 18, 2002, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 8:30 a.m.

PRESENT: Ray Masayko Mayor
Jon Plank Supervisor, Ward 2
Robin Williamson Supervisor, Ward 1
Pete Livermore Supervisor, Ward 3
Richard S. Staub Supervisor, Ward 4

STAFF PRESENT: John Berkich City Manager
Alan Glover Clerk-Recorder
Al Kramer Treasurer
Andrew Burnham Development Services Director
Steve Mihelic Deputy Fire Chief
Cheryl Adams Deputy Purchasing Director
Barbara Singer Recreation Superintendent
Gayle McCulloch Employee Benefits Coordinator
Melanie Bruketta Supervising District Attorney
Rob Fellows Senior Engineer
Raymont Saylo Lieutenant
Katherine McLaughlin Recording Secretary
Mary McAlister Personnel Analyst Tr.
(B.O.S. 4/18/02 Tape 1-0001)

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

CALL TO ORDER, ROLL CALL, INVOCATION, AND PLEDGE OF ALLEGIANCE - Mayor Masayko convened the meeting at 8:30 a.m. Roll call was taken. The entire Board was present, constituting a quorum. Rev. Patrick Propster of the Carson City Christian Fellowship gave the Invocation. Mayor Masayko led the Pledge.

CITIZEN COMMENTS (1-0049) - Mayor Masayko explained for the record Joshua Greenspan's written request to make a presentation regarding Operation Book Drop. Mr. Greenspan was not present. Mayor Masayko indicated that if he arrived during the meeting he intended to allow him to make his presentation

(1-2235) Mayor Masayko introduced Joshua Greenspan. Mr. Greenspan explained his Operation Book Drop efforts, the high schools' book needs, and his efforts to obtain donations. The type of donations solicited and examples of the books/materials that were needed were displayed. The donated material is to be kept in a special "VIP" section of the High School library. He asked that anyone desiring additional information or wishing to donate to contact him at his home or through the school. Mayor Masayko commended him on his

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efforts and attempt to fill a void. Mr. Greenspan thanked the Board for allowing him to speak. Supervisor Livermore suggested that he contact the Rotary Club and its President Helanie Jesse in particular regarding making a presentation and look to similar organizations for additional support. Mr. Greenspan explained his efforts to contact the service clubs and that donations will be accepted through May 15. He hoped that the program will be continued in the future. Mayor Masayko thanked him for his efforts and wished him success.

1. APPROVAL OF MINUTES - February 21, 2002 (1-0058) - Supervisor Plank moved to approve the Minutes as presented for the Carson City Board of Supervisors meeting of February 21, 2002. Supervisor Livermore seconded the motion. Motion carried 5-0.

2. AGENDA MODIFICATIONS (1-0072) - Item 14, proposed ambulance rate increase, will be deferred as a business impact statement is missing.

3. SPECIAL PRESENTATIONS

A. ACTION TO ADOPT A RETIREMENT RESOLUTION COMMENDING JUDIE FISHER FOR SERVICE AS PERSONNEL MANAGER (1-0081) - City Manager John Berkich explained the commendation and her reasons for attending the meeting. Mayor Masayko read the resolution into the record. Supervisor Livermore moved to adopt Resolution No. 2002-R-22, A RESOLUTION OF COMMENDATION TO JUDIE FISHER. Supervisor Plank seconded the motion. Mr. Berkich and the Board briefly highlighted their experiences with Ms. Fisher and wished her well in her future endeavors. They looked forward to working with her in the future on projects of community interest such as Nevada Works and the Northern Nevada Railway Foundation. The motion to adopt Resolution 2002-R-22 was voted and carried 5-0. Mayor Masayko displayed the commendation plaque and read it into the record. He presented the plaque to Ms. Fisher. Ms. Fisher thanked the Board for the recognition and indicated that she would remain active in the community.

B. PRESENTATION OF CERTIFICATES OF RECOGNITION TO CARSON CITY SCHOOL DISTRICT HOMELESS ADVOCATE KIM RIGGS AND CARSON CITY PAYLESS SHOE SOURCE MANAGER AUTUMN SMITH FOR THEIR EFFORTS IN THE CARSON CITY SCHOOL DISTRICT'S EASTER SHOE PROGRAM (1-0227) - Mayor Masayko introduced Ms. Riggs and Ms. Smith and described the program. He thanked them for their service and efforts. He read the Certificates of Commendation into the record and presented them. Ms. Riggs explained the growth in the program and thanked the community and others who had supported the program including Ms. Smith for her assistance. Ms. Riggs also gave the School District a pen stating "together we can make a difference". Ms. Smith explained her surprise to find the community's support for such a program. Her love for the community was also expressed. She read a thank you note she had received from a recipient. All of the thank you notes will be on display at her store.

LIQUOR AND ENTERTAINMENT BOARD (1-0318) - Mayor Masayko recessed the Board of Supervisors session and immediately reconvened the session as the Liquor and Entertainment Board. The entire Board was present including Sheriff's Representative Lt. Raymont Saylo, constituting a quorum.

4. TREASURER - Al Kramer

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A. ACTION TO REVOKE ALL DELINQUENT LIQUOR LICENSES NOT PAID FOR BY APRIL 17, 2002, FOR NON-PAYMENT OF THE QUARTER FEE (1-0321) - All licenses were current. No action was required or taken.

B. ACTION TO APPROVE THREE (3) ASSEMBLY PERMITS WITH WAIVER OF THE \$100 PERMIT AND \$25 APPLICATION FEE FOR THE RETIRED SENIOR VOLUNTEERS PROGRAM (1-0328) - RSVP Executive Director Janice Ayres - Ms. Ayres requested a waiver of the fees and explained fees which have not been waived in the past. She pointed out that the funds raised by these activities are used in Carson City to provide services to the community. The activities were described. Member Livermore moved to approve three assembly permits with waiver of the \$100 permit and \$25 application fee for the Retired Senior Volunteers Program under CCMC 4.04.075 and 4.28.050 and fiscal impact is the promoter fee of \$20.90 per day plus \$2.10 per booth per day. Member Plank seconded the motion. Motion carried 6-0. Chairperson Masayko wished her success. Ms. Ayres invited everyone to attend the activities and invited the Board to try the rock climbing wall.

C. ACTION TO APPROVE AN ASSEMBLY PERMIT WITH WAIVER OF THE \$100 PERMIT AND \$25 APPLICATION FEE FOR CARSON CITY RENDEZVOUS COMMITTEE (100402) - Maxine Nietz described the activity and invited the Board and community to attend. Member Plank moved to approve an assembly permit with waiver of the \$100 permit fee and the \$25 application fee for Carson City Rendezvous Committee under CCMC 4.04.075 and 4.28.050, fiscal impact is as provided. Member Livermore seconded the motion. Motion carried 6-0.

D. ACTION TO APPROVE AN ASSEMBLY PERMIT FOR A 50CC MOTOCROSS EVENT TO BE HELD AT 1856 EAST COLLEGE PARKWAY ON APRIL 27, 2002, PROMOTED BY SWARM INDUSTRIES, INC. (1-0435) - William St. Germaine described the activities and the location. Liquor will be served. There will be more food vendors and live bands this year. He agreed to work within the liquor license conditions. Wrist bands will be required in order to enter the area and a second wrist band will be required to obtain alcoholic beverages. The area will be fenced to provide crowd control. There will be 20 security guards and four supervisors on site. Access and egress will be controlled. Alcoholic beverages will not be allowed outside the fenced area. Individuals who are intoxicated will not be allowed to drive. Clarification indicated that a fee waiver had not been requested. Mr. St. Germaine explained that they had not been prepared to handle the large number of individuals who had attended last year's event. For that reason they had increased the security guards and added wrist bands with an extra band for alcoholic beverages. Member Saylo explained that "the Sheriff's Office is happy with the proposed security plan". He felt that they would be able to handle it. The Sheriff's Office will have a full staff on that day in the event problems arise. Goni Road is to remain open throughout the event. Their security will handle problems inside the fenced area. Mr. St. Germaine indicated that the City and Sonic will be listed as additional insurers during the event. A condition of approval requires a copy of the insurance to be filed with the Treasurer. They had lost money on the event last year and hoped to recover and provide donations to local service organizations such as the Boys and Girls Club and the Advocates to End Domestic Violence. Discussion explained the need to keep Goni Road open. They hope to make it an annual event. The event ends at 10 p.m. Flyers were available for distribution. Posters have been posted at the sponsors' locations. Board comments wished them success. Member Plank indicated that it is located in his ward and moved to approve an assembly permit for a 50cc Motocross event held at 1856 East College Parkway on April 27, 2002, this event will be promoted by Swarm

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Industries, Inc., under Carson City Municipal Code 4.28.030 and .050, fiscal impact is \$100 permit fee, \$25 application fee, \$52.20 promoter fee, and \$2.10 per booth fee. Member Williamson seconded the motion. Discussion indicated that there is a dust control plan and a water truck is available. Motion carried 6-0. Mr. St. Germaine indicated there will be a rock climbing wall.

E. ACTION TO APPROVE AN ASSEMBLY PERMIT WITH WAIVER OF THE \$100 PERMIT AND \$25 APPLICATION FEE FOR SILVER DOLLAR CAR CLASSICS (1-0635) - Judie Fisher and Convention and Visitors Bureau Executive Director Candace Duncan - Flyers were distributed to the Board and Clerk. (A copy is in the file.) The Board members will be contacted and asked to serve as judges for the event. Many of the 40 registrations that have been received are from out of state. The events were described. Member Staub offered the use of the parking lot at Red's Old 395 and the Copper Point Plaza for the Thursday event kick-off. Member Livermore explained that this is the site of the original A&W and its tradition of having cruises and dances in its parking lot. Member Livermore moved to approve an assembly permit with waiver of the \$25 application fee and \$100 permit fee for the Silver Dollar Car Classics under Carson City Municipal Code 4.28.030 and .050. Members Plank and Staub seconded the motion. Motion carried 6-0.

F. ACTION TO APPROVE A BEER AND WINE LICENSE FOR BULL TACO TEXAS BBQ, LLC, DBA BULL TACO TEXAS BBQ AND CATERING, LOCATED AT 725 BASQUE WAY, EDWARD AND LINDA MARANTETTE AS LIQUOR MANAGERS (1-0727) - The Marantettes agreed that a liquor license is a privilege and the need to enforce the prohibition against serving minors or intoxicated individuals. They agreed to provide adequate training for their employees regarding the liquor laws. Member Saylo noted the favorable Sheriff's Investigative Report. Member Plank moved to approve a beer and wine license for Bull Taco Texas BBQ, LLC, doing business as Bull Taco Texas BBQ and Catering, located at 725 Basque Way, Edward and Linda Marantette will be the liquor managers under Carson City Municipal Code 4.13; fiscal impact is \$500 original new fee, \$575 investigation fee, and \$150 per quarter. Member Livermore seconded the motion. Motion carried 6-0. Board comments explained that the business is open and operating and wished them success.

G. ACTION TO APPROVE THE REACTIVATION OF A BEER AND WINE LICENSE FOR RICHARD SAPERSTEIN, DOING BUSINESS AS THE SHORTSTOP, LOCATED AT 5400 HERITAGE WAY (1-0797) - Discussion indicated that Mr. Saperstein will be operating the facility under a contract between the City and the Services to the Blind. He reaffirmed his knowledge of the rules and regulations and indicated he would adhere to the rules and adequately training his employees. A full Sheriff's investigation was not required but a check had been performed regarding the previous operation. The Sheriff's Department recommended approval. Member Plank moved to approve the reactivation of a beer and wine license for Richard Saperstein, doing business as The Shortstop located at 5400 Heritage Way under Carson City Municipal Code 4.13.135; fiscal impact is a \$100 reactivation fee and a \$150 quarterly fee. The location is at Centennial Park at the softball fields. Member Williamson seconded the motion. Motion carried 6-0.

BOARD OF SUPERVISORS - There being no other matters for consideration as the Liquor and Entertainment Board, Chairperson Masayko adjourned the Liquor and Entertainment Board and immediately reconvened the session as the Board of Supervisors. (The entire Board was present, constituting a quorum.)

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5. CONSENT AGENDA (1-0857)

5-1. COMMUNITY DEVELOPMENT - ACTION TO APPROVE A REQUEST FROM SILVER OAK DEVELOPMENT COMPANY FOR A ONE YEAR EXTENSION FOR A SUCCESSIVE FINAL MAP (PHASE 15) AT SILVER OAK PLANNED UNIT DEVELOPMENT, LOCATED AT 1154 WEST COLLEGE PARKWAY, APN 008-061-65; FILE NO. P-93/94-1

5-2. DEVELOPMENT SERVICES - CONTRACTS

A. ACTION TO ACCEPT THE WORK AS COMPLETE AND APPROVE THIS RELEASE OF FINAL PAYMENT ON THE 2001 SEWER REHABILITATION PROJECT, HIGHWAY 50 EAST PROJECT, CONTRACT NO. 2001-053, AS SUBMITTED BY DEVELOPMENT SERVICES TO INSTITUFORM TECHNOLOGIES, INC., P. O. BOX 519, BENICIA, CA 94510, FOR A FINAL PAYMENT AMOUNT OF \$5,911, AUTHORIZE THE PAYMENT OF AN ADDITIONAL AMOUNT OF \$4,300 AFTER THE WARRANTY CLEANING WORK IS COMPLETED AND ACCEPTED IN AN APPROXIMATELY 11 MONTHS FROM APPROVAL OF THIS FINAL PAYMENT WITHOUT ADDITIONAL BOARD OF SUPERVISORS APPROVAL AND ACCEPT THE CONTRACT SUMMARY

B. ACTION TO APPROVE A REQUEST FOR CONTRACT APPROVAL FOR THE STORM WATER MASTER PLAN PROJECT, CONTRACT NO. 2001-120 TO LUMOS AND ASSOCIATES, 800 EAST COLLEGE PARKWAY, CARSON CITY, NV 89706 FOR AN AGREEMENT COST NOT TO EXCEED \$99,916 AND AUTHORIZATION FOR THE CONTRACTS DIVISION TO EXECUTE AMENDMENTS FOR A NOT TO EXCEED AMOUNT OF \$5,000

C. ACTION TO APPROVE A REQUEST FOR CONTRACT APPROVAL FOR THE CONSTRUCTION INSPECTION FOR SOUTHEAST SEWER PHASE V AND 2001 SEWER REPLACEMENT PROJECTS, CONTRACT NO. 2001-118 TO HARRIS AND ASSOCIATES, 2310 PASEO DEL PRADO, SUITE #A104, LAS VEGAS, NV 89102, FOR AN AGREEMENT COST NOT TO EXCEED \$93,300 AND AUTHORIZATION FOR THE CONTRACTS DIVISION TO EXECUTE AMENDMENTS FOR A NOT TO EXCEED AMOUNT OF \$9,000

D. ACTION TO ACCEPT STAFF'S RECOMMENDATION ON AMENDMENT NO. 4 TO THE TRANSPORTATION ELEMENT OF THE MASTER PLAN, CONTRACT NO. 9798-112, AND AUTHORIZE DEVELOPMENT SERVICES TO ISSUE PAYMENTS TO DKS ASSOCIATES, INC., FOR AN AMOUNT OF \$34,700

5-3. PURCHASING AND CONTRACTS

A. ACTION TO EXTEND CONTRACT NO. 9900-094 TO CONTRACT WITH MACHABEE OFFICE ENVIRONMENTS BY JOINDER BID THROUGH NEVADA STATE PURCHASING TO PURCHASE OFFICE FURNITURE THROUGH SEPTEMBER 30, 2002, AND AUTHORIZE ALL CITY DEPARTMENTS TO BE ABLE TO PLACE ORDERS FROM THIS CONTRACT PROVIDED THEY HAVE APPROVED FUNDING AND FOLLOW APPROVED CARSON CITY PURCHASING PROCEDURES

B. ACTION TO APPROVE THE AWARD OF CONTRACT NO. 0102-102 COMMUNITY CENTER STEEL DOOR AND HARDWARE PROJECT TO NEVADA DOOR AND SUPPLY AS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER PURSUANT TO NRS CHAPTER 332 FOR A TOTAL COST OF \$37,910

C. ACTION TO APPROVE CONTRACT NO. 0102-210 FOR THE FIRE DEPARTMENT TO CONTRACT WITH ROAD RESCUE, INC. BY JOINDER BID THROUGH CLARK

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COUNTY TO PURCHASE TWO (2) TYPE I AMBULANCES

D. ACTION TO ADOPT A RESOLUTION AUTHORIZING THE BOARD OF SUPERVISORS TO DETERMINE THAT A 1995 CHEVROLET CAPRICE VIN NO. 1G1BL52P5SR177299 AND A 1995 CHEVROLET CAPRICE VIN NO. 1G1BL52P4SR177357 HAVE REACHED THE END OF THEIR USEFUL LIVES AND ARE THEREBY DONATED TO THE CARSON CITY SCHOOL DISTRICT, A GOVERNMENTAL ENTITY

E. ACTION TO APPROVE CONTRACT NO. 0102-126, A REQUEST TO HAVE THE BOARD OF SUPERVISORS DETERMINE THAT THE LISTED CITY PROPERTY IS NO LONGER REQUIRED FOR PUBLIC USE AND DEEM ITS SALE BY PUBLIC AUCTION DESIRABLE AND IN THE BEST INTEREST OF CARSON CITY

5-4. DEVELOPMENT SERVICES - ENGINEERING

A. ACTION TO ACCEPT AN OFFER OF DEDICATION OF A DRAINAGE EASEMENT ACROSS A PORTION OF 3770 BUTTI WAY, APN 01-037-01, CONTAINING 24,061 SQUARE FEET MORE OR LESS

B. ACTION TO ACCEPT AN OFFER OF DEDICATION OF A PEDESTRIAN EASEMENT ACROSS A PORTION OF 3770 BUTTI WAY, APN 010-037-01, CONTAINING 19,949 SQUARE FEET MORE OR LESS

C. ACTION TO APPROVE A DEDICATION OF RIGHT-OF-WAY FOR BUTTI WAY AND A PORTION OF AIRPORT ROAD, ON APN'S 010-031-03, 010-031-05, 010-036-02, 010-036-03, AND 010-037-01, CONTAINING 6.056 ACRES MORE OR LESS

D. ACTION TO ACCEPT AN OFFER OF DEDICATION OF A SEWER AND DRAINAGE EASEMENT LOCATED ON THE NORTHWEST CORNER OF BUTTI WAY AND EAST FIFTH STREET, ACROSS A PORTION OF APN 010-036-02, CONTAINING 23,564 SQUARE FEET, MORE OR LESS

E. ACTION TO ACCEPT AN OFFER OF DEDICATION OF A SLOPE EASEMENT LOCATED WEST ALONG BUTTI WAY, ACROSS A PORTION OF APN 010-036-03, CONTAINING 2,926 SQUARE FEET MORE OR LESS

F. ACTION TO ACCEPT AN OFFER OF DEDICATION OF A SEWER AND DRAINAGE EASEMENT ACROSS A PORTION OF 3770 BUTTI WAY, APN 010-037-01, CONTAINING 6,503 SQUARE FEET MORE OR LESS

G. ACTION TO ACCEPT AN OFFER OF DEDICATION OF SEWER, RECLAIM-ED WATER, AND WATER EASEMENTS ACROSS A PORTION OF 3770 BUTTI WAY, APN 010-037-01, CONTAINING 34,729 SQUARE FEET MORE OR LESS

5-5. PARKS AND RECREATION

A. ACTION TO APPROVE THE REORGANIZATION OF THE PARKS AND RECREATION DEPARTMENT WITH A FISCAL IMPACT OF \$5,000

B. ACTION TO APPROVE PARKS AND RECREATION COMMISSION'S RECOMMENDATION TO ALLOW THE CARSON CITY SCHOOL DISTRICT TO PLACE PORTABLE CLASSROOM BUILDINGS ON PARK PROPERTY ADJACENT TO EMPIRE ELEMENTARY SCHOOL

C. ACTION TO APPROVE AN ALLOCATION OF \$7,000 TO THE SUPER OUTLAW KARTS OF NEVADA, A NONPROFIT ORGANIZATION, TO ASSIST THEM IN THE DEVELOPMENT OF THEIR RACE TRACK AT CHAMPION SPEEDWAY -Item 5-5A, Parks and Recreation reorganization, was pulled for discussion. Supervisor Plank moved to approve all of the items on

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the Consent Agenda with the exception of Item 5-5A, which is the reorganization for the Parks and Recreation Department, and included Resolution Number 2002-R-23 on Item 5-G dealing with the contribution of two vehicles to the Carson City School District. Supervisor Williamson seconded the motion. Motion carried 5-0.

5-5A. (1-0910) Parks and Recreation Director Steve Kastens explained the concept. The flow chart indicated that the building maintenance division will become two divisions. Justification for this separation in duties was limned. Mr. Kastens will still provide support to the Commissions/Committees. Scott Fahrenbruch will take over some of his daily activities. Board comments complimented him on his willingness to allow his subordinates to grow and take on more responsibilities. Staff was aware of the changes and the individuals who will be impacted had supported the changes. Supervisor Staub asked for a report on the reorganization in the future. He also suggested that the internal auditor review the reorganization. Mr. Berkich explained that a lot of time and thought had gone into the reorganization. It was felt that it will provide better control and efficiency. Decisions should be made at the appropriate levels. Mr. Kastens will have more time for planning, project management, overall performances, and support programs. Both Mayor Masayko and Supervisor Williamson felt that the concept should have been discussed during the budget process. Mayor Masayko also felt that the internal auditor should review the program. The cost of the reorganization was debated. Supervisor Livermore felt that the item should not have been a part of the Consent Agenda as discussion was warranted. Mayor Masayko reiterated out the need for an internal auditor. Supervisor Plank moved to approve the reorganization of the Parks and Recreation Department as presented with a fiscal impact of \$5,000; the \$5,000 is to come from the General Fund; and as the budget for fiscal year 2002-2003 has been established an adjustment to that budget is necessary to facilitate the reorganization. Supervisor Livermore seconded the motion. Motion carried 5-0.

6. BOARD OF SUPERVISORS

A. ACTION TO APPROVE A REQUEST FROM MAXINE NIETZ, REPRESENTING THE CARSON CITY RENDEZVOUS, FOR A WAIVER OF FEES AT MILLS PARK, JUNE 6 TO 10, 2002 (1-1285) - Maxine Nietz described the free event, its expansion, and tourist impact on the community. Vendor fees had been increased. The waiver will allow the event to maximize its funds. Local businesses sponsor portion of the event. The City and State provide grants for it. The schedule of events/activities were described. Supervisor Livermore and Ms. Nietz identified the sponsors for the free concert. The facility and equipment costs were also explained. Ms. Nietz indicated that there are other fees which cannot be waived that the Rendezvous pays. Supervisor Plank pointed out that the \$250 cleaning fee is refunded if the facility is left in good condition. Supervisor Plank moved to waive the \$178 cost of the facilities fee and the \$1,140 equipment fees for the Carson City Rendezvous for the event to be held on June 6 to 10 of 2002. Supervisor Staub seconded the motion. Public comments were solicited. Fred Nietz, a member of the Rendezvous Committee, thanked the Board for its support and expressed the hope that there would be a blizzard of cotton from the Cottonwoods and not snow. Supervisor Williamson explained her intent to oppose the motion. Motion was voted and carried 4-1 with Supervisor Williamson voting Naye.

B. DISCUSSION AND ACTION TO CHANGE THE DATE OF THE FIRST REGULARLY SCHEDULED BOARD OF SUPERVISORS MEETING IN JULY 2002 (1-1511) - Following discussion, Supervisor Plank moved to reschedule the Board of Supervisors meeting normally scheduled for Thursday, July 4th, to Wednesday, July 3rd, for the first meeting in the month of July 2002. Supervisor

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Williamson seconded the motion. Motion carried 5-0.

7. DISTRICT COURT

A. ACTION ON A MOTION FINDING THE ORDINANCE AMENDING TITLE 2 OF THE CARSON CITY MUNICIPAL CODE WHICH INCREASES FILING FEES IN JUSTICE COURT AND DISTRICT COURT DOES NOT IMPOSE A DIRECT AND SIGNIFICANT ECONOMIC BURDEN ON A BUSINESS OR DIRECTLY RESTRICT THE FORMATION, OPERATION OR EXPANSION OF A BUSINESS (1-1546) - Deputy District Attorney Melanie Bruketta - Pamphlets regarding Volunteer Attorneys for Rural Nevadans were distributed to the Board and Clerk. (Copies are in the file.) Mayor Masayko felt that the fee increase would not create a significant impact on businesses. He acknowledged that it is an increase in existing fees. Supervisor Williamson moved to find that the ordinance amending Title 2 of the Carson City Municipal Code which increases filing fees in Justice Court and District Court does not impose a direct and significant economic burden on a business or directly restrict the formation, operation or expansion of a business. Supervisor Plank seconded the motion. Motion was voted and carried 5-0.

B. ACTION TO INTRODUCE ON FIRST READING AN ORDINANCE AMENDING TITLE 2 ADMINISTRATION AND PERSONNEL BY ADDING CHAPTER 2.35 FEES ON COURT ACTIONS TO SUPPORT PRO BONO PROGRAMS AND LEGAL SERVICES WITHOUT CHARGE TO ABUSED OR NEGLECTED CHILDREN AND VICTIMS OF DOMESTIC VIOLENCE SECTION 2.35.010 FEES IN DISTRICT COURT WHICH ADDS AN ADDITIONAL FIVE DOLLAR FILING FEE TO THE COMMENCEMENT OF AN ACTION OR PROCEEDING OR THE ANSWER OR APPEARANCE IN AN ACTION OR PROCEEDING AND TWENTY-FIVE DOLLAR FEE TO BE PAID WHEN FILING A MOTION OR OTHER PAPER THAT SEEKS TO MODIFY AND ADJUST A FINAL ORDER THAT WAS ISSUED PURSUANT TO CHAPTER 125, 125B, OR 125C OF NRS AND ON THE FILING OF ANY ANSWER OR RESPONSE TO SUCH MOTION OR PAPER BY ADDING SECTION 2.35.010 FEES IN JUSTICE COURT WHICH ADDS AN ADDITIONAL FIVE DOLLAR FILING FEE TO THE COMMENCEMENT OF AN ACTION OR PROCEEDING OR THE ANSWER OR APPEARANCE IN AN ACTION OR PROCEEDING AND BY ADDING SECTION 2.35.020 COLLECTION – PAYMENT TO TREASURER WHICH DESCRIBES HOW THE ADDITIONAL FUNDS WILL BE COLLECTED AND DISTRIBUTED AND OTHER MATTERS PROPERLY RELATED THERETO (1-1598) - Volunteer Attorneys for Rural Nevadans (VARN) Program Coordinator Odessa Ramirez described the program. Carson City's service requirements is the second highest in the State and just behind Clark County. Board comments questioned the statistics provided on the number of cases which are Carson City residents. It was felt that Carson City should not represent one-quarter of all the cases for the entire State when its population is only 1/40th of the total Statewide population. Reasons for this high rate were discussed. Supervisor Livermore requested verification as to the point of residence and not the location for the document filings.

Carson City Advocates for Domestic Violence Representative Elaine, last name unknown, explained a new domestic violence response team program established by the Advocates and the Sheriff's Department to assist the victims. She pointed out that many of the victims utilize more than one program. She did not believe that there had been a duplication of figures. They respond to between 10 and 15 incidents a week.

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Clarification by Ms. Ramirez indicated that fees will be used in Carson City. Mayor Masayko pointed out CASA's need for assistance and questioned whether these funds could be used for that purpose. He explained that CASA, dispute resolution lawyers, public defenders and others who provide services to these individuals also need assistance and are experiencing increasing costs. Supervisor Plank explained his calculations also indicated that the number for the City's caseload was too high. Elaine pointed out that they provide services to individuals who never contact the Sheriff's Office but are Carson City residents. Mr. Berkich indicated that he would contact CASA, research the enabling legislation to determine where the funds could be used, and explore the numbers. Mayor Masayko explained the Board's request that the budget include information of this nature and NACO's request for an increase in filing fees as the cost for victims is increasing dramatically. He suggested that the ordinance be revised to allow CASA and other similar organizations to be involved. Ms. Ramirez agreed to discuss this issue with the City. Mayor Masayko explained his desire to have other agencies be able to obtain some of the funding and his dislike for the clause which makes it so restrictive.

Discussion indicated that the statistics were not based on court case filings or complaints at the Sheriff's Office. Supervisor Staub pointed out that the statistics were, therefore, only as efficient as the program that reports them. Counties with informal reporting may not be accurately reporting 100 percent of its cases.

Directing Legal Attorney for the Carson City Office of Legal Services Ray Rodriguez explained his services. The law was enacted statewide. Clark, Douglas and Washoe Counties have adopted or are in the process of adopting the ordinance. The funds are used to obtain private attorneys as well as to pay for in-house attorneys. The agency assists victims through the court process. Without a funding source, they will not be able to continue to provide this service. Other funding sources were also limned. Mayor Masayko acknowledged the need for the service and pointed out that there are other agencies who provide services for these individuals who also need funding. He indicated his intent to have the law researched and to track the funding and services which are provided.

Treasurer Al Kramer indicated that he could obtain a report from the Justice Court Case Management Program. He was not sure whether a similar report would be obtainable from the District Court. The District Court does submit a financial report to his office.

Supervisor Livermore pointed out that the ordinance requires the Clerk-Recorder to monthly report to the Treasurer on the fees. He also requested a cost accounting report and his objection to the proposal to fund only one organization. He hoped that the question regarding who could receive the funds will be answered before the ordinance is considered on second reading. Mayor Masayko supported his comments and reread Paragraph 2 regarding the type of organization which would be eligible for the funding. Both Mayor Masayko and Supervisor Livermore felt that the ordinance should not be so restrictive as to eliminate any other qualified agency.

Supervisor Staub expressed his support for the \$5 fee in Justice and District Courts to support the programs. He had participated in the VARN program for a number of years. He also felt that the \$25 fee was long overdue and explained his reasons for that support. Mayor Masayko explained that the objection was not to the fees but rather to a restrictive ordinance limiting the number of recipients.

Mr. Kramer pointed out a typographic error on Page 2 at Line 2 which should read "and on:" and not "an don"

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and in Section 5 corrected the number to be 2.35.030 as the final paragraph as Section 2.35.020 is listed on Page 1.

Supervisor Williamson moved to introduce on first reading Bill No. 114, AN ORDINANCE AMENDING TITLE 2 ADMINISTRATION AND PERSONNEL BY ADDING CHAPTER 2.35 FEES ON COURT ACTIONS TO SUPPORT PRO BONO PROGRAMS AND LEGAL SERVICES WITHOUT CHARGE TO ABUSED OR NEGLECTED CHILDREN AND VICTIMS OF DOMESTIC VIOLENCE SECTION 2.35.010 FEES IN DISTRICT COURT WHICH ADDS AN ADDITIONAL FIVE DOLLAR FILING FEE TO THE COMMENCEMENT OF AN ACTION OR PROCEEDING OR THE ANSWER OR APPEARANCE IN AN ACTION OR PROCEEDING AND TWENTY-FIVE DOLLAR FEE TO BE PAID WHEN FILING A MOTION OR OTHER PAPER THAT SEEKS TO MODIFY AND ADJUST A FINAL ORDER THAT WAS ISSUED PURSUANT TO CHAPTER 125, 125B, OR 125C OF NRS AND ON THE FILING OF ANY ANSWER OR RESPONSE TO SUCH MOTION OR PAPER BY ADDING SECTION 2.35.010 FEES IN JUSTICE COURT WHICH ADDS AN ADDITIONAL FIVE DOLLAR FILING FEE TO THE COMMENCEMENT OF AN ACTION OR PROCEEDING OR THE ANSWER OR APPEARANCE IN AN ACTION OR PROCEEDING AND BY ADDING SECTION 2.35.020 COLLECTION – PAYMENT TO TREASURER WHICH DESCRIBES HOW THE ADDITIONAL FUNDS WILL BE COLLECTED AND DISTRIBUTED AND OTHER MATTERS PROPERLY RELATED THERETO, with the changes in the ordinance under Section 5, is 2.35.030 that is added, and on Page 3 of the ordinance Line 1-2 that corrects the spacing. Supervisor Staub seconded the motion. Motion carried 5-0. Mayor Masayko indicated that the clarification of the service providers is to be provided before the second reading.

RECESS: A recess was declared at 10:32 a.m. The entire Board was present when Mayor Masayko reconvened the meeting at 10:42 a.m., constituting a quorum.

8. TREASURER - Al Kramer

A. ACTION TO APPROVE ON FIRST READING AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE (CCMC) TITLE 4 LICENSES AND BUSINESS REGULATIONS AMENDING CHAPTER 4.14 GAMING LICENSES AND REGULATIONS TO SPECIFY THE APPEAL PROCESS AND TO ESTABLISH THE DATE BY WHICH AN APPLICANT MUST HAVE AN APPLICATION FOR AN UNRESTRICTED GAMING LICENSE PENDING WITH THE STATE OF NEVADA FOR THE PURPOSE OF QUALIFYING FOR AN EXEMPTION TO THE 100 ROOM REQUIREMENT OF THIS CHAPTER AND OTHER MATTERS PROPERLY RELATED THERETO (1-2380) - Deputy District Attorney Melanie Bruketta - The revisions requested by the Board had been made. Chief Deputy District Attorney Mark Forsberg's revisions to Section 4.14.047.2.a were read. Supervisor Staub explained that he would abstain for the second time on this item for the reasons he had already stated on the record. Mayor Masayko explained his concerns regarding Section 4.14.047.ii.c and the infrastructure equivalency and how its value would be established. Senator Amodei had indicated that the Board had unfettered discretion. The Board's comments had indicated a desire to have measurable objectives involved rather than unfettered discretion. This section clarifies the attempt but confines the types of items which could be used to offset the 100 room requirement. He suggested that the paragraph be revised to reference 4.14.045 which requires 100 rooms and allows the future Boards to determine the equivalency. He also questioned the connection between 100 rooms and 25 slot machines. He requested leeway be provided.

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He explained his contact with an unnamed individual who had asked if a person could qualify for the unrestricted gaming license if they constructed a 100 room hotel and placed a slot machine in each room. The ordinance requires 100 hotel rooms if 25 slot machines are installed. Additional comments were solicited but none were given. Supervisor Williamson moved to introduce on first reading Bill No. 115, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE (CCMC) TITLE 4 LICENSES AND BUSINESS REGULATIONS AMENDING CHAPTER 4.14 GAMING LICENSES AND REGULATIONS TO SPECIFY THE APPEAL PROCESS AND TO ESTABLISH THE DATE BY WHICH AN APPLICANT MUST HAVE AN APPLICATION FOR AN UNRESTRICTED GAMING LICENSE PENDING WITH THE STATE OF NEVADA FOR THE PURPOSE OF QUALIFYING FOR AN EXEMPTION TO THE 100 ROOM REQUIREMENT OF THIS CHAPTER AND OTHER MATTERS PROPERLY RELATED THERETO as amended in Section 4.14.047.ii.a by adding "evidence of payment dates showing timely postmarks or other proof of timely delivery of documents described in Section 4.14.045 Subsections 3 and 4, and b. Evidence showing reasonable sustained effort to timely comply or no fault of the applicant for failure to comply with performance dates set in Section 4.14.045 Subsection 3 and 4". Supervisor Plank seconded the motion. Mayor Masayko's suggested revision was not made. Mayor Masayko indicated that he would reluctantly vote for the motion as the good outweighs the bad. Motion was voted and carried 4-0-1 with Supervisor Staub abstaining.

B. ACTION TO APPROVE ON SECOND READING BILL NO. 113 AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE (CCMC) TITLE 4 LICENSES AND BUSINESS REGULATIONS AMENDING CHAPTER 4.13 LIQUOR BOARD AND LIQUOR LICENSING AND SALES TO AMEND THE APPLICATION REQUIREMENTS AND OTHER MATTERS PROPERLY RELATED THERETO (1-2619) - Mayor Masayko stated for the record that he had not received any comments either pro or con on this item between the first reading and today's reading. Supervisor Livermore moved to enact Ordinance 2002-10, Bill No. 113, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE (CCMC) TITLE 4 LICENSES AND BUSINESS REGULATIONS AMENDING CHAPTER 4.13 LIQUOR BOARD AND LIQUOR LICENSING AND SALES TO AMEND THE APPLICATION REQUIREMENTS AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Plank seconded the motion. Motion was voted and carried 5-0.

9. DEVELOPMENT SERVICES - City Engineer Larry Werner

A. ACTION TO ACCEPT AND AUTHORIZE THE MAYOR TO SIGN A REVISED COOPERATIVE AGREEMENT BETWEEN CARSON CITY AND THE STATE OF NEVADA, ACTING BY AND THROUGH ITS DEPARTMENT OF TRANSPORTATION, REGARDING THE CONSTRUCTION OF SIDEWALKS AND AMERICANS WITH DISABILITIES ACT (ADA) RAMPS, AND THE ADJUSTMENT OF MANHOLES AND WATER VALVES ON SR 529 (CARSON STREET) BETWEEN CLEAR CREEK ROAD AND STEWART STREET (1-2668) - The original agreement had required NDOT to make the sidewalk improvements/repairs. State law requires the property owner to perform this work. Therefore, the agreement was amended to require the City to maintain the sidewalks. The City's 50/50 program will assist the property owners in making the repairs. Discussion noted the changing environment at NDOT regarding the requirement as evidenced by the work done along East Fifth Street which is owned by the State. Supervisor Plank moved to accept and authorize the Mayor to sign a revised cooperative agreement between Carson City and the State of Nevada, acting by and through its Department of Transportation, regarding the construction of sidewalks and Americans with Disabilities Act,

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ADA, ramps and the adjustment of manholes and water valves on SR 529, Carson Street, between Clear Creek Road and Stewart Street; the fiscal impact is approximately \$2,645. Supervisor Livermore seconded the motion. Mayor Masayko explained the purpose of the agreement is to revise the contract on infrastructure between Clear Creek and Stewart on Highway 395/Carson Street. The motion was voted and carried 5-0.

B. ACTION TO ADOPT ON SECOND READING BILL NO. 112, AN ORDINANCE APPROVING A SEWER LINE REIMBURSEMENT AGREEMENT BETWEEN CARSON CITY AND CSK LOCATED AT AUTO, INC., DBA KRAGEN AUTO PARTS, REGARDING APN 09-112-01 LOCATED AT 3479 S. CARSON STREET, APN 09-112-02 LOCATED AT 3449 S. CARSON STREET, APN 09-112-31 LOCATED AT 3389 S. CARSON STREET, AND APN 09-122-02 LOCATED AT 3555 S. CARSON STREET, CARSON CITY, NEVADA, FOR SEWER LINE EXTENSION (1-2760) - Mayor Masayko indicated for the record that he had not been contacted regarding the proposed ordinance between the first reading and the second reading. Supervisor Plank moved to adopt on second reading Bill No. 112, Ordinance No. 2002-11, AN ORDINANCE APPROVING A SEWER LINE REIMBURSEMENT AGREEMENT BETWEEN CARSON CITY AND CSK LOCATED AT AUTO, INC., DBA KRAGEN AUTO PARTS, REGARDING APN 09-112-01 LOCATED AT 3479 S. CARSON STREET, APN 09-112-02 LOCATED AT 3449 S. CARSON STREET, APN 09-112-31 LOCATED AT 3389 S. CARSON STREET, AND APN 09-122-02 LOCATED AT 3555 S. CARSON STREET, CARSON CITY, NEVADA, FOR SEWER LINE EXTENSION with no fiscal impact. Supervisors Williamson and Livermore seconded the motion. Motion carried 5-0.

REDEVELOPMENT AUTHORITY (1-2810) - Mayor Masayko then recessed the Board of Supervisors session and passed the gavel to Chairperson Williamson who convened the Redevelopment Authority. For Minutes of the Redevelopment authority, see its folder.

BOARD OF SUPERVISORS (1-3085) - Following adjournment of the Redevelopment Authority, Chairperson Williamson returned the gavel to Mayor Masayko who reconvened the Board of Supervisors session. The entire Board was present, constituting a quorum.

10. ACTION TO APPROVE A REQUEST FROM MARK FALCONER AND JAMES BARMORE, APPLICANTS, STATE OF NEVADA, OWNER, FOR REDEVELOPMENT INCENTIVE PROGRAM FUNDING IN THE AMOUNT OF \$6,880, OR AN AMOUNT NOT TO EXCEED 20 PERCENT OF THE PROJECT COST, FOR INSTALLATION OF EIGHT SIGNS ON PROPERTY LOCATED AT 600 NORTH CARSON STREET, APN 003-283-06; FURTHER THE REDEVELOPMENT AUTHORITY HEREBY FINDS THIS PROJECT MEETS THE REQUIREMENTS OF NRS 279.486 AND FINDS THE PROJECT IS OF BENEFIT TO THE REDEVELOPMENT PLAN AREA AND THE IMMEDIATE NEIGHBORHOOD AND THAT NO OTHER REASONABLE MEANS OF FINANCING THIS PROJECT IS AVAILABLE; AND DETERMINES THE INCENTIVE AMOUNT PAID BY THE REDEVELOPMENT AUTHORITY SHALL BE ON A REIMBURSEMENT BASIS ONLY, AFTER THE WORK HAS BEEN COMPLETED AND AS TAX DOLLARS OR OTHER FINANCING IS AVAILABLE TO THE REDEVELOPMENT AUTHORITY; FURTHER THIS APPLICATION IS APPROVED SUBJECT TO THE APPLICANT FULFILLING ANY OTHER CITY REQUIREMENTS (1-3098) - Supervisor

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Plank moved to approve a request from Mark Falconer and James Barmore, applicants, State of Nevada, owner, for Redevelopment incentive program funding in the amount of \$6,880, or an amount not to exceed 20 percent of the project cost, for installation of eight signs on property located at 600 North Carson Street, APN 003-283-06; further the Board of Supervisors hereby finds this project meets the requirements of NRS 279.486 and finds the project is for the benefit to the Redevelopment plan area and the immediate neighborhood and that no other reasonable means of financing this project is available; and determines the incentive amount paid by the Redevelopment Authority shall be on a reimbursement basis only, after the work has been completed and as tax dollars or other financing is available to the Redevelopment Authority; further this application is approved subject to the applicant fulfilling any other city requirements; fiscal impact is \$6,880. Supervisor Williamson seconded the motion. Motion carried 5-0.

11. COMMUNITY DEVELOPMENT DIRECTOR - Walter Sullivan

A. ACTION TO APPOINT HEARING EXAMINERS TO REVIEW ADMINISTRATIVE PERMITS; THE HEARING EXAMINERS SHALL BE THOSE PLANNING AND COMMUNITY DEVELOPMENT PERSONNEL WITH AMERICAN INSTITUTE OF CERTIFIED PLANNERS (AICP) CERTIFICATION (WALTER SULLIVAN, AICP, DIRECTOR; DON D. CANFIELD, III [SKIP], AICP, SENIOR PLANNER; AND LEE PLEMEL, AICP, SENIOR PLANNER) AND ANY OTHER PERSONS FROM OUTSIDE PLANNING AND COMMUNITY DEVELOPMENT (ROB JOINER, AICP, ECONOMIC DEVELOPMENT/REDEVELOPMENT MANAGER) THE BOARD OF SUPERVISORS DEEM SUITABLE PURSUANT TO THE QUALIFICATIONS DELINEATED IN NRS 278.262 AND 278.263 (FILE NO. M-01/02-17) (1-3152) - Mayor Masayko acknowledged the District Attorney's concerns regarding having staff perform these duties. The NRS indicates that the hearing examiners will receive compensation as established by the Board of Supervisors. The City Code indicates that the hearing examiners will not receive any additional compensation. Therefore, the Board had determined that staff will not receive any additional compensation for performing these duties. Discussion explained the appeal process, the type of applications which would be handled under this program, and the purpose and justification for establishing the process. Discussion also indicated that an appeal of the hearing examiner's ruling could be appealed to the Planning Commission at no cost. The staff individual who presented the case to the hearing examiner will present the case to the Commission. There will be checks and balances involved as part of the staff procedures. The hearing examiner will not be staff person who handles the case. The hearing examination will be conducted in a public meeting under the Open Meeting Law.

Discussion ensued between the Board and Ms. Bruketta regarding her opinion that the Legislature had not envisioned a staff member as being the hearing examiner. Former Deputy District Attorney Neil Rombardo had supported her opinion as had Commissioner Peery during the Planning Commission discussion and vote. Mayor Masayko pointed out that the Statute does not prohibit staff from performing the duties. It will be necessary to research the Government Affairs Committee minutes to determine the intent. Anyone holding an AICP Certificate or meets the other established criteria is eligible to serve as the hearing examiner. The Board could establish compensation for individuals who are not City staff. He also felt certain that the Board would quickly hear about it if a concern arises. The process reduces the application period. Mr. Sullivan agreed and acknowledged Ms. Bruketta's concerns. Board comments supported the proposal to have staff perform the duties and pointed out staff's integrity. In the future there may be an occasion or two when outside individuals are needed to perform the duties. The Board could appoint such an individual(s) at that time. Comments

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reiterated that the hearing will be conducted in an open meeting. Mr. Sullivan explained that in some areas staff can approve variances of as much as 20 percent. The Commission's recommendation is a very conservative 10 percent. The process may be loosened in the future on some types of applications, if desired. Examples of the type of applications which will be considered under the process were limned. Public comments were solicited but none given. Supervisor Livermore moved to appoint hearing examiners to review administrative permits; the hearing examiners shall be those Planning and Community Development personnel with American Institute of Certified Planners (AICP) Certificates (Walter Sullivan, AICP, Director; Don D. Canfield, III [Skip], AICP, Senior Planner; and Lee Plemel, AICP, Senior Planner) and other persons from outside Planning and Community Development (Rob Joiner, AICP, Economic Development and Redevelopment Manager) the Board of Supervisors deem suitable pursuant to the qualifications delineated in NRS 278.262 and 278.263, file no. —01/02-17. Supervisor Williamson seconded the motion. Discussion indicated that the surrounding Counties allow their staff to handle these applications administratively. Staff had recommended the hearing examiner process. If desired in the future, the process could be revised. The motion to approve the request as recommended was voted and carried 5-0.

B. ACTION TO INTRODUCE ON FIRST READING AN ORDINANCE EFFECTING A CHANGE OF LAND USE FROM PUBLIC (P) TO SINGLE FAMILY ONE ACRE (SF1A) ON PROPERTY LOCATED ON THE EAST SIDE OF HILLVIEW DRIVE, APPROXIMATELY 700 FEET SOUTH OF CLEARVIEW DRIVE, APNS 010-191-06 AND 010-191-16; AND FROM PUBLIC (P) TO LIMITED INDUSTRIAL (LI) ON PROPERTY LOCATED ON THE WEST SIDE OF EDMONDS DRIVE, APPROXIMATELY 1,600 FEET NORTH OF FAIRVIEW DRIVE, APN 010-051-35, IN CARSON CITY, NEVADA, AND OTHER MATTERS PROPERLY RELATED THERETO (2-0062) - Supervisor Plank moved to introduce on first reading Bill No. 116, AN ORDINANCE EFFECTING A CHANGE OF LAND USE FROM PUBLIC (P) TO SINGLE FAMILY ONE ACRE (SF1A) ON PROPERTY LOCATED ON THE EAST SIDE OF HILLVIEW DRIVE, APPROXIMATELY 700 FEET SOUTH OF CLEARVIEW DRIVE, APNS 010-191-06 AND 010-191-16; AND FROM PUBLIC (P) TO LIMITED INDUSTRIAL (LI) ON PROPERTY LOCATED ON THE WEST SIDE OF EDMONDS DRIVE, APPROXIMATELY 1,600 FEET NORTH OF FAIRVIEW DRIVE, APN 010-051-35, IN CARSON CITY, NEVADA, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Livermore seconded the motion. Motion carried 5-0.

C. REVIEW OF AND OPPORTUNITY FOR PUBLIC COMMENT ON THE DRAFT WESTERN NEVADA HOUSING CONSORTIUM (WNHC) ANNUAL ACTION PLAN; ONE YEAR USE OF FUNDS, FISCAL YEAR 2002-2003, AND FOR PUBLIC COMMENT ON AFFORDABLE HOUSING NEEDS FOR CARSON CITY (2-0109) - Western Nevada Development District Executive Director Marylou Bentley reviewed the plan. Copies are available at City offices including the City Manager's office and the libraries. Comments could be submitted in writing or orally. They are to be formally submitted to the San Francisco office by May 15. Any affordable housing needs not addressed in the plan should be brought to her attention. The funding level, funding sources, allocations and programs were described. Funding for rehabilitation of houses will not be available until after July 1. Until then it was suggested that the City establish its committee and prioritize the housing that should be included in the program. The program could include the elderly, handicapped, large families, low income, etc. Mr. Sullivan suggested that Citizens for Affordable Housing and Ms. Bentley work together on the program. He had been the grant writer for a program Supervisor Williamson had suggested. The grant will provide funding for roofing, to winterize

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windows, replace a furnace, or make major improvements. Income qualifications must be met to enter the program. The public should call either Mr. Sullivan, a Board member, or the Citizens for Affordable Housing if additional information is needed. Ms. Bentley volunteered to provide the City with application forms. The funds are available for low income individuals/families. Supervisor Williamson complimented Mr. Sullivan on his grant writing ability and the Home Consortium for its support and assistance. Lovelock's program including its funding limitation was described. The City's program could have its own limits. Manufactured, stick built, and mobile homes can use the funds so long as the homes are on foundations and are taxed as real property. The funds cannot be used for cosmetic improvements but could be used to add a bedroom for a large family. The community program and priorities will determine the type of improvements which should be made. Its success will be measured by the results. Supervisor Plank suggested that Southwest Gas and Sierra Pacific participate in the program as they know who will need assistance and can identify unsafe furnaces, water heaters, etc. Public comments were solicited. Mr. Sullivan thanked Ms. Bentley for her help with the down payment assistance program and looked forward to working with her on the rehab and rental assistance programs. Public comments were again solicited.

(2-0404) Rich Wendling acknowledged that the programs sound good and may help people. He did not believe that this assistance was a function of government. The taxes and the size of government would be less if such programs were not provided. People/families, religious and charitable organizations should provide this service. Once a program is implemented, it is never reduced or eliminated. It only grows larger. People make money on such programs which increases the government costs and fees and leads to an increase in taxes and the cost of living. Small businesses must support these programs and cannot qualify for them. He asked that the Board not make the program grow. It makes people lazy as they will not have to work so hard to obtain things. This portion of the people will continue to grow larger with fewer people supporting them until such time as the funding will not be able to support the program. It does not improve the quality of the community. It will not work. Mayor Masayko explained for the record that the program was created by HUD. It has its own administrative costs. Congress had authorized it. Mr. Wendling urged the public to write to Congress and ask that it be withdrawn.

Ms. Bentley indicated that she understood his point. The program had been established before the Consortium decided to enter it and will be there if the Consortium leaves it. The program had been brought to the Board to develop controls over a program which has not been well known or understood. It has been designed to help people become taxpayers and property owners. They must be credit worthy and be able to qualify for a regular mortgage like everyone else. It is an attempt to provide a conservative approach to providing affordable housing for the area. Supervisor Plank pointed out that these programs eliminate the need for tax-free multiple housing units to be constructed. They are needed in the community. Mayor Masayko thanked everyone for participating. He also indicated for the record that the program must fill a need and be used by individuals needing the assistance otherwise the funds will not be tied up year after year. The track record will prove or disprove its need. Additional public comments were solicited but none were given. Public comments were closed. Action by the Board was not required or taken.

6. C. AND 12. BOARD OF SUPERVISORS - NON-ACTION ITEMS - INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (2-0505) - Continued to the afternoon session.

RECESS: A recess was declared at 12:06 p.m. The entire Board was present when Mayor Masayko

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reconvened the meeting at 1:30 p.m., constituting a quorum.

13. ENVIRONMENTAL HEALTH (2-0510) - Deputy Health Director Ken Arnold explained Pet Networks and the Veterinarians' efforts to increase adoptions from the Shelter. He complimented Animal Regulations Officer Patrick Wiggins on his adoptions events. The monthly adoption rate for both dogs and cats was limned. Mayor Masayko read the plaque, presented and complimented the Veterinarians for their assistance. Recipients were: Dr. John Margolin and Dr. Diana Kushlan of the Lone Mountain Veterinary Hospital; Dr. Gary Ailes and Dr. Woodrow Allen of the Sierra Veterinary Hospital; Dr. Amy Mason of DOC's Mobile Veterinary Service; Dr. Vincent Euse of Silver Hills Veterinary Hospital; Dr. Larson of Sierra Veterinary Hospital; Dr. Carrie Tops From Carson-Tahoe Veterinary Hospital; and Adam Hulme from Pet Network. The Veterinarians thanked the Board for their recognition and complimented staff on the efforts to place the animals. Mr. Hulme also thanked staff for its cooperative attitude and dedication. He hoped to keep the relationship going. Mr. Arnold thanked all of the participants for their assistance. Mayor Masayko complimented staff on its inspiration, work, dedication, and leadership efforts. He also acknowledged the change in attitude which had occurred at the facility during the last two years. No formal action was required or taken.

14. FIRE DEPARTMENT - ACTION TO INTRODUCE ON FIRST READING AN ORDINANCE AMENDING CHAPTER 5.18 (AMBULANCE SERVICES), SECTION 5.18.040 (FEES AND RATES) BY INCREASING THE FEE AND RATE SCHEDULE TEN (10) PERCENT AND OTHER MATTERS PROPERLY RELATED THERETO (1-0072) (2-0695) - Pulled.

15. PARKS AND RECREATION

A. ACTION TO RECEIVE AND FILE THE PILOT STUDY REPORT TO IDENTIFY, INVENTORY AND CLASSIFY WETLANDS AND RIPARIAN RESOURCES WITHIN CARSON CITY, NEVADA (2-0705) - Open Space Manager Juan Guzman's introduction included Harding ESE Representatives Leslie Burnside and Jackie Picciani - Ms. Picciani highlighted the contract and used the overhead projector to summarize the purpose of the study and the report. Photographs illustrating the diversity in wetlands found throughout the valley were shown. The study had also found sites where the Tall Whitetop have taken over. She encouraged staff to work to eradicate these infestations. She encouraged the City to protect the wetland sites to prevent their destruction. Wildlife, fauna, plant species, birds, etc., found at the sites were also limned. She acknowledged that a site had been missed along the Lariat Square on Highway 50 East. They had looked at it and had felt that it had not been there originally but became established as a result of runoff from the shopping center. Discussion between Ms. Picciani and the Board explained the amount of wetlands found in the community and the wetland acreage which is more defined and should be focused on. The study can be used to make land planning decisions. The study had considered biological and environmental wetlands and not political or jurisdictional boundaries/issues related to the water supply. Their criteria for establishing a site as a wetlands is similar to that used by the Army Corps of Engineers. Mayor Masayko acknowledged the Board's original intrepidation with the study. He now felt that it would provide knowledge with which to make future planning decisions to the benefit of both the community and the property owners. He complimented them on their efforts. Discussion between Ms. Picciani and Supervisor Plank explained the wetlands at Lariat Square. Ms. Picciani acknowledged that there may be other sites which have been missed as they did not show up on the aerial photographs which had been taken. Supervisor Plank felt

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that they had covered a majority of the sites and used the wetlands in Brunswick Canyon to illustrate his point. Mayor Masayko pointed out the concern this site created for the City. In the future as the reservoir seals itself, this wetland area may disappear. City Engineer Larry Werner explained staff's recommendation to hire a geotech company to identify how to seal the reservoir due to the need for the water. He felt that this specific site should not be recognized as a wetland. Ms. Picciani explained that the study had not considered jurisdictional boundaries. Mayor Masayko agreed that a hidden agenda should not be considered. It may be that the City, if it can afford to do so, will supported sealing the reservoir due to the need for water. Mr. Werner also explained that staff would be using the report to work with the Army Corps of Engineers on issues related to the wetlands. Mr. Guzman indicated that the map would have to be amended to include the Lariat Square wetland. Mayor Masayko requested that the wetlands that were manmade be so designated. Mr. Guzman explained the GIS link to the study and the additional information it could provide which made it a very comprehensive report. Discussion between Mr. Guzman and Supervisor Livermore explained an irrigation wetlands in Edmonds Park. Irrigation wetlands were not included as sites in the study. The maps are dynamic and can be changed as conditions warrant. Mr. Guzman also explained that when wetlands are found, they are to be investigated and a determination made with the "Feds" as to whether it must be maintained. The benefits of the pilot study were explained. A complete study of the entire State may now be undertaken. It will provide the State with the ability to deal with jurisdictional matters and allow local control over the wetlands rather than continued Federal control. Supervisor Plank pointed out that the maps had been developed following several dry years. He suggested that after two wet years, the maps be compared to see what the difference is. Mayor Masayko thanked them for the report and maps. Supervisor Plank moved to receive and file the Pilot Study Report to identify, inventory and classify wetlands and riparian resources in Carson City, Nevada. Supervisor Williamson seconded the motion. Motion carried 5-0.

B. ACTION TO RECEIVE AND FILE THE CARSON CITY OPEN SPACE OPPORTUNITIES MAPS AS RECOMMENDED BY THE OPEN SPACE ADVISORY COMMITTEE (2-1275) -

Open Space Manager Juan Guzman - The Committee's priority areas are along the Carson River and the Carson Front. Justification for not including Ira Anderson's property among the desirable sites explained criteria needed to obtain funding from the Land Management Act. This includes having a willing seller and buyer. Mr. Anderson is aware of the Committee's interest in his property. Mayor Masayko requested that this information be made a part of the record. The west side of the valley remains to be categorized. Some of this area has already been included in the approval process for acquisition in rounds two and three. If these sites are purchased with the Land Management Act's funds, the federal government will own it and not the Open Space Advisory Committee (OSAC). Discussion also indicated that there are sites along the Carson River which have been approved for acquisition in rounds two and three. Supervisor Plank disclosed his discussion with Mr. Guzman who had shown him a computer program which shows the property from the valley floor. He urged the Board to visit Mr. Guzman's office and look at this program. Advantages of this elevation projection program were noted. Supervisor Williamson explained the criteria used by OSAC for consideration of property for acquisition. The property owners are aware of the Committee's interest in acquisition of the sites and had not indicated that they were adverse to its consideration. Discussion also pointed out other incentive programs which could be used to acquire open space besides purchasing the property including the program used by Douglas County. Comments also pointed out the concerns related to governmental ownership of the property and, specifically, Federal ownership. The Land Management Act at this time only contemplates acquisition. The managers were directed to sell the land in Southern Nevada and purchase land in Northern Nevada. If there is a willing seller, this program may leave the local communities out of the "loop". Mayor

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Masayko felt that sale to the Federal government should be the last option. Discussion also pointed out that the former V&T Railroad corridor had not been included for acquisition. The property owners holding title to the railway corridor have expressed an interest in trading the corridor for other property and are working with BLM. BLM will want assurance that the route is the community's desire. Mayor Masayko felt that this corridor could also be used for automobiles/4-wheel drive vehicles. Mr. Guzman pointed out the mercury contamination concerns related to these sites. BLM does not want this problem. Therefore, an effort is being made to have the State acquire it. Mayor Masayko cautioned against taking on another BLM acquisition which encounters Federal funding problems similar to that experienced with a Bernhard site. Supervisor Plank pointed out the recreational value of the area. Its access should not be closed off. Discussion explained that the "Public" zone has no relationship to the program. OSAC may in the future request an open space land use designation which would not be part of the public zone. Mr. Guzman is working on this program. Mr. Guzman then explained the correlation between the wetland map which had been discussed prior to this item and how it is used by OSAC. BLM is amending its Pinenut plan. He had been attending those meetings. BLM is aware of the OSAC plans regarding that area. Mayor Masayko voiced his concerns regarding the BLM's urban interface plan and suggested that at some future point in time OSAC may wish to acquire the property in it. He also felt that the urban interface plan should be subjected to the same planning process used by the City. If the property is not suitable for that use, then the designation should be removed. The Highway 50 bowl area on "Dump Hill" was cited as an example of an area which he felt should be removed from the urban interface area and made into a prime recreational site. This may not be a true classification for "open space". Mr. Guzman indicated that Mr. Berkich, Mr. Sullivan and Mr. Singlaub are discussing this issue. He also indicated that the site is not part of the Pinenuts. Mayor Masayko directed Mr. Berkich to work on this issue in order to avoid the development problems encountered with Douglas County. Public comments were solicited but none were given. Mayor Masayko also directed that the discussion include all of the RP&P lands found in the City and how they should be treated in the future. Supervisor Plank moved to receive and file the Carson City Open Space Opportunities Maps as recommended by the Open Space Advisory Committee. Supervisor Williamson seconded the motion. Motion carried 5-0.

C. ACTION TO APPOINT AND SWEAR-IN MR. DANIEL LECK AS THE APPRAISER FOR CARSON CITY REGARDING THE PREPARATION OF A SELF-CONTAINED MARKET VALUE REPORT OF THE GILBERT PROPERTY (APN'S 7-061-72, 73, 74 AND 75) AND THE STANTON PARK PROPERTY (APN'S 9-151-01, 9-121-02 AND 9-131-01) (2-1850) - Discussion explained the locations of the properties and the Statute requiring Mr. Leck to be sworn in before doing the appraisal. Mayor Masayko asked that the record include that the Gilbert property is a full section which is west of the contiguous Stanton Park property. Mr. Leck will appraise the property for OSAC. Clarification indicated that OSAC had not made a decision to acquire the property but is considering doing so. The media report was "ahead of the game". Mayor Masayko also asked that the record indicate that neither Mr. Gilbert nor Stanton Park will be bound by the appraisals. They both need the information before making a final decision. OSAC is paying for the appraisals. Supervisor Williamson moved to appoint and swear in Mr. Daniel Leck as the appraiser for Carson City with regards to the market value of the Gilbert Property, APN's 7-061-72,73, 74 and 75, and the Stanton Park property, APN's 9-151-01, 9-121-02 and 9-131-01. Supervisor Plank seconded the motion. Supervisor Williamson amended her motion to include the fiscal impact is that the appraisal cost is \$4,000 for each (property owner) for a total of \$8,000. Supervisor Plank concurred. Discussion indicated that Mr. Leck was prepared to take on the assignment. Motion was voted and carried 5-0. Mr. Dan Leck was then sworn in.

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D. ACTION TO AUTHORIZE THE MAYOR TO SIGN A LETTER TO THE BUREAU OF LAND MANAGEMENT, U.S. FOREST SERVICE, DEPARTMENT OF WILDLIFE AND THE SECRETARY OF THE INTERIOR IN SUPPORT OF THE PURCHASE BY THE BUREAU OF LAND MANAGEMENT OF THE FORMER AL BERNHARD PROPERTY CONSISTING OF 61 ACRES AND LOCATED AT THE WEST SIDE OF CARSON RIVER ROAD (APN'S 10-631-01 THROUGH 14; 10-632-01 THROUGH 20; AND 10-072-09) FROM CARSON CITY FOR OPEN SPACE/RECREATIONAL PURPOSES (2-1995) - Discussion corrected the names on several of the letters. The public record indicates Mr. Singlaub's intent to assist the City in obtaining reimbursement for these acquisitions. Mayor Masayko suggested that the letters be faxed to Washington, D.C., with a copy sent through the regular mail service. Mr. Guzman explained his intent to have the letters hand carried to the individuals by Jacques Etchegoyhen. Mayor Masayko thanked Mr. Etchegoyhen for his assistance and suggested that a copy also be faxed. Supervisor Livermore moved to authorize the Mayor to sign a letter to the Bureau of Land Management, U.S. Forest Service Department of Wildlife, and the Secretary of the Interior in support of the purchase by the Bureau of Land Management of former Al Bernhard property consisting of 61 acres and located at the west side of Carson River Road, APN's 10-631-01 through 14; 10-632-01 through 20; and 10-072-09, from Carson City for Open Space/Recreational purposes. Supervisor Plank seconded the motion. Motion carried 5-0.

16. DISTRICT ATTORNEY

A. ACTION TO APPROVE ADDENDUM B TO INTERLOCAL AGREEMENT 0001-070, WHICH EXTENDS THE AGREEMENT BETWEEN THE BUREAU OF SERVICES TO THE BLIND AND VISUALLY IMPAIRED ("BUREAU") AND CARSON CITY PERMITTING THE BUREAU TO OPERATE CENTENNIAL PARK CONCESSION STANDS IN EXCHANGE FOR \$15,333 FOR A TERM FROM APRIL 1, 2002, THROUGH SEPTEMBER 30, 2002, AND OTHER MATTERS PROPERLY RELATED THERETO (2-2139) Deputy District Attorney Jason Woodbury - Supervisor Plank moved to approve Addendum B to the Interlocal Agreement 0001-070, which extends the agreement between the Bureau of Services to the Blind and Visually Impaired ("Bureau") and Carson City permitting the Bureau to operate Centennial Park concession stands in exchange for \$15,333 for a term from April 1, 2002, through September 30, 2002, and other matters properly related thereto. Supervisor Livermore seconded the motion. Motion carried 5-0.

B. ACTION TO INTRODUCE ON FIRST READING, AN ORDINANCE ADDING SECTION 8.04.127 WHICH PROVIDES FOR THE PENALTY OF A PERSON CONVICTED FOR THE POSSESSION OF ONE OUNCE OR LESS OF MARIJUANA AND OTHER MATTERS PROPERLY RELATED THERETO (2-2212) - Deputy District Attorney Melanie Bruketta was not sure how these fines are distributed. Discussion explained how some fines are distributed and that fines can be a significant revenue source for the City. Supervisor Livermore moved to introduce on first reading Bill No. 117, AN ORDINANCE ADDING SECTION 8.04.127 WHICH PROVIDES FOR THE PENALTY OF A PERSON CONVICTED FOR THE POSSESSION OF ONE OUNCE OR LESS OF MARIJUANA AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Plank seconded the motion. Motion carried 5-0.

RECESS: A recess was declared at 3 p.m. The entire Board was present when Mayor Masayko reconvened the meeting at 3:05 p.m., constituting a quorum.

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6. AND 12. B. BOARD OF SUPERVISORS - NON-ACTION ITEMS - INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (2-2305) -

Supervisor Livermore reported on his attendance at the following meetings/activities: Health Smart including its ability to obtain additional funding now that Carson City is considered a metropolitan area and services it provides to the jail under a BETA grant; the Chamber of Commerce Manufacturers' meeting with Mayor Masayko and its discussion on the Airport Authority and the City economic development program; Rural Mental Health meeting; the Strategic Planning meeting with Mr. Berkich; Hospital Board of Trustees meeting; Little League's opening day ceremony; Girls Softball opening day ceremony; a Mental Health meeting with State Human Resources Director Mike Weldon and its pilot program and asked Mr. Berkich to provide the Board with a copy of its report; internal auditor meeting; and the Subconservancy District meeting. Supervisor Staub reported on his attendance at the following activities/meetings: his family vacation; RTC meeting; Little League opening day ceremonies and announced the T-Ball opening day ceremonies scheduled for May 4; Community Council on Youth meeting including the search for new board members; Airport Authority meeting and the proposal to modify its composition; and the status of the effort to develop the duties for the internal auditor. Supervisor Williamson reported on her attendance at the following meetings/activities: Downtown Task Force meeting; downtown business association's organizational meeting; Redevelopment Authority Citizens Committee meeting; One Region Steering Committee meeting; reading at Bordewich-Brey to Mrs. Adams' third grade class and Ms. Butler's second grade class; Clear Creek Watershed Council meeting and announced that its next meeting will be on May 20; the NACO meeting with Health Department Administrative Assistant Kathy Wolfe, Mr. Berkich, and Mayor Masayko; her speech at the Carson City Democratic Women's Club meeting; a performance at the former St. Teresa's; a meeting with State representatives seeking funding for parking facilities in the downtown area; interviewed candidates for the Subconservancy District. She also explained her absence from George Hawes memorial services. She then described the damage vandals had done to the "C" Hill flag and thanked Walter Barnett for watching over it. She invited the public to attend the Comstock Shootout Soccer Tournament which starts on Saturday morning at 8 a.m. both this weekend and next. Supervisor Plank reported on his attendance at the following meetings/activities: PTAC General Manager Craig Swope regarding the channel's audio and visual qualities and his later discussion with Mr. Berkich regarding these problems; meetings with Parks and Recreation Director Steve Kastens and Open Space Manager Juan Guzman; Senior Center Advisory Council meeting and announced a Master Gardener's contribution of \$500 for the community garden project, the status of that program and the Meals on Wheels program, and the participation of School Superintendent Mary Pierczynski in the activities; and Parks and Recreation Commission meeting. He complimented Parks Director of Operations Scott Fahrenbruch on the appearance of the sports fields. Discussion between Supervisor Plank and Supervisor Staub indicated that a representative from the Ron Wood Family Outreach Center had not been attending the Community Council on Youth meetings. Supervisor Plank indicated that he would work to correct this situation and urged the Board to visit the Moffett property and check out its amenities. Mayor Masayko reported on his attendance at the following meetings/activities: Lions Club fundraiser for Meals on Wheels; Convention and Visitors Bureau meetings including the decision for the Chamber of Commerce and the Bureau to trade locations; the Carson City Leadership class and its development of a "Welcome Home to a Small Town America" program; Chamber of Commerce Manufacturers' meeting and its letter to solicit a member to represent them on the Airport Authority; an Economic Development Steering Committee meeting and his intent to attend its next meeting; and the RSVP Board meeting. He also announced his intent to not seek reappointment to the NACO Board of Directors when his term expires in November. He explained his belief that the Counties and Cities had difficulty developing their budgets for next year due to the inability to increase taxes due to the caps. Washoe

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County was cited as an example. The NACO legislative packet is being developed. It included five or six items, including long-term care and the ten cent indigent medical funding issues. NACO may ask that these programs be returned to the State. Large Counties may wish to trade these items for temporary child protective services/welfare services and the foster care services. Problems this may pose for smaller Counties was acknowledged. A resolution regarding a Federal Fish and Wildlife Service staff decision was limned. He announced that the NACO November meeting will be at Harvey's at Tahoe in November. He urged the Board to sign up early. He explained the Western Nevada Astronomical Society's fundraising activities and announced its "kickoff" on Saturday from 6:30 to 8 p.m. The public was urged to attend.

C. STAFF REPORTS (2-3675) - None.

There being no other matters for consideration, Supervisor Williamson moved to adjourn. Supervisor Plank seconded the motion. Motion carried 5-0. Mayor Masayko adjourned the meeting at 3:52 p.m.

The Minutes of the April 18, 2002, Carson City Board of Supervisors meeting

ARE APPROVED ON July 18, 2002.

/s/

Ray Masayko, Mayor

ATTEST:

/s/

Alan Glover, Clerk-Recorder