

The Honorable Board of Lyon County Commissioners met this day in regular session with the following present: Chairman Bob Hastings, Vice-Chairman Joe Mortensen, Commissioners Greg Hunewill, Don Alt and Ken Gray. Also present: Deputy District Attorney Jeremy Reichenberg, Clerk/Treasurer Nikki Bryan and Deputy Clerk Donna MacGill.

**1. Public participation**

Jim Dunlap of Mason Valley was wondering why Central Lyon County is the only area of concern when there are other areas of Lyon County with flooding issues. He said they should also address possible flood concerns at the Mason Valley game ranch. He feels the river bed should be cleaned in the Miller Lane area.

**2. For Possible Action: Review and adoption of agenda**

Comm. Mortensen moved to approve the agenda as presented. Comm. Gray seconded and the motion passed unanimously 5 – 0.

**3. Presentation of awards and/or recognition of accomplishments**

There were no awards or recognitions.

**4. Commissioners/County Manager comments**

Comm. Gray said he spent the day at the Legislature because it was Nevada Veterans' and Military Day. Comm. Gray acknowledged the veterans who were present and thanked them for their service. He asked everybody who has flood mitigation efforts in place to keep them in place until after the spring runoff. He also recommended obtaining flood insurance.

Comm. Hunewill expressed concerns about the creation of a future state park and holding meetings for public comment.

County Manager Jeff Page addressed Comm. Hunewill's concerns and said the state is working with the schools to set up meeting times and locations to receive public comment in regard to the future creation of a state park in Lyon County.

**5. Elected Official's report**

Sheriff Al McNeil gave an update of the sheriff's department. He said the substation hours have been increased for front counter services at the Dayton and Fernley substations. He said that ICE was in Yerington last week. He told ICE they will have their cooperation but they do not have peace officer authority in the state of Nevada. Currently, ICE is doing targeted enforcement. They are looking for additional resources for detainee housing. The only hearing judge ICE has is in Las Vegas. They have to come through Lyon County on their way to Las Vegas, so it makes sense to house detainees here.

**6. Appointed Officials comments**

Lyon County Road Director Dustin Homan met with staff, Nevada State Parks, NDOT, Walker Basin Conservancy and Mineral County and toured the area that may become a state park. He didn't feel he had his questions answered. There will be future discussion with the state parks. The irrigation district will be increasing the flows out of Bridgeport and Topaz reservoirs to see what flows the river can handle.

Comm. Mortensen had questions regarding the bridge on Minister Road.

Dustin Homan said the safety of the bridge is still to be determined.

**9:15 A.M. – Time Certain: For possible action. Discussion and direction to staff regarding legislation or legislative issues proposed by legislators or by other entities permitted by the Nevada State Legislature to submit bill draft requests, or such legislative issues that may impact Lyon County as may be deemed appropriate by the Board of County Commissioners (requested by County Manager)**

County Manager Jeff Page discussed SB54 that would expand the use of the ¼ cent sales tax for operations. He discussed moving the sheriff's office into the shelled in space in the Justice Complex. He commented on future 24 hour medical care in the jail and future food service contracts for the facility. The board could eliminate the ¼ cent sales tax and implement a new ¼ cent sales tax to build something else and utilize the funding after it was built to help with operations. He discussed AB153 regarding an impact study on any business coming into Lyon County that would employ over a certain number of people and notifying surrounding counties. He feels the Bill would be detrimental to economic development in the county. He discussed a BDR dealing with a 5 cent tax on diesel. He explained that only the state benefits from diesel tax. He discussed the ten hours of driving time limit for truckers and the need for 1,500 to 2,000 parking spots along Interstate 80. NDOT would like to partner with truck stops on building the parking locations. The tax collected would be split with the two cities in Lyon County much like RTC funds. The funds can only be used for road maintenance. He discussed public administrators in the counties. He commented on AB 43 regarding NACO's bill. There will be a floor on the tax as well as a ceiling on tax increases. He discussed various other legislative issues and some rural counties facing receivership if the economy does not improve. Lyon County has had a 541 % increase since 2011 for fees paid to the state in mandates from the Legislatures. Mary and Steve Walker of Walker and Associates will be providing information on a number of other bills that could affect Lyon County.

The commissioners had questions and comments.

**9:30 A.M. – Time Certain: County Manager report on the status of the FEMA declaration (January Flood Event) and strategy to reduce the effects of flooding in Central Lyon County in the future.**

County Manager Jeff Page and Dave Snelgrove met with the Nevada Division of Emergency Management (NDEM) last week for a briefing on the FEMA process. The appropriate paperwork has been filed. FEMA will be contacting Lyon County to let us know what procedures need to be followed to attempt to recoup our costs incurred due to the flooding. Utility Director Mike Workman has been working with Farr West Engineering on drainage issues. He said the road department has been working on roads to get them passable. He discussed maintained and non-maintained roads and possibly re-evaluating the list. He estimates the flood damage to be \$5 to \$8 million. He discussed possibly creating a district with a tax rate to deal with flood control. He discussed encroachment permits and the removal of culvert pipes. It could possibly make the property owner liable for damages if the culvert pipes are removed. He discussed other areas of the county with flooding issues. He said flood insurance can be purchased at FEMA.gov.

## **7. Advisory Board reports**

Melinda Cash of the Mound House Advisory Board thanked Comm. Hastings for attending their January meeting. She thanked the sheriff for having Donna Cupp attend their meetings. She invited the public to their September 9, 2017 free barbeque that is held every two years. She thanked the county for the sand and sandbags. She also discussed drainage and flooding in the Mound House area. She commented on Linehan Road and the need for some attention on the roads in their area. She commented on the ruts on Lemon Road. She said that Carson City is allowing unfavorable businesses to locate next to the Lyon County line. She thought that Lyon County could possibly open up a dialogue with Carson City concerning some of these issues. She expressed concerns about the marijuana dispensary that was approved in Carson City. She also asked for swings for the Highlands Park. She recognized Rae Ann Stevenson for her involvement as Mound House Advisory Board secretary for about 30 years. She said we need to recognize the volunteers. She also commented on unfunded district court items and budgets for parole and probation.

**\*\*CONSENT AGENDA\*\***

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

There were no tax roll changes.

- 9. For Possible Action: Review and possible approval of business license applications:**
- a. Helm, Daniel B.; *Dan Helm Service/D.B.H. Service*; 200 Artist View, Wellington, NV; Handyman Services**
  - b. Meisner, Robert; *Durabuilt Storage Barns, LLC*; 1770 Walnut Dr., Fernley, NV; Residential and Small Commercial Contractor Building Storage Sheds**
  - c. Lopez, Hector; *HL Maintenance and Amsoil*; 6 Palomino Dr., Yerington, NV; Handyman Services and Amsoil Sales**
  - d. Hyatt, Rock A.; Hyatt, Stella R.; *High Desert Carpet Cleaning and Home Services*; 6040 Shetland St., Stagecoach, NV; Carpet and Floor Cleaning. Handyman Services**
  - e. Estrada, Jerry L.; *Jolt Electric LLC*; 152 Pebble Dr., Dayton, NV; Electrical Contractor**
  - f. Keller, James S.; Keller, Vida D.; Keller Construction & Development; *Keller Development*; 1080 Hwy 95A, Suite C, Silver Springs, NV; Change Location**
  - g. Swanson, Kenneth O.; *Ken Swanson Construction*; 1637 Heron Cove Ct., Gardnerville, NV; General Contractor**
  - h. Keller, James S.; Keller, Vida D.; *Priceless Realty Inc.*; 1080 Hwy 95A, Suite C, Silver Springs, NV; Change Location**
  - i. Keller, Carl R.; *TLC Integration, LLC*; *TLC Integration Systems*; 180 Heidi Cir., Carson City, NV; Electrical Contractor**
  - j. Urton, Duston A.; *Urton LTD.*; 1512 Hwy 395 N. 7G, Gardnerville, NV; Real Estate Investing**
- 10. For Possible Action: Approve contract for entertainment services at the Lyon County Fair & Rodeo with Jennifer's All Creatures Barnyard Racers for \$3,800 (requested by Comptroller)**
- 11. For Possible Action: Approve one year renewal contract agreement with Justice Benefits, Incorporated (JBI) (requested by Sheriff)**
- 12. For Possible Action: Accept grant funding from Healthy Community Coalition, in the amount of \$2000, for one deputy to attend School Resource Officer Training (requested by Sheriff)**
- 13. For Possible Action: Review and accept travel claims**

Travel claims totaled \$1,919.86 and registrations totaled \$8,660.00.

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

County Claims totaled \$528,915.85 and payroll totaled \$1,113,579.11.

Comm. Mortensen moved to approve the consent agenda, Items #8 through #14, as presented. Comm. Alt seconded and the motion passed 5 – 0.

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

**RECESS TO CONVENE AS THE LIQUOR BOARD FOR LYON COUNTY**

- 15. Public participation**

Sheriff McNeil commented on businesses that passed the compliance check of selling to underage people and presented copies of letters that were sent to the businesses that did not pass the compliance check.

- 16. For Possible Action: Review and possible approval of liquor license application:**  
**a. Visaya, Richard ; *Dollar General #14469*; 101 Ambrose Ln., Dayton, NV; Liquor Manager, Retail Packaged Goods**

Comm. Gray moved to approve the liquor license application for Visaya, Richard; *Dollar General #14469*; 101 Ambrose Ln., Dayton, NV, as presented. Comm. Mortensen seconded and the motion passed unanimously 6 – 0.

**17. Public participation**

There was no public participation.

**ADJOURN TO RECONVENE AS THE LYON COUNTY BOARD OF COMMISSIONERS**

**REGULAR AGENDA**

- 18. For Possible Action: Approve a resolution to declare a state of emergency due to the potential flooding impacts from Spring and Summer snow melt. (requested by the County Manager)**

County Manager Jeff Page met with the Nevada Division of Emergency Management, the Nevada National Guard, FEMA and the Walker River Irrigation District to discuss issues on the Walker and Carson Rivers. He is asking for a resolution that will address issues from the Spring and Summer runoff. He has drafted a letter to the NDEM requesting that the Governor have discussions with the Nevada Department of Wildlife about the wildlife management area. There are some concerns with the river flows and possible flooding. We will be making a request to possibly clean out the river north of Miller Lane to help increase the capacity of the river. He expressed concerns about the Carson and Walker Rivers flooding at the same time. He said roads will be blocked in the event of flooding to prevent people from using them. He expressed concerns about a catastrophic event in July while Night in the Country is going on.

Sheriff McNeil said the barricade is only good if it can be manned. If there was a major event, we would need to increase staffing by reaching out to surrounding counties.

Comm. Gray moved to approve a resolution to declare a state of emergency due to the potential flooding impacts from Spring and Summer snow melt. Comm. Mortensen seconded.

Tom Cartwright commented on the permitting process for farmers to clean out their section of the river.

Comm. Hastings called for the vote and the motion passed 5 – 0.

- 18(A). For Possible Action: review and approve the Ramsey Canyon Study as presented by the Carson Water Subconservancy District**

Ed James said in 2012 Lyon County asked for funding from the Carson Water Subconservancy District to look into the Ramsey Canyon flooding. They hired Manhard Consulting, which is now Kimley-Horn, to do some hydrology. Due to lack of funding they were not able to complete the project. Carson Water Subconservancy District requested funding from FEMA and received a grant. Kimley-Horn was hired to complete the study.

Todd Cochran of Kimley-Horn and Associates said there have been studies done in the past on this area. FEMA has mapped the flood plain in the Silver Springs Community. He showed a power point presentation of the watershed. They worked with NDOT on the hydrology study. They were able to calculate flows and identify flood zones. He did not recommend dropping flood insurance because you are no longer in a flood zone.

Comm. Mortensen moved to approve the Ramsey Canyon Study as presented. Comm. Alt seconded and the motion passed unanimously 5 – 0.

**RECESS TO CONVENE AS CENTRAL LYON COUNTY VECTOR CONTROL DISTRICT BOARD**

**19. Public Participation**

There was no public participation.

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

The cash balance as of March 15, 2017 was \$335,404.35. Claims totaled \$18,990.00; there was no payroll.

Comm. Mortensen moved to approve the claims and financial report as presented. Comm. Alt seconded and the motion passed 5 – 0.

**21. Public Participation**

There was no public participation.

**ADJOURN TO CONVENE AS MASON VALLEY MOSQUITO ABATEMENT DISTRICT BOARD**

**22. Public Participation**

There was no public participation.

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

The cash balance as of March 15, 2017 was \$424,512.55. Claims totaled \$660.64 and payroll totaled \$3,599.90.

Comm. Mortensen moved to approve the claims and financial report as presented. Comm. Hunewill seconded and the motion passed 5 – 0.

**24. Public Participation**

There was no public participation.

**ADJOURN TO CONVENE AS WALKER RIVER WEED CONTROL DISTRICT BOARD**

**25. Public Participation**

There was no public participation.

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

The cash balance as of March 15, 2017 was \$113,732.76. Claims totaled \$1,438.19; there was no payroll.

Comm. Mortensen moved to approve the claims and financial report as presented. Comm. Hunewill seconded and the motion passed 5 – 0.

**27. Public Participation**

There was no public participation.

**ADJOURN TO CONVENE AS THE WILLOWCREEK GENERAL IMPROVEMENT DISTRICT BOARD**

**28. Public Participation**

There was no public participation.

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

The cash balance as of March 15, 2017 was \$299,428.18. Claims totaled \$1,000.00; there was no payroll.

Comm. Hunewill moved to approve the claims and financial report as presented. Comm. Gray seconded and the motion passed 5 – 0.

**30. Public Participation**

There was no public participation.

**ADJOURN TO CONVENE AS THE SILVER SPRINGS GENERAL IMPROVEMENT DISTRICT BOARD**

**31. Public Participation**

There was no public participation.

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

The cash balance as of March 15, 2017 was \$1,225,334.78. Claims totaled \$7,222.69; there was no payroll.

Comm. Mortensen moved to approve the claims and financial report as presented. Comm. Gray seconded and the motion passed 5 – 0.

**33. Public Participation**

There was no public participation.

**ADJOURN TO RECONVENE AS THE LYON COUNTY BOARD OF COMMISSIONERS**

**34. Commissioner Comments**

Comm. Hastings reminded everyone that budget meetings will be held April 5<sup>th</sup> through April 7<sup>th</sup>. The proposed budget will be online for the public to review prior to the budget meetings.

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

Comm. Mortensen moved to approve the minutes of March 2, 2017 as presented. Comm. Alt seconded and the motion passed unanimously 5 – 0.

**36. Public participation**

George Robinson talked about the public administrator position. He said the public administrators don't always know if there are any heirs to the estate.

Jeff Page explained the oversight of the county. Currently there is no existing law for oversight of the public administrator since it is an elected position. Lyon County currently contracts with Churchill County for public administrator services.

**37. 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)**

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

**39. Adjourn**

The meeting was adjourned.

**LYON COUNTY BOARD OF COMMISSIONERS**

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**BOB HASTINGS, Chairman**

**ATTEST**

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**NIKKI BRYAN, Lyon County Clerk/Treasurer**