



## GARDNERVILLE TOWN BOARD

### Meeting Minutes

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

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Contact: Carol Louthan, Office Manager  
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information. You may also view the  
board packet online at the town's website.

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**Tuesday, December 3, 2013**

**4:30 p.m.**

**Gardnerville Town Hall**

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The meeting was called to order by Chairman Miller and a determination of a quorum was made.

Mary Wenner led the Pledge of Allegiance.



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

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

Mr. Dallaire has a couple of revisions. Item 4 needs to be removed. Wes Henderson will not be here. Item 7b under attorney's report, the town maintenance facility was worded incorrectly. We will bring that back next month.

Chairman Miller asked if he should ask for a tabled motion when the item comes up or take it off the agenda.

Mrs. Amens would take it off the agenda. Then the vote on the agenda would be based on those two requested changes.

**Motion Higuera/Wenner to approve the December 3<sup>rd</sup> agenda with the changes that were just mentioned.**

No public comment.

**Motion carried unanimously.**



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

**November 5, 2013 Regular Board meeting, with public comment prior to Board action.**

Mr. Dallaire explained there is a revision that was brought to our attention. We missed a comment from Ms. Wenner during the electric vehicle charging station item. We added the comment and it is highlighted on the revised minutes.

**Motion Higuera/Slater to approve the previous minutes for November 5 with the changes noted above.**

No public comment.

**Upon call for the vote, 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.

No public present.

When Mrs. Slater read the letter in correspondence 1-2, she was very much offended. She commented it's too bad the parade of lights has boiled down to a racial issue. I think the Chamber of Commerce and the Sheriff's Department are entitled to an apology regarding this innuendo.

Chairman Miller would like to meet with the individual who wrote the letter, along with Paula, and give some type of assistance on the opportunities that are coming up or are open.

Mr. Higuera agrees with Linda. It would be a good idea to talk with the letter's author.

**(Clarification from January approval of December minutes.**

Chairman Slater read a statement to clarify the minutes of December 3, 2013. The correction is under public interest comments from last time and it currently reads: "Mr. Higuera agrees with Linda. It would be a good idea to talk with the letter's author." I believe what I actually said was "I did not agree with Chairman Miller about meeting with the letter's author and that it was not the town's place to respond to the letter but rather an issue to be handled between the chamber of commerce and the author.")

Mrs. Lochridge wondered if that is something they should do right now.

Mr. Dallaire pointed out this is a Chamber event. I am trying to coordinate a response with Bill at the Chamber. He was hesitant at the time to respond to this. It ended up in the paper. In the paper Kurt actually explained about the parade route. He didn't go into details that the Chamber couldn't actually start the parade at Waterloo Lane anymore. The area where staging used to be is no longer available. Gilman is a nice place. Toler is probably doable, but not as easy as Gilman because of the access. The longer parade floats won't be able to maneuver on Toler very easily. There are a lot of issues. The sheriff's office liked having Douglas Avenue open. We will have detour signs to point people that way. They are trying to make it a safer event. All the participants last year liked the shorter route.

Mr. Philips wouldn't lend any validity or credence to her statement by saying anything.

Chairman Miller's approach has nothing to do with the Parade of Lights. There are opportunities such as a vacancy on the Main Street Board, morning coffee meetings and we also have elections coming up.

Vice-Chairman Slater noted in the letter the author says she doesn't have time to get more involved. Maybe the appropriate party to respond would be the Chamber of Commerce rather than the town getting involved.

Mr. Higuera thought this was a case of no good deed going unpunished. The town helped out on this event and all of a sudden it's become our event and we are taking the flak for all this. It is the chamber's event.

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 Slater/Higuera to accept the consent calendar; items one, two and three.**

1. **For Possible Action: Correspondence**  
**Read and noted.**
2. **For Possible Action: Health and Sanitation & Public Works Departments Monthly Report of activities**  
**Motion to accept.**
3. **For Possible Action: Approve November 2013 claims**  
**Motion to approve.**

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)**

4.  **Not for Possible Action: Presentation about the Nevada League of Cities and Municipalities, presented by Wes Henderson, Executive Director.**  
(Taken off agenda)
5.  **Not for Possible Action: Discussion on the Main Street Program Manager's Monthly Report of activities for November 2013.**

Ms. Lochridge reported they do have a vacancy on the board. We are in the process of looking for another board member. This board member has to be within the district. We do have at least one in and two other people that

contacted me who are interested. The Carson Valley Chamber of Commerce's Small Business Saturday promotion appeared to go very well. Over 100 entries were turned in. Several businesses said it was their best sales day in months. A lot of people are coming back with ideas and recommendations for next year. We had 50 \$25 American Express gift cards that were given away throughout the district. We partnered with the Historical Society for Saturday's parade. We are trying to have a centralized location, which we hope to move to Heritage Park next year. We will be setting up the announcing stand at the museum and will have mulled cider. Lentine's is bringing their pizza ovens. Coffee on the Main wants to set up out there as well. Last Saturday I attended the East Fork Hotel Salud. They had a really nice crowd and took a photo from upstairs at Sharkey's with everyone down there.

**6. For Possible Action: Presentation, discussion, and direction to staff, regarding an update on the Hellwinkel Flood Control Channel and project flood study and improvement plans (APN 1320-33-402-080), presented by Denton Peters of Northwest Hydraulics; with public comment prior to Board action.**  
(Taken later in the agenda.)

**7. For Possible Action: Discussion on the Town Attorney's Monthly Report of activities for November 2013.**  
**a. Discussion on the status of the Arbor Gardens property (APN:1220-03-210-015), with public comment prior to Board action;**

Mrs. Amens reported they have been working on the transfer. We thought it would be fairly easy to do with a quitclaim deed, but that particular parcel is not in Syncon's name. It is actually with the financial company who is out of Santa Barbara, Pacific Capital Bank. I have been in contact with them. We need to have them sign off on it. I don't think there are any issues with this. There is nothing to approve at this point. We will bring it back hopefully for January.

Mike has also been working on the issue that we tabled and we will get back to you on that. The good news is that all three of the parcels involved are owned by the town and the question will be trying to put it into one parcel so it's more useful.

Mr. Dallaire added there are three parcels the town owns. The big parcel with the buildings on it is in the town's name but there is not a real deed. I would like to combine all three parcels. We do have an issue with the garage right behind the shop facility. The resident has been using that sliver of property for years to park on. We need to talk with them.

Vice-Chairman Slater asked if we will need to give him a grant of an easement.

Mr. Dallaire answered yes. He is accessing it from Toiyabe. There is sidewalk on one side and we want to connect the two together. That is the link then to Lampe Park from Chichester Estates. There are some kids that live in Kingslane that walk across in the morning to school. It is a safe route to school and we can get some grant funds for that. The project is designed and ready to go.

Vice-Chairman Slater went over what they will need: deed, record of survey and grant of easement only to that parcel. If that property changes hands what happens to the easement?

Mr. Dallaire thought it would be a perpetual access. They can make it a dual gate now so we can open it up, but I would like to do a big gate so that we can just get in there, load the equipment up and go out that way instead of out on the highway.

Mr. Philips asked when you grant the easement, are you going to be able to make it so they can't park their cars in the driveway.

Mr. Dallaire will have to talk to them. We will be landscaping that whole area similar to Toler. The sidewalk will be widened to eight feet and then right past there are two power poles in the middle of the DG that we will have to go around.

Vice-Chairman Slater would like to make sure the wording is appropriate in the easement.

**b. Discussion on a request to transfer APN#1220-04-101-024, the Town Maintenance Facility on US 395 from Douglas County to the Town; with public comment prior to Board action (approx. 25 minutes).**  
(Taken off agenda)

**8.  Not For Possible Action: Discussion on the Town Manager/Engineer's Monthly Report of activities for November 2013.**

Mr. Dallaire reported we had an issue with the Ranch at Gardnerville with the manholes. They did not comply with county standards. They used a couple concrete risers and then used another system. Alton is mixing the two different systems. We told him he has to use one system or the other. I am not sure which way they are going. The road is paved. The manhole rings are open. I am watching that. Also MGSD had an issue with the manhole at the end of Ox Yoke. They had to cut open the road to patch that. The manhole was installed backwards or constructed wrong.

New Beginnings called me today. We will do an inspection tomorrow. The picnic tables are installed. They want to know where we want the trash receptacles. They want to be done by the end of this month. They have been working on the inside for quite some time.

We did a presentation in Tahoe at the BOCC on Eagle Gas and they will do their prioritization on Thursday. I will be down there at that meeting. Tomorrow I will be working on the sound system for Christmas.

Had a meeting with Mark Gonzales about their articles. Rumors have been going around that the county is going to try and consolidate the GID's and shut them down. The water company is a nonprofit but a utility nonetheless. I don't know what kind of conditions would have to happen for the water company to dissolve. If it was to dissolve they would have to be a 501c3 or c4. We can create a c4 per Mike Rowe. It would be in the best interest of the town's people who own the water system. We do have a say in it. But it is only one vote. In their articles it says you can vote but only one vote. It will be up to the board. I can bring it back for a discussion next month. I would like to set up an appointment with Mike or Debra and their attorney and discuss it. The problem is we are advisory to the county. Their concern is there is nothing to prevent the county from taking it over. If it came to the town the county could still come and get it is the water company's concern.

Vice-Chairman Slater asked is the 501c3 or 501c4 a nonprofit where it would still be okay for the residents.

Mr. Dallaire answered it would still be owned by the residents. It sounded to me like if that was to happen, the county, if they were to try to take it over, would have to come up with some money to buy it.

Vice-Chairman Slater asked if the water company would sell it to a nonprofit.

Mr. Dallaire answered they would not. It would have to be if the county came in to take it there would have to be some sort of transaction. If the water company dissolved, you would have to have a different 501c3 come in and take it over. The only reason the county would take it over would be if it failed. In the manager meetings there has been lots of discussion about the county wanting to take over some GID's. It was in discussion of all the water company GID's in Tahoe.

Mr. Philips shared the water company is an efficient system and the county wants to include it with the rest of the failed systems to try and raise our prices and bring everybody else's down.

Ms. Wenner added the rates in Tahoe are dependent on bonds and the rates down here are all metered. There are only a few places in Tahoe that are metered and they can charge by how much usage you have. Whereas down in the valley all the rates were set to be equal until they took over the new water system, which will be a different rate. It's definitely cheaper to have Town of Gardnerville water and Ranchos water rather than the county.

Vice-Chairman Slater asked if it would be of benefit to our residents for us to acquire that 501c3 certification.

Mr. Dallaire answered as a government entity we can't be a c3. We could be a c4. And we could have it so it is there just in case. There are a couple of other issues that were brought up. The resolution from the county said it was supposed to be a 318 and that never transpired.

Mr. Philips asked if there is a difference between a public utility district and a GID.

Mr. Dallaire answered there is, and there are a lot of regulations on how it is organized. They have a lot more authority than we do. So there are a lot of different governing rules on how you operate.

Vice-Chairman Slater mentioned when you look at the proposal it doesn't spell out the detail. People get the ballot in the mail and you just think it looks okay. Maybe that's not going to be the best thing for the residents.

Mr. Dallaire thought the only issue we have is it doesn't actually say it's going to the town. But the whole problem the water company has is they don't want it going to the county. They are protecting the residents.

Vice-Chairman Slater asked what prompted this change.

Mr. Dallaire answered the rumor of the county wanting to take over the GID's and consolidating the water system in the valley.

Vice-Chairman Slater asked if the Gardnerville Water Company felt threatened by that potential takeover.

Mrs. Amens believed that once a GID is created it is controlled by its own charter. It is outside the control of the county. That would be an interesting argument.

Vice-Chairman Slater hopes people will take time and ask questions before they vote.

Mr. Dallaire continued his report. We have one employee that had an accident and he is not doing well. I will have to let him go. He is on probation. We will do that and invite him to come back when he recovers and is able. We are so shorthanded. The engineer applicant is considering the offer tonight. He will let me know tomorrow. He is excited about moving back here. The sidewalk analysis, they are finally working on our sidewalks. They are moving forward on the survey. Saturday's event, the Valley Christian Fellowship wants to pass out cocoa and cider in the park for the Parade of Lights. We will have Ted Nagle there and have the burn barrels. Our speaker system will be at the museum and Ted's system will be at the park playing music. We are passing out fliers for picking up the news 2 food drive on December 13. We will collect it all during the week. The guys will pass the fliers out. The survey we are doing will get people's name to be entered into the raffle for free trash service. We will do that drawing next month at the meeting.

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

Vice-Chairman Slater has nothing to report for Nevada League of Cities. There is an upcoming meeting on the 4<sup>th</sup> and 5<sup>th</sup> of this month in Las Vegas. Because of the time, distance and cost I will wait for the minutes to be sent.

Chairman Miller stated Main Street's report was given by Paula.

Ms. Wenner reported the Carson Valley Arts Council has been getting contributions to pay for a community assessment study phase one. They were given that idea so they could turn it in with their grant application. The other thing they have is the board members who are liaisons between the arts council and the towns. They have created a position called an advisory position. They realize people on the board need to be active. They are hoping to get the county commissioners to appoint someone the first of each year to be on the arts council in an advisory position. They are still waiting on the job description.

Mr. Higuera reported January is the public hearings and March is the actual approval of the transportation plan. The other end of Waterloo is something I would like to get on the plan this time around so we have a straighter alignment. With the increase in traffic it will be important.

Chairman Miller would like to see the culvert covered up.

Mr. Dallaire advised Jeff is working on it and has plans for the extension of Mathias into Muller. Douglas County is actually putting in that crossing and paying for it. I met with them on the plans and we discussed it. There will be a slight jog in the road. The sidewalks line up but the sidewalks on the new part on both sides are offset by six foot landscaping strips and the sidewalk on Mathias is back of curb. There will eventually be a roundabout at Wal Mart.

10.  **For Possible Action: Discussion and election of Chair and Vice Chair of the Gardnerville Town Board for the calendar year 2014.**

- a. **Election of Gardnerville Town Board Chairman for the 2014 calendar year; with public comment prior to Board action.**

**Motion by Wenner/Philips to nominate Linda Slater as chairman for 2014.**

No further nominations.

No public comment.

**Motion carried unanimously.**

- b. Election of Gardnerville Town Board Vice-Chairman for the 2014 calendar year; with public comment prior to Board action.**

**Motion Philips/Slater to nominate Lloyd Higuera as town board vice-chairman for 2014.**

No further nominations.

No public comment.

**Motion carried unanimously.**

11.  **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**

Chairman Miller stated Linda and I had discussed prior to this that she is on the Board of Directors and has a tenure position which would be in our favor to leave her in that position. I am working with Main Street quite a bit on the gardens. Unless one of you wants to swap we will leave things as they are.

Board members agreed.

**Motion Higuera/Philips to appoint Ken Miller to the Main Street Gardnerville Board of Directors.**

No public comment.

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

- b. Carson Valley Arts Council**

**Motion Slater/Higuera to appoint Mary Wenner to the Carson Valley Arts Council.**

No public comment.

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

- c. Nevada League of Cities  
with public comment prior to Board action.**

**Motion Higuera/Miller to appoint Linda Slater to the Nevada League of Cities.**

No public comment.

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

Vice-Chairman Slater shared when it comes to the Nevada League of Cities annual conference, I think that is something we should encourage all board members to try to participate in. But each year they alternate with the north and south. Any time we can do it I think we should. It is very beneficial.

Chairman Miller's only concern would be do we have the money in the budget.

Mr. Dallaire can discuss it during budget time. The next meeting will be in north Las Vegas.

Mr. Dallaire advised Denny is on his way. He is in south Carson.

Mr. Dreyer wanted to find out what the Hellwinkel Flood Channel is.

Mr. Dallaire explained the Hellwinkel Channel to Mr. Dreyer.

(Recess taken at 5:45 p.m.)

(Meeting resumed at 5:55 p.m.)

**6.  For Possible Action: Presentation, discussion, and direction to staff, regarding an update on the Hellwinkel Flood Control Channel and project flood study and improvement plans (APN 1320-33-402-080), presented by Denton Peters of Northwest Hydraulics; with public comment prior to Board action.**

Mr. Denny Peters, NHC out of Reno thanked the Board for their patience. It is important to Tom and I that we get this information to you. In June we talked about additional modeling for the existing site that the channel is proposed on. That is what I am here to present. Mr. Peters went over the current flood zones, previous modeling and the new Flo2d model. It gives better results on a small scale. (Powerpoint presentation on the Hellwinkel Flood Channel)

Mr. Peters stated if we build this 95% interim channel it is the first step in a bigger solution. If this is all that ever happened I don't know that I would advise the money and time spent on it. It helps the ten year storm.

Mr. Dallaire felt there is value in that because as the flooding event comes up it will keep the highway open longer. There are huge losses with the volume of traffic if 395 is shut down due to a flood at this location. There is a huge benefit to NDOT to do some of these improvements.

Mr. Peters didn't think it would be difficult to get back for the next meeting in person or handouts on this exhibit where you have the existing condition. I can report the depths of flow in the street. This is the best model for that.

Chairman Miller called for public comment.

Mr. Henry Dreyer, representing Dreyer Ranches and the Dean Seeman Trust. Where you cross 395 where the two by ten culverts and you start your improvements, what will happen to the existing slough at that point?

Mr. Peters stated one of the things we are thinking about doing is inside the box have a gate that will pull the 12 cfs or so that that ditch is guaranteed or we may take that outside of all those improvements, hook it down the side and return it to an existing condition.

No further public comment.

Mr. Dallaire stated they have been working on the hazard mitigation plan. We helped with the update. FEMA hasn't gotten back to them but they approved it. The update is moving forward through FEMA and we were hoping the next development that would come in might donate property for a fire station or school behind Wal Mart in the Virginia Ranch development.

**(There was lengthy discussion held on whether or not to proceed with the flood channel)**

Mr. Philips would like to agendize this for next month so we can get a little more indepth and see if we want to quit on it or carry on.

Mr. Dallaire will do that.

Mr. Peters asked if there was anything they would like to see that they didn't see tonight that would help examine that. If you saw the 10 year in this fashion instead of the 100 year with those ideas in place, would that help? Not any more design work, just run the 10 year model through this. It takes a half a day. We can put in an exhibit and say here is what is missing. Maybe the channel does help. Then throw some depths of flow along here so you can say here is a side benefit that isn't necessarily flood plain driven but with all these things in place the flow drops by this amount on the highway.

Vice-Chairman Slater would like to see what your recommendation would be for the least amount of money but for the most benefit to the town and its residents.

Mr. Peters will flush out these possibilities and put some dollar amounts to them, come back and say here is a little snippet of a master plan. Here is what will actually go in the ground. Here is the cost. Here is the phasing strategy. Is it something you want to tackle?

Vice-Chairman Slater asked if we put the channel in and it's a standalone project, and if we didn't do anything at all we would have the Q1 money to cover the cost, right.

Mr. Dallaire agreed. Phase 2 could be Eagle Gas storm drains.

Vice-Chairman Slater asked if we put the channel in subject to the Q1 money and that channel sits there until we decide which next phase we want to include, is there a downside to that.

Mr. Dallaire answered no.

Mr. Philips asked if they could get some information together, bring it back next month and get all of these questions answered.

Mr. Dallaire added without the channel there is nowhere for the storm drainage to go. There isn't an immediate benefit. We are going to put in a trench and cut open a trail. That's not going to make people very happy. We're going to add another trail so it links it back to Toler. That helps with the route to school issues and provides access to the property we purchased.

Mr. Higuera asked if we should do this as a 25 year event.

Mr. Peters believed it is reasonable for the drop inlets because NDOT has to approve those. I wasn't clear enough in separating the concepts of this big box improvement and the channel improvement being regional solutions to a big storm event, or parts of a regional solution to a big storm event. These would be considered solutions to a small local problem on a small storm event. These could really make an improvement unrelated to the flood zones and the FEMA mapping. We've been focused on regional flooding since we started this. If we step back and say these actually have a small storm benefit; this doesn't. The box is fine for a small storm. The channel is fine for a small storm. You need to separate those concepts.

Mr. Dallaire will bring it back.

Mr. Philips appreciates all of Mr. Peters work. We have been fighting an uphill battle.

**Motion Higuera/Wenner to adjourn at 7:30 p.m. Motion carried.**

Respectfully submitted,

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Linda Slater  
Chairman

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Tom Dallaire  
Town Manager