



GARDNERVILLE TOWN BOARD

Special Meeting Minutes

Linda Slater, Chair
Lloyd Higuera, Vice Chair
Ken Miller, Board Member
Mary Wenner, Board Member
Mike Henningsen, Board Member

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

Monday, September 16, 2019

8:00 a.m.

Gardnerville Town Hall


BOARD MEMBERS PRESENT:

Linda Slater, Chairman
Lloyd Higuera, Vice-Chairman
Mike Henningsen
Mary Wenner
Ken Miller

STAFF PRESENT:

Erik Nilssen, P.E., Town Manager
Marie Nicholson, Office Specialist

 8:00 A.M. Chairman Slater called the meeting to order and made the determination a quorum is present.

 PLEDGE OF ALLEGIANCE – Lloyd Higuera, Vice-Chairman

 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 comment.

 **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/Miller approve the agenda.

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)

1. **For Possible Action:** Discussion to approve, approve with modifications or deny a town special event application for Austin's House Poker Run Fundraiser scheduled for September 21, 2019 at Heritage Park from 9:00 a.m. to 5:00 p.m., considered to be a Class I Use (without requirement for payment of a fee) pursuant to the Town's Park Use and Reservation Policy Rules and Regulations (Rev. 1/2013); with public comment prior to Board action.

At 8:01 a.m. Danny Villalobos of Austin's House joined the meeting. He apologized for being late on the application— he assumed he needed to have it in 10 days prior to the event but didn't realize it had to be sooner for the board for open law meetings. He said it benefits the children of Austin's House: we give over 100% to it, every penny we get. Because we pay for everything – the ride pins, the food, everything. Most of the stuff is donated. We don't reimburse ourselves for the gas we use, chair rentals, whatever. This is the 13th annual.

Mr. Miller asked if they would be serving alcoholic beverages.

Mr. Villalobos said yes.

Mr. Miller asked if the insurance policy has an endorsement for alcoholic beverages.

Mr. Villalobos said he believes it does.

Mr. Miller said we have to see that.

Mr. Nilssen said just a reminder on the alcoholic beverages – on the town policy it does not allow for glass or metal.

Mr. Villalobos thanked him for pointing that out. His dad was a bartender for many years and he will be pouring the beer to be sure that no one under age is served. Mostly older folks come to the event and it's usually kegs and they use the red plastic solo cups. Rite of Passage students help with set up, serving, and break down. They are the only minors around and they watch them really closely as do their staff.

Mr. Miller asked Erik if we have a copy of the endorsement.

Mr. Nilssen said the insurance certificate of liabilities is included in the board packet where the town is named as the additional insured, but he doesn't know specifically as to the question on alcohol.

Mr. Miller said that most non-profits don't carry liquor liability but they can get a special endorsement for one time for about \$60 from their agent. We have to have that notification on there to relieve us of the liability.

Mr. Villalobos said he's pretty sure it's in there. This is separate from the non-profit organization. But his insurance is well aware that there is alcohol served at this event.

Mr. Nilssen said that he'll call up and make sure liquor liability is covered.

Motion Miller/Higuera to approve this motion with the stipulation that there is an endorsement for liquor liability on the Austin's House insurance policy.

No public comment.

Upon call for a vote, motion carried.



- 2. For Possible Action:** Discussion to approve, approve with modifications, or deny a town special event application for Main Street Gardnerville's Fall Fest scheduled for October 5, 2019 at Heritage Park from 6:00 a.m. to 6:00 p.m. considered to be a Class I Use (without requirement for payment of a fee) pursuant to the Town's Park Use and Reservation Policy Rules and Regulations (Rev. 1/2013); with public comment prior to Board action.

Matt Bruback, Main Street Gardnerville, said: that moving forward we'll have these types of events brought to the board's attention months in advance. He appreciates everything the town board does for them.

Chairman Slater noticed that the application doesn't have approval by town staff and date on the Waiver of Liability.

Mr. Bruback said all paperwork he knew of was taken care of before he came on. He can take a look at it and if there's something he has to do he'll do it.

Chairman Slater said he'd need to coordinate with Mr. Nilssen to make sure it gets signed. It looks like it was prepared by Debbi.

No public comment.

Motion Higuera/Wenner to approve this motion with the stipulation that the Waiver of Liability will be signed by staff.

Upon call for a vote, motion carried.



2nd PUBLIC INTEREST COMMENTS period (No action will be taken)

Mr. Nilssen requested some direction from the board. A lot of this is what board and the town manager has comfort with. Tom Dallaire worked with you for a number of years so maybe he had comfort and knowledge that Mr. Nilssen doesn't have. When he reads the town Street Closure and Special Event's Policy Rules and Regulations, it specifically states that the Town of Gardnerville requires regulation and control of all persons desiring to promote, encourage or sponsor special events which may include closure of certain events or alleyways within the town – "no person or entity shall conduct a special event within the town without first applying to the town office for a permit issued by the board". All I find references that the board approves it, I don't find any reference in here that the town manager approves. Previously I was told that Tom was told by a board member that they didn't need to see these, he could just take care of them. Mr. Nilssen needs to know what the board wants to see, what they don't want to see, and if he needs to revise the policy to be clear.

Chairman Slater said they will revise it to make it clear. She personally thinks that things of this nature Mr. Nilssen can handle rather than bringing it to the board.

Vice-Chairman Higuera said maybe Mr. Nilssen could agendize so the board could discuss it.

Mr. Nilssen said that in his opinion anything with live music or alcohol in a park should be brought forward. And maybe we set a certain count of people - maybe 200-250. But if it's just a neighborhood or a street closure he doesn't think it needs to come to board.

Mr. Miller said that 3-4 years ago we rewrote part of that policy so the town manager could approve street closure. But special events with live music and alcohol have to come before the board. This is for the convenience of the town manager and the applicant. If Carol was here she could probably almost recall it from the meetings.

Chairman Slater said we're finding that some of these policies need to be brought to Mr. Nilssen's attention.

Mr. Nilssen may schedule this for November, to take a closer look at that.

Mr. Miller said we won't want to duplicate what we've already done. Maybe Carol has knowledge of this somewhere.

No further public comment.

Meeting adjourned at 8:12 a.m.



Linda Slater, Chairman



Erik Nilssen, P.E., Town Manager