



## GARDNERVILLE TOWN BOARD

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### Meeting Minutes

Mike Philips, Chairman  
Robin Bernhard, Vice Chairman  
Paul Lindsay, Board Member  
Ken Miller, Board Member  
Linda Slater, Board Member

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Tuesday, September 6, 2011

4:30 p.m.

Gardnerville Town Hall

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Paul Lindsay called the meeting to order. A determination of a quorum was made,

**PRESENT:**

**Mike Philips, Chairman (entered the meeting at 4:35 p.m.)**  
**Paul Lindsay**  
**Ken Miller**  
**Linda Slater**

**Michael S. Rowe, Town Counsel**  
**Tyler Altom, Town Counsel**  
**Tom Dallaire, Town Manager/Engineer**  
**Carol Louthan, Office Manager Sr.**  
**Carol Sandmeier, Main Street Gardnerville**

**ABSENT:**

**Robin Bernhard, Vice-Chairman**

The PLEDGE OF ALLEGIANCE was led by Ken Miller

**FOR POSSIBLE ACTION: APPROVAL OF AGENDA, with public comment before Board action.**

The Gardnerville Town Board reserves the right to take items in a different order to accomplish business in the most efficient manner.



**Motion Miller/Slater to approve the agenda.**

No public comment.

**Motion carried with Board Members Philips and Bernhard absent.**

**FOR POSSIBLE ACTION: APPROVAL OF PREVIOUS MINUTES: August 2, 2011, with public comment before Board action.**

**Mr. Lindsay asked to postpone the minutes until a quorum of the Board who was present for the August meeting is here to take action. He also asked the record to reflect Chairman Philips and Vice-Chairman Bernhard are not present.**

**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.

**No public comment.**



**CONSENT CALENDAR FOR POSSIBLE ACTION**

Items appearing on the Consent Calendar are items that may be adopted with one motion **after 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.

- 1. Correspondence**  
Read and noted.
- 2. Health and Sanitation Department Monthly Report**  
Accepted.
- 3. Approve August 2011 claims**

**Approved.**

- 4. Approve budget transfers**  
**Approved.**

*End of Consent Calendar*




**Motion Slater/Miller to accept the consent calendar.**

No public comment.

**Upon call for the vote, motion carried with Board Members Philips and Bernhard absent.**

**ADMINISTRATIVE AGENDA**

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

- 5.  For Possible Action. Discussion on adding a street name sign above the “Dead End” sign at Circle Drive or placing a new decorative post and street name sign on the corner of Circle Drive and Gardner Street at 1502 Circle Drive, or 1502 Gardner Street. This sign has been requested by East Fork Fire and Paramedic District, with public comment before Board action. (approx 10 minutes)**

Mr. Dallaire advised this request came to him last week. He provided photos and background for this item.

Mike Philips joined the meeting at 4:35 p.m.

Mrs. Slater lives at 1504. That house is 1502 Gardner. The garage for that house is located around the corner. It is one lot. It should not be associated with Circle Drive because it is only a garage. If you look at the map and separated the garage area out from this parcel it would make it an illegal parcel. So you need to correct it through the assessor's office. It should read 1502 Gardner, but it should be 1502A. You have the same thing with Witt's residence.

That was Mr. Dallaire's comment to GIS. For us to be able to use units A and B, the houses have to be connected. They understand the issues but they won't allow them to do the A and B.

Mrs. Slater didn't believe it makes sense to have one lot and a garage that is called Circle Drive and the residence be called Gardner Street. She would be curious how they handle Craig and Karen Witt's residence because theirs is the same setup.

Mr. Dallaire pointed out there are no street signs out that tell which is which.

Mrs. Slater asked if it would be easier to have the whole area one name. She did not feel it should have one lot with two different addresses.

Mr. Lindsay believed that would take some time and then everyone will have to change. He thought the easiest and fastest solution is to put a street name sign on the dead end sign.

Mrs. Slater felt 1502 needs to be recognized as one lot. It would be something to look at Witt's property and see how that is being handled.

Mr. Lindsay suggested putting in the sign short time and work out a long term solution.


No public comment.



**Motion Miller/Philips to put a temporary sign to clarify one street from the other on the dead end sign until they can clarify addresses. Motion carried with Board Member Bernhard absent.**

**FOR POSSIBLE ACTION: APPROVAL OF PREVIOUS MINUTES: August 2, 2011, with public comment before Board action.**

 **Motion Miller/Slater to approve the minutes of August 2, 2011. Motion carried with Mr. Lindsay abstaining**

6.  **For Possible Action.** Discussion on Town Board preference of the use of the digital recorded meeting, its capabilities and proposed uses available to the public of recorded public meetings held at the Town Hall, with public comment before Board action. (approx 10 minutes)

Mr. Dallaire updated Board members on the new digital recording system. The sound quality is better and it will be associated with the actual agenda. We will have a document in Word that they can push play and hear that specific item. He would like direction from the Board whether they want it on the internet as the minutes or associated with the agenda so it was open to the public to download and listen or we can keep it the way we have always done it. This will store easier. The quality of the one we used at the Main Street's meeting is a lot better even with the same microphones. They have the capability so people from the public can download and listen to the actual meeting. If you don't want that much, that is fine.

Mr. Rowe responded the Open Meeting Law requires that audio recordings be made of each meeting and retained by the Board. Ten years ago we were using tapes.

Mr. Dallaire explained we summarize in the minutes. It would just be available now to the general public.


No public comment.

Mrs. Slater felt if no one is requesting copies and is or would use additional storage, why do it. As time goes on and they get requests we can start it at some point.

Mr. Dallaire added it will be stored with each month's Board packet information. When they back it up it will all be there rather than with the tapes.

Mrs. Slater if you find there is a need to change it they can. But since no one has requested it and it is still openly available, that is the main thing.

 **Motion Slater/Miller not to put this item on the internet at this time. Leave it open for future availability if needed. Motion carried with Board Member Bernhard absent.**

7.  **Not For Possible Action.** Discussion on the County Proposal to amend chapters 12.04, 18.07, and 20.840 of the Douglas County Code, regarding the requirements for excavations, street cuts and repairs, and encroachment permits and other related matters. No action will be taken. This is for Board discussion and possible direction to Town Staff. (approx 10 minutes)

Mr. Dallaire indicated this came up two weeks ago. They received an email from the DA. It will be some time before this gets resolved. Mimi wants to meet with the DA and wants to go to the GID's and towns to let them know this is happening. We are not sure of the timing, but he got all his comments in and everybody is in agreement with a lot of it. There are some things that need to be worked out with the PCI index. There will be a lot of developments that happen with this conversation between the Towns, GID's and County. Mimi wants to discuss it as a group. They have come back to MGSD, to the Town of Minden, Gardnerville Water Company but each entity has their own standard detail which is supposedly better than Douglas County's detail. The County would like to have just one detail and have control of the development. Their inspectors are inspecting it. They need to inspect it per the County standard, not for each individual utility's standard.

Mr. Lindsay asked if the County was really going to inspect everything. Jennifer Roman of JWA Engineers used to go out and inspect for the Town. If that is the case then they should be reimbursing us for everybody that we sent out to inspect.

Mr. Rowe informed Board members this issue has been going on for a long time. It is not here only that people are very concerned about not only the methodology of the County but the way it came about. 18.07 was developed because both Minden and Gardnerville had street cut details that were better than the County. There is another component about sharing the fees that has to be worked out yet. He did read in the draft that there is to be a sharing of those fees. All of the entities are maintaining their own streets and the County doesn't do anything to help with the

maintenance of the streets inside of the different entities. Gardnerville added its own policy and PCI and we requested an amendment to 18.06 so that would become part of Gardnerville's ordinance. The DA wanted it to be uniform in both towns. So over two years 18.07 was drafted and added. The GID's are separate and distinct political entities on equal footing with the County. The GID's met with the County Manager, Doug Ritchie and McCormick from the DA's office. The County Manager thought they ought to just do this by interlocal agreement. Keep your eye on it because it will be an interesting development.

Mr. Dallaire mentioned the PCI index they have established can be changed. They can charge larger fees if they cut open a new road.

Mrs. Slater liked the list Mr. Dallaire created. Kudos to you for being on top of it.

Mr. Dallaire met with Mimi and she was going to try to get on top of it. Everything we do is toward the fee sharing if they are going to be the permitting agency. He understands where they are coming from, but the communication has been disconnected.

Mr. Rowe believes notification is key. We have to be involved in the permitting process.

Mr. Dallaire noted upper management is making the decisions but it never gets down to staff. They are not actually going forward and making the initiative at the staff level to communicate with any of the towns or GID's.

No public comment.

8.  **Not for Possible Action. Discussion on the Main Street Program Manager's Monthly Report of activities for August 2011. (approx 15 minutes)**  
a. **Heritage Park Community Garden update and presentation of a movable Garden concept.**

Carol is reporting for Paula, who had to leave unexpectedly. The last wine walk is September 15<sup>th</sup>. It has been a good event this summer increasing in popularity each time. There will be an evaluation following the final wine walk with the business so they can say how it went for their businesses. The Main Street Board is working on a five and ten year plan. Paula will be going to the Main Street Conference in California. They have received a lot of messages saying how pretty the flowers are this year. It makes the volunteers feel good because they put in hours and hours of time. They are having a sponsor party for those who paid for the hanging baskets on September 20th. That will be at Especially For You at 5:30 p.m. The garden update is in the last three months they have installed a sign in front of the property; designed a brochure which is included in the packet. This is to use for fundraising purposes and pass out in the community for different events that come along. They participated in Raley's Reach program. We came in 7<sup>th</sup> overall. They were number one of the Nevada projects. It was a good learning experience and she will try again next year. We applied for a \$15,000 grant from Vail Resorts. We probably will not get that because of a problem with the 501c3 and the Main Street program is a 501c6. Their application says to send the letter for a 501c3. We sent the C6 and maybe it will slide through. At some point they are looking at organizing the gardens as a 501c3 so they can receive donations and apply for grants with that number. That is part of the five-ten year planning with Main Street. They will have a booth at the Green Living Festival largely for recognition of the project. They will also be selling bags of gold daffodils. For each of those bulbs someone in the community buys they are planting daffodils in the Eddy street planter in the community garden area, along the Eddy Street median and down in the Toler planting areas. We also will have out lists at the booth to have people sign up if they are interested in volunteering or having a space in the garden. They are also selling lettuce bowls. The Partnership of Community Services has applied for a grant for \$15,000. If they get the grant 5,000 will come to the community garden project. They could receive a second 5,000 if they develop the concept of a moveable garden.

Mr. Philips admires her project. Hope you get somewhere with it.

Mrs. Sandmeier believes they have made good progress and now they have the fall and winter to raise money.

Mrs. Slater thought they were ambitious.

9.  **Not for Possible Action. Discussion on the Town Attorney's Monthly Report of activities for August 2011. (approx 10 minutes)**

Mr. Rowe reported the final agreement for the Hellwinkel purchase is getting close. A couple of things aren't quite ready and that is dependent on third parties. They need the title report and another thing. They are ready to sign and

Hellwinkels are ready to sign. He reviewed the agreement this morning. They are good to go. We are going to put a \$10,000 deposit into escrow. We are not getting full funding from Q1 so they have to come up with some Town dollars to close the purchase. By having the \$10,000 in there as soon as Q1 funds they would be able to close the transaction. This will go into escrow as soon as they have the final exhibits. Spent some time on the street cut ordinance, the Toler Lane landscaping and miscellaneous information to help Carol and Marie. Carol had a question about the contract with the collection agency. Marie had a question on a welcome letter to new customers.

Mr. Philips asked what kind of changes George wanted.

Mr. Rowe explained Mr. Keele added a lengthy footnote to elaborate on the Hellwinkel Family Trust. The biggest request was he wanted to add a provision the Town would be responsible for payment of any of the deferred ag tax if it was assessed. We are public and don't have to worry about that. Tom and he went over the deed restriction. It is the same agreement the County signed for the Seaman Ranch. They don't have APN's yet. The zoning map has to be approved.

Mr. Dallaire added they need APN numbers. As soon as the map and boundary line adjustment are signed Doug Sonnemann will issue an APN number. Then we can finish up the documents. Q1 needs the APN number and then they can update a few of those lines on the forms and get it submitted. Edith asked when they would have to vacate the premises. She is getting a little concerned. I didn't think you would have a problem with them taking some time to get that out. She needs a drop dead date. He can ask Q1 if there is a time limit. They have to open it up for the public but just in the summer.

Mr. Rowe indicated this is not welcome news. They will need to review that with George and if necessary get the Town added to her insurance. We can also get a hold harmless on the liability for the contents. Getting us added to their policy with a certificate and hold harmless agreement for as long as she keeps her items in the barn would be a good idea.

**10.  Not for Possible Action. Discussion on the Town Manager/Engineer's Monthly Report of activities for August 2011. (approx 15 minutes)**

Mr. Dallaire has been working on the Hellwinkel project, COOP plan. They need to fill out the papers required and get an agreement. Once Q1 signs it they will fund it and then they need an APN number. The boundary line adjustment map has been signed by Edith and the adjacent property owner needed some additional property from her and they did some adjustments. She is showing it to her father and hopefully they will sign that tomorrow. The paperwork to the county will be the Town, on behalf of Edith and then the fee hopefully will be reduced as well. He will put that on the credit card when it gets submitted so they are present when it goes in and they get a 75 percent reduction. The Continuity of Operations plan is ongoing. He hasn't had lot of time to work on it. It is going into its preliminary review at the end of the week. He needs to sit down with Mike Philips and go over it. The plan will be coming to you in a few months once the consultant that East Fork has lined will set it up and get the data on the website. Basically the scenario is to assume that this building is not here. How would we continue operations and continue business as usual? The Ranch at Gardnerville is on hold. He talked to Mimi. They have met with Rob and the partners about their application. Rob is getting ready to submit improvement plans for review and for the revisions that they previously talked about. Gilman Lane never changed and it is built to rough grade right now. Alton's plan is to continue on with the first phase and then do it all at once. They do have an application to the County to change the phases from three phases to a whole bunch of little phrases so it hasn't been here yet. Mimi wasn't happy with the plan that was presented to the County. He is under the opinion that they do want the median replaced. It is all on them. It is access they need. It should have been incorporated in their plans originally and never was. He discussed the Toler Lane improvements with the new engineering tech. Talked to Cynthia Gregory about Toler Lane improvements. He wants to get a drawing of the one corner property and discuss with the property owner his options. He is waiting for the County to make sure the Town is covered by that easement. Cynthia Gregory has been working on it. He will contact her and find out what her time frame is. He discussed it with her last Friday.

Mrs. Slater would like to see them move forward on this. It has been eight or nine months. These people deserve to have some communication.

Mr. Dallaire continued: Sharkey's parking lot they will be working on again. Josh will be laying the parking lot out. They will meet with Brian. Paula attended a meeting with WNDA and they were thinking we could apply for a community block grant. They will see if there is something that would qualify to take the house down.

Mr. Miller thought if they bought the parking lot they could tear down the house. If they get a grant involved they are looking at another six or seven months to get the house torn down.

Mr. Dallaire added the sidewalk project is a top priority. He would like to get that out to bid by the end of the month. There are several sidewalks on Toiyabe and Village that have some trees lifting the sidewalk so we will need to work with those property owners similar to the one on Hussman. He would rather get the things done they have finished now and get it out to bid and then create a project in the spring for the trees and the issues they have. That way they have all the way through the winter to work with the property owners. If the Board is okay with that he will pursue that route and keep what they have now: Cemetery, all the improvements on Douglas, the handicapped ramps, several sidewalks that are broken. He had a request from Kathleen Kelly about the sidewalk in front of her building at the corner of High School and Hwy 395. If you are okay with pursuing that he would like to add the decorative trees and grates along that section. They will have an issue with the storm drain manhole for the irrigation ditch that runs down Eddy. That will be an issue with handicap access.

Paul is okay with it.

Mrs. Slater added as long as we are consistent.

Mr. Dallaire was talking with Peter Axelson of Beneficial Designs. He is helping us with the transition ADA plan. He is using Gardnerville to test out some equipment he has built and designed. Looking to apply for community block grants for ADA ramps. Travis, who is in charge of the buses at the senior center, will be coming in to discuss where he could put a bus stop in Gardnerville. Mosquito abatement did do a flyby. During the flood last month, the pipes were draining as fast as they could go, but the storm drain system was at capacity. Cottonwood slough was flowing bank to bank. There is a section of pipe just above the Y at Centertowne Apartments that is crushed. He will be meeting with Linda Reid to help the cemetery clean up next week. Just across the street from the office the water was over the entire right lane of the highway. Wal Mart is back in for review. He doesn't have a final hydrology report. They have addressed most of the issues with the landscaping. They still have quite a few shrubs in and around the slope. He wants them to remove a few more. Other than that as far as landscaping he is happy with it. They ended up with a pump system to discharge into the Company ditch to keep that basin dry. It is not 20 feet deep anymore; it is about eight or nine.

Mr. Miller asked if Josh is all moved into town.

Mr. Dallaire answered Josh is living in Carson. He is not organized yet, but working on it.



**Motion Lindsay/Miller to adjourn at 6:33 p.m. Motion carried with Board Member Bernhard absent.**

Respectfully Submitted,

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Michael W. Philips., Sr.  
Chairman

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Tom Dallaire  
Clerk to the Board