



The Minden Town Board meeting was held on Wednesday, September 2, 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, Bruce Scott.

### **I. Meeting called to order by Chairman Sheets**

1. Pledge of allegiance led by John Stephans
2. Chichester/Hadfield moved to approve the agenda as published.
3. Stephans/Hadfield moved to approve the minutes of August 5, 2009.
4. Hadfield/Stephans moved to approve the minutes of August 11, 2009.
5. Approval of vouchers
6. Public comment:
  - a. Roxanne Stangle told the Board that on September 22 from 5:00 to 7:00 p.m. the Chamber of Commerce as well as the Minden Business Group is sponsoring a business after hours gathering in conjunction with the Farmers Market. Also, Roxanne will be doing the Street Fair without the promoter. She has 51 paid booths as of today and will be using as many locals as possible. It will be much cheaper for the vendors this year.
  - b. Robert Pohlman reported that Syncon has requested an extension of Phase Two Monterra. Winhaven HOA supports the extension but they want the pipe opened up so that it drops into the pole line ditch. 25% of Winhaven homeowners are in a new flood plain according to FEMA Syncon will cut down weeds on west side of Heybourne road next to Winhaven property.

### **II. Staff Reports**

1. Public Works:
  - a. We are looking at new technology that can lessen feedback for the CVIC Hall sound system. We are also looking at newer recording options.
  - b. Nevada Department of Forestry has worked five day on Jake's Wetlands; the majority of the weeds are down. We also are working on the algae and grass problem at Pond 3.

- c. New pump was put in at Well 5, and the old pump has been rebuilt as backup. Having the equipment available makes it much faster when there is a problem; there was no negative impact on service and delivery. Every five years now we will pull and inspect, whereas in the past we only reacted to the problems as needed. Well 1 has everything approved and it will soon be back on line after almost three years.
  - d. In July we pumped 65 million gallons and in August we pumped 62 million gallons to the East Valley connection.
  - e. LED lights are on at the gazebo to look at tonight; we might be able to get a rebate from the power company for changing out all the lighting. We are also looking at other incentives from NV Energy that would apply to the wells and the new shop. Mr. Hadfield feels strongly about being an example for these types of projects.
  - f. The removal of the trees at 6<sup>th</sup> Street was taken on by the owners. Mr. Hadfield wanted to make sure we work with the owners to be in conjunction with our continuing project, identifying the width of the right of way, etc. Mr. Scott can show them the plans because the design is done and shovel ready. Mr. Hadfield also said that he asked for a million dollars from Senator Reid's office to finish the whole project.
2. Engineering Report:
- a. Slurry seal on Mackland streets was an attempt to buy more time for the pavement but if it is not working we need to know. The initial thought is that is in need of more traffic on edges to help it set. Ross and John said it is not holding up well and RCI will send a geotechnical person to check it out.
  - b. A letter was sent to the county about the jail improvement concerning the congested block wall utility corridor. The letter indicated that the Town will provide the typical level of maintenance for this site, but requests that Douglas County assume any excess maintenance costs that result from this design.
  - c. Bruce would like to draft letter to NDF to thank them for slough work. John McClain looked at the slough and identified that many large weeds are actually sweet clover. Vegetation is coming along, with a greater and greater amount of the right species. He is pleased with John's report.
  - d. We have received some calls about work being done above Amber Way and the tank site. There is no fault line on the tank site. We are working on visual simulations of the tank and will be letting the neighbors know what is happening. We are trying to balance county storm drainage needs and our costs.
  - e. Mr. Scott is working with Carl Ruschmeyer on revisions to current agreement for the North Valley pipeline. Draft language is being worked on now. Basically Minden is the wholesaler with language set out on a formula for payment. This formula might be the basis for other agreements. The other element is to contract for work, will be on the county agenda for October.

Mr. Hadfield noted that this agreement is the most important agreement he has been involved with as a board member. He sees the potential sphere of influence and potential future land use as inseparable. He has been watching the issue of south 395 developments, and it is apparent that Minden is not in a good position by virtue of boundaries for development of commercial (light industrial) and homes. Unless there is a change in the Nevada tax system, property tax will not support this town. We need more 8% property; it looks like all the development will be in the north and south ends with us stuck in the middle as a housing center. This as well as the sales tax is not boding well for the future of the town. Our future is water. We need to know what Mr. Bently has planned for his property, because that is the future of this town, and why this water agreement must be the best one. This first agreement is the most important, we must provide for every thing we can; negotiating down the road would be much more difficult. Our goal is the fair and appropriate allocation of our water resource and everything is dependent on that water agreement.

f. We are working with the county on the floodplain issue; the county has determined that we must meet the January 2010 FEMA standard. This will not cause a major change in cost for the design of the maintenance yard.

3. Attorney Report:

a. Mr. Keele and Mr. Sheets went to bankruptcy court; it was so boring there is nothing to report.

b. Mr. Keele is working with Greg on policies presented on the agenda this evening and he invited input from the board.

c. Mr. Keele fully expects the Gateway cleanup agreement to be back soon. Mr. Scott and Mr. Keele met with Mr. Brooke; he will arrange a meeting with Mr. Bently to clean up items over old Buckeye waterline agreement. Mr. Keele might want to pose some of Mr. Hadfield's questions in the course of the meeting with Mr. Bently over the Buckeye waterline.

d. Work is ongoing between county and the Seeman trust, he sees nothing that might get in the way and it should be concluded relatively soon, with Question One funds to be used.

f. There is some confusion about the lease agreement by Mr. Almeida concerning the utility wording. Mr. Keele is not sure what is going on, but Mr. Almeida has been told that he needs to sign because negotiations are done. Mr. Hadfield inquired about when the other lease is up; Mr. Keele said approximately 16 months and also said that our tenants have the best deal locally with the Town paying the first \$100.00 for the utilities.

4. Board member reports:

- Chairman's report:

Dave Sheets noted that bankruptcy court was enlightening and frustrating at the same time.

- Board member comments:

Mr. Stephans reported that we are about ready to pick up the canopy tent to be used for the Christmas festival. We are wrapping up details for the event including working with Mr. Zabelsky for the DHS Jazz band and/or the Madrigals.

**III. Discussion and possible action: Approve, approve with conditions, or deny request by Alan Reed for waiver of Street Closure fees for Sierra Lutheran fundraiser sponsored by Barone & Reed on September 24, 2009 from 4:00 to 8:00 p.m. on Esmeralda Street between 4<sup>th</sup> and 5<sup>th</sup> Streets.**

Alan Reed presented his request. Fundraiser has been held for the last two years. It is an upscale wine tasting and brew tasting. This is held in conjunction with Barry Jobe's art show and a cake sampling from Babycakes. He will be notifying the merchants about the street closure.

No public comment.

Chichester/ Stephans moved approval for waiver of the Street Closure fees for Sierra Lutheran fundraiser sponsored by Barone & Reed on September 24, 2009 from 4:00 to 8:00 p.m. on Esmeralda Street between 4<sup>th</sup> and 5<sup>th</sup> Streets. Motion carried unanimously.

Mr. Reed apologized to board for the outburst he made at the June board meeting and that he and Mr. Hellwinkel have made peace.

**IV. Discussion and possible action: Approve, approve with conditions or deny request for approval of Town sponsorship of the Carson Valley Arts Council for the 2009 - 2010 Concert Series in an amount not to exceed \$1200.00.**

Mr. Thaler, as the Town's representative on the Carson Valley Arts Council, presented this item. They are working hard on this next series of 5 concerts planned over the next 5-6 months. He would support the Town's contribution at the diamond level.

Public comment:

Linda Wilson spoke on behalf of the Council to thank the board for their generous contributions in the past.

Thaler/Hadfield moved to approve Town sponsorship of the Carson Valley Arts Council for the 2009 - 2010 Concert Series at the diamond level in an amount not to exceed \$1200.00. Motion carried unanimously.

**IV. Discussion and possible action: Approve, approve with conditions or deny request for approval of the Douglas County Community development request for:**

A) A Master Plan Text Amendment, including Resolution Number PC 2009-02, modifying the following: 1) Chapter 2, *Framework of the Master Plan*, adding a note under *Chapter 10: Land Use Element, Changes to Multiple-Family Residential (MFR) Designation*, density was adjusted from 25 dwelling units per acres (DU/AC) to 20 DU/AC in 2009, 2) Chapter 10, *Land Use Element of the Douglas County Master Plan*, Figure 10.2, *Land Use Designations and Densities*, adjusting the range of density in the Multiple-Family Residential land use designation from 6.01-25.00 DU/AC to 6.01-20.00

DU/AC, **3)** adjusting the text under *Residential Uses, Multiple-Family Residential (MFR)*, from 25 DU/AC to 20 DU/AC, **4)** adjusting the text under *Future Development and Receiving Areas (RA)* from 25 DU/AC to 20 DU/AC, and **5)** amending Figure 10.3, *Land Use Designation and Zoning Relationship*, adjusting the maximum density for Multiple-Family from 25 DU/AC to 20 DU/AC.

**B)** A Zoning Text Amendment amending Title 20, Section 20.650.010, *Purpose, MFR (Multi-family residential)* and *MUC (Mixed-use commercial)*, Section 20.656.010, *Residential district development standards (Table)*, and Section 20.664.125, *Multi-family housing (mixed-use commercial zoning district)*, adjusting the maximum density from 25 DU/AC to 20 DU/AC in the MFR (Multi-Family Residential) zoning district.

This item will be presented by Dirk Goering, Assistant Planner.

Mr. Goering apologized for the timing on this item. This is the same request that went to the planning commission in August 2009.

In June 2008 the County increased the MFR density standard from 12 to 25 with direction to revisit at the time of the master plan. The concern over the current standard is that this higher density has various adverse effects, including traffic concerns, reduced property values, negative impact on local aesthetics and increased cost to community services. The public has said it is inconsistent with Douglas County's rural character. Minden's Plan for Prosperity says building needs to reflect local character. Master Plan encourages large variety of residential; however, county staff felt when you go above 20 you lose the character that fits because you have to build up even higher. The planning commission recommended 18. He is asking for the town's input and it will be given to the BOCC for Thursday's meeting. Gardnerville has recommended 16. Mr. Chichester noted that when this issue was addressed before, the Board realized 12 might be low and the town recommended 15; he would still like to see 15. Mr. Stephans thought 12 per acre was good. Discussion included the history of the Mahogany Court project.

Mimi Moss gave some history on the zoning. She noted that some projects have been approved with density bonus based on affordability. 12 units per acre was the norm after the 1996 Master Plan was adopted. The SFRT (Single Family Residential Traditional) was set up to serve the Town of Minden specifically and ranged from 6 to 17 per acre. The reason planning went to a proposal of 18 was not to see the overlap of density between single family residential and multi family residential; it defeats the purpose of the land use. There is a need for a clear distinction between the density for each of those land use designations. With the proposal of 18 there is no overlapping of densities that could cause the whole process of land use to possibly be circumvented. Ross said Minden said the original purpose of the SFRT was to bring into compliance the old town plat of Minden only and the intent was to give the lots in old town a way to do something with their property.

Public comment:

Bev Giannopoulos would definitely like to maintain the density at 12 especially if someone comes back and asks for affordability bonus.

Chichester/Hadfield recommended that we send this back to the county commissioners with the recommendation that in the MFRT zoning the maximum zoning would be 15 and this addresses both issues Motion carried with John Stephans opposing.

Mr. Hadfield referred to the concept of the town being allowed to grow and asked Ms. Moss if there was anything the town should try to take care of in this master plan amendment cycle. Ms. Moss encouraged attendance at the next day's board meeting because text amendment changes to be considered more than once a year was being addressed, but there was nothing addressing changes that would allow the town to grow.

**IV. Discussion and possible action: Approve, approve with conditions or deny approval of the selection of architect for Town of Minden Buckeye Maintenance facility.**

Mr. Chichester and Mr. Thaler spoke of the process of interviewing over the last three weeks. Each architect was highly qualified and it was a very enlightening process. They would like to recommend the firm of Ganther & Milby. They have worked here before, in particular with the courthouse. They are innovative, and seemed good fit with the Construction Manager at Risk.

No public comment.

Thaler/ Hadfield moved to approve the selection of the architect firm of Ganther & Milby Architects Inc. for the Town of Minden maintenance facility. Motion carried unanimously.

**V. Discussion and possible action: Approve, approve with conditions or deny approval of the Town of Minden manager job description and job announcement and consider the time line for advertising and hiring.**

Mr. Thaler noted his involvement in the process working with Darcy Worms and the presentation in tonight's packets relating to this position. The job announcement is a bit different than the usual at the county level, with the attempt to have the applicant with a good understanding of the town. The job description is very similar to the town manager in Gardnerville. Personnel Management Plus is a system to give good performance evaluations. The last page was put together by Mr. Thaler for a timeline with the aim for someone coming on board in March. He believes doing this will be good for the town, we'll look back and say it was the right thing to do. In this economy a lot of people are looking for job but we want someone who wants a career and wants to develop this position. Ross concurred with the time line and Steve's thoughts. We need someone up to speed before we leave, with the town on the verge of major changes with water issues it is more and more important to have this position and take on things that need to be done. Financially things are tight, but we need to do it.

Mr. Hadfield said that he would like the agreement with the town and the county to be the trigger for proceeding with the hiring. We need to know we have the agreement and know where we are going before we proceed or we will end up with a caretaker and no money. Mr. Stephans agrees we need a fulltime manager but questions the timing and the budget. Mr. Sheets supports the concept of the position, and suggested that we have some space with shutting the process down if things do not come in line with the

agreements. Mr. Thaler said that we have to look at priorities and if we wait too long we might miss a couple of opportunities, i.e., the budget process and board members leaving. We could make this position contingent on the funding and the sale of water Mr. Hadfield said if this waterline agreement is going to get done it will be done in 60 days, and we could still have someone on board by the end of the fiscal year. He agrees in hiring a manager with vision, youth, and this should be a positive process, but we need to know the potential of the town and what our future is.

Public comment:

Bev Giannopoulos agreed that we need a town manager—time is of the essence—and questioned the scope of advertising and the expense. It is believed that advertising will cost around \$1,000 to advertise for 60 days in professional publications, and actually world wide on the internet. She pointed out that there was still a reference to Gardnerville in the job description, and wondered if we are allowing enough time to go through the resumes.

Mimi Moss spoke as a resident of Minden, and encouraged the board on how much a manager can do and implement. She wonders how the board has done this all these years with no manager. Minden has a potential for so much more.

Thaler/Hadfield motioned to approve the job description and job announcement for the Town of Minden manager, and the time line as written but adjusted 60 days further back for the final hire to take place dependent on funding available, with position beginning between March 1 and May 1 also dependent on the funding.

**VI. Approve, approve with conditions or deny request for approval of the Town of Minden Street Sweeping policy.**

Mr. Hill reviewed the reasons that we have several policies on the agenda. Our goal is to get policies updated or written if they do not exist. We plan to make these policies available on the new website that we are building, and plan to have a policy book on hand at board meetings for reference.

The street sweeping policy puts in writing what we have been practicing. In the past the board has authorized sweeping some of the non-town streets depending on circumstances. We will sweep these roads quarterly rather than once a month as we do the town streets. Mr. Keele suggested working with the homeowners associations on a hold-harmless agreement for anything that might be done. Structural standard is not the problem, only width.

Hadfield/Chichester motioned to adopt the street sweeping policy and to approach the individual Homeowner Association or Representative groups of private streets to insure that we have their signed permission to sweep their streets with our normal indemnity provision

Public comment:

Bev Giannopoulos remarked that the wording needs to be clarified to make clear that the sweeping is done on Friday. Mr. Hill said that we do not post for sweeping, and in the fall sometimes we sweep both Thursday and Friday.

Motion carried unanimously.

**VII. Discussion and possible action: Approve, approve with conditions or deny request for approval of the Town of Minden Street Tree policy.**

Mr. Hill noted that this is a policy that we have not had anyone take advantage of for several years. The intention is to motivate people to remove bad trees such as willows, elms, and cottonwoods and have a new tree planted at a reasonable cost by the Town. A few years ago in Westwood a resident had approximately ten cottonwoods removed that would have lifted the sidewalk and we put in eight new trees. With this policy, the resident would submit application and Greg would determine if it meets the standard; it has to be on the right of way. We would plant 2-2.5 inch caliper trees about 10 feet tall. Mr. Scott said that it is a great program; it is what makes Minden special and we also get the right trees planted. Greg mentioned the possibility of a line item in the budget to fund this program.

Hadfield/Thaler moved to approve the request for approval of the Town of Minden Street Tree policy.

No public comment.

Motion carried unanimously.

**VIII. Discussion and possible action: Approve, approve with conditions or deny request for approval of the Town of Minden Sidewalk Share policy.**

This is another previously unwritten policy. We provide a 50-50 cost share subsidy for sidewalk replacement. Many people have taken advantage of this program. Mr. Hadfield expressed confusion about the third bullet point in the policy, which is taken directly out of the ordinance. Mr. Keele noted that this part of the ordinance was out of the NRS, and the concept originated in Henderson, Nevada. In Minden the standard is loose; in old Minden all sidewalks are eligible and throughout town it is up to our discretion if the sidewalk will be replaced under this program.

Hadfield/Chichester moved approval of the Town of Minden Sidewalk Share policy.

Public comment:

Bob Pohlman asked if this also entails ADA issues, specifically at Ironwood & Lucerne. Mr. Hadfield said we decided we would deal with those issues street by street and when we do the major improvement on Lucerne we will fix this. This policy is just for residential; commercial has been done on a case by case basis.

Motion carried unanimously.

**IX. Discussion and possible action: Approve, approve with conditions or deny resolution augmenting the Town of Minden 2009-2010 Fiscal Year budget.**

Mr. Chichester said that we are going to have additional expenses and need to augment our budget out of capital reserves \$175,000.00 and place in capital projects.

Chichester/Hadfield moved to approve the resolution augmenting the Town of Minden 2009-2010 Fiscal Year budget.

No public comment.

Motion carried unanimously.

**XI. Discussion and possible action: Final discussion on Minden Gateway cleanup. This may involve approving a remittance of up to \$1500 by the Town to Nevada Department of Forestry for work crew.**

Chichester/Hadfield moved to approve a remittance of up to \$1500 by the Town to Nevada Department of Forestry for work crew. Mr. Keele said that the only holdup is the hold harmless agreement; supposedly the document was emailed. Mr. Chichester requested action as soon as possible.

Public comment:

Bev Giannopoulos was in agreement but questioned what action would be done to keep dirt from blowing.

The plan is to put down calcium chloride, and pre-emergent weed killer. We are looking into possibilities and RCI would like to offer financial assistance. Mr. Hill attended a meeting with the county. The county has committed to spray the weeds to kill them and continue the spraying on an ongoing basis. There is a small amount of trash that is still there that we can remove; there is some usable material that we will move to a paved section in the back. Weeds are the major issue. It was determined that NDF would be hired to come in and do the clean up. The process is simplified and includes professionally trained people covered by Workers Compensation.

Motion carried unanimously.

**Chichester/Thaler motioned to adjourn the meeting at 8:40 p.m. Motion carried unanimously.**