



The Minden Town Board meeting was held at 5:30 p.m. on Wednesday, February 2, 2011, at 1602 Esmeralda Avenue, Minden, Nevada.

I. PRELIMINARY MATTERS AND PUBLIC INTEREST COMMENTS

Meeting was called to order by Chairman Stephans.

1. Pledge of Allegiance was led by Mr. Thaler.
2. Mr. Thaler asked to pull Item No. 7 from agenda with the hope of bringing it back at a later date. Condron/Stangle moved to approve the agenda with the noted change.
3. Stangle/Condron moved for the approval of the minutes of the December 1, 2010 Board meeting.
4. Approve and ratify vouchers and claims
5. Acknowledgement of gifts: None
6. Acknowledgement of service awards: None
7. Public comment:

Nick Koropchak gave an overview of the history of the Carson Valley Reforestation organization. Since 1989, they have planted over 300 trees along Highway 395, watered with drip supplied by Settlemeyer family and support from Dink Getty. Their objective is beauty as well as air quality. The Town has been a faithful supporter of this project; he said that he has a commitment from a Minden resident who will contribute \$4000 if the Town of Minden contributes \$2000. This will be placed on the March agenda.

Mr. Keele noted that he is very grateful for the trees that were planted; he remembers the old trees and is amazed that the trees have grown so much.

Mr. Scott said that if the Town wanted to consider this as part of the budget, RCI would be willing to split the cost and contribute \$1000.

II. STAFF REPORTS

1. Public Works: Monthly report of activities by Greg Hill
 - a. Greg shared pictures of the revegetation process happening now at the tank site, including seeding and mulch. The housing for the telemetry is under construction, and the tank was filled today. He shared pictures illustrating what happens when the tank overflows and how this process gets any debris out of the tank.
 - b. The new pipeline up Heybourne Road to the Booster station has started. He shared pictures of the process of welding the PVC pipe.
 - c. Andy Concannon, in conjunction with Mr. Hill, gave a report on our water sampling program:

Sampling stations are hose bibs specifically for taking samples. The state provides a monitoring assessment plan that gives instructions on the timing and type of sampling required by NDEP. Greg will bring back information on chromium next month. Well 8 has had issues with arsenic. When the well is not in use and the flow rates are low, the arsenic level is higher. We maintain the level by pumping high volumes. There is a wide variety of tests for many constituents required by the state; each year we produce a consumer confidence report based on the prior year's samples. We now

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have to coordinate with providing our CCR to Douglas County. We will be doing that as early as possible, probably in March, so that we can provide the information to Douglas County in time for them to prepare their report. Indian Hills and East Valley will be exclusively on our water; Carson City will use our water as well as their own wells. We will be working out the details of sampling in coordination with the other entities.

The four sampling station are used for bac-t samples; we also use various other sites including the college. If we have any positive bac-t samples, we must test our source water, which is any well online during the sampling time. We also take samples at all the wells for water quality.

In relation to serving water to other entities, the design of the system allows water to feed back to Minden in an emergency. Under normal operation that will not occur. The water tank chlorine wash has taken place at the tank so that it will be disinfected properly; we want to get it down to 1 part per million. The chlorine will ultimately disintegrate and there will be no chlorine. It is hard to say when we will go online with the tank. The tank will be ready for the need as we go north. In the long term we need to keep it active so that it does not stagnate.

2. Engineering Report: Monthly report by Bruce Scott

Mr. Scott had been asked to define the service area for the Town. He shared a map showing the boundaries of the service area and place of use for Minden for around 15 years. The service area is essentially the valley to above Johnson Lane. Our service area also includes Carson City as a place of use in relation to the water rights that we sold to Carson City; this is not shown on this map.

Many people came to purchase water rights several years ago. One person placed a deposit of \$15,000, but after the Tribe protest, her subdivision application expired with the County and the County withdrew her permit because the subdivision did not come to fruition. She has asked for the Town to consider refunding the deposit minus the costs the town has paid regarding the transfer. This matter will be placed on the March agenda.

The waterline is under construction on Buckeye Rd. to the Booster Pump Station. We will get the piping out of the way to be prepared to go forward with no interference with the surface work on the Booster Pump station and Buckeye Maintenance Facility construction. The next portion of the waterline to be constructed will be the portion crossing Buckeye Road near the booster and going west to connect to the line that goes to the tank. We will probably go to bid this month for materials for this portion of pipeline. If there is a failure with the materials, it becomes the contractor's responsibility because all material is inspected thoroughly before being handed over to the contractor.

It is the time to get ready to go out to bid for street work with the goal to go to bid before the construction season and get better pricing. Mr. Van Alyne will check the budget. There was concern that the Board deferred this year's street rehab work in order to build the maintenance facility. This will be checked; we will at the least do street sealing.

Carson City has indicated that they are looking at a delay in taking water from the North Valley pipeline until 2013. This would delay a revenue stream but gives us a little more time insuring delivery. The new north booster pump station at the Pole Line Ditch will be required to be done in order to serve Carson City. Q&D construction will start the line any time as soon as things dry out on the line north.

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Ditch maintenance on the Martin Slough will be done by the Byington family this summer; we are a water rights holder there, although not a primary holder downstream, and will cooperate in the effort with our ponds and flows, etc.

Mr. Van Alyne noted that the monthly update for water projects was given in a handout. Mr. Scott is happy to help with any questions.

3. Attorney Report: Monthly report by George Keele.

Mr. Keele took the opportunity to continue Open Meeting Law training, and discuss ADA.

1. Open meeting law training: There are different interpretations on what constitutes an emergency; the Nevada Attorney General allows for more than a life threaten circumstance to constitute an emergency. Except in an emergency written notice at least 3 days must be given. Emergency meeting may be called if there is an unforeseen circumstance requiring immediate action, disasters or impairment of health and safety of the public, and if the need to discuss is truly unforeseen before the meeting was posted or of such a nature that immediate action is required at the meeting. This addresses the potential harm of waiting and gives flexibility if limited only to matter that is deemed as an emergency and noted why there could be less than 3 days notice. Also if possible the notice agenda should be amended, and the public body should provide as much notice as possible under the circumstances. Mr. Keele counseled to not take refuge in the exemption but give as much notice as you can and then hold the meeting.

2. ADA (American with Disabilities Act): This law basically encouraged lawsuits to achieve compliance. This act requires that reasonable accommodations are made for disabled people. Mr. Keele suggested that we do a compliance audit.

Next month there will be a status report on the litigation.

III. ADMINISTRATIVE AGENDA

1. (7:00 p.m.) Presentation by East Fork Fire and Paramedic Districts regarding the Douglas County Emergency Response Plan. Presented by Fire Chief Tod Carlini.

The Fire Department entered into an interlocal agreement 3 years ago to provide Emergency Management Services to the County. One of the first things they did was revise the Emergency Response Plan. They are presenting this plan county-wide rather than delivering a book. This program is intended to be a dynamic and vital effort to form a community team.

The County Commission provides oversight for disaster but that does not absolve the Town Board's responsibility, depending upon the situation.

The hard copy of Mr. Carline's PowerPoint presentation is attached to the permanent record.

No public comment.

2. Discussion and possible action to approve, approve with conditions, continue, or deny a request from Carson Valley Inn for support of a design concept to create a parking area and reconstruct the entrance to Carson Valley Inn at the intersection of 8th Street and US 395.

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Appearance by Carson Valley Inn.

Mark Rotter and Susan Dorr of Manhard Consulting and Steve Chappell, Manager of CVI, represented the CVI.

CVI has purchased the Itildo building; they were originally coming before the Board with a special use permit application, abandonment and right of way dedication. The first plan was to demolish the building, reconstruct it into parking lot, and realign 8th Street to allow a drop off area in front of the Inn to create a better traffic flow. They have revised the plan and tonight are asking for endorsement of a plan to eliminate the 8th street access, and are proposing an entrance on the east side of the Itildo building. This has better traffic flow with fewer conflicts, and eliminates pedestrian concerns. Vehicles intending to travel east on Highway 395 would exit at the signal on Buckeye. The main drive at the Itildo site would have a right turn only going out. There is an impact on Highway 395 with this layout, and NDOT is asking for a median to keep vehicles from stacking.

If this concept is endorsed, they would go forward with the request for the west portion of 8th Street to be abandoned, dedicating the easement and requesting a SIP permit for the construction as well as an NDOT encroachment permit for the modification. These would be considered at the next board meeting

Mr. Thaler was told that entering from the south you could go in at the present Itildo or at the 10th Street entrance. Mr. Condrion questioned the traffic flow for the sheriff's department vehicles. Mr. Hill brought up the possibility of a roundabout for easier turnaround on 8th Street, and expressed concerns about the accessibility to remove trash at the Saletti's location.

Public comment:

Bob Pohlman said he believed that they are creating a lot more turning at 8th Street & Buckeye Road because of elimination of the 8th Street exit by the Inn. Mr. Rotter clarified that there would be no change in the left turn movement from 8th Street to Buckeye.

Mr. McMillan said this plan creates a zero clearance from 6th Street to 10th Street. If there is an emergency, it is almost impossible for vehicles to reach the scene because of traffic. This is not a good plan, even if good for the Inn. It is not a good access to the main entrance; emergency access is the main problem. Mr. Rotter clarified the emergency access, showing that it is actually better than the current situation.

Sandy Deyo questioned the traffic flow, suggesting a two-way flow in the drive aisle through the parking lot in the back part of the parking lot; Mr. Rotter said that they are working to make the traffic flow at the north end of the parking lot a two-way flow.

Mr. Keele noted that he could not participate in any item concerning the Seeman trust, which is located adjacent to the back of the parking lot.¹

Mr. Rotter said that the exit at the new access would be a left turn in and right turn only going out from the new entrance. There has been no traffic analysis yet. He said that they would work with staff to address the items brought up tonight, and the Board would get another look at modifications when the abandonment is brought forward for approval.

¹ This comment was rescinded by George Keele at the March 3, 2011 Board Meeting

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Mr. Stephans said that there is not enough detail in the overview, the concept is good but finer details are needed.

Mr. Keele said that at this point approval is just of the concept. Mr. Van Alyne reminded the Board that the item was styled to express an approval with conditions

Thaler/Condron motioned to approve a design concept to create a parking area and reconstruct the entrance to Carson Valley Inn at the intersection of 8th Street and US 395, with the conditions of meeting with the Sheriff's Office, NDOT, and our staff to address all of the concepts brought up this evening, including Mr. Hill's suggestion for a turnaround, addressing the accessibility to the dumpster at Saletti's, and suggestion of a two-way flow in the drive aisle in the back part of the parking lot), Mr. Thaler noted in his motion this in no way about the abandonment of the road. Motion carried unanimously.

3. Presentation and training by Douglas County Community Development Department relating to state statues and regulations and local ordinances, resolutions and regulations concerning land use planning, development and any other subject matter that the Board of County Commissioners deems necessary in accordance with NRS 269, Unincorporated Towns.

Mimi Moss gave annual training of land use and local ordinances. She gave a handout that could be kept as a reference and said that she is available to answer questions

No public comment.

Hard copy of presentation is attached to the permanent record.

4. Discussion and possible action to approve, approve with conditions, continue, or deny a request for the Town of Minden to provide additional sponsorship in the form of a cash contribution not to exceed \$800 per event for one or more events in the 2011 Douglas County Parks & Recreation GE Family Concert Series. Appearance by Town Manager.

Mr. Van Alyne reminded the Board that the use of Minden Park has been previously reviewed. The request tonight is for sponsorship of one or two concerts at \$800.00 each, which covers the sound system that is brought into the park for each event.

Sheryl Christian represented the Douglas County Recreation Department. She said that she is still looking for sponsorship for two concerts.

Mr. Thaler had concerns about our budget, and asked if there will be further requests to the community for sponsorship if the Town agrees to sponsor.

Mr. Bernard asked if this is a process that happens every year. Sheryl said that each year is different; their goal is to break even, and sponsorship is not coming in as it has in past years.

Ms. Stangle asked if it is feasible for them to pass the hat. Because this is a community concert, she thinks the other areas of the community should participate.

Sheryl has asked for sponsorships from other towns but they have their own functions. The concerts at Gardnerville were not well attended.

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Mr. Thaler agreed with Ms. Stangle and would like to put out a challenge to the other towns and the community.

No public comment.

Condrion/Stephans moved to approve the request for the Town of Minden to provide additional sponsorship in the form of a cash contribution not to exceed \$800.00 per event for one or more events in the 2011 Douglas County Parks and Recreation GE Family Concert Series in the amount of \$800.00. Stangle, Bernard and Thaler opposed. Motion denied.

Discussion and possible action to approve, approve with conditions, continue, or deny a request for the Town of Minden to waive the rental fees for the CVIC Hall and donate staff time, total value of approximately \$13,325, for the Carson Valley Pops Orchestra's rehearsals and governing board meetings. Appearance by John Stephans.

Mr. Stephans noted that the value of the waived fees had been revised to a figure of approximately \$8,262.50, and gave the background for the request. In the past, practices were held in the Hall, with the Pops board meeting one hour a month in the Esmeralda room. There are very few revenue generating bookings for 2011 Monday nights. He believes that approval would be an effort to get more movement downtown, and that they should be able to store their piano and music stands in the Hall.

Judy Sheldrew, President of the Pops board, Carol Schwartz, Ron Sandstrom, and Richard Sheldrew were present for the Pops.

Ms. Sheldrew expressed thanks from the conductor Liz Eubanks. Ms. Sheldrew said that they believe that the Pops practices enliven the Town and will help tremendously because they cannot store anything at the High School. They are committed to four concerts at either the CVIC Hall or Minden Park, and they have sub-groups that also would be available for other Minden events in a cooperative effort. This year the 4th of July concert will be in Gardnerville.

Mr. Thaler asked how they raise money and if there would be any possibility of a donation back to the Town for using the facility for free. Judy said they receive money mainly from donations; they do not want to charge for concerts and have a very limited budget, but their donation could be entertainment possibilities for Minden events.

Mr. Condrion expressed concern for the actual expense of staff; maybe it is time to revisit the fee structure and overall policy for the CVIC Hall, and to clarify the Board's stance concerning non profits.

Mr. Stephans suggested the possibility of allowing the Pops to close by virtue of leaving the building locked, and said that there would be no impact to staff for opening because the Pops had committed to being here by 5:30 p.m. Ms. Sheldrew said that they would set up, and would do an extremely good job cleaning up, causing no burden on the Town for cleanup.

Ms. Stangle remembers the social aspect of the Pops rehearsals, and does not want to lose sight of the fact that this hall is a community hall. She would commit to finding a way to raise the money to cover the hard costs of Town staff time if the cash outlay is the issue.

Ron Sandstrom has been with the group since 2002 and believes that they were very conscientious about the cleanup. They are the Carson Valley Community Orchestra for this valley; they are a non

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profit and all of the musicians donate time to play for and engage our community. They will be making a greater effort to advertise their concerts, and to let the community know they are welcome to attend the practices.

Public comment:

Howard Herz and his wife Kregg remember how much people enjoyed the practices and concerts, and in spite of what they say in Gardnerville, the people in Minden are not tone deaf.

Robert McMillan spoke very much in favor of this even though he is tone deaf. Part of the Town budget is culture and recreation, and it is appropriate to support this; it is basically a minimal cost.

Jack Van Dien said that he enjoys the Pops orchestra, and suggested that as a non profit they could use a donation bucket as they have in the past; those donations could help pay for the hall.

Sandy Deyo expressed concern for the liability of storing instruments here. This is a community affair and maybe passing the hat, fundraising, or part of the economic development money from the county could be used.

George Keele noted that Ms. Sheldrew ensures that the Town is held harmless on the Pops insurance.

Stangle/Thaler moved to approve to donate staff time and to waive the rental fees for the coming year for the Carson Valley Pops Orchestra's rehearsals and governing board meetings. Motion carried unanimously.

6. Discussion and possible action to recommend approval, approval with conditions, continuance, or disapproval of Resolution No. 2011R-016 authorizing the establishment of the Minden Wholesale Water Utility Fund to separately account for the administration, operations, maintenance, and construction of existing and future infrastructure within the Town of Minden wholesale and retail water service areas that will provide wholesale water service to customers. Appearance by the Town Manager.

Mr. Van Alyne said we are trying to set up a separate fund for the wholesale water business separate from our retail water business through a resolution, and he would like to take the recommendation to the County Commission tomorrow. This resolution was prepared by the County finance division staff and his office.

Public Comment

Bob Pohlman supports this but would like to see a written policy that addresses details, such as where to keep the water rights.

Condron/Thaler moved to recommend the approval of Resolution No. 2011R-016 authorizing the establishment of the Minden Wholesale Water Utility Fund to separately account for the administration, operations, maintenance, and construction of existing and future infrastructure within the Town of Minden wholesale and retail water service areas that will provide wholesale water service to customers. Motion carried unanimously.

7. Discussion and possible direction to approve, approve with conditions, continue, or deny an agreement with the Bently Family Limited Partnership for purchase of a site for the proposed

Heybourne Water Booster Pump Station and easements for water lines. Appearance by the Town Engineer.

This item was pulled to be brought back at a later date.

8. Discussion and possible action regarding the process for the annual performance evaluation of the Town Manager position. Appearance by Steve Thaler.

Mr. Thaler said that the manager is coming up on the completion of his first year with us, and we need to write a review on him, with Mr. Keele's guidance. Roger is looking for input and Mr. Thaler encouraged input from the new Board members also. We need to do his evaluation at the next meeting; it will be in an open meeting with no public comments and we need to follow the process to formally notice Roger about the evaluation. Discussion included doing a three or five scale evaluation, and how to proceed.

Mr. Keele said that we need to confirm with the H.R. director, but his thoughts are that the previous Board was remiss in not establishing performance standards at the time of hire. We need to establish the criteria and err on the side of fairness this time. This Board many years ago decided that personnel issues were so sensitive that the H.R. division should be consulted. Note also that scoring does not necessarily mean a raise, and the Board could also use a scale as simple as "stay" or "go." There needs to be objective criteria, and no participation in discrimination based on feelings.

Mr. Thaler said that the County currently uses a three scale but intentions are to go to a five scale. He believes that evaluations are about perception. A good evaluation should be pros balanced out with the cons so employees will know how they can improve. There are no perfect employees; we need to have room to give feed back.

Mr. Condron prefers narratives and goal setting. He thinks the three new board members should give input and possibly write a narrative to go with the checklist, with the Chair and Vice Chair preparing the actual the evaluation. Mr. Bernard would like to contribute in whatever way he can. He does not believe there is a lack of performance standards because they are based on the job description.

Ms. Stangle agreed with Mr. Bernard about needing to give input and she personally likes the five scale format.

Mr. Thaler said they need to choose an instrument to use this year and possibly redefine in the future.

Mr. Keele said he feels that what the Board is looking for is a cooperative process with the evaluator and the evaluatee setting goals for improvement, with a vision of where the Town is going, striving for excellence and the vision of excellence that you have in mind for him as the perfect Town Manager.

Thaler/Stangle motioned to use Performance Evaluation Option 1 (five scale), with the new board members providing the Chair and Vice Chair their comments by February 16, 2011. Board members are encouraged to talk to whoever they want to before coming up with comments, including the employee himself, community members, and staff. Chair and Vice Chair will condense this input into one evaluation document. Notice of the evaluation needs to be given to Mr. Van Alyne prior to this meeting at which he will receive the evaluation. Mr. Van Alyne will work with the chairman to determine the timing, etc for the meeting agenda. Motion carried unanimously.

9. Discussion and possible action to approve, approve with conditions, continue, or deny a

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request for the Town of Minden to sponsor: 1) the 26th Annual Minden Spring Arts and Crafts Festival and Car Show, June 4-5, 2011; 2) the 27th Annual Minden Fall Arts and Crafts Show, September 10-11, 2011; and 3) the Minden Weihnachts Fest (Christmas Festival), December 2-3, 2011. Appearance by Town Manager.

Ms. Stangle noted that she will not vote but is available for questions. This is on tonight's agenda because of the need to be placed on the County's agenda for approval for the Outdoor Festival Permit.

Mr. Van Alyne noted that the Town has traditionally sponsored these events in the past. The details of the Christmas Fest will be brought to the Board in the future as planning gets underway. The issue tonight concerns whether or not the Town will be providing insurance for the events. He is trying to ensure that the Board has all pertinent information regarding this event and that they know they are assuming the responsibility of the insurance for these events, as he was not aware of this in last year's approval process.

Mr. Keele said that we require insurance from all who use facilities unless we sponsor.

Mr. Stephans asked if nothing is changing, what needs to be done. One of the specific purposes of our insurance is for this type of purpose.

Mr. Keele suggested that it is a good time to re-assess the level of our insurance coverage; we may be underinsured even though Minden operates in the realm of limited waiver of sovereign immunity. Perhaps a motion could be subject to Warren Reed Insurance assuring that our insurance is sufficient to cover these events.

Mr. Van Alyne said that nothing has changed from the past with the exception that the Board is making a conscious decision concerning the insurance coverage. He had checked into this, knowing that Mr. Hollander would be gone for an extended period. There would be no need for additional premium for this coverage. The Town carries a risk and liability for any event in the Town. On a case by case basis or by ordinance, the Town may reject certain events in the community.

No public comment.

Condron/Bernard approve a request for the Town of Minden to sponsor: 1) the 26th Annual Minden Spring Arts and Crafts Festival and Car Show, June 4-5, 2011; 2) the 27th Annual Minden Fall Arts and Crafts Show, September 10-11, 2011; and 3) the Minden Weihnachts Fest (Christmas Festival), December 2-3, 2011. Motion carried unanimously. Mr. Stephans clarified that it is implicit that this includes insurance coverage by the Town.

II. STAFF REPORTS, Continued

4. Manager's Report:

- a. In the economic development meeting, Mr. Thaler and Mr. Stephans came out with several ideas to move the Minden momentum project forward, and to help define the Town's role in that.
- b. Mr. Van Alyne has outlined what has been accomplished in line with the Plan for Prosperity; we may want to consider a workshop in March to go through the plan, and possibly restructure.
- c. We are targeting February 14th for the water workshop, planning for three hours, with the tour to be scheduled for a later date.

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d. Mr. Van Alyne is planning to make placemats form the handouts from the January 14th workshop. He will be pushing for a meeting with the county to actually discuss issues.

e. Mr. Van Alyne suggests that we may put on subsequent agendas a motion for review of the evening if the Board desires. Public comment would be welcome.

5. Chairman report

Mr. Stephans noted that in October 2012 we will be celebrating the 100-year anniversary of the CVIC Hall and encourages participation with the hope of making it a very special event.

IV. ADJOURNMENT

Stangle/Thaler moved to adjourn the meeting at 10:21p.m. Motion carried unanimously.