



Minutes of the Minden Town Board meeting that was held on Wednesday, October 6, 2010, at 1602 Esmeralda Avenue in Minden, Nevada, beginning at 5:30 p.m.

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

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

I. PRELIMINARY MATTERS AND PUBLIC INTEREST COMMENTS

1. Meeting was called to order by Bob Hadfield.
2. Pledge of allegiance was led by Bob Hadfield.
3. Thaler/Sheets moved for approval of agenda, pulling item 8 off of the agenda with the intention of talking to the County about concert funding ideas. Mr. Sheets and Mr. Thaler will take the initiative to address this, and the item will be placed on the next agenda. Motion passed with Stephans opposing.
4. Sheets/Thaler moved to approve the minutes of the September 1, 2010 Board meeting. Motion carried unanimously.
5. Stephans/Thaler moved to approve and ratify vouchers and claims. Motion carried unanimously.
6. Receipt of a check for \$1,000 from the Minden Business Group was acknowledged, with Roxanne Stangle noting that this was per agreement.
7. No service awards were acknowledged.
8. Public comment:
 - a. Roxanne Stangle shared two upcoming events at which she encouraged attendance. The first was the Lone Tree Gallery 25th anniversary open house on Friday and Saturday October 8 & 9. Also, the Historical Society's Minden Ghost Walk will be held on October 21 at 6:30 & 7:30; it is called a "Walk Through Time" and should be a lot of fun.

II. STAFF REPORTS

1. Public Works: Monthly report of activities by Greg Hill
 - a. NVWARN is not willing to make changes to the standard agreement at this time. Mr. Hill felt it is best to shelve this if the board is uncomfortable with the \$250,000 liability amount. We do have other emergency resources.
 - b. The Mahogany Court project was signed off today; the final touches will most likely be done within the next two weeks. The border railing will make parking inconvenient on the street; also the parking lot seems bigger than we imagined.
 - c. Mr. Hill showed a series of pictures of the massive water tank project. As of today all the wall panels are set. There will be a ladder mounted inside for access. The structure will be fully tested for all stress and seismic requirements.
 - d. The contractor has started on the pipeline. There were a lot of utilities that had to be crossed initially, and rain has held them up this week. When the line is charged there will be a chlorine disinfection process with a lot of water flowing. This pipeline is encased in plastic for corrosion protection from soils. During the construction there will be traffic delays but always access on the road with possible detours. Mr. Hadfield took the opportunity to offer to anyone interested the clarification of the protection of Minden water rights and any concerns about over-extending the Town's ability to serve water to present or future subdivisions. There are plenty of safeguards to make sure that the water

is in the trust of the town and well taken care of. Carson City purchased 1250 acre feet and the bulk of their Carson Valley water rights will be transferred to wells in Minden. In essence, they are moving their water into Town wells and it will be pumped back to them. Also, once the line is completed down Heybourne, Minden can use the new tank to supply water to the Town; it will bleed through the booster pump station and it could feed the town if needed in an emergency situation.

2. Engineering Report: Monthly report by Bruce Scott

- a. We filed and have received annual extensions on all Town water rights, which keep them in good standing. The state engineer can issue permits for three years at a time, which we may take advantage of in the future.
- b. The award of pumps, motors, etc. for the booster station was not agendized tonight because the one bid was not received in time and was rejected. The problem is it is a complex bid and we do not want several different suppliers; it could be a potential nightmare. It is out to bid again and we are trying to get a turnkey package.
- c. We are working on the water rate elements, including dollars set aside for treatment, depreciation, replacement budgets and operating budgets and hope to have a report to the board at the next meeting.
- d. We have been working with Edgewood Company and Douglas County regarding the access drive on Buckeye to the new maintenance facility. Muller Parkway will be crossing Buckeye just west of the Virginia Ditch; that proximity has created discussion about driveway placements in regard to how close they can be to future intersections. Presently we are looking at a driveway on property, owned by Edgewood in an easement that will be given to the Town of Minden with their ability to utilize that driveway in the future if they have a development on their property. We would build the driveway, they will give us the easement, and if they ever use the driveway they will reimburse half the cost.
- e. In regards to some questions that have risen lately regarding state bonding, it is critical for the element of the waterline that goes to Indian Hills. State has assured Mr. Scott that they view this project as extremely critical on a statewide basis and they will set aside enough money to make sure Indian Hills is covered.

3. Attorney Report: Monthly report by George Keele

- a. Mr. Keele gave an overview of waterline issues in the Kingslane Subdivision and the enormous success in working with USDA for grants.
- b. Mr. Keele is preparing for new board members on mandatory training when they arrive, and he reminded the board of regulations regarding all board members on an annual basis. Mr. Keele will do initial training in January, with Wayne Carlson from the POOL PACT training in February. Fiona Mulreany is working on bylaws and other Minden issues that will be reviewed at the November meeting.
- c. Mr. Keele is also working on litigation issues and they will continue to apprise as appropriate on this matter.

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

- a. Candidates night went very well.
- b. Lira's Market is closed but there may be something good in the works that he will keep the board informed about.
- c. Mr. Van Alyne is working with U.S. Bank on the Gateway Center weed control effort.
- d. The new version of the organizational profile was well received by the candidates for the board.
- e. The Christmas event planning is in full swing.

- f. Mr. Van Alyne and Mr. Stephans met with the Comptrollers Office about setting up budget to separate the retail and wholesale water business.
 - g. The Wellhead Protection group would like to get input from Minden on how we would like to participate in outreach efforts. We can use our newsletter, website, as well as printed information to use as references.
 - h. Mr. Van Alyne will be at the APWA conference October 7 & 8, at which he will be giving a joint presentation on the water project.
5. Board member reports:
- Chairman's report: Bob Hadfield
 - Mr. Hadfield encouraged use of the Town website in accessing the agenda packet where it is now posted.
 - Candidate's night was well received and he thanked all of the candidates for their involvement.
 - Mr. Hadfield will be taking office staff to the tank site on Thursday. He will be out of town basically for the next two weeks starting October 8.
 - Mr. Hadfield met with Roger on a progress report instead of a 6 month evaluation, noting his strengths and weaknesses. He believes in encouraging staff in the areas of professional development; this can be difficult without a lot of extra staff.
 - Board member comments:
 - Mr. Stephans will bring the wish list for the Christmas event to next month's meeting. C.O.D. will be used this year rather than the tent. There will be the regular activities including youth crafts in the CVIC Hall, the DHS band, CVMS choir, and possible expansion of the Christmas window scene. All of the elementary schools will have fliers for the children's ppeeches. The board members will be assigned times for letters to Santa at the November meeting.
 - Mr. Sheets spoke favorably of the Haunted Minden event and noted its future potential.
 - Mr. Thaler said that he thought the Town board candidates are all very qualified and did an outstanding job at candidate's night representing themselves very well.

Mr. Van Alyne added that the Town's submission for geotourism was accepted by the National Geographic Society.

Mr. Souigny questioned the possibility of Minden placing geocaches in the Town. Mr. Thaler and Mr. Van Alyne assured him that that there are already placements.

III. ADMINISTRATIVE AGENDA

1. Presentation by Q&D Construction. Discussion and possible action to Approve, Approve with Conditions, Continue, or Deny the Final Construction Estimate for the Buckeye Maintenance Facility.

Howard Hadlock presented the final budget estimate for the maintenance facility, which if approved will go out to bid for a guaranteed maximum price of \$3,187,863.00. The future pump station hardscape costs could be removed and put to the future pump station. This does not include the permit costs for county, MGSD and fire plan review totaling \$84,000. If we go out to bid we would come back next month with the final bid prices and ask for approval to go ahead with contract. The cost for cold weather protection is a safeguard to cover for a bad winter; if not used it goes back to the Town.

Scope of work is summary of work involved with the project. Mr. Hadfield requested checking to see if the sales tax can be removed.

The Section 3 alternates could possibly be taken away from the project to help the cost and put in at a later date. Section 4 is line item break down. Section 5 schedule has both the preconstruction and construction schedule. Completion in May is based on start of construction in November. Issuance of permits could push the dates back. The time frame is short for GNP and it will be difficult to make November agenda; this might need a special meeting. Mr. Hadfield would rather engage and get enough bids and interest and delay until December. Mr. Hadlock would like to request a special meeting and not wait for approval in December because the delay could increase the costs for the metal building. Mr. Scott strongly urged a special meeting in order to do quality work. Mr. Van Alyne proposed giving a report at the November meeting and establishing a date for a special meeting.

Mr. Hadfield stated his position is that we need to build it right out of the box and if we try to save money now it will cost more in the future. This town needs to fulfill the obligations that we have accepted so that future board members do not have to struggle with this in future. We can find the money if it is important.

Mr. Thaler questioned how much we have expended to date. In November we will give numbers on how much has been spent and where we will get the money within the current budget.

Public comment:

a. Mr. McMillan said that the facility is necessary but questioned what it is costing the Minden residents. Mr. Hadfield said that we have been working towards this for a long time and that it will be paid back through new development. Mr. McMillan recommended raising the rates to cover this.

Mr. Scott noted that this is the best bidding climate in years and we will never get this any cheaper.

Mr. Thaler said that there is a misconception that the money received from billings will support the building and that cannot be the case because it needs to go into the water enterprise fund.

Thaler/Stephans moved to approve the 100% Construction Document Estimate for the Buckeye Maintenance Facility. Motion carried unanimously.

2. Presentation by Bill Chernock regarding the Carson Valley Chamber of Commerce and Visitor's Authority's Marketing Program.

Mr. Chernock was invited by Mr. Van Alyne to showcase the Visitors Authority marketing program, which is their plan to promote and build Carson Valley as a destination. The primary core strategies are: 1) Destination branding which is currently the Magical Carson Valley, with possible plans to move ahead to a new brand for the valley. A new brand must be authentic, inclusive of all elements and executable. The product is changing and the brand needs to adapt to the new product. 2) Utilizing internet technology and website to the fullest which has been successful.

The budget is funded mainly by room tax collected in the valley; they will get 2/3 of the additional 3% fee enacted in August 2010. Mr. Chernock gave an overview of their budget and how the money is spent. Some of the main events that they support are the Hot August Nights Poker Run, Eagles and Agriculture, Nevada Motocross Park, Tour of Carson Valley bike ride, and the Genoa Cowboy Poetry and Music Festival, as well as the State Fair booth this year.

Mr. Hadfield said that we are trying to figure out how the town fits into all this and how we could work more closely with Gardnerville and have events that might be more dramatic. We have invited Mr. Chernock help us with this. Mr. Chernock said this needs to be a business exercise of Carson Valley and not a political exercise, and they will help develop a signature event if the Town wants.

The Roger Brooks Study talks about what downtown cores can be; what is needed is at least 8 retail and 4-6 food and beverage establishments. As we move forward keep in mind that what tourists want is to shop and dine in a pedestrian environment. We have that potential here in

Minden as the C.O.D. project moves forward. Mr. Hadfield said that we see our businesses closing and Gateway Center just growing weeds. We need to think of how to keep existing businesses alive; instead of cannibalizing each other we need to work together with an increasing level of cooperation.

Mr. Chernock offered support to the town board members and candidates if they wanted to understand the workings and resources of the Visitors Authority. He noted that they are the present and the future, proud that they actually won the 2010 Best of Industry for their web site.

Mr. Sheets questioned if we have many organized groups visiting the valley. Mr. Chernock said that we have a decent bus segment, mostly golf groups, and some tour operators for our local events. We used to sell on value but that is not the edge anymore.

3. Presentation by General Electric regarding Energy Services Companies (ESCOs).

Lee Bonner, Heather Rome and Matt Butala gave presentation. ESCOs are not a G.E. business, but they work a lot with them. They are energy service companies that put projects together for towns and cities; they make purchases that provide a wide range of energy savings at basically no cost to the town or city. The ESCO makes an investment in energy saving, such as LED lights. They make their money back in the power bill savings. LED lights that G.E. has can save 70%, and they also benefit the night sky. ESCOs are good at getting government grants and getting funds and managing projects, with the town gets the savings.

For example, if we have a \$100,000.00 bill now, and the bill is reduced to \$50,000, the ESCO gets ½ of savings and we get ½ of savings. This means that we would be paying \$75,000 until pay back is complete. They figure out what they will guarantee the Town if there is no savings they will write you a check. If there is a regional buy-in the savings are even better. The caveat is useful life of purchase versus length of time to pay off.

To start the process you request a performance survey by one of the four State of Nevada approved ESCOs. They come in and evaluate, recommend and guarantee the savings, and then we evaluate the payback. After the survey there is no fee until a performance contract is signed. It may be especially timely with our new maintenance facility project. Some questions that will be answered by the presenters include: who owns the property since it is not just service but equipment? Are we locked in to a certain payback time or is an early buy out possible? Can our staff do the same thing without a contract?

Staff was directed to continue to further discuss the concept.

4. Presentation by Carson Valley Arts Council. Discussion and possible action to Approve, Approve with conditions, Continue, or Deny a request for the Town of Minden to sponsor the Carson Valley Arts Council's 2010-2011 Concert Series.

Brian Fitzgerald, President of the Carson Valley Arts Council said that the council has started its 5th year of its concert series, and Minden has been a partner every year. The series is a public awareness effort to ultimately generate a new venue in the community for the arts. Last year, along with sustaining themselves they also were 50% partners in the Genoa Cowboy Poetry and Music festival, as well as getting performers into the schools. Their core program is the concert series and they could not be where they are without the Town. Traditionally the Town has supported CVAC by waiving the fees, and Minden is recognized in publicity as a partner. All the concerts are held in the CVIC Hall.

Mr. Thaler noted that the group works very hard to bring in quality entertainment and he wonders why they are not better attended. Mr. Fitzgerald is hoping to get more support with the goal to turn the old Copeland building into the Center for Arts.

No public comment.

Thaler/Stephans moved to approve a request for the Town of Minden to sponsor the Carson Valley Arts Councils 2010/2011 Concert Series, adding that we will waive the rental fees on the hall for the six concerts. Motion carried unanimously.

5. Discussion and possible action to approve, approve with conditions, continue, or deny a request for letter of support for the Nevada Department of Transportation to conduct a speed study on a portion of U.S. 395. Appearance by Town Manager.

Mr. Van Alyne was requested by a local businessman who was concerned about the speed of traffic through Minden east of Lucerne Street to the intersection with S.R.88. The request is for NDOT to do a speed study and cause them to lower the speed limit in that area. The current limits were established quite a while ago and conditions have changed. Tonight the Board is being asked to support this request. A petition has been circulated in town to have the speed reduced. The NDOT Corridor Study said it was 25 MPH already.

Public comment:

a. Bill Souigny said that this is the number one request from businesses that he has spoken to, and he agrees with them.

Mr. Sheets was told by Peter DeFillipo, who collected the signatures, that he estimated about 30 people who signed were business owners. Mr. Sheets questioned the requirement for a step down. Mr. Van Alyne anticipates that the 65 MPH zone would start farther north on 395, as there are required distances for speed reduction. He would like to see the 25 mph to go beyond Ironwood Drive.

Mr. Stephans does not see any consistency on Highway 88 in speed reduction.

Mr. Thaler was told by Mr. Van Alyne that we do not know how long this study will take; it depends on the type of highway. They will probably look at the entire corridor. Staff will report on this as information is received.

Sheets/ Stephans moved to approve a request for a letter of support for the Nevada Department of Transportation to conduct a speed study on a portion of U.S. 395. Motion carried unanimously. The letter of support was circulated for signature.

6. Discussion and possible action to direct staff to prepare estimate(s) of grant match funding for the proposed SR 88/Cottonwood Slough Hazard Mitigation Project (project) to be included in the Fiscal Year (FY) 2011/2012 budget. Appearance by Town Manager.

Mr. Hadfield revealed that he could benefit potentially by this project; Mr. Stephans said that he would not benefit because he does not need flood insurance.

The board approved a letter of support for this project last month. Tonight we are considering funding in next year's budget to contribute towards funding. The board had requested to know who else is participating and how much they are contributing.

Rob Anderson spoke representing Douglas County. They will be making the final application for this project which is due October 28. That application must be accompanied by letters of commitment of financial support. This project would construct a series of arch culverts south of the Cottonwood Slough bridge crossing to improve the conveyance capacity beneath Highway 88. The estimated cost is 2.8 million dollars with a \$700,000 in kind match required upon submittal. Carson Water Subconservancy District will possibly be committing \$40,000 with in kind match wherever they can help; Douglas County has committed \$40,000; both adjacent landowners are supportive but have not committed. They would like to see more details before committing to granting the easement. There is no commitment from NDOT yet. This leaves a large amount lacking. It is highly probable to be approved by federal agencies.

Mr. Hadfield's biggest concern is backup at the bridge. If the road closes, it is a commerce issue, with the probability that Cradlebaugh Bridge would be out also. He supports a contribution of a minimum \$25,000 and at a maximum \$40,000.

Mr. Keele said that ethics law has changed. In the past if there was a monetary benefit one had to abstain. Now only in clear cases are you required to abstain from voting, such as actively promoting a specific enterprise. Those who would be affected by this action have a duty to disclose and may participate because it is not such a clear case; the benefit that they may accrue is egregious, or that the conscience would be shocked by their participation. They would acquit themselves by virtue of the votes of the people who put them into office. They should not

participate in the vote itself because that would be voting for a potential amount of money into their pocket. We need to declare a deadlock because three board members can not vote. Rob Anderson clarified that the in kind match can be included in the \$700,000. Mr. Keele suggested that R.O. Anerson provide a one page summary about in kind and dollar donations, and also petition the Ethics Commission to give advisory opinion in this case. If they choose to vote tonight there is possibly willful violation and thousands of dollars in fines. We could schedule a special meeting if the Ethics commission gives the go ahead on voting on this matter.

Thaler/Stephans motioned to postpone this item until we hear back from ethics meetings, in the interest of time and deadlines. Motion carried unanimously.

Mr. Keele noted that he cannot represent the Board because he is a member of the Ethics Commission. He will facilitate by asking the District Attorney to prepare petition.

Sandy Deyo questioned if this should not have been petitioned prior to tonight's meeting based on the considerations. Mr. Keele agreed and noted the admonition.

7. Discussion and possible action to Approve, Approve with conditions, Continue, or Deny a request for the Town of Minden to sponsor the 2011 Douglas County Parks & Recreation GE Family Concert series. Appearance by Town Manager.

Mr. Van Alyne noted this item is on the agenda in line with his practice of getting information to the board to make the best decision. This is the board's opportunity to once again support the concert series, making the use of Minden Park the Town's donation to the concert series.

Brian Fitzgerald, representing the Douglas County Recreation Department, said that this is the 18th year of the traditional family event which pretty much defines community collaboration.

Mr. Fitzgerald said that the Recreation Department organizes the event and the town provides the venue. Current budget concerns and personnel cuts have been challenges, but G.E. has stepped up with financial help. Neither the Town nor County benefits from the concerts; all of the money that comes in covers the costs of the concerts. The County spends staff time to plan the concerts, but the cost of the concerts is covered by sponsorship dollars. The \$10,000 from G.E. pays for the artists; other sponsors pay for the other indirect costs for sound and advertisement amounting to approximately \$4400. He did not see the venue outgrowing Minden Park, preferring a small town feel to this event.

Mr. VanAlyne said that with the in kind donation of lodging donation and town donation the total budget is around \$20,000.

Mr. Fitzgerald also mentioned there is a possibility that the Recreation Department may have more budget cuts and we may lose the person that organizes the event.

Public comment:

a. Roxanne Stangle said she thought that we are complicating this. She believes that if there is no paid person to do the organizing of this event there are many people in the community that will support this event and come forward.

Sheets/ Stephans moved to approve the request for the Town of Minden to sponsor the 2011 Douglas County Parks & Recreation GE Family Concert Series. Motion carried unanimously.

8. Discussion and possible action to Approve, Approve with Conditions, Continue, or Reject a proposal for using Douglas County economic development and sustainability funding to support the Douglas County Park & Recreation GE Family Concert series; and, if approved, Direct staff to apply for the funds through the Douglas County Manager's Office. Appearance by Town Manager.

This item was removed from the agenda and is to be placed on the next regularly scheduled meeting agenda.

IV. ADJOURNMENT

Thaler/Stephans motioned to adjourn the meeting at 9:15p.m. Motion carried unanimously.