



GARDNERVILLE TOWN BOARD

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Meeting Agenda

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

Tuesday, October 4, 2011

4:30 p.m.

Gardnerville Town Hall

Chairman Philips called the meeting to order and a Determination of a Quorum was made.

PRESENT:

Present: Mike Philips, Chairman
Robin Bernhard, Vice-Chairman
Paul Lindsay
Ken Miller
Linda Slater

Michael S. Rowe & Tyler Altom, Town Attorneys
Tom Dallaire, Town Manager/Engineer
Paula Lochridge, Main Street Program Manager
Carol Louthan, Office Manager Sr.
Marie Nicholson, Office Assistant Sr.

PLEDGE OF ALLEGIANCE- Tom Dallaire led the flag salute.

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/Bernhard to approve the agenda. Motion carried.

FOR POSSIBLE ACTION: APPROVAL OF PREVIOUS MINUTES: September 6, 2011, with public comment before Board action.

Motion Lindsay/Miller to approve the minutes of September 6, 2011 minutes. Motion carried.

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.

Mr. Dallaire recognized Marie Nicholson, Office Assistant Sr. for five years of service to the Town of Gardnerville. He presented her with a plaque from the Town and a certificate and pin from Douglas County.

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 September 2011 claims
Approved

(Consent calendar approved at end of meeting)

End of Consent Calendar

ADMINISTRATIVE AGENDA

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

4. **For Possible Action.** Discussion to approve Proclamation 2011P-03 recognizing the month of October , 2011 as Domestic Violence Awareness Month, and to allow for the Family Support council to install purple lights and purple ribbons on the light pole within downtown Gardnerville with public comment before Board action.

Mr. Dallaire was approached by the Family Support Council. Mrs. Adrienne Monroe is here to do a presentation. He read the proclamation into the record and presented Mrs. Monroe with Proclamation 2-11P-03.

Mrs. Monroe, Executive Director of the Family Support Council, thanked the Board for their public service and supporting the Family Support Council. She is a Gardnerville resident. She was also on a city council for 11 years. If they have any questions she can answer them.

Chairman Philips thanked Ms. Monroe for what she is doing.

Mrs. Monroe gave a presentation on domestic violence, its effects and statistics on its effects both for primary and secondary victims. They work closely with the district attorney's office. The money they get tends to decrease in a recession and the people that need help increases. They do the best they can and ask everyone for their support. All of their services are free and anonymous.

Motion Lindsay/Slater to approve Proclamation 2011P-03 recognizing the month of October, 2011 as Domestic Violence Awareness Month, and to allow for the Family Support council to install purple lights and purple ribbons on the light pole within downtown Gardnerville. Motion carried.

5. **For Possible Action.** Discussion to approve Resolution 2011R-080, a Budget Augmentation for the 2010/2011 fiscal year purchase orders brought forward into the 2011-2012 fiscal year, with public comment before Board action.

Mr. Dallaire advised this is a bookkeeping item from the County in the process of their audit. We opened a purchase order on the trash truck before the year end. This is just rolling it forward. The other item was a computer. We will need a little more equipment on our road maintenance side. They will be purchasing two meters to put in the trucks.

Motion Slater/Bernhard to approve Resolution 2011R-080 augmenting the 2011-2012 fiscal year budget for the Town of Gardnerville. Motion carried.

6. **For Possible Action.** Discussion to approve the preliminary funding agreement and non-revocable agreement to restrict property between the State of Nevada, Division of State Lands and the Conservation and Resource Protection Grant Program (Question 1) and the Town of Gardnerville to acquire adjusted parcel 2 (7.73 acres) as shown on the Boundary Line Adjustment Map for Hellwinkel Exemption, Marital and Survivor's Trusts and Roberson Family Exemption Trust, proposed APN 1320-33-402-081, with a grant amount not to exceed \$200,000, and authorize the Chairman to sign the same or similar agreement as attached, with public comment before Board Action.

Mr. Rowe reported this is an updated version of what you have seen before. They brought the actual purchase agreement to you a few meetings ago. Now it has moved pretty close to being done. This is slightly modified from the previous version. These may change again slightly but not in a major fashion. They are waiting for the feedback from the State. Based on the Seeman Ranch purchase these documents are verbatim to the Seeman Ranch documents. He has not dealt with County staff. Mike has signed the agreement to purchase. We are still waiting George Keele and Edith to finish. Edith has not signed the agreement because George perceived some errors in the Sam Ward appraisal report text. They don't dispute the value of the appraisal. He

is pushing on them to get the agreement signed because the County is looking for a copy of the agreement to finish their process.

Mr. Lindsay asked how much does it matter the documentation says three high schools versus one.

Mr. Rowe didn't think the distinction makes a difference. We need to get a copy of the agreement to the County.

Mr. Dallaire stressed the County is not going to approve the boundary line adjustment until they get the map back. They don't want to create the parcel if the Town wouldn't be able to continue. Dirk is going through the process and reviewing the application. He is asking for a copy of the executed agreement and so once he gets that to Dirk he can do the boundary line adjustment.

Mrs. Slater asked the other comment George wanted a phrase that we would be responsible for the back ag taxes even though we are exempt.

Mr. Rowe explained after the division is made any party that then owns a parcel of land will be responsible for the deferred tax. He didn't object to that because the Town does not pay property tax

Mr. Dallaire mentioned the property is paid current in taxes. Keith has been calling wondering where they are. When he talked to him he wasn't aware that Edith hadn't signed. He was able to talk Doug Sonnemann, the assessor, into given them the APN numbers. The State has all the information they need and is reviewing the revocable agreement. We set the date a period covered by this agreement back to February 1, 2010 so they can count the moneys they paid to Sam Ward for the appraisal toward what they are justifying as a match. That is going in front of James Lawrence to review and is waiting to hear back on the nonrevocable agreement. They are waiting on the title report and Edith to sign. We need a title report. Once they get the agreement they can request the funds for advance to be paid to the escrow.

Motion Miller/Slater to approve the preliminary funding agreement and non-revocable agreement to restrict property between the State of Nevada, Division of State Lands and Question 1 and the Town of Gardnerville requesting \$200,000 in funding assistance for the acquisition of the adjusted Parcel 2 as shown of the BLA for Hellwinkel Exemption, Marital and Survivor's Trusts and Roberson Family Exemption Trust, proposed APN 1320-33-402-081, and authorize the Chairman to sign the same or similar agreement as attached. Motion carried.

7. Not for Possible Action. Discussion on the Main Street Program Manager's Monthly Report of activities for September 2011.

Ms. Lochridge reported the wine walk season is over for 2011. They did very well. It has increased in attendance. This year they had 2052 registered walkers. They had quite a few more designated drivers and people who weren't drinking so they could have had another 1,000 people attending that weren't registered. They had approximately 35 to 40 businesses participating each month. The meeting this morning focused on the wine walk. They had 13 people join them this morning. They had a lot of great feedback. They will do the same thing tomorrow night. We have a fundraiser, the Holiday Shopping Bazaar. They are in the process of soliciting vendors. The flowers are all gone. Friday all the adopt-a-pots were taken down and the flowers were taken down Monday morning. We did hold a thank you event for the sponsors. We had 40 to 50 people there including volunteers. We have some new businesses in the district: Penny Lane Consignment in the Old Town Mall and Frontier Antiques in the yellow house around the corner.

Mr. Dallaire stated the Historian Inn has been sold. He spoke with the general manager of the Historian. They are working on the building. The General manager is Irish and would like to hold a St. Patrick's Day parade. We are losing the fourth of July event this year. So this would be a good replacement activity. He has heard the Reno Philharmonic is holding their concert in Lampe Park this year.

Ms. Lochridge continued she will be attending the California Main Street conference along with Kenneth Garber.

8. Not for Possible Action. Discussion on the Town Attorney's Monthly Report of activities for September 2011.

Mr. Rowe reported they have already talked about the Hellwinkel project. That took quite a bit of time. They have also been working on the Toler Lane improvements. There was some interaction with the town staff on liens and foreclosure notices. There was a request for a change to the independent contractor agreement with Nichols that he vetoed.

Mr. Dallaire shared they finally signed it but they weren't happy about it. Staff received the training on Micropaver today.

Mr. Rowe looked into some information that had been sent to him on somebody falling in the alley between the French and Buckaroos. After looking at it he does not think it is the Town's problem. The Town's dominion is the old jail parcel but not that alley. So it is not ours to be maintaining or worried about. The specifics of the legal description only included the jail parcel. The alley is separately marked.

Chairman Philips asked whether there would be a liability problem with the barns on the Hellwinkel property.

Mr. Rowe discussed that. He directed a letter to George Keele. If they want to store things and the Town doesn't object we need to be insured for that.

Mr. Dallaire talked to Keith about the plan for that. He wants to get a container in there to move it out to his property. The cow barn has a wood shop in it and there is a lot of old wood working equipment in there. The other barn there was a few things but not a lot.

Mr. Rowe suggested contacting the Pool after they acquire the property and tell them about the purchase. It will be evaluated and assessed next year and automatically be covered by our insurance. But loss of the personal property should not be the Town's responsibility or risk to insure.

9. Not for Possible Action. Discussion on the Town Manager/Engineer's Monthly Report of activities for September 2011.

Mr. Dallaire asked if there were any questions about his report. A lot of projects are up in the air. They are getting the run around for encroachment permits on the sidewalk. All the bids between Minden and Gardnerville that have varied. We have to come up with something he is comfortable with on the engineer's estimate. He has not gotten a call back from Pardee. They sent a couple letters out. There was a response back from the lady who owns Guns and Arrows. She has no problem being part of that. We can do that while it is out to bid. We had the training today for the CIP index. We had Steve, Ryan, Josh and himself there. Looking through some of the older stuff basically they will be starting from scratch. They will start with new numbers and work the plan from that. We will probably inspect half of the town every other year. They are trying three different products in Chichester on those large cracks. The machine we have has only a one tank reservoir. Ryan is keeping track of which material is used on which crack. We will have to end up doing something with it, but the way the budget is it will be tough. The problem is you have a crack and you have 100 to 200 feet between cracks. It needs to be sealed again. We are having some issues with the bathroom in the park. They had some vandalism. They have ripped the tab and the little lock off the main power switch to the bathrooms and staff has a new box on order. Hopefully put a bigger lock on that. The video camera seems to be working. It has been on for a week now. The Mace people thought it was the plug. They have it attached to a battery backup. The vandals did kick in the urinal and busted the plastic covering. Once they shut it down at Christmas they will redo it. The COOP plan he hasn't had a chance to review. They have it back online. He will be doing that at the Hotel in Mesquite. The Ranch is going in front of the County Commission on Thursday. They do have to come back to the Town to get approval of the revised final map and improvement plans. Gilman didn't change, but the rest die. They haven't seen a revised plan showing this.

Mrs. Slater asked if there was any way they could require a bond if the developer doesn't have the funding to continue.

Mr. Lindsay asked how it gets to this point. They approve it and then it comes back totally different. How

do they change things so this doesn't happen? We should start driving these into all the new ones that come in. Ideally we have the standard list.

Mrs. Slater asked if he could contact Mimi tomorrow morning and maybe there is something she can interject on the town's behalf.

Mr. Dallaire will put it in writing. They are worried about the road and also replacement and repair of the median on Gilman. They need another access besides Gilman that is acceptable to the Town. They need an ending date for the specific replacement of the Gilman median.

Mr. Miller asked about Item E in the report.

Mr. Dallaire explained after the meeting with Brian the Holder Group came up with a couple of options. They are hoping to sell us the chunk of the dirt between Douglas and the house that needs to come down. In lieu of paying them any money we would pave their portion of the parcel or do a lease option for however long that would be for that parcel to be paid off and whatever those improvements are in the front half of the parcel that's how long the lease would be. Or we just buy it. They are willing to sell this but we need an appraisal so we know what the value is on the dirt lot. Based on the quantities it would be about \$450,000 to do the improvements for both parcels. If they could get some grant funds it would help. We can't take those community block grant funds and develop private property. If we just give him the money he would pay the contractor for his portion.

Mr. Bernhard asked what the end game would be.

Mr. Dallaire believed an improvement from what it is now, paved and striped. There is an apartment there and two houses that have a small sliver to park their cars in. There is one access from Gasoline alley. We either have to own both parcels or partner on the project. The ultimate goal is to get something that has landscaping on the front with tree grates, trees along the walkway and a real parking lot rather than having all the access problems they have.

Mrs. Slater hates to get too involved. There are a lot of projects they are looking. She would not look at this as a high priority. This concept has been thrown out before.

Mr. Dallaire added they are moving forward on the parking district which would allow businesses that come in to invest in the community to buy parking stalls out and around that is the on public right of way. That was the concept of the parking district strategy and it has to be codified. The master plan is a priority for the County right now. Eddy Street lighting has had plans for some time. He is trying to get through the specification and get that out to bid. Marsha and Bill would like to add one more light to the plan. He will get a hold of the electrical engineer and have them change that. They would be doing five or if they include Burga's it would be six. Winter newsletter, wanted to know if anybody wanted to write an article.

Mr. Bernhard will do an article. He asked if they have heard from Wal Mart.

Mr. Dallaire responded they submitted some plans the end of August. September 15 they submitted a hydrology study. He had Josh go through it. They changed the design. They increased the elevation and the pond is four feet higher than where the pipe comes in. Now the water will be pushing down on the system to push water into the pond. There are only a couple points across the road that will actually have pond water as well because of the elevation difference. There are two pumps they are proposing, three phase, but only 3cfs of water a second. This version they showed an overflow for flood water as 171 cfs and pointed it to Service Drive. Town staff gave them another list of 15 items addressing the pond volume and the routing. Barbara Resnick (DC Engineering) didn't even get a set of plans this go around. He has made some comments and sent them off yesterday. He hasn't heard from them yet. His understanding is the NDEP has some major issues with Gardnerville's system and Wal Mart coming in. They finally revised the landscaping.

Mr. Bernhard asked in Arbor Gardens where the mailboxes are there are people going down the dirt property with their vehicles.

Mr. Dallaire believed that was Peter Beekhof's property. It is private property. They could put a dead end

sign there. Call the sheriff and have them start writing tickets if there are any more problems.

Mrs. Slater asked about Toler Lane and the landscaping. Is the Town getting themselves into any kind of a situation by not corresponding with the homeowners and the Town is still maintaining everything else outside the wall? Is there any liability they are assuming by not communicating?

Mr. Dallaire explained staff is doing minimal work. At this point with the way Cynthia at the DA's has been, do they go in and change it?

Mr. Rowe suggested getting the County to approve a quitclaim deed and then we will have the ability to deal with the issues.

Mr. Dallaire will get an email off and see what she says next.

Mr. Rowe asked Chairman Philips to go back to the consent calendar. It was skipped over in the beginning.

No public comment.

Motion Slater/Miller to approve the consent calendar. Motion carried.

Motion Lindsay/Bernhard to adjourn the meeting at 6:20 p.m.

Respectfully Submitted,

Michael W. Philips., Sr.
Chairman

Tom Dallaire
Clerk to the Board