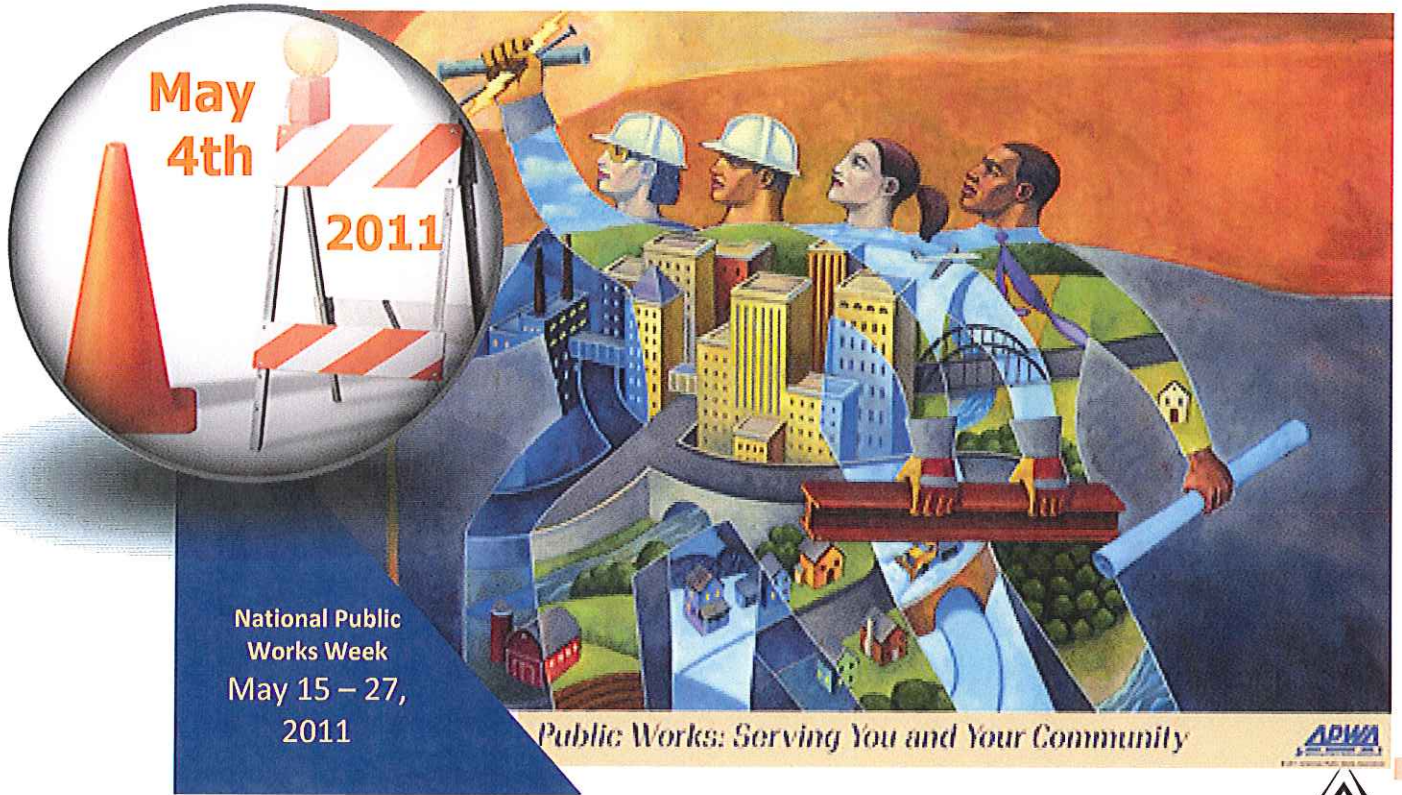
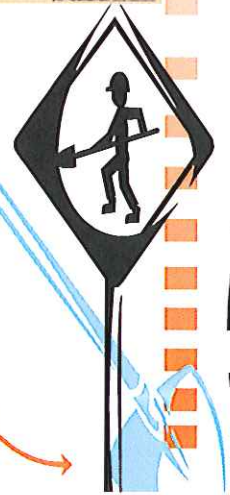


# Town of Minden



# Board Meeting



Have you hugged your Public Works Representative yet today?



May is National Bike Month! Pedal, Pedal, Pedal!



The Minden Town Board meeting will be held at 5:30 p.m. on Wednesday, May 4, 2011, at 1602 Esmeralda Avenue, Minden, Nevada.

**SPECIAL NOTE: The Administrative Agenda will begin at 6:30 p.m.**

NOTICE: NRS 237: The Minden Town Board has adopted a Standard Policy No. 7, which contains a motion regarding Business Impact Statements. When the Town Board approves its agenda, it also approves a motion which includes ratification of staff action taken pursuant to NRS 237.030 et seq. with respect to items on the Board's agenda. This includes, without limitation, the conclusion that each rule, ordinance, or regulation which is on the Board's agenda is without direct and significant economic burden on a business or direct restriction on the formation, operation, or expansion of a business; and that each rule, ordinance, or regulation which is on the Board's agenda for which a BIS has *not* been prepared does not impose a direct and significant economic impact on a business or a direct restriction on the formation, operation, or expansion of a business.

NOTICE: to persons with disabilities: Reasonable efforts will be made to assist and accommodate physically handicapped persons desiring to attend the meeting. Please contact the Minden Town Office in writing at 1604 Esmeralda Avenue in Minden, Nevada or call 775-782-5976 in advance of the meeting, preferably at least 24 hours prior to the meeting, so that the arrangements may be conveniently made.

Copies of this notice and agenda have been posted on or before 9:00 a.m. on the third working day before the meeting at the following locations: Minden Administration Office, Minden Post Office, Douglas County Administrative Building, and CVIC Hall bulletin board.

## **I. PRELIMINARY MATTERS AND PUBLIC INTEREST COMMENTS**

5:30 p.m. Call meeting to order.

1. Pledge of Allegiance
2. Approval of Agenda
3. Approval of minutes: April 6, 2011, Board Meeting
4. Approve and ratify vouchers and claims
5. Acknowledgement of gifts
6. Acknowledgement of service awards
7. Public comment: Discussion may be limited to three minutes per person at the discretion of the Chair. **No action** may be taken on a matter raised under this portion of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken.

## **II. STAFF REPORTS**

**Note:** Items on the Administrative Agenda will not be discussed during staff reports.

1. Public Works: Monthly report of activities by Public Works staff.
2. Engineering Report: Discussion may include streets, sidewalks, drainage, water issues and related items.
3. Attorney Report: Discussion may include factual and legal aspects of the performance by the Town and its advisory board of functions granted to the Town under provision of Chapter 269 of the Nevada Revised Statutes, the Douglas County Code, the Town ordinances and policies. These items include, without limitation, streets, sidewalks,

## Minden Town Board Agenda

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drainage, water rights, water distribution rates, and Chapter 237 of NRS. This item may include a report on the status of the Ninth Judicial District Court Order affirming Nevada State Engineer Ruling 5791 entered February 24, 2010.

4. Manager's Report: Discussion may include a report on Manager's activities, progress on or status of assigned tasks and projects, or general information of interest to the Board.

5. Board member reports:

a. Chairman's report

b. Board member comments

**III. ADMINISTRATIVE AGENDA:** The following item(s) are scheduled for public hearing. At the beginning of each item, the Chairman will read the Agenda item into the public record. Next, Town staff will present a summary of the staff report and recommendation, including any updated information that was received after the date staff reports were distributed. The Board will follow with questions of staff, and then the Chairman will open the hearing to public testimony. Normally, the applicant and/or their representatives are permitted to speak first, followed by Board questions, and then the Chairman will allow comments and questions from the public at large. The Chairman has the right to establish time limits for comments and allow for rebuttal.

**SPECIAL NOTE: The Administrative Agenda will begin at 6:30 p.m.**

1. (6:30 p.m.) Discussion and possible action to adopt or reject Town of Minden Resolution #2011R-001, a resolution of support to establish the Town of Minden Property Tax Rate for the Fiscal Year 2011-2012. Appearance by John Stephans, Town Board Chairman.

2. Discussion and possible direction to staff regarding a proposed interlocal agreement for support services between the Town of Minden and Douglas County. Appearance by Town Manager.

3. Appearance by Christine Fixman to present and discuss a proposal to perform work in Jake's Wetlands.

4. Discussion and possible action to approve, approve with conditions, continue, or deny a request for a new Lease for Debra White-Orr, dba 5<sup>th</sup> Street Salon, in the CVIC Hall Annex, 1604 Esmeralda Avenue, Suite 202. The proposed new lease provides for a one-year lease term with renewal options. Appearance by Town Manager.

5. Appearance by R. O. Anderson Engineering to provide a progress report on the Ranch at Gardnerville project.

6. Discussion and possible action to approve, approve with conditions, continue, or deny a proposal to establish a committee consisting of a Town Board member, Town Attorney, and Town Manager to negotiate a new Lease for the Minden Electric Company in the CVIC Hall Annex, 1604 Esmeralda Avenue, Suite 203, and present the lease for the Board's approval at a future Town Board meeting. Appearance by Town Manager.

7. Discussion and possible action to approve, approve with conditions, continue, or deny a proposal to establish a committee or committees consisting of one or two Town Board member(s), Town Engineer, and Town Manager to review and prepare comments on Chapters 12 and 13 of the Douglas County Master Plan and present the comments for the Board's approval at a future Town Board meeting. Appearance by Town Manager.

**Minden Town Board Agenda**

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8. Discussion and possible action to approve, approve with conditions, continue, or deny the Town of Minden Fiscal Year 2011-2012 Final Budget. This action may include discussion and selection of Budget Option A, providing funding for an average four percent (4%) merit increase for employees, or Budget Option B, providing funding for freezing salaries at Fiscal Year 2010-2011 levels. Appearance by Town Manager.

**IV. ADJOURNMENT**



The Minden Town Board meeting was held at 5:30 p.m. on Wednesday, April 6, 2011, at 1602 Esmeralda Avenue, Minden, Nevada.

## I. PRELIMINARY MATTERS AND PUBLIC INTEREST COMMENTS

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

1. Pledge of Allegiance was led Ms. Stangle.
2. Mr. Van Alyne noted that the address for Item Number 8 was recently changed to 1604 Highway 395. Condrón/Thaler moved to approve the agenda with this change. Motion carried unanimously.
3. Bernard/Condrón moved for the approval of the minutes of the February 15, 2011 Water Workshop, the March 2, 2011 Board Meeting and the March 14, 2011 Budget Workshop. Motion carried unanimously.
4. Mr. Stephans noted that the vouchers and claims had been approved.
5. Mr. Stephans thanked Fortnightly Club for their contribution of \$1500 that was recently received. This will be used to purchase a table and some electrical work in the CVIC Hall. The Fortnightly Club has been very generous to the town and cooperates more than 100%. We will be sending them a thank-you note to be signed by all members of the Board.
6. Acknowledgement of service awards: None
7. Public comment:

a. Bill Souigny thanked the Board for the budget workshop and congratulated the Board on a great job. He supported Mr. Thaler's concept of getting back on track with street maintenance with this year's budget and realized that this is a tough budget year and hopes they look at revenue closely. He felt that as long as reserves are at comfortable level, capital acquisitions should be considered.

b. Robert McMillan apologized to the Board for his oversight on the appearance of the water tank. It is not a beautiful sight from any angle, and he thinks it looks shameful. He had assumed that it would be excavated out and landscaped. He suggested making it a destination point of Minden with landscaping, picnic tables and possibly a pond to attract wildlife. He also questioned where the revenue from the sale of water rights came from in the tentative budget proposed tonight. He never expected that the Town would be approving the sale of more water rights; this will compound and there will be no water and no more need to have concern for the state taking it away.

Mr. Stephans said that the sale of water took place two years ago; this has sustained the infrastructure projects to serve good water to the valley. Also, the water tank project is under BLM regulations that mandate the color of the tank, which will be painted this spring, as well as the landscaping that is the least obtrusive and most natural. Mr. Scott said that the tank is set at an elevation that meets the requirements of the fire sprinkler system for the Science Park. Folks living in the vicinity have expressed concern, and making the tank too attractive to visitors would be objected to by the residents; there are also security issues. The Town is being very careful and will not sell water rights to jeopardize the Town residents or customers. Mr. McMillan cautioned again against selling the water rights because this is final, and he thanked the Board for their attention and responses.

c. Sandy Deyo asked the Board to take action on the park at the entrance to Winhaven; this park was a condition Syncon committed to when Monterra was approved. Now they are developing more homes, and if they have the finances for that, they should be held accountable to build the park.

Mr. Stephans said that Syncon has not responded on Town overtures in this regard and probably nothing will be done unless pushed. Mr. Hill said that there are numerous things in the Monterra subdivision that aren't right, and we have not accepted the infrastructure. Mr. Scott suggested sending a letter to the County in regards to the bonds held on the subdivision and ask them if there is anything that they can do in this regard. Mr. Stephans directed Mr. Van Alyne to get a letter out to Syncon and let the Board know the response. Mr. Van Alyne said that he had contact with Syncon this week; he has not had the opportunity to share with the Board but will be speaking to them.

## II. STAFF REPORTS

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

Mr. Hill has included an overview on overtime in his report, and he clarified for Mr. Thaler the NRWA conference overtime.

He shared pictures of 1) Well 3 work including the new generator delivery, prepping for electrical, and the new concrete pad. They will have to move the transformer, and are still waiting on the power company to proceed. 2) Water tank revegetation and fencing. 3) Planting trees on Esmeralda, replacing the 12 year old trees.

They will be trying to get the tank on line next week. The contractor is approaching Heybourne and Buckeye, and Well 8 will be the only source to supply East Valley. He will be leaving tonight to go check the status of the tank and the pressure.

Mr. Van Alyne noted that the Consumer Confidence report has been published and all testing looks good.

2. Engineering Report: Monthly report by Bruce Scott

Mr. Scott said the CVI is moving forward with the lot line adjustment, record of survey, and easements with respect to water and storm drainage. They will be granting some easements and the abandonment has been approved; any other easement that will be granted will be dealt with later. A letter to Manhard will be issued concurring that we find the easements acceptable. They are creating a blanket easement for all utilities on 8<sup>th</sup> Street, which is the cleanest way to take care of utilities in what used to be the street.

FEMA has been given everything they need concerning the Buckeye Maintenance Facility and has responded on several levels. Mr. Scott hopes to report next month that we have FEMA approval; meanwhile, we will move ahead with the site permit to clear, grade and do some underground work.

Mr. Scott made contact with representatives of Bently Pressurized concerning the possible use of Well 7 in our system. This could be a relatively inexpensive source to feed the upper pressure zone.

We have submitted our plans NDOT for the continuation of the County Road project; there is hope to get some money if it fits into a small funding request. This project might take \$3-400,000 to finish ourselves; they have applied for funds to finish the last three blocks.

3. Attorney Report: Monthly report by George Keele

Mr. Keele would like to have Nevada ethics training on the May agenda if feasible; he has been working on an insurance issue, the lease issue for tonight, and lien process that we have put into place. The trash and water ordinances are cross-collateralized because of mandatory service, which is an effective way to enforce trash bill collection by water turn off. The open meeting law has proposed changes at the legislature. There has been new action filed by the Tribe at the 9<sup>th</sup> Judicial Court of the state of Nevada and District One locally. Our contract counsel has filed a motion to dismiss, and strategy sessions are going on.

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

Mr. Van Alyne will be adding more items to his written report on events as planning continues.

We anticipate three weeks worth of work before being ready to start on the maintenance building. Q&D will mobilize on the site on April 11. We are targeting April 21 or 22 for groundbreaking. The contractor will be working 10-hour days with Fridays off. Please check in at the trailer if you would like to go out to the site; hard hats will be available in the Town office.

John said that it would be appropriate to have the previous Board members participate in the groundbreaking, as well as the Town engineer. Mr. Van Alyne said that 10-12 gold shovels are prepared for this occasion.

Mr. Thaler questioned what the future means in relation to the banner poles; he expressed concern that economic development money is just sitting there and might be absorbed into the County with their current fiscal crisis; he does not want to lose the opportunity. Having banner poles on Highway 395 has been done and should be a possibility for us also. Mr. Van Alyne said that there is a lot going on and he will try to get specific locations back to the Board in the next couple months; he has no indication from the County that the approved funding may be compromised. It is not a simple matter to hang banners across Highway 395, and Esmeralda Avenue has a highly different span.

Mr. Thaler noted the landscaping plan handout of the approved Gateway project; we have asked NDOT for a grant to proceed. A good share of this was to be done by the Gateway developer. This is an upscale plan; we are now in a different situation economically. Mr. Van Alyne has not been able to reach his NDOT contact as far as the grant status. \$443,000 is the total cost. Mr. Thaler would like to see a street view because possibly banner poles could be put there, although telephone lines could be a problem.

5. Board member reports:

a. Chairman's report: Mr. Stephans said the Town Board received an invitation from the library to a reception to meet the author of the Community Read book. Mr. Condrón and Mr. Thaler expressed interest. Mr. Stephans also suggested looking at changing the agenda timing, as we are finishing in a more timely fashion on staff reports. Perhaps we could start the agenda items at 6:30 p.m.

b. Board member comments:

Ms. Stangle reported said that the Minden businesses have stepped up to the plate to donate \$1500 to the GE Summer Concert series.

**III. ADMINISTRATIVE AGENDA:**

**1. Discussion and possible action to approve, approve with conditions, continue, or deny a request for the Town of Minden to co-sponsor the Carson Valley Chamber of Commerce Bunco/Poker After Hours, April 14, 2011. Appearance by Carson Valley Chamber of Commerce.**

Alicia Main with the Carson Valley Chamber said that this is an after-hours mixer and they see this as a partnership with Minden. They will spotlight businesses outside on the street with this event going on in the Hall.

Mr. Thaler noted that we need to keep on this mode of getting people downtown; one of the Board's main goals is economic development and this should be supported as such.

No public comment.

Thaler/Condrón moved to approve a request for the Town of Minden to co-sponsor the Carson Valley Chamber of Commerce Bunco/Poker After Hours, April 14, 2011, at the CVIC Hall. Motion carried unanimously.

**2. Discussion and possible action to approve, approve with conditions, continue, or deny a request for the Town of Minden to: 1) co-sponsor/host a stop on the 2011 Hot August Nights Poker Run, August 11, 2011, from 9:00 a.m. to 3:00 p.m., to include a street closure and use of Minden Park; 2) purchase lunches for volunteers in an amount not to exceed two hundred dollars (\$200); and 3) waive street closure and trash pickup fees, and provide general support to the event. Appearance by Carson Valley Visitor's Authority.**

Mindy Klick with the Carson Valley Visitors Authority said that this is a reoccurring event that gives local residents the ability to enjoy the event without going to Reno, and also encourages visitors to the area.

Mr. Van Alyne said that the Town would provide the standard support and noted that the lunch budget is increased. They will have the same approach as last year, which is beneficial to the downtown businesses. It was very well attended last year.

No public comment.

Condrón/Stangle moved to approve the request for the Town of Minden to: 1) co-sponsor/host a stop on the 2011 Hot August Nights Poker Run, August 11, 2011, from 9:00 a.m. to 3:00 p.m., to include a street closure and use of Minden Park; 2) purchase lunches for volunteers in an amount not to exceed two hundred dollars (\$200); and 3) waive street closure and trash pickup fees, and provide general support to the event. Motion carried unanimously.

**3. Discussion and possible action to approve, approve with conditions, continue, or deny a request for the Town of Minden to donate a one-time rental of CVIC Hall in exchange for erecting and removing shade structures in Minden Park during the Hot August Nights Poker Run, August 11, 2011. Appearance by Town Manager**

Mr. Van Alyne said that this was separated from the poker run agenda item this year as it is an agreement with a different organization. The Elks Club puts up shade structures and tables and chairs in exchange for the free use of the CVIC Hall for their annual Christmas spaghetti feed.

Mr. Condrón liked the quid pro quo.

Ms Stangle would like to see us pursuing repair of the canopy we purchased so we can provide the shade ourselves.

Condrón/Stangle moved to approve request for the Town of Minden to donate a one-time rental of CVIC Hall in exchange for erecting and removing shade structures in Minden Park during the Hot August Nights Poker Run, August 11, 2011. Motion carried unanimously

**4. Discussion and possible action to approve, approve with conditions, continue, or deny a request for the Town of Minden to co-sponsor the Nevada Water Resources Association's Domestic Well Workshop, May 3, 2011. Appearance**

by Edwin James, General Manager of the Carson Water Subconservancy District.

Ed James from the CWSD introduced himself and was told by Mr. Stephans that RCI had offered to pay the fee. Mr. James said this is one of many workshops being given free to give a better understanding of domestic wells and teach how a domestic well works. There are over 3000 domestic wells in the valley. He thanked RCI and said that he will still set up and take down the chairs.

No public comment.

Thaler/Condrion motioned to approve a request for the Town of Minden to co-sponsor the Nevada Water Resources Association's Domestic Well Workshop, May 3, 2011, with Bruce Scott paying if he chose. Motion carried unanimously.

**5. Discussion and possible action to approve, approve with conditions, continue, or deny a request for the Town of Minden to modify, for this event only, the Minden Park rental agreement to include a street closure on a portion of 5<sup>th</sup> Street between Esmeralda Avenue and Mono Avenue, at no additional cost, for the Lion's Club Garage Sale, May 21, 2011. Appearance by Carson Valley Lion's Club.**

Miki Jones, President-elect of Lions said that this is basically a flea market; they are looking to change their annual garage sale a bit, make some money for the community and have fun.

Mr. Van Alyne said that staff strongly supports this; bringing items onto the street will save our turf. We will coordinate what goes on in the park and the street.

Mr. Bernard verified that the Lions are paying for the park and this waives any street closure fee for this event only. He stated that he is in full support of this event.

Mr. Thaler said he is concerned about a lot of junk in the park. Miki said they have thinned out the items this year to eliminate the junk, and the vendors will be setting up nice displays. It is being promoted as a flea market.

Ms. Stangle said that she has been impressed with how clean the Lions have left their sites after their past garage sales.

No public comment.

Bernard/Stangle motioned to approve a request for the Town of Minden to modify, for this event only, the Minden Park rental agreement to include a street closure on a portion of 5<sup>th</sup> Street between Esmeralda Avenue and Mono Avenue, at no additional cost, for the Lion's Club Garage Sale, May 21, 2011. Motion carried unanimously.

**6. Presentation by Bill Souligny, for the Land Rover Picnic in Westwood Park, September 10, 2011.**

Mr. Souligny said he is planning to use Westwood for a picnic and parts swap for Land Rovers. As Westwood Park has no rental structure, he wanted to get input from the Board concerning this use as it would be an expansion on normal park use in Minden. He expects 50-80 vehicles, with a chance to socialize that should be a lot of fun. He will talk to staff about porta-potties and dumpsters.

No public comment.

Mr. Stephans asked Mr. Souligny to stay in contact with the staff, and to let us know how we can help him.

**7. Discussion and possible action to approve, approve with conditions, continue, or deny a proposal to direct Town Manager and Town Attorney to negotiate a new Lease for Debra White-Orr, dba 5<sup>th</sup> Street Salon, in the CVIC Hall Annex, 1604 Esmeralda Avenue, Suite 202, and present the lease for the Board's approval at a future Town Board meeting. The proposed new lease may provide for a one- or two-year lease term with renewal options. Appearance by Town Attorney**

Debbie Orr introduced herself and thanked the Board for their willingness to hear her on the new lease.

Mr. Keele gave background on events leading up to this evening's discussion. He said that Ms. Orr was not at the last meeting because her mother was in serious condition in the hospital in Mammoth, and she was unsettled emotionally because of this. Ms. Orr has listened to a copy of the recorded minutes paying close attention to Board comments.

There was an unwritten agreement as to how the procedure for rent payment was done; the norm was to pay off twice a year. She had been sporadic in payments but always paid. She was no longer attending school and got further behind. She was advised by Ms. Koepnick that this was a problem and that the new Board would be taking a look at this. She feels certain that she will satisfy all of the arrearages by the end of the current lease. If the Board is favorable, we would come back with all that the Board dictates tonight in the new lease terms. Her company is an asset to the building and to the street. Mr. Thaler

had expressed concern about the Board's fiduciary responsibility, and she understands this. In response to the subletting, she indicates that she has had people owing her money and has had to let it go. Irrespective of the fact that she knew the Town had voted to terminate her lease, she would bring the balance current even if the Board has no desire to approve a new lease; she does not want sympathy, only understanding.

Sheila Byington, former Office Manager for Minden, said that Mr. Keele represented the history very nicely.

Mr. Van Alyne said that counsel had adequately described the conversation with Ms. Orr.

Mr. Bernard said the situation is somewhat different from how it was first represented. A normal method of payment was not stringently observed; that is the past and would no longer be the norm. The only way he would consider a new lease is if she is current.

Mr. Thaler had a concern over using a different approach for Ms. Orr than we did recently for an overdue trash account in which we filed a lien. Mr. Keele said that we cannot lien against Ms. Orr because she does not own the suite, and the approach with the lien was only after pursuit of payment. We would not write the lease any differently than we have in the past, but we would enforce it as it is written. We need to be respectful to the tenant and should probably establish a standard in a rental policy and adopt it formally, saying that we cannot make exceptions for personal reasons and we will enforce the terms of the lease, as well as ensuring that the tenant does not get any more than 30 days on the dated trial balance of arrearages. We could then put in sequential enforcement in a manner that will be the same for everybody. He believes that we could develop the trash ordinance to apply the same concept for liens to the leases.

Ms. Orr said that she would be paid up by the end of the old lease, and starting June 1, she sees herself paying every month.

Mr. Condron reiterated what Mr. Bernard said because he now has knowledge that he wishes that he had been aware of last month.

Mr. Stephans would like to start fresh; he said the past is the past, but if Ms. Orr is going to sign the lease she must adhere to it. The CVIC building revenue should now break even and possibly make money. He would like to see Mr. Thaler, Town counsel, and the manager work together on the new lease.

Mr. Keele questioned the options and rental amount, and if there was any likelihood that the Board will need her suite back.

Mr. Thaler said that if Ms. Orr has a zero balance monthly, he would have no problem extending the lease for as long as she needs it; she would be a good tenant and it is revenue for us.

**Public Comment:**

Bev Giannopoulos said that she believed both parties were somewhat negligent; because some trust has been breached she suggests a month to month to get into good graces with a payment history. Mr. Keele said that essentially a one year lease is a month to month because on one month notice the Board can terminate the lease the same as a month to month.

Mr. Thaler asked Ms. Orr to understand that the May meeting will be the approval of the new lease, and it would be very nice to see a zero balance at that time.

Mr. Keele said the direction he is sensing is to make as strict as possible the default provision, with a one year lease and a one year option if everything is kept current, and also keep the existing rate structure.

Bernard/Condron moved to approve a proposal to direct the Town Manager and Town Attorney to negotiate a new Lease for Debra White-Orr, dba 5<sup>th</sup> Street Salon, in the CVIC Hall Annex, 1604 Esmeralda Avenue, Suite 202, and present the lease for the Board's approval at the May 2011 Town Board meeting. The proposed new lease may provide for one year plus an option to renew for one year. Motion was carried unanimously

**Discussion and possible action to approve, approve with conditions, continue, or deny a proposal to direct Town Manager and Town Attorney to negotiate a new Lease for the East Fork Fire and Paramedic Districts in the Minden Fire Station addition, 1606 U.S. Highway 395, and present the lease for the Board's approval at a future Town Board meeting. The proposed new lease may provide for a three-year lease term with renewal options. Appearance by Town Attorney. The address has been amended to 1604 Highway 395.**

Mr. Bernard said that East Fork representatives Tod Carlini and Steve Eisele were in the audience and proceeded with a brief history of the fire station. As we have formally been presented with the building we now have the responsibility to enter into some new agreement with the occupants of the building. He attended a very cordial meeting with Mr. Carlini and Mr. Eisele. The letter in the agenda packet presents an evaluation of the entire building and summarized East Fork's costs to occupy the building that the Town does not have to incur. The offer has deducted the costs associated with the building. They would like

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to stay with the one dollar a year that was the agreement with the volunteers, but would be willing to offer \$825.16 a month. At no point has Minden received revenue, but this is an opportunity to start.

Steve Eisele, Deputy Chief Fire Marshall of East Fork Fire, said they are willing to pay rent; they have always been a good tenant taking care of the building. They would love the option of maintaining all aspects of the building in lieu of rent. They have no plans to move out, especially with the current economy. Also, the Town is now covered on the insurance policy.

Mr. Condron said that he has a strong belief that we should not take one pile of tax money onto another. He would like to see us work together, and possibly exchange a variety of different services.

Ms. Stangle said that we have always worked well together; why should it change from the past?

Mr. Thaler said this is a difficult situation; it has been an eye opener and it all comes down to a lease that charges or does not charge.

Mr. Stephans was assured that there were no plans to move out of the facility within the next 3-5 years, and they would look into any possible quid pro quo exchange. Down the road, East fork will have a new building somewhere and this building might be of significant value to the Town. A lease that establishes a good working relationship with East Fork may provide dividends to the Town in the long term. It was noted that the other portion of the building at 1606 Highway 395 is owned by Douglas County, not East Fork.

Public Comment:

Bill Souigny said the dollar a year lease was the compensation for volunteers, now we have a paid force. He supports a continued lease with East Fork and supports Mr. Scott's position.

Bernard/Stangle moved to approve a proposal to direct Town Manager and Town Attorney to negotiate a new Lease for the East Fork Fire and Paramedic Districts in the Minden Fire Station addition, 1604 U.S. Highway 395, and present the lease for the Board's approval at the May 2011 Town Board meeting. The proposed new lease may provide for a five year lease term with renewal options.

It was clarified that the address for the Town of Minden lots 5 & 6 was recently changed to 1604 and that lots 1-4 remained as 1606. Mr. Stephans thanked all parties in their efforts on this issue; Mr. Bernard will work with counsel and Town manager on the new lease.

**9. Discussion and possible direction to approve, approve with conditions, continue, or deny an agreement with the Bently Family Limited Partnership in the amount of \$194,198 for purchase of a 1.075+/- acre site for the proposed Heybourne Water Booster Pump Station and associated easements for water lines, with \$147,473 to be reimbursed by Douglas County, Carson City, and Indian Hills General Improvement District and \$46,725 to be paid by the Town of Minden. Appearance by the Town Engineer.**

Mr. Scott noted that this Booster Pump is necessary to deliver water north. There have been delays in bringing this to the Board to make sure that Douglas County and Carson City are comfortable with this proposal.

This involves the purchase of site on Pole Line Ditch just west of Heybourne Road, and north of Winhaven open space, on the other side of the fence. It also involves acquiring two easements; one shared by the same people sharing in the building site (Douglas County, Indian Hills and Carson City), and the westerly easement would be acquired by the Town because that is where our transmission line would be. We need this leg on the west side to bring water from the westerly portion of Minden up Lucerne, feeding from two directions. The original appraisal had an easement that will be deleted. Some extra cost will be associated for closing that will have to be reimbursed. Mr. Scott is asking for approval to go forward and start a process with Mr. Bently. He would like to get the agreement for purchase approved and move forward with the execution of the agreement and finish the formal appraisal, with the understanding that most of the costs will be reimbursed. All involved parties have been appraised and want to work closely on the actual improvements. We will design, build and operate, and they will reimburse. We will bill Douglas County; they will bill Indian Hills and Carson City, and reimbursement should occur within 60-90 days as they know we need the cash flow. This is a priority item in the part of the 10 million dollar budget. The current shortfall is \$832,000. Part of the total cost will have attorney fees, etc. and will be shared by the other entities. The parcel may seem oversized but it is reasonably priced and the worst thing we can do is get too little an area; this is a logical location if there is ever any treatment or other potential needs. We want to avoid valves and confined space issues; building will have all of the equipment within. We have succeeded in getting the other players to agree that this parcel size is not oversized. Also, 60-70 feet of the south portion is easement. Perhaps we can work with East Fork on reducing the fee for review of the building

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that houses vaults.

Public comment:

Robert McMillan questioned our ability to deliver water to Carson City if this booster is not working. Mr. Scott said that it will not go to Carson without this booster. If the station fails; we will have a redundancy within the station and more than one way to get water to the station from the supply side. We will have a spare pump and a further location for another pump should there be additional capacity available to go further north, to make sure that the situations are covered. These issues will all be considered in the building design.

Charlie/Thaler moved to approve an agreement with the Bently Family Limited Partnership in the amount of \$194,198 for purchase of a 1.075+/- acre site for the proposed Heybourne Water Booster Pump Station and associated easements for water lines, with \$147,473 to be reimbursed by Douglas County, Carson City, and Indian Hills General Improvement District, and \$46,725 to be paid by the Town of Minden. Motion carried unanimously

**10. Discussion and possible action to: 1) approve, approve with conditions, continue, or deny a request for reimbursement to Bently Agrowdynamics for disruption of irrigation system and loss of fields for the Buckeye Road (Buckeye Booster to Orchard Road) Water Transmission Main Project not to exceed \$7,450, and 2) if approved, authorize Chairman to execute easement documents for the same. Appearance by Town Engineer.**

Mr. Scott said this is similar to the agreement with Park Cattle but is on the Bently side, which is the south side of Buckeye. The water main will be along the roadway but within the crop area. This would reimburse Bently for the necessary agricultural changes and rehabilitation; we much prefer to have the people who do the ranching do it themselves. The money would come from some of the substantial savings in our next agenda option.

No public comment.

Stangle/Condrion moved to approve a request for reimbursement to Bently Agrowdynamics for disruption of irrigation system and loss of fields for the Buckeye Road (Buckeye Booster to Orchard Road) Water Transmission Main Project not to exceed \$7,450, and 2) if approved, authorize Chairman to execute easement documents for the same. Motion carried unanimously.

**11. Discussion and possible action to: 1) examine, award, continue, or reject Bid for the installation portion of the Buckeye Road (Buckeye Booster to Orchard Road) Water Transmission Main Project to the lowest responsive and responsible bidder as defined in the contract documents. Staff recommends award of the contract to V&C Construction, Inc. in the amount of \$175,400.60; and 2) if a contract is awarded, authorize Chairman to execute Agreement for same. Appearance by Town Engineer.**

We are pleased with the bids; there were a total of seven of them. We have previously gone to bid on the materials for this project. When we add the materials bid, we anticipate when this is complete, and assuming no major problems, we will have significant saving over the original estimate.

Mr. Van Alyne noted that the Town would see a saving of \$437,000; \$109,800 was related to the acceleration of work with the change order. We are very happy with the bids.

Public Comment:

Robert McMillan questioned the use of slip joint and welds in the pipe

Mr. Scott said that we use ductile iron in the areas subject to higher pressure; in the lower areas the plastic PVC is perfectly adequate for that type of operation. Anywhere near a fitting, valve, or bend, we need additional restraint, and we do not need this for a straight line.

Thaler/Condrion moved to 1), award Bid for the installation portion of the Buckeye Road (Buckeye Booster to Orchard Road) Water Transmission Main Project to the lowest responsive and responsible bidder as defined in the contract documents to V&C Construction, Inc. in the amount of \$175,400.60; and 2) authorize the Chairman to execute Agreement for same. Motion carried unanimously.

**12. Discussion and possible approve, approve with conditions, continue, or deny a request for the Town of Minden to be represented in various parade events in calendar year 2011. Appearance by Public Works Superintendent.**

Mr. Hill reviewed the costs, which has increased for higher fuel costs and additional candy. Mr. Scott reminded the Board that he had paid for this last year. Mr. Keele said that he will pay these costs for this year.

Mr. Stephans encouraged the Town's participation in the parades with the staff and their families, with Mr. Van Alyne

encouraging Board involvement.

Public comment:

Bev Giannopoulos thanked Mr. Keele for his donation.

Condrion/Stangle moved to approve a request for the Town of Minden to be represented in various parade events in calendar year 2011. Motion carried unanimously.

**13. Discussion and possible direction to staff regarding the Agenda Preparation Policy for the Town of Minden. Appearance by Town Manager.**

Last year the Board adopted a time frame for the Agenda Preparation Policy and asked for Board input on whether or not this meets the current needs of the Board.

Mr. Thaler would like to point out that the policy says all related material to be included in the packet is to be received by the deadline, and he would like to see this put into play. He understands how delays can happen, but getting last minute paperwork does not give any time to review and is hard to digest. Mr. Van Alyne said that we make sure everyone knows we need to have the information in by the close of business on Wednesday.

**14. Discussion and possible direction to staff regarding the Snow Removal Plan for the Town of Minden. Appearance by Town Manager.**

Mr. Van Alyne said that as the winter progressed we implemented the Snow Removal Plan, and he is bringing it to the Board tonight to see if there would be any revisions desired by the Board, which may include adding a reference to the Town manager.

Mr. Thaler would like to see Mr. Hill's correct title reflected in the document, and questioned how Greg knows when to implement the policy. Mr. Hill answered that he stays in contact with the employees who live in Town, although the amount of snow may vary within the Town of Minden. Also, sometimes when we plow we create other problems. Mr. Hill needs to evaluate the weather conditions and the forecast; it is a judgment call. Minden was plowed for the first time in the 90's and we have acquired our own plows since then.

Mr. Thaler wondered if Minden Village should be part of the first phase, as we only focus on the businesses downtown. He said that by living in Minden you get extra treatment, and perhaps that is getting plowed streets.

Mr. Van Alyne said that we are in the process of discussing Lucerne and 6<sup>th</sup> Street with NDOT concerning changes in classifications to go after funding. This might give Minden a higher level of responsibility in those areas. We also need to consider the equipment we have; if we go to a higher level of snow removal, we would commit to more equipment to provide the best service. We will also need to have another plan for a location to dump the snow that we now take to the Hellwinkel lot.

Mr. Bernard thanked Robb Hellwinkel for allowing for the snow to be put on his property. He also said that we must keep in mind that dealing with the snow is part of living here.

Public comment

Robert McMillan said that this policy is well prepared and the weather will cure it. The biggest hindrance to snow removal is cars parked on the streets. The snow is plowed to the center which is better so residents do not have to shovel the driveways to get cars out. Perhaps we could inform resident not to park on the street or shovel the berms; they just need to drive to the corners and turn around.

**15. Discussion and possible action to approve, approve with conditions, continue, or deny a request for changes in staffing for the Town of Minden, effective in the Fiscal Year 2011-2012. This action may include discussion for a new full-time or seasonal position (maximum 1039 hours per year) and upgrading an existing on call position (maximum 38 hours per pay period) to a half-time position (38 hours per pay period). Any changes will be reflected in the Final Budget. Appearance by Town Manager.**

This item is prepared so the Board can act line by line on requests of the budget for next year, with the Town's new emphasis on water service. What we are asking for is a new entry-level position that will backfill into the parks and trash positions that are now being dedicated to the water system exclusively. If the Board does not see fit to approve the full time position, we are asking for approval of an additional seasonal part time position. Additionally, the on-call office position would change to a part time position, with 38 hours allowed in the pay period and no impact to the budget.

Mr. Condrón said he is not able to support a fulltime position and he appreciates the alternative; he would like to see actual time spent on water headed north.

Mr. Thaler said this is tough; if we do not fill the position we will lose the quality of our parks, as well as trash service. Mr. Van Alyne said the staff is currently diverse and does not specialize in one particular area. Because we are a small retail system, we must dedicate staff to the wholesale system because of our obligations, which includes quadrupling the amount of water pumped by 2013. Mr. Thaler said that going into the wholesale business, this should not cost the taxpayers any more, but if we don't approve this the parks and trash service may suffer.

Mr. Bernard asked what it is about the new system that requires more people, and how will we know until we operate that new system? Mr. Hill said that it is not so much that it requires more people, but the knowledge base for water is not acquired when employees are constantly pulled to fill other staffing needs. Very often they start a job but the next day work in the trash service. He is hoping to have two people to focus on and know the water system. The position requested is an entry level position, which would free up one of the licensed water operators to be trained and able to solve problems and fix situations. The existing staff has the proper licenses and could be used for this purpose of focusing on the water system, and the new position would have a path allowing advancement into the water system training as well. Mr. Bernard still questioned the number of hours it takes to operate the water system,

Mr. Stephans asked if we have policy and procedure for each job description. We are in the process of standardizing the practice to do the job. Perhaps we need to change job description to address this. At present, the employees are working inside their job descriptions because the descriptions are very broad.

Mr. Scott reminded the Board not to forget that there is a revenue stream attached to selling water that would help offset the position; this is the positive part of selling water.

Public comment:

Bev Giannopoulos remarked on the difference in the budgeting between the full and seasonal positions, and thought that a seasonal position would suffice for the time being, allowing us to get a handle on the needs for our commitments for water service. She questioned cross training and the possibility of working out of class. Mr. Van Alyne said that we will be constantly cross training; we have people who will be dedicated to water but that does not mean that they will be working 40 hours a week in just water. We are a small enough staff that we do not have the man hours, even if we added the position, to fully dedicate an individual to a specific task. Ms. Giannopoulos said that in her estimation it made more sense to hire a seasonal position.

Thaler moved to approve a request for changes in staffing for the Town of Minden, effective in the Fiscal Year 2011-2012, specifically approval of a new full-time Maintenance Tech. 1 position and approval of a new seasonal position, as well as upgrading an existing on-call position to a half-time position. Mr. Van Alyne defined the request as one or the other positions, but not both. He assured Mr. Thaler that there was an absolute need for the full time position and that in these economic times he would not be asking for this position unless it was critically necessary. Mr. Thaler revised his motion to approval of one new full time Maintenance Tech. and the second half of the motion to upgrade the on-call position to a half-time position with no fiscal impact from that approval. There was no second and a new motion was called for.

Condrón/Stangle move to approve a new seasonal Maintenance Assistant 1 position which will increase salary only in Fund 630, Department 916, by approximately \$14,000; and approval of an upgrade from On-call Office Assistant to half-time Office Assistant which will not change the budget. Motion was carried 4-1 with Thaler voting no.

**16. Discussion and possible action to approve, approve with conditions, continue, or deny the Town of Minden's proposed capital projects list for the Fiscal Year 2011-2012. This item does not include projects previously approved and funded. This action may include discussion and approval of all or a portion of projects on the capital projects list. Appearance by Town Manager.**

Mr. Van Alyne said State Route 88 Hazardous mitigation project is proceeding; the grant application was successful. We need to withdraw the funds from this year's budget as no matching funds for this project will be asked for in this time period. However, there is a need for close to \$40,000 as part of the Highway 395 project for raising and lowering the valves.

Mr. Condrón said that he did not think it is appropriate to go forward with grant match for the Gateway Park until a new owner is established. He would like to see an emphasis on road maintenance and go back to our annual plan, as Minden has established a very good road maintenance plan. He would like to see Esmeralda Street Rehabilitation only if the C.O.D. project goes forward.

Ms. Stangle wanted the budget for the maintenance station to be up to \$100,000 as needed, and also verified that the Gateway

project was in the right of way, not private property.

Robb Hellwinkel took the opportunity to share the expected timing for the C.O.D. project. It is going forward, but the original plan set forth has changed due to the economy and fees associated with the project. He was told that the Town will take responsibility for the curb, gutter and street reconstruction and drainage, but the streetscape is not included. It is the obligation of the developer to do sidewalks. He had no definite date for the timing but he assured the Board that they would not be ready to do the street by September. Mr. Scott said that typically this type of work would be done at the end of the construction period.

Mr. Stephans favored delaying the Gateway project and Esmeralda construction funding into the following fiscal year.

No public comment.

Thaler/Stangle moved to approve the Town of Minden's proposed capital projects list for the Fiscal Year 2011-2012, including the budgeted amount for the annual street sealing, Buckeye maintenance station, Well 8, and the NDOT 395 valves, and put off budgeting the Esmeralda and 3<sup>rd</sup> street rehabilitation projects as well as the Gateway Park match funding. Motion carried unanimously.

**17. Discussion and possible action to approve, approve with conditions, continue, or deny the Town of Minden's proposed equipment acquisition list for the Fiscal Year 2011-2012. This action may include discussion and approval of all or a portion of equipment on the acquisition list. Appearance by Town Manager**

Mr. Condron spoke in favor of the equipment list with the exception of the mower and backhoe. He verified that if necessary we could revise the budget within the next fiscal year.

Mr. Thaler questioned needs and wants, and the need for the handheld radios as well as having cell phones. Mr. Van Alyne said that the radios would be the backup for the cell phones and would be extremely helpful in emergency situations, especially if cell sites are down.

Mr. Bernard agreed with Mr. Condron and the need to be prudent and go slowly with the water system service to really determine our needs.

No public comment.

Condron/Bernard moved to approve Minden's proposed equipment acquisition list for the Fiscal Year 2011-2012, with the removal of the acquisition of the Walker Mower and the Backhoe. Motion carried unanimously.

**18. Discussion and possible action to approve, approve with conditions, continue, or deny the Town of Minden tentative budget for the Fiscal Year 2011-2012. Appearance by Town Manager.**

Mr. Van Alyne noted that this is the tentative budget only; actions on items tonight will be reflected in the final budget.

Mr. Stephans said there will be discussion on the property tax that will affect fund 630. He said he did not believe that we needed to do any wage cuts but we do need to take a look at merit increases. Our budget will be scrutinized, the revenue from property taxes will continue to decrease, and we need to plan for the worst case scenario.

Mr. Thaler noted that we need to give direction to the manager because the next budget we see will have the final figures. Mr. Thaler said that the Board needs to make a policy decision concerning whether we will follow the County lead regarding merit increases and salary reduction. He also questioned how large the reserves will be; his big concern is that we need to feel very comfortable with the reserves and be able to take care of an emergency.

Mr. Van Alyne thinks the reserves are very good. He will get figures to the Board of the changes in the budget from tonight; part of the problem is that we are still working with the Finance Division to establish the wholesale water fund. If the Board is prepared to give direction tonight that is fine, but we have until June 1 to submit the final budget. He reminded the Board that the PERS contribution will cause a 1.6% reduction to pay.

Mr. Stephans said we need to see what develops and keep communications open. We have to balance the budgets with the numbers that have been given us, and those numbers will only get worse. The state has not made any decisions and more will be pushed down to the County.

Mr. Condron said we need to look at what we have done in the past; has Minden varied from the County on this issue in the past? If the history of what Minden has done historically in this regard is well defined, he would not be willing to vary from that history and take a risk.

No public comment.

Condron/ Stangle moved to approve the Town of Minden tentative budget for the Fiscal Year 2011-2012. The changes made earlier to be reflected in the final budget, and other issues can be addressed on May 4 or even in a special meeting if necessary. Mr. Thaler directed staff to make sure that the employees know they may be seeing a cut so there is no surprise. Motion carried unanimously.

Mr. Stephans thanked Ms. Giannopoulos for her contribution to the Minden catchy phrase contest and encouraged other contributions.

**IV. ADJOURNMENT**

Bernard/Stangle motioned to adjourn at 10:46 p.m. Motion carried unanimously.