



The Minden Town Board meeting was held on Wednesday, March 3, 2010, at 1602 Esmeralda Avenue in Minden, Nevada beginning at 6:00 p.m.

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

Board member absent: Steve Thaler

Staff present: Greg Hill, George Keele, Trish Koepnick, Bruce Scott

I. Meeting called to order by Chairman Hadfield.

1. Pledge of allegiance was led by Dave Sheets.
2. Ross Chichester requested removal of the 7:05 agenda item. (Discussion and possible action: Approve, approve with conditions, or deny the request by Carson Valley Pop Warner Football for use and possible rental of Westwood Park for practice and games from mid-March through mid-June, 2010) Stephans/Sheets moved approval of the agenda as amended. Motion carried unanimously.
3. Sheets/Stephans moved approval of minutes of February 2, 2010 as published. Motion carried unanimously.
4. Chichester/Stephans moved approval of minutes of February 3, 2010 as published. Motion carried unanimously.
5. Chichester/Stephans moved for approval of the vouchers as presented. Motion carried unanimously.
6. Public comment:
 - a. Robert Pohlman spoke of an item on Board of Commissioners agenda tomorrow to approve the \$880,000 of re-development money to reimburse Minden. His question: is the county looking for 4000 acre feet of water?

Mr. Hadfield said that the current agreement is 1300 acre feet, which was their usage at the time of the original agreement. In the future, there will be a need for more water, but water will have to be brought to the town for everything beyond the commitment we have made, whether by purchase from us or delivered to us.

II. Staff reports

1. Public Works: Monthly report of activities by Greg Hill
 - a. An informational meeting has been scheduled for March 24, concerning the water tank, with notices being sent to everyone living within a 3000 foot radius.
 - b. Greg requested direction on refurbishing or replacing the 1998 residential trash truck, and was given direction to spend between \$15-20,000 to fix and keep it running as long as possible.
 - c. Greg met with NV Energy concerning the Highway 395 street lighting. There is no immediate need to put conduit across 395. Major distribution lines across the highway could be put under ground if we are willing to pay. The biggest problem in Gardnerville's street light project was reconnecting power to the existing buildings. NV Energy owns the Mill St. to Mission infrastructure; they no longer maintain street lights on state highways, so Gardnerville's 2nd phase (Mission Street to Minden) is owned by the town. They had a \$500,000 grant from NDOT; the key to getting the grant was maintaining the infrastructure. We would end up owning, maintaining, and paying for metered use if we do this project in Minden.

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Mr. Hadfield said that it can be looked at in our 5 year capital improvement projects. Gardnerville has a lot of 8% property tax; in Minden the residents carry the burden for improvements unless we have substantial assistance from NDOT.

2. Engineering Report: Monthly report of activities by Bruce Scott.

a. Application was filed to change the place of use for Minden water to include Carson City and has gone through without protest. We will need public hearings for inter-basin transfer and crossing county lines, and a current water conservation plan. We will soon be able to deliver the water we have contracted to deliver to Carson City.

b. On tomorrow's Douglas County Commission agenda is the Minden reimbursement items which if approved will bring the total approved payments to Minden of nearly 1.6 million dollars.

c. Mr. Scott handed out a packet in response to Mr. Thaler's question, showing project by project details for water improvements. Design is moving forward on a number of projects. Telemetry needs to be redone to have the ability to monitor a lot of functions.

Mr. Scott said that the Ranch at Gardnerville not going forward has delayed the connection with Gardnerville. We will continue the dialogue with Gardnerville about the possibility of this connection being completed by the two entities.

3. Attorney Report: Monthly report by George Keele.

a. An item was received today from the state engineers' office dated March 3, 2010 concerning the Nevada Supreme Courts January 23, 2010 decision. This ruling has placed in suspense many water rights applied for prior to 2003. At the legislative session this issue was raised and the legislature scheduled a March 16 special workshop hosted by the state engineer's office concerning protection and preservation of existing water rights. Mr. Keele characterized this as an emergency, and was given direction by the board to attend the workshop with Mr. Scott.

Mr. Scott is aware that the bottom line is they need to do some statutory adjustments and start a process that will really work. We want to monitor effects of the groundwater law and to make sure that we know what is going on. State engineer has a major focus on water issues. Mr. Hadfield noted that this is a serious concern in Southern Nevada, but all water entities will be affected and there might be unintended consequences.

b. Mr. Keele has looked over Mr. Pohlman's concerns on the county reimbursement to Minden.

c. Decision is pending from 9th Circuit Court of Appeals concerning the decision of the 9th Judicial Court of Nevada.

d. Contract is ready for the signature of the chairman for Q & D contract, noting that there will be no payment of interest; all payments will be in due course like any other vendors according to county rules.

4. Board member reports:

- Chairman's report: Mr. Hadfield indicated he was at the difficult special legislative session concerning the \$800 million shortfall and the cuts that will be made. The next session might have a 2.5-3 billion shortfall. If there is no change in Nevada's revenue structure and unless there is a huge economic turnaround, we will be faced with the need to figure out new revenue and who is going to pay. Massive cuts will probably be made, and the Town of Minden will not escape untouched. This is one reason why the issue of water for incoming board and the water agreements are so important. It will be a good thing to have professional staff on board to represent Minden in legislature.

Mr. Hadfield noted that this agenda has quite a few procedural items that the manager and staff could give recommendation on.

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ADMINISTRATIVE AGENDA

1. Approve, approve with conditions, or deny the formal appointment of Roger P. Van Alyne as Minden Town Manager.

Ross noted we have no need to prolong this item; we have chosen Mr. Van Alyne. Chichester/Stephans moved to approve Mr. Van Alyne as the first Minden Town manager. Motion carried unanimously.

No public comment.

Mr. Hadfield said that tomorrow morning Roger will be oriented and there will be a detailed tour of the Town.

2. Discussion and possible action: Approve, approve with conditions, or deny the Carson Valley Reforestation grant request for additional trees and maintenance of trees along Highway 395 between Highway 88 and Carson City; Nick Koropchak representing.

Mr. Koropchak spoke of the trees that are maintained on the west side of Highway 395 and asked for whatever support the board could give.

No public comment.

Chichester/Sheets moved to approve a contribution of \$1,000. Motion carried unanimously. Mr. Scott offered to contribute an additional \$1,000 and Mr. Keele offered to contribute an additional \$500.00.

3. Discussion and possible action: Approve, approve with conditions, or deny the request by Minden Rotary to sell ice cream at the Concert in the Parks Series in Minden Park during the 2010 season.

Skip Pardee represented Rotary said the ice cream would be from Tahoe Creamery and distributed in small containers which eliminates the need for a health permit. Board discussion included not wanting to open a Pandora's Box of requests. The board has been consistent on allowing only one service group to sell hamburgers, etc and keeping the concerts from having any other vendors or sales of any sort.

Public comment:

a. Robert McMillan said he appreciates the beautiful park. This would cause an increase in litter and we would need to address who picks it up. Once we start there is no end; you are not just giving permission to sell.

b. Sandy Deyo agreed with Mr. McMillan and the need to consider the mess created.

Stephans/Chichester moved to deny the request by Minden Rotary to sell ice cream at the Concert in the Parks Series in Minden Park during the 2010 season. Motion carried unanimously.

Mr. Hadfield noted that by this motion the board is reaffirming the standing policy of not allowing the expansion of any sales beyond what we have presently.

4. Discussion and possible action: Approve, approve with conditions, or deny the request to clarify, change or amend the CVIC Hall rental package to reflect exclusive use for wedding parties or for the package to be used for other rentals. This could possibly include the creation of a totally separate package as determined by the board.

Mr. Hadfield noted that the question is if the town would be open to have other package deals for CVIC rentals.

Roxanne Stangle represented the item. She is trying to bring functions to downtown to keep the businesses viable. She is working with Martha Williams to do an antique show in July and would much rather have flat package rates for a two day event. She is requesting clarification on who can use the package rate.

Mr. Chichester originally thought of it only as a wedding package to compete with other area wedding packages. There may be other packages to consider, as well as what range of events might be possible. Mr.

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Hadfield recommended that we refer our new town manager to work with staff and Roxanne, and bring back next month with clarification and recommendation, keeping in mind that we do not want to undermine the existing wedding and theatre packages or create a situation detrimental to the revenue structure.

5. Discussion and possible action: Approve, approve with conditions, or deny the request by the Douglas County Clerk Treasurer for use of the CVIC Hall for early voting in the 2012 primary and general election.

Ted Thran, Clerk Treasurer, said he is planning for the presidential election of 2012; he expects to exceed 2008 in numbers. He is requesting to use the CVIC Hall May 26 through June 8, 2012 for the primary early voting and the Election Day on June 12, 2012 as well as October 26 through November 2, 2012 for the general election early voting and the Election Day on November 6, 2012. They are willing to pay \$300.00 a day as they have in the past.

Mr. Hadfield requested to hear from any groups about conflicts with the dates.

a. Beth Bosmans, representing the Carson Valley Arts Association, said there is a conflict with both of their art shows. These shows provide money to keep their group going and scholarships for DHS students. They are willing to work with the county but they cannot change their date for the Carson Valley Days show, which has been held here for 30 years and has been traditionally supported by the Town of Minden which they sincerely appreciate.

b. Chris Griffith with the Douglas County Sheriff's Department said there is a two day conflict with Safe Street at Halloween. Two years ago when there was an exception made due to the elections. Their arrangements with the fire department for use of their building did not work out so well and they cannot use it again. They built a city specifically for use in this building and they are in trouble if they have to go anywhere else. Their event is all about the kids.

c. Roxanne Stangle said that as a business person the election hurt rather than helped the downtown businesses. The board should also consider that the CVIC rates have gone up since 2008.

Mr. Stephans said he believes we need to honor our existing commitments to longstanding events that benefit the community. Mr. Thran said that they could do the primary but not the general early election in the commissioners' chambers. Schools can not be used and the historical society does not have enough parking. Other options need to be looked at. It is hard to project out to 2012 what will be available in the geographic area needed. Machines need to be in place for the duration of the early election.

Mr. Hadfield would like to continue this item to the next meeting to have the benefit of a full board.

Sheets/Stephans moved to continue this item until the April 2010 meeting. Motion carried with Chichester abstaining.

6. Discussion and possible action: Approve, approve with conditions, or deny the request by C.O.D. Casino for a twelve- month time extension.

Rob Anderson spoke on behalf of C.O.D casino concerning the request to allow an additional twelve months within which to apply to the terms of the special use permit. Mr. Tate and the architect have been working diligently and they are nearly ready, but they need additional time in which to pull the building permit. Many factors are involved including the economy.

No public comment.

Chichester/Stephans moved to approve the request by C.O.D. Casino for a twelve- month time extension. Motion carried unanimously. Mr. Anderson noted that this will be considered by the planning commission at their next meeting.

7. Discussion and possible action: Approve, approve with conditions, or deny the request for conceptual approval for staff to proceed with Douglas County staff to review and bring back to the Town Board recommendations and cost estimates for the possible extension of a water main south from the water tank and transmission main system to be constructed above the Bently Science Park. Cathe Pool, Douglas County Senior Engineer, and Carl Ruschmeyer, Douglas County Public Works, representing.

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Mr. Scott introduced the item. Last meeting we discussed this topic because of a county commissioners' agenda item. Since then Bruce has met with Cathe and Carl. We tend to think of county commissioners as the last step in the process; in this case they needed approval to begin the process. The motion they passed was approval to talk to the town in a conceptual way to investigate possible connections, alternatives, and cost issues with the idea to bring back to board. Tonight Cathe has the presentation that she made to commissioners. One of the elements is coordination with Gardnerville; all water purveyors involved need to be in agreement. Sunrise Estates, fairgrounds area, and the Settlemeyer ranch are potential places that water might go.

Ms. Poole gave presentation which is attached to the permanent record. This showed four different options to accomplish the goal of a water main to the south. Ms. Poole said that she believes that water rights would be transferred into Minden wells and there would be no decline in Minden water rights. Mr. Hadfield said that he understands the regional concept, based on approved zoning and the best idea of a build out. We are looking at ways to collaborate with Gardnerville to mutually work together. Bruce thought the ten inch line is the wrong investment; there is a need to at least review what the possibilities might be. Part of the regional consideration is what may happen in the long term, including changing standards.

Public comment:

- a. Bob Pohlman said that he wondered if the Town has talked about a possible pass through with Gardnerville.

Mr. Hadfield said that essentially everything is on the table to look at in the overall picture of the various water systems that the county is trying to deal with and the changing water standards.

- b. Carl Ruschmeyer noted that he appreciates the interest and cooperation of the town, and possibly some private parties. He hopes to look forward to a bigger regional system and not limit ourselves and regret it later.

The staff working on this would be Greg Hill, Roger Van Alyne, Bruce Scott and Tim Russell.

Sheets/Chichester moved to approve conceptual approval for staff to proceed with Douglas County staff to review and bring back to the Town Board recommendations and cost estimates for the possible extension of a water main south from the water tank and transmission main system to be constructed above the Bently Science Park. Motion carried unanimously.

8. Discussion only concerning the Buckeye Maintenance Facility. Topics for discussion may include budget, phasing of project, review of architectural drawings and other matters pertaining to the project.

Mr. Keele said the Q&D contract has been cleaned up to reflect no interest, it will be paid in due course as other vendors. Contract can be signed and work started immediately.

Mr. Hill said this is discussion only because the contract is not signed prior to tonight. We have the schematic design tonight to look at. Today we received an email providing preliminary cost estimates for both full build out and for just phase one. Attached to record are the handouts; one shows full build out and other is phase one. There is a lot of room for changes in these estimates. Full build out bottom line is \$2,800,000. Mr. Scott said we are in good shape regardless of the outcome of county litigation with FEMA concerning the flood plain. We have the elevations and can calculate the fill.

Mr. Chichester said we need to get the contract approved in order to make hard decisions on materials, etc. Price could go \$500,000 either way.

Mr. Scott said that there is a potential of reprioritizing road budget for one year, also the water fund might look better than we think depending on bids.

Greg said this does not include furnishings.

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Mr. Scott was impressed with full build out cost; he said we have significant improvements to the Buckeye booster station planned and there might be way to incorporate the improvements for concrete work in the project.

Mr. Hill will work with Mr. Van Alyne to get more definition and actual costs.

9. Discussion and possible action: Approve, approve with conditions, or deny the request for bidding for the purchase of materials directly by the Town of Minden to avoid long lead time delays and facilitate scheduling of bidding and construction for multiple water system improvement contracts planned for 2010. Approval to purchase would be considered at a future board meeting.

Mr. Scott said that page 2 of the handout on the water system shows the savings buying materials directly. There are many benefits including 1% on bonds that the contractor would not have to pay, 7% on tax and 2% for early vendor payment. Contractors would not have to bond for the cost of materials which is roughly 35% of the total project cost, and lead times are reduced. They would store in safe place, deliver as required with a delivery guarantee. The material is monitored as part of any progress payment, and there is a bonding requirement in terms of use. We would like to put a bid package together for this and make sure that the savings are worth considering, and then bring back for board consideration.

Mr. Chichester said that we cannot do this if we do not have the 10 million dollars from the water agreement in place. We cannot drop reserves below what they are today. The county's decision for reimbursement can be part of the picture; it could be bid in such a way that payment could be tied to the availability of funds possibly giving up the early payment savings.

Mr. Hadfield would like to meet Ross' concern but take advantage of the savings. Bruce suggested going to bid, work with vendors, and see how they can work with us to meet our concerns in terms of having the cash flow and the money in hand before obligating the actual purchase.

Mr. Stephans would like to explore guarantees and concerns about the storage of materials and the possibility of the contractor using materials for another job.

Mr. Van Alyne expressed concern about possible violations of NRS statute and taking a hard look at which statute (NRS 332 or 338) to bid under. Mr. Keele, Mr. Van Alyne and Mr. Scott will work on this.

10. Discussion and possible action: Review and consideration of priorities for the 2010 Street Rehabilitation program and directing staff to proceed with bidding. Approval of a contract would be considered at a future Town Board meeting.

Mr. Scott referred to the handout proposing to do poor conditions streets in pavement management index. Most are in Winhaven with a few others in town. Mr. Stephans questioned the possibility of working out something in conjunction with Gardnerville. The goal is to get the bid out, with the contract on next meeting's agenda. Mr. Hill reminded the board that he had been given direction to replace existing street signs with the new design as part of street projects.

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

Mr. Chichester: The Nevada Department of Taxation has put out forecasts for the tax rate. Minden has the ability to raise its tax rate. Because of the combined tax rate, there is only 1.58 cents left. Various county departments and other entities are vying for this. There are going to be \$76,000 worth of cuts to our general fund next year unless we can find some way to replace this. The ability to transfer out large amounts as we have in the past will not be there.

Chichester/Stephans moved to adjourn the meeting at 9:07 p.m. Motion carried unanimously.