



## GARDNERVILLE TOWN BOARD

### Meeting Minutes

1407 Highway 395  
Gardnerville, Nevada 89410  
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Tom Cook, Chairman  
Mike Philips, Vice Chairman  
Robin Bernhard, Board Member  
Paul Lindsay, Board Member  
Jerry Smith, Board Member

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Tuesday, July 6, 2010

4:30 p.m.

Gardnerville Town Hall

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The meeting was called to order by Chairman Cook and Determination of a Quorum was made.

#### PLEDGE OF ALLEGIANCE – Paul Lindsay

#### PRESENT:

Thomas J. Cook, Chairman  
Jerry L. Smith  
Robin Bernhard  
Paul A. Lindsay

Steve Handelin, Town Counsel  
Tom Dallaire, Town Manager  
Jeff Summers, Maintenance Supervisor  
Paula Lochridge, Main Street Manager  
Carol Louthan, Office Manager, Sr.

#### ABSENT:

Michael W. Philips, Sr.

#### APPROVAL OF AGENDA

Motion Lindsay/Smith to approve the agenda as written. Motion carried with Board Members Bernhard and Philips absent.

**APPROVAL OF PREVIOUS MINUTES: June 1, 2010 (item postponed to August meeting)**

#### **PUBLIC INTEREST COMMENTS (No Action)**

This portion of the meeting is open to the public to speak on any topic not on the agenda and must be limited to 3 minutes. The Gardnerville Town Board is prohibited by law from taking immediate action on issues raised by the public that are not listed on the agenda.

Chairman Cook recognized the Boy Scouts from Troop 340.

Scouts from Troop 340, Joe Gilbert, Landon Whitely and another scout are all here for the Citizenship in the Community merit badge,

Scoutmaster Gary Banks from Troop 340.

Mr. Banks asked under whose jurisdiction does the placement of water meters come under?

Chairman Cook explained he is in the Ranchos. The Ranchos General Improvement District takes care of that.

No further public comment.

#### **CONSENT CALENDAR**

Items appearing on the Consent Calendar are items that may be adopted with one motion and without public comment. Consent items may be pulled at the request of Town Board members wishing to have an item or items discussed further. When items are pulled for discussion, they will be automatically placed at the beginning of the Administrative Agenda.

#### **Motion to approve the Consent Calendar**

##### **1. Correspondence**

**Read and noted**

- 2. Health and Sanitation Department Monthly Report  
Accepted**
- 3. Approve June 2010 claims  
Approved**
- 4. Approve June 2010 budget transfers  
Approved**
- 5. Approve proposal for contract addendum #2 for Manhard Consulting Ltd. In the amount of \$20,500  
Approved**

**Motion Smith/Lindsay to approve. Motion carried with Board Members Bernhard and Philips absent.**

**ADMINISTRATIVE AGENDA**

**(Any agenda items pulled from the Consent Calendar will be heard at this point)**

- 6. Discussion and possible action on waiving or reducing Heritage Park use fee for a Starving Artists Fair.  
Presentation by Tamyra Crossley**

Ms. Crossley would like to ask the Town to consider allowing them to use Heritage Park to do a Starving Artists Fair. One of the biggest complaints is the outrageous fees for the booths at the arts and crafts shows. As a result they don't get to show their work. There are a lot of costs involved before they even think about selling their work. In talking to them they would like the chance to show their work. Tom and she talked a little bit. She has a booth she does at the Farmers Market. She talked to a Farmers Insurance Agency. The agent informed her it would be possible to get a one day million dollar liability insurance for about \$270. They had talked about possibly having either a flat fee or \$20 per booth. But with that they would have to pay the insurance. The lower the booth they will get a lot more participation. She would ask them to consider being under the Town's umbrella or take a percentage of the profits at the one day event instead of a flat fee. That way they are not out a lot. She would like to see it become a monthly event during the summer. We could try it and see what the participation is like and how the community responds. They were thinking about July 31st. They would sign a liability release and clean up the park. She would like to do three at the Town's choice spaced about a month apart and have it be annual. This year it would just be once.

(Mr. Bernhard joined the meeting at 4:40 p.m.)

Mr. Dallaire advised when Tamyra contacted him he called Mr. Handelin. The insurance is a requirement in the Park policy. He has a call into Bruce Hollander to see if it is covered under the insurance. Counsel would rather have them provide the insurance. But they will find out if that is something they can do for that event. Also it is covered under a Class four in the policy. It is \$1,000 plus a negotiated percentage in the regulations. If they split the park into thirds if they only use the south side of Gilman or the south side of the pavilion or north side, one of the sections it would be about \$20 per booth or just do a percentage.

Ms. Crossley felt they would get more participation if it was a percentage of the sales. She thought 10 or 15 percent of the profit back to the City as a thank you.

Mr. Handelin is concerned on the insurance level. He thinks 270 is reasonable for a one day policy. From an organizational standpoint, how the Town will deal with the event, seems with a collection of individuals it would be difficult to find the culprit or the main perpetrator of any issue. Most people who apply for an event are an organization.

Mr. Bernhard asked if she has talked with the Carson Valley Arts Council?

Ms. Crossley has not. She would be happy to coordinate the event and line up the booths. She would love to have a booth for our young budding artists.

Mr. Bernhard thought it was a good idea. He thought it seems tougher to have separate entities.

Chairman Cook suggested \$200 to use the park. They get their own insurance and it is payable by the folks in some manner. However they recover it is their business. We just say \$200 to use the park and they have their own insurance.

Mr. Lindsay asked if there was a fear of starting a precedent. He likes the idea he is just worried. If they have

to get damages for the park all they have is Ms. Crossley. Even that million dollars is just safety liability. That doesn't cover the damages done by others to Town property.

Ms. Crossley believed it would add a really positive element to the community and encourage fellow artists.

Mr. Bernhard asked if they could gather more numbers and more buy in, join something bigger or start a group.

No public comment.

Ms. Lochridge would like to make an interim offer. They would like the opportunity to host some of the different artists at some of the businesses that would participate in the wine walk. She will talk to her after.

**Motion Smith/Bernhard to move this matter to the August 3rd meeting. At that time they will come back and have more numbers. Motion carried with Board Member Philips absent.**

**7. Discussion and possible action on the Town Maintenance Supervisor's Monthly Report of activities for June 2010**

Mr. Summers reported they have had a lot of employees on vacations or sick. Dan Mike and he attended a flagging class that is good for four years. This way they have three people that are licensed flaggers. They did get Toler 99 percent cleaned up. They spent two days patching holes in the drip line. Sprayed all the streets around town.

Mr. Smith asked if there were more plants that have died.

Mr. Summers answered yes. The drip system was not working correctly.

Mr. Bernhard asked about the flower pots.

Mr. Summers advised they should be going out the end of this week or next. They are coming along.

**8. Discussion and possible action on the Main Street Program Manager's Monthly Report of activities for June 2010**

Ms. Lochridge reported the flowers are going to be up within the next week or so. They have been working with the schools, and sometimes certain things come up. But they know what the problem was and are rectifying it. They are going to consider at the next design committee meeting to take bids for professional flower baskets. They would still use the schools for the adopt-a-pots. That way the baskets are all uniform.

Mr. Dallaire stated the day Mr. Smith called they went to try to pick them up. They wouldn't release them because Heather hadn't looked at them. By the time Heather went up to look at them they had overgrown into each other and tangled and had bug problems. So they chopped them off at the bottom. But when they were put up they were in shock. They had quite a few complaints so they ended up taking them down.

Ms. Lochridge stated they needed more follow up on Main Street's part. If they purchase them through a nursery, if there is a problem they can get them replaced. They decided they still want to keep the schools involved. They have been doing this and every year there has been an issue.

Mr. Dallaire pointed out they could have put them up two weeks before. Everything looked great at that time. It was just that two week period they grew too fast.

Ms. Lochridge continued her report Blankets Burgers and Brews is happening on the 17<sup>th</sup>. They would like to close Ezell Street, Slaughterhouse Road and Courthouse Street around the park from 4:00 to 5:30 p.m. They are doing a patriotic bike parade.

Mr. Handelin thought it would be more of an issue for the sheriff and dispatch.

Mr. Dallaire thought all they would need to do is let the sheriff know.

Ms. Lochridge and Mr. Rubald have an appointment with the community relations manager of the City of Sparks. They are interested in starting a Main Street Program. She had a meeting with T. Michael Brown and Karen Craig

regarding the Douglas County Economic Vitality plan. They discussed the great job the program has done in such a short time. Talked about maybe the County would be able to step up and help them achieve some of the items. They said if it was something that falls in their plan and will benefit the community they would be willing to help support. They had close to 350 registered for the second wine walk. The strategic plans have been updated and they are in packets. The committees will be updating and finalizing their action plans in the next two months. They received a letter of intent from USDA Rural in regards to a website upgrade that will include a business directory with individual web pages for the various businesses. The whole focus of the grant was a lot of businesses cannot afford nor have the knowledge to maintain their own website. This is a way for them to have an online presence. It will be a great way to have the various committee members having access to only certain pages. That way they can keep those updated on a regular basis.

Mr. Lindsay asked if the businesses that are involved in the wine walk seeing an increase in business.

Ms. Lochridge knows K2 Pilates, as a result of May's wine walk, actually got 8 new clients.

#### **9. Discussion and possible action on the Town Attorney's Monthly Report of activities for June 2010**

Mr. Handelin reported he contacted the County about the Hellwinkel MOU to extend the time the open space could be applied to development from five to 15 years. He hasn't heard back but will keep them posted. He needs to prepare some final documents for Mr. Burga's satisfaction of lien.

#### **10. Discussion and possible action on the Acting Town Manager/ Engineer's Report of activities for June 2010**

Mr. Dallaire reported a couple of business permit applications came through: Burger King and Silver State Towing. He added more information on those in the packet. There was one issue he brought up that pulled their parking lot away from the fence against the American Storage facility. They have made that minor modification and he sent an approval. Bill from Especially for You submitted a petition against the cat feeding station. He met with Alex, the owner of the property. He didn't know anything about it. They did move the cat station into the shed in the back. He talked with Linda Finch at the Eddy Street Book Exchange. It is the Wiley Foundation that put it there. He sent an e-mail similar to the letter to the Wiley Foundation in Incline Village. He hasn't heard anything. The problem is its Linda's lock on the garage. So he will be calling Mr. Burga again. He is still working on the Hellwinkel property. Sam Ward did the appraisal. He is having Sam make those changes. They have until next July but he would like to get it done. The survey will take a couple months. Still have to coordinate with Manhard to get the modeling done. The asphalt overlays are done. They are working on the rings around all the utilities. They had one problem section on one of the bulbs. They will come back and fix that. They changed the bathroom doors at Heritage Park. There has been some vandalism. Went through training on the PMP program. He is planning on being out of the office July 12 through 16 and possibly Monday or Tuesday, July 26<sup>th</sup> and 27<sup>th</sup>. Mostly been working on the Health and Sanitation.

Mr. Bernhard asked if they are getting the runaround on the feral cat feeding station. What is plan B?

Mr. Dallaire answered Plan B is to talk to Mr. Burga and get permission to cut the lock and get it out of there. After meeting with Linda it is up to the Wiley Foundation.

#### **11. Discussion and possible action on appointing Tom Dallaire Gardnerville Town Manager**

Mr. Dallaire explained back in March they took action to appoint him acting town manager. They were going to give it to July to see how things went. He has had three months. It has been a huge learning experience. He is been working hard on trying to figure out his role. He enjoys it. It is a lot of work. But he doesn't have time to do the engineering reviews and drawings. There is a lot of time that goes into the engineering and drawings. His solution if they don't want to hire another manager, which he is fine with that responsibility, but they need to subconsult out the drawing portion. The cost would be anywhere from \$45 to \$75 an hour. There is a lady that lives on High School. She is out of work. She can run Auto Cad. It is a matter of getting them into a presentable format to go out to bid.

Mr. Bernhard asked what they can do to make sure there is no conflict of interest.

Mr. Handelin will review the statutes, but believes they just need to do a request for proposals.

Mr. Dallaire would prefer to work with one individual for all projects. They might have to wait some time on each project but right now he has sidewalks that need to be done. They have a few more sidewalks that need to be added. He would also like to add the sidewalk by Raley's between the shop and Toler.

Mr. Lindsay asked if Tom actually wanted the job. He wouldn't want to lose Tom as an engineer. He would rather break the two jobs back apart.

Tom's background is in engineering. It is interesting. He is enjoying it. He is feeling overwhelmed. If they can get the drafting done that would help.

Mr. Lindsay is confident he can do the job but he doesn't want him to get burned out.

Mr. Dallaire is okay now. He is understanding what he needs to do and more and more comfortable with the guys and that he is the boss.

Mr. Bernhard asked if they could make a motion to get the drawing off Tom's plate.

Mr. Handelin pointed out this agenda item is to appoint Tom town manager.

Mr. Dallaire reviewed the last action was acting town manager. This would made it official. When they went through the motions and got the change in salary, the County took it at 80. They weren't going to change it again.

Mr. Handelin suggested the motion be to appoint Tom Town Manager/Engineer. There is enough direction on how to proceed with the drafting.

No public comment.

**Motion Smith/Lindsay to approve Tom Dallaire as the Town Manager/ Engineer. Motion carried with Board member Philips absent.**

**12. Discussion and possible action on Change Order #1 for the 2010 Street Rehabilitation Project in the amount of \$5,100.**

Mr. Dallaire reported the contactor came to him and asked if he could postpone the contract a week, week and half. In doing so he agreed. In agreeing to that, because he missed Wendover Court, he asked the contractor to fix it at the contract rates and they agreed. When the contractor started grinding the streets, when they do the overlay they had an 8 to 12 foot paving machine which differs from the four foot machine used the last time. If you have a four foot wide tapered cut there will be a joint from there to the lip of the gutter. That would be thin because their machine is wider. That would create a thin spot at the joint. So he asked if he could go to eight feet wide to eliminate the thin spot. He approved that. From now on the plans will show eight feet. They also added the base patch in front of the driveways at the hospital. The whole total came to \$9,145.

No public comment.

**Motion Lindsay/Smith to approve Change order #1 in the amount of \$9,145 for the 2010 Street Rehabilitation Project. Motion carried with Board Member Philips absent.**

**13. Discussion only on the Town of Gardnerville's Health & Sanitation rates**

Mr. Dallaire would like some input on this subject. He gave some background information to Board members.

Discussion by Board members on rate options.

He will come up with some more scenarios and bring it back next month.

No public comment.

**Adjourn to closed session**

**14. Closed session in accordance with NRS 241.015 to receive information from Town Counsel regarding potential or existing litigation involving a matter over which the Town Board has supervision, control, jurisdiction, or advisory power**

**Motion Bernhard/Smith to adjourn to closed session. Motion carried with Board Member Philips absent.**

**Reconvene in open session**

**Motion Bernhard/Lindsay to reconvene in open session. Motion carried with Board Member Philips absent.**

**15. Discussion and possible action on direction to staff based on the information discussed during closed session**

**Motion Bernhard/Smith to have Town Counsel keep them up to speed and informed on where they are. Motion carried with Board member Philips absent.**

**Motion Smith/Bernhard to adjourn at 6:35 p.m. Motion carried with Board Member Philips absent.**

Respectfully Submitted,

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Thomas J. Cook  
Chairman

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Tom Dallaire  
Clerk to the Board