

APPROVED DECEMBER 19, 2019

The Regular Meeting of the Douglas County Board of County Commissioners was held on November 21, 2019 in the meeting room of the Tahoe Transportation Center, 169 Highway 50, Stateline, NV, beginning at 1:30 PM. **When applicable, the minutes below have been transcribed.**

Call to Order

The meeting was called to order at 1:30 PM.

Commissioners Present:

Barry Penzel, Chairman
Dave Nelson, Commissioner
Wesley A. Rice, Commissioner
John Engels, Commissioner

Commissioners Absent:

Larry Walsh, Vice Chairman

Staff Present:

Dan Coverley, Sheriff
Kathy Lewis, Clerk-Treasurer
Patrick Cates, County Manager
Doug Ritchie, Chief Civil Deputy District Attorney
Shanna Greathouse, Deputy Clerk

PLEDGE OF ALLEGIANCE

Led by Commissioner Engels.

PUBLIC COMMENT

Lynn Muzzy expressed his concern about the politics in Douglas County including public slandering for taking a stance. He further referenced print ads and videos. He continued to point out an old saying about how liberals stay with wrong decisions and justify their failures rather than admitting they are wrong and declared that they are forces of division. He further stated that the issues going on were childish.

To review Mr. Muzzy's full Public Comment statement please see the Supplemental Meeting Materials.

Dave Akola stated that when the Park Ranch Holdings Development Agreement comes before the Board, that they should not give special consideration to them and should treat them the same as anyone else. He further suggested that all developers should build Muller Parkway instead of Douglas County residents paying for it. He stated that things are not done that way anywhere else in the country, that it is not right and is a burden to Douglas County residents.

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To review Mr. Akola's full Public Comment statement please see the Supplemental Meeting Materials.

APPROVAL OF AGENDA

MOTION to approve the agenda minus Administrative Agenda Item 3 and 4; carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Wesley A. Rice, Commissioner
SECONDER:	Dave Nelson, Commissioner
AYES:	Rice, Engels, Penzel, Nelson
ABSENT:	Walsh

APPROVAL OF PREVIOUS MINUTES

For possible action. Discussion on the possible approval of the draft minutes of the October 17, 2019, regular meeting of the Board of County Commissioners. Board of County Commissioners - Regular - Oct 17, 2019 1:30 PM

MOTION to approve the minutes from the October 17, 2019 regular meeting; carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dave Nelson, Commissioner
SECONDER:	John Engels, Commissioner
AYES:	Rice, Engels, Penzel, Nelson
ABSENT:	Walsh

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

DOUGLAS COUNTY LIQUOR BOARD

1. For possible action. Discussion to approve the Packaged Retail Liquor License for Frida's Meat Grocery Market, LLC represented by owner Jesus Sanchez Rueda. Mr. Rueda has signed a Waiver of Notice of Hearing. Frida's Meat Grocery Market, LLC is located at 1758 US Highway 395 N Suite B Minden, NV 89423. (Captain Michitarian)

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MOTION to approve the Packaged Retail Liquor License for Frida's Meat Grocery Market, LLC represented by owner Jesus Sanchez Rueda; carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dave Nelson, Commissioner
SECONDER:	Wesley A. Rice, Commissioner
AYES:	Rice, Engels, Penzel, Nelson, Coverley
ABSENT:	Walsh

2. For possible action. Discussion to approve the On-Site Retail Unrestricted Liquor License for Roundhill Sushi, DBA Harumi Sushi, represented by the owner, Cynthia Mogus. Cynthia Mogus has signed a Waiver of Notice of Hearing. Harumi Sushi is located at 212 Elk Point Road, Unit 208, Zephyr Cove, Nevada 89448. (Captain Michitarian)

MOTION to approve the On-Site Retail Unrestricted Liquor License for Round Hill Sushi, DBA Harumi Sushi, represented by the owner, Cynthia Mogus; carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dave Nelson, Commissioner
SECONDER:	Wesley A. Rice, Commissioner
AYES:	Rice, Engels, Coverley, Penzel, Nelson
ABSENT:	Walsh

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

CONSENT CALENDAR

MOTION to approve the Consent Calendar minus Items E and G; carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dave Nelson, Commissioner
SECONDER:	John Engels, Commissioner
AYES:	Rice, Engels, Penzel, Nelson
ABSENT:	Walsh

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CHINA SPRING YOUTH CAMP

A. For possible action. Discussion to approve a contract between Douglas County and Herback General Engineering, LLC for the aeration improvements to the China Spring Youth Camp Wastewater Treatment Facility in the amount of \$67,190. (Wendy Garrison)

CLERK-TREASURER

B. For possible action. Discussion to accept the cumulative voucher sheets for checks issued for the 10/23/19 Payroll, 10/24/19 Payroll, 10/15/19 Payables, 10/18/19 Payables, 10/24/19 Payables, 10/30/19 Payables, and 11/1/19 Payables. (Kathy Lewis)

C. For possible action. Discussion to accept the October 2019 Monthly Treasurer's Statement submitted per Nevada Revised Statute (NRS) 354.280(2). (Kathy Lewis)

FINANCE

D. For possible action. Discussion to accept the auditor's report on Douglas County's general ledger balances through October 31, 2019 per Nevada Revised Statutes 251.030. (Terri Willoughby)

E. For possible action. Discussion on the adoption of Resolution 2019R-072 which increases both Fiscal Year 2019-20 estimated revenues and budgeted expenditures by \$1,406,443. (Terri Willoughby)

PUBLIC WORKS

F. For possible action. Discussion to approve the purchase of a new Graco Roadlazer roadway striper from Interstate Sales at a price of \$59,982. (Jon Erb)

SHERIFF

G. For possible action. Discussion to approve the corrections to Resolution 2019R-063 originally submitted to the Board on October 17, 2019, for the FY2019-20 Douglas County Sheriff's Office OCJA JAG Grant with the revised total revenue amount of \$115,512 and revised total expenditures amount of \$96,000. (Ron Elges)

SOCIAL SERVICES

H. For possible action. Discussion to grant a utility easement to NV Energy for electrical improvements to the old Senior Center on 2300 Meadow Lane, Gardnerville, Nevada, authorizing the Community Services Director to sign the easement document. The easement is approximately 540 sq. ft. and is located on a portion of the North half of the Northeast quarter of Section 4, Township 12 North, Range 20 East, M.D.M., Douglas County, Nevada; situated within that Parcel of land described as Lot 7, Block B of a map of the Glock Lampe Subdivision. (Scott Morgan)

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ADMINISTRATIVE AGENDA

CONSENT CALENDAR ITEMS PULLED FOR FURTHER DISCUSSION- none

COUNTY MANAGER

1. For presentation only. Presentation by Lindsay Knox, McDonald Carano, LLP, on Rural Roots with Thoughtful Progression, a presentation on housing in rural areas. (Barry Penzel)

Chairman Penzel read the agenda item into the record.

Chairman Penzel speaks:

And I asked Ms. Knox to make the presentation. I heard it once at the Business Council and I thought it was informative and I thought maybe the whole Board should know it. Ma'am?

Lindsay Knox, Vice President of McDonald Carano LLP, speaks:

Hold on one second here. Perfect. Well, thank you Chairman. Like the Chairman said, I have presented this prior to business leaders in Douglas County. So I am here to share this with all of you and hope that I can create a wonderful relationship with all of you to help my hometown, maybe fix or better some of the issues that we currently have. So currently, and this is Northern Nevada, so this includes all of Northern Nevada, not just Washoe County.

Ms. Knox began her presentation and covered the following topic:

- For every \$1,000.00 the cost of the house increases, 2,285 Nevadans are priced out, 251 of which are Northern Nevadans.

Ms. Knox speaks:

That is a huge number and those costs go from fire sprinklers to land to labor and we are losing that attainable housing. I try to avoid that affordable housing discussion because I don't believe what is affordable to me is affordable for somebody else. We look at what is attainable for individuals. And the reason is there is eight L's. Normally I think that in the construction industry you are looking at five, but there are more.

Ms. Knox continued with the presentation and covered the following topics:

- The Eight L's:
 - Land

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Ms. Knox speaks:

The cost of land in Nevada, and it is not just Washoe and Clark County, land throughout the state is extremely expensive. A large part of that is we do not own a majority of our land.

Ms. Knox continued with the presentation and covered the following topics:

- Lumber (depending on tariff's)

Ms. Knox speaks:

And that is based off of a lot of the tariffs. Right now it's actually metal that is the high cost. We are seeing company's stopping projects because of the cost of metal right now.

Ms. Knox continued with the presentation and covered the following topics:

- Lending
- Litigation

Ms. Knox speaks:

Litigation costs are increasing and they will continue to increase because Construction Defect has now been changed, yet again and there are other issues going on.

Ms. Knox continued with the presentation and covered the following topics:

- Labor
- Licensing
- Laterals (utilities/infrastructure)
- Laws

Ms. Knox speaks:

What is happening in Carson City is increasing the cost for all employers. It is not just housing. It is everything that happens in our daily lives. The laws are effecting this cost.

Ms. Knox continued with the presentation and covered the following topics:

- Supply and Demand
 - Current median house price \$438,800
 - 2016 median house price \$353,125
- It takes a COMMUNITY
 - Current tax structure makes us addicted to growth

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Ms. Knox speaks:

We have issues in our tax structure and that is not just a local thing, that is a state issue, but one of the big issues is our property tax. Whether we want to look at that or not, it is an issue. I like to build new homes, so I am at the top of the property tax in Washoe County. But if I went and bought a ten year old home, at the same time I bought a new home, guess what's going to happen? I get to pay their property tax. So, when you don't have new development, you have your property tax back here. Years old. To not catch up with new construction. And it is a problem for our local governments to sustain people coming in and not having new development.

Ms. Knox continued with the presentation and covered the following topics:

- A single industry cannot pay for a community problem
- Tariffs

Ms. Knox speaks:

Another thing is our tariffs. They are damaging to new housing. They are causing problems with reconstruction. It is a problem in our community.

Ms. Knox continued with the presentation and covered the following topics:

- Aging labor

Ms. Knox speaks:

Aging labor is huge. The average age of a plumber is 56 years old. That is a huge issue when you are looking... so work force development. Working with our universities, our community colleges, our high schools is extremely important to make sure that we have a generation coming up that can do the labor. Whether that is a new or whether that is plumbers that we need because our toilet broke in the middle of the night. We have to focus on that aging population.

Ms. Knox continued with the presentation and covered the following topics:

- What Douglas County is Doing Right!
 - Valley Vision Plan
 - Principle Four Provide appropriate vital neighborhoods which include some affordable housing.
 - Related strategies
 - Diversify the housing inventory by including multifamily units and other housing types that provide affordable housing.
 - Remove potential barriers from land use and zoning codes to allow affordable housing opportunities.
 - Allow for mixed use development to support housing near businesses and employment centers.

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Ms. Knox speaks:

I was looking at housing and inventory. It is looking at potential barriers and allowing for mixed use of developments. That is extremely important. Those mixed uses. By layering your zoning in one way we are going to run into problems because I was talking with Vice Chairman Walsh about it. About the Johnson Lane area and the Ruhenstroth area and I like you have one acre. Let's change that. Let's make a difference. You can actually develop on these. He goes, well we have nitrates in the water. Okay, that's another huge problem that you have to deal with.

Ms. Knox continued on with the presentation and covered the following topics:

- Consolidation of water authorities between the Valley and Lake Tahoe
- Community Planning

Ms. Knox speaks:

That is going to be a money saver for this community. Community Planning, you guys have a wonderful Community Planner. I spent almost two hours on the phone with him. I learned so much about what he is planning to do and I see a lot of success moving forward. He told me, he goes I'm ripping the Band-Aid off. I'm kind of just seeing where things bleed. And I said good for you, but be prepared and the best way that you guys can help him and support him is make sure he has the staff behind him that have the same energy and drive to get things done for the community.

Ms. Knox continued on with the presentation and covered the following topic:

- Convention Center

Ms. Knox speaks:

I see this as a true positive for not only up here in Lake Tahoe but down in the Valley. You are going to provide full time jobs to people, jobs that may be seasonal. These people may have the opportunity to have full time jobs which gives them the ability to find housing that is a reasonably cost for them.

Ms. Knox continued on with the presentation and covered the following topic:

- Who helps a community thrive?

Ms. Knox speaks:

It's nurses; it's the Sheriff's deputies, it's teachers like Ernie Mofiletto that help this community. If we don't have nurses, nobody in this room gets health care. But with that median price, our nurses can't afford to live here so what do they do? They are going to live in Carson or they are going to live in Reno. But also, maybe guess who pays better? So where are they going to go? Maybe they have kids, they don't want to commute. You're asking the Sheriff to train all these people and put all these resources to his deputies, but if they don't have a place to

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live, where are they going to go? They are going to go up to Sheriff Baylem, or go to Chief Soto in Reno and he is going to miss out and you're going to have wasted that money on those deputies because you don't have housing. And then wonderful teachers in this community. Ernie Mofiletto was my teacher when I was at Douglas High School. We need housing for them. Regardless of the age of this community, there are children here that need strong educations. And whether we want them to stay in Nevada, or stay in the Valley, they need people like him and those individuals need housing and that is not a high paying job where they can afford that median house price.

Ms. Knox continued on with the presentation and covered the following topics:

- What is needed to thrive?
 - Housing at \$200k and up
 - Town homes
 - Condos
 - Apartments

Ms. Knox speaks:

And I understand that building up and building those multi-family homes is not always what people want, but it is what is right for the citizens of the community. We're seeing that and I don't want to ever think that I am trying to bring Reno into Douglas County. That is not the case. I'm just showing you examples. Reno is looking very much at building up. I live out in Sparks, so we're building out. We're living into the suburbs. I back up to BLM land so I have no neighbors. I don't...I'm good with BLM behind me, but that is not the reality in the City of Reno. They have to build up because they don't have the land to build out.

Ms. Knox continued on with the presentation and covered the following topic:

- What is in your toolbox?

Ms. Knox speaks:

This is something that the home building industry has really looked at. Two of my clients, which I didn't mention in the beginning and I probably should have. I represent the Builders Association of Northern Nevada and I also represent the Southern Nevada Home Builders so I have very different perspectives statewide on what options we have as communities to help the housing crisis.

Ms. Knox continued on with the presentation and covered the following topic:

- Next Steps and Recommendations
 - Develop good standard zoning and building codes

Ms. Knox speaks:

It is so important that we take out and we restructure what those look like. Currently, there are groups that are going through the Reno codes and they are

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like you guys, have 500 pages. We need to narrow this down because nobody understands. So it's changing those.

Ms. Knox continued on with the presentation and covered the following topic:

- Ability to record maps

Ms. Knox speaks:

It's being able to record maps. We are not in the Mark Twain era anymore. A wet stamp is great, but we need to be able to record those maps because you have people from all over the place. And if you need a signature and you miss one, guess what you get to start over and do again, and it's more money that is being spent. So it's making sure that electronic records can be done.

Ms. Knox continued on with the presentation and covered the following topics:

- Utilize affordable tax credits

Ms. Knox speaks:

During session they have given tax credits. One of the bills that was passed and I'll discuss it. Hopefully I will have time in a little bit, is SB 103 that was introduced by the affordable housing community, by Senator Julia Ratti and it was taking off the fees for sewer and all of that up front so you could build attainable housing and then somebody else would pick that up. Whether it was through a fund through the city, or other options. They are looking into it now.

Ms. Knox continued on with the presentation and covered the following topic:

- Community Foundation of Western Nevada (workforce housing)

Ms. Knox speaks:

That is so important in a community that has seasonal work. Those people need housing and so workforce housing could be a very, very positive step in developing.

Ms. Knox continued on with the presentation and covered the following topic:

- Deferring the fees to the back end (maybe)

Ms. Knox speaks:

That is something that the City of Reno is currently doing. The Mayor came up with this project of 1,000 houses in 120 days. I think that's 120 days or 100 days. We'll see what's going to happen, but what it's going to do is it's going to take all those fees that cost so much in the front end, you're looking at about \$150,000 and we'll move them to the back end to really start driving that building, to do it quicker so we can get people into homes. So with all of that said, our last Legislative Session brought some very tricky things for our communities.

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Ms. Knox continued on with the presentation and covered the following topics:

- 2019 Legislative Session
- Construction Defect
 - AB 421
 - Assembly: 27-13
 - Senate: 20-0
 - As introduced, the bill threatened to repeal nearly every substantive provision of AB 125 passed in 2015
 - The bill softened in the face of opposition from the home building industry throughout the course of the session.

Ms. Knox speaks:

My firm was heavily involved in this and has been for about a decade. What was intended in the legislation that was introduced was to repeal what was done in 2015 when the Republicans held the majority everywhere. We were able to stop that and we were able to stop that because our industry stood with each other. We had a backing from everybody saying this is not a good idea. But we are going to see increase in cost. We're going to see increase cost in insurance rates.

Ms. Knox continued on with the presentation and covered the following topics:

- Home Warranty & Sales Contracts
 - AB 440
 - Assembly: 41-0
 - Senate: 21-0
 - Builders MUST include on a separate sheet in their sales contract two disclosures:
 - Existence of the Recovery Fund
 - The right for homeowner to file a complaint pursuant to NRS 624.480
 - Mandatory 1-year warranty. Builder warranty begins at completion of written punch list.
- Tenant, Landlord & Affordable Housing
 - SB 398: Died
 - Gives local government fiscal home rule to local governments on any issue pertaining to affordable housing.
 - It would have allowed local governments to accept a payment in lieu of any established obligations imposed on a builder as a result of the increased scope of fiscal home rule.
 - The stated intent of the bill was to allow a local government to implement policies of inclusionary zoning and rent control.
 - SB 471: Died
 - This bill would have allowed a local government to impose impact fees to fund school construction.
 - SB 151

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- Assembly: 28-12
- Senate: 13-8
 - Originally the bill added limits and a minimum time period before an individual can be served and action for eviction.
 - A last-minute amendment caps the landlords' ability to tack on late fees on rental payments to 5% of monthly rent.

Ms. Knox speaks:

It was extremely controversial and was one that was kind of shoved in front of us at the very last minute. And we will see a hard time or landlords have a very, very difficult time evicting people. Making sure they are getting their rent.

Ms. Knox continued on with the presentation and covered the following topics:

- SB 448
 - Assembly: 40-1
 - Senate: 21-0
 - Gives \$10 million in transferable tax credits for affordable housing.
 - Requires the Housing Division to review applications submitted by developers and determine the amount of money need to make financially feasible.
 - It's estimated to create roughly 600 affordable housing units a year.
 - Currently, \$3M is being used.
- Land and Appraisals
 - SB 36
 - Assembly: 40-0
 - Senate: 21-0
 - Prior to SB 36, local governments were required to sell at the highest appraised value for raw land.
 - SB 36 allows local governments to use the average price of at least 2 appraisals.

Ms. Knox speaks:

This is very important for you guys to have. This is where we can really start looking at the land prices and selling at more reasonable levels.

Ms. Knox continued on with the presentation and covered the following topics:

- Contractors Board
 - AB 26
 - Assembly: 40-0

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- Senate: 21-0
 - Increases the amount that can be recovered by a homeowner for damages from the Residential Recovery Fund.
 - A single person can now recover \$40,000-\$750,000 or up to 20% of the balance of the Recovery Fund.
- SB 397
 - Assembly: 40-0
 - Senate: 21-0
 - Bill was requested by Southern Nevada Home Builders.
 - Applies the handyman exemption to also apply to allow licensed contractors to perform \$1,000 or less in non-permitted work.
 - Exceptions for electric, HVAC, refrigeration and plumbing work.
- AB 290
 - Assembly: 39-0
 - Senate: 21-0
 - Requires the Division of Industrial Relations to establish registries to track certain persons in the construction industry who have completed courses in industry, safety and health hazard recognition.
 - Also requires a construction worker to obtain the appropriate course completion card within 15 days of beginning work, with the exception of a worker employed by a single employer for a period of less than 15 consecutive days.

Ms. Knox speaks:

I am going to skip a couple of these because I know I don't have very much time left, but there are a few bills when it comes to employment that you are going to see increased costs of the businesses in our community.

Ms. Knox continued on with the presentation and covered the following topics:

- SB 312
 - Assembly: 31-9
 - Senate: 21-0
 - Requires employers with 50 or more employees to give employees paid time off each year.
 - 0.01923 hours of paid leave for each hour of work performed may be used by an employee beginning on the 90th day of employment.

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- AB 132
 - Assembly: 33-8
 - Senate: 12-8
 - Prohibits an employer from denying employment because of a drug screening test indicates the presence of marijuana.
 - This does not apply to jobs which require the operation of motor vehicles or affects the safety of others.
- Local Government/ Misc.
 - AB 345
 - Assembly: 28-12
 - Senate 13-8
 - Allows automatic voter registration, registration via your computer after the voter registration deadline, and same-day voter registration.
 - AB 98
 - Assembly: 39-0
 - Senate: 21-0
 - This bill revises the Tahoe-Douglas Visitor's Authority Act to clarify that the convention center may be used for other events in addition to conventions.

Ms. Knox speaks:

And then of course all of you are aware that on AB 98 which is the bill that revises the Tahoe Douglas Visitors Authority Act, which again I think is a wonderful achievement for this community. That is the end of my presentation. I don't know if you want questions or anything or if it...but I'm happy to answer any questions that anybody may have.

To review Ms. Knox's full presentation please see the Agenda Packet material.

Chairman Penzel speaks:

Okay we... for presentations we open the questions of the Board but not to the public. Is there any questions?

Commissioner Engels speaks:

Okay, what is basically exacerbating the housing problem in Nevada?

Ms. Knox speaks:

Well, it's those eight L's that I described in the beginning. So you're looking at land, labor, litigation, laws...

Commissioner Engels speaks:

No ma'am. I can...you...there was an article recently in a journal in the, I think it was the LA Times, that people are moving to Nevada at a rate of 25,000 a year from California. I recently read an article in the Idaho Statesman. They have the

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exact same problem in Boise because of Californian's moving in. So you could build 500 homes or 1,000 homes and as soon as you get them built, they are going to be backfilled by Californians escaping California. That is the basic problem. Another problem that we've got in Nevada is that this is the driest state in the nation. I didn't hear you say one word about water.

Ms. Knox speaks:

You're right. I did not discuss water, understanding that it is a crisis. Right now if you look at what is estimated from the Truckee Meadows Water Authority, we're actually doing very, very well and they are actually trying to get rid of water. Not that they should, but they are. It's another one of my clients that I represent. And you are very correct. We are having Californians move into this state and whether we have housing for them or not they're still coming. You can look in the City of Reno right now and Panasonic and Tesla. They're living in a casino. So I could not agree more that the Californian's moving in is causing an upbeat in price, but those other things are just as problematic because it is a supply and demand problem.

Commissioner Engels speaks:

Well, I'll continue. This is a compilation of all of the development projects that have been approved and are one phase of development or another here in the County. We're looking at 7,500 homes. Now right now we got a huge traffic problem. This will be an additional 15,000 cars, trips a day or more. Where are we going to put everybody? We don't have the infrastructure to accommodate it. So I hear what you're saying. You're presenting all these problems but you are not presenting solutions.

Ms. Knox speaks:

Well, due to your ordinances and having a cap based off a percentage, you could never put 7,500 homes in the community which is a wonderful thing...

Commissioner Engels speaks:

Wait a minute. I've got to disagree with you, but I'll give you this list and you can go around and you can see there's more than the cap being built right now. Because that is not a fixed number. It's aggregate and cumulative, so there's a backlog that's being built out now and it's just going to exacerbate the problems we're having with our infrastructure in this County. And you come up here and tell us that we need to do this and we knew that. You're telling us to do this, do that. I don't know how we're going to get this done.

Ms. Knox speaks:

Like I said it is a community fix and it is taking individuals like yourself, developers, other business leaders and coming to a table and making decisions. I don't give the City of Reno very much credit all the time, but I will on this. That is what they've done and they're actually succeeding at that. They are coming together at the table and making these, having these discussions on how you do these things. It is working with state officials. It is working with local officials. It's working with Federal officials to get these things done. Amodei, you know, they

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have their Lands Bill out now. Those things are extremely important, because that's how you get land as well.

Commissioner Engels speaks:

So from what you just said, I don't want Gardnerville and the Carson Valley to look like Reno and you're saying well, if it looks like Reno then we are going to achieve our goals and have housing for everybody.

Ms. Knox speaks:

That is not what I'm saying. I am saying that Reno has been successful at bringing people together. I am not telling you that at all and I think I made it very clear in the beginning. I don't want this community to look like that. This place is very special to me. This is where I grew up. I don't want you to look like Reno. I want the Carson Valley and Lake Tahoe to keep their rural roots, but you have to have some type of progression because if you do not have progression you don't have the community because you lose your teachers, you lose your deputies, you lose your nurses and that's how you thrive is by having a healthy community.

Chairman Penzel speaks:

Further questions?

Commissioner Nelson speaks:

I think your term progression, progressive or whatever you use here, progression, is the proper term for this and progressive ideas are not always the best ideas. I think Douglas County needs to solve their own problems and we don't want to do it the same way that Reno has solved there's. So I think we need to look deeper into this. I appreciate your presentation and thank you very much for it, but I think that we need to search for our own solutions and thank you very much.

Chairman Penzel speaks:

Thank you for coming. I appreciate you giving a perspective on this. I think it's important to have all the perspectives. Certainly you are bringing that all to the forefront. So thank you for your presentation. If there are no further questions, we'll move on to item two. Thank you.

RESULT: FOR PRESENTATION ONLY.
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2. For possible action. Discussion to approve a contract and scope of work with RAD Strategies, in the amount of \$11,000, to conduct an assessment of Douglas County's current communication methods and to make recommendations to be used to develop an updated Comprehensive Strategic Communications Plan. (Melissa Blosser and Ronele M. Dodson of RAD Strategies)

Chairman Penzel read the agenda item into the record.

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Melissa Blosser, Community Relations Manager, speaks:

Thank you very much for the opportunity to bring this forward today. The Strategic Communications Plan that we currently have in place is about five years old and I wrote that plan about six years ago when I came, so you can imagine how outdated it is. I don't even think we had social media at that time. So I started looking at rewriting the plan and towards the future and that's when I started looking at having an assessment done. Basically because I want to create a plan that's innovative and looking forward to how we're going to engage our residents in our community. So I wanted to have an objective look at that so we can deep dive into some of the holes and some of the things that we're doing and improve our internal processes and workflow. And I think we can, with this assessment, we can identify some of those areas where we can improve those processes. So I don't want to talk too much. I'm going to let Ronele give her presentation and then after that I will do some follow-up and answer any additional questions. PowerPoint up? Do we have? Where would we find that Kathy? Is there not a PowerPoint? Oh, I didn't. Did you? Okay.

Ronele Dodson, RAD Strategies, speaks:

I believe you have a copy in your packet. So good afternoon, Commissioners and again Ronele Dodson with RAD Strategies and I was very excited to be able to hear about the opportunity to work on the communications audit in reviewing the steps that might come into place for a communications plan for the County. So the goal of that obviously is to really have a plan that's adaptable. And that will be based on the changing environment. There's lots of opportunities and there's lots of new and innovative ways that we can approach those so the best way to do that is to do some research. So part of that, the areas that we would cover would be to communicate. The primary objectives would be to communicate with the key County residents, businesses, other stakeholder communities. Looking at public safety would be a key priority. When disaster strikes is what we call that. What happens and how are those communications handled and managed. Looking at the public and the languages and how we're reaching our audiences; the current audiences that are in the community that live and others that are coming new to the community. Establishing that brand recognition which has been in process over the last few years and so it's looking at that a little bit further and see how that's working. To increase the awareness of the County, the Sheriff's projects, programs, other events that are happening and increase overall civic engagement. Encourage the departments that are working to increase their overall communications in line with what's happening as well. To give you an idea of some of the opportunities that we'll explore, we did some initial research and there was an article that was titled "Eight Best Practices in Government Communications," and it said storytelling is the leading trend in government communications. So just real quickly, driven by storylines one of the most significant trends in strategic communications and marketing in the public sector is using content strategy. This approach entails identifying priority themes and narratives that are brought to life through a concerted exercise of storytelling. It stems from the recognition that to communicate everything is to communicate nothing. Truly, breakthrough communication results require a judicious focus on being economical with words and ideas. The model is focused on sense making

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opportunities in which deliberate effort is made to create meaning to citizens by clustering elements of information into a cohort story. Storytelling has been identified as the leading trend in government communications. That's just one area we'll explore deeper and to see the opportunities for the County. Some of the key questions that we're going to ask is what is local government and what does it do for residents? Why does it, what does it do for me? How do I get the information that I need during an emergency? Why does it matter? How can you help me and my family and do you really understand my concerns? Those are some of the key areas that we'd be looking at and exploring. The three month program starting would start with the market research. Doing primary research and secondary research, reviewing communication strategies that have already been done. What Melissa's already been working on. What's already moving forward and then looking at and comparing that with other communities across the nation and what some best cases and what could be implied here and what are some opportunities. And then looking at focusing those efforts and possibly testing those and how those who'd be tested and then of course, finally, making it happen and implementing it. I believe in your packet you have the steps that would be implemented as part of that three month plan. Our experience quickly, we currently work with the Carson Valley Visitors Authority. We've worked with Douglas County in the past; it was about ten years ago. We've also worked with the City of Sparks, Central Lyon Fire Protection District, Aviation Roundup and we currently also work with Virginia City and Storey County in different ways. Anything else? I think that covers the overview of the program.

Ms. Blosser speaks:

Before we open it up for questions, I just want to say that I think it's really important that we identify and tailor a plan that is specific to Douglas County. In Douglas, we have different communities and neighborhoods and I think some of this will provide raw data and that will bring back how those different communities and neighborhoods choose to communicate with us and if we're communicating with them on regular issues and in the services that we provide and the things that we do, then that transpires over to when we have an emergency. So I think that's really crucial and I think it's very important looking forward to the next five years, we identify how we want to do that.

Ms. Dodson speaks:

Questions?

Chairman Penzel speaks:

Questions by the Board?

Commissioner Engels speaks:

I don't know Melissa, I think you're doing a pretty good job right now. Let me direct this towards Ms. Dodson. You talk about content, which is important because that's the basics and how is this content going to be distributed. What would have you done in the past?

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Ms. Dodson speaks:

From our past clients and our past work? I will use an example that I guess of Storey County where we really worked with Virginia City tourism to help really drive content and also through Carson Valley. So through Virginia City we developed a series of videos. We called them storytelling videos and those videos were not necessarily focused on a general come and visit and see all the things that you can do, but really focused on individuals and the characters and the people that live there and one was the hat maker. And that video, if we flash forward now to, it's been out for probably four years, the hat makers business has increased from doing 40 hats a month to opening a bigger store and doing more than 120 a month. So the impact on storytelling when done effectively can have a big impact. In Carson Valley, we've been working closely with Jan Vandermade and the team to be able to tell the story of Carson Valley and outdoor recreation and the opportunities that are available for families to come here and enjoy the community and to obviously contribute to our economic vitality.

Commissioner Engels speaks:

Wouldn't this be more like a Lisa Granahan thing?

Ms. Blosser speaks:

No, Commissioner Engels. I think kind of what she's looking to do is identify demographics and how people communicate with us. So what you do is you kind of go and extract that data because you want to go into the different communities in the different neighborhoods and to our different populations, find out what channels they are using, how they want to communicate with us. It's not necessarily the content, but I need to know how they are communicating with us, how they would like to receive information, what channels they are using so that we can distribute that information correctly, efficiently and the best way that we possibly can. So what that...what she does is she'll go in and kind of a deep dive into that and that helps me from an objective perspective understand. Because the residence may not talk to me the way that they would talk to Ronele or an objective party so they can really tell us honestly, hey, we feel our problems aren't getting solved or we feel you guys are not delivering effective customer service and we want to see communication come to us. Maybe we want to see neighborhood watch groups include Melissa Blosser and a County Engineer. We want to talk roads. We want to talk about speeding. We want to talk about our problems being solved. And so some of this data will help us in kind of shaking it out and looking at innovative and strategic ways that we can make this happen in the future, not only to communicate and engage, but to keep our residents safe.

Commissioner Engels speaks:

So this will be more like a newspaper, but not a newspaper. It'll be a digital newspaper?

Ms. Dodson speaks:

It actually...I think what's going to happen is that it will be a roadmap for Melissa to pick and choose from a menu of opportunities to further engage with the community and those areas. Each resident and everybody likes different ways of

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communicating, right? Some people like to go on Facebook only for information and then some go and want the printed, so these strategies or the outcome will be an actual roadmap or a plan that Melissa can then take as well as Douglas County and implement from there. We did this also with the City of Sparks when we helped them with their comprehensive plan. We went out and we developed some innovative outreach methods that the city is still employing in reaching some of those target groups and that was completed about three years ago. So some of these could lead to other successful programs, but most of it's just doing research and providing Melissa with the tools that she needs to be successful.

Commissioner Engels speaks:

You better take a look at the average age of the people that reside in Carson Valley because a lot of them don't understand this digital world.

Ms. Dodson speaks:

Agreed.

Commissioner Engels speaks:

So, that's another consideration.

Ms. Blosser speaks:

Correct. I think that's definitely one of the areas that we have identified and need to deep dive into further. We do have that population and so maybe it is more of a grassroots approach that we need to take which isn't traditional for communication in other areas so, but we really need that data. And looking at the data we can then draft that plan and based on the data that we get instead of kind of shooting in the dark or shooting at the hip from what I might think is best. I would like to extract that data and really know what that best thing is for Douglas County.

Commissioner Engels speaks:

Thank you.

Chairman Penzel speaks:

Further questions?

Commissioner Nelson speaks:

I see this item isn't budgeted. Maybe the County Manager would like to address the budget end; where the \$11,000 is going to come from.

Patrick Cates, County Manager, speaks:

When we put the budgets together this was not contemplated. This is a result of ongoing conversations with Ms. Blosser and I. It would have to come from the General Fund as a supplemental basically to fund it for this year. I'm generally hesitant to do that, but I think it's a small amount and I think it fits in with our Strategic Plan so I asked her to bring it forward.

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Commissioner Nelson speaks:
Thank you.

Commissioner Engels speaks:
Could this be put off until the next budget review?

Ms. Blosser speaks:
Do you want me to answer that question?

Chairman Penzel speaks:
Maybe we ought to let Mr. Cates answer that.

Mr. Cates speaks:
It could be put off until the next budget review. My concern is it would just put us farther behind the curve in our communication plan which is now six years old. And I would just add we are also doing some internal updates to Strategic Plans and Objectives as part of the budget process and I see this money is helping to inform that budget request.

Commissioner Engels speaks:
So somebody's going to have to give up \$11k?

Chairman Penzel speaks:
Probably be the Commissioners.

Commissioner Engels speaks:
I was going to suggest the Sheriff's Department. See how they like it.

Ms. Blosser speaks:
On that note I'd like to also say that we have kind of done a pilot project with the Sheriff's Department and our office has taken on a little bit additional communications work for that department and that is one of the internal areas that Ronele plans to assess to look at that workflow and what that looks like so through that agreement we have taken that on and felt successful with the feedback that we've gotten on that. So I just want to throw that out there.

Chairman Penzel speaks:
When you threw that out there did you send the bill to him? I do agree that \$11,000 is a small amount of money to the budget, overall budgets. Big money to me, but can this be funded through personnel savings in another department?

Mr. Cates speaks:
I would have to confer with Terri Willoughby, but we can look at that. I feel pretty confident we could find that.

Chairman Penzel speaks:
And I'm sensing that the Board would probably be very comfortable with looking at this again when you find a budget source for it. So we could either continue

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this or we can take a vote on it pending finding the finances for it. Before we do that I do have a question and I think it would help us understand exactly how the money would be spent. I heard a lot of the words, yeah we can implement this and then we can get the data and we go to do the mining. I've heard all those words before, but you included in your presentation a very interesting one, which is a metric and a measurement. And how would you propose to measure the success of what you're trying to do? In my implication from your using that in the background data was that you are going to come up with a way to show us in terms of a metric, the success.

Ms. Blosser speaks:

Typically when we measure, this stuff is difficult to have a quantitative measurement on, but typically when we do that we can do benchmark surveys. So the data that she collects ahead of time, you kind of survey that population or you extract that data and then you can do a comparison on apples to apples later. So you can say do residents feel like we are properly engaging with them. Have we identified...have the changes that we've made based on surveys, again, it's based off emotion, so it's a little bit more difficult. Anything in public relations is a little bit more difficult to quantitatively measure, but that's typically what we do, kind of a benchmark survey and then follow up a couple years later with another survey. I don't know if you want to chime in there, but that's typically what I've done in the past.

Ms. Dodson speaks:

It would exactly be that and the plan is again going to have measurable objectives in there that layout that the County might want to look at and explore so when we lay those out those different measurements would be something we review for it further with the team to make sure that we can reach those and that that is something the County can do and these are the measurements we want to hold to for the next five years and how we're going to evaluate them over that time period. But our program and our involvement is just kind of providing that roadmap and that kind of template so that it can be customized throughout the next several years as opportunities present themselves.

Chairman Penzel speaks:

So actually, in your presentation, you have four balloons: market, environment, direction, outreach, implement plan. The fifth one being metrics, devise metrics, I would assume. Is that what you're...? Okay.

Commissioner Engels speaks:

This is like presenting a business plan and is this going to require additional equipment or resources upon completion? What do you foresee in the future, just hypothetically?

Ms. Blosser speaks:

I don't believe it would require any additional resources other than staff possibly, so right now you guys know I have the intern and I've been doing that for a couple of years, so she is going to look at staffing. Right now I currently do not have a

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backup for the Public Information Officer position as well. There is nobody identified or cross trained in our organization as a PIO so I am the only one. And so I think, yeah, you are going to identify staffing issues. I could see that being a resource. Other than that, equipment, we do replace equipment as far as camera equipment and what not on a regular basis, but other than that, we kind of do the best with what we got and we try to do it as efficiently as possible.

Commissioner Rice speaks:

Melissa, correct me if I'm wrong, but what I'm hearing is that you're asking us to give you the tools so you can do your job? Is that correct?

Ms. Blosser speaks:

That is correct. That would be wonderful.

Commissioner Rice speaks:

Thank you.

Chairman Penzel speaks:

And in terms of the staffing, we already know that that's an issue whenever we bring the command post up for emergency operations, because we can't have you working 24 hours a day, seven days a week, which you attempted to do on our first real flood system and I thank you for that again, publicly. But we were using the PIO from the Sheriff's Department. He's now given that job to you, but we don't have a person to help, so we're going to have to look at that aspect and that's going to be part of this review? Is that what I understand?

Ms. Blosser speaks:

That's correct. We are going to...Bailey has been doing a significant amount of work as far as myself for the Sheriff's Office. We've tracked that time and we've tracked that data ourselves. So Ronele will come in and look at that process; the percentage of time that's been allocated that direction as well as other internal places. Identify areas where we can streamline things and also do things more efficiently. How can we streamline things efficiently, which will result in a better product for our residents? And although the PIO role only serves, when we send up the EOC, you're correct. We're engaging with residents on a regular basis and we're establishing that level of trust with the stuff that we do on a regular basis and with the Sheriff's office. That way when the emergency does come into play, that level of trust is already established.

Chairman Penzel speaks:

Thank you. Commissioner? I mean, County Manager?

Mr. Cates speaks:

Thanks for the promotion, I think.

Laughter from the audience.

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Mr. Cates speaks:

I just want to kind of state for my own perspective of why I think this is important. When I started in public service 25 odd years ago, we communicated with the public via faxing a press release to the media outlets. If we're really fancy, we started a newsletter that people could get through email and that was it for the most part and with the explosion of social media and multiple news channels and outlets, there's now literally dozens upon dozens of ways that people receive their news and I think that has been a struggle and continues to be a struggle. When I was at Department of Wildlife, I was really bullish on promoting social media and we didn't have really any good data or metrics to guide that and just as an example, what we started using Twitter quite a bit we had some internal discussions about the best way to do that. Some of us felt that we should brand certain individuals in the department with their Twitter handle. For instance, the Chief Game Warden, as opposed to one for the entire department. Had a big debate about that. Had no data. We just kind of threw a dart at the board and guessed. And so we created a Twitter handle for the Chief Game Warden and a few other people and I think after several months we ended up having about ten followers for the Chief Game Warden and six of those were employees of the department. Yet we're having our PIOs spend a lot of time and effort putting that out over that channel and crafting messages. It really wasn't going to a lot of people, so I think having some metrics and a plan to do that is really important. And if I could return to the issue of funding, what I would ask today is that if the Board finds this concept worthwhile, I would ask that you approve this and ask me to come back with the funding. If it came from a supplemental or if it came from a budget transfer, either way it's going to have to come back to the Board to be approved. I'm confident we can find \$11,000 if that's the desire of the Board. But if we delay it we will have to come back again and ask permission and then come back again with the funding mechanism.

Chairman Penzel speaks:

So are you saying approve it pending your report back to us on the funding mechanism?

Mr. Cates speaks:

Correct.

Chairman Penzel speaks:

Okay. Just out of curiosity, what was your Twitter handle?

Laughter from the audience.

Mr. Cates speaks:

I didn't have a Twitter handle. I was the back office guy. I wasn't very interesting to the public.

Chairman Penzel speaks:

That's all changed. Any further questions from the Board?

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Commissioner Rice speaks:
No, but I'm ready to make a motion.

Chairman Penzel speaks:
We'll let me open it for Public Comment. So at this point, we'll open it for Public Comment.

PUBLIC COMMENT

Dan Coverley, Sheriff, speaks:
Chairman, can I make my Public Comment from here?

Chairman Penzel speaks:
Yes, sir. Anywhere you want.

Sheriff Coverley speaks:
The help and assistance that we've gotten from Melissa and the County Manager's office since I was sworn in January has been immense, and I think that or I believe that there is a direct correlation with the safety of the community based on the information that we're able to give them during certain incidents. And the homicides at the first year are a perfect example of that. Melissa was at my hip during that. Pushing out the information that we felt was appropriate for the public and the things that we wanted them to know and to do and the response and the feedback was huge and they did just about everything that we asked them to do and I think that was a huge part in pushing that guy out of Douglas County into another community, but keeping the residents of Douglas County safe and that is worth its weight in gold in my opinion. We are in contact with Melissa, not daily, but weekly and she's helping us to push out information that we want the public to know. Not always involved in criminal activity or safety tips, but she's helped us with the video of the Get Up Challenge video. We've got a No Shave November thing we're doing. So some promotional things that shows a positive light on the agency and lets the public get to know my officers a little better and so those things are important too. But I think that any support that we can give Melissa and, to be frank with you, the PIO that I have is a Sergeant that I just stick in there. And we send them to classes and get them trained up as much as we can, but there's no way that I could ever get that person caught up with Melissa and on the same level of her. And so she is, she's invaluable to me as far as helping to keep the residents of Douglas County safe and so I think that's important for you to know, and I think this is a worthwhile project.

Chairman Penzel speaks:
And there is no question that, especially during the homicides, that the information push was extremely, extremely valuable; not only to your office, but also to the safety of the residents and Melissa gets a great deal of credit for that. And I think that's the reason that she's also going to have Ms. Dodson look at personnel and staffing of the office. It seemed that what we did was, what you all did, was validate the need to have one central PIO doing all of the information push for the County and one point of contact. So I think that will work well. So

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you got a proof of, at least theory of practice, okay. So, but thank you for your comment Sheriff and I appreciate it and I think everybody here appreciates what you have done and what your officers are doing on a daily basis. So with that, I'll open Public Comment. Anybody want to try and talk us out of it? Yes ma'am. You need to come up here and make your comment. State your name and sign in on that board that's right there.

Roxanne Stern speaks:

My question has to do with how do the residents of the Lake versus Carson Valley affected by this wonderful plan, communication plan? I'm getting a sense that there is a division with the County, with the Carson Valley versus residents of Lake Tahoe. If anybody cares to comment.

Chairman Penzel speaks:

Are you talking specifically about this plan?

Ms. Stern speaks:

Yes, sir.

Chairman Penzel speaks:

I'll let Melissa answer that, but I would tell you that there is no division. Should not be any.

Ms. Blosser speaks:

A little to what I spoke to earlier, that we have different communities and neighborhoods within Douglas County and so it's my goal that we identify each of those communities and neighborhoods and how they would like to receive information, or how they communicate. I think that's extremely important for engaging with our residents on a regular basis and in times of an emergency. So we would definitely, Ronele correct me if I'm wrong, part of the assessment would be to assess all of our different communities and neighborhoods within Douglas County and that would include the Lake.

Chairman Penzel speaks:

With the goal of making it one community.

Ms. Blosser speaks:

Absolutely, yeah. Every... yes, without a doubt.

Chairman Penzel speaks:

Thank you. Any further Public Comment?

Eric Guevin speaks:

I just wanted to share with you that we work very closely; Melissa and I communicate quite frequently as I am the Public Information Officer for the Fire Department. As Sheriff Coverley stated, we wear a lot of different hats and when things start going sideways and the wheels start falling off the bus, we can't engage directly with media a lot of times and so we rely on Melissa and to get that

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central point of information out and if we don't get the information out that the County wants and what you want as Commissioners, they're going to make up their own information.

Chairman Penzel speaks:
Really?

Mr. Guevin speaks:

Yes, no surprise right? It may not be done purposely, but they're going to try to mold and shape whatever information they have into whatever story they can sell and it's very difficult to start putting those wheels back on the bus and so I would advise you, with the great work that Melissa's doing and in speaking to the fact that having one County, that we do communicate well. And Melissa is a clearinghouse for us as well and so it could be a simple thing like a traffic crash and we're rerouting traffic or a boulder that rolls off the hill and blocks lanes of travel as you know. So this is important to utilize the skills of Ronele and her firm and figure out how we can best communicate. Communication is a huge problem in our County because often times we send direct mail out and it doesn't work. People don't pick up their mail. It's...you've got several different mailboxes and PO boxes and people don't get direct mail to their house. So we've defaulted to Twitter, Facebook and the radio and that seems to be how we can communicate. We do use the newspapers, but the newspapers don't print as much. So as Commissioner Engels said, is it an electronic newspaper? Well, in a sense it is. The media has gone from the point where you used to have a media van and they show up and they come in to a 22-year-old with a backpack and a camera and they get that information out. So we need to be very organized in how we get that information out. So I applaud this effort and I wanted to be on record to support her. Thank you.

Chairman Penzel speaks:
What is your Twitter handle?

Chief Guevin speaks:
Tahoe Fire.

Chairman Penzel speaks:
Alright. Thank you. Any further Public Comment?

Jim McKalip speaks:

During the presentation I was a little confused about the terms like storytelling and I really wasn't quite sure what this is all about. I think Sheriff Coverley really helped narrow this down. When you're talking about emergency services and what to do in floods and other critical events like we had earlier in the year, communication is essential. And if this program helps that and benefits that, I think it's a good idea. I also think some things to consider, maybe that would be a part of this and that's cross-training people. You can't expect one person to be 24 hour day and emergency. I'm sure she takes vacations. I hope she can take vacations. Everybody needs a vacation. So I hope that as we develop this that we

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are considering cross-training and possibly that the individual Public Information Officers with the Fire and the Sheriff's Department working with Melissa and also training. I think if that's the accomplishment, if that's the goal of this, I think it is money well spent. Thank you.

Chairman Penzel speaks:

Thank you. Further Public Comment? Okay, at this point then I'll close Public Comment and bring it back to the Board. I would say that we have tried to cross-train, but one of the problems that we ran into, and my observation of it, is that people move on and we don't get back-fills in on time. And generally I would also say that I am not for mid-cycle budget requirements, but I think in this case, I think we need to make an exception. Because I think what we're going to end up with is something you can plan in the next budget cycle for in which we don't have right now and you can justify additional staff or whatever's required. And I think we need to be looked at that for the next budget cycle. It's my two cents. Any other comments from the Board?

Commissioner Engels speaks:

I don't Tweet.

Commissioner Nelson speaks:

Okay, I brought up the issue that this was not budgeted, but I think I'm just going to make the motion without any interaction back and forth because I think this is necessary. I just wanted to make the point as the Chairman just did that things that are not budgeted have to be looked at more carefully when it comes to the money. So I move to approve the \$11,000 contract with RAD Strategies to conduct an assessment of Douglas County's current communication methods and to make recommendations to be used to develop an updated Comprehensive Strategic Communications Plan for Douglas County.

Commissioner Engels speaks:

Second.

Chairman Penzel speaks:

So we have a motion from Commissioner Nelson, a second by Commissioner Engels. Okay, any discussion? Would you accept a friendly amendment to have the County Manager get back to us and let us know where he is getting the funding?

Commissioner Nelson speaks:

Yes, I would accept that, although...

Chairman Penzel speaks:

You don't think it's necessary?

Commissioner Nelson speaks:

I don't think it's necessary, but if you want to do that, that's fine.

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Chairman Penzel speaks:

Well if you don't want it, I will go along with you. How's that?

Commissioner Nelson speaks:

Thank you.

Chairman Penzel speaks:

Alright, so no friendly amendments. We have the motion and the second. All those in favor signify by saying aye. Any nays? No nays. The motion carries 4-0.

Ms. Blosser speaks:

Thank you very much.

MOTION to approve the \$11,000 contract with RAD Strategies to conduct an assessment of Douglas County's current communication methods and to make recommendations to be used to develop an updated Comprehensive Strategic Communications Plan for Douglas County; carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dave Nelson, Commissioner
SECONDER:	John Engels, Commissioner
AYES:	Rice, Engels, Penzel, Nelson
ABSENT:	Walsh

AIRPORT

3. For possible action. Discussion to approve the assignment of Land Lease 030 at the Minden-Tahoe Airport from Minden Air Corp. to Media Stew, LLC. (Chris Johnson)

RESULT:	WITHDRAWN
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4. For possible action. Discussion to terminate Land Lease 030 with Minden Air Corp. at the Minden-Tahoe Airport, require the tenant to quit the premises and authorize the County Manager to sign any required notices and to approve any legal pleadings or motions that may be required to evict the tenant from the premises in the event of a holdover and/or to collect any amount due at termination under the terms of the Lease. (Chris Johnson & Carey Rosser)

RESULT:	WITHDRAWN
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**ADJOURN AS DOUGLAS COUNTY BOARD OF COUNTY COMMISSIONERS AND
RECONVENE AS DOUGLAS COUNTY REDEVELOPMENT AGENCY**

COUNTY MANAGER

5. For possible action. Discussion to approve Resolution 2019R-073 of the Douglas County Redevelopment Agency directing that the portion of redevelopment property tax increment funds collected in Redevelopment Area No. 2 for the support of public schools within Douglas County pursuant to NRS 387.195 must be paid to the Douglas County School District until June 30, 2021. (Dave Nelson)

Chairman Penzel read the agenda item into the record.

Chairman Penzel speaks:

Before we get too far down the road on this, do we have to adjourn as the Board of Commissioners and reconvene as the RDA?

Zach Wadle, Deputy District Attorney, speaks:

Thank you, Mr. Chair. Yes, this would be a resolution of the Redevelopment Agency.

Chairman Penzel speaks:

Okay, so then we will adjourn as the Douglas County Board of Commissioners and reconvene as the Commissioners of the RDA Number Two. Called to order.

Commissioner Nelson speaks:

Yes. Shortly after the assembly this last year the School Board approached me, a member of the School Board approached me to see if we could carve out this money for the School District and I said I would bring it forward, which I have. And at this point I would like to turn this over to Mr. Cates to explain exactly what we're doing. Or Mr. Wadle.

Mr. Wadle speaks:

Thank you, Commissioner Nelson. I'll start with just a real brief primer on redevelopment tax increment financing. When a Redevelopment Area is formed, typically the property tax value within the Redevelopment Area is, a base is set at the time of formation of the property value that exists at the time the Redevelopment Area was formed. As the Redevelopment Area goes on in its life, it increases or enhancements in property value above that baseline is referred to as tax increment. And that tax increment is used to fund redevelopment activities. One of the consequences of forming a Redevelopment Area is that the taxes, the tax increment that goes to a Redevelopment Agency for the benefit of the area also has the effect of not allocating taxes to other taxing agencies that would otherwise receive it. That includes things like the School District, Tahoe Douglas Fire in the case of Lake Tahoe, certain GIDs that may exist within that Redevelopment Area. So what this does, is this is a resolution that would be enacted by the

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Redevelopment Agency to effectively carve out the School District portion of the tax increment that would otherwise go to the Redevelopment Area and instead have that go back to the School District. If anyone's looked at their property tax bill lately, there's a line item for the School District. And that line item is what we're talking about here, so instead of that money going towards redevelopment, it would go to School District until June 30th of 2021. And as explained in the background material, the reason that date was established in the resolution is that we anticipate a possible change in the School District funding formula at the State level at that point in time. And what we, the possible change at that point in time could mean that property tax revenue generated within Douglas County that would otherwise go to the Douglas County School District, instead would go to the State for allocation based upon a State formula statewide. And the upshot of that is that not, we wouldn't be guaranteed in Douglas County to receive all of the property tax revenue generated for schools within the Douglas County School District. It would go to the State and would go out from there. So we don't know exactly what the ramifications of that will be at this point. We do understand that that formula is going to likely change effective June 30, 2021. If the Redevelopment Agency wanted to renew this resolution at that point in time, you can certainly do that. But we did want to make that cutoff date so the Board could reconsider it if it wanted to.

Chairman Penzel speaks:
That's it?

Mr. Wadle speaks:
With that, I'd be happy to entertain any questions of the Board.

Chairman Penzel speaks:
Any questions from the Board?

Commissioner Engels speaks:
From understanding your presentation, it would be relatively easy for the RDA to carve out that portion that would be for the School District? Did I follow that correctly?

Mr. Wadle speaks:
That's what this resolution does Commissioner Engels. As of the date it would, if it's approved today, it would start today and it would go to June 30th of 2021. That portion of the School District funding from the tax increment that would otherwise go to the Redevelopment Area, would go to the School District instead, yes.

Chairman Penzel speaks:
Perhaps Commissioner Nelson can answer this question. I'm a little confused as to why the School District isn't bringing this to us.

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Commissioner Nelson speaks:

Well, they asked me to do it as a Commissioner. I'm not positive why they approached me on this, but they did and so I asked the County to look into this process and here we are today. It took quite a while. This started back in August I believe, so it's been in the works for a while.

Chairman Penzel speaks:

Well, this is lightning speed for government. I do have a question about this. We did, the Clerk provided a breakdown, and I don't know where it is, of the C-tax revenues. And what I was told and I don't know if this is true or false now because I don't have that data with me, but what I was told is C-tax has gone up dramatically because of the increase in TOT. And the last figure that I saw from the Clerk and she's here so she can correct me if I'm wrong and I know she would love that opportunity, but the County was getting in total \$21 million as I remember. And all of the GIDs got a portion of that. So that the monies that came to the County was about \$11 million and \$10 million went to all the GIDs. One of which is the school. Another which is the Tahoe Fire. And so I was curious, was that money in excess of what they had received in the past and did it actually cover some of the their loss that's included in the RDA?

Mr. Wadle speaks:

I don't know the answers to those questions. I'm not sure if Ms. Lewis does. I'm not sure if there's a School District representative here that can answer that.

Sue Estes, Douglas County School District Director of Business Services, speaks:

I know that Teri White probably came to you and asked you to present this. In support of that and we really would like to show our appreciation for the consideration of at least. With the SB 543 that's coming into play and I can't answer those questions about the tax structure or if we received, we did receive some additional local tax revenue this year and I don't know if that will continue but it probably will. But we've taken a \$3 million cut in our State DSA apportionment because of the per student factor and for the way that the State is having to restructure the funding for the charter schools that are actually in Clark County, Washoe County, White Pine. They've had a \$21 million shortfall. So we've taken a \$3 million cut in our DSA, but fortunately our property taxes are increasing some and with the redevelopment that will kind of assure us that we can at least fund whatever the Governor has kind of proposed for salaries and benefits for school teachers. This, I can't even tell you what's actually going to happen as he mentioned because in a couple of years that SB 543 really could take us into a whole different structure tax wise or through the state funding and we may not get nearly the funding that we have currently had with the DSA. We may lose some additional funds there, so this redevelopment money, even though it doesn't seem to be a huge amount of money, really will help us in our local tax structure.

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Chairman Penzel speaks:

I have no doubt. Everybody likes to have tax money. The question is how much and where and what's it going for. If you receive this money, since this money was developed up here, will it stay in the schools up here?

Ms. Estes speaks:

Yes.

Chairman Penzel speaks:

The total amount?

Ms. Estes speaks:

Yes. That total 268 is actually, which is the projected number that was in the redevelopment that would come to the School District, will totally stay in the schools and the SB 543 could have some serious ramifications in the way in which the property taxes are collected that could ultimately be pooled in the State. This is something that could be just a huge detriment to Douglas County and so we will not see those numbers nor will we be able to identify how much that's going to be. We've taken some serious hits in our enrollment even redevelopment is happening, we've lost 1,500 students since 2012 in this area. So children are not moving into our School Districts and...

Chairman Penzel speaks:

When you say this area, are you talking, excuse me for interrupting...

Ms. Estes speaks:

Douglas County. I'm sorry, just Douglas County.

Chairman Penzel speaks:

And have you lost a proportionate number at the Lake?

Ms. Estes speaks:

Yes. That's a huge number. I know when I came here and that's a lot of years ago there were about 1,700 students at the Lake and now we have a total of about 270. So it's a huge difference.

Chairman Penzel speaks:

And so the DSA, which gives you money per student, really hurts funding up here.

Ms. Estes speaks:

It does, it hurts the funding up here, but it really is involved in the entire School District. We take those numbers and they get that apportionment for the enrollment for what they have at the schools, but their costs don't go down. Their costs stay pretty substantial because it costs so much more to run small schools with lesser enrollment, but the enrollment at the Lake is, we still have all of the left athletic costs at Whittell. We can't get away from those costs. Their just still part of what they have to have so we've structured things that will help them to be a little bit more equitable even with the reduction in the enrollment, but when

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we're talking about a School District, it's taking the entire enrollment for the School District and pooling it into that per student cost and it all remains the same. Excuse me. Even though Whittell and Zephyr are about \$14,000 per student as opposed to the Valley being about \$8,500.

Chairman Penzel speaks:

Well, thank you. So just to get an idea, what's the total enrollment right now in the School District?

Ms. Estes speaks:

It's 5,790. When I first came here, we were well over 7,000 and now we just every year we keep reducing. So we've lost another 60 students this year. So and I don't see that improving.

Chairman Penzel speaks:

What's the reason that we're losing students?

Ms. Estes speaks:

Pardon me. I didn't hear that.

Chairman Penzel speaks:

What do you think the reason is that we're losing students?

Ms. Estes speaks:

I just don't think even with the development of areas that are happening, I just don't think that there's a lot of families moving into...with the discussion that happened earlier, that's part of the reason is that we're not providing housing for people to provide enough money to actually move here. And so they're moving to outlying areas; Reno, Carson City.

Chairman Penzel speaks:

For young families?

Ms. Estes speaks:

Uh huh.

Chairman Penzel speaks:

Okay. Other questions from the Board?

Commissioner Nelson speaks:

I guess one of my concerns is the maintenance of the schools and maybe you could talk a little bit of how this could help with that.

Ms. Estes speaks:

Well, it's local taxes and so it actually goes to our General Fund, and it doesn't impact the debt service so it's not actually going towards Capital Projects, but we have a huge push for safety concerns. We have a huge push for being compliant with State regulations and so we are pooling all of our Capital Projects money because we're not bonding now and those bonds are gone, so we're pooling all of

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our resources that we get for Capital Projects into those particular projects. Trying to maintain safety projects and that sort of thing.

Commissioner Nelson speaks:
Thank you.

Chairman Penzel speaks:
Any other questions from the Board? Alright. Well, since this for action I'm going to open for Public Comment at this point. Any Public Comment on this item? You know this is for the RDA? I don't see any. Mr. McKalip?

PUBLIC COMMENT

James McKalip speaks:

Okay. My concern with RDAs in general is that it takes funds away from other needs of the County and or where ever they're employed and that was my objection to RDA2. And I think anything that we can bring back to that. I think nothing is more important than the schools. That is something we want to maintain, the quality schools. If families do move here we certainly want to have that attraction for businesses as well. Quality of schools is an important factor, so I'd really think at least for the time being before they change the rules on us, if we could take that money and put it back in the schools I think it's a really good use for it. I really support that. Thank you.

Lynn Muzzy speaks:

I concur. I think especially with the new \$5.00 room tax that's coming into the Lake area that the RDA could probably not feel too much of a nick by transferring the money over to, or the tax increment I should say, over to the school system so I'm in support of it. Thank you.

Chairman Penzel speaks:

Further Public Comment? Mr. Wadle? Seeing none, I'll close Public Comment. I have two questions if the Board doesn't. First, because this money was collected up here, it has to stay up here. Is that correct?

Mr. Wadle speaks:

I don't believe that's correct Mr. Chair. So this is money that will go, I believe, like Ms. Estes said, into the General Fund of the School District. That doesn't necessarily mean that it will be spent in the Tahoe Township. Not to say it won't either.

Chairman Penzel speaks:
But they said it would.

Mr. Wadle speaks:
I'm not sure Ms. Estes said that. I'll defer to her.

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Chairman Penzel speaks:

You'll have to come up to the microphone.

Ms. Estes speaks:

Whatever redevelopment funds actually filter back into the School District is just pooled into a large General Fund and distributed with all the schools including the Lake schools and the Valley schools to actually determine those per student costs and stuff, so it's really just built into our total revenue versus our total expenditures that are required for those schools. So it's not really defined as being something that's actually going to hit perhaps a specific area. It is really, in total, how we distribute those funds.

Chairman Penzel speaks:

Okay. Secondly Mr. Wadle, if we take this action and we send the money from the RDA and it's going to go for two years, does that extend, if the RDA were to be voted out by the voters, would that extend the RDAs life to 2021.

Mr. Wadle speaks:

If the Redevelopment Area were to be dissolved, that would be it. The money wouldn't go to the Redevelopment Area anymore and all of the other taxing entities that would otherwise have received that money including the School District will then receive those funds. Does that answer the question?

Chairman Penzel speaks:

I think so.

Mr. Wadle speaks:

There would be no extension of the Redevelopment Area life as a result of this particular action, no.

Chairman Penzel speaks:

Okay.

Commissioner Nelson speaks:

Yeah, I think that the money that it would have been collected in the RDA would have to be spent into RDA if it was rescinded as that. Correct?

Mr. Wadle speaks:

Thank you, Commissioner Nelson. Similar to the process that we went through when we dissolved Redevelopment Area Number One, the money that was collected thus far up to the date of dissolution would have to be spent for redevelopment purposes yes, but going forward, that there would be no further collection of tax increment money.

Chairman Penzel speaks:

Either I got confused, which is possible or probable, or I've heard two different answers to the same questions. I thought I distinctly asked Ms. Estes, is the money that's collected going to go to the schools up here. I thought you said yes.

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Then she corrected herself and said no, it's going to go into the General Fund of the School District and they'll disperse it to whatever school needs it. Is that correct?

Ms. Estes speaks:

That is correct, that is correct and I probably misunderstood your question to begin with, because I believe we just can't separate certain things that says this money really has to go to the Lake schools, or it's just how it gets pooled in to an entire budget. We budget appropriately for every school that we have and that money just gets pooled into one local tax structure.

Mr. Wadle speaks:

And just that Chairman Penzel, the taxes, existing School District taxes are collected of course countywide both in Tahoe and in the Valley. And Tahoe taxes and you see that line item on your property tax bill when you look at it, that goes directly to the School District. They allocated it as their needs. Taxes collected up in Tahoe would go down to the Valley. It potentially goes vice versa as well, but there's no... I just want to be very clear as I understood your question. This money that would be taken via this resolution would not be segregated for the Tahoe Township.

Chairman Penzel speaks:

Okay, and I have one last overall question. What, not knowing how this, you receive your money, but having heard what the State did with the distributed school account, it seemed to me that what...in this County particularly because we do have fewer children in the education system, it seems that every citizen was paying into this schools tax, but they and the State was not re-apportioning all that money back to you. Is that correct? Because they did on the basis of each child.

Ms. Estes speaks:

Well that was just the State distributive money and because we get hit so hard because we have a wealth factor in Douglas County that really does affect our apportionment per student through the DSA. So we can't segregate those funds. We determine how much it costs to run a particular school. We determine how much it's going to cost for different specific expenditures and that gets pooled all into our local revenue that is part of our local tax structure. So we can't really differentiate between Valley costs and...yeah.

Chairman Penzel speaks:

Oh no. I'm not going there. What I'm talking about is the County is contributing a lot of money in school taxes.

Ms. Estes speaks:

Right.

Chairman Penzel speaks:

Does every dime of that come back to you?

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Ms. Estes speaks:

Yes, it does. As far as the tax structure comes and the way we get our funds from the County, I don't think there's anything that goes...that is separated out and goes elsewhere.

Chairman Penzel speaks:

So does the State then reduce the distributed school account monies they give you by virtue of the monies that we collect?

Ms. Estes speaks:

One third of it is a guarantee in the property taxes and it is actually calculated and reduces the total State DSA. So if we get \$6,000 per student, we have to take that one third out of there and that would become what the State's obligation is to pay our State Distributive Fund and also the State sales tax. So there are certain things, if you increase both of those, you're going to decrease your DSA. Does that make sense?

Chairman Penzel speaks:

Yeah. Well, it doesn't make sense.

Ms. Estes speaks:

I know.

Laughter from the audience.

Ms. Estes speaks:

But that is how it's structured.

Chairman Penzel speaks:

So the more money we get, the less money you get.

Commissioner Rice speaks:

I was going to comment on that. It seems like the more money we give our schools, the more money the State's not going to give our schools.

Ms. Estes speaks:

That is absolutely true.

Commissioner Rice speaks:

Sort of like when they did the lottery in California saying that this lottery money is going to schools and it did, but then they cut the other funding to the schools so that it didn't make one whit of difference other than to give them more money to play with. Second thing I want to say is that since I've been elected, from my constituents here at the Lake, one of the biggest complaints I've received is the schools. And the fact that the folks with children in schools up here feel like step-children and that they don't feel that the School Board down in the Valley is giving them the assets, the attention, the recognition that they deserve here. And I'm just passing that on for your information. When I first heard about this proposal I was

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dead set against it and I thought this is just another ploy to syphon money out of the RDA so that the folks that are against it can do everything they can to stop it. However, having talked with Carol Chapman who is one of the big movers and shakers behind the RDA2 and the event center, she feels that this is a good use of the funds and that it's not going to hurt the funding for the RDA2 projects, so I have no objection.

Ms. Estes speaks:
Thank you.

Chairman Penzel speaks:

If there are no further questions... I do have one other thing. I think for the last seven years I've tried to have a joint meeting between your School Board and us. I've thought that for a long time is an important thing. It's for us to understand just how you get your tax money and when you need to have additional tax money. If the County can afford to augment your budget. I never expect that you would augment our budget. But I think that we should have an understanding what you do and you should have an understanding of how we operate and I think that would benefit the County residents in total. Because the complaints that I here also is that the folks at the Lake feel like they're getting short changed with the schools. And I'm not, I can't defend it. I don't know that they are or not, but certainly that could be a discussion point that we could all learn from and maybe resolve that as a point of contention. And then feel more like we're all in one County, all trying to do the same thing just in different areas.

Ms. Estes speaks:

I totally agree and I think Superintendent White would certainly be in agreement with that and I think that if she were to get together with our board, I think they would not object whatsoever to come together with the two Boards and come up with the plan and how this is all working. I do know, because I have done the budget for a lot of years is that we do not, we do not penalize the Lake in any way, shape or form. As a matter of fact, the less students they have here at the Lake, the more it's costing the School District because you just can't run a school like Whittell especially. Zephyr Cove as an elementary school isn't quite as expensive, but when you run a school like Whittell, you still have all the residual costs that are going to happen at Douglas High School perhaps. So I don't think we're trying whatsoever to alienate the Lake from this except that the reducing enrollment, it is costing them as far as... but there are certain fixed costs that we've increased as a result of that because we have to. I mean there's...the more enrollment that is dropped there the less money they're going to get so we have to actually increase those funds to them in their discretionary part of it to pay for those funds. I think it would be a great idea and I will take that back to her.

Chairman Penzel speaks:

Okay, and I'm speaking for myself. I don't know if the other Members of the Commission would want to do that.

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Commissioner Nelson speaks:
Aye, aye Captain.

Chairman Penzel speaks:
Do you agree? Alright. So we have at least two more that agree.

Ms. Estes speaks:
And I will most certainly present that to her. I'm sure that she would be an approval of that.

Chairman Penzel speaks:
Well, I want to thank you for coming Ms. Estes. I also want to thank you for your explanation of funding especially for the folks at the Lake.

Ms. Estes speaks:
You're welcome.

Chairman Penzel speaks:
We're getting that word out now for probably the first time, at least, since I've been doing this. And I appreciate and I think that the joint meeting would also be helpful. I'll leave the coordination of that up to the County Manager and Ms. White.

Ms. Estes speaks:
Yes. You bet.

Chairman Penzel speaks:
So, did I take Public Comment on it? Okay. Alright, well then what's the pleasure of the Board?

Commissioner Nelson speaks:
I would recommend approval of Resolution 2019R-073 of the Douglas County Redevelopment Agency directing that the portion of redevelopment property tax increment funds collected in Redevelopment Area Number Two for the support of public schools within Douglas County pursuant to NRS 387.195 must be paid to the Douglas County School District until June 30, 2021.

Commissioner Engels speaks:
Second.

Chairman Penzel speaks:
So we have a motion from Commissioner Nelson, a second by Commissioner Engels. Any discussion? I want to thank Commissioner Nelson for getting this on the agenda. Thank you. I have no further comments. I'll call for the vote. All those in favor signify by saying aye. Any nays? Motion carries 4-0.

Ms. Estes speaks:
Thank you very much.

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Chairman Penzel speaks:
Thank you, ma'am.

MOTION to approve Resolution 2019R-073 of the Douglas County Redevelopment Agency directing that the portion of redevelopment property tax increment funds collected in Redevelopment Area Number Two for the support of public schools within Douglas County pursuant to NRS 387.195 must be paid to the Douglas County School District until June 30, 2021; carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dave Nelson, Commissioner
SECONDER:	John Engels, Commissioner
AYES:	Rice, Engels, Penzel, Nelson
ABSENT:	Walsh

**ADJOURN AS DOUGLAS COUNTY REDEVELOPMENT AGENCY AND
RECONVENE AS DOUGLAS COUNTY BOARD OF COUNTY COMMISSIONERS**

6. For possible action. Discussion to provide direction to County staff regarding the possible creation of or amendment to Douglas County Code requiring an "Operation and Maintenance Closure Plan for Golf Course, Park, Open Space or PS-zoned land if any portion of the a private golf course, park, open space or PS-zoned land discontinues daily operation or maintenance" as required in the City of Henderson. Discussion and possible action may include review and consideration of Ordinance No. 3469, An Ordinance of the City Council of Henderson, Nevada to Amend Title 19 of the Henderson Municipal Code - Henderson Development Code - by Amending Portions of Sections 19.5.4, 19.5.5, 19.6.4, 19.6.10, and 19.7.8 to Address the Closure, Maintenance and Redevelopment of Golf Courses, Parks, Open Space and PS-Zoned Land and to Make Certain Clerical Revisions" adopted and approved by the City of Henderson on February 20, 2018. (John Engels)

Chairman Penzel read the agenda item into the record.

Commissioner Engels speaks:

This came up some time ago and we finally got on the agenda and basically what has been done is we reviewed the Henderson, Nevada codes in regard to this matter because they had some of the same problems and I'd like to ask the Chair, I'd like to allocate my time to Mr. Hartman to explain it in greater depth as he is more familiar with it than I think anybody.

Chairman Penzel speaks:

Okay, Mr. Hartman. I'll allocate the remainder of Commissioner Engels time. You have three minutes. Just kidding.

Laughter from the audience.

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Chairman Penzel speaks:

Just kidding, probably. Would you sign in please?

Jim Hartman speaks:

First of all, I wanted to commend, you don't hear this very often, but I want to commend the Commissioners here. All five of you. As I'm reading the Record Courier this morning, there's a lot of brickbats and criticism and rancor that's expressed, but let me just say, I think we're pretty lucky in this County. A County of 48,000, you can be on a first name basis with five Commissioners here who listen to people. They may not always agree, but I just want to go around the room. Mr. Chairman, you spent two hours on this issue the other day; came to my next-door neighbor's home and heard out people on the golf course ordinance. Last year we met with you on this golf course issue and you spent a full part of an hour in the County building. Commissioner Walsh was with you and spent two hours next-door and discussing this issue. The year before that we spent an hour with him I think I spent two other occasions with Commissioner Walsh. You guys are underpaid; I shouldn't say that in Douglas County, because that's very dangerous to suggest that anybody's underpaid and over abused and you probably get paid less per hour than the minimum wage here. No question about that. Commissioner Nelson, last year we spent 45 minutes I think with you and you had the courage to come to one of our homeowners meetings where people were swinging from the chandeliers because there was a proposal to build 80 houses out at Genoa Lakes, so I thank you for that involvement. You know today, I look at John Engels and thank him for putting this on the agenda. We've met twice. Commissioner Rice, I know there was some criticism of Commissioner Rice some time ago that he couldn't be reached. Some would say we tried to email him and couldn't locate him. That was, let me just say I sent an email to Commissioner Rice and within a half an hour I got a reply and I think he was in Oklahoma at the time and said, you know I'll give a whole day aside. You name the time you want to meet with me and Commissioner Rice was the first one to arrive. So you probably won't hear a lot of appreciation very often and I probably won't give it to you too often, but I want to give it to you today because I'm appreciative of the fact that we're on a first name basis and you do listen to what goes on. The genesis of a golf course closure ordinance, I think we need to talk very briefly about that. And that is a year ago there was a real threat to close the Genoa Lakes Golf Course and I would describe an offer made by the owners at the time was pick your poison. You could choose four ways to poison yourself and the fifth option was well, we'll close your golf course and put it up for sale for a use other than as a golf course. So there was intimidation and one in the cover letter that went with this, the statement was made, if a golf course closes up to 30 percent of the value of your home will be reduced if a golf course closes. So when I say there was a threat, it was a very real threat a year ago. Now that bluff was called in a way and nothing happened. The golf course didn't close. We've had blandishments this year about what could be done if we were allowed to build 200 houses out on the golf course, but that's our own situation. When we were confronted with that at Genoa Lakes, we looked around and thought well what kind of protections are there out there if this were to happen? And our informal group, we don't have a name yet. We haven't designated ourselves any group

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name, but we looked around and identified Henderson, Nevada as having similar issues and confronting it. A city of 300,000, six times the size of Douglas County. They had a problem of golf course closures and intimidation, frankly, and 1,200 people in Henderson signed a petition saying we want something done and indeed the legal department in Henderson worked on that issue and unanimously in February of 2018, Henderson adopted an ordinance that we liked as an exemplar that could be used here in Douglas County. Not that it needs to be copied word for word, but what it did or does appealed to us. There are lots of ordinances out there. There are Florida ordinances. There are California ordinances. The beauty of the Henderson ordinance was it was a Nevada...interfaced with Nevada law. And I will only say this, that effort...we made an effort to go back to our homeowners in Genoa Lakes. 220 parcels, 177 parcel owners signed a petition, a knowing petition about we want something like what was done in Henderson to happen in Douglas County. That this would be countywide. So we had 177 representing about 300 people actually. More recently we've decided that it isn't enough. It isn't enough just to have a special pleading for Genoa Lakes, so we've gone out to the Ranch course neighbors. We've gone out to Sunridge neighbors. We've gone out to Carson Valley Country Club neighbors. We've gone out to Clear Creek neighbors and right now as we sit here today 635 neighbors have signed cards in support of a Henderson style ordinance being adopted here in Douglas County. And I think it's for good reason and this is not just the aesthetic and the...these are people that are very much concerned that they're subject to a 30 percent or 20 percent reduction in the value of their homes if there's a capricious decision made to close a golf course. So what they have done in Henderson is they have an operation closing ordinance that requires homeowners that neighbor the course to counsel with the golf course owner if the golf course owner elects to close a golf course. It's a free country. That person can close their golf course, but they need to maintain the golf course at some minimal level. If there's a health, safety and welfare thing. And as it stands in Henderson the plan is for meetings to take place, you draft a closure plan that would guarantee that this not turn into a blight or a nuisance, if that would happen. It's working as far as I can tell in Henderson. There is a news account, news story, from May of this year where the Black Mountain Golf Course was closed and they have a plan that was adopted that was agreed upon on security, on trash removal and all the rest of it. Now, final point I would want to make is people say well, oh gee this is sort of odd. It's special. It actually is the... in Title 20 here in Douglas County, if you're a homeowner and you leave your property blighted or you've... somebody needs to come in and clean up your... they are subject to a blight or a nuisance ordinance under Title 20 here in Douglas. We are asking that Title 20 be extended to a golf course situation. And in any event, I would urge this Commission to go back to staff and the District Attorney's Office. Want them to explore what goes on in Henderson and look at other best practices maybe. But I think we want to see this happen sooner rather than later and right now there's no golf course in the County that I think is under imminent threat of closure like a year ago for us, but it's a good time for good public policy to be adopted here. This is good public policy and we want to see that happen. Thank you Mr. Chairman.

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Chairman Penzel speaks:

Thank you, Mr. Hartman. As always, thank you. I think it's right and proper that we would ask Mr. Gartrell to come up and state the other side. This is... the genesis of this really is Genoa Lakes and so I think it's proper for you to make your pitch as short or shorter than Mr. Hartman and I would say after this I'm going to call for a break so everybody knows. We'll get back to Public Comment.

Owen Fred Gartrell, General Partner for Genoa Golf Group Four, speaks:

Mr. Chairman, I am currently the General Partner for Genoa Golf Group Four which owns both the golf course at Genoa Lakes and the Ranch Golf Course. We are very interested in the procedure and I'd like to read a document that my partners and I have put together that kind of outlines our position. As the owners and operators of both the Ranch course and the Lakes course of Genoa Lakes in the Carson Valley, Genoa Golf Group Four, LLC is strongly opposed to the adoption of a golf course closure ordinance like the ordinance adopted in Henderson, Nevada last year. The ordinance adopted in the City of Henderson puts an unreasonable and unprecedented burden on the owner of any private golf course including the obligation to continue to irrigate the course and provide security after the golf course has closed and is no longer operating. The Henderson ordinance requires the owner of a golf course property to continue to bare essentially all of the cost of operating the golf course even after the golf course ceases to generate any revenue. This sort of unique burden placed on a single type of business in the community is simply unfair. The responsibility that such an ordinance places on golf course owners would be like requiring the owner of a restaurant to continue to open its doors for the public to have a place to come at lunchtime even though the restaurant was no longer serving food. The premise is simply ridiculous and this sort of discriminatory application of responsibility is simply not supportable. Several lawsuits have been filed challenging the Henderson ordinance. Additionally there is currently support in Henderson to repeal the ordinance based upon its obvious unfairness. Such an ordinance in Douglas County would undoubtedly lead to litigation, unnecessary legal expense and potentially significant damage awards. As the owner of the ranch and golf course, Genoa Golf Group Four, LLC does not intend to close either of the courses for the foreseeable future, but if Douglas County were to adopt an ordinance like the Henderson ordinance every golf course owner in Douglas County will be saddled with additional cost related to activities to ensure compliance with the ordinance. In addition to the obvious legal risk and proceeding with an ordinance like that adopted in Henderson, such an ordinance would also conflict with the Declaration of Covenants, Conditions and Restrictions, CC&Rs, applicable to the Genoa Lakes Community and the Lakes Golf Course. Specifically Section 2.03B of the CC&Rs explicitly provides that the owner of the golf course's property is able parentheses (in its sole discretion and without notice or approval) to determine how the golf course is to be utilized. The provision goes on to make it clear that the golf course owner is free to change, eliminate or cease operation of the club facilities, which include the golf course and clubhouse. Genoa Golf Group Four, LLC urges you to reject the effort to adopt an unfair, discriminatory and unnecessary ordinance like what is been adopted in Henderson. Thank you for your attention to this correspondence and please do not hesitate to contact any of

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us if you have any questions about either of the golf courses at Genoa Lakes. Thank you Commissioners and thank you Commissioners for listening.

Chairman Penzel speaks:

Thank you. Thank you for the presentation on both sides and Mr. Deputy District Attorney, are you going to address some of these issues when we get back in session? Alright, at this point then we're going to take a ten minute break, which usually means 15 minutes, so I'll let you know that right off the bat and we'll reconvene in about 3:45 PM.

A break was held.

Chairman Penzel speaks:

Alright, we'll bring this back into session after 17 minutes. Pretty good. And let the record reflect that the four County Commissioners are back. Thank you, gentlemen for coming back. Alright, so we're going to depart a little bit from what we normally do where we just have one person up. I would like, if there is no objection, to ask Mr. Gartrell and Mr. Hartman to come back and so that the questions could be answered back and forth. Then I'll open it for Public Comment and we'll start with the Public Comment from the Chamber of Commerce at the Lake when I open it for Public Comment. Right now we're just going to continue the discussion. It's a little different than we've ever done before. Shake hands.

Laughter from the audience.

Chairman Penzel speaks:

So, I'm going to ask the Board if you have any questions for either of the gentleman. Want to start Dave? Do you want me to ask Mr. Ritchie to ask the questions first?

Commissioner Nelson speaks:

Yeah, I would like to know, kind of, where our Title 20 does affect these areas and how they affect them and how that would correlate with the Henderson golf course regs.

Chairman Penzel speaks:

Please, Mr. Deputy District Attorney.

Doug Ritchie, Chief Civil Deputy District Attorney, speaks:

Thank you, Chairman. Thank you, Commissioner Nelson. It's a great question. I actually had an opportunity to speak with Amanda Kern who is the Assistant City Attorney who drafted the ordinance and we had a...she's very pleasant, very helpful. To answer your question, their development code, their Nuisance Code as you might expect is somewhat different than the County's. For instance, just to cut to the chase, I asked her what the purpose of this ordinance was. And she said it was really driven by this interim period between when a golf course is being closed and when it is being redeveloped and if you look through the proposed ordinance, there is a lot of sections about redevelopment. In Douglas County we have open space requirements, which may or may not apply, but a lot of times the

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developer will have to have open space and they will turn that into an amenity like a golf course. So kill two birds with one stone. You have your open space and you have a golf course. Our code, the Nuisance Code, addresses all the issues, the health and safety issues that she and I talked about. For instance, a lot of times golf courses will have water features, water hazards, fountains, things like that. One of the concerns is like stagnant water, West Nile virus, mosquitoes. We have those issues up here. Our code, we have the Mosquito Abatement District, so that's something that would be a nonissue up here. As soon as there was a stagnant pond or anything like that, there would be mandatory spraying. There would be, the whole Nuisance Code would come to effect. Other issues that arise are like things like the grass is dying. In Vegas, Clark County, obviously it's a lot drier than here, so watering was one of the issues that came up. Part of that meant the maintenance plan was a scheduling of watering. Already, the Las Vegas Valley Water Authority has mandatory watering schedules. You can't water more other than the schedule. Up here it's a little bit different. You do have to water. In the case where it was a dry season and the grass started to die, that would be a nuisance. It could become a fire hazard. In the Valley, East Fork Fire Protection District will be contacted regarding overgrown, dry vegetation. In the case of where it was actually green vegetation, our code has provisions for like noxious weeds or if it's overgrown, if it's too high. Our code also provides, there is actually imminent threat. In other words, there is already a lot of big bushes and weeds, but our code also has a provision for insipient hazard. In other words, it's not quite there yet, but unless action is taken it may become a threat and that can be enforceable code enforcement action, a nuisance. One of the things I was going to ask Mr. Hartman is what exactly he means. What is it that you want to have happen because...Mr. Gootrell?

Mr. Gartrell speaks:
Gartrell.

Mr. Ritchie speaks:
Gartrell. I'm sorry, sir. Mr. Gartrell seemed to imply that this ordinance would require the golf course continue to operate as a golf course with nice putting greens and everything like that. When I spoke with Ms. Kern, that's not the intent of the Henderson ordinance.

Mr. Hartman speaks:
That's not our intent.

Mr. Ritchie speaks:
That's what I wanted to clarify here.

Ms. Hartman speaks:
Let me just take issue a bit with what you've characterized here. We have an ordinance in Title 20 that I would describe as dealing with a residence, a field. Penalties are \$150 a day maximum. It is geared, it's got a huge definition for example of the word junk, which I give credit to any lawyer that could spend a lot of time defining junk, but it is an ordinance not geared to what we particularly

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want to see happen. We want, what I would describe as a pro-active. If a golf in the Henderson Ordinance says, if you want to close your golf course, you have to... and you can give notice, you have to adopt a closure plan and you have to involve neighbors in a closure plan. And that closure plan would deal with security, watering, abatement, graffiti, trash, whatever. And you need to file a plan of closure with the City Council in Henderson and the City Council has to approve that plan. So that's, they are miles apart. I mean the ordinance and by the way the penalty in Henderson for a violation is up to \$500 a day, not a \$150 a day. The ordinance in Douglas County is an ordinance that deals with residences. Next door you've got an abatement problem, but we're not talking about 18 holes of golf here, a huge expanse of property. That's the difference here. They have...I'm sure they have a Nuisance Ordinance that covers that, but they have gone beyond that to enact something specific having to do with golf course closures. And I will say I haven't studied this in great detail, but if you go and look at the Las Vegas Review Journal in May of this year, they report on the closure of a golf course that was... the practice of how it would be maintained has been approved by their City Council. They heard all in terms of security, watering, all the rest of it. So they're apples and oranges in many respects. The ordinance you have in Douglas County is great for my neighbor not maintaining his lot and he's got 16 inches of grass that grows, but what we're looking for is something more comprehensive that would require input. And by the way the reason why we want to have input from neighbors is they aren't just... they're at risk here. With a golf course closing according to Mr. Gartrell they're at risk of losing 30 percent of the value of their property. So they are stakeholders if you will, in the closure of a golf course here. You know the final point I would make is the easiest thing to do in life is to raise a lot of different issues and hide from the problem. We have a problem here. I think it needs to be addressed and it's the easy course is either to study it forever. Paralysis by analysis it's called, I think, where you don't do anything. I would like to see our officialdom go back to officialdom in Henderson and say how do we do this? What can be done? How do we make this happen? Because we've got 600 people here, 635 I think it is currently, that feel like there at some risk here of a golf course closing and they're losing their property values and near a fire hazard or water hazard. It needs to be addressed.

Mr. Ritchie speaks:

Thank you. So hopefully, Commissioner Nelson, I answered your question regarding Title 20. I will say what Mr. Hartman talked about, a fire hazard, water hazard, our code addresses that. And as most of you are aware, there are large property owners here. They may exceed the size of a golf course, but there are large areas of open space, conservation easements. This Board is well aware of large areas that are maintained as open space from the County and our Nuisance Code does apply to those. If an area is overrun with weeds or if there's a standing pond of water, our Nuisance Code currently handles those. The fact that it happens to be golf course versus open space, and say the Foothills, Sheridan Acres, there are a number of projects that have large areas of open space. The fact that it used to be or is currently a golf course is really immaterial as to whether there's a hazard for, there is any special hazard for a golf course versus other open space regarding noxious weeds, dry grass, stagnant pools of water.

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Commissioner Nelson speaks:
Thank you.

Commissioner Engels speaks:
This is well understood Mr. Ritchie and one of the reasons to consolidate all of this into a golf course ordinance is it makes it easier for anybody who's reviewing this to go to one place and it may reference something over here in Title 20, but it's linked here so you can just see it. It's to facilitate the accommodation of enforcing the ordinance. It is to simplify pulling all these pieces together and consolidating it in one place. Thank you.

Commissioner Rice speaks:
After having talked with Mr. Hartman and some of the other residents there and taking a look at what we have on the books, I would be pleased if we would refer this to the District Attorney's office for investigation to correlate what we have versus what they have in Henderson and where we don't come up to those levels of service and then bring it back to the Board at a later date. At this point, number one, I want to make sure that Douglas County does not get into the golf course business. I don't think Scott would appreciate, Mr. Morgan would appreciate having something else on his plate, but I want to make sure that number one, our residents are protected. Number two, that the rights of our, the golf course property owners, are protected at the same time. So I would appreciate it if we could come up with a resolution requiring or requesting that your office investigate this matter; see exactly what is in the ordinance in Henderson, what is in some of the ordinances of the other jurisdictions that have enacted golf course ordinances and bring it back to us so we can weed through it and try to find out what's the fairest resolution.

Chairman Penzel speaks:
I have a couple questions that kind of bothered me. First of all I've got to say, in this very room at that very microphone, I was disowned by one of the members of one of the golf courses as no longer a Republican and now I'm dealing with an issue that requires more laws. And that's not necessarily what the rest of the Board stands for is more laws. They've talked about that before. Smaller government less laws. This seems to be to me an issue between a golf course owner and golf course operator...or golf course members. That's what you're really asking is for us to absorb the risk that you took by buying the place there. I don't think the County should be in the position, the rest of the County should be in the position of assuming the risk for what you have. I don't think people in TRE who are members of the County should be asked to absorb that risk in the name of the County. We don't have a clear understanding of how Henderson does it. We know that they're talking about using their facilities to maintain the water, if it is a water feature and so on and irrigation systems. We're a little different because this golf course and this owner owned the water rights to the golf course and there are some 1,500... I'm just giving out approximate...

Mr. Gartrell speaks:
1,838.

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Chairman Penzel speaks:

And if you multiply at the low end of what an acre foot goes for, that's about \$12 million. If you went to the high end of what \$12,000 for 1,500, that's \$18 million in water rights that they have. Who's going to absorb, if they were to leave and you require this water, who's going to... if they sold those water rights, who's going to pay for the water and where are we going to get the rights to maintain it as a green area? Further, in the case of Genoa Lakes, it's a gated community. If the County takes over management of this somehow, because as Mr. Hartman pointed out, the City Council has to come up with an approved plan. And they gave it to their Community Development folks to do that. Those Community Development folks then are going to have some responsibility to get in and do it. This also then would probably revert to the County to manage. Is this then open space that belongs to the public? And would the public be allowed to come into the gated community to go to that publicly maintained property? I'm not expecting you to have answers to that. I'm just asking those questions. I think if we were going to adopt something, we would have to answer some of those questions. Moreover, I think it's so broad. Its parks and overflowed areas and so on down the line and PS zone stuff. We don't have PS zone so we'd have to come up with the zoning and we would have to come up with zoning on what that that property is. And that would have to go before Community Development. We'd have to have a hearing. More land issues, land-use issues. It just becomes...it's too convoluted. I hear the cry that there ought to be a law, but we've got to think about this folks, is that really the way to solve this or is it for the landowner in this case...what was the name of the group?

Mr. Gartrell speaks:

Genoa Golf Group Four

Chairman Penzel speaks:

Genoa Golf Group Four and the homeowners, in my view, need to get together and come up with a solution. If you want us to validate that solution, that's another thing.

Mr. Gartrell speaks:

Chairman Penzel? There is another...

Chairman Penzel speaks:

You need to identify yourself...

Mr. Gartrell speaks:

There is another golf course owner that would like to speak.

Chairman Penzel speaks:

I realize that. I realize that. Right now, right now, I'm just trying to... I'll call on you but not right now. Right now I'm just trying to outline what my questions are and I don't doubt the sincerity of what you're trying to do. I'm not trying to do that. I am saying that it causes me concern just a philosophical basis and then on a practical basis.

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Mr. Hartman speaks:

It's no more additional law, in my opinion, than we have currently. We have a law in Title 20 that obligates you as a single-family home owner to maintain your property and what we're asking is that the golf course be obligated to maintain their property. And when, and give us structure to that.

Chairman Penzel speaks:

Can I answer that? Because we've had Code Enforcement go out to different areas; condemn houses, bulldoze the thing down flat and charge the last owner of record for it. But they put a lien on that property so that it can be sold until that lien is paid for as you know better than I do, how that works. And it's successful. It's worked in Johnson Lane. It's worked in TRE. It's worked out in Genoa.

Mr. Hartman speaks:

I would also say you've got 20 or 21 months of history now in Henderson with their ordinance and I would ask that our legal department go to their legal department and find out what the experience has been with their ordinance. You raise and people raise because oh gee, we're going to end up owning property out there. Has that happened in Henderson? Are they owners of property now? I sincerely doubt they've acquired property, but I, that's part of the fact they've been at this for 20 or 21 months. They have an ordinance on the books. They got a unanimous City Council approval of that. They had 1,200 people petitioning for that. And I would at least expect or ask that Douglas County follow-up and find out what the experience has been in Henderson.

Chairman Penzel speaks:

Okay I... reasonable request. I'm not saying that's not what we'll end up doing. I'm just asking some questions and I'm trying to point out our little problems. Mr. Richie you had something you wanted to say?

Mr. Ritchie speaks:

Chairman. I did call up, I spoke to the Assistant Attorney who drafted the ordinance. She informed me that they have not been sued yet, so I don't...there may be litigation. That may be different division that's handling litigation, but to her knowledge there has been no litigation involving the City. However, there has been extensive litigation on private parties and one of the issues is whether the City will be dragged into that private party litigation through this ordinance, through this maintenance plan. One of the things I did talk to her about was the Black Mountain Golf Course. That's the first time they've had this. She said in her words they just don't have enough history yet to know how it's going shape up. I asked her specifically about the compensation provision. I don't know if you, Mr. Hartman, are aware of that, but there is a provision in there for compensation to adjacent homeowners. I asked her what that was and how that is supposed to work and she said she really didn't know at this point.

Mr. Hartman speaks:

You mean diminution in value?

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Mr. Ritchie speaks:
No. Compensation.

Mr. Hartman speaks:
Compensation for what?

Mr. Ritchie speaks:
For the closing of the golf course. I came from Clark County and they're really big on stakeholders. For instance, when they want to close the Smiths in the neighborhood, they got a big petition to say you can't close our grocery store. You got to stay open because that's part of our community. In this case, what we are talking about is golf course and they're saying... what they we're saying down there and like you said, there's a lot of public outreach to the City Council. The City Council responded to that public input and enacted this ordinance. One of the provisions is for compensation for the lack of the amenity of having the golf course there. I guess that... I think what you're referring to is that 30 percent figure that apparently is being batted around. Their ordinance provides some sort of compensation for that diminution in value and I asked her how does that work? I mean, and she said she didn't know yet. The only thing that...

Mr. Hartman speaks:
Frankly, I don't find that in the ordinance. I don't think there's a diminution...but if you can show that to me I'd be glad to look at it.

Mr. Ritchie speaks:
It doesn't say diminution...

Mr. Hartman speaks:
And here's the other point. I mean, what you're saying to me today is there hasn't been any litigation challenging that ordinance. So in 20 or 21 months, there isn't a takings action that apparently has been brought, so I'm at a little loss to see why we need to back away so much from... the other point being, I certainly don't believe everybody should be forced to keep a golf course open. It's a free market and if you want to close your golf course, you can close your golf course. I just don't want it to be a fire hazard. I don't wanted to be oh a... that's what we're asking here. Is people have the right under the Fourth Amendment to close their golf course down, but what they don't have a right to is set up a nuisance for the neighbors, a blight situation. This is a health, safety and welfare issue. And what I'm hearing from you actually is good news and is consistent with what I heard from a lobbyist from Henderson in the legislature. The lobbyist government relations guy, we were there on the golf course ordinances that said, I haven't heard that we've been challenged on this. It's being enforced. It's working and I would say what happened with the golf course, it closed in Henderson, it worked. It is working and I would ask you to look at it seriously within a mind to not why we can't do it, but how can we do it here in Douglas County.

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Mr. Ritchie speaks:

Again, I haven't independently, I haven't looked through the Eighth Judicial District Court to see who's been sued. When I spoke to the attorney who drafted it, she said she was not aware of any litigation and there was only one case where this ordinance has been put into effect and that was the Black Mountain Golf Course closure. I will say if the issues, and forgive me if I'm repeating myself, if there's issues regarding public health and safety; dry weeds, fire issues, stagnant ponds, mosquitoes, our code addresses that. The fact that it's a golf course doesn't change that. The County, as everyone knows, is a rural area. We have large areas of both agriculture land as well as conservation easements that have to be maintained and if there's a section of code, if golf courses are unique to that, then we can certainly address those concerns and that's kind of what led me to my first question. What is the concern that the County needs to address that's unique to a golf course? Because issues regarding rampant weeds, dry weeds, noxious weeds...

Mr. Hartman speaks:

Yeah, but that, Mr. Richie, that's after the fact. What we're talking about is the existing ordinance here would be after the fact you can... what is envisioned in a golf course ordinance, would be a prophylactic affect, where you'd actually have to have a plan in advance to deal with these issues. It wouldn't be oh my God the sky is falling or the noxious weeds are falling. You would, when you announced you are closing your golf course, you have to have a plan in place to deal with this issue. It's proactive, rather than acting to enforce something after you've got a nuisance or a blight that's already existing. You have to be proactive.

Mr. Ritchie speaks:

Okay.

Chairman Penzel speaks:

I think the question would be then, so we enact a law that requires a golf course to be proactive. Do we also have to have a proactive plan for Walmart if they close? Do we have to have a proactive plan for us if we take a fire station out of there? I mean, where does it end to have all these plans? So I need... there's got to be some limits on this if we go down this road. I should also tell you that I'm a corporate member of Genoa Lakes and I really considered a contribution to their maintenance program because I've only played there once and I pay them \$400 a month. So it actually would be, I guess, to my benefit if they close.

Mr. Hartman speaks:

And Mr. Chairman, just to make this clear, we don't want to be at war with the golf course. We would love to see everybody succeed here. I am a social member of that golf course and want to see it succeed. We don't want to see it fold, but we do need to deal with if it does fold and if people use the golf course closure threat as a way of extracting out concessions from people that live around the golf course. That's a real danger.

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Chairman Penzel speaks:

I agree. I don't think you should have to deal with threats.

Mr. Hartman speaks:

If Walmart closes it is one issue. If the golf course precipitously and purposefully closes and reduces your property values by 30 percent you've got a heck of a different deal there and that's what we're trying to prevent.

Chairman Penzel speaks:

I agree. I agree. And it would cost the County in the long run. I understand that. I'm wondering if there's a compromise to some of this. Is there a possibility that you could be in the vanguard of closure businesses. We have what five or six golf courses in the County.

Mr. Hartman speaks:

Seven.

Chairman Penzel speaks:

Thank you. And not all of them are having the issue that you're having, but we would force this regulation on all of them. And maybe if you and the ownership could get together and formulate a plan that everybody agrees on and then maybe you could present that to the County as a plan that the County should follow and in the meantime we could have the County District Attorney, ask him to do the investigation you're talking about. Maybe the two groups could meet together and then present what they believe is the best way to go and that may be in ordinance and may not and then we would have something to deliberate on and we would... that was thought through. I know that you're representing Sunridge, right?

Dan Oster, Sunridge Golf Course owner, speaks:

I am the current owner of the Sunridge Golf Course.

Chairman Penzel speaks:

I don't want you to testify right now. I just know that other owners are here and they may have a different opinion and they have a different way of relating to their folks. So what I'm concerned about is a cookie-cutter approach to this, one-size-fits-all and I don't think that's the case and I think what we need to do is have a plan that works for not only the golf course owners, but the golf course residents and the County. Would you not agree with that?

Mr. Hartman speaks:

I agree up to a point I guess. My point would be I want to see good public policy here.

Chairman Penzel speaks:

I agree.

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Mr. Hartman speaks:

And across... I don't want to special pleading or special dispensation for Genoa Lakes. I want whatever happens at Genoa Lakes to be applied across the board here, to Sunridge and to everybody in terms of what is good public policy. I'm absolutely convinced that what Henderson has done is good public policy. And I think when I hear gee, it's already working in the case of a golf course, it's happened. A plan has developed and it worked in that case. There hasn't been any litigation. I would ask our officialdom, our Manager and County Counsel/District Attorney go back and bring us an ordinance. If it needs to be amended or modified in some way to suit Douglas County requirements or they find some other ordinance somewhere that they think is...but I think this is an exceptionally good ordinance that's apparently working in Henderson.

Chairman Penzel speaks:

Okay. I can buy parts of that too. I think about how broad this is based and it talks about parks. Now there are homeowners associations within Douglas County that would fall under this. Is it your intent to have them fall under this?

Mr. Hartman speaks:

It would be my intent that our District Attorney draft an ordinance that suits Douglas County and I'm not going to get into micromanaging. I would just request, based on what has happened in Henderson that they look hard at what Henderson did and bring back an ordinance for Douglas County.

Commissioner Nelson speaks:

I think that is a good idea that we should look at it further. I have a problem personally, philosophically with having laws that either protect a particular industry or are against a particular industry. I think that our current laws could be incorporated so that, for instance, where it does seem to be geared more towards the single-family residence right now it could be written that the penalties depend on the size of the lot. Depend on acreage etc. with the costs going up the more acreage that's involved. That might suit that need to penalize the larger landowner from allowing too much land from getting dangerous to the public. So I think we should look at that option, instead of having an ordinance that is specific to an industry. What I would suggest is maybe a publication that relates back to our ordinances that are kind of general ordinances, but ties to a particular industry. In other words where someone can go to that document and see which ordinance applies because it's the one ordinance should be able to take care of a lot of situations. Not be so specific like the single-family residences. We need to maybe broaden that out. For example, size of lots. I think that this is an issue that needs to be addressed and I had hoped when I went to the HOA meeting that maybe, just maybe, you guys could end up in arbitration or something and find out somewhere you could work together to make this all work out. Obviously, that hasn't happened so here we are at this point. I think that's the kind of things I would like us to do at this point and if you have any comments for me about that I'll try and answer them.

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Commissioner Engels speaks:

I think it's incumbent upon the County to review this and help the homeowners because they're the stakeholders in this and from what we've been hearing, they've been threatened to try to get whatever the golf course owners want and I don't think it's fair to the homeowners to place the burden on them to go arbitrate it, reconcile it, find out more. It has come down now where the County has to intervene and we should go ahead and start to review this in more detail. If the golf course is going to operate, there's no problem. It's just when they go to shut down and that was the original intent of the person who bought the golf course. So to place the burden back on the homeowners at this point, that's not right. Thank you.

Mr. Oster speaks:

Point of order, may I have a turn. Fred, seeded some of his time to me. You're having a direct conversation with one individual and part of the intent of the way you brought two people up here is to have some rebuttal and I apologize, I have a child I have to pick up from school activity. I'd love to sit here and talk to you for hours about this, but may I make one point sir.

Chairman Penzel speaks:

First, you have to identify yourself, but secondly, we're all anxious to get out of here. Don't think you're alone. If I can use my daughter that I got to pick up as...I am so old, I wouldn't have a daughter, but I would love to use that too, but I got to maintain some control over this. And this is a potentially very volatile issue as you well know and I've been contacted by golf course owners and I want them to have their opportunity, but this was a specific issue with a specific area and so I wanted to keep it that specific. I will let you speak right after the Chamber of Commerce when I open for Public Comment.

Mr. Hartman speaks:

Let me just respond quickly to Commissioner Nelson, because there's a notion that gee, this could all be arbitrated and negotiated. The issue on development of new homes out there really isn't an issue that can be arbitrated or negotiated. There's a court decision from 2004 that said 220 means 220, so we're past that actually. That isn't an issue. The real question is what good public policy is for Douglas County here and I contend for seven golf courses, we need to develop an ordinance to supplement. An ordinance on nuisance and blight that's geared toward single-family homes and lots and we have in a Henderson ordinance something that's proactive, that is working, and it recommends itself to policy here to cover seven golf courses. That's what I'll leave with you.

Chairman Penzel speaks:

Okay, thank you. Let me just call for some Public Comment so we can... are there any other questions? Okay. I promised the Chamber of Commerce they would have their opportunity first.

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PUBLIC COMMENT

Steve Teshara, Tahoe Chamber of Commerce CEO, speaks:
That's for item seven.

Chairman Penzel speaks:
Okay, well I'd like to get on to that too.

Dan Oster speaks:

Look, in one respect, I have a lot of respect for the fact that Mr. Hartman is here and he cares deeply about his community and what's happening around it. I would far prefer that than indifference. I do believe that this is an issue that has arisen between homeowners on one golf course and the owners of that golf course. I take exception to the fact that we're going to try and use public policy to mediate and solve what I believe is an issue between two private parties or a group of a class of people and then another private party. The question sounds pretty reasonable. Well why not just look into it? What I can tell you is in the 18 months that I've owned Sunridge, we have tried very hard to talk about what does the community want. What will you come out and support? What is an amenity that you would enjoy using with your family? There is 4,200 golf courses in the United States. Between 200 and 400 of them are closing a year. That is not specific to this area. It is that the public desire to play golf is declining and I want, as a business person, to meet the demand of my community. And I am listening to my people, but you shouldn't feel an obligation, in my opinion, to mediate that. That's my risk as a guy who bought a golf course and at the same time, I don't want the government calling balls and strikes between me and the folks around me and putting a special duty on me because of the word golf associated with private property. And the fact that we go down this road has a chilling effect for investors, for people who want to come in and try and create businesses around outdoor recreation, which is what our Master Plan and our zoning has said is the intended use of this area. That process was a public process. As a government, the playing field was laid out and we're all playing by those rules and I just think that this is an overreach of people trying to get public policy to mediate a private disagreement.

Chairman Penzel speaks:
Thank you.

Mr. Oster speaks:
Thank you, sir.

Chairman Penzel speaks:
Good luck in driving down and picking up. Drive safely.

Mr. Oster speaks:
There is no fury like a mad fifteen year old girl.

Laughter from the audience.

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Chairman Penzel speaks:
Drive safely.

Nancy Atkinson speaks:

I am a resident in Douglas County actually at the Lake and down the hill in Genoa Lakes and I take... I'd like to clarify a point. This is not really necessarily an issue between one golf course owner and a group of homeowners because we have expanded to include all of Douglas County. On October 9th, we sent a mailing to all of the owners of parcels and homes at the Ranch course, at Sunridge, at the Carson Valley Country Club, at Clear Creek. Then we had requests from homeowners in the Pioneer Trail, Meadowlark area. Can we please sign on also? So we sent them the information. We have had a few requests from people I do not know, but they live in Douglas County saying well, we've heard about this, we would like to sign on. This is not a two issue, a two-party issue anymore. After our mailing on October 9th, we started receiving forms indicating the interest of these people and looking into a Henderson style ordinance. This is what I have back. These are signed by individual homeowners. To me this pile speaks for itself. There are 382 parcel owners so far that have indicated an interest in having an ordinance like this looked at and actually...whatever you do with it, making it happen. We have, of the 382 parcels that have replied, that comprises 635 individuals who have signed on to that. To me as County Commissioners, these are your constituents. I don't see how you could ignore this number. Thank you.

Chairman Penzel speaks:
Thank you, ma'am.

William Hale speaks:

I have worked for three county governments, one state government in my career. I'm obviously retired now, thankfully, so I understand the issues that come before County Commissioners. I've dealt with many County Commissions and I really appreciate the fact that the Board has taken the time. I've met with many of you as well as Mr. Hartman and we appreciate the thought that you have, that you have come and allowed us to speak with you about this issue. First of all, I want to assure Chairman Penzel that we have no way intend for the County to run that golf course. No intent whatsoever. When Walmart closes, the County doesn't take it over. They might auction it off, but they don't take it over. We are not asking the County to take over the golf course. What we're asking, the County to do their jobs. And that is to create laws to protect the innocent people here in Douglas County. We tried to work with the golf course. We met with them on many occasions. What we got with threats and intimidation, constantly. No way did they want to work with us. We tried working with them, so suggesting that we work this out...we wanted that. No, all we got was threats and intimidation. And I can use some legal words, but I won't because to me, things were done that would question whether they were done lawfully or not. People have access already to go to the golf course at Genoa Lakes, so to say that... you have two parties, that's not true. The access is to the total public. People play golf there all the time. It's not just between two parties. It will affect all of the County. When our property values go down and when we sell our properties, our property taxes will go down too as

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far as I know. The new owner will get the new value, not the old value because...somebody made that statement. That's not true. They'll get the new value, so property taxes will go down in the thing. That means revenue for the County to run all your different departments will go down... I thought I heard people say it up here we're going to be proactive. Versus we already have all these other rules that we can apply later on if it should happen. We'll I'm sorry but when I worked for counties, when I worked for the state, we were proactive. When we did things, what was right for the people, not for carpetbaggers from out of state who come in and decide that our community shall be some way that they determine versus what the residents of this County need. That's all I have to say, but I would ask the Board to please do their job. Thank you.

Chairman Penzel speaks:

Further Public Comment? No further Public Comment? Alright, I'll close Public Comment and I'll bring it back to the Board for discussion and/or action.

Commissioner Rice speaks:

Mr. Chairman, I'll stand by what I stated earlier. I think that at this point we're not resolve anything today or tonight or next week. I think that we should direct staff and the District Attorney's office to look into the other ordinances that have been passed regulating golf courses and the interface with the residences of and around them to see what is being done, what is fair, what's legal and bring it back at a later date and hopefully the golf course is in no danger of imminently closing within the next week or month or two. I think this is a matter that...I don't like kicking the can down the road but I think there's a matter that needs further study and so I would suggest the a motion be made directing staff to investigate the laws regulating this type of activity and then bring it back to the Board.

Chairman Penzel speaks:

Okay, so the motion is to have staff look into laws regulating the activity and bring it back to the Board?

Commissioner Rice speaks:

Correct.

Chairman Penzel speaks:

Is there a second? Would you rather have them use the recommended motion, if there's no second? Could you speak into your microphone please?

Commissioner Engels speaks:

I would rather quit equivocating and have the agenda item brought for an up-and-down vote because basically it's the same thing. We're asking the County to come back, provide direction in regard to this ordinance. That's right where we are at.

Chairman Penzel speaks:

Well, actually it says provide direction to staff regarding any amendments to Douglas County Code. Is that what you want? It's what it says on the agenda action sheet. That's what you want? Okay so and we all have the recommended

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motion, provide direction to staff regarding any amendments to the Douglas County Code and I'll make that motion. Do I have a second?

Commissioner Engels speaks:
Second.

Chairman Penzel speaks:

Alright. We didn't have a second, unless you...did you all hear a second? To me they're both the same. Alright so we have a motion by the Chair and a second by Commissioner Engels. Probably unusual. And this case, are there any further comments? Seeing none, I'll call for the vote. All those in favor signify by saying aye. Any nays? No nays. The motion carries 5-0. Or 4-0, excuse me. Alright, it's very simple. We'll move on to item number seven.

MOTION to provide direction to staff regarding any amendments to the Douglas County Code; carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Barry Penzel, Chairman
SECONDER:	John Engels, Commissioner
AYES:	Rice, Engels, Penzel, Nelson
ABSENT:	Walsh

7. For possible action. Discussion to provide direction to staff to set the regular meetings of the Board of County Commissioners on the third Thursday of each month to occur in the County seat (Minden, Nevada) as permitted in Douglas County Code Chapter 2.04.010, effective December 2019, unless a meeting in the Lake Tahoe Township is specifically needed as determined by the Board of County Commissioners. Discussion and possible action may include providing direction to County staff regarding possible termination of a Building Rental Agreement with the Lake Tahoe Visitor's Authority (LTVA) for the Kingsbury Community Facility located at 169 Highway 50 Stateline, Nevada, also known as the Tahoe Transportation Center, to lease space for Board meetings at the Lake at a cost of \$50,000 per year with any Consumer Price Index increases for rent plus an annual allocation of \$35,000 to LTVA for the lease of space within the Transit Facility. Discussion and possible action may also include consideration of alternate meeting locations for the Third Thursday regular meetings in addition to the County seat and the space leased/rented from LTVA. (John Engels)

Chairman Penzel read the agenda item into the record.

Commissioner Engels speaks:

Pursuant to the agenda item to have all the future BOCC meetings held at the County seat at the courthouse in Minden, the following is submitted. The

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historical relationship of the Lake in relation to Douglas County, is not lost on this Commissioner. However times change and we all must adapt to changes. The cost to the taxpayers at the Lake and the County at large to rent the Visitors Center is a major financial consideration to all residents. We paid \$4,100 for this room today. This rent money can be allocated to other sources. The \$11,000 that we were just talking about for Melissa Blosser. It could go to that. It could go to the Sheriff's Department to help with much-needed pay raises as our deputies are being cherry picked by other agencies. This after the County goes to the expense of getting deputies through the POST certification and getting street experience. Then they jump ship for more money in another agency. The last three BOCC meetings that's held at the Lake was very little, if any, participation by residents of the Lake District. There were a couple of Lake special interest groups, but that could have been done as easily at the County seat in Minden. There were no agenda items to be voted on that pertain to the Lake. To the contrary, the only agenda item up for vote were relevant to the Valley areas, hence the citizens who wanted to speak had to drive up to the Lake. Some people are reluctant to do this. An example is the agenda item on the golf course being presented today. This should be brought up on the agenda at the County seat, but that's another matter. This year three Lake Meetings had to be canceled due to weather. This meant the agenda items had to be rescheduled for the next Lake meeting or to be heard at the County seat. This County still had to pay for the rent on those days when the facility was not used. The Visitor Center on many occasions was not adequate on space and the room was too small. The hearing on the water rates were held at the Kahle Community Center as the Visitors Center was not, it was completely inadequate to accommodate all of these interested citizens from the Lake. The group that requested a Special Use Permit for the concert at Topaz Lake was heard at the Lake. This required that all the folks from TRE who spoke had to come all the way up from Topaz to be heard at the Lake. There's just no compelling reason to continue BOCC meetings at the Lake any longer. Meetings could be held at the County seat in Minden. If there is some compelling reason to have a meeting at the Lake, the Kahle Community Center is the most adequate venue. This Commissioner has read the communiqué by Ms. Chapman and the Tahoe Douglas Visitors Authority that was sent to County Manager Cates. It's primarily justifying why the County should pay the rent of \$50,000 a year. It demonstrates there are several other public entities that use the Visitor's Center. Well that's above \$4,100, it is almost \$4,200 per month rent. The Tahoe Douglas Visitors Authority has recently received approval for a new room tax. Extra funds are coming into the Visitors Authority that are substantial. It would seem to be appropriate that the Visitors Authority share this with the Lake Community and continuing making the Visitor Center available to various interest groups. Thank you.

Chairman Penzel speaks:
Any questions from the Board? Comments?

Commissioner Rice speaks:
It would seem to me that there are those who would drive a wedge between the Valley and the Lake and that's been going on for the 30 years since I've lived here.
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This is one community. This is a shared community. Historically we have had half of the meetings at the Lake and half in the Valley. I can see no reason other than the fact that those of us at the Lake can drive down off the hill whenever there's a meeting and why those that live in the Valley can't be bothered to drive up the hill. In part of my duties as a Commissioner, I'm a member of the TRPA Governing Board and if you don't think that isn't funny... okay doke. I can't call them what I used to call them because now I am one, but if I can drive to the North end of the Lake in a snowstorm to attend a meeting, the folks in the Valley if they have a vested interest in an issue, can jolly well drive up the hill also. I can see absolutely no good that would come from this other than to further drive a wedge between the Valley and the Lake. Those of us that live here at the Lake, granted we're only 17 percent of the population anymore, but we provide 40 percent of the monies that fund this County and I think that we should have an equal voice in what happens in this County. I for one am dead set against this ordinance.

Commissioner Nelson speaks:

We seem to have several issues here. Not just one. As far as the rent per year, I would like to know do we have any other...does the County own any buildings up here that we could have the meetings at that we wouldn't have to pay the \$50,000? Because I do think it's outrageous to pay \$4,100 a meeting for this room. In the letter that was provided by Carol Chaplin, I'd looked at that and I think it was ten months, everybody that's using this room, if they were charged, they aren't being charged, but if they were charged it was somewhere around I think \$12,000 or \$13,000. So if we were paying \$50,000 for \$13,000 worth of value, there's something wrong there. So I think we need to look at another location for the meetings at the Lake. Perhaps the Kahle or somewhere other than renting this facility. I really feel strongly about that. As far as where the meetings are held, I think most counties hold their meetings in the County seat. I understand it's been a long term policy for us to meet at the Lake half the time. As mentioned by Commissioner Rice, the population up here now is much less than 50 percent of the population. I would say if we were going to reduce the number then I would probably say let's cut out the winter meetings up here because we do have problems sometimes of weather, especially January, February and March. It seemed like those are times when we have a hard time getting up here because of the weather. I don't like driving up Kingsbury in snow and I'm sure people don't like driving down Kingsbury or back up either, but most of the things that we do handle are pretty much Valley issues at this point. There's not that many things that are exclusive to the Lake that we have to have up here. As we can see item six on today's agenda, basically a Valley issue. Maybe we would have had more people come in and express themselves about this issue if we had held in the Valley. I know there was 600 and some people that signed their petitions. So I do think that we need to look at the whole thing and not just one or the other, but that would be my suggestion and glad to hear anybody else's.

Chairman Penzel speaks:
Next in line.

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Commissioner Rice speaks:

I concur that there are two in this proposed agenda item, there are two succinct and different issues. Number one being should we have half of our meetings here at the Lake, which I strongly believe that we should. Number two, could we find someplace less expensive to have our meeting. The courtroom up here has recently been redesigned and reworked and the Judge has made it clear that we would be welcome. The TRPA over on Market Street has a meeting room that has at least as many people as we do here and then space for more. And then we also have Kahle Park. So I would like to separate the two issues because I think the, what we pay for a meeting space is not germane to whether or not we should have meetings at Lake Tahoe.

Chairman Penzel speaks:

The way the agenda item was written, we actually do have two separate... and actually three separate things that we could do. So I don't...I think that falls within the Open Meeting Law that we could have two motions on that. I have been coming up here for seven years. I used to live up here and I really got tired of shoveling snow so I moved down in the Valley, but I think that it's difficult. I would say to myself as I was coming up Kingsbury how many people would love to say they have an office at Lake Tahoe? Because we don't really have offices. This is as close as it comes to an office, but you get to come to the Lake to conduct business. I don't see that as an issue and certainly the people that want to discuss an issue that would appear, like number six, that would appear to be a Valley issue are free to come here or down in the Valley and Public Comment is Public Comment. We had people today comment on things that we haven't even come up with...we're going to hear in the future and they drove up here to do that. I would look at it a little differently, not to surprise you. But I think that we ought to have, when we have more meetings and more... now we are averaging at least three meetings a month, I would think that we should include a meeting in TRE and a meeting in Indian Hills and meeting in Gardnerville. On those issues that we are required by law to meet in the County seat, we have no choice. But certainly getting out and meeting with all of our constituents in different locations, their location, I think is important. And I wouldn't want to eliminate meeting at the Lake. I do think we should ask for an evaluation of costs of the different things at the Lake to meet because I think it's time. This was originally signed in 2010 I believe and it's time to go out and see if any of those other venues that you've mentioned could be competitively priced. It's going to be hard to beat free since we have free space at both Kahle and the Law Enforcement Center. So I agree that we should do that part. I would not give up the meetings at the Lake. I think that they're important for the residents, but I think it's important for us to hear from the people where they are and for that reason I would say that we need to expand the list of places we go to. All this equipment is becoming more and more modularized so we can take it and go to a different location. Of course, that causes the Clerk a lot of heartburn because she's got to pack it all up, but the purpose behind this is to make it mobile. And I think being mobile is really what we should be doing in an age of mobility. So that's my feeling on it. Any other comments? Questions?

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Commissioner Engels speaks:

The last meeting at the Lake, there were no residents from the Lake that were here except Commissioner Rice and I believe the meeting before it was the same thing. I think that the Chamber gave a presentation at that one and then the meeting before there was no participation. So due to the complete lack of interest, I don't see the point. But if it's an item that is germane to the Lake, like the water rates were, the Kahle Community Center was very adequate. It was filled to capacity. This room wouldn't have even begun to be able to handle the people that participated in that meeting. It's not that there's...it's trying to divide the Lake from the County, anything of that nature. On the contrary. I would think that the Lake would rather have less traffic up here, but that's just a side bar. Thank you.

Chairman Penzel speaks:

Certainly our five cars are adding to it.

Laughter from the audience.

Chairman Penzel speaks:

Alright, if there are no further comments I'll open this for Public Comment. Mr. Teshara, did you want to speak?

PUBLIC COMMENT

Steve Teshara, Tahoe Chamber of Commerce CEO, speaks:

Thank you, Mr. Chairman and Members of the Commission, staff and ladies and gentlemen. I'm here today on behalf of Carol Chaplin who wasn't able to be here. She's on a trip. I'll start by saying that I appreciate the fact that it seems like Commissioners read the materials that Carol put together for you on some of the history of this building in the community. Also I provided the County Manager, I think at the end of last week, with some information about how the Transit Center came to be here because you're actually looking at rental space here but you're also talking in the agenda item about the Transit Center. So I have a photograph here that sort of gets at this. This is an actual photograph of the groundbreaking at Kahle Community Park. And I'm in this picture along with Senator Jacobson, Tom Perkins and members of the Carr and Kahle families and Barbara Rice Reed. The purpose of this is to bring back some history about why this is the County Center at Tahoe. When I was driving from North Shore to South Shore to work back in the 80s, I went by the Sheriff Station which is where the Senior Center is now. Over time the County said we want to consolidate all of our facilities in one place and there came an opportunity to do that in the lower Kingsbury area, because there was a desire to have something else in the corner down here, the corner of Kingsbury and Highway 50 other than the Loves Chapel. And so there was an interesting mix of County interests, business interests and community interests that eliminated the Loves Chapel, built these buildings here, private sector. The County ended up putting in the garage, improving the Administrative Center, consolidating services at the Lake so we could have a nice place in the Tahoe Township to go for all our County needs. And that has really been the derivation of a great partnership between the community, the County and the

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business community. And people really appreciate the fact they can come to one place and we do have a lot of meeting rooms or meetings here at this and other people use it as well and they recognize the fact that one of the reasons they are able to do that is because the County pays \$50,000 to help. So you're not just paying for the rent, you're paying for an asset in the community. So I wanted to point that out. I think, having been going to County meetings for some 30 years in Douglas County that one of the worst meeting rooms in the County is Minden, the historic courthouse. If you want to come there to any issue whether it's controversial or not you're probably gonna have to sit out in the hallway and have to watch it on TV. So I take issue with the fact that this idea that all these meeting should be held in Minden. I don't mind driving down to Minden and you shouldn't mind driving up to the Lake. We're all one County. So I think it's important to look at this in terms of what's the partnership between the community, the County and the businesses here. We are still working to improve this area. That's why we presented to you a couple months ago here, the Kahle Drive plan, because this area needs to be revitalized and the County's a key partner in that and so we would hope that you would look at it in that context of the County being a partner in this building, in this area, not just that what you're paying for rent. So on behalf of Carol and the TDVA and the LTVA, thank you for your time.

Chairman Penzel speaks:
Thank you, sir. Further Public Comment?

Walt Nowasad speaks:
Gentleman, earlier this meeting you had struggled with an \$11,000 question and it took a while to come round and that tells me that you're probably a little tight on your budget. So if you can save \$50,000 a year to apply to that \$11,000, or whatever else needs to be done in the County, then I think you should do it. So I say go for the cancellation, find a cheaper place or a place that's free and go with that.

Lynn Muzzy speaks:
Quick history lesson for Commissioner Rice. I think it started out when the population of the Lake and the Valley were approximately equal. It made sense to have half the meetings up here each month, but that's no longer the case. Hot off the County Clerk-Treasure site, Kathy's site, there are 5,270 registered voters spread among the seven Lake precincts. That is 13 percent out of the 4,009 total voters in Douglas County. If you just can't bring yourselves to meet in the County seat like almost every other County government does, then I would consider meeting at Topaz Community Center once in a while, which would be very handy for the 3,508 people who live in Ruhensroth, Topaz and TRE. They have a better combined turnout ratio by the way I noticed when I was looking through the stats than the Lake. The Lake precincts turnouts are not very good, which kind of indicates the level of civil participation. Thank you.

Lucy McLaughlin speaks:
Good evening. I had...the only reason why I came today was because when I heard about the fact that the Commissioners did not want to come up here anymore.

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And I have to agree with Commissioner Rice that there is a divide between the Valley and the Lake and I think that it's going to cause even more of a divide. And I think that my own opinion is... I can't imagine that it's that much of a hardship for you to come up here only one time a month. I said because and if I have to, maybe I will come down, start coming down there to the Valley to go to some more of these because it was very interesting today. But I just think that we should also get to see some of these meetings without having to go down and I don't think that it's a big deal for you to come up here once a month. Thank you.

James McKalip speaks:

Whereas I think the cost of these meetings, both rent of the facility and employee transportation time is a factor, to me it's not the key factor. With all due respect to Lake Tahoe residents, including Commissioner Rice, holding meetings in this location to benefit the few poses a substantial hardship to the many. We have a County seat in Minden. It is not only the proper place for such meetings, but is a fairly central location. The County does not hold meetings at Topaz nor does it schedule meetings in Indian Hills. It's important that all citizens have equal access to their government. Show preferences to Lake residents by scheduling half of the meetings for their convenience poses a hardship to other residents. Factoring in how many Lake residences are vacation home rentals and how many are part-time, further demonstrates the relatively small number of County residents that are benefiting from this arrangement. It was just said that Lake residents pay higher taxes, pay more taxes because their homes are more valuable, therefore deserve half their meetings. But if we were to judge the rights of citizens to equal access to government based on that premise we would be traveling back to a time when non-property owners cannot vote. This cannot be a factor in deciding where meetings are held. This is about basic fairness. We're not two Counties, we are one County and Minden is the County seat. To the best of my knowledge, no other County in Nevada has this practice. I would add to my argument that this room is often too small which further affects the rights of citizens to participate. I want to also add that audiovisual problems, though very good today, are notorious. The weather results in cancellation of meetings. Not all County residents have four wheel or all-wheel-drive. The roads are more dangerous in the winter. Government of, by and for the people necessitate equal access for citizens in an adequate facility without preference to wealth, privilege, or the size of their property tax bill. The County has such a facility in Minden which is the County seat. And that of course, compromise is always a good thing and I do think if an issue is very specific to the Lake that it's important to have it here, but I also think you could say the same thing about other parts of the County. I liked what Commissioner Penzel said about including North County and the South County if you're going to move meetings around. But I think the County seat is a central location. It is the County seat. It is the place chosen however many years ago for our seat of our County government. I think that's where the meetings belong. Thank you.

Chairman Penzel speaks:
Thank you. Further?

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Kirk Walder speaks:

I'm a resident of Zephyr Cove and while I serve on the Planning Commission, I'm speaking only for myself. I want to applaud Commissioner Engels for bringing this agenda item forward and particularly for allowing the discussion at Lake Tahoe. And I think it is appropriate to review financial contracts to see if savings can be realized, so thank you Commissioner Engels. As a resident of the Tahoe Township I do hope the Board continues to hold frequent meetings at the Lake. As well we may be small in population our residents and businesses do have a vital role in the economy of Douglas County. Issues such as vacation home rentals, Redevelopment Area Two and the event center, the loop road, actions of Tahoe Regional Planning Agency and the budget are all matters that should be given proper discussion here at the Lake. With that in mind, I would ask Commissioner Engels and would welcome comments by the other Commissioners to pledge that all issues related the Tahoe Township be heard at Tahoe and I would ask if you would also agree that at any time the Member of the Board of County Commissioners, who represents Tahoe Township, requests holding a meeting at Tahoe, such request be granted. Again Commissioner Engels, thank you for raising this issue and I look forward to your response to my questions.

Chairman Penzel speaks:

Further Public Comment?

Greg Felton speaks:

Tahoe resident, Douglas County resident. I appreciate as well Commissioner Engels bringing this up but I have several responses. So one of them I know is you from the very beginning sir, made very clear that taxation without representation is a big issue for you, so I'd like to make sure that when... and it doesn't make any difference to me where the money is coming from our County. It happens to...a large portion tends to come from up here. What I am more concerned about is that we're all, as Douglas County residents, involved in governing our County. So taxation without representation is not a good thing. I would lean on something you said too which was that some of the meetings last year that were last winter that were scheduled up here were canceled. I would ask you to consider what would happen if those meetings had been scheduled in the Valley? Presumably, they would not have been canceled. Presumably that means that none of the residents from here would've been able to get there. So that's...equal access is certainly what you're looking for and if we put them down there that prevents people from up here getting there, that doesn't accomplish the objective. Regarding aligning agenda items with location, I absolutely agree with Commissioner Engels as well as several people that have spoken. If there's an item that is not urgent and can be scheduled in the location in which people are primarily affected, I think they'll take that into account. I do though object to the profiling of large portions of people showing up as being Lake special interest groups. I think they're often issues that affect a lot of people at the Lake and it's not a big collaborative effort to show up and try to strong-arm. There are a lot of individual residents who have opinions about things. That doesn't make them a special interest group. Commissioner Rice said we should focus on drawing together rather than polarizing. I absolutely agree. We have for a long time had a

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Lake versus Valley sort of rift. Out there a lot of us who would like to eliminate that. We certainly have a big rift in our country and I hope that we don't contribute to making that worse. And finally to Commissioner Nelson's comment about handling, most of the issues being handled by the County Commission now being Valley issues; I don't perceive them that way. I hope that you don't perceive pan Douglas County issues as Valley issues. We're all part of the same County to the extent that we're talking about a golf course or water rates in the Valley. Something specific to Valley, I get it, but there are plenty of issues that are our pan County. We should consider them all that way. Personally, I vouch to you that I am making a special effort to try to make people more aware of when the Board of County Commissioners meetings are and to encourage participation from Lake residents and in more than just meetings that take place here and more than just meetings that are very, very specific to Lake issues. Thank you.

Chairman Penzel speaks:
Thank you.

Fred Gartrell speaks:

Owner of Genoa Lake's Ranch and Golf Course. I come to the meetings at the Lake because I like seeing my customers that are from South Lake Tahoe and I'm interested in what's going on in South Lake Tahoe. I'm interested in the event center or the meeting facility that is being entertained or contemplated, and I like the positive feeling I get from interchanging with the folks at South Lake Tahoe. Thank you.

Chairman Penzel speaks:
Thank you. Further Public Comment?

Bryce Cranch speaks:

Hello and good evening. This is my wife Amy. Okay. I thank you for allowing us to speak today and thank you for being here. I wanted to say thank you also for coming into our community and having lunch and spending some money and supporting some local businesses. We appreciate that as residents here in Tahoe and lower Kingsbury. We appreciate all that. I also appreciate the discussion. There's things I didn't think of like trying to reduce expenses; that's really good prudent financial planning. Accessibility is important and I think that you guys being here and being accessible is important in keeping people informed of what's going on. There's things we could do to improve our participation at the Lake for sure. Part of that is being times are changing, we could communicate more effectively as far as when meetings are happening and what's being discussed. And that's on the citizens, but we could do better at getting that message out to them. There are people in this community working hard to revitalize things with the schools and with the communities, so we just appreciate you guys being here and discussing this with us and being accessible. That's all I have to say.

Amy Cranch speaks:

A community member here in Zephyr Cove. I'm also on the PTA at the Zephyr Cove Elementary School and I was wondering, may I ask for clarification on the
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meetings? Does this also include the School Board meetings? Just the...it does not. Okay, anyway, I just appreciate your being here. I personally feel, this is my first meeting and I will plan to attend further. I don't think the word is communicated well enough. I've been on your social media page for Douglas County. There's been no mention of this meeting being held here at the Lake. I don't think it's been advertised well. I think in the future, most young families, they use social media to get their news, to get their latest happening events. Again if you don't specifically go to the Douglas County meeting agenda, that's the only place I've seen it. So I feel like communication could be a lot better and you would get a larger turnout for Lake issues. We're all a community, we're all part of all of Douglas County. We spend a lot of time in the Valley. Our kids, we ride horses down there, we utilize the whole area. So anyway, appreciate you being here and we would like to continue seeing you here. Thank you.

Chairman Penzel speaks:

Thank you very much. Further comments? You can form a little line and then we can make sure you could be up and ready. Okay?

Len Kyle speaks:

I wasn't planning on making a comment on this one today, but a couple things come to mind. I always see the art of compromise is the key to any successful government and I think from each of the four Commissioners, you've each offered an element which I think should be part of that compromise. The Chairman's comment I thought was wonderful about getting to other parts of the County that are currently not being seen for County meeting. I think that's a fabulous idea. Getting closer to your constituencies. Commissioner Engels, your comment about saving the taxpayer dollar; couldn't agree more. Commissioner Rice, your comment about keeping this section of the County represented; we don't want to feel like we've been disenfranchised, I think is key. Commissioner Nelson's comment about looking at...the weather is an issue up here frankly. I don't see a need and I am a resident of the Stateline. I don't see a need for us to have half of our meetings up at the Lake. I would be more than willing, personally, to have some of those allocated to other parts of the County as the Chairman indicated. I think it's a fantastic idea. I think looking to other County facilities where we don't have to pay the \$50,000 is an excellent idea. I think continuing to have meetings at the Lake maybe at a lesser frequency is an acceptable idea. And your idea Commissioner Nelson of thinking about what factors the weather plays into this, I think are reasonable as well. So I think collectively, you have the basis for a decision here. It's all I have to say. Thank you.

Chairman Penzel speaks:

I hope you're right.

John Edelen speaks:

Want me to sign in?

Chairman Penzel speaks:

Yes, please. Sign in. State your name. Print if you can please.

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Mr. Edelen speaks:

I'm a senior citizen now. I live up on Kingsbury. I was aware of this meeting due to a menu that somebody's emailing me about current events. And you might consider doing that to keep people in the loop, because if you try to navigate the County website to find out about a meeting, good luck. I don't see that anyone has been hurt by coming up here tonight. You look in fine form so continue coming up and then if Commissioner Engels doesn't want to come up, he could stay home. Thank you. If you can't find another place at the Lake to meet, you're not looking.

Chairman Penzel speaks:

Thank you. Further Public Comment?

Eric Guevin speaks:

Thank you Commissioners. I'm a member of the community. I heard that one of the concerns with saving taxpayers' dollars and I'd like to put, just on record, that you're also...you're investing those tax dollars. So by having the County here, you're supporting the community. We've met in this room. We've had other stuff here so you're supporting a part of our community. So it's our taxpayer dollars being spent in our community. Not a bad thing I think, rather than...the last thing I want to see is another shuttered building or anything like that. But, there's a lot of growth in the Lake and we are recovering and there's redevelopment, but I just ask you look at it, that you're not saving dollars you're investing in our community. And then the other thing would be, I would make a suggestion. If you choose to have meetings down in the Valley, at the County seat, which is obviously a good option as well, there should be a way for the Lake to communicate. I represent the businesses up here at the Lake and they have permits that they put forward and they put other stuff forward. There shouldn't be any reason why they have to drive all the way down to the Valley with technology the way it is. There should be two way communication. Just similar to what we do for State Legislature. They have an area where people can go and whoa, you can talk to someone in Southern Nevada from Northern Nevada and they can have input and dialogue back and forth with the Commissioners. So, there's other options out there is what I'm saying. So if you choose not to meet at the Lake, at least have, be mindful for other communication means that might be available to you. We can pop up on your screen and talk to you that way. I think it goes both ways. We have to drive down there. We have to drive up here. But it's a great...Douglas County is a beautiful County and I'll drive to every inch of it. So thank you very much and thank you for representing.

Chairman Penzel speaks:

Thank you. Further Public Comment? Last time. Further Public Comment? If you're trying to be last. Okay, we'll close Public Comment. We'll bring it back to the Board. I should explain when Chief Guevin said, be like the State, I got a little shiver through my body.

Mr. Guevin speaks:

Just for that little portion of it.

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Chairman Penzel speaks:

But I think the points well taken. I don't know if we could do it, but is there a way that we can beam? They have televised meetings and they're...pardon me? Yeah, but this is a...yeah, back and forth so that we could see them down there and they could testify up here if they wanted to. I'm directing that to Kathy and I'm not seeing her do anything so.

Mr. Guevin speaks:

Sorry, Kathy.

Chairman Penzel speaks:

Mr. County Manager? Remote TVs.

Patrick Cates, County Manager, speaks:

Yes. We are investigating that as a possibility. Our IT staff have been talking to a videography company about what it would take. We would need to install equipment. The one thing I haven't gotten good feedback on is the bandwidth. Whether we would be able to transmit seamlessly without interruption between here and there, but we are investigating that. I think that would meet a lot of needs of the County no matter where the Board is meeting so the people in remote locations could participate.

Chairman Penzel speaks:

Yeah, it wouldn't be just for our meetings. I mean there is Planning Commission, there's Park's Commission, there's every Commission. 50 million of them. Okay, maybe not that many. You had some comments?

Mr. Cates speaks:

I do, thank you. Several of the things I want to make sure were mentioned people already mentioned, but just a few points for the Board to consider. The first is whether or not to have meetings up here at all. Most County's certainly meet in their County seat. I certainly haven't done extensive research. It is worth noting that Nye County, the County seat is Tonopah and they routinely meet in Pahrump, so they switch back and forth regularly. They're the only ones I'm aware of though, so there are others that do that. I've tried to do some research to figure out how long the County has been having meetings up here and in the Valley. I can't land on a certain date, but it's certainly been going on for decades and it certainly predates this building by a wide margin. As far as this building to maybe touch on what Steve talked about a little bit, this really was developed as a public-private partnership to serve multiple public agencies and the arrangement that we are in now is part of an agreement amongst all those agencies. And when you talk about the current agreement that we have with TDVA, just keep in mind that TDVA doesn't own this building. They are a lessee and we pay them a portion. I guess you'd call us a sub-lessee. I think that's important to remember. And I think an important piece when you look at the contract is that \$35,000, I mean, that \$50,000 is ostensibly for this room, although it's clearly part of support for this public-private partnership. That's clearly for the room, but the \$35,000, that comes through the Tahoe Douglas Transportation Authority and that was part of

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the agreement when this facility was built. When the County built the garage across the way here and we have a bus stop here and that funding is supposed to keep all the space open here for these bathrooms and everything else for the public to use as a Transit Center. And if you go back to the record when this project was approved back in 2000, it was clearly the intent and part of the approval from TRPA for this project was that contribution as a Transit Center and I think that's very important. If the Board wants to consider ending the \$50,000, I would strongly urge that the \$35,000 be maintained as the Transit Center. I think that's very important. In terms of other meeting rooms, we have done some preliminary exploration. I don't have hard costs at this point to bring to you, but if the Board votes to give us direction to pursue that we can certainly do that. In Tahoe we have looked at the courtroom. It does look promising. There are some technical things that we will need to deal with. We've been in discussion with the courts about that. They seem amenable to having the Commission meetings there. There is some equipment that we'd need, but fairly minimal. When we looked at the Kahle Community Center, it certainly is big enough, but the room where we had the rate meetings, it's a multipurpose room. It's used for multiple things. It would have to be a completely mobile system that we stood up and tore down all the time. That's probably the most expensive option in terms of equipment. It also is going to mean more staff time for setup and teardown. We also did look at TRPA's facility. We have not had a lot of discussions with them about cost, what they would charge us, but it certainly seems adequate to meet our needs. Those are the three places that we've looked at. We've also had the discussions about casinos. There are facilities up here. If we had a particular topic where we expected a large turnout like we've had, that's an option that we could look at. We could do some pricing on that. In terms of looking at other places around the County, whether it's TRE or Indian Hills, we haven't looked at any of those options. That would obviously be a scenario where we have mobile equipment, which isn't a bad idea because we've been, in the Valley, we've had off-site locations for meetings because of strong public turnout and we are exploring with the videography company what that could look like and what the equipment could look like. I'm not prepared today to show you what the cost estimates are, but we can bring that back if that's the desire of the Board.

Chairman Penzel speaks:

Glad to know that one of my ideas was not a bad idea. That's good.

Commissioner Engels speaks:

Mr. Cates, who does own this building?

Chairman Penzel speaks:

Mr. Teshara, do you have any input on that?

Mr. Cates speaks:

I know the individual, but I am not sure what company it is under.

Mr. Teshara speaks:

Yes, it's Prim Ventures I believe is the official name of the owner of the building.

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Chairman Penzel speaks:
And who is Prim Ventures?

Mr. Teshara speaks:
He's been a major developer and property owner both residential and commercial in the Tahoe Township and other places for many years.

Chairman Penzel speaks:
And his name?

Mr. Teshara speaks:
Wayne Prim.

Commissioner Engels speaks:
So it's not a government entity.

Mr. Teshara speaks:
No.

Commissioner Engels speaks:
Okay.

Chairman Penzel speaks:
Thank you. Was that it? Okay. Okay, well gentlemen, we have two areas of decisions. The first area is do we continue to meet at Lake Tahoe or not. Do you want to put a limit on the number of times or do you want to say we continue to meet?

Commissioner Rice speaks:
Mr. Chairman, I think that for now we need to agree that we will continue meeting at Lake Tahoe until we can look at other sites. I think that to cancel the meetings here would be premature and I think that canceling our agreement with the Lake Tahoe Visitors Authority for the rent of this room is also premature seeing as how that much of the funds that we pay help keep this open for community functions for the entire area of the Lake.

Chairman Penzel speaks:
Okay. Before we go much further, I wanted to address a couple issues that were presented and I would...I'd like to shed some more light on the one statement about the budget being tight. Actually the budget is approved and it requires us to do special things to move funds around, so that's why we spend a lot of time on it because we've gotta account for it. Certainly saving money though is a good idea and we should look at how we can do that. I don't think we know the full set of ramifications if we were to move out of this building and if there's a legal issue that's associated with that. What I'm really concerned about is a lease that says we've got to pay a certain amount for a certain time and there's some kind of penalty if we did that. I think that'll be addressed in the second part of this discussion that we have. The first part though goes to what are we going to do?

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The one question, the one gentleman had two questions and he wanted to know how we all felt about Tahoe issues at Tahoe. And my sense is from what people have said is Tahoe issues at Tahoe should be seen or heard at Tahoe. Is that generally the situation?

Commissioner Engels speaks:

Well, I would think that the citizens that live up here would be particularly concerned. It's like Kirk was talking about, the folks in Zephyr Cove. The water issue came up and they weren't being taken care of at all and that's why we had the water rate meeting at the Kahle Community Center and the participation was substantial. It packed that whole Community Center and it worked out quite well. This agreement...we used to pay \$125K a year for this room and then somewhere in the past it got changed to \$50k. And the contract that we have is very convoluted and apparently we are paying or we have a contract with the Visitors Authority when in fact it is not the Visitors Authority's building. So we are negotiating with the Visitors Authority to be able to use this room. So there's some things that have come up in regard to this agenda item that I agree need to be reviewed and as far as participation at the Lake, I'm all for it. We can cancel meetings for January, February and March and the rest of the year's fine. So that we don't even run the risk of dealing with the weather. So the gentleman talked about pan County. Well, pan meaning the entire County. And of course that's important. TRE is important. Indian Hills is important. The core area of Minden/Gardnerville, a lot of heavy participation. And in regard to communicating and getting the word out on these meetings, that is an issue and that's something that should be addressed with Melissa Blosser for that \$11,000 consulting fee; how to get that word out to the community about what the agenda items are. So there's an amalgamation of things going on here. We don't have any desire whatsoever to alienate the Lake from the...we understand fully the economic value and the pristine value of the Lake and what it represents for our portion of the County. So that is not the intent at all. The intent is to get some of these things ironed out and address... \$50,000 is a lot of money and it could be a lot of money to the Sheriff's Department; it could be a lot of money to China Springs. It could...there's an amalgamation of entities within the County that were denied funds because we didn't have it in the budget. I'm of the persuasion that to pay \$50,000 a year for this facility is kind of exorbitant when we've got facilities we can use for free; Judge's Chambers, Community Center, some of these other places. So I don't know how we are going to bring this to a vote and maybe we should look at it from a different perspective, but the entities and the ideas and the things that came up are very germane to everybody in the County. So it was a very thought-provoking session and we need to figure out now how we need to proceed. Thank you.

Chairman Penzel speaks:

Okay, so if everybody's agreeable, we'll break this down into two specific issues. Do we want to continue the meetings at the Lake right now?

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Commissioner Rice speaks:

Mr. Chairman, I move that we continue alternating between the Lake and the Valley. I also move that when there's a special meeting, that that meeting be held either in the Valley or in TRE or Indian Hills.

Chairman Penzel speaks:

Well, I'll second that since you incorporated part of what I suggested. So we have a motion. Any discussion?

Commissioner Nelson speaks:

I think that...I think we should have the meetings, if we're going to have meetings up here at Lake Tahoe, we should have meetings at TRE and Indian Hills and have those at regular times just as we have now. A meeting here third Thursday, first Thursday down in the Valley. I don't know exactly how to make that happen right away, but I think we need to work toward that. If we vote on something else at this point, I think that's something we should be working toward, not just ignoring and letting it slip.

Chairman Penzel speaks:

And to tell you and to give you little further explanation of that, we have been averaging three meetings a month and in some cases we've had five meetings per month. I don't need to remind you of that, but if we have the first two meetings of the month already spoken for, the third meeting could go to Indian Hills the fourth meeting could go to TRE and then if we had a 5th meeting again, we could go out to the Ranchos. What I would suggest is if we continue on this motion that we also add to it that the County Manager bring back to us what would be a tentative schedule of meetings and how that would look. If and since you made the motion that would be a friendly amendment. If you want to accept it?

Commissioner Engels speaks:

Are the Judge's Chambers immediately available?

Chairman Penzel speaks:

Yes, sir. Well, he's in negotiation with it. And we used to meet up there and then we got kicked out. I don't know why, it happened before I got here. Now maybe he knew I was coming. I don't know. Now we're...I think the second part of this is where would we meet? But let's first deal with the meeting, just the meeting areas. Is that okay? Okay. So we have a motion with a friendly amendment to let the County Manager work it out. Are there any other comments? Alright. Then we'll call for a vote. All those in favor of the...wait. Did I mention that I made the motion and, I mean, that Commissioner Rice made the motion and I seconded it? You got that? Alright. We'll call for a vote. All those in favor signify by saying aye. Any ayes? The motion passes 4-0.

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MOTION to continue alternating the BOCC meeting location between the Lake and the Valley and for special meeting to be held either in the Valley or in TRE or Indian Hills; and for the County Manager to bring back to the BOCC a tentative schedule of meetings and tentative plan regarding locations; carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Wesley A. Rice, Commissioner
SECONDER:	Barry Penzel, Chairman
AYES:	Rice, Engels, Penzel, Nelson
ABSENT:	Walsh

Chairman Penzel speaks:

Right now let's talk about specifically meeting at Lake Tahoe. Are there ideas that you want to share?

Commissioner Nelson speaks:

Well, I was looking at the document that Carol Chaplin prepared and I think that with her numbers, a one day meeting here is \$400. So I wouldn't mind meeting here for \$400. That would be fine with me and if, I don't remember exactly how many other people, I don't have it with me, I should've brought it, but the other people from the County that meet here, a lot of them were just here for a couple of hours and they were charged... the charge would've been \$100 for them. I just think that those are reasonable fees for this building and if they want to charge us those fees instead of the \$50,000 and we continue to meet here, I would not be objecting to that. That would be fair and like I said it looks like only about \$12,000 for 10 months, which is \$1,200 a month which is a far cry from \$50,000 a year and that's all the meetings that are happening here.

Commissioner Engels speaks:

Perhaps there might be more benevolence by the Visitors Authority now with all the money coming in from the room tax that they're getting and help pay the freight.

Commissioner Rice speaks:

I think until we do further investigation as to other sites that are available that we need to put this on hold until we can get more information and direct our County Manager to explore other venues available at the Lake and what the cost of those would be.

Chairman Penzel speaks:

He's already started that and since he's already started that, do we need to give him further direction? Okay, the one thing I would like to add to that is what are the obligations we have for all these payments that we're making? Okay, is that agreed? Because if we just make a decision to pull out we end up with a penalty I don't want to be in that position. So is that, do you want to motion to that effect or... you're already doing it so is that...

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Commissioner Engels speaks:

The contract comes up for renewal in March. Is that correct? So we've got to get moving.

Patrick Cates, County Manager, speaks:

Yes, we're to give them notice by March per the contract.

Chairman Penzel speaks:

So are you looking to establish a time that we need to have the information by?

Commissioner Engels speaks:

Well, under those circumstances I move that we move to the Judge's Chambers and continue the meetings at the Lake.

Chairman Penzel speaks:

Is there a second? You want to make that decision now? We're in a discussion on this. We have a motion by Commissioner Engels...

Commissioner Nelson speaks:

If this has to be done by March and you are going to want to give them a 90 day notice, I think we need to move forward. We can't sit here and try to decide something.

Chairman Penzel speaks:

We have to give them the 90 day notice in March.

Commissioner Nelson speaks:

Oh, okay.

Chairman Penzel speaks:

Well, by March. So we have some time to have him give information to us. I don't mind moving to the Judge's Chambers, but I want to do that if we know all the things that we are responsible for. So do you want to continue with the motion?

Mr. Cates speaks:

Sir?

Chairman Penzel speaks:

Or do you want to...

Mr. Cates speaks:

If I may. Just for clarification what I was hoping to get out of it today was whether or not you wanted to continue to meet here. I think the Judges, the Courtroom is a viable option. And if you have a preference for that, we can certainly put more effort towards that than other locations. So the main thing I was looking for is do you want to meet here or not? And if not, do you have any preference for where else we might meet. We can dig in to that. You don't have to limit it to one location if you don't want to.

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Chairman Penzel speaks:

What I've heard is one Commissioner certainly would stay if it was a reasonable rent. I don't know if that's the Board, it certainly...

Commissioner Engels speaks:

That's another option. We could renegotiate the rental agreement.

Chairman Penzel speaks:

Right. Right.

Commissioner Engels speaks:

And see where that goes, because it's gone from \$125K to \$50K and from looking at that contract, it is pretty hard to figure it out so it seemed like just something that happened that you get done. But yeah, just the \$50,000 a year and sometimes we don't have a meeting because of inclement weather, we still have to pay \$4,000 for the facility. We don't get a rebate. That's a lot of taxpayer money that we can, we don't have to pay if we moved to another facility right here in the area.

Chairman Penzel speaks:

Agreed, but I think we should have all the facts before we make a move. Do you want to withdraw your motion or do you want to restate it? Would you...and would the second agree with it?

Commissioner Nelson speaks:

Depends on what he does.

Chairman Penzel speaks:

Go ahead. It's between the maker and the second.

Commissioner Engels speaks:

Well, let me see if I can get this straight. I move that we immediately start to find another location to have meetings at the Lake in view of the fact that the contract for this facility is coming up for renewal by March.

Chairman Penzel speaks:

Is that good enough for your purposes?

Commissioner Nelson speaks:

I'll second that.

Chairman Penzel speaks:

Okay, so you've restated the motion and you've agreed? Alright, so we have a motion by Commissioner Engels, a second by Commissioner Nelson. All those in favor signify by saying aye. Any nays? 3-1. We will call the vote 3-1. And just curiosity, why are you voting against it?

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Commissioner Rice speaks:

Because I think it's premature. We haven't even begun doing any negotiating with the LTVA and the motion that I heard was that we should no longer have meetings here and that we'd look for other sites to have our meeting so that's why I voted no.

Chairman Penzel speaks:

I didn't hear that. What I heard, could you restate the motion?

Shanna Greathouse, Deputy Clerk, speaks:

Immediately start to find another location to have meetings at the Lake in the view of the fact that this contract is coming up for renewal in March.

Chairman Penzel speaks:

So it's starting investigation, not immediately terminating this.

Commissioner Rice speaks:

I didn't hear starting an investigation. I heard that we would be looking at other places and that we would no longer be looking at this facility. That's how I interpreted it.

Chairman Penzel speaks:

I don't think that's what you meant was it? Would the maker of the motion clarify that?

Commissioner Rice speaks:

Actually it doesn't matter. It was 3-1 anyway, so.

Chairman Penzel speaks:

Well, it does matter because if it's 4-0 that means we have common agreement, so if you can clarify that and it can meet your requirement, I would like to do that. I would like to have that done.

Commissioner Engels speaks:

The intent of the motion was to find another facility to have meetings at the Lake that would cost nothing and that this contract, which is coming up for renewal, would be discussed with the Visitors Authority or whoever to see if it can be renegotiated. That's basically where it's at. The problem is the amount of money that we're paying when we can have something for free right next door.

Commissioner Rice speaks:

If that was the motion, which I didn't hear, than I can concur with that. And as long as it is not precluding the prospect of continuing our meetings here.

Chairman Penzel speaks:

Alright. I believe that the motion was to...that has that possibility. But for right now we will continue to meet here. Is that correct? Alright. So, let me call for the vote again. All those in favor signify by saying aye. Any nays? No nays. The motion

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carries 4-0. Is that clear? Thank you. Thank you ladies. Shanna, that's kind of a baptism by fire there.

Laughter from the audience.

MOTION to immediately explore alternative Lake meeting locations and discuss with the Visitors Authority the renewal contract for possible renegotiation; carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John Engels, Commissioner
SECONDER:	Barry Penzel, Chairman
AYES:	Rice, Engels, Penzel, Nelson
ABSENT:	Walsh

8. 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. (Barry Penzel)

Chairman Penzel read the agenda item into the record.

Commissioner Engels speaks:
Nothing to report.

Chairman Penzel speaks:
Alright. Thank you, sir.

Commissioner Rice speaks:
I attended the TRPA meeting at the Château in Incline Village on our snowy, snowy day and one of the things that were discussed at length was the need, number one, for Vacation Home Rental regulations throughout the different counties and it was noted that Douglas County appears to be ahead of the curve. And that Jenifer Davidson who sat in for me at the last meeting did a very nice job articulating what we are doing with our VHR regulations here in Douglas County. The other thing that they discussed at length was the need for attainable housing, workforce housing. Housing that is needed throughout the Lake basin and Douglas County isn't the only one with the problem. All of the counties surrounding the Lake have a problem with attainable housing and they are working on that now.

Chairman Penzel speaks:
Thank you, sir. Attainable.

Commissioner Nelson speaks:
Okay, yeah. The Nevada Tahoe Conservation District received a private grant for a quarter of \$1 million to do some work at Brautovich Park and they're working with

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Mr. Morgan on that. It's a SEZ operation. Do you know what an SEZ operation is? It is Stream Environment Zone. That was a new one on me so I just thought I'd see if anybody else knew. Anyway, so they're actually going to be removing... apparently a lot of dirt was moved in when they created that park and they're going to try and get that back to a natural flow, help clarity of Lake Tahoe etc. so we'll be getting some points on that issue and it...we won't lose really any of the facilities there. They're basically reengineering the whole thing so it'll just work better and be more natural the way it was originally. Thank you.

RESULT: FOR PRESENTATION ONLY

Chairman Penzel speaks:

I want to thank the three of you. This meeting had the potential to be a little bit contentious and I think we navigated that with a minimum of that. And we showed a willingness to compromise and work towards resolving the issues so thank you all. I appreciate that. County Manager, do you have any remarks? Okay, we'll call for final Public Comment.

CLOSING PUBLIC COMMENT- none

ADJOURNMENT

There being no further business to come before the Board, the meeting adjourned at 5:51 PM.

Respectfully submitted:

Barry Penzel, Chairman
Douglas County Board of Commissioners

ATTEST:

Kathy Lewis, Clerk-Treasurer

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