



The Minden Town Board meeting was held at 5:30 p.m. on Wednesday, February 6, 2013, at 1602 Esmeralda Avenue, Minden, Nevada.

Board members present: Matt Bernard, Charlie Condron, Roxanne Stangle, John Stephans and Steve Thaler.

Staff present: Greg Hill, Jenifer Davidson, George Keele, Trish Koepnick, and Bruce Scott.

The meeting was called to order at 5:30 p.m. by Chairman Condron.

The Pledge of Allegiance was led by Mr. Bernard.

Thaler/Bernard moved for the approval of the agenda as published. Motion carried unanimously.

Bernard/Stangle moved for the approval of the minutes of January 2, 2012 Board Meeting. Motion carried unanimously.

ACKNOWLEDGEMENT OF GIFTS: Ms. Davidson said that Maverik presented a check for \$40,000 at the ribbon cutting ceremony this afternoon. This will be used for the Gateway entrance park improvements. She will be happy to write a thank you letter to Maverik.

ACKNOWLEDGEMENT OF SERVICE AWARDS: None

PUBLIC COMMENT:

Bob Pohlman asked that the rate negotiations with the County be done under the open meeting law. Also he provided the Board information on the costs of the interconnection.

Robert McMillan thanked the Board for their concern during his illness. He appreciates the survey and the request for input from the residents. He expressed concern for hopscotching, referring to the improvements that make a town presentable such as street lights, curbs, and sidewalks. An example is the lack of uniformity from the CVIC to the courthouse. He feels that there should be a policy to abide by when planning capital improvements. We have a great partner in the CVI; if we improve the walking between here and the CVI we would encourage tourists to take a tour of the historical district. First we need to have the sidewalks and the welcome out for them. He also felt that the County Road project should be completed up to 10th street as well as open up 9th Street. He felt that only Minden taxpayers should have ditch improvements.

Sandy Deyo had comments regarding the CVIC Hall application permit and street closure forms. He felt that the person renting the Hall should be responsible for the alcohol permit and make sure the documentation is present. Also, he felt there needed to be an established time element to submit proof of notification to residents. He felt the Board should review forms and establish consistency, mostly because of the lawsuit prone society. As far as waiver of fees, most often the Hall is used by nonprofit organizations. In the past if a waiver was requested, the Board as well as professional staff often absorbed the costs. The Board tried to avoid waiving the fees. If the Town can waive for one organization how can they not do the same for others. The Board should consider their policy for non-profit and straighten it up.

STAFF REPORTS:

1. Public Works: Monthly report of activities by Greg Hill.

Mr. Hill has submitted for the building permit for Well 7 as well as the permit from NDEP. They have found that the nearby pipe is water class pipe for the sewer, which is good. Maverik opened for business today; we will work through trash issues, as they wanted larger receptacles than we have. County

Road work is moving along with the good weather. We also spent time cleaning and painting at the old fire station.

A resident complained about a line of site problem at the roundabout. This is on school property; they are aware and should take action.

Mr. Thaler complimented Mr. Hill and his staff for the placement of the new trash cans at Westwood Park. He appreciates the way he takes care of things quickly.

Mr. Bernard complimented staff for all the hard work at the fire house.

2. Engineering Report: Monthly report by Bruce Scott.

Mr. Scott handed out a conceptual that will be part of grant request for the Jake's Trailhead project as justification for funding.

There is a remnant of work to do concerning the floodplain for the new maintenance facility. We will be doing a letter of map revision showing that elevations are out of the floodplain and revising the maps to show this.

Water rights have not been protested in the protest period; there will be public hearings this month as required so the two counties can make recommendations to the state engineer regarding water applications to move forward for approval.

The well monitoring program will be starting soon. We will be looking at domestic wells as well as the agriculture well at the Mack ranch to do quarterly assessments. Monitoring might be more frequently if there are fluctuations.

Working with Mr. Keele, the individuals to work with regarding the Minden Gateway Park have been isolated. We hope to get the green light from NDOT to move forward.

3. Attorney Report:

Mr. Keele has been monitoring water cases, as well as working closely with NDOT as well as Jeremy Hutchings to narrow the field of scope concerning the Gateway Park, and he anticipates progress shortly.

4. Manager's Report:

Ms. Davidson was out last week with the flu; she thanked the admin staff for the extra work involved doing the packets.

Final version of the rate report came in today, and the published version should be in the Town office by Friday. She felt it was a job well done; MFS was a pleasure to work with and now we are ready to move on. We will be working at the staff level to go over concerns noted on the rate study. She hopes to have first draft of a revised agreement with the County before the Board soon, and encouraged the public to give input.

The notices concerning the changes in the trash schedule were sent out last week, and we are dealing with a few issues concerning the changes. A hard copy of survey to Town residents was also sent out in the mailing and she hopes to have information from the surveys to the Board by March.

5. Board member reports No board comments

Chairman's report

Mr. Condron thanked all Board members for being at the Maverik opening. He was thrilled with the public turnout, and hopes it is a signal of a stronger economy. He noted that the Tahoe Dance band would be playing on Friday at the CVIC Hall as the next Arts Council concert.

He handed out the 2013 committee assignments as follows:

Policy and procedures: Steve Thaler

Event planning: Roxanne Stangle

Capital improvements: Matt Bernard

New development applications: John Stephans

Water: Charlie Condron

Budget subcommittee assignments were as follows:

630 General fund: Steve Thaler

631 Capital Equipment: John Stephans

- 635 Trash Fund: Roxanne Stangle
- 636 Capital Projects: Matt Bernard
- 639 Wholesale water: Charlie Condron
- 640 Retail Water: Matt Bernard.

He asked that committee reports be part of Board members reports at each months Board meeting. He would also like Mr. Stephans to be the overseer of the budget, as this is his expertise.

CONSENT AGENDA FOR POSSIBLE ACTION

- 1. Approval of January 2013 financial report including claims paid December 21, 2012 through January 24, 2013.**
- 2. Approval of a request by Carson Valley Arts Council for the Town of Minden to waive the rental fees for the use of the CVIC Hall for a film festival on September 28th, 2013. This program is a benefit for the Carson Valley Arts Council.**
- 3. Approval of a request by Capital Classic Productions to close the following streets August 16, 2013 from 2:00 p.m. to 11:00 p.m. and August 17, 2013 from 7:00 a.m. to 5:00 p.m. for the Capital Classics car show. Approval of this event would include closure of Esmeralda Avenue from Sixth Street to Fourth Street; Fourth, Fifth, and Sixth Street from Esmeralda Avenue to Mono Avenue; and Mono Avenue from Fourth Street to Sixth Street.**

Ms. Davidson noted an error on Consent item # 3. Mono Street will be open, but Esmeralda Street will be closed all of the way to Highway 395. This is not a change from previous years; but it was an error not caught in agenda setting.

Mr. Thaler asked for Consent 2 to be removed

Stangle/Stephans moved to approve Consent Items 1 and 3. Motion carried unanimously.

ADMINISTRATIVE AGENDA:

Consent Item 2: Approval of a request by Carson Valley Arts Council for the Town of Minden to waive the rental fees for the use of the CVIC Hall for a film festival on September 28th, 2013. This program is a benefit for the Carson Valley Arts Council.

Mr. Thaler asked first of all if alcohol will be served, and if so will they show proof of a higher rate of insurance. He was assured that this condition is met. Mr. Thaler said we spent a lot of time on policies and procedures, and the policy now gives nonprofits a 25% discount. His comments come from questions from the public, asking if anybody can come to the Board to have fees waived, as the Board seems to be in the habit of waiving fees. He felt that this may put us in an awkward position with other nonprofits.

Mr. Stephans said he is a big proponent of the arts. He led the banner on getting the Pops back to Minden. We have the Pops, the CVAC and the community theatre. Mr. Thaler raises a good point on when we say yes and no. We want people to come to downtown Minden and the activity it generates. It is good to have this discussion. Why do we have a rental policy for nonprofit if we don't follow it?

Ms. Stangle said we have already supported this same request this year as well as last year. This is one of the really good reasons we need to look at the policy. The Town has always looked at the Hall rent as a break even concept. She agrees with Mr. Thaler but does not know if there is any other way to approach this other than a case to case basis.

Mr. Bernard knows the County will be building the community center, and the Arts Council will also be building their own facility. In the future we may have no one down here. We are the worst offenders of our own policy.

Mr. Thaler said that a lot of waivers are quid pro quo; the Pops give performances in exchange for free rent. He asked what the basis is for fees to be waived for the Arts Council. Mr. Farnsley said money earned is used either for the capital campaign or operations. At this time this has not been determined to be a fundraiser for the capital campaign or just to survive.

Mr. Condron said that the CVIC is a tax supported facility, and it is for the people of the community. He likes to see it used as long as it is not costing us more than it should. There are times when we do want to waive fees and times when we don't. If it is a good thing for the community, no one is making money and they are working hard, he feels comfortable supporting on a case by case basis.

Mr. Thaler said we gave discretion to the manager, the chair and the vice chair in the policy. Perhaps we should set a flat fee for nonprofits, so a minimum is paid rather than fee waivers, and we at least cover costs.
Public comment:

Robert. McMillan said that summer is coming, there will be more requests all of the time. It is part of advertising the Town, and we want people to come here. Within three years a lot of these requests will not be coming here as the occupancy level will be higher at the new facilities. One of the possibilities is having a minimum charge of what it may cost us to cover our costs minus maintenance.

Sandy Deyo thinks that not all nonprofit organizations in this community are recognized for all that they do. All nonprofits deserve to be treated the same.

Bernard/Stangle moved to approve the request by Carson Valley Arts Council for the Town of Minden to waive the rental fees for the use of the CVIC Hall for a film festival on September 28th, 2013. This program is a benefit for the Carson Valley Arts Council. Motion approved unanimously.

Mr. Condron suggested that community members interested might be invited to the policy committee meetings. Also, if we change the policy we need to notify all who are grandfathered in.

1. For possible action: Discussion and possible action to approve, approve with conditions, continue, or deny a request by the Carson Valley Middle School (CVMS) Drama Club for the Town of Minden to waive the fees associated with a three day rental of the hall (Friday through Sunday, consecutive dates to be determined) for a performance put on by the club. Appearance by Ella Dillwith, 7th Grade Student of CVMS.

Ms. Davidson noted that she added an additional day to the request to provide extra time for set up, take down and rehearsal.

Ella Dillwith introduced Cameron, Sam and Edgar, who gave a short dramatic presentation from Goldilocks on Trial.

Ms. Dillwith said she brought a support group tonight. The drama club has been rehearsing and is very excited about the play. She asked to be able to perform here with fees waived. All proceeds would go to Austin's House. She asked for a Friday and Saturday in April.

Mr. Stephans said he thought this would be delightful.

Ms. Stangle was impressed by the support she had tonight.

Mr. Thaler noted they did their homework and gave his congratulations. Those present tonight show the Board they have support, and he knows every dollar will go to a really good cause.

Public comment:

Sandy Deyo said the Arts Council should contact these people for their publicity.

Stephans /Stangle moved to approve the request by the Carson Valley Middle School (CVMS) Drama Club for the Town of Minden to waive the fees associated with a three day rental of the hall (Friday through Sunday, consecutive dates to be determined) for a performance put on by the club. Motion carried unanimously

2. For possible action: Discussion and possible action to approve, approve with conditions, continue, or deny the petition for annexation to the Town of Minden, of the Seeman Ranch Property. Appearance by Bruce Scott, Principal Engineer, Resource Concepts Inc.

Mr. Keele declared a conflict and said he would not participate in the matter.

Mr. Scott said that we are discussing only the portion of the former Seeman Ranch purchased by Douglas County. Mr. Goering is here tonight if needed for questions. The first parcel is 27.9 acres; it runs behind the CVI over to Ironwood, adjacent to the Seeman Trust property to the north. The second parcel is across the street to the east on Buckeye Road and includes the reservoir and is basically in the flood plan. This

parcel is about 11.2 acres. Staff recommends the request approval. As the County processes annexation requests every quarter, it would be processed after the CVI annexation is heard. He proceeded to show the Board on the map where the proposed trail would be on the property under discussion.

Mr. Bernard asked for confirmation if the annexation obligated the Town to any maintenance. It was confirmed by Mr. Scott that the annexation approval would hold no obligation for maintenance.

No public comment

Thaler/Stephans moved to approve the petition for annexation to the Town of Minden of the Seeman Ranch Property. Motion carried unanimously.

3. For possible action: Discussion and possible action to approve, approve with conditions, continue, or deny a request for the Town of Minden to sponsor the Esmeralda Avenue Farmer's Markets on multiple dates in 2013 to include waiving fees associated with street closure and providing Town staff support of each event. Approval of these events would also include closure of Esmeralda Avenue from Fifth Street to Fourth Street from 3:00 p.m. to approximately 8:00 p.m. for each occurrence. Appearance by Howard Herz.

Ms. Stangle excused herself from the next two agenda items as she has a pecuniary interest.

Mr. Herz said they were requesting the same consideration as last year, with the change that at the end of the market in September there would be a donation of \$500 to the Town in consideration of both items number 3&4.

Mr. Herz confirmed for Mr. Thaler that this is a for-profit function. Mr. Thaler said he has been trying to flush out how this comes to be and the history behind it.

Mr. Bernard said he loves the Farmers' Market; he is happy that the Town has historically supported this.

Mr. Stephans said that he appreciates the offer of the \$500 at the end of the season. He feels this is a win-win situation.

Mr. Condron agreed it was a wonderful season last year and thanked Mr. Herz for the offer; the generosity can only benefit the Town.

No public comment.

Bernard / Stephans moved to approve a request for the Town of Minden to sponsor the Esmeralda Avenue Farmer's Markets on multiple dates in 2013 to include waiving fees associated with street closure and providing Town staff support of each event. Approval of these events would also include closure of Esmeralda Avenue from Fifth Street to Fourth Street from 3:00 p.m. to approximately 8:00 p.m. for each occurrence. Motion carried unanimously. There was clarification of the date of 2013 in the backup material.

4. For possible action: Discussion and possible action to approve, approve with conditions, continue, or deny a request for the Town of Minden to sponsor the 28th Annual Minden Spring Arts and Crafts Festival and Inliner Car Show, June 1-2, 2012 to include waiving fees associated with street closure and providing Town staff support of each event. Town approval will also include closure of Esmeralda between US Highway 395 and Sixth Street, and Fifth Street between Esmeralda Avenue and Mono Avenue. Appearance by Howard Herz.

Mr. Herz requested for the same consideration as last year and said the closures stated are correct.

No public comment.

Stephans/Bernard moved to approve the request for the Town of Minden to sponsor the 28th Annual Minden Spring Arts and Crafts Festival and Inliner Car Show, June 1-2, 2012 to include waiving fees associated with street closure and providing Town staff support of each event. Town approval will also include closure of Esmeralda between US Highway 395 and Sixth Street, and Fifth Street between Esmeralda Avenue and Mono Avenue. Motion carried unanimously.

5. For possible action: Discussion and possible action to approve, approve with conditions, continue, or deny a Town Board resolution to keep Town retail water service rates in all classes of water service, at existing rates through June 30, 2014. Appearance by Jenifer Davidson, Minden Town Manager.

Ms. Davidson said that as it is noted in the rate study that the current rates are adequate to fund expenditures

and provide prudent levels of reserves for the retail system. Staff is bringing forward the request to maintain retail water rates at the same level.

Mr. Condron said that we have an unofficial policy for staff to review rates at the beginning of the year.

Public comment:

Sandy Deyo noted that at one point in the past a period of time had elapsed between looking at rates, so the Board determined to look at it yearly.

Stephans/Stangle moved to approve a Town Board resolution to keep Town retail water service rates in all classes of water service, at existing rates through June 30, 2014. Motion carried unanimously.

6. For possible action: Discussion and possible action to approve, approve with conditions, continue, or deny Resolution #2013R-006 to augment the 2012/2013 budget. Appearance by Jenifer Davidson, Minden Town Manager

Ms. Davidson apologized for the lateness in providing the backup for this item. This augmentation addresses the unused funds carrying forward last year's figures to this year's budget. Most of the adjustments are to the opening fund balance and the ending reserve balance, with the exception of fund 630. We had a savings of \$217,000 in the general fund from last year's budget. We are carrying forward the 75,000 for the Gateway project. Some of the savings was due to not having road improvements last year, having held some money for the Buckeye facility. The banner pole money has been put into salaries and benefits. This is due to the fact that adjustments were not made to the cost allocations in salaries as she had directed, and these accounts are presently overdrawn. This money will be freed up when the allocations are fixed this spring.

Mr. Bernard said this is perplexing, but he does not like what it reflects. He asked if we should have used the reserves to cover the salaries and leave the capital money alone.

Ms. Davidson said there is no reserve account in the general fund; we could have done that in an enterprise fund but not in the general fund.

Mr. Condron felt this is just an accounting issue; at adjustment time everything will be cleaned up.

Mr. Thaler said he understands but he wanted to be sure of the intentions. When we have money not spent last year, we carry it forward and we have the discretion to put it where we need it. The money is allocated out to make up for a shortfall. He asked if this will be helping get through this year, and if this the best way to allocate.

Ms. Davidson said \$5,000 in small projects is the only new spending item, this is in preparation to a request to contribute to the Valley Vision project that will be on next month's agenda. The other were items that were unexpected expenses; contingencies could have been used for these projects.

Mr. Thaler said we are limited on money to do things for the Town of Minden. Maybe we should restructure budget to increase money for capital projects.

Ms. Davidson said she recommends spending funds in this manner is because we have two capital projects funds and we are building reserves in both.

No public comment.

Thaler/Stangle moved to approve the Resolution #2013R-006 to augment the 2012/2013 budget. Motion carried unanimously.

Mr. Condron said that before adjournment, Mr. Keele asked to address the Board.

Mr. Keele distributed a confidential memo, and said he has given a letter to Mr. Condron indicating he will be retiring from his duties as Town attorney. He said that he has nothing but respect for every one of the Board members, and gave a heartfelt testimonial concerning each of the Board members and his time on the Board.

Each Board member noted their respect for George. Mr. Condron especially respected him for wanting to spend more time with his family.

Mr. Scott thanked George and said it has been a wonderful experience working with George, who always did the best for Minden and knows Minden inside out.

Mr. Bernard gave thanks for all he has done for Minden. He does not know if he can ever express to him

how much he appreciates the respect given him and the calming effect he had at a very dark time in his life. He appreciates the decisions George made; he hopes to still see him and feels they will never be able to replace him.

Mr. Stephans said that he appreciates George's guidance and inspiration. He led us through some tough situations and gave guidance and vision. He thanked him for all he has done for the Town, and said he will miss him but will probably still bug him.

Mr. Thaler said he had the pleasure of meeting with George and he shared stories and cried. Sometimes the hardest thing to do is walk away from something you love dearly. One thing he has enjoyed tremendously is that they have never crossed each other, as they can disagree amiably. George is well loved by the community, and for Mr. Thaler it does not end right here. George gave his life to this Town and did it better than anyone else; he felt thank you does not say enough, but he said thank you from the bottom of his heart. He felt that we need to recognize him in some matter and hoped to discuss that at the next board meeting

ADJOURNMENT

Thaler /Stangle moved to adjourn the meeting at 7:51 p.m. Motion carried unanimously.

Mr. McMillan said that George has been a good friend to the Town and reminded the Board the George's son repaired the columns and lights at 6th Street as Scout Eagle project.