

The Honorable Board of Lyon County Commissioners met this day in regular session with the following present: Chairman Joe Mortensen, Vice-Chairman Bob Hastings, Commissioners Greg Hunewill and Don Alt. Absent: Comm. Fierro. Also present: County Manager Jeff Page, District Attorney Steve Rye, Clerk/Treasurer Nikki Bryan and Deputy Clerk Donna MacGill.

1. Public participation

Comm. Mortensen commented on the average price of homes in Dayton and Fernley

2. For Possible Action: Review and adoption of agenda

Jeff Page requested that we go into closed session to discuss labor negotiations immediately following the 10:00 Time Specific.

Comm. Hastings moved to approve the agenda, with the change moving Item #27 to be heard immediately after the 10:00 Time Specific. Comm. Mortensen seconded and the motion passed 4 – 0. Absent Comm. Fierro

3. Presentation of awards and/or recognition of accomplishments

There were no awards or recognitions.

4. Commissioners/County Manager comments

County Manager Jeff Page discussed the Lakes Blvd. building in Silver Springs. He said the mold issue has been taken care of. They have taken delivery of the furniture for the holding cells. He discussed the Silver Springs animal control office. Farr West Engineering was asked to do a feasibility study for the land around the Fernley Senior Center. The county may possibly be replacing that facility in the future. He commented on the turnout at the meeting in Silver Springs regarding the Silver Springs Airport. He has been discussing the V & T railroad with Storey County regarding future legislation. He also said that Lyon County has hired a public administrator. Mr. Getto who is the public administrator for Churchill County has agreed to also serve as public administrator for Lyon County. There will be a contract between Lyon County Board of Commissioners and Churchill County Board of Commissioners that will be on the next agenda for approval. There will also be an agenda item on October 20th to discuss a water plan for Lyon County.

5. Elected Official's report

Sheriff Al McNeil said that Frank Hunewill has been promoted to Commander to take over the operations inside the detention facility. One opening still exists. He also addressed the Lantern Fest in Fernley. Proper permitting was not followed for that event. There was a meeting involving NAS Fallon. The Sheriff sent Michael Carlson to cover that meeting. Their intent is to expand B16. In the past it was all in Churchill County; it will eventually cross over into Lyon County. There will be some issues that will need to be addressed.

Steve Rye District Attorney said that Attorney General Adam Laxalt will be in Yerington next week on October 13th at Yerington City Hall.

6. Appointed Officials comments

Dave Snelgrove of Community Development said they continue to work on Title 15, waste management issues and code compliance concerns.

Lyon County Library Director Amy Geddes gave an update on the library system and the number of people who are using the library. She also told a story where they helped a man who needed help with some food who was using the library.

Edrie LaVoie discussed the housing crunch and the lack of affordable housing in Lyon County. There will be a meeting on October 25th in Fallon.

Mike Workman said the main ground water pumps went down in Dayton along with two booster pumps. With the fast response of Public Works, they will be back on line next week.

7. Advisory Board reports

There were no advisory board reports.

****CONSENT AGENDA****

8. For Possible Action: Approval of changes on Assessor's tax role due to corrections in assessments and review of tax roll changes

There were Unsecured Property factual corrections totaling \$7,075.23.

9. For Possible Action: Review and possible approval of business license applications:

- a. **Bradley, Sheila; *Bradley Enterprises*; 626 Champions Dr., Dayton, NV; Sell Children's Novels and Educational Workbooks**
- b. **Thomas, George Bryan; Golden, Rodney J.; *Cannon Cochran Management Services, Inc.*; 2 E. Main St., Danville, IL; Insurance Services**
- c. **Arnold, Dave; *Dave Arnold*; 52 Laxalt Dr. Apt., A, Mound House, NV; Handyman Services**
- d. **Dennis, Desiree N.; Dennis, Robert W.; *Denscorp General Contractors*; 5245 Vista Blvd. #131, Sparks, NV; General Construction**
- e. **Jaquay, Michelle K.; *Jaquay Enterprises*; 110 Hoyo Canyon Rd., Wellington, NV; Move, Install and Repair Manufactured Homes**
- f. **Billings, Deborah Lynn; Billings, David Allen; Action Garage Door Company, Inc.; *Tahoe Screens.*; 121 Chalice Ave., Dayton, NV; Change Name and Business Entity Type**

10. For Possible Action: Approve: Approve agreement with Washoe Legal Services to provide legal services for children in abuse and neglect cases (requested by Washoe Legal Services)

Jim Dunlap read a statement into the record regarding legal plunder. He presented a copy of the statement to be included in the record.

Comm. Alt felt these issues should be addressed during the budget.

Tommy Cartwright suggested reading NRS.

Comm. Mortensen moved to approve Item #10 as presented. Comm. Hunewill seconded and the motion passed 3 – 1. Comm. Alt was opposed. Absent: Comm. Fierro

11. For Possible Action: Approve Memorandum of Understanding between Lyon County and the Lyon County School District for the implementation of School Resource Officers (requested by Sheriff)

Sheriff Al McNeil explained how the program will be implemented. The Sheriff feels it will make schools safer. The positions are covered in the sheriff's budget. Any overtime would be reimbursed by the schools.

Comm. Mortensen moved to approve as presented. Comm. Hastings seconded and the motion passed 4 – 0. Absent: Comm. Fierro

District Attorney Steve Rye said these are deputies of the Sheriff's office and are under the Sheriff's command.

Angela DeFord said that having a deputy present at the schools should help with the bullying issues in the schools.

12. **For Possible Action: Acceptance of FY17 Notice of Grant Award (NGA) from Aging and Disability Services Division (ADSD) for Home Delivered Meals, Grant # 11-001-04-24-17, in the amount of \$92,658.00 (requested by Human Services Director)**
13. **For Possible Action: Acceptance of FY17 Notice of Grant Award (NGA) from Aging and Disability Services Division (ADSD) for Congregate Meals, Grant # 11-001-07-13-17, in the amount of \$75,764.00 (requested by Human Services Director)**
14. **For Possible Action: Acceptance of the amended FY17 Notice of Grant Award from the State of Nevada Department of Health and Human Services, for the Community Services Block Grant, in the amount of \$157,827 (requested by Human Services Director)**
15. **For Possible Action: Acceptance of the FY16 Subgrant Amendment #1 for the Women, Infants, and Children (WIC) program, through the Nevada Division of Public and Behavioral Health, Bureau of Child, Family, and Community Wellness in the amount of \$260,362.00 (requested by Human Services Director)**
16. **For Possible Action: Acceptance of the Notice of Subgrant Award from the State of Nevada, Division of Public and Behavioral Health in the amount of \$378,917.56 to continue the Nevada Home Visiting Program in Lyon County (requested by Human Services Director)**
17. **For Possible Action: Authorize staff to enter into an agreement with Taggart & Taggart, LTD to provide legal services to Lyon County Utilities for water rights, water resources and developer agreement related activities (requested by Utilities Director)**
18. **For Possible Action: Review and accept travel claims**

Travel claims totaled \$6,098.74 and registrations totaled \$6,206.96.

19. **For Possible Action: Review and accept County claims and financial report**

County claims totaled \$928,481.77 and payroll totaled \$915,295.86.

Comm. Mortensen requested that Item # 11 be pulled for discussion. Jim Dunlap wanted #10 pulled and discussed separately. Comm. Alt moved to accept the consent agenda as presented with Items #10 and #11 being pulled for separate discussion. Comm. Mortensen seconded and the motion passed 4 – 0. Absent: Comm. Fierro.

9:30 A.M. – Public Hearing – Bill 16-09 For Possible Action: an ordinance amending Lyon County Code Title 10 – Land Use Regulations; by amending: Chapter 3 – Residential Districts, Section 1–General Provisions, revising Subsection G, to revise the provisions regulating residential use of a recreational vehicle in the event of a natural or man-made disaster; and other matters properly related thereto

Rob Pyzel said this is a code amendment which would allow recreational vehicles in the event of a natural disaster and recommended approval.

Comm. Hastings moved to accept Bill 16-09 an ordinance amending Lyon County Code Title 10 – Land Use Regulations; by amending: Chapter 3 – Residential Districts, Section 1–General Provisions, revising Subsection G, to revise the provisions regulating residential use of a recreational vehicle in the event of a natural or man-made disaster; and other matters properly related thereto. Comm. Hunewill seconded and the motion passed 4 – 0. Absent: Comm. Fierro

****END OF CONSENT AGENDA****

PUBLIC HEARING ON PLANNING ITEMS

20. **COMSTOCK INDUSTRIAL, LLC – ZONE CHANGE** (for possible action) – Request to change the zoning on approximately 98.00 total acres from RR-2T (Rural Residential-2 acre minimum with trailer overlay) to M-E (Industrial Estates) to conform to the 2010 Comprehensive Master Plan; located at 3405 Citrus Avenue, Silver Springs, NV (APN 15-171-25) PLZ-16-0026

Planning Commission Recommendation: By a unanimous vote of those members present, the Planning Commission recommended approval of your request for a Zone Change, based on the findings recommended by staff.

Rob Pyzel, Planner, said this is for a zone change of approximately 98 acres immediately south of the Silver Springs Airport. The applicant is bringing it into compliance with the current Master Plan Land Use designation. Mr. Pyzel recommended approval based on the findings of the planning commission.

Comm. Hastings moved to approve COMSTOCK INDUSTRIAL, LLC – ZONE CHANGE (for possible action) – Request to change the zoning on approximately 98.00 total acres from RR-2T (Rural Residential-2 acre minimum with trailer overlay) to M-E (Industrial Estates) to conform to the 2010 Comprehensive Master Plan; located at 3405 Citrus Avenue, Silver Springs, NV (APN 15-171-25) PLZ-16-0026; subject to the following findings:

- A. The zone change is in substantial compliance with and promotes the Master Plan goals, objectives and actions.
- B. The proposed zoning promotes development that is commensurate with the character and current use of the surrounding land and will not have detrimental impacts to other properties in the vicinity.
- C. The proposed zoning is timely and contributes to the orderly and efficient arrangement of transportation and other public facilities and services.
- D. The proposed zoning will not negatively impact existing or planned public services or facilities and will not adversely impact the public health, safety and welfare.

Comm. Mortensen seconded.

Eugene Tompkins of Silver Springs had questions as to the types of businesses that will be going in. He also had questions regarding eminent domain.

Comm. Mortensen said they are only asking for a zone change.

Comm. Alt said it should be light industrial.

Comm. Mortensen called for the vote and the motion passed 4 – 0. Absent: Comm. Fierro.

21. **UNION HOTEL / HASBROUCK, GLENN – SPECIAL USE PERMIT** (for possible action) - Request for a Special Use Permit to allow for a use not permitted in the underlying C-2 zoning district (single family residence) within the Historic Zoning Overlay district per LCC Title 10 Chapter 14, all on a .16 total acre parcel; located at 75 West Main Street, Dayton, NV; (APN 06-073-06) PLZ-16-0023

Planning Commission Recommendation: By a unanimous vote of those members present, the Planning Commission recommended approval of your request for a Special Use Permit, based on the recommended findings, and subject to the 11 conditions listed in the staff report.

Rob Pyzel, Planner, recommended approval. He explained that the historic overlay does allow this to be converted to a residence.

Comm. Hastings said the fire district will not require sprinklers since it will be a residence.

Comm. Hastings moved to approve UNION HOTEL / HASBROUCK, GLENN – SPECIAL USE PERMIT (for possible action) - Request for a Special Use Permit to allow for a use not permitted in the underlying C-2 zoning district (single family residence) within the Historic Zoning Overlay district per LCC Title 10 Chapter 14, all on a .16 total acre parcel; located at 75 West Main Street, Dayton, NV; (APN 06-073-06) PLZ-16-0023as presented with the findings A. through E. and the 11 conditions as follows:

1. The applicant shall obtain a building permit for the seismic retrofitting and single family residential remodel of the historic buildings located at the subject site.
2. The applicant shall comply with all applicable fire, building, zoning and improvement code requirements.
3. If outdoor lighting is provided, it shall comply with the outdoor lighting requirements of Chapter 10.20 of the Lyon County Code.
4. The applicant shall comply with Lyon County's 1996 (revised) drainage guidelines. The property owner shall be responsible for maintenance of all roads, walks and drainage facilities within the development, as well as the storm water detention facilities, if applicable, whether it is onsite or offsite. Lyon County shall have no financial responsibility for maintenance of these facilities.
5. All of the requirements placed on the special use permit by the County Building Official, Central Lyon County Fire Protection District, Community Development Director, and other agencies with jurisdiction shall be met prior to the applicant commencing use of the site.
6. The applicant shall acquire all State, County and special purpose district permits and obtain all necessary public inspections.
7. If any proposed, improvement to the exterior architectural feature(s) of the structures are proposed, then the Comstock Historic District Commission shall review and approve the features based on their design guidelines book prior to the installation of the features.
8. If the structures are damaged or partially destroyed by natural calamity, then the structures may be restored to its original state for the same use or uses permitted by this Special Use Permit. If the property owner chooses not to restore the structures, then the property owner shall have the right to apply for a zone change to remove the Historic Zoning Overlay on the subject property.
9. Any modification, expansion, intensification or material change in use or operation shall require an application for and public hearings on a modification of the special use permit pursuant to Lyon County Code.
10. The substantial failure to comply with any conditions imposed on the issuance of a special use permit or the operation of a special use in a manner that endangers the health, safety or welfare of Lyon County or its residents or the violation of ordinances, regulations or laws in the special use or the non-use of the permit for a year may result in the institution of revocation proceedings.
11. Annual review - The special use permit is subject to annual review by Lyon County.

Comm. Hunewill seconded and the motion passed 4 – 0. Absent: Comm. Fierro

- 22. GRANITE POINTE SUBDIVISION / SAGINAW MANUFACTURING, LLC – MERGER AND RESUBDIVISION INTO A TENTATIVE SUBDIVISION MAP (for possible action) – Request to combine two existing (2) parcels totaling 10.3 acres, into 45 residential lots and 1 commercial lot, through the Merger and Resubdivision into a Tentative Subdivision map, process; located at 269 Dayton Valley Road, Dayton, NV (APN 16-271-22 and 16-271-23) PLZ-16-0024**

Planning Commission Recommendation: By a unanimous vote of those members present, the Planning Commission recommended approval of your request for a Merger & Resubdivision into a Tentative Subdivision Map, based on the recommended findings, and subject to the 42 conditions listed in the staff report.

Rob Pyzel presented. He explained this is a merger and resubdivision as well as a tentative map. Staff recommended approval based on the findings and conditions. He recommended closing the BLM access. There will be commercial development and single family residences. He said it is in conformity with the design standards as well as the suburban mixed use requirements. He explained how the redesign creates another in and out to the subdivision for the residential portion. They will need to prepare a traffic and drainage study. The utilities director recommended condition #43.

Matt Bernard of RO Engineering is happy to comply with all 43 conditions.

Comm. Mortensen moved to approve GRANITE POINTE SUBDIVISION / SAGINAW MANUFACTURING, LLC – MERGER AND RESUBDIVISION INTO A TENTATIVE SUBDIVISION MAP – Request to combine two existing (2) parcels totaling 10.3 acres, into 45 residential lots and 1 commercial lot, through the Merger and Resubdivision into a Tentative Subdivision map, process; located at 269 Dayton Valley Road, Dayton, NV (APN 16-271-22 and 16-271-23) PLZ-16-0024 based on the findings and the 43 conditions as follows:

1. Approval of the tentative map shall be conditional, subject to the following terms and conditions:
 - a. The improvements required by the terms of Title 11 of the Lyon County Code shall be inspected by the County as the work progresses. Such improvements shall not be started until the inspection fee, required as a prerequisite to the filing of the final map, has been paid.
 - b. Prior to any construction of improvements, a preconstruction conference shall be held between the contractor/developer and the appropriate County inspection personnel.
2. The applicant shall comply with all Federal, State, County and special purpose district regulations.
3. The applicant shall make corrections of any engineering or drafting errors and other technical map corrections to the satisfaction of the County Engineer and Community Development Director prior to submitting the final subdivision map for recordation.
4. The applicant shall pay the actual costs for County Engineer plan and map checking and County Inspector site improvement inspection fees, in accordance with the adopted County fee resolution in effect at the time, and provide proof of payment to the Community Development Department prior to final subdivision map recordation.
5. The applicant shall comply with Lyon County improvement requirements as set forth in Chapter 11.07 of the Lyon County Code including, but not limited to:
 - a. The applicant shall comply with the road improvement standards set forth in Chapter 11.07.01 and 11.07.14 as they relate to on and off-site access, street grading, street alignment, surfacing and width in an NR-1 zoning district for access to the proposed parcels.
6. The applicant shall construct all internal roads and off-site roads necessary to provide legal and physical access according to the County road standards established for the NR-1 zoning district and in accordance with the following:
 - a. Horizontal and vertical street alignments must be designed in accordance with “A Policy on Geometric Design of Highways and Streets”, latest addition, published by the American Association of State Highway Transportation Officials. Local streets serving less than 75 lots must be posted with the appropriate speed limit signs. The minimum slope on asphalt paving shall be 2-percent.
 - b. Street lighting shall be installed to County standards.
 - c. Road and traffic signage shall be installed to County standards.
 - d. The existing traffic median located on the east side of the intersection of Dayton Valley Road/Sunset Way will be modified to allow west-bound traffic on Dayton Valley Road to make a left turn movement into the residential portion of the project.

7. The applicant shall make a perpetual offer of dedication for the right-of-way for all streets and roadways within the proposed subdivision. The County ***rejects the offer of dedication at this time and*** will not accept the offer of dedication until at least 90% of the lots within the respective unit have been developed, the improvements are inspected and approved by the County, and the County accepts the improvements for maintenance.
8. Another traffic study is required to be submitted when the 2.83-acre commercial parcel of the Granite Pointe Subdivision is proposed to be developed.
9. The applicant shall provide the proposed Covenants, Conditions and Restrictions (“CC&Rs”), agreements, easements and other legal instruments containing sufficient detail to constitute enforceable provisions necessary for easements and maintenance for all drainage easements and facilities, landscaping, building location restrictions and/or envelopes, pedestrian/bicycle access to the commercial parcel and public land to the south and other provisions necessary for the subdivision as approved, for review by the Community Development Director and District Attorney’s Office.
10. The developer shall obtain all necessary approvals and encroachment permits, and coordinate and comply with any requirements placed on this subdivision by the Lyon County Road Department.
11. A detailed final geotechnical report must be submitted with the final subdivision map application that includes roadway structural sections. The minimum thickness of asphalt concrete pavement shall be 4-inches in accordance with the Lyon County Standard Roadway Sections, Drawing L-1 (dated 6/12). Roadway sections must be based on R-values taken at subgrade level. Prior to aggregate base being placed for roadways, R-value testing must be done at subgrade to verify that the subgrade soils have the structural section design minimum R-value. The minimum number of R-value tests shall be one test per 1000 feet of street and must be evenly distributed throughout the site or as approved by the Lyon County Road Superintendent. A note to this effect must be placed prominently on the plans. Structural section calculations must be submitted with the final subdivision map application that show the proposed structural section is adequate.
12. The applicant shall comply with Lyon County’s 1996 drainage guidelines (as revised 2006). The applicant shall demonstrate that the proposed drainage facilities will comply with the Lyon County Drainage Requirements to the satisfaction of the County Engineer and Utilities Department Director prior to recordation of the final subdivision map. Major drainage facilities shall be constructed in the first phase of development and each phase of building development shall have drainage improvements that tie into the major facilities and function without dependency on improvements in future phases of development.
13. The applicant shall provide documentation that easements have been recorded to permit discharge of project generated stormwater to all off-site properties receiving stormwater discharges prior to recordation of a final subdivision map.
14. The applicant shall demonstrate to the satisfaction of the County Engineer, the County Utilities Department Director, and the Community Development Director that facilities necessary to protect source water from potential stormwater contamination have been designed and will be installed prior to approval of a final subdivision map for this project.
15. The applicant shall demonstrate to the satisfaction of the County Engineer, the County Utilities Department Director, and the Community Development Director that facilities necessary for the treatment of stormwater prior to discharge to the Carson River have been designed and installed prior to approval of a final subdivision map for this project.
16. The applicant shall demonstrate to the satisfaction of the County Engineer, the County Utilities Department Director and the Community Development Director that provisions for maintenance and continued operation of the stormwater system have been developed and put in place prior to approval of a final subdivision map for this project.
17. Another drainage study will be required for the commercial parcel of the subdivision when development is proposed for that portion of the Granite Pointe Subdivision.

18. The developer, homeowners' association or suitable maintenance entity shall be responsible for maintenance of the two public pedestrian access areas. The two public pedestrian access areas shall be improved with base materials and Portland Concrete to mitigate the growth and accumulation of flammable vegetation which would present a continued fire nuisance. A storm drainage utility easement is required if either or both of the public pedestrian accesses contain storm drainage conveyance facilities.
19. The applicant shall complete any and all required development improvements and facilities to the satisfaction of the Community Development Director, County Engineer, Road Director, Utilities Director, Building Official, Central Lyon County Fire Protection District or other authorized County personnel, as applicable, or an appropriate security must be provided and approved prior to recordation of a final subdivision map for this project. There may be temporary restrictions to obtaining building permits even with an acceptable security instrument depending on the County's approval of the various systems. All facility construction shall be completed and inspected to the Building Official's satisfaction prior to the issuance of a Certificate of Occupancy will be allowed in any single family residence for this project.
20. The applicant shall comply with all applicable building and fire code requirements.
 - a. No building permits shall be accepted for processing until a final subdivision map has been approved and recorded.
 - b. Building permits shall be issued in compliance with Title 10 and 11 of the Lyon County Code.
21. The applicant shall comply with County requirements, in accordance with Chapter 11.07.14(F) of the Lyon County Code, mandating that a grading permit(s) be obtained for any site development work prior to any disturbance occurring on the subject site.
22. Structures placed on the residential lots shall adhere to the County's site and setback standards for the NR-1 zoning district (Front: 20 feet; Side: 5 feet; Rear: 10 feet; and a minimum of 10 feet between structures on the same lot). Structures on the commercial parcel shall comply with the SCMU zoning district setbacks.
23. The applicant shall provide written evidence demonstrating that the proposed parcels are able to be served by municipal water and sewer systems prior to recordation of a final subdivision map for this project.
24. The water system must meet the requirements of the Lyon County Utilities Department and Central Lyon County Fire Protection District and be constructed in accordance with the following:
 - a. The location of fire hydrants shall be determined by the Central Lyon County Fire Protection District.
 - b. A minimum required fire flow is required for each fire hydrant as directed by the Central Lyon County Fire Protection District.
25. The developer will install a pillar post and wood fencing treatment, similar to that installed by the subdivisions located to the north of subject property, along that portion of Dayton Valley Road abutting this development. The individual homeowners will be responsible for maintenance of the portion of the fence situate on their property(s), that front onto Dayton Valley Road.
26. The developer shall remove the southern access connection of Sunset Way that accesses the BLM property to the south, and establish a Right-In/Right-Out access to Dayton Valley Road, to the satisfaction of the Lyon County Road Director and Community Development Director. Up to 45 lots would still be allowed with this conditioned access adjustment.
27. Prior to any combustible materials being brought on site the following shall occur:
 - a. All required fire hydrants are to be installed and fully operating.
 - b. Street name signage shall be installed.
28. Distinct and legible "temporary" addresses are required of any structures under construction until such time as permanent address numbers are installed and posted.

29. Should any requested street name(s) be denied, the Community Development Director is authorized to administratively process a request for a replacement street name(s), obtain review and comment from the fire district with jurisdiction, Road Department and any other appropriate agency, and approve a revised street name(s) without the requirement of a public hearing before the Planning Commission.
30. The 10-inch water line that crosses through the western portion of the commercial parcel shall be identified and an access/maintenance easement granted for the water line to the approval of the Utilities Department prior to approval of a final subdivision map for the project.
31. No lot shall be offered for sale or sold until the final subdivision map has been approved and recorded.
32. The applicant will maintain the property until the development is complete. This maintenance will include the semi-annual mowing of all weeds within the development boundaries and the removal of noxious weeds when they are identified.
33. The applicant shall obtain any required air quality permit(s) from the Nevada Division of Environmental Protection (NDEP) and apply appropriate dust abatement processes as part of the development construction.
34. The applicant shall post and maintain a rules and regulations sign at the entryways to the property until it is fully developed. The signs shall be intended for the subcontractors performing work and shall include: 1) no loud music 2) no alcohol or drugs 3) dispose of personal trash and site debris 4) clean up any mud and or dirt that is deposited from the construction parcels onto the streets 5) no burning of construction or other debris on the property.
35. All debris on construction sites must be contained and removed periodically as required for safety and cleanliness to the satisfaction of the Lyon County Community Development Department.
36. All property taxes must be paid in full through the end of the fiscal year (June 30) and any applicable agricultural deferred taxes shall be paid in full prior to recordation of any final map.
37. The applicant shall comply with the final subdivision map requirements as prescribed by NRS 278 and Title 11 of the Lyon County Code.
38. Required recording fees to be paid at time of recording map.
39. A phasing plan must be submitted prior to the recordation of the first final map if the development is to be phased.
40. All appropriate fees and actual costs for map reviews and field inspections must be paid prior to map recordation in accordance with the adopted County fee resolution in effect at the time.
41. Approval of the tentative map shall not constitute acceptance of the final map. Approval of the tentative map shall lapse unless a final map based thereon is presented to the Board of Commissioners within four (4) years from the date of such approval, unless a provision for an extension of time has been granted. The Board of County Commissioners, with the recommendation of the Community Development Department, may grant to the developer a single extension of not more than two (2) years within which to record a final map after receiving approval of the tentative map.
42. The applicant shall provide the final subdivision map to the Lyon County GIS Coordinator in form and format compatible with the County geographical information system (GIS) pursuant to 11.05.09 of the Lyon County Code. The scale of the site plan, improvements, monuments and other items shall be in model space correctly oriented to coordinate system as established by the GIS Coordinator. Cover sheet and standard details need not be included.
43. The developer shall install vehicular barriers that prohibit vehicles from cutting through the subject site and the property located south of the site to Old Dayton Valley Road to the satisfaction of the County Engineer and the Community Development Director. The barriers shall allow for pedestrian and bicycle passage.

Comm. Alt seconded and the motion passed 4 – 0. Absent: Comm. Fierro

Jim Dunlap was concerned where water would come from.

****END OF PLANNING APPLICATIONS ****

10:00 A.M. – Time Specific - For Possible Action – Presentation and acceptance of the Compensation Study performed by Pontifex. Also, authorization for the County Manager and Human Resources to move forward with steps to implement the compensation study (requested by Comptroller)

Jeff Page presented. The board is just approving and accepting the report from Pontifex. Staff will then be able to move forward with the study. There are comparative results from other class three counties.

Mr. Pete Ronza of Pontifex presented. They will assist to support the county and the union to implement the process. He showed a power point on the study and what was taken into consideration. He explained how they classify a job and the duties involved. He discussed the differences in benefits offered by an employer. He explained that the county will now be able to go into collective bargaining negotiations.

The commissioners had questions.

Mr. Ronza said the plan will not exist until it is brought back to the board of commissioners as a final package.

Jeff Page commented on job descriptions and job position. There will be a process to come back with a final package.

Christy Reeder said the job descriptions were done by employees and supervisors. The study will be used as a tool.

The commissioners expressed their comments and concerns.

Jeff Page explained how a pay band system works.

Comptroller Josh Foli explained a pay band system compared to a step and grade system. He said he has concerns regarding the pay study being viewed as political.

County Manager Jeff Page said the negotiations will be held in closed session.

Comptroller Josh Foli said the cost to implement the study will cost the county approximately \$350,000 more than what has been budgeted. If the step and grade process were used, the cost difference would be approximately \$435,000. He said we are limited on the amount of revenue the county can raise.

Comm. Hastings moved to accept the Compensation Study performed by Pontifex and authorize the County Manager and Human Resources to move forward with steps to implement the compensation study. Comm. Mortensen seconded and the motion passed 4 – 0. Absent: Comm. Fierro

REGULAR AGENDA

23. For Possible Action: Approve Alarm Ordinance #589 Civil Penalties and Fee Schedule (requested by Sheriff)

Sheriff Al McNeil said this is a continuation of the Alarm Ordinance with a fee schedule. There are three vendors interested in managing the contract. He said there is an appeal process fee if a person disagrees. The fee will be returned if successful. Sheriff Al McNeil said there have been over 1,000 false alarms at a cost of approximately \$125 per alarm. The volume of false alarms is increasing. The tracking will be performed by a private company with an automated system.

Comm. Hunewill moved to approve the Alarm Ordinance #589 Civil Penalties and Fee Schedule. Comm. Hastings seconded.

Tommy Cartwright asked if violators will be told to dismantle their alarm system.

Al McNeil said it will stay in suspended status until situations are taken care of; at that point it could be reinstated. The Sheriff does not have the authority to ask anyone to get rid of their system.

Andy Seacheck of Stagecoach asked who makes the decision as to whether it is a false alarm.

Sheriff McNeil said the deputy would make that decision; there is always an appeal process.

Comm. Mortensen called for vote and the motion passed 4 – 0. Absent: Comm. Fierro

27. Closed Session for labor relation discussion as allowed under NRS 288.220

11:30 A.M. – Time Specific - Closed Session, pursuant to NRS 241.015(3)(b)(2), to receive information from the District Attorney regarding potential or existing litigation involving a matter over which the Board has supervision, control, jurisdiction or advisory power, and to deliberate toward a decision on the matter (requested by District Attorney)

1:30 P.M. – Workshop – For Possible Action: To approve, deny, revise the following components of the draft Title 15 Land Use and Development Code:

- 15.100 Impact Fees
- 15.101 Reserved
- 15.102 Reserved
- 15.103 Reserved
- 15.104 Reserved
- 15.105 Reserved
- 15.106 Reserved
- 15.107 Reserved
- 15.108 Reserved
- 15.109 Reserved
- 15.110 Development Agreements
- 15.111 Reserved
- 15.112 Reserved
- 15.113 Reserved
- 15.114 Reserved
- 15.115 Density Bonus Agreements
- 15.116 Reserved
- 15.117 Reserved
- 15.118 Reserved
- 15.119 Reserved
- 15.120 Reimbursement Agreements
- 15.121 Reserved
- 15.122 Reserved
- 15.123 Reserved
- 15.124 Reserved
- 15.125 Reserved

County Manager Jeff Page recommended taking a look at setting up a workshop to wrap up the changes. The board has already made substantial modifications and to continue having workshops after every meeting we will be working on this title until he retires in 10 years.

Community Development Director Dave Snelgrove said the document is very well written and could go forward as written and make changes through the coming years. There have already been a substantial number of hours spent on this document. He does realize that CAFO, signage, mining and transfer of development rights (TDR's) still need to be addressed. The mining had been broken into three areas before Rob Loveberg left the county.

Comm. Mortensen feels we should push through the documents and hit the areas where there may be questions.

Dave Snelgrove pointed out some changes he discussed with District Attorney Steve Rye.

15-115 Pg. 115-1 density bonus would be used minimally because you would need 10 lots before a density bonus could apply.

Dave Snelgrove also clarified Development Agreements - He said it has to be accepted by the department and the board.

15-120 Reimbursement agreements – Mr. Snelgrove said to consider the request for the reimbursement and identifying the benefit area. We do know that it will be part of the reimbursement agreement but wanted to be sure that it was very specific that the benefit area was called out.

Comm. Alt feels the public's perception on Title 15 is that it is whole new document. He feels a lot of the document should be deleted. He said it needs to be more user friendly so more industry will move into Lyon County.

Comm. Hastings feels the document is a big improvement to Title 10. He said people need to have specifics if they have an issue with the document.

County Manager Jeff Page said that Title 10 was written in 1973. In 2010 the Board approved a new master plan. The master plan needs to be readdressed after 10 years. The development community is anxious to adopt Title 15 so they can move forward with their projects. Staff recommends moving forward and addressing issues as they become problems. He would really like to focus on the four topics that have not been addressed. The next question will be how to implement the master plan. He would like some direction from the board of commissioners. He recommended holding a workshop with southern Lyon County in November.

Dave Snelgrove said this document does conform to the master plan.

The commissioners had questions.

Comm. Mortensen moved to approve the following components of the draft Title 15 Land Use and Development Code, 15.100 through 15.125. Comm. Hastings seconded.

Nancy Sbragia was wondering if zoning would take precedence. She was unsure how this would be implemented. She has property in three different zonings.

Rob Pyzel explained the zoning and conformity with the master plan.

Steve Rye said the implications will come back to the board at a later date from Dave Snelgrove and Rob Pyzel.

Nancy Sbragia said she would like to keep C-2 zoning and TC zoning.

Comm. Mortensen called for the vote and it passed 3 – 1. Comm. Alt was opposed. Absent: Comm. Fierro

24. Commissioner Comments

Comm. Hastings said the Historic Society of Dayton went on tour of the Sutro Mine Property, which has not happened in many years. He hopes it can happen again in the future. He said it was very interesting. He told a story that happened in the 1870's.

25. For Possible Action: Approve Minutes (available in the Clerk/Treasurer's Office)

Comm. Hunewill moved to approve the minutes of September 15, 2016 as presented. Comm. Mortensen seconded and the motion passed 4 – 0. Absent: Comm. Fierro

26. Public participation

There was no public participation.

28. Adjourn

The meeting was adjourned.

LYON COUNTY BOARD OF COMMISSIONERS

JOE MORTENSEN, Chairman

ATTEST

NIKKI BRYAN, Lyon County Clerk/Treasurer

Jim Dunlap present to be included as part of the record.

October 6, 2016

Abused and Neglected Children's Legal Fund

Members of the Board,

The state law allows you to make a choice of contracting for legal plunder (the taking from some persons what belongs to them, and give it to other persons to whom it does not belong) or to confine your actions to proper governmental duties.

This would be an equal opportunity law that will give you a choice to fund a socialist program or to protect the property rights of the individuals whom voted for you. It gives the socialists on this board an equal chance to present their true beliefs as to the proper role of the government.

I have been told that this only involves a small part of the population that deals in thousands of dollars and would not hurt them. A typical example of Marx's philosophy "Take from those with the ability and give to those with a need". You will use the force of law to justify your actions or as Stalin put it "The ends justify the means". When this comes to a vote you will expose which of you are Lenin's 'useful idiots' by further advancing his views on a government's socialist duties.

A solution to the problem of financing this afterthought to the budget process would be to wait and be brought up next year during the budget process and let the judicial department find a way to fund this "very good program" as presented by them" by voluntarily forfeiting some of their wages, vacations or increasing the fines of those who commit theft, such as you are attempting here at this moment.

Another solution would be to ask charities, churches and other non-profits, for the voluntary funding. In this manner the oversight of the funds will be more closely monitored by those with "skin in the game".

Now is your chance to start restoring America to the BEACON OF LIBERTY, from the bottom up, with the protection of property instead of the redistribution of wealth. There is no liberty when property is not secure. Jim Dunlap