



GARDNERVILLE TOWN BOARD

Meeting Minutes

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

Tuesday, July 1, 2014

4:30 p.m.

Gardnerville Town Hall

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

PLEDGE OF ALLEGIANCE- Linda Slater led the flag salute.

 **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 Higuera/Wenner to approve.

No public comment.

Motion carried unanimously.

 **FOR POSSIBLE ACTION: APPROVAL OF PREVIOUS MINUTES:**
June 3, 2014 Regular Board meeting, with public comment prior to Board action.

Motion Higuera/Wenner to approve the June 3rd regular board meeting minutes.

No public comment.

Motion carried unanimously.

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. Glen Linderman, while riding his bike, saw one of our senior citizens proceeding northbound on the sidewalk and where the car rental place is there is a telephone pole in the middle of the sidewalk. He struggled around the telephone pole. With the move about ADA requirements, I wonder what the situation is and maybe something should be done about that. I thought I would bring it to your attention.

Mr. Philips asked if that was in part of our sidewalk survey.

Mr. Dallaire explained there are a lot of problems with sidewalks in town. You have ones on Mission Street and along Douglas. NV Energy is not going to relocate them and we have to get easements. Moving them is an expensive option. Unfortunately that is the stance NV Energy is taking. Apparently NV Energy does not fall under the ADA guidelines because the poles were in before all the guidelines came up. Don French, at NV Energy, is the one that told me it is about \$50,000 to have the pole moved.

Mr. Linderman thought perhaps they could get an easement from the property owner.

Ms. Marion Barritt would appreciate it if someone would proofread the newsletter. The corner of Douglas and Highway 395, the second building back has had an old green recliner for months and months. Is there something we can do to get that moved? There is also a Smith's cart there. Is there anything we can do to suggest that developers plant the right trees so we don't have the problem in the future of trees growing too big?

Mr. Dallaire shared those are the right trees in Stodick Estates. Those were approved. The county requires a tree every forty feet in a development. Every time the street sweeper goes through the development you can see where it has to go around so we don't hit them and cause damage to the trees or the street sweeper.

Ms. Barritt will have a suggestion about the garage signs when the board gets to that item. Thank you.

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.

Motion Higuera/Miller to approve the consent calendar.

1. **For Possible Action:** Correspondence
Read and noted.
2. **For Possible Action:** Health and Sanitation & Public Works Departments Monthly Report of activities
Accepted.
3. **For Possible Action:** Approve June 2014 claims
Approved.
4. **For Possible Action:** Approve appointment of Tara Addeo and Scott Bergan to the Main Street Board of Directors.
Approved.

No public comment.

Upon call for the vote, motion carried unanimously.

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 June 2014.

Ms. Lochridge acknowledged one of Main Street's newest board members, Scott Bergan, is here. We do have officers that have been appointed. Dorette Caldana will remain president; Margaret Pross, vice president; Norie Jenkins is treasurer and the position of secretary will be filled during our July board meeting. The necessary paperwork will be filed by the end of the month. Tom and I made a presentation to the Nevada League of Cities on June 20th. Linda was kind enough to introduce us. It seemed to be very well received. Wes Henderson was told to research it further and look into the possibility of the League of Cities sponsoring a Main Street coordinating or state program or go ahead and look into the possibilities of presenting it to the legislature. Our latest wine walk had 43 businesses participating and over 400 registered wine walkers. We had a lot more people downtown that did not register that enjoyed the time. Thanks to the Douglas County Sheriff they let us use the reader boards to warn traffic that we do have excess pedestrians walking around. We are awaiting signed paperwork from the owners of Sharkey's to proceed on the Basque mural project. We have everything turned in to the planning department. We are just waiting on signatures. The Nevada Department of Agriculture has notified us that the state has approved our sharing to grow grant application for \$7500. Now we wait for USDA national approval in October. We have the final plans for the children's garden. We have received a donation from Affordable Ambience, a beautiful metal gazebo that was dismantled from the owner's property, brought over here and assembled over by the labyrinth. It looks gorgeous. We have a total of 60 Main Street current members. We are awaiting nine to renew for the new fiscal year. We do have a storage unit that was donated in exchange for a sponsorship for Main Street because they are outside the district, by Stor All. Ken was able to help us with that. For two years we have a 5X10 storage area. The Blue Cow opened and they participated in the last wine walk. Bling for the King and Nana Lorie's Trinkets and Treasures have opened. They are both members of Main Street. The Freedom 5k is this Friday. We now have 32 runners/ walkers.

6.  **For Possible Action:** Discussion to approve, approve with modifications or deny a request by Bently Nevada Inc. to hold a car show and battle of the bands, benefitting STEM (Science Technology,

Engineering, and Mathematics in Nevada), within Heritage Park on September 6, 2014 from 10 a.m. to 3:00 p.m., designated a class one use per town policy; with public comment prior to board action.

Mr. Dallaire stated we have a request to use the park for a car show. They want to put the cars in the park itself. All the proceeds will be going to benefit STEM at the high school.

Vice-Chairman Higuera asked if the class 1 benefits youth, therefore there is no fee.

Ms. Wenner asked what the fundraising part of it is.

Mr. Dallaire answered yes, class 1 benefits kids, no fee. They are doing booths and the car registration fees for the show. I am not sure about the bands.

No public comment.

Motion Higuera/Wenner to approve a town application for Heritage Park requested by Bently Nevada Incorporated to hold a car show/battle of the bands in Heritage Park on September 6, 2014, 10:00 a.m. to 3:00 p.m. Motion carried unanimously.

7.  **For Possible Action: Discussion to approve, approve with modifications or deny the Town of Gardnerville creating a new non-commercial sign policy affecting garage, yard, estate and special event signs posted within the 395 corridor within the Town of Gardnerville and making A frame signs available to residents and business owners to use as an alternative to boxes or posting on fences and or publicly owned assets; with public comment prior to board action.**

Mr. Dallaire pointed out the county does have a current policy on temporary signs. It is in Title 20.696.200. I did get a correspondence from Shane (Douglas County Code Enforcement Officer) on this. Also 20.696.100 talks about temporary signs. All of the signs on 395 where they post garage sales with an arrow or address are illegal within Douglas County Code. Therefore we can't really do a policy that goes against the county code currently. Mimi is here and I believe they are working on revising the sign code and we will want to participate in that effort to see what we can do. Mr. Dallaire asked Chairman Slater to explain how this issue came about.

Chairman Slater's neighbor was having a yard sale. She put a sign across the street that was made by one of her children. Her neighbor had words with the owner of the commercial property where she placed the sign. I suggested she put the sign on the sidewalk where it wouldn't obstruct the sidewalk. The owner of the property was nice enough, after talking with him, to offer the use of an A frame sign. We see a lot of damage to the black decorative poles. It takes a lot of time and paint to clean them. Tom and I discussed trying to come up with an idea that would be neat and clean that we can utilize on the 395 corridor. We came up with the idea that if the town could buy some signs that are not too expensive, maybe rent them out for deposit, which would be refundable, that people might start using them. They would be uniform, clean and neat. That's what prompted this.

Mr. Dallaire explained under the current county policy they would still be illegal. All the A frame signs that are in Gardnerville in front of businesses are a separate permit. I took it upon myself to generate the policy to get the discussion started to figure out how far we want to go with this. There are a couple options for signage that are cheap and affordable.

Mr. Philips didn't think the question was how far we want to go with this. It's more what can we legally do?

Vice-Chairman Higuera felt enforcement is the missing link. We need an enforcement policy of some sort.

Ms. Yturbide advised the county does have code enforcement and they process claims for any violation.

Mr. Miller sees the signs and takes them down. I feel town staff has enough to do and they are not around on weekends. I agree with Lloyd, the enforcement issue and the time from town staff, including Marie taking the applications for the signage and the \$2.50 fee, is not near enough for a sign we have to pay \$30 or \$40 for.

Chairman Slater believes we need to try something to clean up the corridor. If we could implement something like this that would not be in conflict with Douglas County it may spread. The deposit, which would be refundable, would be an encouragement for people to want to use it.

Mr. Philips asked who is going to police that.

Chairman Slater thought it might be better than the costs we are putting in to cleaning up our poles.

Mr. Philips asked about the people who don't comply.

Mimi Moss, Douglas County Community Director advised the code does allow temporary offsite signs. It is really limited to real estate open house signs. The rest of the signs that are out there are illegal. You have every right to remove them as you see them within the town boundary. Our code enforcement officer will do the same. We don't notify the property owners. We don't have time. That's different from other illegal signs that may have a business name. We take those back to the business. The issue here is allowing for offsite signs. You are saying for garage sales they should be allowed on 395. Our development code prohibits that except for real estate signs for open house. That's the key here. You don't want to set up a policy that's not in compliance with the current county code. Let the county enforce the sign code. If you want us to step up the enforcement we can do that. Typically this happens on Friday and then by Sunday the signs are gone or the wind or someone else takes them down. It's an issue of weekend enforcement.

Chairman Slater asked if code enforcement works on the weekends.

Ms. Moss answered no. Sometimes he does night inspections. Temporary offsite signs are illegal. We could step up enforcement during the week. You may want to add to the newsletter to let people know these are not allowed and cause harm to the poles.

Mr. Philips asked if a person parks a car on the street and puts a sign on the car, is that still illegal.

Ms. Moss answered if the sign isn't affixed to the car it is illegal. Any business can have signs on a vehicle. As Tom mentioned, we are making amendments to the sign ordinance. We can look at allowing for those types of signs. The concern is: where you place it; how large is it; will it blow away. It's a public safety issue.

Mr. Philips asked if the sign ordinance addresses temporary reader boards.

Ms. Moss stated there really isn't anything in the code on that.

Mr. Miller thought there might be a church in the valley that is looking for a reader board.

Ms. Moss understands the concern of trying to help the residents and making sure everything is kept looking nice and clean.

Chairman Slater asked if code enforcement works Monday through Friday and we collect these signs can we hand them to him and he would make personal contact with all the owners.

Ms. Wenner asked if there was a fine.

Ms. Moss stated there is no fine. We could enact a fine or enforce a fine but typically we get compliance. There is a section for public nuisance and people can be fined. Contacting the owners is going beyond what he would do. He would not be directed to do that. There is a provision in the public nuisance section that talks about garage sales. Garage sales are limited to four times a year.

Chairman Slater asked how you get that information out to the public.

Ms. Moss advised it has been made part of the public process when it was taken to the board of commissioners. If you see someone with a garage sale every weekend you can notify the code enforcement officer and he will follow up and send them a letter to let them know. He will monitor them. That is in Chapter 5.

Mr. Miller mentioned there are a number of sales popping up in parking lots of businesses down 395. It looks ragged. Is there any way to control that.

Ms. Moss shared currently parking lot sales or special event sales are allowed. They do have to have a temporary use permit. Some do. Some don't. It is always an enforcement issue.

Chairman Slater asked if the county has ever considered having someone come in on a Saturday.

Ms. Moss thought that would be great, but it would be overtime.

Mr. Dallaire mentioned during the summer we have a person who waters the plants. He has been asked to remove the garage sale signs. That stops in September.

Ms. Moss could have the code enforcement officer step up the enforcement of offsite signs, garage signs, signs on utility poles, and that type of thing.

Chairman Slater personally felt it is a necessity. Some of the signs are not portraying a good image for the town or the county as a whole.

Mr. Philips asked if there was something in the county code about vehicles being painted with advertising a business parked in their parking lot.

Ms. Moss has been dealing with that business owner. The signage on the vehicle is fine. The question now is can we get compliance. We recently sent a letter to that property owner about moving the vehicle.

Mr. Dallaire mentioned today it is cleaned up and the vehicle was moved.

Mr. Philips has seen a trailer that is parked in the parking lot of Lucky Liquor. Two or three times I have seen people back into kids because they didn't see them coming out from behind the trailer.

Ms. Moss will send that off to the code enforcement officer. It is important to remember we are going to be amending the sign ordinance and your input is valuable in terms of what should be allowed and what is appropriate.

Chairman Slater would definitely like the town to be part of the process.

Ms. Wenner asked if garage sale signs are one of the things they will discuss.

Ms. Moss felt it can be if that's an issue you want to address.

Mr. Linderman asked if Mr. Miller has the right to take down those signs.

Mr. Miller didn't feel it has anything to do with being a board member. It has to do with I'm a resident of Gardnerville.

Mr. Linderman mentioned if citizens are allowed to take the signs down there could be an altercation. If it was well known, I'm quite sure there would be some citizens who would take the signs down. Another issue is the business of A frame signs. I have just about run over some of those signs. Usually they are placed appropriately but not always.

Chairman Slater thought bicycles were supposed to be on the road and not on the sidewalk.

Mr. Linderman rides on the sidewalk. Usually there is no one to avoid. I have ridden down 395 from Gilman to the end of 88. I've gotten some interesting experiences with the traffic. Usually I try to stay off of 395. So where else do you go? I would be very interested if it is legal to ride on the sidewalk

Mr. Dallaire advised it is not. They have addressed that in the code. The county has a new bike plan coming out. They are actually sharing the road. You can ride your bike with the traffic. We are working on identifying some bike lanes and have a bike lane on Douglas Avenue. That bike plan is going through the process right now. NDOT had a grant that helped with that.

Mr. Miller added the state passed a law that you have to give at least 3 feet if there are bike lanes present. Many parts of Douglas County there aren't any bike lanes present.

Mr. Linderman thought one of the worst places is by Wal Mart. There is just no other alternative route. There's no crosswalks, so you can't walk across and ride down the other side of 395 very easily. Even when they are blocking

me on my bike I'm narrower than a wheelchair or a motorized wheelchair which is definitely permitted to use the sidewalk, encouraged to use the sidewalk, required to use the sidewalk. If I can't get past the A frame sign neither can they.

Mr. Dallaire would like to address that when they go over the sign ordinance. They have to have some direction on where the signs can be placed. I think it is just on their property. It can't be within the public right-of-way. Most of the businesses the street frontage is the right-of-way. There is really no place to put the sign. NDOT has come through a couple times to all the businesses and told them to push the signs back. There seems to be a little more authority from NDOT. They are in the way and there are different styles, designs and footprints.

Mr. Linderman commented when NDOT puts up their construction signs they often block the bicycle lane or block the sidewalk with their signage. That may be better than blocking traffic but when someone tries to get through it's a problem for them. Oftentimes people advertise in the Record Courier. Anyway you might encourage them to include a notice when they give them the sign kit.

Ms. Marion Barritt commented this is becoming a real problem. The post at the corner of Chichester and Gilman looks like a ragged doll that is being shredded. Most people don't know it's illegal. How can we get the word out to more people. You need to have a box in the newsletter in the same spot every time about illegal garage signs. It should also go out in the utility bills. Renters are not getting the information. We need to do a better job of getting the information out. I suggest something in the paper every three months. I would be happy to pay for a sign. Current policy is not enforced. I did think there was a monetary cost if you were putting signs where they shouldn't be. The main problem is people don't know. The people that do know and do care are using the boxes and putting a stone in the box or using heavy rope to tie a sign around the post. I was really discouraged last weekend. Most of the signs go out on Friday. Code enforcement maybe could allow two hours on a Friday during the summer months to take those signs down. I think notification would be a big help. The problem also exists on the cluster mailboxes.

Mr. Dallaire mentioned the postal carrier takes care of those.

Ms. Wenner suggested asking the Record Courier to put something in the paper in big headlines that it is illegal to put these signs out, at least during the summer months.

Mr. Linderman suggested putting the ad in the garage sale section.

Chairman Slater agreed they need some sort of advertising from the town to let the people know and maybe an ad to let residents know the county is in the process of redoing the sign ordinance and the towns will be participating.

Ms. Wenner added letting the residents know at this time it is illegal.

Chairman Slater did not know there was a limit on garage sales.

Ms. Wenner saw a sign that had a two by four they put a hinge on and set it on the corner with a little sign.

No further public comment.

Vice-Chairman Higuera believed every great effort begins with baby steps. I have taken a few signs down myself. Usually they have the address on them. Maybe take it one step further, take note of the address and send them a note that it's illegal to do what they are doing. The public doesn't know. I think the Record Courier would be a tool

Ms. Ytrubide also suggested perhaps you notify the county and code enforcement officer since that is a rule they typically take on. There are certain violations of the code that once the code enforcement officer has written a letter and compliance doesn't occur, it can sometimes be brought forward as an actual complaint that goes to the justice court and they could be considered misdemeanor violations. The DA's office clearly has the same type of discretion. There is a sanction available. Perhaps even asking for the county's assistance to step that up might give you what you're trying to get accomplished.

Mr. Miller felt any policy we pass is stepping on county toes. The second problem is the enforcement on our part and third is staff time.

Mr. Philips believed this is actually a dead issue.

Motion Higuera/Philips that no action be taken on the sign policy and that we participate in the county's update of the sign ordinance. Motion carried unanimously.

8.  **For Possible Action: Discussion to approve, approve with modifications or deny holding an opening invocation, which may include a prayer, a reflective moment of silence, or a short solemnizing message to be offered before town board meetings or at other town functions for the benefit of the town board by a member of the clergy, a public official or member of the attending public; with public comment prior to board action.**

Mr. Dallaire advised Mr. Miller had asked Mike Rowe last month to research this issue. We talked to the county. They do have an invocation. Most of the time the people invited are not showing up. They do offer it on their agenda. There isn't any set policy the county has on that. The DA has given them some suggestions.

As long as Mr. Miller is in office he would be willing to make that invitation rather than town staff. I would compile a list and go down the list and ask them to respond by a certain date. If they do not, go to the next one.

Ms. Wenner enjoys the invocation.

Mr. Philips thought it was a great idea as long as we're not promoting one religion over another.

Vice-Chairman Higuera liked Mr. Miller's idea of having an open invitation and notifying the various churches. That would cut down on staff time.

Mr. Miller has the time to do it. I'm sure if we left someone off the list we would hear about it.

Ms. Wenner asked where you would get the list.

Mr. Miller would get it from the yellow pages or internet.

Public comment.

Ms. Marie Schnook is here to say that having opening prayers at meetings is a good idea. (Ms. Schnook read a prepared statement into the record. The recording is available at the town office).

Ms. Marion Barritt did not prepare a written statement. I was born in England. I have sampled various religions. I am the president of the Young at Heart. I do stand up when they do the prayer at lunchtime. But it is very difficult. I do not want to be forced to be a part of it. To do this at a public meeting, which is starting to happen more and more I think it is inappropriate. It is appropriate to say God Bless America. But I don't believe we should have prayers whether it be from different denominations, because you will miss some. I really wish you would strongly consider not doing this. People can pray in private and in churches. Thank you for listening.

Barbara Henningson lives at 1509 Hussman. I am here, not only representing myself and my desire, that I think it is very appropriate and wonderful and I would love to see all public meetings open with a word of prayer, a moment of silence, or any of the things that were listed; I am also here representing Trinity Lutheran Church which is here in Gardnerville. I love Marie's presentation. I did not have the ability or the time to put together a comment like that. I see according to the agenda you open with the Pledge of Allegiance. I feel that is very important and very appropriate. But in that meeting you should have made reference one nation under God and you were striking the authority of a God when you made that statement. In the same sense it is everyone's right to not join in with the pledge. It is everyone's right to not join in when someone is offering a prayer and it is not required to hold hands. It is a personal time, but I do not feel it is wrong in any respect for someone to ask for some guidance, which is what I assume would happen in a prayer before a public meeting in asking that everyone seated here can work together for the good of the town, the community and of each other. And having that moment of being in prayer helps everyone to have the right attitude as decisions are being made by this board who is representing a community of people and a country that has been founded on Christian beliefs. As we founded this country we did not find it wrong to give credit and realize it is important to have some help and guidance. I feel that's what a prayer is doing. It may not be the same to everyone. Everyone is praying to their own authority, not necessarily we're seeing the same person as the authority. Constitutionally it's now a possible thing to have. It is not against the Constitution. I think it would be a wonderful thing. I would love to see it happen not only for myself, but I do know the members of the Trinity Lutheran

Church here in Gardnerville, which is the first church in the state of Nevada, would be proud to know that our town is giving some recognition and opening with a word of prayer.

Glen Linderman believes in a higher power and the only thing I am concerned about is it is very difficult to be nonbiased in your selection. There are religions that you will not find in the yellow pages or on the internet. If you want to be fair do you need to poll the whole town so you can appropriately proportion the invocations to the reflection of the community? It opens up a big can of worms. I would rather see some kind of a nonsectarian admission of recognition that the group is here for the benefit of the community. We recognize, perhaps, that there is a higher power and a simple brief statement of that even on the agenda would be a great idea. Going beyond that and having a specific prayer by a specific denomination opens up a big can of worms.

Mr. Philips didn't think we are talking about a platform for any specific group. We were talking about a simple invocation.

Annette Philips lives on Douglas Avenue. I think it's very, very important that we have prayer. I understand not everybody believes in all one god and everyone has their own individual beliefs. That individuality is what makes us the United States. I think the board should consider opening with prayer. I believe there is higher power. With respect that it wouldn't be a platform and that it would just be an invocation. To have that blessing in the beginning is a very good idea.

Mrs. Henningsen would suggest a possible way to do it is to come up with a written out prayer, a short statement that is made and just read every month or one or two different ones that you could alternate. But it could be preprinted and any member could possibly be the person.

Mr. Philips believed that could step on someone's toes.

Mr. Miller explained legal counsel told us last month we cannot make up the words for a person to read. We cannot limit the time. That would put us in a position we are directing what we have is not open to the public.

Chairman Slater agrees with a lot of the comments and also agrees with Marion, as well. I look at this on a personal basis as a slippery slope for the town. We have staff time that we are tying up creating a list, making phone calls. What came up last meeting was the three minutes. That will be difficult. There are a lot of questions. The consistency; does the board want to have it all the time if Ken's not here to give that invocation if someone doesn't show up. Maybe a better alternative is a moment of silence. You're staying out of the quagmire that could be created.

Annette Philips would say if it is decided that the board does have a prayer, if there is a business that is not in the yellow pages or internet, if they are not listed and not out there for people then they can come and bring up to the board we weren't represented. If they are not listed then there shouldn't be any worry that they don't get recognized.

Chairman Slater commented if you have a new church that starts up or relocates the book only comes out once a year.

Mrs. Barritt added if you wish to have something I would suggest a moment of silence where everybody can think, contemplate, do whatever they want. That I would go along with. I think we have so many opportunities. We have spent over 20 minutes on this subject. It's longer than the garage sale signs. I would not want to be in your shoes. I wouldn't want to make the decision and by doing so make a number of people disgruntled by your decision. Step carefully. I like the impassioned comments. When I say the pledge I say it as an American citizen that came from being a British citizen and a Canadian citizen. As soon as I came here I applied for American citizenship. That was 50 years ago.

Mr. Philips doesn't agree with every comment made, but that doesn't mean what they're saying isn't heartfelt. It would be like if I didn't agree with the person that gave the invocation, they have the right to say it. And I have the right to take it to heart or let it go in one ear and out the other. I don't think that we ought to just have a moment of silence. I like the invocation idea. We should give it a shot. If Ken is willing to take on the responsibility of lining this out there is no staff time involved. You don't have to agree with everything you hear in life. I would love to hear some of these other religions come in and hear what they have to say.

Vice-Chairman Higuera mentioned Douglas County started not quite three years ago with an invocation. The sky has not opened and no one has fallen down. It has gone rather smoothly. Of late they have had a problem getting

people to turn up. What about a trial period? Try it for a year or six months and see how it goes. If we like it we continue.

Ms. Yturbide advised they could structure it as something that is temporary with a clause to come back for review. You would have a sunset clause that whatever you voted on would expire unless you bring it forward again.

Chairman Slater asked if it could be done on a yearly basis?

Ms. Yturbide believed they could.

Mr. Miller believed if you look at the recommended motion it would be a resolution. We look at some resolutions annually.

Chairman Slater would just like it to be consistent. I don't want the town to start a policy, skip a year and then it gets picked up the following year. Maybe try it for one year and if everybody feels comfortable then we can do it. But if there is hesitation then we can express our views at that time. If it falls to town staff it is extra work.

Geoff asked about making it an open invitation for whoever is here.

Mr. Miller has a problem with that because sometimes we have no public present.

Ms. Yturbide advised most importantly you need to be objective and there should be something set up so it can't appear as if you have any control or bias. People feel differently. If the town does an invocation it has to be content neutral. Once we open the door people are creative about how they look at whether content is being swayed one way or another by procedure. So to protect all of you, you would want it to be something that is very neutral; that a policy be set up with a rotation basis. I would suggest whatever decision you make any resolution be drafted by counsel and presented to you next month. You can look at it, have us take back your comments and try and craft whatever it is you would like.

Ms. Barritt is getting from Ms. Yturbide that you don't want to open yourselves up for a lawsuit.

Ms. Yturbide commented the Supreme Court has indicated you can do invocation. We need to look at creating a policy that puts you in the best position for whatever it is you would like to do. As a governmental body you are not trying to promote one faith or another, or the lack of faith.

Ms. Wenner asked if that left Ken open if he is the one who is in charge of finding entities.

Ms. Yturbide suggested we look at that when we come back with a resolution. Look at some options and try to present some choices for you relative to that.

Motion Miller to have town counsel bring forth a resolution establishing the board's policy regarding opening invocations consistent with the holding of US Supreme Court in the Town of Greece vs. Galloway, 572 USWL 1757828, May 5, 2014.

Vice-Chairman Higuera asked to get a second would you add that it be a test drive.

Mr. Miller would add to his motion that it is to be reviewed annually.

Mr. Philips seconded the motion.

Ms. Yturbide asked when you say for it to be reviewed annually, meaning that it would cease unless it was brought forward by vote again.

Mr. Miller agreed.

Chairman Slater clarified that is after counsel brings back the resolution for review and acceptance.

Motion carried with Slater voting nay.

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

Ms. Yturbide reported we did the usual activities: including review of agenda items, action items and appearing at meetings. In addition we worked on the Shop Small Nevada claim and reviewed the release for you. We also reviewed and commented on the subrecipient agreement for the CDBG grant proceeds. In addition to that we worked on the item we just discussed.

10.  **Not for Possible Action: Discussion on board members' committee reports including but not limited to: Carson Valley Arts Council, Regional Transportation Commission, Nevada League of Cities, and Main Street Gardnerville.**

Ms. Wenner reported the Carson Valley Arts Council has been working on the second phase of funds for the building. Brian is asking people to give their opinion on the survey he is doing. He has also been working on the concert series. They will be here for the Chalk Artfest on Friday. Dennis Little is helping with that.

Vice-Chairman Higuera reported the Regional Transportation Commission normally doesn't have anything going on this time of year, but the county has decided they want to open discussions with NDOT on doing some swaps of roads. The county has their eyes on certain roads they would like to take over and apparently NDOT does as well. The RTC hasn't met yet, but is supposed to meet sometime soon, discuss this project and pass their recommendations on to the commission. Then the commission would talk with NDOT directly.

Chairman Slater reported Nevada League of Cities had their board meeting in Sparks on the 20th of June. Several presentations were given. Tom and Paula gave their presentation on Main Street which was very well received. I believe they will bring that forth at the conference in September. Also wanted to mention that Demar Dahl, long time Nevada/Elko County resident, is currently chairman of the Nevada Land Management Task Force. He gave an update on the task force progress in Washington D.C. to recognize that Nevada, which is 84% federally owned, would like the feds to relinquish more land ownership to the State of Nevada. We had a long discussion on the fiscal year budget for 2014/15. It was subsequently passed. The Nevada League of Cities conference is scheduled for September 23rd through the 25th. More information will be forthcoming. I know there is a lot of information on the site that says the registration form is available online, but it is not. Just keep in mind as time goes on the program will change as they get confirmation that more people will be attending and who the guest speakers are. I hope everybody will give a thought to going. It will be held in North Las Vegas at the Texas Station.

Mr. Dallaire mentioned the theme for the conference is the 150th sesquicentennial.

Mr. Miller reported Main Street Gardnerville is still working on the 501c3 paperwork, but one of the biggest problems they have is to recruit board members for that before they can file with the state. They do have two individuals that have volunteered. The board will help serve donations to a 501c3 nonprofit and those donations will in turn be used for the beautifying of the town of Gardnerville and also Main Street programs. There are some individuals within the community that would like to give donations to the Main Street program but it is not a tax deduction.

Chairman Slater asked if currently the flower baskets are deductible.

Mr. Miller answered they are not. The benches are not either. It is for the purpose of beautifying the town. The bench would be titled over to the town, after it is established, for maintenance. There is an additional grant that we have been approved for by the state.

Mr. Dallaire thought they applied for \$5,000. They might have additional funding. I was looking at trying to expand our grant through state lands to get the trail from the trail system back to the gardens.

Mr. Miller stated Paula mentioned the new gazebo. It is really attractive. There was also a work crew that went over three weeks ago that started the children's garden. There were 14 people that showed up on a Wednesday night. I would say within the next three months you will see quite a difference in the children's garden.

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

Mr. Dallaire reported we had a long conversation with the developers of the Ranch. The improvements have been built. We didn't get the opportunity to take over the maintenance at that time. Sidewalks were cracked so there is quite a bit of painted concrete sidewalks that the developer will replace. The pavement seems to be in good condition. We are looking into the new pavement. The county has started requiring the new pavement as of 2007. The concern is the pavement has been down for 2 or 3 years and we have two more years before we have to do something to try and make that pavement last longer than 20 years. So they should be paying a prorated amount for that sealing of the street. I am working with county staff on that. That might be coming forward shortly. There are some minor things, a couple light standards are leaning. The new phase 2B is already built out. There are only a few homes left. They are starting phase 2A now. The builder does not like the way the foundations turned out so they are looking at changing the plans to slab on grade similar to what they did in Arbor Gardens. Anderson Engineering provided the towns an opportunity to review phase c through e. We have reviewed them and made comments. They have adjusted the plans. I have the plans and the hydrology report to get those submitted for Army Corps and Douglas County to build the trench. We will award the contract to Sierra View Construction to add the decorative tree grate and the new tree in front of the psychology office. The rock will be removed. The sidewalk at Heritage Bank has sunk and Heritage Bank will be paying for it as part of our contract. The sidewalk at Anker's Car Wash has come together similar to the panels we removed on 395 several years ago. We will replace those as well and possibly Gardner Park. We had one ramp added in Sunset Park by the Lampe Park tennis courts on Northampton. Walter & Walter came and wanted to know what kind of ramp and driveway approach we needed. This new one is compliant and they were willing to put it in per the standards. It is an ADA compliant ramp. Geoff has been working on a plan for the Arbor Gardens parcel. We did plant the one tree on the site on Arbor Day. He has come up with a plan. There will be an open house July 10th at New Beginnings. They have asked me to say a few words about that facility.

Mr. LaCost has been trying to incorporate ideas into one area to use as a test. My goal was to reduce the herbicides and pesticides that we currently use. If we can use natural plants and natural predators to combat the insects we will be better off and it will reduce the herbicide usage. There are companion plants you can use for roses. Putting plants that are comparable together will be a great addition. I also saw something interesting on Gardner Street. There are flowers coming up between the pavers. I was considering doing that for the park. Right across the street from this area is a senior citizen home so I was hoping to put community raised beds that are handicap accessible so the people across the way could have a small garden and take care of it.

Mr. Dallaire added we do have an Eagle Scout wanting to do a project.

Mr. LaCost would like to incorporate the garden and an arbor. There will be a two or three foot walkway between the circles so there will be walkways. We are using quite a bit of DG, but trying to incorporate more of the greenery.

Chairman Slater asked if he was going to use this concept for all the rest of it. My concern is, are you going to make sure you incorporate that throughout the town?

Mr. LaCost believed if it is successful we would be able to reduce the herbicide and pesticides. I understand if I can reduce the chemical usage on this garden, we can also reduce the chemical usage on the rest our parks and communities.

Mr. Philips asked how much maintenance we are talking about.

Mr. LaCost believed the bulbs would not need to be split for two, three or four years. When you do split them you could almost have a community sale. Ideally we want to do as little maintenance as possible.

Mr. Dallaire has incorporated the annuals in many areas. We have got to get to the point it's a priority and get those done. Staff just doesn't have the time for the tulips, daffodils and snapdragons. The problem is this is a brand new small piece of property. How do you make it look decent and useful. The design is functional and incorporates the New Beginnings facility, similar to the detention basin on the back side they have improved. People are always over there walking.

Mr. Miller asked if Mr. LaCost had spoken to Comstock Seed. The owner has done a lot of studies.

Mr. LaCost has talked with him. That's one of the reasons we will use the California poppies. The Comstock seed is more of a native natural plant and we would like to incorporate them in a lot of different areas.

Chairman Slater mentioned on Gardner Street 95 percent of the petunias are returns.

Mr. LaCost likes that. If we can get some seeds, that would be a nice experiment to see if that idea can be incorporated into the parks themselves.

Chairman Slater likes the concept. I worry about the maintenance. The tulips all have to be taken out, moved and cut off at the end of the season. This would be a nice enhancement. If it catches on we could carry it over into other sections and put some color in the town.

Mr. LaCost is trying to focus on a small area for now. If we can get it right here we can get it right in a larger area. Are there were any other plants they would like to see?

Mr. Miller has a plant in his yard that repels moles. You might come over and look at it.

Ms. Barritt asked if Mr. LaCost had talked to the cooperative extension. Bulbs are labor intensive.

Mr. Dallaire reported the movies in the park screen didn't come in for the last movie. We should have it next week. The projector was a little bit larger and heavier than anticipated. There is also an issue with the setup. We will be up and running next time. The sound system was a huge improvement. One of the staff from Planet DJ was here helping. There are some things we can do to make it sound a little better. Spreading the speakers out was good. We only had one complaint on the kind of music. Joseph Campbell did a great job on Gardner Park. He had upwards of 50 people.

Chairman Slater mentioned Friday night when it rained, the people working on Gardner Park stayed out in the rain and kept working.

Mr. Dallaire continued. The 4th of July event is Friday. We do have some assignments to hand out. Lloyd will do the water station. I might set up the course the night before. There are a lot of different activities Paula has been working on. I finished my contract certification course. The class explained the RFP requirement and CDBG. The presentation of Main Street went well. Wes was really intrigued with the video. He is working with the national Main Street back east trying to figure out how we can get this program in the state.

Chairman Slater asked about the two projects for Eagle Scouts. For the Heritage Park Gardens children's garden wood bridge, are you going to need any special permits? A wooden bridge was at one time going to be put into Kingslane to connect that area to allow the people to go over to Walgreens.

Mr. Dallaire answered they were crossing U.S. waters, an irrigation channel that comes from the Carson River. This is a little different. It's more or less a boardwalk bridge. We will keep it less than 20 inches off the surface. It will be a straight shot from the trail to the shed. Open house for the New Beginnings facility is July 10th at 11:30.

12.  For Possible Action: Discussion on potentially changing the date of the August town board meeting; with public comment prior to board action.

Mr. Dallaire has a conflict that has come up with my scout troop. The high adventure was moved to the first week, August 5, 6 and 7. I just wanted to find out how you wanted to proceed. We are supposed to present the H & S revised rate structure in August. I have started working on that. We could have a special meeting with that specific item.

Mr. Miller believed town staff is capable of doing the meetings. We could postpone the issue of the rate increase to September. It's hard to say at this time we should change the meeting because we don't know what will be on the agenda. If we start skipping meetings because Tom or another staff member is out of town, it will set a precedence. The months that we have to have Tom here, an item would go on the next month's agenda.

Ms. Yturbide suggested it would be better to put it for possible action in the event you want to take action. Then postpone it if you feel like you need some additional information.

Mr. Dallaire responded if the increase would be significant we need to have a workshop. I don't think it will be all that difficult to discuss. We could potentially have the acceptance of the maintenance of the Ranch at Gardnerville but I don't know if they can get those comments done in a month.

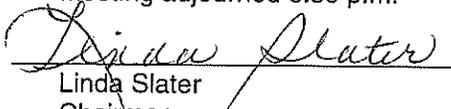
Ms. Barritt asked if they have done anything on the fees for the credit card.

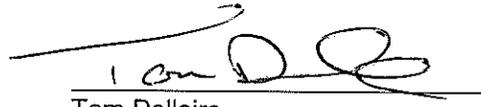
Mr. Dallaire explained that will be part of the discussion for the board along with the rate increase. We presented it to the board during the budget cycle. It is about \$3,000 for the year in fees. Is it going to be something that is part of doing business or do we need to do an increase? If we did a rate increase to cover it, it would be less than a penny per customer. So it isn't a significant amount of the budget.

Public comment closed.

**Motion Miller/Higuera to keep the meeting date for August the same as it says on the regular calendar.
Motion carried unanimously.**

Meeting adjourned 6:55 p.m.


Linda Slater
Chairman


Tom Dallaire
Town Manager