



The Minden Town Board meeting was held on Wednesday, January 7, 2009 at 1602 Esmeralda Avenue in Minden, Nevada beginning at 6:00 p.m.

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

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

I. Meeting called to order by Chairman Sheets

1. Pledge of allegiance led by Bob Hadfield
2. Hadfield/Chichester moved to approve the agenda as published.
3. Chichester/Hadfield moved to approve the minutes of December 3, 2008.
4. Approval of vouchers.
5. Public Comment:
 - a. Beverly Giannopoulos noted her appreciation of the town employees, the merchants, and especially enjoyed the calliope over the Christmas period.
 - b. Sandy Deyo said that coming to the Town board meetings has been a pleasure and spoke of the challenge to the new board members.

II. Staff reports

1. Public Works: Greg Hill
 - a. Pump testing will begin next Monday; Well 1 first, then Easterwood well in an attempt to determine their capacity. Town needs to increase maintenance because of county connection. Greg presented a spreadsheet showing maintenance plan for the wells.
 - b. There is a drainage problem at Well 4; Greg would like to excavate a 15 feet wide area at a cost of \$8,000-\$10,000 to take care of drainage problem. Mr. Hadfield inquired about the standardization of equipment in order to be ready for failure. We have standardized VHD drives, but it is not a one size fits all system. Catastrophic damage could take weeks or months to replace equipment; Greg would like to create replacement inventory especially for pumps; the board agreed that we need to do this because we can not afford to be down now that we will be serving the county. This will be part of budget and maintenance program. Bruce brought up the possibility of re-equipping Well 3 this year; it is producing 1200 gallons per minute now but has a possibility of 3000 gpm. The maximum pumping capacity of the Town right now is 8400 gpm. The goal is to make it much bigger; with the 24 hour backup being the proposed water tank. Bob mentioned the letter from county that said we did not have capacity to serve the Park project; he is concerned about county stance and that they are

not looking at our costs. We need to send a letter to the county to clear up the conditions of our agreement over the Heybourne waterline and that we are only pumping for the Johnson lane area. Bruce wrote a letter refuting the county letter about the Park project and presented it to the commissioners. Letter will be drafted by Mr. Scott to the county showing the towns' commitment and the gallonage amount; the rate from town is subject to change every year based on our costs, including having the ability to produce.

- c. New trash truck was delivered today; cost savings because of more capacity and fewer trips to the dump.
- d. Greg spoke of plan to put in a new structure at Jake's Wetland to control water flow at weir costing between \$10,000 and \$15,000. The use by Henry Dreyer and the town employees would be much Mr. Scott recommends it as critical to the wetlands upstream to be able to control flow.
- e. Waterline at Heybourne has about 3000 feet more to go, estimate completion by end of January; there have been some equipment delivery problems.
- f. County Road plants are going in this week, lights will be delivered the second week of February. We were able to match existing fence at Woods property.
- g. Greg would like to have Mike Mitchell from the Carson City School District on the February agenda to relate his experience using Miles Construction as an alternate process of construction management.
- h. Letter was written to Syncon about the weeds on the easement between LaCosta and Winhaven.
- i. Resignations were submitted by Brandon Garden and George Cummings

2. Engineering Reports:

a. Bruce Scott

1. Tim Russell was introduced to new members; he is point person for Minden projects.
2. Report on streets with pavement management system; each year ¼ of Town streets is walked and evaluated to set up maintenance. Before the January 31 workshop, we will have further information on all topics for field trips. Mr. Scott suggested going ahead with street project bid package for approval in March to be paid for with this year's budget. Mr. Chichester asked Bruce to come back with an engineers estimate for everything in red to prepare the budget. Taking advantage of the current bidding climate causes more inspection but a good product at a favorable price. Bid on short term water improvements on County Road and alleys will be on February agenda for approval in order to have in place well ahead of the summer peak.
3. Working with coop extension office to make Jake's Wetland an area to be proud of. This includes burning and reseeded. We need to determine the responsibility for dealing with weeds on the adjacent properties.

b. Brenda Stein

1. Application will be in by March for additional funding on County Road; she is working with Senator Reid's office on this.

3. Attorney Report: George Keele

- a. County Road is in the old town plat (1st Street to 10th Street, and County Road to Hwy 395) and is a wise investment.
- b. Mr. Keele took the opportunity of having new board members to bring board up to speed in procedures and policy that we have not been adhering to. On each agenda is the notice on NRS 237, which applies to anytime that someone asks the town to do something that by rule may apply to all businesses either directly or by impact. For instance, any time we allow the closing of Esmeralda we have a responsibility to notify and allow for input.

- III. Discussion and possible action: Recommend approval, approval with conditions, or denial of (1) application for design review (as revised since November 5, 2008 Town Board meeting) by Pacific West Communities for a 21-unit low-to moderate-income rental housing complex in the MFR zoning district on Mahogany Drive in the Town of Minden APN 1320-30-410-014; (2) application for variance from (a) Douglas County Code RV parking requirement from 3 to 0 spaces; and (b) Douglas County Code open space requirement from 25% to 22.8% of gross lot area. The Town Board's recommendations will go to the County Design Review Committee for design review; and the Planning Commission for a decision on the requested variances.

Mr. Keele noted memo from Brandy McMahon stating that the open space application is a minor variance consideration and the board can not take action on minor variances.

Ms Stein represented the project applicant, reinforcing that this company has never sold their projects. After meeting with the neighboring property owners, there are now plans for 2 buildings, with the three story building further away from Westwood. There have been no color or material changes. There are eight 2 bedroom units and thirteen 3 bedroom units.

Mr. Chichester would like to see decorative fencing on Mahogany for the safety of little ones. Mr. Hadfield noted that it appears that contentious issues are resolved. Density of that zone has been increased by the commissioners. Neighbors don't want the project but they understand the property rights, and recognize that the developer had made accommodations even though they did not have legal obligation to do so.

Mimi Moss from Douglas County Community Development said that the board of Commissioners approved 25 units per acre in multi family zoning district, knowing that the Town of Minden wanted it to stay at 12 units per acre. Their action came because it was consistent with the master plan, but they gave staff direction to look at changing it back to something less because it is likely that they cannot get 25 units per acre. It was noted that the noticing is usually done by the county but there was a special mailing before the December board meeting at the request of the Town board. The applicant has agreed to eliminate parking on Mahogany, and a fence would be a simple way to provide a safety element.

Public Comment:

Jim Hales: Community does not like project, objection has always been the density and the new design does give more space. A fence would be ideal to restrict street parking if it did not have openings.

Sandy Deyo: Agreed with Ross about the fence, possibly promote no parking along Mahogany.

Robert McMillan: This is a serious matter with the driveway and limited parking being a safety issue. He urged ordinance for no overnight parking on the street throughout the Town. He believes the board needs to oppose on the same principal as before.

Bev Giannopoulos. She appreciated idea of fence, but the left turn from there to Highway 88 still seems precarious. Ms Moss clarified requirement for 10 foot building setback, other setbacks are met, fence would be supported, no parking concept has been approached on the staff level and is a valid suggestion. Project has met parking requirements; putting no parking on Mahogany applies to everyone, not just tenants.

Chichester/ Hadfield motioned to grant variance on delineation of RV parking to modify it to require no RV spaces. Motion carried unanimously.

Hadfield/ Chichester motioned to approve the application for design review for a 21-unit low-to moderate-income rental housing complex in the MFR zoning district on Mahogany Drive in the Town of Minden APN 1320-30-410-014 and that facing Mahogany a non solid decorative barrier not to exceed four feet be placed that meets any fire code standards be included to protect families living in that unit. Mr. Chichester noted this is not what we wanted or foresaw for this property but we are left in a position that we have no choice because they actually have a right to do more. Mr. Thaler noted again that this is a great project, wrong location. Buildings in place in Minden conform to their areas, he is not sure that aesthetically this project fits there.

Mr. Keele noted that Mr. Thaler lives on Longleaf near this project; he read the standard for the voting as far as conflict of interest, and saw none as far as Mr. Thaler living in Westwood. Mr. Thaler himself can make the determination. It is not a matter of pecuniary interest.

Motion carried 4-1 with Mr. Thaler dissenting. Mr. Scott spoke to the issue of parking; Mr. Hadfield stated that this needed to be noticed for public comment.

- IV. Approve, approve with conditions or deny request of approval for Design Review for the Mueller Office Building. The project generally consists of the addition of roughly 4,338 SF of office space on 0.77 acres of land located at 1560 Hwy 395. The site was previously the Capital Ford Dealership. The parcel number is 1320-32-612-019. The existing 1,120 SF building will remain.

Bruce Scott said that this project was conditionally approved at the December 2008 board meeting; tonight the additional design is being addressed.

Nicholas Maerz, the real estate agent representing Mr. Mueller, and Dennis Freitas of Building Concepts spoke about the design, the buffer of the grass along Highway 395. The roofline parapet along the storefront side of the property is designed to screen the

mechanical equipment, and the alternating roof planes gables along 395 emulated what is already there as well as for drainage purposes. The two buildings are not connected. There are plans to bring a transformer to the property. It was noted that the design follows the Plan for Prosperity which calls for parking in the rear and projects closer to the street; Ross preferred parking in front.

Public Comment:

Sheila Byington and Beverly Giannopoulos believed that the architectural standard does not match anything that would make it Minden like.

Chichester/Thaler move to deny and asked for a resubmission of plans, noting it needs to fit in more with the old town and has an unacceptable roof line. Motion denied unanimously.

- V. Discussion and possible action: Approve, approve with conditions or deny request of approval for Design Review for a 27,000 square feet expansion to the Douglas County Jail in the Public Facility (PF) zoning district in the Town of Minden. 1625 8th Street APN 1320-29-401-006

Steve McCullough, Douglas County Public Works Project Manager and Ralph Eismann, architect presented the project. This is a more modern design with a pod concept and makes better environment for the employees; looking at a 220 max occupancy. No need to expand the courtrooms, only jail.

Scott will be checking with Greg about the waterline, the addition will need a separate connection.

George discussed the possibility of Ross having a conflict of interest because of his position in the Sheriff's Department, and disclosure of the reasons why he would need to abstain; deemed there was no need to abstain.

No public comment.

Hadfield/Thaler motioned to approve Design Review for a 27,000 square feet expansion to the Douglas County Jail in the Public Facility (PF) zoning district in the Town of Minden, 1625 8th Street APN 1320-29-401-006 to include standard conditions in June 2, 2008 letter from RCI., noting the applicant's agreement. Motion carried 4-1 with Mr. Chichester abstaining.

- VI. Discussion and possible action on annual review of water rates and adjustment, if any, by Town Board resolution of Town water service rates in all classes of water service, including out-of-service territory contract rates, taking into consideration increases or decreases, as applicable, of materials costs, labor rates, insurance rates and other factors. The Board plans to take no formal action on this item other than possibly setting another hearing on this matter.

Board discussion: The Town made a commitment to review rates right after the first of the year. Last year we had no increase but it would be dangerous to do that again. We need to closely evaluate and look at new needs and additional costs within the system. We have never counted on water permit revenue but need to look at the costs of expanding the water system and perhaps make a commitment to put one quarter million

away every year. Rate increase is a cost for service, not a cost of government or tax. 2009 will be a test year because of doubling our demand. Recommend increase and set a date for public hearing in March or April to become effective in July. Possibly have a workshop and look at it harder, there are other revenue avenues to look at, besides selling water rights and hook up fees. Updated capital improvement plan will be enlightening; also keeping in mind that interest rates will be much less in 2009. Need to realize that the bidding climate is good, best time to invest in infrastructure and get a lot more for your money. In a few months we should have an idea on stimulus package, but we will not have good data for a year on county hookup.

The Board agreed to agendaize water rates again in March and April, with information brought back to the board to justify an increase.

- VII. Discussion and possible action on annual review of town trash removal rates, both residential and commercial, taking into consideration increase or decreases, as applicable, of materials costs, labor rates, insurance rates and other factors. The Board plans to take no formal action on this item other than possibly setting another hearing on this matter.

The board agreed to agendaize trash rates again in March and April with information brought back to the board to justify an increase.

- VIII. Discussion and possible action on annual review of CVIC Hall, Minden Park, and Street Closure rates taking into consideration increase or decreases, as applicable, of materials costs, labor rates, insurance rates and other factors. The Board plans to take no formal action on this item other than possibly setting another hearing on this matter.

Mr. Sheets spoke of our rentals being the best deals in Town. We are ending up ahead every year but we need to plan for long term maintenance such as the furnace going out. Mr. Hadfield would like to take a look at scheduling floor refinish at a different time to make it less toxic for the Town office staff and office tenants. Discussion included planning for replication in case of catastrophe, structural support work for the balcony area, and costs and planning if we ever needed to replicate, and the possibility of a reserve fund.

Staff was instructed to bring back information in order to review the whole process including insurance, replacement value, roof, heating and air conditioning, kitchen facilities and balcony.

Mr. Sheets requested Mr. Keele to review the tenant leases and put things in order, with consistency in mind, considering at what point will it be necessary for the town to occupy any of upstairs, looking at getting a fair price for the property but reasonable in today's market.

- IX. Discussion and possible action on review of proposed Town Projects related to water system, streets, drainage, building, and beautification improvements. The Board may take action to direct design or completion of design and the submittal of potential projects to the State of Nevada, Drinking Water State Revolving Fund for consideration of financing by Federal Economic Stimulus Funding Programs which may be approved and financed through Congressional action.

Mr. Scott noted that Congressional offices have been asking the states to put together a list of projects that might be considered under a stimulus package. RCI has prepared pre-application forms for a number of projects including drilling the well at the Ranch at Gardnerville and equipping well 7, water main connection looping 395 from Ironwood Drive to the Airport road water main, a water tank and connection, second connection into Douglas County water system at East Valley alignment, town yard, Jake's Meadow bridge and interpretation center, finishing gateway on 395, and finishing County Road project.

Mr. Hadfield encouraged board to keep those as placeholders because most are backbone to provide safe drinking water and all need to be done sooner or later. Mr. Chichester said that 90% of west does not meet arsenic standard, most likely that as well as road and rail infrastructure will be the major targets in a stimulus package. There will be no overlap on projects proposed by Douglas County utilities.

No public comment.

Hadfield/Thaler motioned general support of the applications prepared by RCI. Motion carried unanimously.

Mr. Keele referred to the training requirements for the board members that we all need to review on a revolving basis at least quarterly.

II. Staff reports continued:

1. Attorney report continued: Mr. Keele spoke of the training requirements for the board members that we all need to review on a revolving basis, at least quarterly.
2. Sheila Byington: Draft of annexation policy as directed by The Board.

Ms Byington presented a memo on comparisons, asked if we wanted to look at impact on street and drainage, and if the board saw a different town boundary in the future. The cost of annexation might include the cost to bring the area being annexed up to standard.

Annexation is a charge for service, not a vehicle to make money. We need to understand the methodology behind the Ranchos, and research into other areas, such as Reno, Dayton, Fallon, Las Vegas; what services they cover, as well as how they deal with pockets of unannexed areas.

Mr. Scott addressed the concept that when you annex you get water service, become part of town and pay their taxes. We collect when they apply to be on the system. No payment goes into a drainage fund, streets fund or parks, only water; at what point are those services paid for? We might want to beef up our contract of service discussion. In Reno when you annex they create a special assessment district. We need to be mindful of state requirements.

Ms. Byington was directed to come back next month with more information, as well try to get together the agreements hanging out there such as Well 6, Hickey, odd agreements with groups such as Elks and Art Association

3. Chairman's report: Dave Sheets

Mr. Sheets gave reminder of the orientation meeting and tour on January 31.

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Mr. Keele mentioned that Bob Gardner might be interested in assessing the balcony, the balcony, he would pursue that possibility.

Hadfield/Thaler motioned to adjourn meeting at 10:05 p.m. Motion unanimously carried.