



The Minden Town Board meeting was held on Wednesday, June 2, 2010, at 1602 Esmeralda Avenue in Minden, Nevada beginning at 6:00 p.m.

Board members present: Ross Chichester, Bob Hadfield, Dave Sheets, John Stephans and Steve Thaler.

Staff present: Greg Hill, George Keele, Trish Koepnick, Bruce Scott and Roger Van Alyne.

6:00 p.m. Call meeting to order.

I. PRELIMINARY MATTERS AND PUBLIC INTEREST COMMENTS

Meeting was called to order by Chairman Hadfield.

1. Pledge of allegiance was led by Chairman Hadfield.
2. Mr. Van Alyne noted that item 6 will be pulled from the agenda. Sheets/Stephans moved for approval of agenda as revised. Motion carried unanimously.
3. Chichester/Stephans moved for approval of minutes of May 5, 2010 as published. Motion carried unanimously.
4. Mr. Hadfield noted the change in the process of the approval of vouchers. He said that not all of the monthly claims are approved at the regular board meeting, and that starting in July there will be a list of claims available to the public that they will be officially approving at the meeting. Thaler/Stephans moved to approve the vouchers. Motion carried unanimously.
5. Acknowledgement of gifts:
 - a. Mr. Hadfield offered appreciation to the Minden LDS church for planting flowers at Minden Park on May 22. Mr. Keele said that the LDS kids are always looking for projects to participate in.
 - b. Fortnightly ladies have consistently given donations to benefit the Hall, and this year they have generously contributed \$5000 for upgrades to the CVIC.
 - c. At the July 9 concert, Minden will receive a plaque in appreciation for the use of Minden Park for the Douglas County Concert series.
6. Public comment:
 - a. Roxanne Stangle said that the first Farmers Market was a big success, despite the weather. She invited everyone down to the Street Fair this coming weekend. Concerning the Main Street event, Mr. Schiller will not be able to do the event this year and she would like to pursue the possibility of keeping at least the Friday night event.
 - b. Mr. McMillan referred to the letter of Robert and Sandy Gardner in the May packet. He believes that the Board should pursue creating a standard sidewalk policy for all properties, complete the lighting on 395, and revive the Plan of Prosperity to see if it is working. The old flour mill is now a pigeon coop; this building has been donated by Bently to the Federal Historical Society and is therefore abandoned because there is no money to maintain it. This is a problem when a building can be donated as historical and not be kept up; there needs to be a policy to address this.
 - c. Sam Wilson and his dad Steve Wilson were introduced by Mr. Keele; Sam is pursuing a Boy Scout badge.

II. STAFF REPORTS

1. Public Works: Monthly report of activities by Greg Hill
 - a. Volvo trash truck is back from being refurbished and is in good working order.
 - b. Nevada Energy Systems has installed a load bank at Well 8; this will be beneficial to the engine and helps prevent failures.
 - c. The Mahogany Court project has broken ground; Greg is closely monitoring their activity.
 - d. The street rehabilitation project started last Monday; the contractor is doing a good job notifying our residents as well as providing traffic control. Schedule is published weekly in the paper thanks to Sheila Gardner.
 - e. There has been a design development review on the Buckeye Maintenance Facility; comments have been sent back to Ganthner Melby.
 - f. Nevada Rural Water Association has invited the Town to join the Nevada Water and Wastewater Response Network. This is an agency developed by each state to provide mutual aid and assistance between utility companies in the event of an emergency.
 - g. We had our third arson attempt at the gazebo this year. We currently have electronic locks, but are exploring additional security measures to implement including surveillance cameras with recorder, motion activated lighting, electromagnetic locks, and a fire alarm system.
 - h. Mr. Hill has checked out the costs of canopy rentals and is working with two companies concerning replacement of the top canopy. He will present proposals next month.
 - i. Monthly safety meetings are being conducted; last month Andy taught a lock out tag out class. The crew attended a blood borne pathogens class; several employees attended the annual equipment show and free classes at the CVI. Two parks employees attended the Weed Warriors class. Tom Haar has renewed his backflow license, and both Tom and Andy are pursuing grade three and four water distribution licenses respectively. Greg will be working with POOL PACT to establish a workplace safety program
2. Engineering Report: Monthly report by Bruce Scott.
 - a. Douglas County Commission and the Carson City Board of Supervisors will have respective hearings on June 17 regarding the inter-county transfer of water rights associated with the Town of Minden water Place of Use being expanded to Carson City. Also that day will be the second reading of the bond issue for Carson, as well as Douglas County possibly going to bid on the portion of the water line serving Indian Hills. Bruce would like to move towards the bidding process on the tank and the waterline for which we have purchased materials in the East Valley. This is acceptable according to bond counsel. There have been no protests made to the water transfer and the protest time is over.
 - b. Mr. Scott would like to begin the process of moving some of the water rights as requested by the County. They would be billed through the Town and reimbursed by the County just like a developer. These water rights will be in the name of the Town of Minden and paid for by the County totally.
 - c. NDOT has stimulus money to overlay 395 from 1st Street to Jacks Valley next summer; they are working with Douglas County on the concept of widening culverts. The water will end up going out to the Klauber Ranch more quickly and increase the ability of the Martin Slough to pass water under the highway.
 - d. More than 100 letters have been sent to people who have not paid assessments for Carson River decree water rights; several respondents have indicated an interest in donating their water rights. The first step is finding if there is a legitimate water right attached to the property. We would be accumulating these surface water rights for the long term benefit of the Carson Valley.

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Mr. Hadfield noted that Watermaster Gary Stone is in favor of this action; this helps the water stay in the Valley. He noted that the Town has spent more than \$613,000 protecting Minden water rights in the recent Paiute Tribe litigation

3. Attorney Report: Monthly report by George Keele.

a. Mr. Keele has been working with Bruce and Roger on town policies, procedures, by-laws and ordinances. The appraisal for the location of the Booster pump station on Heybourne is being reviewed. We are working extensively with respective logistics on the interlocal agreements for the pipeline north and with professional staff on the litigation.

4. Manager's Report:

a. After the primary on June 8 we will be going forward with plans for the candidate's night.

b. Organizational profile will be based on the Malcolm Baldrige National Quality Award.

c. Mr. Van Alyne is working on concepts for the future use of the existing maintenance yard.

d. The Towns, County, and Chamber of Commerce are developing ideas on participation in the Nevada Territory Wild West Fair.

e. Representatives from Douglas County, Indian Hills GID, Carson City and Minden are meeting monthly to coordinate the many projects associated with water service in the North Valley.

f. The new website is now operational; training will start soon regarding maintaining the website.

g. Wellhead protection presentation has been moved to the July meeting.

h. Regarding the Winhaven Gardens HOA site for the Heybourne Booster station, Johnson-Perkins made a time and material proposal not to exceed \$5,000 with a time frame of 45 days to complete the work.

i. Douglas County is completing the acquisition of the Seeman Ranch property through Question One funding. We are coordinating with Douglas County concerning the trail project because we will be taking over maintenance on a portion.

i. Mr. Van Alyne has been invited to the County Manager's Department Head meetings.

j. We have started a dialogue with NV Energy concerning rate structure and future plans, with the intent to lower power bills in the future.

k. The Towns are coordinating an effort to make the County's proposed volunteer policy more user friendly.

l. Mr. Van Alyne attended a POOL PACT webinar called Transforming Conflict into Collaboration; he will be sharing concepts with staff.

m. We are exploring a grant opportunity that would create an inventory of potentially contaminated sites in the Valley.

n. Mr. Van Alyne, Mr. Hill and Ms. Koepnick have initiated a regular meeting in an effort to improve communication between office staff and field staff.

Mr. Thaler questioned the effort to finish the County Road project; Mr. Hadfield said that he will follow up on the status of possible funding from the federal government. Mr. Van Alyne noted the effort to change classification on two specific roads in Minden that would make them eligible for grant opportunities.

5. Board member reports:

- Chairman's report
- Board member comments

III. ADMINISTRATIVE AGENDA:

1. Discussion and possible action to approve, approve with conditions, continue, or deny request for approval of renewal proposal from Nevada Public Agency Insurance Pool (POOL) and, if approved, authorize payment to POOL in the amount of Thirty-Five Thousand Sixty Dollars and Eighty-Eight Cents (\$35,060.88). Appearance by Bruce Hollander, Warren Reed Insurance, and Wayne Carlson, POOL PACT.

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Bruce Hollander noted that the POOL PACT was being represented tonight by Anne Wiswell instead of Wayne Carlson. The total insured value is due to the property being appraised every four years for replacement cost, not market value. Bruce said that the increase reflected a 1.2% increase in total insured values and a 17% increase in payroll for water employees.

Ms. Wiswell distributed a publication that describes the nature of a risk pool. POOL PACT is geared towards reduction of risk exposure as well as offering affordable risk financing to its members. There are over 107 government agencies in the POOL joining together to self insure which gives broad coverage with high limits. She noted various services that the Town might want to take advantage of are equipment and machinery inspections, grant programs to offset expense for risk management, as well as unique training on line at no cost.

Mr. Sheets would like to look into opportunities for vandalism surveillance, and also thanked Mr. Hollander for his administrative fee remaining the same for several years. Mr. Sheets found a math error in the cost breakdown for the premium. Mr. Van Alyne apologized for the disparity in the fiscal impact; there will actually be a \$1,000 adjustment in the water fund. The total insured value is due to the property being appraised every four years for replacement cost, not market value.

No public comment.

Thaler/ Stephans motioned to approve the renewal proposal from Nevada Public Agency Insurance Pool (POOL) and authorize payment to POOL in the amount of Thirty-Five Thousand Sixty Dollars and Eighty-Eight Cents (\$35,060.88). Motion carried unanimously.

2. Discussion and possible action to approve, approve with conditions, continue, or deny request for Town of Minden to: 1) co-sponsor/host a stop on the 2010 Hot August Nights Poker Run, August 5, 2010, from 9:00 a.m. to 3:00 p.m., to include a street closure and use of Minden Park; 2) purchase lunches for volunteers in an amount not to exceed one hundred-fifty dollars (\$150); 3) waive street closure and trash pickup fees, and provide general support to the event; and 4) donate a one-time rental of CVIC Hall in exchange for a shade structure. Appearance by Carson Valley Chamber of Commerce & Visitor's Authority.

Bill Chernock represented the Carson Valley Chamber of Commerce and Visitor's Authority. He noted that this was a somewhat longstanding event that does a good job of exposing the Valley to some very desirable customers. The Visitors Authority invests \$2,500 annually as well as staff time. They would like to continue this partnership; there would be no changes to what has been done in the past.

No public comment.

Chichester/ Thaler moved to approve the request for Town of Minden to: 1) co-sponsor/host a stop on the 2010 Hot August Nights Poker Run, August 5, 2010, from 9:00 a.m. to 3:00 p.m., to include a street closure and use of Minden Park; 2) purchase lunches for volunteers in an amount not to exceed one hundred-fifty dollars (\$150); 3) waive street closure and trash pickup fees, and provide general support to the event; and 4) donate a one-time rental of CVIC Hall in exchange for a shade structure. The fiscal impact to the Town is around \$1000. It would provide real exposure of Minden and Douglas County, as well as provide an economic stimulus. Motion carried unanimously.

3. Discussion and possible action to recommend approval, approval with conditions, or denial, and make comments on a Zoning Text Amendment (ref. DA 09-088), initiated by the Douglas County Community Development Department, amending Douglas County Code Title 20, specifically regarding establishment of a gaming district overlay. Appearance by Douglas County Community Development.

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Brandy McMahon of Douglas County Community Development gave a Power Point presentation with a brief history of the ordinance. It was first brought forward in 2006 with the intention to protect the quality of gaming in Douglas County and help bring tourism, but was not approved by the Douglas County Board of Commissioners. Staff was asked to look at the ordinance again because of the economic downturn. The ordinance changes are designed to combine all the applications necessary to construct and operate a gaming establishment and require no less than 100 guest rooms for all new gaming establishments requesting an unrestricted gaming license. Existing and approved gaming establishments will be vested and therefore the new provisions will not apply; these provisions apply only to the Carson Valley and not the Lake Tahoe area.

Gardnerville has recommended approval; Genoa did not vote but was concerned with the guest room requirement. Statistics from the Douglas County Comptrollers Office show an average occupancy rate of around 41%.

Mr. Hadfield complimented Ms. McMahon on her presentation and history, as well as relating the latest developments with the Towns.

Ms. McMahon said that in the case of the COD casino, they now have a one year extension with one year to pull their building permit or special use permit. If their project does not move forward and their special use permit expires, they can ask for a new special use permit if they do not change their development plan. If they let it expire and make changes to their plan, they will be required to provide the resort hotel component. Change of ownership is not a change of plan. Nevada Northwest LLC is still valid because the gaming was approved with a specific plan. They have the zoning, and the gaming district overlay is on the zoning map. The applicant has the responsibility to address Item 12 and 13 (enhancing community and demonstrating adequate housing).

Mr. Chichester and Mr. Sheets questioned the ambiguity of items 12 and 13 and the need for objectivity concerning them. Mr. Hadfield agreed that this needed clarification; ideally it would create jobs in the community. Douglas County does not have affordable housing and it is a difficult argument to make in Douglas County.

Mr. Stephans said it is hard to justify building rooms when there is occupancy of less than 50%; this does not stimulate the economy. Mr. Hadfield counter-argued that one of the things the law was put into place to prevent was a proliferation of little establishments that are just smoke filled rooms with a bunch of slot machines.

Mr. Chichester thought that it would be wiser to base the room requirement on square footage, or some sort of formula. Mr. Thaler said that he believed there must have been some strategy behind the requirement of 100 rooms that was used in Carson City. Mr. Hadfield said the original notion was for people to stay in the area and the government wanted room tax revenue.

Public comment:

a. Robb Hellwinkel said the C.O.D Casino has had a real challenge because of the particulars of the building. While he was adamantly opposed to the original ordinance, he spoke in support of whatever decision the board made.

b. Ron Terrell representing Sharkey's and Holder Properties asked for the support of the change in this ordinance. He said there are an enormous number of casinos in bankruptcy. If these little casinos come in to the community they will put the existing casinos out of business because the profit margins are very small. Casinos like Sharkeys are community based and give a lot back to support the community and he believed that any new casino should be required to have to give something back to the community.

c. Bill Henderson of the Carson Valley Inn said the CVI is definitely in favor of this. He appreciates that the county brought this forward. Hamdogs was requesting to change from restricted gaming license to a nonrestricted license, and this shed light on what the possibilities are. To operate a non restricted gaming license there must be an investment of some sort to help the employment base and profitability return to the community. Also, the 100 rooms seem to work because it puts us in a level playing field as Carson City. The room requirement forces marketing out of the area and makes the pie bigger. Mr. Henderson questioned the occupancy percentages because the information is only as good as the information that the county is given. He disputes the figures as far as what he sees at the Inn.

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d. Beverly Giannopoulos agreed with the recommendation and concurred with Mr. Henderson. The requirement of 100 rooms most likely has a history and information gathered to support it.

e. Rick Ross of the Topaz Lodge said they have reinvested millions over the last couple years, including the purchase of the Topaz Nugget for the purpose of stopping what could happen now with small casinos. The Lodge is a major community supporter as well as being a water company needing to deal with arsenic remediation which will cost over \$700,000. Allowing small casinos with no restrictions would make operating existing casinos extremely difficult if not impossible.

Board comments:

Mr. Sheets could not support the 100 room concept and believed we must use some kind of formula as well as some way to clarify items 12 & 13.

Mr. Thaler questioned what the magic number is that works, and believed that we need to not be in competition with other counties. If this will help the casinos now and in years to come he supports this; it is incumbent on the applicant to prove that they have met the requirements.

Mr. Hadfield argued in favor of the 100 rooms because he does not believe that any formula would work; because of the dynamic nature of the industry, it is hard to relate it to square footage. He also does not want Douglas County to be in competition with Carson City.

Thaler/Hadfield motioned to recommend approval of a Zoning Text Amendment (ref. DA 09-088), initiated by the Douglas County Community Development Department, amending Douglas County Code Title 20, specifically regarding establishment of a gaming district overlay. Motion failed

Further board discussion ensued concerning room numbers, size of property and items 12 & 13.

Thaler/Stephans moved to recommend approval of a Zoning Text Amendment (ref. DA 09-088), initiated by the Douglas County Community Development Department, amending Douglas County Code Title 20, specifically regarding establishment of a gaming district overlay, amending to add in that we also send a concern to the Community Development/Board of Commissioners that although we passed with 100 rooms there was a lot of discussion regarding a number less than 100 rooms and the ambiguity of items 12 & 13. Motion carried with Hadfield voting yes, Sheets/Chichester voting no.

4. Discussion and possible action to approve, approve with conditions, continue, or deny request for Town of Minden to expand the usable area for the Main Street Event car show to include parking cars in Minden Park and increasing the limits of the street closure. Appearance by Main Street Event.

Mr. Van Alyne noted this item is on the agenda at this point to establish a board policy concerning the parking of cars on Minden Park.

Roxanne Stangle spoke concerning this event. Mike Schiller was severely injured in an automobile accident after the last board meeting. He is still in a drug induced coma with a long road to recovery ahead of him. His son has said that he will not be able to take the event over, and Roxanne would like the board to entertain the prospect of trying to keep the Friday evening downtown event alive.

Mr. Sheets would very much like to see event continue; he is not in favor of cars on Minden Park.

Mr. Thaler also would like to see the event stay and offered his help with a committee, etc. This is a hallmark event; perhaps we could make it a Town of Minden event. He also does not want cars on the park.

Mr. Van Alyne suggested the possibility of using this event in conjunction with the economic development funds.

Chichester/Stephans moved to deny the use of Minden Park as a parking area for these cars and that the other part of this agenda item comes forward next month when Roxanne has gotten more information together.

Public comment:

Marlene Hellwinkel asked for clarification concerning the parking of cars on or around the park. Parking will be allowed at the park, but not on the grass.

Motion carried unanimously.

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5. Discussion and possible action to approve, approve with conditions, continue, or deny Resolution #2010R-046 to augment the 2009/2010 budget. Appearance by Town Manager.

Mr. Van Alyne noted that this was primarily housekeeping item with the county.

No public comment.

Stephans/Thaler motioned to approve Resolution #2010R-046 to augment the 2009/2010 budget. Motion carried unanimously.

6. Discussion and possible action to approve, approve with conditions, continue, or deny Purchasing Practices and Approval Authority Policy for the Town Manager, effective June 3, 2010. Appearance by the Town Manager. This item was removed with the approval of the revised agenda.

Mr. Hadfield said there might be a June 19 early morning workshop to talk about the expectations and goals for the manager, and possible policies.

7. Discussion and possible action to Examine, Award, Continue, or Reject bid for the 2010 Street Sealing Program to the lowest responsive and responsible bidder. Staff recommends award to Kustom Koatings, Inc., in the amount of \$79,282.63. If approved, authorize Chairman to execute Agreement for same. Appearance by Town Engineer.

We received one competitive bid from Kustom Koatings. Mr. Scott said that Kustom Koatings has been our regular contractor for the last 7-10 years; they have always done an excellent job. The work will be done primarily in Winhaven.

No public comment.

Chichester/Stephans motioned to award bid for the 2010 Street Sealing Program to the lowest responsive and responsible bidder Kustom Koatings, Inc., in the amount of \$79,282.63 and authorize Chairman to execute Agreement for same. Motion carried unanimously.

8. Discussion and possible action to Examine, Award, Continue, or Reject proposal for the CVIC Hall Sound System Upgrade project. Staff recommends award to Minden Electric in the amount of \$24,000.00. If approved, authorize the Chairman to execute Agreement for same. Appearance by Public Works Superintendent.

Mr. Hill said that we continue to have problems with our current audio system. The system recommended has two eight (8) channel mixing boards, wireless amplifier, new wireless microphones with the desktop option rather than the lapel microphones, and digital recording equipment. The system will not be limited to use with the wireless microphones; our current ones will be compatible. This will provide a more user friendly system for the community. \$5,000 of the cost will be paid for by the contribution from Minden Fortnightly.

No public comment:

Sheets/Stephans moved to award the CVIC Hall Sound System Upgrade project to the lowest responsive and responsible bidder Minden Electric in the amount of \$24,000 and authorize the Chairman to execute Agreement for same. Motion carried unanimously.

9. Discussion and possible action to approve, approve with conditions, continue, or deny request to change the start time for the Minden Town Board meetings from 6:00 p.m. to 5:30 p.m. Appearance by Town Manager.

Mr. Van Alyne noted that this would be an opportunity to get staff reports done prior to the regular agenda.

No public comment.

Chichester/Sheets motioned to approve the request to change the start time for the Minden Town Board meetings from 6:00 p.m. to 5:30 p.m. Motion carried unanimously.

10. Discussion and possible direction to staff regarding the punchlist for the Monterra subdivision. Appearance by Public Works Superintendent.

Mr. Hill said that at the last board meeting, the Board requested a report on the outstanding punch list items for the Monterra subdivision. The situation with Syncon is not very good. These items are not of high

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priority for them due to their economic situation. Chip Hanly from Syncon appreciates the history with the Board. Home sales are flat, and it is very possible that Syncon will not be around in the next year or two. The County holds the bond and there is not much the Town can do to make things happen.

Mr. Chichester suggested classifying the list into two categories: amenities not done and health and safety issues. He suggested composing a letter to Syncon and Douglas County requesting completion of the health and safety issues and include a response date. Mr. Sheets requested the as-built drawings in our hands as well.

Mr. Hill said that a major concern is the drainage structure with steel plates on it with an elevation drop to the sidewalk. Also, the only operational street light is at the corner of Heybourne and Bougainvillea.

Mr. Hadfield said that we will do our best to get Syncon to take care of these problems, and then explore other alternatives. We will send a letter to Syncon and copy the County.

Public comment:

a. Bob Pohlman said that the sealing of the Monterra roads is not in the bonds. Mr. Hadfield directed Mr. Van Alyne to meet with county staff concerning duration of the bond, etc. Mr. Pohlman said that their permit has expired and new permits will need to be issued. Mr. Keele said that any health and safety issues would not need new permits to be addressed.

b. Dave Brady said he has met with Winhaven HOA, and information from that meeting has been forwarded to the District Attorney. The question becomes what legal recourse we have on the bond. He is committed to work with all parties to get this resolved.

c. Sandy Deyo said he would like to thank the Town for the concern shown over this issue.

11. Discussion and possible direction to staff regarding the Town's participation in various parades. Appearance by Public Works Superintendent.

Mr. Hill gave a report on the costs of the Town's possible participation in four parades in 2010. These parades would be Carson Valley Days, Fourth of July in Virginia City, Nevada Day and Parade of Lights. The total cost for events including the fire engine /calliope costs to be at the lighting of the gazebo is \$1577.00. The costs would be for only one paid employee; participation by other staff would be on a voluntary basis.

Mr. Scott offered to offset the costs of whatever parades, etc, that the town chose to participate in noting that this is what Minden is all about.

Direction was given for participation in all proposed events.

Board member comments (continued from II. Staff Reports above)

Mr. Sheets questioned the status and possibilities of economic development grant from the County. Mr. Van Alyne said that there are two things being looked at for the economic development dollars that the county has offered to the Town. One is to create the series of cruise nights as a valley wide event; the other is a proposal to provide a new set of banner poles for Esmeralda Avenue, which would be a huge boost to economic development. These poles would be positioned in a way to get better visibility for the highway. This would keep us from dealing with the issues involved to maintain and support the banner poles across Hwy 395, and keep control without dealing with NDOT.

Mr. Sheets gave a historical account on the county's offer of a contribution. There have been numerous revisions and no further input from the county on a specific plan for Minden. Mr. Van Alyne said that he is hopeful that the County's consultant will be at the July meeting for a report on economic development.

Mr. Sheets questioned the new volunteer policy and how cumbersome it seemed. Mr. Van Alyne said that there is a team looking at other options including a tiered policy where drop ins would not be fingerprinted and long term volunteers would be fingerprinted.

Mr. Sheets asked for clarification on the Towns participation in the latest County purchase of wetlands area. Mr. Keele said that he Town has been written into the agreement in a general way to

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provide oversight and maintenance for the portion of the Martin Slough that is being purchased under Question 1 grant funds. The details remain to be worked out. Tom Perkins could give an outline of where the County is and respond to questions from the Town. As far as Mr. Keele knows the Town will not contribute monetarily; he will try to secure document if approved. Mr. Van Alyne said he has a copy of the document that noted the Town's involvement.

Mr. Thaler requested that steps be taken to stay ahead of the weeds at Gateway Center, and put back on the agenda if necessary. George noted that we might be dealing with another party concerning Gateway after the auction in mid June

IV. ADJOURNMENT

Stephans/Sheets moved to adjourn the meeting at 9:25 p.m. Motion carried unanimously.