



## GARDNERVILLE TOWN BOARD

### Meeting Minutes

Lloyd Higuera, Chairman  
Mary Wenner, Vice Chairwoman  
Cassandra Jones, Board Member  
Ken Miller, Board Member  
Linda Slater, Board Member

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Contact: Carol Louthan, Office Manager  
Senior for any questions or additional  
information. You may also view the  
board packet online at the town's website.

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Tuesday, January 6, 2015

4:30 p.m.

Gardnerville Town Hall

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#### INVOCATION – Pastor Rich Lammay

4:30 P.M. Chairman Slater called the meeting to order and made the determination of a quorum

#### PRESENT:

Lloyd Higuera, Chairman  
Mary Wenner, Vice-Chairwoman  
Cassandra Jones  
Ken Miller  
Linda Slater

Jim Hales, Town Counsel  
Tom Dallaire, Town Manager/Engineer  
Paula Lochridge, Main Street Program Manager  
Carol Louthan, Office Manager Sr.

PLEDGE OF ALLEGIANCE – Mrs. Slater led the pledge of allegiance.

 **For Possible Action:** Discussion and election of Chairman and Vice Chairman of the Gardnerville Town Board for the calendar year 2015.

- a.  Election of Gardnerville Town Board Chairman for the 2015 calendar year; with public comment prior to Board action.

Miller/Wenner nominated Lloyd Higuera for chairman of the Gardnerville Town Board for 2015. There being no further nominations, nominations were closed.

No public comment.

Upon call for the vote, motion carried.

- b.  Election of Gardnerville Town Board Vice-Chairman for the 2015 calendar year; with public comment prior to Board action.

Higuera/Miller nominated Mary Wenner for Vice-Chairman. There being no further nominations, nominations were closed.

No public comment.

Upon call for the vote, motion carried.

Chairman Higuera presented Mrs. Slater with a commemorative gavel for serving as chairman during the 2014 calendar year.

 **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.

Motion Slater/Miller to approve the agenda.

No public comment.

Upon call for the vote, motion carried.



**FOR POSSIBLE ACTION: APPROVAL OF PREVIOUS MINUTES:**

**December 6, 2014 Regular Board meeting, with public comment prior to Board action.**

**Motion Slater/Jones to approve the previous minutes of December 6, 2014.**

No public comment.

**Upon call for the vote, 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. Dale Bohlman, 74 year resident of Gardnerville, ex member of the Gardnerville Town Board is here representing the residents of Meadow Lane. Over the years we have put up with a lot of traffic. We have heard the food closet wants to move in which will create more traffic. It is a county property, but the town handles the street. We ask if you have any sway with the board making the decision to please give us some relief from the traffic going up and down the street. Another traffic situation on a dead end street will be a headache. With the way the valley has grown it will increase traffic more and more. There will be more trucks tearing up the streets. Whatever you can do to help we will appreciate. We heard VFW might be interested. A small group like that would be great. Thank you for your time.

Chairman Higuera pointed out the board cannot take any action tonight but it will be a topic of discussion.

Mr. Jim Nichols, Douglas County Manager, wanted to stop by and meet everyone. I wanted to come and formally introduce myself. Just passed my three month anniversary and am still employed. I look forward to working with the town and Tom. If there are any issues I am happy to come by at a future meeting or be on the agenda and go through an item specifically.

Chairman Higuera thanked Mr. Nichols for coming.

Mrs. Slater introduced a guest in the audience, Mr. Bill Souligny. Bill has just been appointed to the Minden Town Board. I believe he will be a tremendous asset to the town board of Minden.

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.

1. **For Possible Action:** Correspondence  
Read and noted.
2. **For Possible Action:** Health and Sanitation & Public Works Departments Monthly Report of activities  
Approved.
3. **For Possible Action:** Approve December 2014 claims  
Approved.
4. **For Possible Action.** Approve the urban forestry annual work plan update for 2015  
Approved.

**Motion Wenner/Miller to approve the consent calendar.**

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)**

5.  **Not for Possible Action: Discussion on the Main Street Program Manager's Monthly Report of activities for December 2014.**

Mrs. Lochridge has a board member that will be resigning at the end of the month. We are receiving applicants for that vacancy. We are beginning work on the annual report, actions plans and getting ready for the next fiscal year. I met with Melissa Blosser from the county. They do a program called Inside Douglas County. We are talking about how the need for volunteers is always a necessity. So that will be the subject of one of the upcoming shows we will be working on. With the Pyrenees building coming down we are looking for another location for the Basque mural that was completed. It has been presented to the Park family who had expressed some interest in it. They will take it to their board and get back to us. We will be launching a regularly scheduled E-newsletter called Main Street Today very soon. We did our very first New Year's Eve candlelight labyrinth walk. It was very cold. We were expecting 50 people for this first time event and we had over 100 people that showed up between 6 and 9. The 6 to 9 time frame worked really well.

6.  **For Possible Action: Discussion on sending a Gardnerville Town Board Main Street representative and or the Town Manager to;**

- a. **The participate in the Wyoming Main Street sponsored Best Practices Workshop before the Main Street conference on March 26-28<sup>th</sup>, and**
- b. **The National Main Street Conference in Atlanta, Georgia, March 30-April 2; with public comment prior to board action.**

Mr. Dallaire attended the CDBG conference in Ely this year. A Wyoming Main Street representative was there and invited all of the Nevadans in attendance there to join their tour. They go back to the conference early and then do tours of some different main streets, one each day. The program managers for those main streets do some presentations and tours in addition to the conference. The conference is in Atlanta, Georgia and we want to send our representative to that as well as Paula and a Main Street board member. We want to get the reservations made. There are a couple of options outlined in board packets. I did provide some additional information on the workshops.

Mrs. Lochridge will be going to the workshop and conference but the main street board member will only be going to the conference.

Mrs. Jones asked if this was budgeted.

Mr. Dallaire has some of it budgeted. There are not enough funds for this fiscal year, but we do have funds that are coming in from last year that haven't rolled forward yet. Mr. Dallaire went over the options with board members.

Chairman Higuera felt it was money well spent. We are really the spark plug for the program since it is coming up in the legislature.

Vice-Chairwoman Wenner asked if Mr. Dallaire had time to go.

Mrs. Slater's feeling is this is not a town conference. This is for Main Street. Main Street already has the manager and a rep going. At best I think we need the conduit with the current Main Street representative to attend. That person should be reporting back to us. Paula gives an update every month. I like option three to send just the board rep to both.

Mr. Miller has made himself available to go to both conferences. I feel it's important that Tom go too. Tom works very closely with Paula on a number of these projects. I went to Oklahoma four years ago and there was not near enough people going to attend all the classes. At that time we split up, and even then we were short. I think myself Paula and Tom all have an investment and commitment to Main Street.

Vice-Chairwoman Wenner asked if Paula splits the classes with her board member.

Mrs. Lochridge makes sure before we go we have a plan. We pick plan A and then we have a backup plan in case the session isn't what they thought it would be. That way they are going to separate sessions and can compare notes and get more out of the whole conference.

Mr. Miller pointed out there are other tours available that are optional during Sunday and I would be glad to pay for at least one of those tours. They seem to be invaluable because you get exposure to the entire culture and main street programs within the city. That is another \$45 and I would pay for that.

Mr. Dallaire has what was leftover in the 2014 budget rolling over. So with those moneys and this year's we would have \$7,000 total in training.

Mr. Miller indicated on page 6-12 Tom has given quite an overview of the budget moneys leftover from 2014 and 2015 with the totals at the bottom of the page. There would still be about a \$3,000 difference in cost.

No public comment.

Mrs. Slater likes option 3. Ken is the representative and he can report back, as well as Paula is the manager of the program. She gives us a monthly update. My feeling is option 3 is good. I think we do need representation.

Mrs. Jones asked about the classes. I'm looking at the economic development track, the urban revitalization track, the place making and design track, which would fit in to what you are doing with the Gardnerville Station. Is there a particular track that you were interested in?

Mr. Dallaire explained the tracks are great. But each one has its own track and if you look at the itinerary there could be a class on one track and then another class on a different track. They have eight or nine rooms and each has a class. It is hard to spread out to get it all. I wasn't planning on going on any tours. I feel it would be worthwhile to attend. I have plenty to do here if not.

**Motion Slater to accept option #3.**

Motion died for lack of a second.

Vice-Chairwoman Wenner would like to see if Tom has time to go to the main event. We could spend the money on that. Otherwise I think Ken should go to both of them.

**Motion Wenner/Jones to approve Ken going to both conferences. If Tom can find the time to do the one for Main Street then he could go.**

No public comment.

**Upon call for the vote, motion carried.**

7.  **For Possible Action:** Discussion to recommend approval, denial, or approval with conditions, of a development application for a Special Use Permit (DA 14-080) requested by Mike Pegram;
- a. To allow a parking lot as a primary use in Neighborhood Commercial and General Commercial zoning districts,
  - b. To allow two murals on the building façade remodel,
  - c. To allow for two "roof" mounted signs;
- and adding two digital reader boards to replace the marque board as indicated in the proposed plan, all are part of the proposed Sharkey's Casino remodel and redevelopment project located at the corner of Gilman Ave and Highway 395 (APN's 1320-33-401-029, 030, 031, 032, 033 and 1320-33-401-015, 016, 017 and 018); with public comment prior to board action.

Mr. Dallaire reviewed this is a Special Use Permit for just the three items. There are a lot of things in the staff report that deal with site layout and design. Mr. Dallaire went over some of the design elements.

Mr. Miller asked about the reader board. Is that allowed by Douglas County Code?

Mr. Dallaire believed it was allowed because it is a casino.

Mr. Rob Anderson is here on behalf of Mike Pegram. Ms. Hicks advised me it is only allowed in a casino district.

Mr. Dallaire reviewed the project. I have met with Carol Yparraguire, the owner of the adjacent property, and we discussed a few things. Rob will address those concerns. I will turn the time over to Rob. I am recommending approval with conditions.

Mrs. Jones asked if the fence proposed that parallels Highway 395 requires any special permitting?

Mr. Dallaire answered it is part of the improvement plans. It is going through the design review process.

Mrs. Jones asked if they won't need a special variance from NHP to put a fence along Highway 395 on the side of the property line.

Mr. Dallaire answered no. The site visibility issue coming from Battle Born is back far enough it won't cause a problem. The other intersection for site visibility is at a lighted intersection, so it is controlled.

Vice-Chairwoman Wenner asked about the power poles. Wouldn't it look better if they were underground?

Mr. Anderson answered it might look better, but it is very expensive.

Mr. Miller uses Hwy 395 quite a bit. When you come up to that intersection to make a left-hand turn at this time of the evening on the flashing yellow, if you turn, people are coming across and jay walking right as you turn. Sooner or later someone will get hit. Because the sun hits you in the eyes and you can't see them at all. I would like to see a fence along the parking lot side and along the building side so people cannot cross for the safety of myself as a driver and the pedestrians crossing.

Mrs. Jones asked if they considered putting the same kind of fence parallel to Gilman on the main parking lot. I like the idea of it being inside the property line. But it would force people walking from or to Sharkey's to go to one of two spots to access the parking lot. Have you looked at what that would do to the traffic or pedestrian pattern?

Mr. Anderson answered yes.

Mrs. Jones asked what they found.

Mr. Anderson asked if they wanted him to address comments or go through a presentation.

Chairman Higuera asked he go through his presentation.

Mr. Rob Anderson, here on behalf of Mike Pegram. This is a Special Use Permit for what I refer to as the rehabilitation of Sharkey's. Mr. Anderson gave a power point presentation. Tom pointed out in his report the concern with the Battle Born site. There is no easement. That property corner sits right in the middle of the existing driveway. When Sharkey owned the property, the owner of Battle Born commonly used that driveway for decades, but there is no formal legal easement for a combined use. Tom has done a yeoman's job in working with the adjacent property owner to obtain approvals. Mr. Pegram is anxious to get the facility reopened again. To the extent this easement can be obtained quickly my client is willing to pave the parking lot as suggested by the submittal that was initially made. We have since revised it to show the pavement terminating along the property line. We do not want to run into a legal problem. We will match the existing pavement with the existing dirt and it will continue to operate as it has. If an easement can be worked out before, Mr. Pegram is prepared to pave that sliver of property as well.

Mr. Miller asked if where we see the road grindings now will that be paved?

Mr. Anderson is not sure the limits of the road grindings. But the property corner is in the middle of that driveway access. The idea is to pave that corner or pave right up to the property line. If an easement is forthcoming Mr. Pegram is prepared and willing to extend the paving to the limits that are shown. Tom raised a question about handicap ramps. We are happy to cooperate with the town. It is our interpretation of ADA that when you make the ramps 8 foot wide or 6 foot, there is also a handrail required. At the point there is a handrail required Mr. Pegram would object to doing that and we will construct in accordance with NDOT and Douglas County's details. Brick is being provided as a façade. We didn't get the detail until after we made the initial submittal. The fence is shown right along 395. Mr. Pegram has authorized us to return the fence to the walkway that is provided at that location. He is not willing to extend it along 756. It has been considered as a landscape option.

Mrs. Jones asked what is physically between the parking lot and sidewalk along 756.

Mr. Anderson answered the proposal is to landscape it.

Mr. Miller suggested that we get a “No Jaywalking” sign right in front of the door if we don’t get the fence.

Mrs. Jones asked if the landscaping between 756 and the parking lot had any trees.

Mr. Anderson answered there are shrubs. The landscaping plan is just now being developed.

Mrs. Slater asked where the lot is dirt is open, could you grade to a more level surface? If you have an overflow and you have RV parking my concern would be liability. I would like you to take that back to Mr. Pegram.

Mrs. Jones asked about making it decorative lighting.

Mr. Anderson will speak with Mr. Pegram. I will take back to him your request and the specific recommendation they use the decorative lights.

Mr. Miller asked if he does consider the fence along 756, I would be okay with a wrought iron fence. Something just to block the entrance. I am not in favor of the new crosswalk there.

Mr. Anderson went over the proposed conditions of approval from the town. Condition 1, the larger landscaping planter we will agree to that. Condition 2, the request to add the fence is not acceptable to Mr. Pegram. The decorative lighting I will take back to him and get back to Tom. We are agreeable to continue to cooperate with the adjacent property owner. To the extent an easement is available Mr. Pegram is agreeable to pave it out to the limit. The back parking and drainage I will continue to work with Tom. With respect to the full width on item 6, Mr. Pegram is agreeable to that as long as it doesn’t require the use of a handrail. With respect to the ADA parking, we consider this as an overflow or offsite parking area.

Mrs. Jones asked about the drawing of the mural. The Record Courier article on Facebook got a ton of comments about how they thought that was cartoonish. Is it going to be the same on both murals?

Mr. Anderson answered yes.

Mrs. Slater thought it was a well put together project.

Chairman Higuera called for public comment.

Mr. Bohlman agreed the jaywalkers are a problem. You need to funnel them into one or two places.

Mr. Ernst commented the fact the buildings are torn down prior to any approvals or review is notable. It does concern me that they are destroyed before you could protect your heritage. It looked great but they are gone. As regards to ADA, in California any separate parking lot is regarded as having its own requirements for ADA parking. I recommend looking into it.

Mr. Glen Linderman agrees with the comments about pedestrians. I have been amazed that there isn’t someone getting hit there. The landscaping could be as good as a fence if it is done with prickly shrubs that are hedgelike. If there is room pedestrians will walk between the shrubs. I look forward to the renovation. But if he is successful that overflow parking will be used heavily and then the pedestrian problem will not get any better by itself.

No further public comment.

**Motion Miller/Wenner to approve this project along with our conditions, pointing out especially item #2 in Tom’s recommendation, which is the fence requirement.**

Mr. Hales asked Mr. Miller to clarify the motion. There is a little bit of confusion in Tom’s memo in that there is a recommendation and condition. I would ask the motion clarify if you are talking about 1 through 8 in the recommendations or 1 through 6 in the conditions.

Mr. Dallaire listed the conditions separately.

Mrs. Jones pointed out if you look at 7-6 in the conditions, the fence is required under condition #5.

Mr. Dallaire advised the conditions were put together for the Special Use Permit. Most of these items are site related issues. So when it comes back for the design review we will be able to address it then.

Mr. Miller/Wenner withdrew the motion.

**Motion Miller/Wenner to approve with conditions of the development application of the Special Use Permit to allow a parking lot as a primary use in neighborhood commercial and general commercial zoning; to allow two murals on the building façade remodel and to allow two roof mounted signs and adding the digital reader boards on the parcels. Motion carried.**

Mr. Anderson asked if the town's action was to approve it without conditions of approval of the Special Use Permit only; understanding that I am coming back apparently for the design review.

Mr. Miller clarified the motion was with the conditions of the development application.

Mr. Anderson asked if the motion included the fence.

Mr. Miller answered yes. If we don't get it on for the planning commission this won't get there.

Mr. Dallaire pointed out the brick veneer is going to be proposed on the wall, so #4 is done. The sidewalk crossing at the commercial entrance they will look at widening. We can work with them on those things. Provide the fence along SR756, he said no, but they are landscaping it.

Mr. Miller was looking at the conditions on page 7-6 in the motion.

Mr. Anderson understands that condition #5 requires the fence or wall.

Mr. Miller answered correct.

8.  **For Possible Action:** Discussion to recommend approval, denial, or approval with conditions of a development application for a Major Design Review (DA-14-047) requested by Ken Hendrix, KDH Builders, for a 41 unit multi-family housing project which includes thirteen (13) triplexes and one (1) duplex. The subject property is located at Heybourne Road and Gilman Avenue in the MFR (Multi-family residential) zoning district within the Minden Gardnerville Community Plan (APN #1320-33-210-069); with public comment prior to board action.

Ms. Stephanie Hicks, R.O. Anderson Engineering, gave copies of the power point to board members. Mr. Hendrix is also in the audience and would like to speak at the end of my presentation. He is from KDH builders. Mr. Rob Anderson is here also for any engineering related questions. We continue to work with both town as well as county staff to bring to you a project that will be of benefit to the community. We have listened to the concerns of the public and staff. We'd like to present those changes and also the renderings that were created to give a better visual representation of what the project will look like. Ms. Hicks reviewed the project with a power point presentation. We respectfully request your approval of the design review.

Mrs. Slater asked where the existing sidewalks will be for the pedestrians.

Ms. Hicks pointed to the areas on the power point slide.

Mrs. Slater asked if there is anything in front that is a sidewalk for someone who doesn't live there or doesn't want to walk through it but would like to walk the perimeter.

Ms. Hicks answered there is not. These are not roads. These are drive aisles. The sidewalks are not required in that instance.

Mrs. Jones asked what traffic controls are in there?

Ms. Hicks has had some discussions about speed bumps. The applicant has indicated previously they might be agreeable to that.

Mr. Miller believed because of the holiday season the submission of this packet was not in a timely manner. And I would like to see in the future that these packets be done in a timely manner so they have time to work on it. That is a concern to me and the rest of the board. Tom does a very good job on these packets. He spends overtime many times to complete these.

Ms. Hicks apologized if this was not timely. That's why we postponed the previous meeting was to make sure we could provide these renderings. We thought we had met those deadlines.

Mrs. Jones mentioned in the staff report there were several things that were noted, like mail delivery.

Ms. Hicks pointed out where the mailboxes will be. We would extend the mailboxes there. We didn't see the need for there to be another location.

Mrs. Jones asked if they had any other responses to the conditions.

Ms. Hicks reviewed those and we are in agreement with the conditions of approval.

Mr. Dallaire advised the issues in the staff report were: offsite parking spaces on Gilman and moving the bike lane over. The width of Gilman originally designed didn't allow parking on both sides of that road. It was previously striped with bike lanes which were right up against the curb. Now with them moving out along the edge of the parking stalls these are shown as 10 foot wide parking stalls with four foot bike lanes. I think that requirement is five when it is in that situation. There is some concern about the two houses that are across the street.

Ms. Hicks would want to look at it. In our discussions it never came up that parking wasn't allowed on Gilman. We would stripe where it is necessary and provide the bike lane.

Mr. Dallaire wondered if Gilman is wide enough to allow the second home furthest to the south next to the vacant property to park in front of their house still having the required drive aisles, bike lanes and the new proposed parking.

Ms. Hicks can verify that.

Mr. Anderson advised the cluster boxes are set and determined by the post office. We can encourage them to move the boxes. With respect to the improvements on Gilman, you are right. That road was set based on Douglas County standards. When we received approval to move the sidewalk adjacent to the curb that left the area that would have been landscaping. With respect to parking it did not change the relationship for that road of the parking that is allowed in front of it on either side of the road versus any other residential street. That curb and gutter width is the same as what was contemplated originally. We haven't really changed anything. If there is anything that has changed, is the addition of the bike lane and whether or not we need one on either side of the road or one.

Mr. Dallaire mentioned the other issue was the three entrances into the one development with it being separated with drive aisles. I don't recall ever seeing a response to that.

Ms. Hicks responded the reasoning was to be able to provide the accessibility and maneuverability of the trash trucks as well as the fire department. If they were to close it off we would have to come up with a hammerhead or turnaround for those uses. We meet the code and that is why we provided those.

Another concern of Mr. Dallaire's was the parking area for the cluster box, just providing one stall. Is the one parking stall going to be enough? Would it behoove us to move it across the street on the town property?

Ms. Hicks indicated the developer only gets credit for half of the parking. There is more than sufficient. The parking along the perimeter is in excess of what we need to have for the project.

Mr. Dallaire's last concern was buildings 13 and 14, there was no pedestrian access to the walkway.

Ms. Hicks noted it did originally have access, but at staff's request it was removed.

Mr. Hendrix knows the community. The first thing I want to dispel is that we are going to come into Gardnerville and put in a multifamily project that is going to decrease the value of the property in Gardnerville and the surrounding neighborhood. The price point for these units will start at approximately \$248,000 and run up to \$290,000 to \$300,000. That changes based upon the options individuals can put in each of the townhouses. These are going to increase the value of the surrounding neighborhoods. KDH Builders has been around for a long time. We have built in Northern Nevada for seven years. We do not want to build anything that will distract or decrease the value of the property to future homeowners. We are the builder of the project, not the developer. We want to meet the concerns of the board. I understand you have to respond to the public. We are here for the long haul. Our obligation is to make Gardnerville a better place. We ask you to approve our plan. If there are any issues we can address those. We have listened. We wanted you to see the project we intend on doing. This whole project will be maintained by an association.

Chairman Higuera called for public comment.

Mrs. Lori Simpson appreciates it looks better. My concern going into a new year, having a better feeling where we all come together. I believe you when you say you want to build a better home for the whole neighborhood. Where the ball gets dropped in the past is accountability. The frustration we have as residents is you are putting together a board and the problem is getting through to somebody who will address a problem in a timely manner. The other issue is, for instance, for Minden tomorrow they want clear defined specifications about curbs, drainage, wells and we never got clarification on anything. There were plumbing issues and we never had anyone to go to. It wasn't clear until October that nobody really could answer a question. It seems like there is a different mode of operation for Gardnerville than for Minden. I don't understand why we never had clarification of what is a specific lot. There are residents that have lots with huge chunks of utilities because the utilities were moved. Nobody has a site plan for that. Nobody knows why electric poles are in places where there is no electricity. Originally I blame the builder. But I do believe it was just communication. There's a different set of operations for Minden. They are requiring all this clarification before you go forward with the rest of the project. Why do we not have that same resource to go to and say this is what it says. Nobody can tell you anything about the problems we've had from the beginning of the project. My concern is accountability. You are going to put together an association. But the problem we have had is customer service people are usually the laborers working onsite. It is difficult to get a message directly to someone who can address the problem. You go through five people and it gets diluted and transformed. Then you get an answer that is not really an answer to a question you asked. I am worried about flooding and water issues. You've made tremendous improvements but the wood fence I can see will be a problem. It takes time to get a board to agree to fix something before it gets fixed. The question is why are there two separate modes of operation from Gardnerville to Minden, as far as what they are requiring before you go forward. I think we are addressing it now in a better way. There is nobody on site that has authority to make a decision. While the condos are empty who will be addressing issues if the fence falls down or if there is a flood. Who will be the board until they are sold? It does look better. I don't like the wood fencing just because of the problems we had. It was a safety issue. The boards went through our roof and through our property. Wind is a real issue. Why has there been so much that wasn't clear as far as we didn't know what the site plans were. This is very good. It helps a lot. In the past we had nothing. You ask why the plumbing wasn't connected or there were redesigns but they didn't move the sewer system; those kinds of things. In the year going forward I would like to see accountability. I don't feel yet that I can be reassured just by the picture.

Mr. Glenn Linderman felt this is a huge improvement over the first plan. This particular plan seems to be well done. I think the improvement is great. I don't know why the variances were requested in the first place.

Mr. Robert Simpson still has his original concerns about the project. For one, there will be speeding. I think you have done a good job. I'm not thrilled with the fencing design. I would remind you that as a private association the police cannot patrol that. Until they are called they cannot go in. There is still supposed to be a drainage ditch behind there. I didn't see anything on the drainage.

Mr. Dallaire informed Mr. Simpson that is part of a different project.

Mr. Ernst wrote a couple letters (September 23, September 25, November 25) about his concerns which are in board packets. It is my contention this is a nonconforming project. It does not meet the design criteria and improvements. I've written it down for you. I looked at R.O. Anderson's letter (Mr. Ernst read a portion of Mr. Anderson's letter). If they were to apply the current standards of the county to this site they'd have to make it work. The decision is with the county planners. All we are doing is spinning our wheels here. This may already be pre-decided. There were some decisions made in 2012 and in that somebody gave something quid pro quo in order to allow the builder/developer flexibility. It's vague, unspecified. What does that mean? They are going to grant variances in exchange for doing something else? I live here. I will be here after this is built. These are boxes. The

code says vary the elevations. (Mr. Ernst read from page 8-79 and 8-80 in board packet) Does it mean all the parking is onsite or there is a requirement for offsite? This is a substandard development. It doesn't meet county standards.

Ms. Hope Sullivan, Douglas County Planning Manager, is glad Harry made his comments. The last time this project came before the Town of Gardnerville I got a phone call after the meeting. They asked if the county had a policy to say no comment. I asked what they were talking about. The caller said at the Town of Gardnerville the county refused to speak. That was the perception. The county has not made a decision on either Sharkey's or this project, nor the project that is next on the agenda. We are here to listen to what the community has to say. We are here to listen to what the board has to say. We have not solidified our decision and will not solidify our position until we have your input. When you hear us respond to inquiries like "would you like to speak," unless somebody accuses me of having already solidified my decision I probably will answer "No, I am here to listen." If you have a technical question we are here to provide that support. Before this meeting we sit with Tom for hours. We talk. We analyze. He is working with us. We are working with him. We are understanding the rules. A lot happens before we get to this meeting. We know Tom is well positioned to advise you. We know you have access to your constituents that we don't have. We appreciate and value that. We don't solidify our position and we haven't.

Mr. John Smith has some concerns living directly across the street. Directly across the street there is a drainage issue. We get a half hour of rain and I get about six inches of water in my driveway. If we get another downpour and you have all of that covered with no percolation, you will have some flooding. Geoff told me before this project moves forward, and it is directly in contradiction to the comment that Tom just made, that you will require the builder to cut that 75 foot drain all the way back to the slough. I would strongly suggest you do that first. To piggy back on what Tom said about the mailboxes, my suggestion would be that you do not allow street parking on Gilman on this side where the mail boxes are. Gilman is definitely tight right there. All the kids and buses that come out of the middle school, there is a lot of traffic that hits that intersection. 41 units is the same amount of density that you have in all the other seven street areas. There will be a lot more residential parking outflow unless you do something about the tandem parking issue. I think that is against the fire code. You are putting 41 units in the same spot that 35 units occupy on seven different block streets. When Zerolene gets cut through it will be a huge safety issue. The kids will cut through everywhere they can. It will be an issue if you don't take care of the traffic problem there. Drainage is what I fear most.

Mr. John Hoglund agreed if people blast through the shortcut I will have problems getting out of my driveway. You need some speed bumps so they can't use it for a shortcut.

Mr. Smith added, on Heybourne, instead of having the mixed quarter wraps on the four foot and the split rail I would suggest you put four foot all the way across. I would not put the split rail.

No further public comment.

Mr. Dallaire pointed out Minden is reviewing the actual development with lots and we are reviewing a site improvement permit. We looked at it in 2004 and that is where Minden is right now. The developer started the construction and then the development sat since 2007 until 2009. There are no sidewalks on the alleyways. They were all street frontages. We changed from L curb to rolled curb. The alignment on Heybourne was modified slightly. There were some issues they had to go through to get rid of the alleyways. Water was installed. The sewer was installed. The storm drain system was partially installed and the start of it was at Gilman and Heybourne. I don't know when the flooding occurred with Mr. Smith. That culvert at the time was an issue and we were able to get the developer to extend the storm drain down and build the channel in the next phase. The ditch is part of phase 1. That will go from Gilman and will pass about 800 cfs of water from the Park Ranch. When this development is built the channel will have to be constructed and I have that as a condition of approval. This is proposed as a pond that discharge is pushed in the pond and overflows into the channel.

Ms. Simpson asked who maintains responsibility for that from within.

Mr. Dallaire responded the Town of Gardnerville owns the parcel behind. This will be a wide channel. It will have a 12 foot wide maintenance path on it. It is proposed to be dg material and will be a vegetation lined channel the town will maintain. It is on town property.

Mr. Miller asked if all the willows will be gone.

Mr. Dallaire answered yes. This is a conceptual plan right now. The drainage plan was provided.

Mrs. Slater asked if that will be sufficient to protect the people downstream, for instance, the Meneley addition?

Mr. Dallaire advised there is still a large pond that will be constructed off Snaffle Bit. The more wetlands built the lower the water level in a flooding event. This is an image of what the materials are for the design review application. It is all surface drainage draining towards the ditch. This will be the low spot in the entire development.

Mr. Anderson stated the ditch is part of phase 1. The developer has purposely delayed it. It is clear to the developer and builder that the ditch be completed. I expect it will get done very soon, probably before spring of this year. It has been a difficult economy and difficult project. There have been a lot of changes. They sincerely appreciate your cooperation on the various requests that have been made. They have done their best to comply. I would like to reassure and support Tom in the drainage analysis. The project as designed has professional licensed engineer's stamps on it who does this work on a daily basis. Mr. Hutchings is the responsible design engineer and is pushing 15 years of experience doing just this. He is very capable. The project as designed meets all the requirements of Douglas County Code with respect to drainage, sidewalk and access. That is why there are no variance applications. Variances are not an attempt to minimize standards, cheat or cut corners. They are actually a design consideration. With respect to design standards, it complies with Douglas County Code.

Mr. Dallaire doesn't know how that will work out with the parking on Gilman. I would like to talk to county staff. The original plan was bike lanes were on the edge of the gutter and that is not how it is shown. There are some criteria in ASHTO for a collector street that makes the Douglas County standard pretty wide. The finished design will be coming forward and we will review the hydrology report as appropriate.

Mrs. Jones gave them kudos. As a member of the public, this plan is a radical improvement from when I was sitting out there four months ago. I would like to see more aggressive traffic controls on Concho to deter speeding and cut-throughs, and a cleaner front sidewalk path on Cinch because units 1, 2 and 3 aren't clearly connected through a sidewalk path. If someone from building two wanted to walk over to Gilman and get down to the trail system at the duck ponds, they would have to walk through somebody's front yard to do that. This is a shining example of what it means to be involved as the public. The very fact that they are here today with no variance requests is because of people like you who spent the time to not just be here, but to be at the county and write letters. But they are fully within zoning. They are not asking for variances. There is very little we can do to tell someone they can't develop within the codes. Understanding the process and the limited authority we have, my suggestion would be to adopt subject to the conditions outlined in Tom's report.

**Motion Jones/Slater to approve with the conditions set forth in the town's staff report the development application for a major design review DA 14-047 requested by Ken Hendrix, KDH Builders for a 41 unit multifamily housing project, which includes 13 triplexes and one duplex. The subject property is located on Heybourne and Gilman in the multifamily residence zoning district within the Minden-Gardnerville Community Plan APN 1320-33-210-069. Motion carried.**

9.  **For Possible Action: Discussion to recommend approval, continuance or denial of the request by Joe Pace on an appeal of a Minor design review (DA-14-011) a placement of a Wells Fargo Bank ATM unit at the existing Golden Gate Petroleum Gas Station located at APN:1220-10-111-001 (1485 Grant Ave); with public comment prior to board action.**

Mr. Dallaire was forwarded an application DA-14-011 which was installing an ATM unit on the existing and recently constructed Golden Gate Petroleum gas site. The picture that was in the application is on page 9-3. There are two colors on it. The rest of the development was asked to provide colors in relationship to the shopping center. There is yellow and red and we simply asked them to change the color. They are appealing that decision. County staff supported me on that and they want to appeal it. Basically we are just providing more direction to county staff on this. They can put a shelter over it, make that the green and then make it bright yellow inside.

Mrs. Slater asked where the parking will be to access the machine.

Mr. Dallaire answered adjacent to it. There are four stalls adjacent. It is a drive thru and there is adjacent parking to that.

Mrs. Slater supports Mr. Dallaire 100 percent. The color is flamboyant.

Mr. Miller sees nothing wrong with the red and yellow sign on top of the kiosk.

Vice-Chairwoman Wenner agrees with Mr. Miller.

Mr. Miller felt the bottom part should fit the rest of the shopping center. I can see Wells Fargo's point that they want to be visible from Highway 395, but the signage on top would be adequate for that.

Mrs. Slater looked in Carson City and Reno in the last few days and has seen many of these by Wells Fargo Bank ATM's that come in a variety of colors. They are strategically placed where they are easily accessible, but they are not nearly as gaudy as this color. They blend in with the existing surrounding and they look very nice.

Chairman Higuera called for public comment.

When Mr. Linderman sees something that bright and yellow I think the sun is coming up. That doesn't need to be the case.

No further public comment.

**Motion Wenner/Slater to deny the request DA-14-011 to allow the Wells Fargo ATM unit based on the colors of the ATM unit not matching the colors of the existing development Golden Gate Petroleum. Motion carried.**

10.  **For Possible Action: Discussion to approve, or to deny a contract with NV Energy for the alteration of existing electrical facilities across APN 1320-33-402-080 & 1320-33-310-006, aka the Hellwinkel property and Chichester Detention pond, adding a new meter to power the Hellwinkel barns, authorizing the town manager to sign the contract; with public comment prior to board action.**

Mr. Dallaire has been working on this for quite some time. Putting this underground is \$113,000, 4,000 of which we have already paid. They are relocating one power pole. Mike Rowe has received the contract and there are some concerns. We have been working with NV Energy and finally got a hold of Don French. It sounds like there is another version or different contract.

Mr. Hales reported Mike had three concerns. The contract provides if there is a dispute it has to be resolved in the Reno court system. Second it provides the board would waive its right to a jury trial and third had to do with some indemnification provisions. In talking with the general counsel for NV Energy, it turns out the contract that came to us for review was not the one that should have been provided. Mike is still waiting for the correct form. In the conversations with general counsel he is determined the question of venue and waiving the jury trial are not negotiable. Mike is okay with that. He would prefer to have it down here. He needs to see what comes through on the indemnification before he can give any advice. If you elect to approve it, approve it with the condition counsel approve the contract before it is signed by the chair.

Mr. Dallaire added the items are specifically 11.1 11.6 and 11.19.

Mr. Miller would like to table it.

Mrs. Jones asked if this is a project they are trying to push through in the next 30 days.

Mr. Dallaire answered no. There is also an easement associated with it. We need to add that as part of what we are reviewing. We can table it. My concern was the whole process has taken me six months to get to this point. I don't know how long the turnaround is on their end once we sign the contract. We are getting those plans submitted to Douglas County to get a permit to do the construction. We need to get that in as soon as possible.

Chairman Higuera would mention to NV Energy the correct spelling of your last name.

Mrs. Slater believed they would be better off with a clean and concise contract they can all review.

No public comment.

**Motion Miller/Slater to table item 10, on the agenda, until we have a full contract to look at. Motion carried.**

**11.  Not For Possible Action: Discussion on the Town Attorney's Monthly Report of activities for December 2014.**

Mr. Hales advised over the last month Mr. Rowe has worked on the yearly annual audit letter. There were no reportable claims that needed to be addressed. He has also worked on an incident at the opening of the rec center and making sure workers comp was available for that.

Mr. Miller has had very good cooperation from the claims adjuster.

Mrs. Slater explained there were three inch high door stops at the rec center and Mr. Miller tripped over it.

Mr. Miller noted the parks department put them in on Thursday. It was Saturday when it occurred. Monday they were not there. They were supposed to be placed further back toward the building.

Mr. Hales reported Mike has been continuing interaction with regard to the trash truck and the attempt to resolve that. Mr. Rowe is reviewing the contract to determine what the remedies are under the contract itself. He has not concluded that review yet.

**12.  Not For Possible Action: Discussion on the Town Manager/Engineer's Monthly Report of activities for December 2014.**

Mr. Dallaire reported we received today a letter from the Economic Development office for the CDBG funds that they are now ready to be utilized for the Gardnerville Station. The next step will be to get the RFQ process started. I am meeting with Candace on Thursday. We are looking to have a board review the RFQ's and do a scoring sheet so when we receive the applications we can request the most qualified individual do the work. We are looking at one town board member, one from Main Street, someone from the public, Candace, myself and Dirk, from the county, if he is available, for that panel. We want to get it out as soon as we can. This is the process that was presented to the board originally. It's just a matter of getting the architect on board to do a new design and get the testing done onsite. The tests came back. I have not heard the results of those water samples. We are waiting. We got the extension for the Hellwinkel Channel to September 2015. So these improvement plans need to get in to Army Corp and we will hopefully hear back from them soon. It is pretty close with what we had funded to the total project costs. We still need a few more funds for that. It's all based on low bid. We have the results on the town survey.

Vice-Chairwoman Wenner asked what is a rolling stock permit?

Mr. Dallaire responded it is for the Martin Slough. We have five areas that we maintain along the Martin Slough. Rolling stock is the irrigation water that goes down the Martin Slough and creates wetlands. You have to have a permit to maintain those wetlands. We have to do a quarterly report to NDEP on all of our maintenance activities in the ponds. When we excavated the ponds we had to get approval from NDEP. The tractors have to be cleaned. They can't be leaking oil. There are best management practices that have to be used. There is a new online application process. We need it in order to maintain these areas. We are providing them with plans of the channel and letting them know what we are doing. It does remove a portion of the irrigation ditch that was used by the Hellwinkels to irrigate the fields between the barns and the school. We are eliminating that.

Chairman Higuera asked Tom to take a bow for winning an award at the Parade of Lights.

Mr. Dallaire thought Main Street did a good job on the trailer.

Mrs. Slater added Marie and the other ladies were just fantastic.

Mr. Dallaire felt they did a great job of singing.

Mr. Miller believed the whole Christmas ceremony that we had at the pavilion was very successful. There were good positive comments from the community. The voices of Marie and her group were really good. And the sound system was great.

Mrs. Slater mentioned the cobblers. Staff does a great job.

Mr. Miller likes the small town Christmas.

Mrs. Jones asked about the Kingslane sidewalk. Almost every person I talked to in Kingslane during the campaign complained about the entrance. Is there anything we can do to improve the traffic flow?

Mr. Dallaire asked what kind of traffic? The pedestrian traffic we can improve. It's a lane in and a lane out for cars. There is a channel we have to build. If we build a wall then NDOT requires the top of the footing be two feet below the flow line of the channel that is there. We have Three Castles Engineering designing a concrete channel. It isn't preferred for irrigation but we are conveying floodwater as well. That trough will end up conveying additional flow that will then flow into the new channel that we are building.

Mrs. Jones asked if the existing brown brick walls are coming down.

Mr. Dallaire answered it has to come down now with this channel. If there are any ideas on how you want to present this let me know. We have to go back to the homeowners association. Raley's has put in a lot of brick on their building. It would look nicer if we did something similar to what Pegram is putting in. There is no pedestrian access to Kingslane right now. We can't fix it all, but we can provide the lane necessary for that. We will end up having a new irrigation ditch, wall and channel. All the water comes out of a diversion structure in the Cottonwood and Martin Sloughs.

13.  **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.**

- a. Main Street Gardnerville – Mr. Miller would like to remain on that board for this year. I have five years' experience on the Main Street board and I would like to remain on it for this year. I think with that BDR going through there will be some changes. It will impact this Main Street because we are the only one in the state.

**Motion Wenner/Slater to appoint Ken Miller liaison to Main Street.**

No public comment.

**Upon call for the vote, motion carried.**

Chairman Higuera asked Mr. Hales if they could discuss the Regional Transportation Commission since it was left off the agenda.

Mr. Hales advised they will have to discuss it at the next meeting.

Mr. Dallaire reviewed the Regional Transportation Commission requires a Gardnerville resident. Lloyd volunteered to be the Gardnerville resident hoping they were going to revise the code.

- b. Carson Valley Arts Council - Mary Wenner will serve another year.

Public comment

**Motion Slater/Miller to appoint Mary Wenner liaison for the Carson Valley Arts Council. Motion carried.**

- c. Nevada League of Cities – Mr. Miller thought Linda is well grounded in this position. She is still on the board of directors.

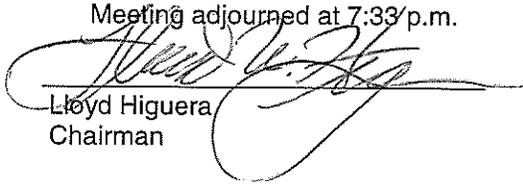
Mrs. Slater asked that anyone who takes this position should understand it needs continuity. It isn't something you should appoint someone for a short term and then roll it over to someone else. It needs the understanding and the continuity.

**Motion Higuera/Jones to retain Linda Slater on the Nevada League of Cities.**

No public comment.

**Upon call for the vote, motion carried.**

Meeting adjourned at 7:33 p.m.



Lloyd Higuera  
Chairman



Tom Dallaire  
Town Manager