



GARDNERVILLE TOWN BOARD

1407 Highway 395 N.
Gardnerville, Nevada 89410
(p)775-782-7134 (f): 775-782-7135
www.gardnerville-nv.gov

Meeting Minutes

Ken Miller, Chairman
Linda Slater, Vice-Chairman
Lloyd Higuera, Board Member
Mike Philips, Board Member
Mary Wenner, Board Member

Tuesday, January 8, 2013

4:30 p.m.

Gardnerville Town Hall

Call to Order and Determination of a Quorum

Meeting called to order by Vice-Chairman Miller. A determination of a quorum was made.

PLEDGE OF ALLEGIANCE- Tom Dallaire led the pledge.

1. For Possible Action:

- a. Election of Gardnerville Town Board Chairman for the 2013 calendar year;
with public comment prior to Board action.

Motion Higuera/Philips to elect Ken Miller Chairman. No public comment. Motion carried.

- b. Election of Gardnerville Town Board Vice-Chairman for the 2013 calendar year;
with public comment prior to Board action.

Motion Wenner/Higuera to elect Linda Slater Vice Chairman. No public comment. Motion carried.

FOR POSSIBLE ACTION: APPROVAL OF AGENDA, with public comment prior to Board action.

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

Mr. Altom would like to propose a quick change to the agenda. On item 14 there was a clerical error. There is no change to the substance. The only change is the resolution number should be 2013R-01 Just a number error.

Motion Slater/Higuera to approve the agenda as amended. No public comment. Motion carried.

FOR POSSIBLE ACTION: APPROVAL OF PREVIOUS MINUTES:

December 4, 2012 Regular Board meeting, with public comment prior to Board action.

December 14, 2012 Special Board meeting, with public comment prior to Board action.

Motion Slater/Higuera to approve the previous minutes of December 4, 2012 and December 14, 2012. No public comment. 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. Lee Bonner, Commissioner for District 2, mentioned for the last couple years he has been meeting on a monthly basis with a couple members of the Minden Town Board. I would like to open it up to the Town of Gardnerville to increase the communication between the county and the town. Maybe be more proactive on some of the issues we face. I talked to Tom earlier this week. If it is something you would like to do they can just rotate a couple members each month and have a conversation over breakfast. Nothing formal. Just trying to keep communication lines open.

No further 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.

2. **Correspondence**
Read and noted.
3. **Health and Sanitation & Public Works Departments Monthly Report of activities**
Accepted
4. **Approve December 2012 claims**
Approved
5. **Approve Town policies**
 - a. **Park Use Policy**
 - b. **Street Closure/Special Events Policy**
 - c. **Park Use/Street Closure Application**

Motion Higuera/Philips to approve the consent calendar as presented.

No public comment.

Upon call for the vote, motion carried.

ADMINISTRATIVE AGENDA

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

6.  **For Possible Action:** Discussion on Development Application (DA) 12-054, for Frank Lepori, Sierra Nevada SW Enterprises, a Major Design Review for Golden Gate Petroleum consisting of a 3,200 sq. ft. convenience store with gasoline sales (7-11) and attached 1,200 sq. ft. restaurant (Port of Subs) on approximately 1.25 acres. The subject property is located within the Marketplace at Virginia Ranch, with zoning GC/PD (General Commercial with Planned Development Overlay), located at 1161 U.S. Hwy 395, within the Town of Gardnerville and the Minden/Gardnerville Community Plan. (APN's:1220-10-110-007, 1220-10-501-006 & 008), with public comment prior to Board action.

Mr. Dallaire has reviewed the project. They have been working with us on the elevations. These are the latest revisions. Frank is here in the audience and they can speak to the elevations. We have asked them to dress up the southwest corner, the upper right hand corner in the display. That is the back of the building. The Water Company is concerned about a gas spill. The pond behind Ahern is not protected. It is closer to Gardnerville's well on the other side of the storage facilities. I have been talking with Jeremy Hutchings on this and we will come up with something. We made Wal Mart put in a clay liner in the big pond, backfill it up so it is not as deep as it was to protect the groundwater from any type of fuel spill. That pond actually collects all the storm water on the crown of Highway 395. We will need to be able to contain a spill onsite or get it to the pond that is protected. Those were the two main conditions that we placed on the project. The only other thing was the site access. We need to get some truck access in there. We've asked them for a larger radius.

Vice-Chairman Slater asked if it wasn't originally set up to come up through the top portion.

Mr. Dallaire responded originally that was the plan.

Chairman Miller asked in front of Wal Mart, how much is parking and how much can be developed.

Mr. Dallaire explained parking goes out to this driveway. The rest is vacant property. The drainage, truck access and elevations were the concerns.

Chairman Miller asked if the developer had a presentation.

Mr. Jeremy Hutchings, on behalf of the applicant Frank Lepori and Darren Lynch, stated grading and drainage is always an issue. They will work that out with Tom and Mark. This is a 24-7 operation; there are alarms in place, automatic shutoffs, so if there is a spill it is not a large spill. We could also take other measures to do offline storage of sand oil separators that could capture that first flash of fluids to keep it from going down and potentially contaminating the well. The

main elements Tom already covered. This drive aisle will be punched through to connect to the drive aisle that is out there for Wal Mart. There is a sign here that says no truck access. We did do a turning template to make sure they could make the maneuvers for RV's. We will have to take out some of the curb and sidewalk to make that happen. There is no vehicular access to 395 for this project. It all goes back out to Grant, Charlotte or to the roundabout and comes back out when Muller finally goes through.

Ms. Wenner asked about RV's. What is the height of the cover over the pump?

Mr. Frank Lepori stated it will be high enough for RV's. I am the contractor for Golden Gate Petroleum. Golden Gate Petroleum is located in northern California and Nevada. They have two truck stops and five locations in the Reno/Sparks area. I can answer any questions if you have any.

No public comment.

Motion Slater /Higuera to approve with conditions the development application DA12-051 for Frank Lepori, Sierra Nevada SW Enterprises, a major design review for Golden Gate Petroleum consisting of 3,200 square feet convenience store with gasoline sale and attached 1,200 square feet restaurant on approximately 1.25 acres. Motion carried.

7.  **For Possible Action:** Discussion on a request to abandon an existing public utility easement as previously approved during the Stone Creek Planned Development project review and replacement of a new public utility easement for Parkway Vista Apartments (PD) 12-001, New Beginnings Housing, LLC parcel map application. The new easement will be located over the existing storm drain and extend the main storm drain line into the adjacent parcel for future connection. The subject property is located at 1331 Stodick Parkway in the MFR/PD (Multi-Family, 9,000 square foot lot size with Planned Development Overlay zoning district within the Town of Gardnerville and Minden/Gardnerville Community Plan (APN: 1220-03-202-001), with public comment prior to Board action.

Mr. Dallaire reviewed this was an easement the Board approved two months ago for the New Beginnings project. We also saw the parcel map a month before that. On 7-6 the pink highlighted areas are the easements we are talking about abandoning. The main storm drain was modified so it was centered over the existing system that is out there. Any new main storm drain system the town will maintain, but none of the laterals or catch basins.

No public comment.

Mr. Dallaire clarified on the recommended motion they ought to approve the revised storm drain easement and abandon the existing document #0524375.

Motion Philips/Slater to approve the revised storm drain easement and abandon storm drain easement #0524375. Motion carried.

8.  **For Possible Action:** Discussion on Town Board member appointments to represent the Town of Gardnerville and to be the Town Board liaison for the following boards:
- a. Main Street Gardnerville Board of Directors
 - b. Carson Valley Arts Council
 - c. Nevada League of Cities,
- with public comment prior to Board action.**

Mr. Dallaire went over the current Board assignments: Paul Lindsay, Main Street Gardnerville Board of Directors; Lloyd Higuera, Carson Valley Arts Council; and Linda Slater, Nevada League of Cities.

Mr. Higuera stated there might be a change in the Carson Valley Arts Council.

Ms. Wenner would be interested in it if Lloyd is too busy. Nevada League of Cities is something I would be interested in in the future.

Chairman Miller asked if this is going to be considered annually.

Mr. Dallaire agreed.

Chairman Miller felt they could rotate. I have been on Main Street in the past. I could go back to Main Street because I am still interested in the area and I still work on the wine walks.

Mr. Altom advised once they figure out who you want for each you can say motion to approve each person to a committee.

Vice-Chairman Slater will stay on Nevada League of Cities.

Motion Philips/Higuera to appoint Ken to Main Street Gardnerville Board of Directors; Mary to Carson Valley Arts Council and Linda to Nevada League of Cities.

No public comment.

Upon call for the vote, motion carried.

9.  **For Possible Action: Discussion on Town events for the 2013 fiscal year, including but not limited to;**
- a. **The July 4th Red, White and Blue Celebration**
 - b. **Movies in the Park June thru September**
 - c. **Rock-A-Thon**
 - d. **Carson Valley Days – Friday Night Block Party**
 - e. **Old Town Days**
 - f. **8th annual Christmas Kickoff**
 - g. **Parade of Lights, with public comment prior to Board action.**

Mr. Dallaire would like staff direction so we can get the flyers out now for sponsorships. We did put a committee together to discuss this event this last month with Lloyd, Paula and Ken and they put together a concept of a Gardnerville Red White and Blue Celebration. It is basically a 5k run. We were wondering if they want to proceed with the Movies in the Park and Rockathon. We do sponsor a DJ and provide the park for that event. Carson Valley Days, the Friday night block party we provide a lot of the safety requirements for that event. Carson City has allowed us to pick up the barricades that keep people from walking into the highway.

Mr. Philips did not feel this Board needs to put their name on or be affiliated with Carson Valley Days.

Mr. Dallaire just wanted direction if they still want to continue paying for the safety equipment and staff time. We rent lights and a message board. Our involvement is just the security. We spend about \$1,300 with staff time.

Mr. Philips doesn't mind doing what they have been doing in the past as far as safety. But the Board does not need to put their name on the event.

Mr. Dallaire advised this is something we provide. We do not get reimbursed.

Mr. Philips felt they should continue with the safety portion. The benefit is nobody gets hurt.

Vice-Chairman Slater asked if they have anything concrete or in the works for the fourth of July?

Mr. Dallaire answered the event on page 2.

Mr. Higuera explained what they actually planned for was a bigger event. It was bigger than we are able to do at this time so they decided to go with the Red, White and Blue walk/run that would virtually pay for itself. There will be an entry fee. It will pretty much be a self-contained community event. We can build on that when we decide to do more.

Chairman Miller asked about the re-enactment group for Old Town Days?

Mr. Dallaire indicated the same organization that did it last year was asking for September/October again this year.

Chairman Miller noted they are meeting for the Parade of Lights later this week.

Mr. Dallaire shared Paula and I are having a meeting with the businesses that were vocal about changing the route to

see if we can build an event for that night. We are proposing a route change to try and go backwards down Ezell, up Eddy and around to Highway 395. 9:00 a.m. this Thursday is the meeting.

Vice-Chairman Slater mentioned the fireworks were fantastic. I have had great feedback on that. That's something I hope we are looking forward to again.

Mr. Dallaire will get the sponsorships out at the beginning of the year so people will have money at the end of the year to support that event.

Chairman Miller asked if the sponsorship form could mention that Starbucks did not sponsor all the fireworks. I don't want businesses thinking that Starbucks is going to do it again. It is definitely open to all people who want to contribute.

Mr. Higuera discovered from making the follow-up phone calls you really do have to get the letter out in January. Everybody makes their budget up for the entire year.

Public comment.

Mrs. Sandy Anderson, Country Carousel, pointed out they cut the street off for the parade and none of us had any business during the parade. We want the parade back, at least from Mission up. If they are going to cut the street off we don't get any business anyway. We are used to people sitting in front of the businesses watching the parade. When Marie, Michelle and I raised the funds for the street lights we asked that the parade come down Main Street not Douglas so all the businesses could enjoy it. They are losing lots of money. I want to see the parade back the way it was.

Chairman Miller wanted her to know the sheriff is happy with the parade route this year. It took fewer volunteers to block off that section rather than all the way up.

Vice-Chairman Slater advised the school district mentioned it would be all right to use behind the elementary school for staging.

Mr. Dallaire can talk to the sheriff's office about it. They like the way it ran on Gilman. The problem is if we are shutting the highway off at Toler there is the section between Toler and Douglas that has to be closed down for the parade once it starts.

Chairman Miller asked before they did the new route how did people get access to your business.

Mrs. Anderson answered they weren't cut off. They came before the parade.

Vice-Chairman Slater thought they should bring their comments forward in the meeting with Aymami.

No further public comment.

Chairman Miller asked what kind of action Mr. Dallaire wants on this item.

Mr. Dallaire would like to make sure the Board is okay with proceeding with these events.

Mrs. Wenner asked if the re-enactors for Old Town Days could commit to more people being here.

Mr. Dallaire mentioned it was thrown together at the last minute. There were a lot of problems prior to the event.

Vice-Chairman Slater thought Old Town Days needs to be self supporting. We're providing advertising. We're providing the in-kind service as well as the dollars.

Mr. Dallaire asked to they still want to proceed with the \$400 for the Rockathon DJ and the Carson Valley Days safety items. I would just need a general approval of the events. The main event is if are we going to do the 4th of July 5k run.

Vice-Chairman Slater doesn't think at this point they want to do anything more on the 4th of July until we see how the 5k run goes. Then we can slowly add to it.

Mr. Altom suggested if the Board chooses to do this the motion to approve the town will hold these events generally but that specific plans can be made as the projects develop.

Mr. Dallaire asked if they agree with the fireworks at the Kickoff.

Vice-Chairman Slater agreed with the Kickoff but not the fireworks on the 4th of July.

No further public comment.

Motion Higuera/Slater to approve the events in concept and for the events to be more flushed out over the coming months. Motion carried.

10.  **Not For Possible Action: Discussion on the Main Street Program Manager's Monthly Report of activities for December 2012.**

Mrs. Lochridge congratulated Lloyd and Mary on being elected to the Town Board. Looking forward to working with you closer this coming year. You have my report in the packet. A few things I would like to add: our promotions committee is going to be hosting a special meeting in March. We are encouraging all the businesses in the district to join us for "what the wine walk can do for you." It's our attempt at showing them the benefits of participating and the different things they can do to help us grow it. Our latest cash mob at Rack'D Clothing Exchange went very well. The owners were pleased. They had 15 new customers and sold over \$1,200 in merchandise. I passed out prior to the meeting a copy of a tracker that shows businesses opened, closed, relocated outside of district, relocated outside of Gardnerville, relocated within district or had a transfer of ownership and also businesses that perform some kind of private investment. That's just an ongoing tracking system. We have our board members who will be visiting various businesses within the district to explain more about what our program is and offers and connect on a one to one basis. A few businesses that have some changes going on: Accolades is moving to a vacancy behind Sierra Market and Rack'D is expanding into their vacancy; Nevada West Motorsports is closing their business and relocating across from O'Reilly's in the district. Main Street will take part in the county's annual economic vitality showcase. It is scheduled for March 26 from 4:00 to 7:00 at CVI. I put a presentation from last year's showcase in your packet just for your review so that you know more of what it's about.

Vice-Chairman Slater thought the business tracker was interesting.

Mrs. Lochridge has it in more detail if any of the Board members are interested.

11.  **For Possible Action: Discussion on a request to promote Craig Tuthill, Maintenance Technician II (Grade 30) to a Maintenance Specialist II (Grade 37) with a 10% increase in compensation, and include the time served in acting capacity towards the 12 month probationary period for the promoted position, with public comment prior to Board action.**

Mr. Dallaire reported Dan's retirement was final the beginning of December. We need to get someone in there so we can hire out a new maintenance tech 1. That position closed on Friday and we have 73 applicants. The way the organization is set up we have a maintenance supervisor, which is currently not filled. Underneath that was Dan as a maintenance specialist and he was over the tech II's and tech I's that were helping him out with the trash. With Dan's retirement Craig has the most experience.

Mr. Altom interrupted and asked the Board to look at Page 11-2. You just need to put on the record that the Board has received a copy of the waiver of notice.

Chairman Miller acknowledged the waiver of notice from Craig Tuthill has been presented to the Town of Gardnerville.

Mr. Dallaire continued we would like to move Craig up to the maintenance specialist II position. There are two ways to do that. This is the quickest and easiest way to get it done. He has six years experience working for Dan. The other two: we have Jody who has four years of experience, but is still struggling with the mechanics side of the vehicles and Mike Turner who we hired two years ago who is a great vehicle mechanic. He is doing a great job on saving money on repairs. Craig has stepped up to run the department since August when Dan had his health issue. He has done a pretty good job. There is a learning curve and he is interacting with the customers and keeping on top of all the distribution of cans. Without hiring someone else from out of the organization there is nothing else we can do. I do not think Mike Plut was interested.

Mr. Philips agreed they have been running in a bind for months.

Mr. Dallaire has been down a driver since August. We've hired a temporary employee through Blue Ribbon. They can't drive the truck. We have had quite a bit of overtime because of it. We have been dumping at Douglas Disposal because of the time it takes. Craig has had a 10 percent out of class pay since August.

Vice-Chairman Slater questioned why this appears to be the second time we're waiving a probationary period. The probationary period is a time for evaluation. I worry about what if you are not satisfied in five or six months. Keeping the probationary period is a way of keeping your issues in check.

Mr. Philips believed he has been testing him for five months already. He still has another seven months to finish his probationary period.

Mr. Dallaire commented Craig has changed quite a bit since Dan's health problem. I talked to him quite a bit about what is expected from him. I think he has really stepped up and handled himself pretty well.

Vice-Chairman Slater asked if they waive that does it change his anniversary date.

Mr. Dallaire explained it changes to a promotion. He has a year now because he gets another review. I just did a review for him two months ago. There is around a \$2,000 savings for the rest of the year through June.

Ms. Wenner asked if they could make a motion to put him in the position and give him the 10 percent but make it a year probation.

Chairman Miller asked since they have 73 applicants, does HR go through those and refine them down.

Vice-Chairman Slater asked if they will be getting a supervisor.

Mr. Dallaire did not think any time soon. Maybe the next budget cycle.

Vice-Chairman Slater felt that is something the Board needs to look at so there is proper direction.

Mr. Dallaire believed it would run \$80,000 to \$100,000 for that. They can discuss that during budget. That position would definitely be helpful.

Ms. Wenner likes to see people promoted from within. It gives motivation to the people under them.

No public comment.

Motion Wenner/Higuera to approve giving Craig the position of Maintenance Specialist II, Grade 37, with the increase of 10 percent and also have him go for the full year probation. Motion carried.

12.  **For Possible Action:** Approve Resolution No. 2013R-005 augmenting the Town of Gardnerville budget for fiscal year 2012-2013, with public comment prior to Board action. (approx. 5 minutes)

Mr. Dallaire went over the backup material for the augmentation.

No public comment.

Motion Higuera/Wenner to approve Resolution 2013R-005 augmenting the Town of Gardnerville's 2012/2013 fiscal year budget. Motion carried.

13.  **For Possible Action:** Discussion and direction to staff on how and under what circumstances the town owned equipment may be borrowed or otherwise utilized by other governmental entities; with public comment prior to Board action.

Mr. Dallaire has brought this forward from the discussion last month. We have a list of equipment. Maintenance staff is participating in safety meetings with Minden, IHGID and MGSD. They rotate around and do their safety meetings. Dan and Mike were in charge of that committee for this past two years. I think Mike is on it this year. Minden is in the process of buying their own bucket truck. They have the same type of bucket truck at the parks department. Indian Hills doesn't have a bucket truck, but we have borrowed their aerator machine and we will be doing it again this spring. I have gotten a

request from Indian Hills in the next week or so to use our bucket truck if we don't need it.

Mr. Philips believed if we cut the other agencies off when they ask for help, then they will start cutting us off.

Chairman Miller felt we need the reciprocal type thing amongst each other.

Mr. Dallaire stated Genoa really doesn't have anything to offer but she gives us candy for the NLC gift basket. We did charge her for the street sweeping.

Vice-Chairman Slater felt when we start sweeping the streets in Genoa that are state highways and neglecting our own maintenance programs we're in trouble.

Mr. Higuera didn't think we have really done that.

Vice-Chairman Slater commented we were sweeping the streets of Genoa.

Mr. Higuera asked if we were neglecting our own.

Vice-Chairman Slater answered yes, we were. We were not maintaining our own maintenance schedule. How do you explain that to your neighbors?

Mr. Higuera didn't see any need to establish any new policies on this item. I trust Tom to handle this. He charges when it's appropriate to charge. He has charged for some of the equipment.

Mr. Philips felt the same way.

Mr. Higuera felt the towns and the county need to cooperate and work together to our own mutual benefit.

Vice-Chairman Slater believed we need to work together but use common sense and take care of the issues at home first before we start lending things out as well as any staff time. What happens if they borrow equipment and it breaks or there is an accident?

Mr. Dallaire has never had that problem. He will ask our insurance representative and find out.

Vice-Chairman Slater asked if anyone borrowing the equipment fills it up with gas.

Mr. Dallaire answered we borrowed Minden's truck when ours was in the shop. We filled it up. They borrowed our Bobcat and filled that up. They have never borrowed our trash truck. I will check with Mike to see if Genoa fill the boom truck. They did not fill the sweeper.

Public comment.

Mr. Michael Olson commented this is one of those things, as a Board member on the Board of Commissioners, we worked real hard on interlocal agreements and creating cooperation. As we grow, especially in economic times, it's good to have access to equipment some of the other communities may have that we don't have. He would truly encourage working with all the towns and GID's. Work together as a community. As we become neighborly that will do positive things for the community

Mr. Lee Bonner, Douglas County Commissioner, shared one thing I like about Douglas County is the way everybody works together. I appreciate Tom's spirit and the spirit that I hear here among you wanting to share. I understand the liability. That would be one question I would be asking from a county perspective. I know Minden could afford to pay. I don't know if Genoa can. They run their budget on candy dance. So anything you can do to help. From the county perspective, we appreciate it. Anything we can do to help you. I'm enjoying the discussion. I agree with Mike.

Mr. Jim Park, resident, commented in the spirit of interagency local agreements in cooperation, I think you have an interagency local agreement with Minden for reciprocal use of garbage trucks when one is down and another community needs one. Mike had shared that the town is short staffed. Maybe one of these areas you want to look at as a potential area to partner if Indian Hills needs to borrow that aerial lift it might behoove them to come down here and spread some cinders. The only reason I bring that up is Mike brought up the question of who will pay for that service. In 2001 the Town Board took action to invoke 17 cents ad valorem make up revenue with the specific caveat that some additional services

would be provided. One of those inclusive would be spreading cinders. It doesn't happen too often but when it does it sure is a nice convenience. I appreciate the town getting out the other day. It made my commute home much safer. Thanks for that.

Vice-Chairman Slater asked if that was a separate account.

Mr. Park explained back in the tax shift in the early 80's when the state went from more of a property base form of taxation more into sales tax mode there were some negative consequences across the board with some municipalities. So what was included in the legislation under the ad valorem portion was the ability for agencies and their elected boards to look at invoking the ad valorem makeup revenue. It still fits under the tax cap. Minden had been doing that for years. In 2001 I had the dubious distinction of being eight months on the job recommending to the Board that we seriously look at that because one of the concerns at that time was how do we do the simple little value added things for the constituency. It is not a separate account. It's an additional levy under ad valorem property tax. They used to track it internally to make sure because it was clear cut direction in 2001 from the Board when they invoked that. Every year they can either reduce that rate or increase it. The Board direction was make sure if we invoke the rate that it gets spent on road maintenance.

No further public comment.

Motion Philips to leave this up to Tom to use his discretion on what is proper as far as that goes just watching that it is reciprocal as much as we can.

Mr. Higuera felt that is what we are doing now. Do we need a motion?

Mr. Dallaire felt he had enough direction. I will look into the liability and the damage if another entity was in an accident in our equipment.

Mr. Philips wanted to make sure they don't have to come back and revisit this question.

Chairman Miller felt this was a good discussion.

Mr. Philips withdrew the motion.

14.  For Possible Action: Discussion on Town Resolution 2012-03, and support of County Resolution 2012R-90 in support of the consolidated tax bill draft generated by the interim subcommittee to study the allocation of money distributed from the Local Government Tax Distribution Account; with public comment prior to Board action.

Mr. Dallaire explained the senators have put together a committee to redo the C-tax structure and how it gets calculated. Douglas County has their resolution. It was approved on December 20th. Basically the committee is asking for all those entities who participated in this discussion of the C tax to go before the boards and show our support for the item they are selecting. The only reason I participated is to see if the base rate for the C tax would get changed.

Mr. Park added Minden's board had invoked the ad valorem makeup revenue. That is why their tax rate was more and would be subject to more of a hit. That's why their C-tax distribution today, even though they are smaller, is more than Gardnerville's. Gardnerville didn't have that at that time.

Mr. Dallaire was listening on what was going on and the City of Reno wanted to change the base calculation as well as Fernley. They are projecting a flat increasing rate. It will just depend on the economy. It will be based on the assessed value and also on population. There are some factors they have modified. They sent this resolution to all the entities that participated. They want their support so they can take it to the legislature.

Vice-Chairman Slater thought it was a good move. It has to be done. It is pretty unequal at this point in time for some of the entities.

Mr. Altom pointed out this is another clerical error. I thought it was 2013R-01, but it is just 2013-01. Take out the capital R.

Public comment.

Mr. Park asked if there was any discussion on what happens with Douglas County since they are still an importing sales tax county. We get more than we actually generate. What will happen when Douglas County hits that magic threshold population and sales tax number-wise? What were the ramifications?

Mr. Dallaire didn't recall that coming up. There were quite a few meetings. But I don't recall that coming up.

Mr. Bonner attended all the meetings for over a year. There are two different studies going on, one is on the C-tax distribution and the second is on tax reform. Tom is right. Clark County is pushing for more taxes. Tom Collins, Clark County Commissioner and former assemblyman always pokes fun at us because we are a guaranteed county. According to the state demographer we will never hit that magic number of population. In addition to the C-tax discussion we have to look at the tax reform. We are pushing for a study to happen on tax reform in addition to the C-tax. That may be coming before your board as well. We are one of the only states in the country that don't tax services. We are also the only state in the country that has a depreciation on housing property tax. So there is a look at reforming that and looking at a tax reform strategy where the state sales tax would go down and we would start to tax a tier one level of services, which would allow us to stay balanced. If we don't do something like that our tax revenue will continue to go down. If you look at the balance back in the 50's when we started the sales tax, 65 percent of what we bought was goods. Now 65 percent of what we buy is services. So there has been a big shift.

No further public comment.

Motion Higuera/Slater to approve Town Resolution 2013-01 and support County Resolution 2012R-90 in support of the consolidated tax draft generated by the interim subcommittee to study the allocation of money distributed from the local government tax distribution account. Motion carried.

15.  Not For Possible Action: Discussion on the Town Attorney's Monthly Report of activities for December 2012.

Mr. Atom welcomed Mary on the Board. Fairly busy month in December with the policies and procedures that were under the consent calendar. That took up a lot of time. Tom and Carol helped a lot on that also. Helped Tom and Carol with the preparation of the regular and special meeting agendas. Mike and I attended the special meeting in a nonofficial capacity. I appreciated meeting everyone's family. Agenda item 5 is what took up most of the time this month, the park policies and application. We had a minor issue with skunks with one of the businesses here in town. The county is supposed to have a health board but they haven't set that up yet. Item 14, I did some brief editing of the C tax resolution. We had an issue with one of the properties with a cracked concrete dumpster pad that has made an unsafe condition for the workers to get the trash out of there. Carol and Tom prepared a letter and I looked into Douglas County Code 18.06.100 to confirm that, yes, they need to get that fixed. Agenda 11, with the promotion today we just had some brief open meeting law requirements. We saw the waiver in the packet. That was required otherwise he would have had to receive a five day notice and he wouldn't have been able to be on the agenda tonight. Carol prepared that. Mike also assisted Tom on some things that I have less experience in, with some easements at Wal Mart. Douglas County 18.06 100 was again used to discuss the Aladdin Flower Shop. They owe a lot of money. The record owner of the property is responsible under the code to pay the trash bills. Tom and Carol prepared a letter and asked them to contact our law firm if there were any problems. Finally October 19th there was the DUI in Chichester. There was some fuel that was spilled. Tom had to go out and clean it up. The car insurance won't cover it because it is not property damage technically under the policy. I wrote a letter with general facts. I don't see a huge chance of recovery but Tom wanted an attorney's letterhead and possibly they will give it back to us. Next time there is an accident where it is a DUI or crime is involved, the town can ask at sentencing we can ask for restitution as a victim. If he hasn't been sentenced they can still do that.

16.  Not For Possible Action: Discussion on the Town Manager/Engineer's Monthly Report of activities for December 2012.

Mr. Dallaire reported Barry Jones' plan has finally been approved. I couldn't get Wal Mart to tie the asphalt in and fix the last 22 feet. The last section of curb will get replaced. Barry will just have to tie into it when Wal Mart is done. Barry wanted to know if the Lions Club could put a bench in at the detention pond/dog park. On December 15th the LDS group planted around 400 plants at Toler Lane. We did purchase the last 70 plants. As soon as the ground thaws out we will plant those. We have all the rocks moved in. We do have extra rocks that we piled up by the shop. We have already put some of the rocks on Stodick Parkway Lineal. The electrician is telling me the Eddy Street lights will be on tonight. There have been some problems with the eye.

Mr. Philips asked about the startup of the pump station.

Mr. Dallaire explained there is a pump station at the detention pond by Wal Mart. The pump will keep the pond dry. It is a three-phase pump. It will be easy to replace if something goes out.

Chairman Miller asked about the opening of Wal Mart.

Mr. Dallaire answered the VIP grand opening will be on Friday and the grand opening will be Saturday. That is what the Chamber was talking about. I haven't actually received the invitations yet. Met with Denny yesterday about the Hellwinkel channel. We're having some issues with the location of the trench on getting water into the trench. We talked in the past about upsizing the culvert underneath Toler Lane. We would need to put in a 10 foot by 3 foot reinforced concrete box along the highway from the irrigation diversion structure at Kingslane all the way down to where the pipe goes under the road at Toler. Then we would need to rip that box culvert out and put two ten foot by three foot RCB boxes to make the trench usable and bypass a lot of the smaller flows in town. We have grant funds right now that will dig the ditch and a portion of the trail. I am trying to reduce the cost of the project so we can get it in the ground before we lose the Q1 money. We have \$307,000 from Q1 and we put \$130,000 tonight towards it. We also have \$50,00 that was part of the CIP. (Mr. Dallaire explained what would be needed in order to get water to the trench.) I directed Denny to refocus our work and effort. We will go from eliminating the 100 year flood plain to eliminating the 10 and 25 year flooding event with the 490 cfs. If we acquire Eagle Gas we would be able to put the storm drain in and collect it to at least help with the 100 year event to get all the businesses out of that zone. The channel construction will be going from Chichester pond to just past the soccer field on the middle school property. We have been working on the hazard mitigation plan with the county. We are on a committee with the flood control where Josh is helping with the mapping and we are identifying a lot of these flooding issues to get them on the hazard mitigation plan that will be submitted to the state for approval. Once that happens people will be able to go after projects like this and get federal funding. It will take a different analysis than what Denny has done to see how much water there really is. I have asked Denny to revise the phasing we were doing. We cannot get rid of the 100 year event without that pipe. We can collect it. We can redistribute it down to the trench and do some improvements. That is what I want him to model. We just need to change the scope of work. The security system is installed. We will align everything and get the zoom. The camera system we have right now has a small picture. The one we have just installed will be 8 ½ by 11 and you can zoom in. It is all HD quality. Josh and I are going to a microsurfacing, slurry seal products class in Las Vegas. They will be in the field learning how to do the inspections on it. We will have to hire a testing agency to figure out the sand sizes, what kind of oil, how much and make sure it is per our specs.

Vice-Chairman Slater asked if there is anyone in the working staff that should go along to the class.

Mr. Dallaire felt between Josh and myself we can get the inspections done. Carson City will go out at the end of January with their bids for a start date in March or April and we will put out our bid at the same time. If we get the bids out now they have to have it done by July 1. We went out this month and talked to the residents on Southgate. The sheriff's officers will be writing parking tickets out there shortly and they asked if we would paint the curbs red.

17.  **Not For Possible Action: Reports and or update discussion from Town Board Members concerning the various boards they are a member of or a liaison to, or meetings and functions they have attended. These may include but not be limited to Main Street Gardnerville, Arts Council, and Nevada League of Cities. No action will be taken on these reports. (approx 5 minutes)**

Mr. Dallaire added this item as an opportunity to share information. It would be an opportunity for you to give a report to the rest of the board on your committees.

The Board agreed it is a good idea to report back quarterly.

Chairman Miller mentioned Nevada League of Cities is going to have their function at the lake in October. My idea is to have some type of function here in the valley and get the Town of Minden and the County involved. Carson Valley Inn is putting in their barn, which would be a good place to put something together for the whole county to be part of Nevada League of Cities attendance down here. That new facility is supposed to hold up to 800. We could set up booths and have a presentation of some type.

Vice-Chairman Slater and Tom had talked after the NLC convention in Elko about the Town putting forth some funds that would enable us to buy something as simple as coffee cups with the "Town of Gardnerville" written on them. Something that represents Gardnerville that people will take with them back home. We need to come up with some ideas fairly early so Tom can make sure we have the funds available and be able to make up a design, get it made

and coordinate with Nevada League of Cities and Nevada Association of Counties. I would urge every board member to attend. It is very unique. This is only the second time the two groups have met. We need to become familiar with the agendas of these two organizations. So often we know about one but don't know the function of the other. You don't have to attend every single meeting but we could alternate. Up until a few years ago, in my opinion, I think Nevada League of Cities was geared more toward the cities and larger municipalities. They have made a concerted effort in the last few years to include the smaller entities. It's invaluable to go to these meetings. As soon as we get the dates we'll make sure everybody is aware.

Mr. Dallaire thought they were talking about September tentatively.

Vice-Chairman Slater agreed with Chairman Miller that we need to have some kind of venue we can hold here to bring the spotlight to Carson Valley. If we have a booth or whatever it may be, and something to hand out with the Town of Gardnerville it will open up a little more dialogue,

Mr. Dallaire mentioned the county manager wanted to know why we were part of Nevada League of Cities. The County is part of NACO. I just told him Nevada League of Cities represents the cities, but they also do a great job at representing the towns and the GID's. Our form of government is slightly different than NACO. Every meeting on the agenda at NACO was for recorders or assessors, which we don't have. Nevada League of Cities is geared toward the cities. The Town is set up similar to a city. We're not as big and we don't have any of the power, but it's the same format of the government and that's where I see benefit.

Vice-Chairman Slater commented the recorders have a Nevada Association of Recorders, and the assessor's have their own association. Nevada League of Cities has really made a concerted effort to bring things down a notch so everybody, whether you are a large or small entity, is included.

Vice-Chairman Slater asked if they could talk a little bit about what Lee Bonner spoke to tonight about inviting us to attend the local meeting.

Chairman Miller tried to get in on those discussions last year as a participant. I showed up for one and they didn't show up. Then I notified Jennifer that I would be interested in attending. She said she would let me know. I never received any other invitations.

Mr. Altom advised the open meeting law says you have to use the words "for possible action" on items that are acted on. If an item doesn't appear on the agenda you can't make decisions or give direction. Ken just gave comments and that is okay. Talking about this right now, it is not on the agenda. You could have made comments on what your thoughts were at the time he made the invitation. You can never take action on something that is brought up solely in public comment either.

Vice-Chairman Slater asked if they could bring it back for next month's agenda as a discussion only.

Mr. Altom stated it is always possible to tell Tom or Carol to add an agenda item. It is easy in Tom's report to give him direction. That is against the open meeting law. If there is something Tom wants direction on it would be in the agenda "for possible action."

Mr. Dallaire has scheduled the open meeting law training for February 19th at 9:00 in the Genoa Town Hall.

Mr. Altom pointed out the open meeting law manual is available on the Nevada Attorney General's website. They have the whole manual on PDF and you can save it to your computer or print it out if you want.

Mr. Dallaire provided Board members with a new copy in their policies and procedures manual.

Motion Higuera/Philips to adjourn at 7:50 pm.

No public comment.

Upon call for the vote, motion carried.

Respectfully submitted,

Ken Miller
Chairman

Tom Dallaire
Town Manager