



The Minden Town Board meeting was held on Wednesday, April 7, 2010, 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 and Roger Van Alyne.

1. Meeting called to order by Chairman Hadfield.

1. Pledge of allegiance was led by Mr. Hadfield. Andrew Gilbert introduced three Boy Scouts at the meeting to observe and take notes. They were welcomed by Mr. Hadfield, who also noted that we have reorganized how we present information at the Board meeting and noted that there is a packet in the back of the room for reference, as recommended by the new manager.
2. Thaler/Stephans moved approval of agenda as published. Motion carried unanimously.
3. Sheets/Stephans moved approval of minutes of March 3, 2010. Motion carried with Mr. Thaler abstaining.
4. Approval of vouchers.
5. Public comment:
 - a. Beverly Giannopoulos said that she missed the last two months and wanted to publicly thank George Keele and Bruce Scott for their contribution last month for the trees on Hwy 395. She appreciates being able to come to these meetings and know what is going on. Mr. Sheets extended his appreciation to Beverly for her involvement.
 - b. Robert McMillan asked the Board to look at the possibility of acquiring mineral rights at Walley's in relation to their bankruptcy.

II. STAFF REPORTS.

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

a. As part of our routine maintenance we have been working valves and discovered a few that were closed, which we subsequently opened. In La Costa there are three feeds and two valves had been closed, so opening them should improve the condition of the water in that area. We have over 870 valves and 370 fire hydrants in the system now.

b. Crack sealing is finished in Old Town.

c. A shed has been installed at Jake's Meadow to store tools for maintenance; Trudy from RCI is working there 3 days a week.

d. OSHA training is complete for all employees.

e. The Volvo trash truck is in for repair and the work will be \$13,431.00. This should make the truck last 6 more years.

f. Tarps for the tent purchased for the Christmas event are unusable; they were ripped severely by the wind and the grommets are torn. Greg will bring costs back next month for a more heavy duty tarp. The frames and sides are fine; only the two top canopies are not salvageable.

g. Greg's crew will be installing 22 new street signs by the end of August. They will be purchased from this year's and next year's budget.

h. Sierra Controls will be visiting all the Minden well sites to evaluate our existing telemetry system and determine what upgrades will be needed for the new system. Everything needs to work very smoothly to pump at a rate of 6000 gpm. Our communication goes through a loop back to Well 1 and it would be much more efficient to communicate directly to each site.

2. Engineering Report: Monthly report by Bruce Scott.

a. Mr. Scott questioned the possibility of providing a value for any donations of delinquent water rights for tax purposes. It was determined that we would thank the donor and the donor would determine the value for tax purposes, with the Town's last appraisal available for reference. The Town would not get involved with donations and IRS.

b. We have nearly resolved all issues with the Mueller office building and Sunset Park. The Town has its own meter and subpanel. We are paying for the lights on U.S. 395 and County Road. Mr. Mueller is paying for the water on the parkway and we are watering Sunset Park independently. Mr. Hill said we now have three extra street lights in the yard from the project.

c. Dan Leck has appraised the Well 1 site for Mr. Bently and we are trying to secure a copy of the appraisal.

3. Attorney Report: Monthly report by George Keele.

a. Mr. Keele has responded to a few concerns from the Town Manager and the office. The owner of a building requested that the water service be disconnected and he advised the owner of the risk of being exposed to unnecessary risk and liability due to the possibility of residents in the building.

b. Mr. Keele took the opportunity to give training in Robert's Rules of Order using the approval of a purchase at a Board meeting as an example.

c. Gateway Center is having a foreclosure sale April 21st on the courthouse steps.

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

a. We have made a few minor changes for the Board meetings. The biggest change will be the cover memo for the agenda items, including fiscal impacts and recommended motions from staff.

b. In working on a business climate survey, he found that the occupancy rate is not as bad as he would have expected. Professional services are way down, but businesses are holding their own. He has met with Karen Craig, the county's economic consultant; she will be coming to the Board in the near future. He has also become involved with the Chamber of Commerce.

c. Organization profile and new Board Member information is under way.

d. A request has been submitted to NDOT for the landscaping at SR 88 and US 395.

e. He will be on military leave April 12-16.

c. We will be scheduling a follow up public meeting on the water tank project hopefully before the May meeting.

d. The community source water protection workshop that Mr. Van Alyne attended this morning focused on how we can work together to protect our local water systems. A consultant is working statewide with all 17 counties, and there will be a strong presence in this group by Minden.

Mr. Thaler appreciates the improvements to the agenda. He suggested an article in the paper concerning the water tank. He would encourage the county to get involved because it is their project also. The homeowners need to know this can be a positive improvement for them because fire hydrants along the line result in lower insurance premiums. Mr. Hadfield suggested sending notices out return receipt requested to be sure the neighboring homeowners get the notice.

5. Board member reports:

- Chairman's report: Mr. Hadfield has been meeting frequently with the Manager. The new file system was delivered yesterday to the office and all files are being purged or reorganized.
- Board Member comments:
 - Mr. Sheets thanked the 7 people who filed and are running for the Town Board; all are here tonight. The Board as a whole will not endorse anyone, but each member as a town citizen can endorse any candidate they choose.

- Mr. Stephans said the Town would like to host a “Meet your Candidates” night. It was determined that Mr. Hadfield will moderate it and it will be held on a night separate from the Board meeting. In the newsletter we will print profiles of 100 words or less submitted by the candidates.

(Board member comments continue after administrative agenda)

III. ADMINISTRATIVE AGENDA:

1. Discussion and possible action to Approve, approve with conditions, or deny the request to clarify, change or amend the CVIC Hall rental package to reflect exclusive use for wedding parties or for the package to be used for other rentals. This could possibly include the creation of a totally separate package as determined by the Board. Appearance by Town Manager. This was continued from the March 2010 meeting.

Mr. Van Alyne noted that we currently have two packages available. One is the wedding package and the other is the theatre package. Under discussion tonight is to limit the package rates to weddings only or open up to other uses. Our current policy does not clearly delineate what the package is for.

Discussion included more latitude for a two day use and other package uses needing approval by the Board. Mr. Chichester and Mr. Sheets remembered the package rate originally intended for use by weddings only. Mr. Chichester believed that the Town Board did not want to go case by case to figure out acceptable packages.

Public comment:

a. Roxanne Stangle brought the issue up because she wants to put on an antique show with Martha Williams, and she found the policy paperwork needed clarification.

b. Beverly Giannopoulos said she found this thoroughly confusing and she had been told that nothing would change unless the Board voted to change the use to include events other than weddings also. The Board decided to amend paperwork to make it clear the package was for weddings only.

Sheets/Chichester moved to clarify the CVIC Hall rental package by adopting option 1 limiting the use of the CVIC Hall for multi-day continuous use events to weddings only.

Motion carried unanimously.

2. Discussion and possible action to Approve, Approve with conditions, or Deny request for the Town of Minden to sponsor the 25th Annual Minden Spring Arts and Crafts Festival and Car Show, June 5-6, 2010; the 26th Annual Minden Fall Arts and Crafts Show, September 11-12, 2010; and the Minden Weinachts Fest (Christmas Festival), December 3-4, 2010. Appearance by Town Manager.

Mr. Van Alyne noted that the Town has sponsored these events in the past. In making the decision to sponsor the event, he would like the Board to understand that the costs and loss of revenue is in the neighborhood just shy of \$9000.

Mr. Hadfield appreciated being presented with all three requests at once.

Mr. Scott said that this is the essence of what Minden is; there is a real value in bringing something special to Minden and community wide.

Mr. Thaler said that these are great events and beneficial to all regardless of the cost. If we don't do it the private sector will not do it.

Mr. Hadfield said the original idea is to bring people to downtown Minden and keep the business community alive. The vendors really like Minden and the setting.

Mr. Sheets said he believed that the expense is worth the benefit.

Mr. Chichester said that culture and recreation is part of our budget and is appropriately used for this event.

Public comment:

a. Roxanne Stangle said she feels lucky to work with the Board and appreciates all their support. She wanted to remind the Board that it all started with the Clock Park and there have been donations through the years that now have gone by the wayside. She has a consensus from the people she works with in relation to these events, in particular the June and September craft shows, and they would like to commit to the Town to give a minimum of \$1,000 per event back to the Town. If they do better they would like to

give 25% of their net back to the town to keep these projects going. We do not want to take for granted that the town will support them. Some events are going by the wayside and we need to keep as many functions going as possible.

b. Beverly Giannopoulos said she attends 99% of activities in valley and the enthusiasm is worth the while.

Thaler/ Stephans moved approval of the request for the Town of Minden to sponsor the 25th Annual Minden Spring Arts and Crafts Festival and Car Show, June 5-6, 2010; the 26th Annual Minden Fall Arts and Crafts Show, September 11-12, 2010; and the Minden Weinachts Fest (Christmas Festival), December 3-4, 2010.

Motion carried unanimously.

3. Discussion and possible action to Approve, Approve with conditions, or Deny a professional services agreement with Ganthner Melby, LLC (GMA) to complete architectural design of the project currently known as the Buckeye Maintenance Facility. Appearance by Town Manager. This was continued from the March 2010 meeting.

Mr. Van Alyne said this is the final action for the agreement with the architect. Mr. Keele said there have been several changes and recommends approval of this version.

Chichester/Stephans moved to approve the professional services agreement with Ganthner Melby, LLC (GMA) to complete architectural design of the project currently known as the Buckeye Maintenance Facility. It was approved initially and we slowed it down based on budgetary concerns, and those budgetary concerns are now resolved.

No public comment.

Motion carried unanimously.

4. Discussion and possible action on Development Application (DA) 09-073, a Master Plan and Zoning Text Amendment, initiated by the Douglas County Community Development Department, as follows: A) A Master Plan Text Amendment, including Resolution Number PC 2010-01, modifying the title of the Single-family residential - traditional 2,500-square foot minimum parcel size (SFR-T 2,500) to Single-family residential — traditional 3,000-square foot minimum parcel size (SFR-T 3,000) and modifying text in the SFR-T land use designation to adjust the maximum density standard from 17 dwelling units per acre (DU/AC) to 15 DU/AC in the following Master Plan chapters and figures: 1) Chapter 2, *Framework of the Master Plan*, 2) Chapter 10, Figure 10.2, *Land Use Designations and Densities*, 3) Chapter 10, *Single-family residential - traditional (SFR-T)*, 4) Chapter 10, *Future Development and Receiving Areas (RA)*, and 5) Chapter 10, Figure 10.3, *Land Use Designation and Zoning Relationship*, and the placement and modifications to footnotes.

B) A Zoning Text Amendment, amending Title 20 as follows: 1) increasing the minimum net lot area for the Single-family residential traditional 2,500 square feet (SFR-T 2,500) zoning district to 3,000 square feet, 2) modifying the title of the SFR-T 2,500 zoning district to SFR-T 3,000, 3) lowering the maximum density standard for the revised SFR-T 3,000 zoning district to 14.52 DU/AC, and 4) assigning an Average Lot Width, Average Corner Lot Width and Minimum Lot Depth to all of the SFR-T zoning districts by amending the following chapters and sections: 20.650.010 (B) (1) Purpose; 20.656.010 Table; 20.662.010 Table; and 20.664.155 (J) *Single-family residential - traditional design standards*, and other properly related matters. The Planning Commission may recommend approval, approval with modifications, or denial of each request to the Board of County Commissioners.

Appearance by Dirk Goering.

Mr. Hadfield noted that this has been before the Town Board a number of times with various reiterations. It is an attempt for some kind of conformance within the county ordinances and blending Minden into it. Chichester/Sheets motioned to forego the reading of the agenda item; motioned was carried unanimously with no objection from the public.

Mr. Goering gave a slide presentation and discussed the item. On Nov 5, 2009, the density was lowered to 16 units per acre. This created a problem with a lower intensity zoning district: single family residential traditional 2500 square foot minimum lot size. The problem is that the multi family is designed to be a more intense zoning district. Due to the change we have a lower intensity zoning district that can actually have higher density than multi family residential, and this needs correction. We would change the minimum lot size from 2500 to 3000; changing the minimum lot size lowers the maximum density. Affordable housing can add 25% density. This zoning does not exist right now; it was designed for Gardnerville and Minden. Currently the approval of the zoning district is based on the lot before the design

review even takes place; we would change the process by changing the density, the minimum lot size and applying a number to the minimum average lot width based on what currently exists in the Town. County staff is recommending approval.

Mr. Chichester said this was originally for the old town plat of Minden, not for new development. We were just trying to fix a problem and be able to build on lots in old Minden, and there are few if any 3000 square foot lots.

There will be no impact to the project by DHS from this change. The original issue was the setback in Minden, and the purpose of SFRT was to allow non-conforming lots to be able to make improvements to home. Formerly they had to apply for a variance, but now they have to apply for zoning; however, if several people want to apply together there will be one fee.

Public comment:

a. Robert McMillan: This is smoke and mirrors and concerns the whole valley. The original lots in Minden were 25 feet but required two lots for a house to be built; therefore saying it was 25 feet is incorrect. The county says their goal is to maintain character while providing opportunities for growth and development. This doesn't need to be discussed here because they will do what they want.

Thaler/Sheets moved to approve the Development Application (DA) 09-073 as documented. Mr. Chichester asked for even less density at 12, where it was before.

Motion carried with Chichester opposing.

Mr. Goering said the proposed SFRT 3000 has a front setback of 8 feet and a rear yard of 10 feet.

5. Discussion and possible action to Approve, Approve with conditions, or Deny a Request to Purchase Transmission Main Materials for the East Buckeye Road and East Valley Road Water Line Project. Appearance by Town Engineer.

Mr. Scott said the Board's concerns about money available are met with the County's agreement to reimburse the Town the additional \$880,000.00. We are proposing to go to bid for the materials and bring the bid back in May for approval. The bid would be subject to receipt of funds from Douglas County, with nothing to do with receipt of funds from Carson City. This is a way to buy the materials with substantial savings because of lower bonding requirements. The Carson City bond process won't be happening until May and we wanted to get the best bid on the pipe and get the contract out sooner. The reserve funds have accumulated over the years from connection fees and water sales, not monthly fees. We also have the \$100,000.00 from Carson Water Subconservancy District, and the balance of the original \$500,000 from Douglas County, with how and when to pay the balance due from the county to be decided in May. Mr. Chichester asked for clarification on the exact payoff and balance from the county; his understanding was that they were committed to a monthly payoff for the first \$500,000 as well as the additional \$880,000.

Chichester/Stephans moved to approve a request to purchase transmission main materials for the East Buckeye Road and East Valley Road Water Line Project, based on 1) the receipt of the \$880,000 payment from the County, 2) the clarification of payment schedule for the original \$500,000 commitment from the County, 3) designate the portion of funds used to purchase the transmission main materials will be put back into the reserve account upon receipt of the \$10,000,000 from Carson City, with the determination of amount and award of bid at the May 2010 meeting.

No public comment.

Motion carried unanimously.

6. Discussion and possible action to Approve, Approve with conditions, or Deny a Request to: 1) develop a general agreement with the Town of Genoa to include infrastructure maintenance work in future Town of Minden projects; and 2) allow staff to negotiate a specific agreement to include Town of Genoa work in the Town of Minden 2010 Street Maintenance Project. Appearance by Town Engineer.

This request is more formal than in the past but is piggybacking on the street work as we have done in the past with Gardnerville. There would be a general agreement that allows for future arrangements, with specifics on our project negotiated as we go forward; there would be no extra cost to the Town.

Mr. Keele noted that we can cooperate as we have in the past without an official interlocal agreement, justified by the County's approval of our budget. The County would most likely need to approve an official agreement.

Discussion included mobilization costs, especially with Genoa being much further away than Gardnerville, inspection levels in Genoa, the possibility of withheld payment or problems with bankruptcy as we had last year, and making the situation more complex than necessary.

Mr. Chichester noted that this could work at some point in time but we are ready to go out to bid for our work right now and there is no time to do this formal agreement.

Chichester/Thaler moved to deny the request to 1) develop a general agreement with the Town of Genoa to include infrastructure maintenance work in future Town of Minden projects; and 2) authorized staff to further discuss an informal agreement to include Town of Genoa work in the Town of Minden 2010 Street Maintenance Project.

Public comment:

a. Beverly Giannopoulos expressed concern about the project knowing Genoa is closer to the mountains, colder than Minden and drainage is totally different.

Motion carried unanimously.

7. Discussion and possible action: Review and consideration of priorities for the 2010 Street Rehabilitation program and directing staff to proceed with bidding. Approval of a contract would be considered at a future Town Board meeting. Appearance by Town Engineer.

Most of this year's work is in Winhaven based on pavement management systems and the condition of the roads. We would bring approval of bid back in May, and it will be paid out of 2009-10 budget. The amount would not exceed \$425,000. This is our standard method of taking care of our streets.

Thaler/Stephans moved to approve the request to advertise for bids for the 2010 Street Rehabilitation program.

Public comment:

a. Robert Pohlman: Winhaven Gardens is adjacent to Town roads and there is deterioration at many intersections between the concrete drainage and the roadway. Mr. Scott will look at these areas.

Motion carried unanimously.

8. Discussion and possible action to Approve, Approve with conditions, or Deny the Town of Minden tentative budget for the Fiscal Year 2010-2011. Approval of the final budget would be considered at a future Board meeting. Appearance by Town Manager.

Mr. Chichester noted that the tentative budget has the money for water projects. We slightly increased reserves for trash and water. There is the \$1,000,000 from this year's budget and another \$980,000 for next year for the Buckeye maintenance facility. There is a reduction next year of about \$350,000 for next year's street refurbishing.

Mr. Van Alyne noted that the revenue projections are down like everywhere but we are in pretty good shape.

Mr. Thaler praised the conservative job and over all tight budget.

Chichester/Stephans moved to approve with the Town of Minden tentative budget for the Fiscal Year 2010-2011.

No public comment.

Motion approved unanimously.

9. Discussion and possible action to provide direction to staff regarding the submission of a Conditional Letter of Map Revision (CLOMR) and/or a Letter of Map Revision (LOMR) with the Federal Emergency Management Agency (FEMA) for the proposed Buckeye Maintenance Facility, using the following options: 1) a separate submission by the Town of Minden solely for the area surrounding the proposed Buckeye Facility; or, 2) a joint effort with Douglas County for an overall analysis of the Buckeye Creek watershed. Appearance by Town Engineer.

Mr. Scott said the flood issue is a real problem. The county is reviewing the Buckeye Creek drainage as a large area; this process could take up to 12 months. We are comfortable that we can establish an elevation that will be out of the flood plain and not be an issue. We were first told by FEMA to submit a letter of map amendment (LOMA) at no cost, and then we were told we were on an alluvial plane. The county has said we could possibly submit a conditional letter of map revision (CLOMR) to establish an elevation and go forward while the other process is being decided. The CLOMR has to become a LOMR in conjunction with Douglas County in a larger area. He believes that the county would be supportive of a CLOMR which would allow us to move forward at this time. The estimated cost of the CLOMR is in the range of \$10-15,000 and is the most expedient action.

The difference is that LOMR corrects a FEMA error; this is a process that corrects an existing condition. CLOMR is what can be submitted to keep project moving forward and eventually results in a LOMR. The two processes do not need to be exclusive of each other.

Mr. Scott said we anticipate that the FEMA numbers will potentially be reduced by the county's study. The bottom line is that with a foot or two of fill we can meet either one. We are able to utilize FEMA's numbers to see where the elevation would need to be so that under any potential outcome the maintenance building will be adequately elevated so there is no flood plain issue.

Thaler/Chichester motioned to direct staff towards the submittal of a conditional letter of map revision.

No public comment.

Motion carried unanimously.

10. Discussion and possible action to Approve, Approve with conditions, or Deny a Request for a Lease Extension for the CVIC Hall Annex, 1604 Esmeralda Avenue, Suite 202. Appearance by Town Manager.

This item was requested by Debbie White Orr, doing business as 5th Street Salon. As a condition of her lease, she has requested a 2-year extension.

Mr. Van Alyne said that as part of his organizational profile he is looking at a business plan and making sure that the right kind of tenants are in the facility, ensuring that we have the highest and best use of the property. He recommended that the lease is renewed for one year with options to terminate, extend or negotiate one year from now, which allows time for the business plan to be finished.

Debbie White Orr said that the lease is expiring at the end of May and it has a provision for a two year option. She understands Roger's position but would ask for a two year option. She is in agreement with standardizing her lease to be like Minden Electric's with a brand new lease.

Mr. Thaler said that looking beyond the year, we will have a new Board coming on and agrees with doing a business plan.

Thaler/Sheets motioned to direct the Town Manager to negotiate a new lease and bring it back to us at the May Board meeting. Manager was directed to start negotiations 9 months into first year period and standardize the lease like Minden Electric with one year base term and one year possible extension.

Public comment:

- a. Mr. McMillan said that economy is business. We should not limit a business to a short term.

Motion carried unanimously.

Board member comments (continued from II. Staff Reports, above)

It was determined that the candidates night will be on a night separate from the Board meeting. There will be no special mailing with Town funds. It will be held in October before the general election, with candidates given the opportunity to submit profile in the July newsletter. Town residents will be asked to submit questions; these will be picked by relevance to the Town. Mr. Hadfield will moderate; questions will be asked with each candidate able to respond. Roxanne Stangle would like questions submitted to the office as well as that night. Starting time will be 7:00 p.m. not to exceed 9:00 p.m. Contact information was requested from the candidates.

Mr. Hadfield said that he was very pleased that all candidates were here tonight.

IV. ADJOURNMENT

Chichester/Stephans motioned to adjourn the meeting at 9:25 p.m. Motion carried unanimously.