



The Minden Town Board meeting was held at 5:30 p.m. on Wednesday, June 6, 2012, at 1602 Esmeralda Avenue, Minden, Nevada.

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

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

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

The Pledge of Allegiance was led by Mr. Condron.

Condron/Thaler moved for the approval of the agenda as published, noting the correction of the spelling of Almeida.

Bernard/Condron moved for the approval of the May 2, 2012 Board Meeting minutes.

**ACKNOWLEDGEMENT OF GIFTS:** Ms. Scott acknowledged the partners helping Minden with the Carson Valley Days breakfast, including Model Dairy with the generous donation of all dairy related products, and Carson Valley Inn for the use of the chafing dishes. Also, she said that Gary Dove will be presenting a gift tonight. Mr. Stephans asked for all to be acknowledged with thank you notes.

**ACKNOWLEDGEMENT OF SERVICE AWARDS:** None

**PUBLIC COMMENT:**

Gary Dove, the current president of the Kiwanis club presented a check for \$450.00. Kiwanis is a service club that utilizes the sound system, and Mr. Dove said that this donation can be used in conjunction with the donation from Fortnightly to pay for the new speakers. Mr. Stephans thanked the Kiwanis for stepping up to the plate. Mr. Dove noted this is a special year because of the 100<sup>th</sup> anniversary of the CVIC Hall and it is a very appropriate time for this donation.

Brenda Fisher, owner of Healthy Bodies by Fisher, gave a presentation on a program she is initiating for the community called Healthy Nevada Community Challenge and presented a handout for anyone wanting more information.

Howard Herz reported that the Spring Street celebration went well and thanked Rick for coming down Sunday to check the street.

**STAFF REPORTS:**

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

Greg Hill highlighted the progress of Well 7. The arsenic was a little high, and Carson Pump was authorized to do more cleaning. They have finished zone sampling, drawing water from seven different zones. Those results will be here next week and will help us to determine whether we should invest more money because of the high level of arsenic. Mr. Thaler asked for the history of testing for arsenic at this site. Greg said that initially we did complete water quality sampling, and he is not sure of what testing Bently did. Mr. Scott said that Well 8 can be have higher levels of arsenic but after pumping the arsenic level is lower. Perhaps we can isolate strata that are acceptable on arsenic. We can look at other options including blending, but we need to see where it is coming from. This info will help us with all of the wells in the vicinity.

The Booster pumps have arrived, and startup will be in the next few weeks. Mr. Hill showed pictures of the project. The pumps will pump about 3,000 gallons per minute.

A new site has been chosen for the banner poles. This site is near the last strip mall as you head out of Town to the north, across from the Gateway Center. It will be planned according to NDOT specs. He feels that it will cost between \$60-70,000 to complete the project; he could bring back bids for the project next month. Ms. Scott said that being in the NDOT right-of-way has a major role in the cost, but she felt the engineering specifications should be followed regardless of the site. Mr. Condron has no problem soliciting bids but needs to know where the rest of the money would come from as we did not budget for this dollar figure. Mr. Thaler said that this Board is not accustomed to surprises; we should be putting in poles that are engineered correctly. He asked if this could be a part of the Gateway grant project because of its proximity. Mr. Scott felt we should get the landscaping in first, but conceivably banner poles could be part of that project. Mr. Stephans asked Greg to get bids and we will go from there.

Mr. Bernard asked how the SCADA system is working out; Mr. Hill said that there have been some pressure issues, but they are resolved. Soon we will interface with Indian Hills on the telemetry. Landscaping is almost done at 2<sup>nd</sup> and Mono and it has turned out as expected.

**2. Engineering Report: Monthly report of activities by Bruce Scott.**

The street improvement project is out to bid and will be considered at July's meeting.

The Heybourne Booster pump station has been submitted to the County and NDEP; we expect to go out to bid in mid June. There is a question on whether or not the station will require fire sprinklers.

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Douglas County and Carson opened bids today for their pipeline. They broke the project into two pieces. The low bid was a little less than last time. They are redesigning the booster pump station to scale back. Our goal is to have our booster pump station out to bid before the County's to attract a good bidding climate.

They are working on the ditch piping on County Road between 7th Street and 8th Street; they have met with all of the property owners to make sure that everyone is aware of the project. He is hopeful for the Board to consider this in August.

Street sealing will be going to bid in July; hopefully the work will be done in August or September.

Mr. Bernard asked what landscaping plan we would be following as we move forward if the County is successful with the abandonment of the road right-of-way. Mr. Scott passed around the plan that was approved by the Board and suggested a meeting with Winhaven Gardens HOA, the Town, and Douglas County to look at the plan and talk it through. Mimi will be calling the meeting as she has had a few letters from the HOA.

### **3. Attorney Report: Monthly report by George Keele**

Mr. Keele was grateful for the exercise of caution by Ms. Scott concerning noticing, and he appreciates the requests for legal opinion. Town by-laws have been a bit of a work in progress; and he hopes to pursue these as well as taking a comprehensive look at Town ordinances with Ms. Scott. He has also been working with Bruce, Tim, and NDOT on the Gateway parcel; he has not seen the agreement come through yet.

### **4. Manager's Report: Monthly report by Jenifer Scott**

Ms. Scott thanked the Board for allowing her to step away from her duties for her wedding; she was confident in the staff in her absence.

Work will continue on the search for a rate consultant; she hopes to have this as an item on the July agenda.

They are currently recruiting staff for a softball game in the fall between Gardnerville and Minden, with the hopes of bringing home the "Community Cup." Mr. Stephans said that he felt the teams should have t-shirts that said Mindenites and Garnervillains.

Ms. Scott thanked Town staff for the amount of work they have done for Carson Valley Days. The float is going to be amazing; this is a shining example of Minden spirit in action.

Mimi Moss has informed Ms. Scott that the grant on flood mitigation for Highway 88 has been denied. The application for re-submittal is due tomorrow, and Ms. Moss has asked if the Town still supported the \$40,000 commitment. Mr. Keele said that Ms. Scott would be authorized to write a letter of support as nothing has changed.

### **5. Board member reports:**

Mr. Bernard thanked everyone for all their hard work getting ready for Saturday's breakfast; he really can't thank them enough. Model Dairy is an incredible partner with all of their donations of their products for the breakfast. He hopes everyone here comes on down. For the 4<sup>th</sup> of July at Minden Park, we are lucky to have the Pops Orchestra; we will have a kid parade, an honoring of the servicemen, and something for the kids that will include water. There will be more planning for the October CVIC Hall event, with Christmas planning also starting soon.

Mr. Thaler said he appreciates Matt getting him up to speed on events.

Ms. Stangle acknowledged Willie, James, Dan and Rick for a great job; no one would ever have known on Monday morning that there were so many people here over the weekend of the Street Celebration because it was so clean.

John thanked everyone and said that everything seems to be going smoothly.

### **CONSENT CALENDAR FOR POSSIBLE ACTION**

1. Approval of claims through May 2012.
2. Approval of a policy renewal from Nevada Public Agency Insurance Pool (POOL) and authorization of payment to POOL in the amount of Forty-five thousand one seven hundred ninety-three dollars and fifty-seven cents (\$45,793.57) for Fiscal Year 2012-2013.
3. Approval of a new lease for Eduardo Almeida and Susan A. Almeida, doing business as Minden Electric, in the CVIC Hall Annex, 1604 Esmeralda Avenue, Suite 203. (Pulled by Steve Thaler)

No public comment.

Condrion/Thaler moved to approve items #1 and 2 on the consent calendar. Motion approved unanimously.

### **ADMINISTRATIVE AGENDA:**

**Consent item #3: Approval of a new lease for Eduardo Almeida and Susan A. Almeida, doing business as Minden Electric, in the CVIC Hall Annex, 1604 Esmeralda Avenue, Suite 203.**

Ms. Scott noted that the lease was exactly the same as the lease for the other tenant except for the definition of use of space and the name on the lease.

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No public comment.

Thaler/Condrón moved for approval of a new lease for Eduardo Almeida and Susan A. Almeida, doing business as Minden Electric, in the CVIC Hall Annex, 1604 Esmeralda Avenue, Suite 203. Motion carried unanimously.

**1. For possible action: Discussion and possible action to approve, approve with conditions, continue, or deny a request by Carson Valley Reforestation and Beautification Foundation, a Nevada non-profit corporation, for approval of not to exceed \$5,000 of Town funds to help the Foundation with fertilization, weed control, mowing, pruning, tree replacement and drip line upkeep on the two-mile tree planting project along the US 395 corridor from Genoa Lane to Muller Lane. Appearance by Nick Koropchak, Foundation President.**

Mr. Koropchak noted that the beautification of the strip between Genoa and Muller Lane is accomplished. The total cost was \$55,844.00, and they have raised money for and paid all but \$3000 of that. Tonight he is requesting the Board to consider contributing \$5,000 for the maintenance of the project. He said it seems to be a concept that tourist comes here for brick and blacktop, but he believes that the natural beauty draws tourists here. He hoped for Minden support as this is the entrance to Minden.

The consensus of the Board was:

- a. The budget for the next fiscal year has already been approved and we are past the budget process.
- b. This is a great project, but the Board was troubled about his lack of other partners. Gardnerville, Douglas County, and Genoa have not contributed and are not even being approached with this current request. Tonight Minden is basically being asked to pay 33% of the maintenance on a project that should be NDOT's or a joint venture by a coalition of groups and governments.
- c. They were never told before that funds for maintenance would be requested.
- d. Minden has historically gone above and beyond to support this project, and has been the only public entity to do so. Minden is not abandoning Mr. Koropchak, but is asking him to find other partners that are public entities.

Mr. Thaler encouraged Mr. Koropchak to make the same request to the County Commissioners; Mr. Thaler would personally be there to support him at the meeting. He suggested going this month to the Commissioner meeting and under public comment talk about this and ask to be put on the agenda.

Public comment: None

Thaler/Condrón denied the request by Carson Valley Reforestation and Beautification Foundation, a Nevada non-profit corporation, for approval of not to exceed \$5,000 of Town funds to help the Foundation with fertilization, weed control, mowing, pruning, tree replacement and drip line upkeep on the two-mile tree planting project along the US 395 corridor from Genoa Lane to Muller Lane. Motion carried unanimously. Mr. Condrón encouraged Mr. Koropchak to come back again in the next budget process.

**2. For possible action: Discussion and possible action to approve, approve with conditions, continue or deny a proposal to 1) amend the CVIC Hall rental policy by adopting an addendum thereto for non-profit theatrical performance groups; and if 2.1 is approved to 2) set a Theatrical Performance Package rate for non-profit groups to rent the CVIC Hall for one week in an amount not to exceed \$1,000; for two weeks in an amount not to exceed \$675 per week; and for three weeks in an amount not to exceed \$500 per week. Appearance by Jenifer Scott, Minden Town Manager.**

Ms. Scott gave the background for this request. She and Mr. Stephans have meant with Lucille Rao, who represented the theatre group, with whom the Town has a good working relationship. They have requested a rate of \$900.00 for three weeks. It has been amended with some leeway for the Board's action.

Justin Clouser and Lucille Rao were present to represent the Carson Valley Theatre Company. Mr. Clouser thanked the Board for hearing this request. He noted the significant costs in putting on productions, including royalty fees, costumes, and first class sets. Their goal is to put on bigger and better productions. Their biggest single expense is the rental of the Hall. Any profit is put back into coffers for the next production. Their proposal would be an attempt to cover Town expenses. The Dakota group would like to return here but the cost of renting the Hall has put them out of production.

Ms. Rao pointed out that their organization is Minden based; they have a good working relationship with the Minden Food Company and are tied into the community. They are running this like a business, and are trying to make it better.

Mr. Stephans said it is important to him that the CVIC Hall is a community hall, and we need to determine what the CVIC is all about. He likes to think that the Town sponsors the arts, and he feels it is very important to have the arts in Minden. He asked whether or not it is important that the Hall operates with a profit; he felt we need to look at what we can do to reduce costs.

Mr. Thaler felt that we need to take a look at the whole rental policy and not just the theatre package. We may be opening a Pandora's Box.

Mr. Condrón agreed with Mr. Thaler on opening a can of worms; he likes to follow a policy. He would like to see consistency of policy in how it is written and followed so it is fair for everyone.

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Mr. Clouser felt that the Board would not be opening a Pandora's Box as this clearly applies only to the theatre package and thus does not open the Board up for any challenge.

Mr. Bernard asked for clarification on time use, and how three weeks would be used. The production runs on three weekends. Set up takes place the entire first week. In the second and third weeks they are generally dark Monday, Tuesday, and Wednesday, and sometimes Thursday. On those days the Hall can be used by other groups if there is no conflict with what is on the stage. Mr. Bernard also asked how the non-profit discount would apply; Ms. Scott said that the theatre package is written for non-profits and an additional 25% would not apply.

Mr. Thaler would also like to look at the policy again and look at other facilities, and see if our prices are competitive. He would like to charge enough to get by.

Mr. Scott said that if you look carefully at the CVIC budget it shows that essentially you are pretty close to breaking even at 11 months. It is a unique facility; people will come to Minden for this, and this is good for the business community.

Ms. Stangle said that she has supported this for years. She would like to look at this and make sure it is fair for the people of Minden and the arts, and asked to table this item and bring back in July.

Public comment:

Dave Anderson with the Dakota Group said they started using the Hall in 2005. The last 2 years they have been up at Valhalla because of the costs of the Hall. Their goal is to put on quality performances at a cost that generates more business. They worked with the Town on the theatre lights. There are a lot of disadvantages to this Hall as far as putting on performances, but it is the only game in Town. As far as Pandora's Box, it is already open. They would like to fill the place up and get people here but there are costs. You must decide if the theatre groups are an asset to the community; he asked if the goal is to turn a profit or do we provide an asset to the community by bringing people down here. He said they are not asking for free, just covering expenses which are hard to define, especially opportunity costs. Their group would much rather be performing here in the valley.

Bill Souigny spoke in support of the petitioner. He encouraged the Board to look closely to see if they could accommodate this request by looking at the current costs and not worrying about making a profit. Community theatre is a great asset to the community to bring people together and help the community grow. Communities that are involved with arts, etc. have less crime and a better quality of life.

Sandy Deyo had a comment on the Pandora box. The request is for nine weeks by the Carson Valley Theatre Company through the year, and there could be four to six more weeks by the Dakota group. That could be 15 weeks in one year. How does this impact the other groups or renters using the Hall including the Pops? What happens if the stage set is messed with by the other renters?

Bev Giannopoulos does not think we have ever tried to be profitable with the Hall; we have just tried to break even. She likes consistency and that shows better to the community. There are maintenance costs to consider including opening, closing, lighting, and cleaning. We need to be lean and mean these days and break even.

Howard Herz said there is a lot of consideration to be given to quantity, but he asked for extra consideration to quality, which raises the level of a sense of community and makes it extra special to the people who live there.

Diana Johns said she is also a member of the theatre company. Part of what is nice about this area is the natural beauty. But we also need to value the culture and the artistic endeavors, and what they provide to adults and the children in our community. It is important to have a place like this where our children have experiences both as audience members and participants. We need to find a way to work to support this.

Rene Louie said that the concerts in the park were an investment in the community and this is in the exact same category, with results that are immeasurable.

Mr. Bernard asked if we are considering adopting an addendum tonight. Ms. Scott said you are considering a three week performance package rate this evening, and the amount could be less than the standing rate. It is worded in this manner to amend all of the existing theatre package rates. Mr. Keele said agenda item 2.1 needs to be approved before 2.2.

Mr. Thaler said he felt this is a policy issue. He seriously believes that we need to look at the whole policy, as what we are looking at tonight may create problems with other parts of the policy. We will also need to keep in mind that this account will need to be balanced out at the end of the year if it runs in the hole.

Further public comment:

Dave Anderson wanted to point out that their group has been very accommodating when there was something else going on in the Hall; they have sometimes had to work around what had already been scheduled, even in their first most intense week.

Ms. Scott asked for clarification on which whole policy Mr. Thaler is talking about. Mr. Condron said he would clarify this in his motion.

Condron/Stangle moved to continue this item to the July meeting to review the entire CVIC Hall policy for the sake of

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continuity. Motion carried unanimously.

Mr. Clouser thanked the Board and offered to do anything he could to accommodate them before the next meeting.

**3. For possible action: Discussion and possible action to approve, approve with conditions, continue or deny a request by George and Barbara Rainey to exchange 2 acre-feet of ground water from Minden for 8 acre-feet of surface water and pay up to \$750 plus any fees and costs to reimburse the Town for all administrative charges of Resource Concepts Inc., the Town engineering firm, associated with the exchange. Appearance by Bruce Scott, Town Engineer.**

Mr. Scott said that this is a request associated with a parcel map in Jacks Valley, to satisfy the requirements of both Douglas County and the state engineer. They propose to provide 8 acre feet of surface in exchange for 2 acre feet of groundwater. The 4-1 ratio has always been upheld; it comes initially from a transaction between Don Bently, Kim Posnien, and Mike Hickey. It has been identified as a reasonable approach by Lyn Norberg as a water appraiser.

Mr. Thaler asked if they come to the Town to purchase if we did not trade. Mr. Scott said they might come to us or go the market, and as the market is below our price we would not be the seller in that case.

No public comment.

Bernard/Thaler moved to approve a request by George and Barbara Rainey to exchange 2 acre-feet of ground water from Minden for 8 acre-feet of surface water, subject to Town verification and approval of the surface water rights offered and payment of the administrative costs for the exchange and documentation by Resource Concepts of no more than \$750.00 plus any fees and charges. Motion carried unanimously.

**4. For possible action: Discussion and possible action to approve, approve with conditions, continue or deny a request by Jeanne M. Higgins, Forest Supervisor, United States Department of Agriculture, to purchase 0.5 acre-feet of water for \$6,800 from the Town of Minden for water service through the Indian Hills General Improvement District. The \$6,800 would include both the water rights and the fees and costs of affecting the transfer of water rights by Resource Concepts, Inc. on behalf of the Town of Minden. Appearance by Bruce Scott, Town Engineer.**

Mr. Scott said that we have a satisfied customer coming back for more. They are proposing an additional building and need another half acre foot. This is selling at our costs plus the administrative costs. It is a fairly simple process at our current costs.

No public comment.

Condron/Stangle moved to approve a request by Jeanne M. Higgins, Forest Supervisor, United States Department of Agriculture, to purchase 0.5 acre-feet of water for \$6,800 from the Town of Minden for water service through the Indian Hills General Improvement District. The \$6,800 would include both the water rights and the fees and costs of affecting the transfer of water rights by Resource Concepts, Inc. on behalf of the Town of Minden. Motion carried unanimously.

**5. For possible action: Discussion and possible action to approve, approve with conditions, continue, or deny Ordinance 2012-1367 amending Title 18, sections 18.02.020 and 18.04.020 and creating Title 18, Appendix A, and Title 18, Appendix B, to incorporate the current Genoa and Minden Town Boundaries within the County Code to conform the code with previously adopted changes in Ordinance 2012-1357, and other properly related matters. Appearance by Jenifer Scott, Minden Town Manager.**

Ms. Scott said that she was approached by the District Attorney's office with this item. It is a housekeeping matter to conform the code to previously adopted motions by the Town Board. This is on the agenda for the Douglas County Commissioners tomorrow.

No public comment.

Mr. Keele said that there was a time when these kinds of motions were routine. Each annexation changed the boundary; it is a good sign that this is back and it is a routine thing to wait a reasonable time to do all at once.

Condron/Thaler moved to approve Ordinance 2012-1367 amending Title 18, sections 18.02.020 and 18.04.020 and creating Title 18, Appendix A, and Title 18, Appendix B, to incorporate the current Genoa and Minden Town Boundaries within the County Code to conform the code to previously adopted changes in Ordinance 2012-1357, and other properly related matters. Motion carried unanimously.

**6. For possible action: Discussion and possible action to approve, approve with conditions, continue or deny a request to 1) accept a bid by Aqua Drilling for a test well at the Buckeye Maintenance Facility in an amount not to exceed \$40,000; and if 6.1 is approved, to 2) authorize the Chairman of the Minden Town Board to execute an agreement for same on behalf of the Town. Appearance by Bruce Scott Town Engineer.**

Mr. Scott passed out a bid by Blain Well Drillers which was the 2<sup>nd</sup> written bid. The third party did not provide a price in the appropriate time. He feels that the bid by Aqua Drilling is reasonable and recommends approval. It includes some water quality testing.

Mr. Thaler asked why the bids are so different in price, and why Carson Pump and Kawchak did not bid. Mr. Scott

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said that Carson Pump and Kawchack do not drill anymore. The big difference in these two bids is that it was a bit oranges and apples as far as perspective by the bidders. We have requested an amount up to \$40,000 in our agenda item to be sure we cover some options and changes, such as depth and water quality testing. We may be drilling to about 600 feet, which is a little bit deeper than what the bid was for; this information will tell us how to proceed on the production well.

Mr. Bernard asked if we could use the same casing from the test well if we do a production well. Mr. Scott said this mostly depends on the drillers of the production well, but it is not a big factor.

No public comment

Condron/Bernard moved to approve a request to accept a bid by Aqua Drilling for a test well at the Buckeye Maintenance Facility in an amount not to exceed \$40,000 and to authorize the Chairman of the Minden Town Board to execute an agreement for same on behalf of the Town.

### **ADJOURNMENT**

Condron/ Thaler moved to adjourn the meeting at 8:15 p.m. Motion carried unanimously