



The Minden Town Board meeting was held on Wednesday, July 7, 2010, at 1602 Esmeralda Avenue in Minden, Nevada beginning at 5:30 p.m.

## **I. PRELIMINARY MATTERS AND PUBLIC INTEREST COMMENTS**

Meeting was called to order by Chairman Hadfield.

1. Pledge of allegiance was led by Steve Thaler.
2. Sheets/Thaler moved for approval of agenda.
3. Sheets/Stephans moved for approval of minutes of June 2, 2010.
4. Chichester/Thaler moved for the approval of vouchers.
5. Acknowledgement of gifts:
  - a. Mr. Hadfield thanked Bruce Scott for his contribution to cover the costs for the parades in which the Town of Minden takes part.
  - b. Acknowledgement of service awards: Tom Haar (15 years) and Trish Koepnick (20 years) received service awards, and the Board thanked them for their continuous dedicated and outstanding service.
6. Public comment:
  - a. Beverly Giannopoulos gave a reminder of the candidate's night on October 4<sup>th</sup>. She said she hoped that the beneficiary of Minden Gateway would clean up the weeds. She also noted that Cowboy Corner has a new sloppy red paint job that does not look professional at all. Mr. Hadfield agreed that the Gateway owner should clean up the site; we might put a lien on the property.
  - b. Roxanne Stangle thanked and acknowledged Roger, Greg and Trish and any other employees involved for the steps that were taken to rectify the situation that came up last week concerning an event that she was involved in.
  - c. Mr. Pohlman asked the Board if, based on Syncon's financial trouble, they would give consideration to what we do long term with the road on Monterra Phase 2 if Syncon cannot maintain it properly after the pump station goes in.

## **II. STAFF REPORTS.**

1. Public Works: Monthly report of activities by Greg Hill.
  - a. Greg will be contacting Roxanne tomorrow about anything needed to wrap up concerning the antique show.
  - b. Update on Mahogany Court project included pictures showing status. Mr. Thaler questioned requirements on start time for working. Mr. Hadfield has toured the project and believes that this is a very good project, not cheap construction. They are giving the high school a scholarship for being allowed to use DHS for material storage.
  - c. Update on the 2010 Street Project: Garcia has been doing work in other areas but they will be back in Minden to do the cleanup and be done by Friday, with possible exception of speed bump. They have done a good job; the delay is due to economic decisions.
  - d. Preliminary meeting was held concerning upgraded Buckeye booster station; Mr. Chichester suggested keeping existing booster station and possibly house a new well.
  - e. Next week they will go over the preliminary budget for the new maintenance facility. Time frame for construction is approximately 6 months.

c. Jakes Wetland has a higher water level to help reduce the temperature and control algae. James Smith has started a test plot for native grasses. If it works well we might do this in more areas to get rid of the noxious weeds.

d. We participated in the Virginia City 4<sup>th</sup> of July parade with the suburban panel truck and calliope. BJ Strauser is the staff parade driver; Shane Mortensen and Trish Koepnick are good will ambassadors attending on their own time.

e. Sound system has been ordered and hopefully in place in August.

f. Application has been submitted to POOL Pact for security enhancements at Minden Park and is under review; we are getting a proposal for cameras.

g. We have not heard from Syncon concerning the letter sent after last month's meeting; Greg will follow up if they do not respond.

h. Conduit has been installed from County Road down 6<sup>th</sup> street to the corner of 6<sup>th</sup> and Mono for the new town street light with LED lighting.

i. Steve McGee gave safety meeting on lawnmowers and small equipment.

j. There was a problem at a new home construction at 1510 Silver Birch with the main capped off and not connected. It is now repaired, pressurized and they have water again. This probably happened with the newest extension of Deseret. We will be looking at time expiration for water permits. Roger commented on the professionalism of the staff at the Silver Birch job and the unique training opportunity.

Mr. Thaler noted that the water disconnects and reconnections after payment of the bills as indicated on Greg's report shows the policy is working. Ross expressed concern over foreclosures and situations where the water is turned off and the landscaping dies.

## 2. Engineering Report: Monthly report by Bruce Scott.

a. A pre-construction meeting will be held next week for street sealing.

b. Water tank will be out to bid later this month.

c. The water line project from Orchard Road to the water tank is out to bid with the anticipation of a special meeting in July to award the bid after receipt of funds from Carson City.

d. The Douglas County water system consolidation was turned down by the county commission; Bruce has been assured that this will not affect the North Valley pipeline connection. They will need to go back to adjust water rates on their individual service areas.

e. RCI is working on accepting water rights from people who are delinquent on payment of their surface water rights. There have been about 25-30 formal responses and about 10-15 said to proceed. This will probably be in the range of accepting 10-20 acre feet. The process would include acknowledging the donation without placing a direct value on it.

Mr. Sheets was assured that information has been provided to residents near the water tank after the second meeting.

f. The Getty trade is nearly done with the verbiage needing further clarification; it includes shares in the Alpine Reservoir Company.

Mr. Hadfield requested Bruce to contact the Gardnerville Water Company to continue the initial dialogue to develop a possible arrangement to wheel their water for service to the county.

## 3. Attorney Report: Monthly report by George Keele

a. Mr. Keele said that the three lead matters in his report are water. In the Dayton Valley case, the 9<sup>th</sup> Circuit Court felt that the Tribe might have felt aggrieved and after much discussion sent case back to U.S. District Court to show evidence of this. Case now could be not about water rights but about whether diversion of water to Truckee River has aggrieved the Tribe and if their rights are compromised. It would then go back to the 9<sup>th</sup> Circuit Court. There could be possibly another year and half before a decision and he believes that there will be no quick resolution to our matter because of this. Mr. Scott said that the Dayton Valley ruling is not much different from the

Carson Valley ruling because the water rights that we are defending are already approved, not new appropriations. Tribe has requested extending arguments on Carson Valley pending results of the Dayton Valley decision, causing the case to move very slowly. Because we have the ruling in our favor that the state engineer's approval stands, we are in a more favorable position. It is critical in regard to water rights that we move ahead once the permits are issued for water we are selling to Carson City, and the transfer of rights to Minden wells.

George said that the Town is establishing itself as the exchanger of legitimate water rights. It has proven judicial that the Town collected water rights; we have developed and defended the water rights that we have, and have been vindicated by the state engineer and the 9<sup>th</sup> Judicial Court of Nevada. Concerning Town water rates, he said that discriminating appropriately is to be encouraged; water rates for the Town discriminates among appropriate classes of customer; they are designed well and are defensible. Bylaws for the Town will probably be brought to the Board in August to address rules for procedures at Town meetings and creation of rate design policy. Also, Mr. Keele and Mr. Sheets have been working on aspects that they will be bringing back in August.

4. Manager's Report: Monthly report by Roger Van Alyne.

a. The candidate's night is on schedule. There are 6 candidates still in contention after the primary. The candidate's profiles are included in the July newsletter.

b. Gateway Center was 'reverted to beneficiary' on June 16, 2010; Roger is investigating what this means in the big picture.

c. Nevada Territory Wild West Fair update: The Carson Valley team is in full swing with a rough concept for the display and is establishing a schedule for manning the booth. POOL/PACT has issued an insurance certificate. The Minden/Tahoe Airport is loaning the team their portable display.

d. Douglas County has advertised the North Valleys waterline project.

e. Roger has received a draft appraisal from Johnson-Perkins concerning the possible booster site at Winhaven Gardens.

f. Roger is changing the level of communications with the Board, starting with a weekly update. He requested the Board provide him with a list of activities that each Board member is involved in; for example, staff coordinates budget issues with the John Stephans and Ross Chichester; Ross Chichester and Steve Thaler are the primary Board members for issues on the maintenance facility; Dave Sheets is the economic development guru; Steve Thaler is the liaison with Carson Valley Arts Council.

g. The team is putting the final touches on a document to forward to Human Resources concerning the Volunteer Policy.

h. John Stephans, Greg Hill, and Roger reviewed the issues and concerns with the Monterra subdivision. As directed by the Board, staff prepared and forwarded a letter to Syncon Homes and provided a copy to Douglas County.

i. Other activities:

- John Stephans and Roger met with government affairs liaisons from GE to discuss LED lighting and other ways GE can help the Town. Staff is reviewing information provided by GE and will make a report at a future Board meeting.

- Roger met with a representative of GBL Geothermal to discuss opportunities for using geothermal heating and cooling. The County is using geothermal heating and cooling in the Courthouse building.

- Greg Hill, Andy Concannon, James Smith, and Roger are meeting on a regular basis to discuss and coordinate field operations. Board members are welcome to participate. The meeting is held on the first and third Mondays of every month in the Manager's Office, except for holidays when the meeting moves to Tuesdays.

- Roger attended the Cultural Tourism Summit sponsored by the Carson Valley Arts Council, learning how to market our community.

- Ross Chichester, George Mahe (RCI), and Roger attended the design review for the Maintenance Station, conducted by Douglas County staff. We received several comments on the design, most of which are easily resolved. One of the comments requires a bit of re-engineering the drainage for the truck wash and the shop. Since the project is in a wellhead protection area, we have to direct drainage in these areas to the sanitary sewer instead of the site drainage through the sand/oil separator.

- We have received a proposal for installing a fiber-optic connection to the Minden Inn to replace the existing wireless connection. Staff has experienced connectivity problems in recent months. I will bring forward an item for the Board's action next month.

- We are revising our internal procedures for reserving the CVIC Hall and Minden Park for wedding packages to avoid potential conflicts from double-booking.

Roger will be off on July 16 & 19. On July 20 he will be giving a presentation for Leadership Douglas County; Dave will plan to attend. Roger also mentioned that the buntings were stolen from Minden Park. We have filed a police report and will need to replace them.

5. Board member reports:

- Chairman's report: None
- Board member comments: None

## II. ADMINISTRATIVE AGENDA:

1. Appearance by BEC Environmental, Inc. (BEC) regarding the Community Source Water Protection (CSWP) Plan in Douglas County.

Kathleen Johnson gave presentation. This is a voluntary, comprehensive program under contract with the state of Nevada to help the Town and adjacent entities coordinate the protection of their water supply by developing the CSWP. The Town has a current wellhead protection plan that was developed in 2004 and protects 7 wells. Groundwater does not have jurisdictional boundaries. Each well map gives idea of how to manage water supply and potential sources of contamination. BEC is looking to the community for input on how to develop community management strategies. The team that is meeting is from all of the local water companies and meets the 1<sup>st</sup> Wednesday of every month. This coordinates information to do progressive community planning and allow for growth, development and potential grant opportunities. Also, in order to get grant funding the state must endorse the plan after the Board approves the plan. The program covers five different elements, and the coordination of emergency response plans and contingency plans (planning long term options) is the fifth element of the program. Each water system should currently have an emergency response plan which may or may not presently be coordinated with adjacent entities, and can be captured in the final plan. BEC is a technical assistance provider in this program; they do not get involved in the political side of water issues. Mr. Hadfield noted that it looks like we are at the start of a significant journey, we will be major participants in the process and we appreciate having her as a resource to assist in the common goal of protecting the groundwater.

2. Appearance by Karen Craig regarding Douglas County's Economic Vitality Program.

Karen Craig gave a Power Point presentation detailing her work with Douglas County in helping to develop an economic development plan. This is an update on the project at the halfway point. Looking back at meeting with Mr. Sheets and Chairman Hadfield, what they said rang true concerning the uniqueness of Minden and the goal to keep it that way. The "Discover Minden" walking tour was a starting point. We are doing this exercise because economic vitality is about diversifying our business so we can better survive any kind of economic downturn. This is a high priority for the county on their strategic plan. Excellent planning has been done community wide already, including the Minden Plan for Prosperity. The big picture for Douglas County is for this plan to look at commonality of various plans and assessments, identify what we can eliminate, look at what is underway and what is on the horizon, with a goal to mobilize action plans by September 30. This will be the baseline on which to make decisions about how to dedicate resources to benefit the community. Three areas of focus seemed to point to where our strengths are, and celebrating them is the focus for this plan: outdoor recreation and lifestyle, distinctive downtowns, and education and workforce.

Ms. Craig gave specific ideas on possibilities of what we can plan. This included ideas for Douglas County concerning trails, manufacturing outreach, the V&C, gondola from the lake, using WNC during the day, making sure that GE stays in the valley, and a possible multi-generational center. Most recommendations concerned historic downtowns. Esmeralda Street is a gem that could possibly become a pedestrian street. The momentum of capital input at the Carson Valley Inn, the dedication of the property owners for historic preservation at the corner of 395 and Buckeye, the investment in Minden of Tahoe Ridge, the Arts Center, and the possibilities of the Seeman Ranch are areas of focus in Minden.

Douglas County has articulated what the role of the county should be: leadership, partnership, facilitation, communication, and helping to leverage resources. The commissioners are committed to the plan and the county is dedicating staff to an economic vitality effort. The next step is to begin an action plan by setting goals and measures to be ready by September of this year.

Mr. Hadfield said that one of the challenges is that we have a lot of office buildings and some bigger buildings that do not fit in and have ingress and egress issues. Also, how can we get business to come into area when it seems that we have continual sprawl south of Gardnerville? County has areas to address with continuing development up north. How do we mix preserving the old and keeping businesses here? Gateway at 88 & 395 is critical because it gives us a shot at people to come through Minden. Ms. Craig replied that the best way to handle this is to articulate a vision and try to attract someone that has interest and capacity. We are able to cast a net and try to attract what we want. Look for the magic and amplify that magic.

Mr. Sheets questioned the Chamber of Commerce involvement in this process. Ms. Craig told the board that both Chambers have had a very open and energized dialogue with her, and are partnering with them through their economic vitality committee. Mr. Sheets said that this program is absolutely necessary and would love to see it move forward, but he has a concern that we need to make sure that the businesses that are already here are appreciated and benefits are not just for the new people. He also said that it has been more than two years and we haven't gotten anywhere with our suggestions for the use of dollars offered by the county for economic development. He would like to see the things that we considered important such as LED lighting be considered.

Mr. Thaler said this was a very energizing presentation. He commented on the need to get people to slow down and not just get through town but to infiltrate the businesses we have. Carson City took the center lane divider and turned it into a beautification project. Ms. Craig said to do something like that in Douglas County we would need to have any desired highway project ready so it could be coordinated with a NDOT project, with good timing and resources lined up. Mr. Chichester said that Carson City had a different situation because they have back streets; we have no business access beyond 395.

Mr. Hadfield noted his appreciation for Ms. Craig's time and the work in progress.

3. Discussion and possible action to approve, approve with conditions, continue, or deny request for street closure permit for Main Street Event car show, August 20-21, 2010. Appearance by Capital Classic Productions, event promoter.

Roxanne Stangle introduced Brian and Nancy McGill of Capital Classics who were willing to take this project on. She said they have moved swiftly to put everything into motion for this event. In the course of this, she discovered that this is the only county they have worked with that an event promoter needs to go to so many different locations for approvals and paperwork, and there is a need to look at simplifying the process.

Brian McGill said he has been doing shows for 20 years. He believes in keeping the community involved and looking at what we are doing for the town and the businesses. It is an important event to keep going and very personal to him. This year they will be making Minden the center point; the check-in will be at the Holiday Inn Express. Friday night will be as it was in the past, with everyone off the street by 11:00. They take full responsibility to make sure everything is clean when they leave.

Mr. Hadfield appreciated his passion and what he has done by taking the event over.

Mr. Thaler asked what is needed from the town, and appreciates that it is a day and a half. Mr. McGill said that his goal is to get 170 entries. There will be pictures taken at the C.O.D. garage with an attendant.

No public comment.

Thaler/Sheets moved to approve request for street closure permit for Main Street Event car show, August 20-21, 2010 with all the requirements of the town to be met. Motion carried unanimously.

4. Discussion and possible action to Approve, Approve with Conditions, Continue, or Reject proposals for using Douglas County economic development and sustainability funding to 1) procure and install banner poles on Esmeralda Avenue and 2) develop and execute a series of 'cruise night' events to promote local businesses; and, if approved, Direct staff to apply for the funds through the Douglas County Manager's Office. Appearance by Town Manager.

Mr. Van Alyne noted that the memo on the item speaks for itself. \$25,000 will procure new banner poles that will be positioned to maximize exposure in both directions. For a minimal amount of money and with help from the community, we can support the local businesses and set Minden up as the center of the car community in Douglas County.

Mr. Sheets noted that he like the ease of putting the banner up when the poles are on Esmeralda Street, as well as having exclusively Minden cruise nights. He wants whatever the balance is to be considered by the county for our plan as originally requested.

Mr. Thaler encouraged the poles be the least restrictive on getting banners up and down; there are high tech improvements that make this easier and safer than ever.

No public comment.

Stephans/Sheets moved to approve proposals for using Douglas County funding to 1) procure and install banner poles on Esmeralda Avenue and 2) develop and execute a series of 'cruise night' events to promote local businesses; direct staff to apply for the funds through the Douglas County Manager's Office, and to include recommendation of using the balance of the \$50,000 for the purchase of LED lighting as originally requested to county. Motion carried unanimously.

5. Discussion and possible action to: 1) Examine, Award, Continue, or Reject proposal for the Sidewalk Repair Cost Sharing Subsidy Program to the lowest responsive and responsible bidder. Staff recommends V&C Construction, in the amount of \$21,747.25. If approved, authorize Chairman to execute Agreement for same. 2) Authorize \$5,000 Change Order Authority to Town Manager for this contract. Appearance by Public Works Superintendent.

Mr. Hill said there are five residential properties that have elected to participate in the cost sharing program. There will also be town work done including part of the sidewalk to connect Mono Avenue to County Road. Curb and gutter is 100% at town cost. The street light at the corner is part of the job; the contingency is to accommodate a late applicant. Our costs will be in the neighborhood of \$18,000. Mr. Hill said that option "A" is for a resident who wishes to widen his driveway and he will pay for it 100%. Mr. Chichester asked how we can use our town policy to install sidewalk when it does not exist. Mr. Hill said that we are using the part of the policy concerning the sidewalk not being constructed pursuant to the standards that exceed the general standards of Douglas County for sidewalks to cover this.

Mr. Hadfield said he is involved with this project as a resident and excused himself from the vote.

No public comment

Thaler/ Sheets moved to 1) Award the Sidewalk Repair Cost Sharing Subsidy Program to the lowest responsive and responsible bidder, V&C Construction in the amount of \$21,747.25, and authorize Chairman to execute Agreement for same. and 2) Authorize \$5,000 Change Order Authority to Town Manager for this contract to assist any applicants who may have inadvertently missed this year's filing deadline. Motion carried unanimously with Hadfield abstaining.

6. Discussion and possible direction to staff regarding a proposed interlocal agreement between the Town of Minden and Douglas County for Wholesale Water Service. Appearance by Town Manager.

Mr. Van Alyne noted that the purpose of this item is to introduce the draft agreement to the Minden board and ask for feedback to continue discussion with Douglas County. It will be on a future agenda for public input and action. The former agreements were used as a basis. Responsibilities were defined more cleanly and the point of delivery was defined as the valve at Amber Way and East Valley. Exhibit A is a great basis for discussion for year by year potential adjustment structure.

Mr. Stephans said that he would like to see RCI as well as a board member working with Roger for these discussions with the county. Also, we need some accounts set up for some contingencies in dealing with the rates. He believed that he and Mr. Thaler should definitely be involved in the current negotiation.

Mr. Scott noted that Exhibit A is the ten year window of rates and we might be in year five when the first water is delivered to the south; we need to reconcile that and hopefully have the same rate everywhere.

Mr. Ruschmeyer, County Public Works Director, is very pleased with the progress. Quick update is that the upsizing is being considered for discussion. Carson Water Subconservancy District is very supportive of the project and would like to be part of discussions concerning the sizing, and would like to bring to their board for funding.

7. Discussion and possible action to approve, approve with conditions, continue, or deny Agenda Preparation Policy for the Town of Minden, effective July 8, 2010. Appearance by the Town Manager.

This is a result of the June 19 workshop to establish a timetable for a more formal process for review of agenda between chairman and manager, and timing guidelines for staff to prepare packets to be able to deliver to board.

Mr. Stephans appreciates the way this is set up and would like to go forward with this.

No public comment.

Chichester/Stephans moved to approve Agenda Preparation Policy for the Town of Minden, effective July 8, 2010. Motion carried unanimously.

**8. Discussion and possible action to Approve, Approve with conditions, or Deny request for the Town of Minden to sponsor the Carson Valley Arts Council's 'First on First' Street Dance on multiple dates in 2010. Appearance by Town Manager.**

Mr. Van Alyne introduced Theresa Chipp, Executive Director of the Carson Valley Arts Council, who requested permission to close First Street for a new fundraiser. This will be a street dance to attract a younger crowd. It will be in good taste and not too loud. Residents on First Street are excited about it.

Mr. Thaler spoke positively about the event; he sees it as part of economic development and a step toward raising funds to purchase the Copeland building.

Mr. Chichester noted his concerns about the event; he would like to do it one time and see how it goes. It is not an area where a street event would be held and wants to see if people are okay with it.

Mr. Thaler said that the event could be evaluated after three dances at the maximum.

Public comment:

Beverly Giannopoulos asked about the parking and how they have addressed control if they have only talked to the two residents on 1<sup>st</sup> Street. Mr. Thaler replied that this is a test for how the parking will go.

Mr. McMillan suggested using the Frontier Telephone parking lot.

Robb Hellwinkel said that they could also use his lot.

Thaler/Stephans moved to approve sponsorship of the Carson Valley Arts Council's "First on First" Street Dance on the condition that the Council comes back to report to the Board after the initial 2010 events to evaluate approval for next year. Motion carried unanimously.

### III. ADJOURNMENT

Thaler/Stephans moved to adjourn the meeting at 8:40 p.m. Motion was carried unanimously.