

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: District Attorney Steve Rye, Clerk/Treasurer Nikki Bryan and Deputy Clerk Donna MacGill.

1. Public participation

There was no public participation.

2. For Possible Action: Review and adoption of agenda

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

3. Presentation of awards and/or recognition of accomplishments

Comm. Hastings and Comm. Gray will be presenting the Dayton High School Leadership Team with recognition awards for their help during the flood.

4. Commissioners/County Manager reports

Comm. Alt commented on a presentation at the NACO meeting regarding arsenic levels. He also commented on the Secretary of State's Silver Flume program to make it easier for new businesses coming into the area to be able to find the agencies they need to contact for permitting.

County Manager Jeff Page commented on a county employee who has been disciplined and apparently it was aired on social media. He also commented on some potential flooding in the area with pending storms. He said they are releasing water from the reservoirs to allow for storage. He also commented on possible flooding in July during Night in the Country. He also said flood insurance can be researched through FEMA.gov. There has been discussion with the City of Yerington and NFWF regarding the removal of sand and sediment in the Walker River.

5. Elected Official's reports

There were no elected official reports.

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

County Manager Jeff Page commented on Assemblywoman Titus' bill to support \$12,000 for a Public Administrator. Senator Settlemeyer has presented a similar bill in the Senate. He felt there is a positive working relationship between Lyon County, the City of Fernley and the City of Yerington. He also discussed the 5 cent diesel tax bill that is in the Legislature. He commented on a possible inter-local agreement between Fernley and Yerington on the distribution of any diesel tax collected. He discussed the consolidated tax bill that is in the Legislature. He commented on the final hearings concerning the Governor's budget.

6. Appointed Official's reports

Utilities Director Mike Workman said he provided the commissioners with a copy of the proposed water facilities master plan. He will have it on the agenda at a later date for discussion. He said the 16" waterline project in Dayton is underway. They will be boring under the highway and 25 feet under the river starting this week. He has been trying to get ahold of NDOT concerning the dip on Highway 50. He will let the county manager know as soon as he hears from NDOT.

7. **Advisory Board reports**

Angela DeFord of the Stagecoach Advisory Board said there has been complaint from residents concerning damage to the roads that flooded in the Stagecoach area.

County Manager Jeff Page said there have been complaints from many areas of Lyon County regarding road repairs. The county is working as quickly as it can but it will take some time to address all of the areas.

****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**

Unsecured Property factual corrections totaled \$1,335.86.

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

- a. **Thorpe, John N.; Thorpe, Nathan Wade; Thorpe, Matthew J.; Brinson, Andrea D.; *Agri Electric*; 11011 Midway, Chico, CA; Electrical Contractor**
- b. **Benson, Matthew A.; Benson, Kenneth G.; BBR, LLC; *Benson Brothers Racing*; 6 Carry Way, Suite 101, Mound House, NV; Change Ownership Type**
- c. **Sallaberry, Andy; *Buck's Plumbing and Heating*; 275 Galloway Ln., Reno, NV; Plumbing and Heating Contractor**
- d. **Vernaza, Vincent H.; *Brand X Inc.*; 16 & 20 US Hwy 341, Mound House, NV; Vehicle Sales**
- e. **Mouskondis, Nicole; Nicholas and Company Reno, LLC; *C & M Food Distributing*; 7935 Sugar Pine Ct., Reno, NV; Delivery of Food Service Products to Restaurants**
- f. **Ormond, Colleen; *Colleen's Hair Express*; 45 Silver St., Dayton, NV; Beauty Salon**
- g. **Ogungbemi, Adebola; Kalata, Brian; *Dustex LLC*; 60 Chastain Ctr. Blvd., Suite 60, Kennesaw, GA; General Engineering Contractor - Install Particulate Filtration Equipment**
- h. **Gettings, Daniel W.; 5G Automotive LLC; *Eagle Valley Motors*; 760 & 770 Hwy 50 East, Dayton, NV; Change Business Name**
- i. **Brooks, Vernon C.; *Empire Construction, Inc.*; 1095 Spice Island Dr. #107, Sparks, NV; General Contractor**
- j. **Staugaard, Thomas J.; *Executive Towing & Recovery LLC*; 20 Hwy 341, Mound House, NV; Add Consent and Non-Consent Towing**
- k. **Paulazzo, Andrew; Slate, Shawn; *Interstate Concrete Pumping Co., Inc.*; 11180 Vallejo Ct., French Camp, CA; Concrete Pumping**
- l. **Foster, Kevin P.; D'Orazi, Anthony J.; Foster, Brian D.; Kind Store LLC; *Kind Pipes*; 35 Rose Peak Rd., Dayton, NV; Online Tobacco Pipe Sales**
- m. **Mueller, Mitzi; *Mitzi Muller*; 45 Silver St., Dayton, NV; Cosmetologist at Colleen's Hair Express**
- n. **Martinez, Ann Odette; *La Patrona*; 2 Penrose Ln., Yerington, NV; Food Truck**
- o. **Hutton, Joseph M.; Scott, Jonathan A.; Johnson, Kenneth W.; *Phoenix Industrial, Inc.*; 2111 SE Columbia Way, Vancouver, WA; General Engineering and Electrical Contractor**
- p. **Emlaw, Alexius N.; *Smallies Treats*; 9695 Navajo Trail, Stagecoach, NV; Cottage Food**
- q. **Carlyle, Daniel Cody; The Lawn Mower Guy NV, LLC; *The Lawn Mower Guy*; 524 Sugar Loaf Dr., Dayton, NV; Change Ownership**

10. **For Possible Action: Approve contract for tractor pull services at the Lyon County Fair & Rodeo with WGAS Motorsports for \$13,963 (requested by Comptroller)**

11. **For Possible Action: Approve law enforcement reimbursement contract to support Lake Lahontan State Park with additional law enforcement presence during the 2017 Memorial Day weekend (requested by Sheriff)**

12. **For Possible Action: Approve a contract with Public Safety Corporation (PSC) for County False Alarm Administration Services (requested by Sheriff)**
13. **For Possible Action: Approve appointment of Ms. Marjorie Gartenberg to the Debt Management Commission (as GID representative), with a term expiring December 31, 2018 (requested by Stagecoach General Improvement District)**
14. **For Possible Action: Appoint Ms. Mary Smith to the Central Lyon County Vector Control Board, no defined term (requested by CLCVCB)**
15. **For Possible Action: Appoint Mr. Alan Lucero to the Dayton Valley Events Center Board, with a term expiring December 31, 2020 (requested by DVECB)**
16. **For Possible Action: Approve repairs to Dressler Park, irrigation well #1, with costs not to exceed \$15,500 to be funded with a contingency budget transfer (requested by Facilities Director)**
17. **For Possible Action: Approve proclamation declaring April as National Child Abuse Prevention Month (requested by Human Services)**

Program Supervisor Shayla Holmes of Lyon County Human Services said that April is National Child Abuse Prevention Month. She presented pinwheels to the commissioners. She explained that the pinwheels represent childlike motions and signifies the great childhoods we want for all children. She said that Human Services offers programs that support and strengthen families. They are planting pinwheels for awareness throughout the county.

District Attorney Steve Rye commended Human Services for the information regarding child abuse prevention. He also recognized the Sheriff's Department for their efforts. He read parts of the proclamation into the record. He acknowledged the State of Nevada's and the United States President's efforts to bring awareness to this situation. He said that April is also Sexual Assault Awareness and Prevention Month. He said that children are often victims of sexual assaults. He said this week is also Crime Victims' Rights week in Nevada. He read part of Governor Sandoval's and President Trump's Proclamations into the record.

Comm. Mortensen moved to approve the proclamation declaring April as National Child Abuse Prevention Month. Comm. Gray seconded and the motion passed unanimously 5 – 0.

18. **For Possible Action: Approve a proclamation recognizing National Volunteer Week (April 23 – 29, 2017) through Lyon County Proclamation (requested by Human Services)**
19. **For Possible Action - Approve a three-year agreement with Granicus, Inc. for agenda and minutes management software and website hosting of agendas and minutes with funding to come from a contingency budget transfer (requested by Comptroller)**

20. **For Possible Action: Review and accept travel claims**

Travel claims totaled \$5,371.99 and registrations totaled \$3,984.00.

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

County claims totaled \$1,132,752.55 and payroll totaled \$869,103.46.

County Manager Jeff Page asked that Item #17 be pulled and acted on separately.

Comm. Mortensen moved to approve the consent agenda as presented with Item #17 being pulled and acted on separately. Comm. Gray seconded and the motion passed unanimously 5 – 0.

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

PUBLIC HEARING ON PLANNING ITEMS

22. LYON COUNTY / SILVER SPRINGS GENERAL IMPROVEMENT DISTRICT – SPECIAL USE PERMIT FOR A WIRELESS COMMUNICATIONS FACILITY (for possible action) – Request for a special use permit for an 80’ communications tower to provide additional radio coverage for emergency services dispatch to the Silver Springs area; located at 1900 Eureka St., Silver Springs, NV (APN 18-202-02) PLZ-17-0007

The Planning Commission unanimously recommended approval of your request for an 80’ communications tower to provide additional radio coverage for emergency services dispatch to the Silver Springs area, based on the recommended findings, and subject to 9 approval conditions

County Manager Jeff Page explained that the Special Use Permit would allow for an 80’ communications tower that will provide additional coverage for emergency services in the Silver Springs area.

Comptroller Josh Foli said the request came from the sheriff’s department and is critical for public safety. He said it will not interfere with the Silver Springs Airport.

Comm. Mortensen moved to approve LYON COUNTY / SILVER SPRINGS GENERAL IMPROVEMENT DISTRICT–SPECIAL USE PERMIT FOR A WIRELESS COMMUNICATIONS FACILITY for an 80’ communications tower to provide additional radio coverage for emergency services dispatch to the Silver Springs area; located at 1900 Eureka St., Silver Springs, NV (APN 18-202-02) PLZ-17-0007 with the findings as follows:

- A. Meets the standards for wireless communications facilities contained the Chapter 10.18.07B of the Lyon County Code;
- B. That the additional height requested is necessary and substantiated by the level of service and coverage requirements for the proposed facility; and
- C. The proposed facility does not create adverse visual impact on the area in which the tower is to be located;

and the nine (9) approval conditions as follow:

1. The applicant shall comply with all State, County, federal and special district rules and regulations as they apply to this special use permit.
2. The applicant shall comply with all applicable fire, building, zoning and improvement code requirements.
3. The applicant shall acquire all State, County and special purpose district permits and obtain all necessary public inspections.
4. Prior to any development activity as defined in Section 12.01.05 of Title 12 occurring on the property that is located within an AE zone, the applicant shall secure approval of a flood plain development permit through the County Engineer.
5. If outdoor lighting is provided, it shall comply with the outdoor lighting requirements of Chapter 10.20 of the Lyon County Code.
6. The applicant shall comply with Lyon County’s 1996 drainage guidelines, as revised.
7. All of the requirements placed on the special use permit by the County Building Department, 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.
8. No change in the terms and conditions of the special use permit, as approved shall be undertaken without first submitting the changes to Lyon County and having them modified through a public hearing process.
9. 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 nonuse of the permit for a year may result in the institution of revocation proceedings.

Comm. Alt seconded and the motion passed unanimously 5 – 0.

23. **DOWNTOWN SILVER SPRINGS, LLC / ERGS, INC – MASTER PLAN AMENDMENT (for possible action) – Request to change the Master Plan designation from Commercial Mixed Use to Regional Commercial on an approximately 159.61 total acre parcel; located at the intersection of Ramsey Weeks Cut-Off and Opal Avenue, Silver Springs (APN 15-211-01) PLZ-17-0005**

The Planning Commission unanimously recommended approval of your request for a Master Plan Amendment from Commercial Mixed Use to Regional Commercial on an approximately 159.61 total acre parcel, based on the recommended findings as listed in the staff report.

Planner Rob Pyzel presented Items #23 & #24 together but will be acted on separately. He explained the layout of the property and addressed drainage issues. The planning commission recommended approval with the recommended findings.

The applicant Vida Keller of Downtown Silver Springs, LLC was present to answer any questions.

Comm. Mortensen moved to approve the DOWNTOWN SILVER SPRINGS, LLC / ERGS, INC – MASTER PLAN AMENDMENT – Request to change the Master Plan designation from Commercial Mixed Use to Regional Commercial on an approximately 159.61 total acre parcel; located at the intersection of Ramsey Weeks Cut-Off and Opal Avenue, Silver Springs (APN 15-211-01) PLZ-17-0005 with the recommended findings A. through E. as follows:

- A. The applicant has demonstrated that the amendment is in substantial compliance with and promotes the Master Plan goals, objectives and actions.
- B. The proposed amendment is compatible with the actual and planned adjacent land uses, and reflects a logical change in land uses.
- C. The proposed amendment has demonstrated and responds to changed conditions or further studies that have occurred since the Master Plan was adopted by the Board, and the requested amendment represents a more desirable utilization of land.
- D. The proposed amendment will not adversely affect the implementation of the Master Plan goals, objectives and actions, and will not adversely impact the public health, safety or welfare.
- E. The proposed amendment will promote the desired pattern for the orderly physical growth of the County, allows infrastructure to be extended in efficient increments and patterns, maintains relatively compact development patterns, and guides development of the County based on the least amount of natural resource impairment and the efficient expenditure of funds for public services. The proposed amendment will promote the desired pattern for the orderly physical growth of the County, maintains relatively compact development patterns, and guides development of the County based on the least amount of natural resource impairment and the efficient expenditure of funds for public services.

Comm. Alt seconded and the motion passed unanimously 5 – 0.

24. **DOWNTOWN SILVER SPRINGS, LLC / ERGS, INC – ZONE CHANGE (for possible action) – Request to change the zoning on an approximately 159.61 total acre parcel, from RR-3T (Rural Residential - 5 acre minimum w/ trailer overlay) to C-2 (General Commercial); located at the intersection of Ramsey Weeks Cut-Off and Opal Avenue, Silver Springs (APN 15-211-01) PLZ-17-0006**

The Planning Commission unanimously recommended approval of your request for a Zone Change from RR-3T (Third Rural Residential – 5 acre minimum with Trailer Overlay) to C-2 (General Commercial) on an approximately 159.61 total acre parcel, based on the recommended findings as listed in the staff report

Planner Rob Pyzel presented Item #24 along with the previous item. He said the planning commission recommended approval with the recommended findings.

Comm. Mortensen moved to approve the zone change for DOWNTOWN SILVER SPRINGS, LLC / ERGS, INC – ZONE CHANGE (for possible action) – Request to change the zoning on an approximately 159.61 total acre parcel, from RR-3T (Rural Residential - 5 acre minimum w/ trailer overlay) to C-2 (General Commercial); located at the intersection of Ramsey Weeks Cut-Off and Opal Avenue, Silver Springs (APN 15-211-01) PLZ-17-0006 with the recommended findings as follows:

- 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. Gray seconded and the motion passed unanimously 5 – 0.

10:00 A.M. – Public Hearing - For Possible Action: Approval of amendment to Lease with Silver Springs Airport, LLC to include extension of lease term, revisions to lease rent, change in provisions and other matters related thereto

County Manager Jeff Page said the county is required to hold public hearings on this document. He recommended not taking any action at this time as he feels there are still some unresolved issues.

District Attorney Steve Rye reiterated there is an existing lease to the Silver Springs Airport. This is an amendment to the existing lease with a remaining term of about 45 years.

Legal Counsel for Nevada Aviation LLC and Diamond Back Properties Inc. Steve Handelin said he is in disagreement with Mr. Rye with respect to the lease.

Jim Cavillia spoke on behalf of Silver Springs Airport LLC and addressed some of their concerns.

Marco Lucich, Kay Bennett and Richard Nagarian also spoke on behalf of the Silver Springs Airport LLC.

There was extensive discussion regarding the terms of the lease.

Comm. Mortensen moved to table the 10:00 A.M. – Public Hearing - Approval of amendment to Lease with Silver Springs Airport, LLC to include extension of lease term, revisions to lease rent, change in provisions and other matters related thereto, and request that it have a position on future agendas until the negotiations are resolved. Comm. Hunewill seconded.

Comm. Mortensen withdrew the original motion.

Comm. Mortensen moved to table this item until the next meeting. Comm. Hunewill seconded.

Marco Lucich thought today would be the final decision. He said there were a lot of people who attended this meeting due to this item.

PUBLIC COMMENT:

Ray Johnson feels the Silver Springs LLC has presented what it will be for future years. He feels this has been drawn out long enough and feels we should make a decision.

George Peek from ERG's Incorporated felt that 20% is pretty steep.

Comm. Mortensen withdrew his motion.

Comm. Gray moved to go with the recommendation of the applicant and approve the 99 year lease but look at the numbers on a sliding scale, since there is such disparity, to look at splitting the difference and go right down the middle and going with the same thresholds but basically doubling the costs since it is money that will go back into the fund that will be used for the airport. Gross income from 0 the \$500 thousand would be 4%, \$500 thousand to \$1 million would be 6%, \$1 million to \$2 million would be 8%, and \$2 million and above will be 10%; and go with staff recommendation on the remainder of the lease. Comm. Mortensen seconded.

Marco Lucich said it takes away the incentive for moving forward.

Comm. Gray withdrew the motion.

Comm. Mortensen moved table this item until the next meeting and come to some agreement with the Silver Springs Airport over the next two weeks.

Comm. Mortensen withdrew the motion.

Comm. Gray moved to accept the lease proposal by the applicant as presented.

The motion died for lack of a second.

Comm. Mortensen moved to table until April 20, 2017 and direct staff to work with Silver Springs Airport LLC and come back with an agreement. Comm. Gray seconded and the motion passed unanimously 5 – 0.

10:05 A.M. – Time Specific – For Possible Action: Approve Silver Springs Airport Master Plan as presented

County Manager Jeff Page said this a conceptual document and recommended approval. He said adopting the airport master plan does not have any impact on Lyon County.

Comm. Mortensen moved to approve the draft Silver Springs Airport Master Plan as presented. Comm. Gray seconded and the motion passed unanimously 5 – 0.

BREAK FOR LUNCH

25. GOLD COUNTRY ESTATES, PHASE 2B – MASTER PLAN AMENDMENT (for possible action) – Request to change the Master Plan designation from Commercial Mixed Use to Suburban Residential on two parcels totaling approximately 8.68 acres; located at the intersection of Kate Peak Rd. and Retail Rd., Dayton (APN 16-405-12 & 16-405-21) PLZ-17-0008

The Planning Commission unanimously recommended approval of your request for a Master Plan Amendment from Commercial Mixed Use to Suburban Residential on two parcels totaling approximately 8.68 acres, based on the recommended findings as listed in the staff report

Planner Rob Pyzel presented. The planning commission recommended approval with the recommended findings. He said it is compatible with the surrounding property.

Derick Wilson of Rubicon Design Group spoke on behalf of the developer and explained this project meets the need for diversity in housing in the county.

Developer Eddie Holt explained the access roads to the subdivision.

Comm. Mortensen moved to approve GOLD COUNTRY ESTATES, PHASE 2B – MASTER PLAN AMENDMENT – designation from Commercial Mixed Use to Suburban Residential on two parcels totaling approximately 8.68 acres; located at the intersection of Kate Peak Rd. and Retail Rd., Dayton (APN 16-405-12 & 16-405-21) PLZ-17-0008 with the recommended findings as follows:

- A. The applicant has demonstrated that the amendment is in substantial compliance with and promotes the Master Plan goals, objectives and actions.
- B. The proposed amendment is compatible with the actual and planned adjacent land uses, and reflects a logical change in land uses.
- C. The proposed amendment has demonstrated and responds to changed conditions or further studies that have occurred since the Master Plan was adopted by the Board, and the requested amendment represents a more desirable utilization of land.
- D. The proposed amendment will not adversely affect the implementation of the Master Plan goals, objectives and actions, and will not adversely impact the public health, safety or welfare.
- E. The proposed amendment will promote the desired pattern for the orderly physical growth of the County, allows infrastructure to be extended in efficient increments and patterns, maintains relatively compact development patterns, and guides development of the County based on the least amount of natural resource impairment and the efficient expenditure of funds for public services.

Comm. Alt seconded and it passed unanimously 5 – 0.

Andy Sichak asked about any impact on the schools.

26. WOODBRIIDGE ESTATES PUD – MERGER AND RESUBDIVISION TO A TENTATIVE MAP FOR A PLANNED UNIT DEVELOPMENT (for possible action) – Request to merge and re-subdivide five (5) parcels to a tentative map of the Woodbridge Estates Planned Unit Development, on approximately 115.87 total acres; located off of Highway 50 at South Rainbow Dr., Dayton (APNs 16-025-03; 16-025-04; 19-193-01; 19-193-02; and 19-193-03) PLZ-17-0002

The Planning Commission unanimously recommended approval of your request to merge and re-subdivide five (5) parcels into a tentative map of the Woodbridge Estates Planned Unit Development, based on the recommended findings and subject to the 31 conditions as listed in the staff report.

Planner Rob Pyzel presented. This proposes to subdivide the parcel. The Planning Commission recommended approval with the findings and 31 conditions. They received a letter from NDOT regarding access to Highway 50.

Karen Downs, on behalf of the applicant, was present to answer any questions.

Comm. Mortensen moved to approve WOODBRIIDGE ESTATES PUD – MERGER AND RESUBDIVISION TO A TENTATIVE MAP FOR A PLANNED UNIT DEVELOPMENT – Request to merge and re-subdivide five (5) parcels to a tentative map of the Woodbridge Estates Planned Unit Development, on approximately 115.87 total acres; located off of Highway 50 at South Rainbow Dr., Dayton (APNs 16-025-03; 16-025-04; 19-193-01; 19-193-02; and 19-193-03) PLZ-17-0002 with the recommended finding as follows:

- A. Is consistent with the applicable provisions of Lyon County Code and the Nevada Revised Statutes;
- B. Will not be detrimental to the public health, safety, convenience and welfare; and
- C. Will not result in material damage or prejudice to other property to the vicinity;

and subject to the 31 conditions as follows:

1. The developer shall comply with all Federal, State, County and special purpose district regulations.
2. The developer is required to dedicate water rights of sufficient quantity to adequately serve the development prior to recordation of a final map or if recording a series of final maps for the project, sufficient water rights for each phase of the subdivision prior to recordation of each serial final map for the project.
3. The developer shall provide written evidence demonstrating that the proposed lots are able to be served by municipal water and sewer systems prior to recordation of a final map or first in a series of final maps for the project site.

4. 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 a final map or first in a series of final maps for the project site.
5. The developer shall comply with the final subdivision map requirements as prescribed by NRS 278 and Title 11 of the Lyon County Code.
6. Required recording fees to be paid at time of recording map.
7. A phasing plan must be submitted prior to the recordation of the first final map if the development is to be phased.
8. The developer 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 submittal of a final map or first in a series of final maps for the project site for recordation.
9. The final map(s) shall include the 7.5 and 5 foot public utility easements (“PUE”) along the property lines of all residential lots within the subdivision prior to approval and recordation.
10. The developer 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 recordation of a final map or first in a series of final maps for the project site.
11. The developer 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 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 a final map or each final map in a series of final maps for the project site, 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.
12. All on-site sewer improvements will be required to comply with the sewage collection and disposal standards as listed in Chapter 11.07.09 and 11.07.10 of the Lyon County Code. All on-site sewer improvements are to be installed by the developer to the satisfaction of the Utilities Department Director and County Engineer prior to recordation of a final map or first in a series of final maps for the project.
13. Prior to the submittal of a final map or first in a series of final maps for the development, the developer and staff shall consult with NDOT representatives as to the recommendations regarding access onto Hwy 50 and improvements necessary to mitigate the project’s traffic impacts to Hwy 50.
14. The developer 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. The developer shall construct all internal roads and off-site roads necessary to provide legal and physical access according to the County road standards and in accordance with the following:
 - a. The developer shall obtain all necessary encroachment permits and approvals as well as coordinate and comply with the requirements of the Roads Department;
 - b. The developer shall submit and receive approval of the street names and suffixes for Woodbridge Estates by the Planning Commission prior to submittal of a final map or first in a series of final maps for the development. The Planning Commission authorizes the Community Development Director to administratively process replacement street names, if necessary, based on the comments of the reviewing agencies;
 - c. The developer shall design the street alignments in compliance with AASHTO standards to the approval of the Road Superintendent;
 - d. The developer shall install all required signage, striping and traffic control improvements in compliance with Lyon County requirements;

- e. The developer shall install street lighting in compliance with the requirements of the Roads Department;
 - f. The developer shall submit a detailed geotechnical report with the final map(s) for the project that includes roadway structural sections and the structural section calculations demonstrating that the proposed structural section is adequate to support the weight of the anticipated traffic;
 - g. The developer shall provide a slurry seal onto the streets and roadways in compliance with the current County standards every five (5) years from the date of installation of asphalt concrete paving of the subdivision's streets and roadways until such time as the subdivision is 90% completed and the County accepts the offer for dedication for the rights-of-way for all streets and roadways within the subdivision.
 - h. The developer 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.
15. The developer shall comply with Lyon County's 1996 drainage guidelines (as revised 2006). The developer shall demonstrate that the proposed storm 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 or first in a series of final subdivision maps. 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.
16. The developer shall demonstrate to the satisfaction of the County Engineer, the County Utilities Department Director, and the Community Development Director that the design of the stormwater facilities necessary to protect the public include but not limited to the following:
- a. The developer 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 or first in a series of final maps for this project.
 - b. The developer shall clean out the existing stormwater facilities into which this development will add stormwater to the satisfaction of the County Engineer, Road Superintendent, Utilities Director and Community Development Director prior to approval of a final map for the project.
 - c. The developer 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 building permit for the project site.
 - d. The developer 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 map or first in a series of final maps for the project site.
 - e. The developer shall provide the proposed Covenants, Conditions and Restrictions ("CC&Rs"), agreements, easements and/or other legal instruments containing sufficient detail to constitute enforceable provisions necessary for operation and maintenance by the developer and his successors, and assignees as well as the individual subdivision lot property owners as the project is subdivided and the individual lots sold for all common areas and storm drainage facilities (interceptor ditches, drainage easements, drainage channels and detention basins) as well as any associated landscaping within the common areas and storm drainage facilities and other provisions necessary for the subdivision as approved, for review by the Community Development Director, the Utilities Director, the County Engineer and District Attorney's Office. The approved legal instrument shall be signed and

recorded prior to approval of a final map or first in a series of final maps for the project.

17. The developer 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 map or first in a series of final maps for the project site. 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 Community Development Director's satisfaction prior to the issuance of a Certificate of Occupancy will be allowed in any single family residence for this project.
18. The developer 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.
19. The developer shall comply with County requirements, in accordance with Chapter 11.07 of the Lyon County Code, and submit for a site improvement permit (which incorporates the mass and fine grading of the site) be obtained for any site development work prior to any disturbance occurring on the subject site.
20. No lot shall be offered for sale or sold prior to recordation of a final map which creates the lot in question.
21. The developer shall comply with all applicable building and fire code requirements.
 - a. No building permits shall be accepted for processing until a final subdivision map or first of a series of final maps has been approved and recorded.
 - b. Building permits shall be issued in compliance with Title 10 and 11 of the Lyon County Code.
22. 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.
23. 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.
24. Distinct and legible "temporary" addresses are required of any structures under construction until such time as permanent address numbers are installed and posted.
25. 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.
26. The developer 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.
27. The developer 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:
 - a. No loud music;
 - b. No alcohol or drugs;
 - c. Dispose of personal trash and site debris;

- d. Clean up any mud and or dirt that is deposited from the construction parcels onto the streets; and
 - e. No burning of construction or other debris on the property.
28. 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.
 29. The developer shall submit for review and approval by the District Attorney and the Community Development Department the attainable housing restrictive covenant prior to approval of the final map or first in a series of final maps for the project.
 30. Approval of the tentative map shall lapse unless a final map or the first in a series of final maps for the project site is presented to the Board of Commissioners within four (4) years from the date of such approval. 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 to record a final map or first in a series of final maps for the project site.
 31. The developer shall provide the final subdivision map (or each final maps if recording a series of final maps) for the project site 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.

Comm. Alt seconded and the motion passed unanimously 5 – 0.

27. FERNLEY 95A RACEWAY / SIMPSON, DANIELLE – SPECIAL USE PERMIT MODIFICATION (for possible action) – Request to modify an existing Special Use Permit to consider additional activities such as Lantern Fest events providing a capacity of up to 9,999 attendees, on two parcels totaling 196.02 acres; located at 1965 Highway 95A, Fernley, NV (APN 21-551-01 & 21-551-04) PLZ-17-0009

The Planning Commission unanimously recommended approval of your request to modify an existing Special Use Permit for additional activities such as Lantern Fest events providing a capacity of up to 9,999 attendees, based on the recommended findings, and subject to the 20 conditions contained in the staff report, as amended by mutual agreement.

Dave Snelgrove, Community Development Director, presented. He said it was a successful event last year, but it will be far safer running this event in a new location. He addressed the lantern fest event and the possible detrimental effects of this event. He said the planning commission recommended approval.

North Lyon County Fire Chief Scott Huntley commented on the number of people who attend these events. BLM land surrounds the raceway property. He said he is looking at the fire concerns and they cannot support this event. They have also received input from their insurance company. He commented on the fire code and having the tools to address these events. There are reports of the lanterns starting fires. He has been contacted by another event coordinator to hold another lantern event.

Sheriff Al McNeil addressed the previous event coordinators. He said the sheriff's department can support this item minus the lantern fest. They could support up to 3,500 people at an event. He expressed concerns regarding traffic management.

Matt Sherman, representing the raceway, commented on states that have not supported the lantern event. BLM will have fire crews present for the event. He explained the reasons why the SUP should be approved.

Comm. Mortensen moved to approve FERNLEY 95A RACEWAY / SIMPSON, DANIELLE – SPECIAL USE PERMIT MODIFICATION – Request to modify an existing Special Use Permit to consider additional activities such as Lantern Fest events providing a capacity of up to 9,999 attendees, on two parcels totaling 196.02 acres; located at 1965 Highway 95A, Fernley, NV

(APN 21-551-01 & 21-551-04) PLZ-17-0009 with the addition to #17 that the permit must have been approved by North Lyon County Fire Protection District prior to the event, and findings A. through D. as follows:

- A. The proposed use at the specified location is consistent with the general purpose and intent of the applicable zoning district regulations.
- B. The proposed use will not be detrimental to the use, peaceful enjoyment, economic value, or development of surrounding properties or the general neighborhood; and is compatible with and preserves the character and integrity of adjacent development and neighborhoods or includes improvements or modifications either on-site or within the public right-of-way to mitigate development related to adverse impacts such as noise, vibrations, fumes, odors, dust, glare or physical activity.
- C. The proposed use will not be detrimental to the public health, safety, convenience and welfare.
- D. The proposed use will not result in material damage or prejudice to other property in the vicinity.

and the 19 conditions as follows:

1. Subject to annual review. Adjustments to conditions of approval may be brought back to the Lyon County Planning Commission and Board of County Commissioners during the annual review process.
2. Compliance with all State, County and Federal requirements
3. Obtain all required permits and inspections from Lyon County, North Lyon County Fire Protection, and the State Division of Manufactured Housing regarding commercial coaches, utilities, etc.
4. Maintain a current Lyon County business license for all commercial activities.
5. No Parking shall be allowed on either side of Highway 95A. All parking for all events to be held on the property shall be provided within defined parking areas associated with the subject property.
6. Any food vendors or food service stations that are required to have State of Nevada Health Department or any other inspections prior to operation must do so prior to selling any food items at events at the Fernley 95A Speedway.
7. Restroom facilities (either permanent or temporary or combination thereof) must be provided and located sufficient to meet the number of attendees at any event at the property.
8. If any facilities for a given event are planned to be provided in a temporary manner on adjoining properties that have been historically associated with the Fernley 95A Speedway, authorization for the temporary facilities must be provided as evidence of the allowance of the use. Documentation of authorization must be provided to the Lyon County Community Development Department.
9. The property owner shall be responsible for any and all contracts for agreements and payments for public safety personnel to staff the event for law and traffic enforcement, medical safety and fire safety, as necessary for each event.
10. No change in the terms and conditions of the special use permit, as approved shall be undertaken without first submitting the changes to Lyon County and having them modified in conformance with Lyon County Code.
11. The substantial failure to comply with any conditions imposed on the issuance of the special use permit or the operation of a special use permit 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.
12. The applicant shall comply with the Lyon County 1996 drainage guidelines as amended. The property owner shall be responsible for maintenance of all roads, walks, parking areas and drainage facilities within the parcels as well as storm water detention facilities, if applicable, whether on-site or off-site. Lyon County shall have no financial responsibility for maintenance of these facilities.

Conditions 13-19 are only required if the event to be held is either a lantern festival style event or the event will be over 3,500 attendees.

13. The applicant must coordinate with NDOT, Nevada Highway Patrol and the Lyon County Sheriff's office, as necessary prior to each proposed event to address and agree to the appropriate number of public safety personnel that will need to be contracted for event safety and traffic control.
14. Temporary signage for "no parking" shall be placed along Highway 95A (both sides) to NDOT specification by the property owner/event operator. Signage requirement shall be to the discretion of NDOT and may not be deemed necessary for smaller events.
15. A notification to the FAA must be provided at least two months prior to each event that will be using or featuring devices or items that will be either flying or floating through the air to a height that could impact aircraft. The FAA may present a waiver to this requirement. Documentation of the notification and FAA's response must be provided to the Lyon County Community Development Department.
16. For lantern festival style events, the operator must provide samples of the burning element to the North Lyon County Fire Protection District prior to the event to provide sufficient time for analysis of the burning elements relative to how long the element will burn and other testing as deemed necessary by the fire district.
17. The applicant must submit and have received approval of a permit through the North Lyon County Fire Protection District within 45 days prior to each planned event that will include a fire hazard. Events include but are not limited to lantern festival style events. All of these permits need to be obtained before the event takes place.
18. A pre-event safety meeting must be conducted by the property owner/event organizer within 5 days prior to each event. The invitees to the meeting shall include public agency representatives from the North Lyon County Fire Protection District, BLM, NDOT, Nevada Highway Patrol, Lyon County Sheriff's Office, City of Fernley Manager's Office and Community Development Department, Lyon County Manager's Office and Community Development Department. Additional agencies may be added to this list by the Lyon County Community Development Director.
19. A post-event meeting to discuss what went well and what may need adjustment prior to the next event must be conducted by the property owner or event operator within 60 days after each scheduled event and within 45 days prior to any similarly scheduled event. The meeting invitation shall include public agency representatives from the North Lyon County Fire Protection District, BLM, NDOT, Nevada Highway Patrol, Lyon County Sheriff's Office, City of Fernley Manager's Office and Community Development Department, Lyon County Manager's Office and Community Development Department. Additional agencies may be added to this list by the Lyon County Community Development Director. Post event meetings may be ceased at the discretion of the Lyon County Community Development Director if it is determined that a standard, working system has been implemented in preparation and planning of larger events that is addressing public safety, fire safety and traffic safety.

Comm. Hunewill seconded and the motion passed 4 – 1. Comm. Alt was opposed.

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

REGULAR AGENDA

- 28. For Possible Action: Approve District Attorney (DA) Request to expand case management system with Justice Web Ediscovery and Efiling to allow information to be exchanged through these platforms. The proposed cost for the system in this fiscal year 2017 is estimated to be \$13,000 and DA is requesting that it be funded from contingency. Total request is an amount not to exceed \$15,000 for FY17 (requested by District Attorney)**

District Attorney Steve Rye presented. He is requesting an upgrade to the Justware System. He demonstrated what would come from the sheriff's department. He is proposing to add a system that will allow people to input information. He pointed out the advantages of the new program. He feels the program would be a considerable time savings and improve efficiency. It would be easier to track the cases for completeness.

Comptroller Josh Foli addressed questions regarding the software. He said the county has backup systems that can restore the information if the system crashed.

Comm. Mortensen moved to approve the District Attorney's Request to expand the case management system with Justice Web Ediscovery and Efiling to allow information to be exchanged through these platforms. The proposed cost for the system in this fiscal year 2017 is estimated to be \$13,000 and DA is requesting that it be funded from contingency. Total request is an amount not to exceed \$15,000 for FY2017 as presented. Comm. Gray seconded and the motion passed unanimously 5 – 0.

29. For Possible Action: Budget workshop to review budgets and establish tax rates and spending authorizations for all county departments for fiscal year 2017/2018

**COURT CLERKS
DISTRICT COURT**

Judge Aberasturi and Judge Schlegelmilch presented and said the budget is similar to previous years. There is an increase in the jury trials line item. There was discussion regarding their software and case management system.

UTILITIES

Josh Foli and Utility Director Mike Workman presented the utilities budget. They will be adding a water and sewer employee this fiscal year. He said Mike Workman is planning on retiring this year. He said they may be requesting bonding in future years.

Utilities Director Mike Workman commented on the need for a new water well and other upgrades to the system. They have reduced line items as much as they could. He commented on the rate analysis that was done a couple of years ago. He commented on funds that may be available from the federal government on shovel ready projects. He would also like the authority to apply for grants.

**DISPATCH
SHERIFF
JAIL
SEARCH & RESCUE**

Comptroller Josh Foli addressed items in the dispatch, sheriff and the search & rescue budget. He explained the increases in these departments.

Sheriff Al McNeil, Donna Cupp, Rob Hall and Michael Carlson, presented the budgets for the sheriff, dispatch, jail and search & rescue departments.

Sheriff McNeil explained that the City of Fernley takes a lot of the total resources available to provide public safety. He addressed the requests for increases for FY 2017/2018 budgets.

RECESS FOR CLOSED SESSIONS

OPEN SESSION

Comptroller Josh Foli summarized the proposed changes to the tentative budget that were discussed during the budget hearings.

Comm. Mortensen moved to approve FY 2017-2018 Lyon County tentative budget as presented with the established tax rate of \$.9287 with the following changes for reasons discussed during the budget hearings:

Commissioners Department:	
Decrease in benefits	\$ (6,954)
Sheriff's Department:	
Decrease in Salaries and Benefits	(114,566)
Increase to Uniforms	15,104

Jail Department:	
Increase in Salaries and Benefits	125,741
Increase to Uniforms	19,968
District Court:	
Increase to Software Support	180,000
Juvenile Probation:	
Decrease in China Springs Line Item	<u>(66,568)</u>
Contingency (Decrease)	\$ (152,725)

Comm. Alt seconded and the motion passed unanimously 5 – 0.

Comm. Hastings noted that agenda Items 30 through 41 and Item 44 were acted on April 5, 2017.

RECESS TO CONVENE AS WILLOWCREEK GENERAL IMPROVEMENT DISTRICT BOARD

30. Public participation

31. For Possible Action: Budget workshops to review budgets and establish tax rates and spending authorizations for the Willowcreek General Improvement District for fiscal year 2017/2018

32. Public participation

ADJOURN TO CONVENE AS MASON VALLEY MOSQUITO ABATEMENT DISTRICT BOARD

33. Public participation

34. For Possible Action: Budget workshops to review budgets and establish tax rates and spending authorizations for the Mason Valley Mosquito Abatement District for fiscal year 2017/2018

35. Public participation

ADJOURN TO CONVENE AS WALKER RIVER WEED CONTROL DISTRICT BOARD

36. Public participation

37. For Possible Action: Budget workshops to review budgets and establish tax rates and spending authorizations for the Walker River Weed Control District for fiscal year 2017/2018

38. Public participation

ADJOURN TO CONVENE AS CENTRAL LYON COUNTY VECTOR CONTROL DISTRICT BOARD

39. Public participation

40. For Possible Action: Budget workshops to review budgets and establish tax rates and spending authorizations for the Central Lyon County Vector Control District for fiscal year 2017/2018

41. Public participation

ADJOURN TO CONVENE AS SILVER SPRINGS GENERAL IMPROVEMENT DISTRICT BOARD

42. Public participation

There was no public participation.

43. For Possible Action - Approve amendment to an existing license agreement for a communications site between the Silver Springs General Improvement District and NCWPCS MPL 31 – Year Sites Tower Holdings LLC to extend the term of the lease twenty additional years to August 3, 2050 and authorize additional space

Comm. Mortensen moved to approve the amendment to an existing license agreement for a communications site between the Silver Springs General Improvement District and NCWPCS MPL 31 – Year Sites Tower Holdings LLC to extend the term of the lease twenty additional years to August 3, 2050 and authorize additional space. Comm. Alt seconded and the motion passed unanimously 5 – 0.

44. For Possible Action: Budget workshops to review budgets and establish tax rates and spending authorizations for the Silver Springs General Improvement District Board for fiscal year 2017/2018

45. Public participation

There was no public participation.

ADJOURN TO RECONVENE AS THE LYON COUNTY BOARD OF COMMISSIONERS

46. Commissioner Comments

Comm. Hunewill said the Mason Valley and Smith Valley Conservation Districts put together some questions and comment about the state park to be forwarded to the Legislature so their concerns can be heard.

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

Comm. Mortensen moved to approve the minutes of March 16, 2017 as presented. Comm. Gray seconded and the motion passed unanimously 5 – 0.

48. Public participation

There was no public participation.

49. 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)

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

51. Adjourn

The meeting was adjourned.

LYON COUNTY BOARD OF COMMISSIONERS

BOB HASTINGS, Chairman

ATTEST

NIKKI BRYAN, Lyon County Clerk/Treasurer