

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: County Manager Jeff Page, District Attorney Steve Rye, Clerk and Treasurer Nikki Bryan and Deputy Clerk Donna MacGill.

**1. Roll Call**

Present: Bob Hastings, Joe Mortensen, Greg Hunewill, Don Alt and Ken Gray.

**2. Invocation by Kevin Webster**

Kevin Webster of the Vineyard Fellowship gave the invocation.

**3. Pledge of Allegiance**

**4. Time Certain**

**4.a. TIME CERTAIN 10:00 AM PRESENTATION BY NVENERGY:  
Presentation by NVENERGY on the status of the Mason Valley and Smith  
Valley substations and Transmission Line project**

Mark Sullivan updated everyone on the Smith Valley and Mason Valley substations and Transmission Line projects. He showed a power point of the Smith Valley substation. The Smith Valley residents should be switched over by tomorrow. He discussed voltage issues. He said the Yerington/Mason Substation should be operational by June 22<sup>nd</sup>. The residual lines will be removed. He feels the people are getting what they wanted.

Comm. Hunewill thanked NV Energy for the project.

**5. Public Participation**

Donnette Huselton of Smith Valley commented on the Smith Valley Cemetery cleanup before Memorial Day. The dairy sent three young men with a dump truck who took five loads of debris out of the cemetery. She said the young men were very polite and worked very hard the entire day. They were Yerington High School Graduates. She said their parents did an excellent job in their raising. She thanked them for their hard work and thanked the dairy for sending them.

Gary Handzel of Churchill Ranchos commented on the Silver Springs and Stagecoach Community assessment from 2010. He said there is a need to establish better communication. He commented on Silver Springs and Stagecoach and would like to see commissioner meetings held in the individual towns and communities outside of Yerington.

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

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

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

There were no presentations of awards or recognitions.

**8. Commissioners/County Manager reports**

Comm. Gray thanked the fire stations for their help in fighting the fire in Dayton. The fire was apparently started by shooters out target practicing. The fire burned 3,450 acres; there were no structures burned.

County Manager Jeff Page also commented on the Dayton Fire. They will be going after the perpetrators for recovery of the cost of fighting the fire. There was also a secondary fire in Mason Valley where 12 acres burned. It was a controlled burn that got out of control. Walker River Irrigation assisted in that fire with their equipment since the county's dozer was being used on the Dayton fire. He said there will be meetings with NDOT to discuss grants for road projects. He addressed grant funds for a secondary bridge in Dayton. He and staff met with Farr West

Engineering on applying for grant funds. He said the Silver Springs Senior Center project is moving forward. He said Nevada Copper is moving forward. He met with the Lyon County School District on development issues. Yerington High School seniors are required to do a presentation on their past and discuss plans for the future. He observed some of the presentations and was very impressed with the students. Most students truly want to become productive citizens. Silver Springs Airport LLC sent their proposed Master Lease. He may be coming back to the board for direction.

**9. Elected Official's reports**

There were no elected official reports.

**10. Appointed Official's reports**

Josh Foli discussed open enrollment and working with Anthem, the county's new insurance carrier. He updated the board on the lightning that vaporized equipment at the repeater site and resulted in at least \$16,000 in damage. They may need up to \$10,000 more for additional repairs. He also said we are getting quotes for additional band width.

Rob Dunbar also discussed the direct lightning hit and the damage that was done.

**11. Advisory Board reports**

There were no advisory board reports.

**CONSENT AGENDA**

**12. Assessor's Corrections**

**12.a. For Possible Action: Approval of changes on Assessor's tax roll due to correction in assessments and review of tax roll changes.**

-                      **Comm                      Delete                      6-7-18                      Unsecured**

Unsecured Property factual corrections totaled \$368.47.

**13. For Possible Action: Approve County Commission Minutes**

**13.a. For Possible Action: Approve Minutes**

- **Minutes for May 21, 2018**

-                      **Minutes                      for                      May                      17,                      2018**

**14. Contracts**

**14.a. For Possible Action: Approve contract in the amount of \$108,528 between Nevada Department of Health and Human Services, Aging and Disability Services Division (ADSD), and Lyon County for the State to provide services to children with intellectual and developmental disabilities for Fiscal Year 2019.**

-                      **FY19                      Developmental                      Services                      Contract**

**14.b. For Possible Action: Approve Forensic Support Services Agreement with Washoe County in the amount of \$126,731 for fiscal year 2018-2019.**

-                      **Washoe                      Forensic                      Contract                      FY                      2018-2019**

**14.c. For Possible Action: Approve interlocal contract between the State of Nevada and the Lyon County Sheriff's Office from July 1, 2018 through June 30, 2022 at a cost of \$1,000 per year for Nevada VINE (Victim Information and Notification Everyday), which is an automated notification system for crime victims.**

-                      **VINE                      Service                      Contract**

**14.d. For Possible Action: Approve contract with Nevada Gunfighters in the amount of \$1,200 to provide entertainment services at the 2018 Lyon County Fair & Rodeo.**

- Nevada Gunfighters 2018 Contract
- 14.e. **For Possible Action: Approve contract with L&L Productions in the amount of \$13,963 to operate the tractor pull event at the 2018 Lyon County Fair and Rodeo and cancel the contract with WGAS Motorsports.**  
- L&L Productions - Tractor Pull Contract
- 14.f. **For Possible Action: Approve contract with T Bar J Ranch Productions in the amount of \$3,200 to provide a sound system, music, and announcing services at the 2018 Lyon County Fair & Rodeo.**  
- T Bar J Ranch Productions Contract 2018
- 14.g. **For Possible Action: Approve contract for services of independent contractor between Lyon County and Healthy Communities Coalition of Lyon and Storey Counties, not to exceed \$26,000, for services funded under the Stay Strong, Stay Healthy grant.**  
-Contract for Services of Independent Contractor
- 14.h. **For Possible Action: Approve contract with Alan Sands Entertainment LLC in the amount of \$3,600 to provide entertainment services at the 2018 Lyon County Fair & Rodeo.**  
- Alan Sands Entertainment LLC Contract 2018
- 14.i. **For Possible Action: Approve two-year contract between Lyon County and the Mason Valley Fire Protection District/Yerington Volunteer Fire Department for the Demolition Derby at the Lyon County Fair & Rodeo.**  
- Demolition Derby Contract 2018-2019
- 14.j. **For Possible Action: Approve two year contract with Benefit Intelligence Insurance Services, Inc. for them to continue as our employee benefit broker.**  
- Lyon County Benefit Intelligence Agreement 2018-2020

Comm. Hunewill had concerns with the two year contract and said he would not sign the contract.

Comptroller Josh Foli said the contract has been signed in the past. The 60 day provision was added in case something needs to be changed. Josh Foli recommended approval of contract.

Comm. Gray asked if this went out for bid.

The commissioners and comptroller had a discussion.

Comm. Mortensen moved to approve the two year contract with Benefit Intelligence Insurance Services, Inc. for them to continue as our employee benefit broker. - Lyon County Benefit Intelligence Agreement 2018-2020. Comm. Hastings seconded the motion.

Tim Holland the broker for NACO and several other Nevada counties said his company could provide broker services for much less than the current broker.

Josh Foli said he feels that Lyon County has the best insurance plan in the state.

Comm. Hastings called for the vote and the motion failed 2 – 3. Opposed: Comm. Alt, Comm. Hunewill and Comm. Gray.

Josh Foli said there will be an item on next agenda.

- 14.k. **For Possible Action: Approve a two year agreement between Lyon County and Lyon County School district for the diesel/gas fueling station for mutual use at the Lyon County transportation facility in Silver Springs.**  
- 2018 MOU Joint Fueling Station Contract

## 15. Other Consent Items

- 15.a. For Possible Action: Review and accept claims and financial reports.**  
 - **Claims Report 5-1-18 to 5-15-18**  
 - Cash Report 5-15-18

The cash balance as of May 15, 2018 was \$54,365,615.93. Claims totaled \$622,987.79 and payroll totaled \$1,177,768.38.

- 15.b. For Possible Action: Review and accept travel claims.**  
 - Travel Report 5-1-18 to 5-15-18

Travel claims totaled \$3,140.59.

- 15.c. For Possible Action: Approve debt management policy and capital improvement plan for 2017-2018.**  
 - Lyon County Debt Management Policy 2018

- 15.d. For Possible Action: Accept a Water Rights Quitclaim Deed from Atlas Development for Permit No. 53460 and authorize staff to pursue the relinquishment to the basin of the water rights with the Division of Water Resources.**  
 - Quitclaim Deed  
 - Dam Safety Inspection Report

- 15.e. For Possible Action: Approve a Water Rights Banking Agreement with Vidler Water Company that replaces the previous Banking Agreement that has expired. The new Banking Agreement will be on the 2017 template previously approved by the Board.**  
 - Vidler Banking Docs

Comm. Hunewill requested that Item # 14.j. be pulled and acted on separately.

Comm. Mortensen moved to approve the consent agenda with Item #14.j. being pulled and acted on separately. Comm. Gray seconded and the motion passed 5 – 0.

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

**PUBLIC HEARING ON PLANNING ITEMS**

**16. Planning**

- 16.a. For Possible Action: LYON COUNTY – RIGHT OF WAY ABANDONMENT - Request to abandon a 5,326 square foot portion of excess Dayton Valley Road right-of-way, immediately adjacent to the southeast side (frontage) of APN 16-281-01; abandoned portion is located adjacent to 410 Dayton Valley Road, Dayton, NV (APN 16-281-01) PLZ-18-0037.**  
 - Staff Report

Rob Pyzel planner explained the reasons for the right-of-way abandonment and recommended approval.

Comm. Mortensen moved to approve LYON COUNTY – RIGHT-OF-WAY ABANDONMENT - Request to abandon a 5,326 square foot portion of excess Dayton Valley Road right-of-way, immediately adjacent to the southeast side (frontage) of APN 16-281-01; abandoned portion is located adjacent to 410 Dayton Valley Road, Dayton, NV (APN 16-281-01) PLZ-18-0037, with findings A. through D. as follows:

- A. The public will not be materially injured by the vacation.
- B. No easements are known to be located within the right-of-way that must be perpetuated.
- C. The vacation will not result in the loss of access to a street from abutting property owners.
- D. Neither the public nor Lyon County have a continued interest in the preservation of the 30 foot wide access easement.

And the three conditions as follows:

1. Street reapportionment shall be as required in NRS 278.480 (7).
2. Should any public utility easement require abandonment as part of this action, documentation of the release of interest by all affected utility purveyors with interest shall be obtained prior to recording any abandonment or vacation documents. Easements needed for existing utilities shall be continued and/or provided.
3. The applicant shall record a Record of Survey and amended deeds that depict the revised configuration of the affected parcels and all public utility easements to remain.

Comm. Gray seconded and the motion passed 5 – 0.

**16.b. For Possible Action: CANICO, INC / CRUZ, STEVEN – SPECIAL USE PERMIT –Request for a Special Use Permit to operate an outdoor mini-storage/RV storage facility for storage of vehicles, trucks, recreational vehicles, boats and trailers in the M-1 zoning district; located at 17 Miles Road, Mound House (APN 16-181-32) PLZ-18-0032**

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Staff

Report

Tammy Kinsley presented and recommended approval with the four findings and 14 conditions.

Comm. Alt had questions.

Comm. Mortensen moved to approve CANICO, INC / CRUZ, STEVEN – SPECIAL USE PERMIT –Request for a Special Use Permit to operate an outdoor mini-storage/RV storage facility for storage of vehicles, trucks, recreational vehicles, boats and trailers in the M-1 zoning district; located at 17 Miles Road, Mound House (APN 16-181-32) PLZ-18-0032M subject to findings A. through D. as follows:

- A. The proposed use at this specific location is consistent with the general purpose and intent of the applicable zoning district regulations;
- B. The proposed use at this specific location 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 at this specific location will not be detrimental to the public health, safety, convenience and welfare; and
- D. The proposed use at this specific location will not result in material damage or prejudice to other property in the vicinity.

and the 14 conditions as follows:

1. The ministorage facility shall be constructed in accordance with the conceptual site plan submitted and reviewed as a part of this application. Any further expansion of the business enterprise will require modification of this special use permit or an additional special use permit, and/or other approvals.
2. 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.
3. The applicant shall comply with all county, state, federal rules and special district rules and regulations as they apply to this special use permit.
4. The applicant shall comply with all applicable Fire, building, zoning and improvement code requirements and obtain any necessary public inspections.

5. The applicant shall comply with the off-street parking regulations and requirements set forth in 10.04.01(C) of the Lyon County Code including, but not limited to, the following:
  - a. All parking areas, driveways and entry areas shall be surfaced with a minimum of the same type of material and in the same manner as the adjoining public street used for access to the parking areas.
  - b. All off-street parking facilities shall comply with recognized standards and dimensions of layout commensurate with individual design limitations.
  - c. Off-street parking areas shall be used solely for automobile parking with no sales, storage of inoperable, unlicensed vehicles, repair work, dismantling or servicing work of any kind.
6. If outdoor lighting is to be provided, the lighting shall comply with the outdoor lighting requirements in Section 10.20 of the Lyon county Code and so arranged to reflect away from residential areas, any adjoining properties and any public street or highway.
7. The applicant shall comply with Central Lyon County Fire Protection District requirements. The site's access and circulation onsite and in and around any storage areas and parking areas shall comply with the County's and Central Lyon County Fire Protection District's access and turning radius standards.
8. The applicant shall obtain Community Development Department approval of the site improvements, including access, driveways, parking, and landscaping, fencing and exterior lighting prior to the issuance of any building permits and prior to the issuance of the special use permit.
9. The applicant shall maintain a Lyon County business license for the use while occupying the site.
10. No other business except that covered under this special use permit will be allowed on the property without prior consultation with Community Development staff.
11. The property shall be enclosed by fencing which surrounds the entire perimeter of the outdoor ministorage facility. The height, placement, construction and materials associated with fencing are subject to Lyon County staff review prior to issuance of a building permit for the project. The applicant is proposing a perimeter chain link fence, per Lyon County Code, storage areas shall be enclosed by a sight obscuring fence, wall or hedge, permanently installed and maintained at a minimum height of six feet (6'), so the equipment or materials stored will not be visible from a street.
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 parcel, 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.
13. The substantial failure to comply with any conditions imposed on the issuance of this 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.
14. The special use permit is subject to annual review by Lyon County.

Comm. Gray seconded and the motion passed 5 – 0.

**16.c. For Possible Action: GRANITE CONSTRUCTION WADSWORTH SAND EXTRACTION OPERATIONS/ WADE & LOGAN COMPANY - SPECIAL USE PERMIT – Request for a Special Use Permit to expand an existing aggregate (sand extraction mine) into Lyon County, in the RR-5 zoning district, all on three parcels totaling 71.83 acres; located North of I-80 and Northwest of the City of Fernley, abutting an existing Washoe County operation (APNs 21-571-10, 21-571-11 and 21-571-12) PLZ-18-0035.**

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Staff

Report

Planner Rob Pyzel presented and said that Granite would like to expand. It is close to the town of Wadsworth and recommended approval.

Comm. Hunewill asked if they were in compliance.

Tina Mudd of Granite said they are in compliance.

Comm. Mortensen moved to approve GRANITE CONSTRUCTION WADSWORTH SAND EXTRACTION OPERATIONS/ WADE & LOGAN COMPANY – SPECIAL USE PERMIT – Request for a Special Use Permit to expand an existing aggregate (sand extraction mine) into Lyon County, in the RR-5 zoning district, all on three parcels totaling 71.83 acres; located North of I-80 and Northwest of the City of Fernley, abutting an existing Washoe County operation (APNs 21-571-10, 21-571-11 and 21-571-12) PLZ-18-003, with findings A. through D. as follows:

- A. The proposed use at this specific location is consistent with the general purpose and intent of the applicable zoning district regulations;
- B. The proposed use at the specific location will not be detrimental to the use, peaceful enjoyment, economic value, or development 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 at this specific location will not be detrimental to the public health, safety, convenience and welfare; and;
- D. The proposed use at this specific location will not result in material damage or prejudice to other property in the vicinity.

and the 15 conditions as follows:

1. The sand extraction operation shall progress in accordance with the conceptual site plan submitted and reviewed as a part of this application. Any further additional expansion of the sand extraction operation will require modification of this special use permit or an additional special use permit, and/or other approvals. 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.
2. The applicant shall comply with all county, state, federal rules and special district rules and regulations necessary for the operation of the aggregate pit and its accessory uses as well as obtain all of the necessary public inspections.
3. The applicant shall comply with all applicable Fire, building, zoning and improvement code requirements and obtain any necessary public inspections.
4. The applicant shall meet all traffic control requirements placed on the business enterprise by the Nevada Department of Transportation, the County Engineer, the Lyon County Road Manager, special purpose districts and any other jurisdictions with approval authority.
5. The applicant shall comply with North Lyon County Fire Protection District requirements. The site's access and circulation in and around any structures, storage areas and parking areas shall comply with the County and North Lyon County Fire Protection District access and turning radius standards.
6. The applicant shall secure and maintain a Lyon County business license for the use while occupying the site.
7. No other business except that covered under this special use permit will be allowed on the property without prior consultation with Community Development staff.

8. The applicant shall provide evidence of the approval of the Nevada Department of Environmental Protection for an air quality permit.
9. 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 parcel, 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.
10. The hours of operation shall be limited to 7:00 a.m. to dusk.
  - a. If extra hours of operation are necessary for a specific construction job or to deal with a natural or man-made disaster, then the operator submit a request for extended hours of operation (including the reason why the extended hours are necessary as well as the anticipated duration of the extended hours of operation) to the Community Development Director to approve. The operator shall notify the surrounding property owners in Lyon County within a ¾ mile distance of the property's boundary of all extended hours of operation requests. These extended hours of operation notifications shall include the potential impacts (noise, site lighting, dust, etc.) due to the requested extended hours of operation as well as including the reason for the extended hours and the anticipated duration of the extended hours.
11. No signage is approved as a part of this Special Use Permit.
12. If outdoor lighting is to be provided, the lighting shall comply with the outdoor lighting requirements in Section 10.20 of the Lyon county Code.
13. The applicant shall comply with the Lyon County 1996 drainage guidelines as amended.
14. 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.
15. The special use permit is subject to annual review by Lyon County.

Comm. Gray seconded and the motion passed 5 – 0.

**16.d. For Possible Action: Approve remand back to the Citizens Advisory Board and the Lyon County Planning Commission of the four (4) Desert Wells Preserve project applications for: Master Plan Amendment to change the Character District designation (PLZ-18-0020); Adopt a Specific Plan (PLZ-18-0021); Zone Change (PLZ-18-0022); and Merger & Resubdivision/Tentative Subdivision Map (PLZ-18-0023).**

-                      Desert                      Wells                      Preserve                      Letter

Comm. Mortensen moved to approve remand back to the Citizens Advisory Board and the Lyon County Planning Commission of the four (4) Desert Wells Preserve project applications for: Master Plan Amendment to change the Character District designation (PLZ-18-0020); Adopt a Specific Plan (PLZ-18-0021); Zone Change (PLZ-18-0022); and Merger & Resubdivision/Tentative Subdivision Map (PLZ-18-0023). Comm. Gray seconded and the motion passed 5 – 0.

**16.e. For Possible Action: Approve remand back to the Citizens Advisory Board and the Lyon County Planning Commission for the DESERT WELLS PRESERVE – ADOPT A SPECIFIC PLAN TO CHANGE THE CHARACTER DISTRICT DESIGNATION -request to amend the 2010 County-Wide Master Plan Character District from Rural to Suburban on approximately for the Desert Wells Preserve, a proposed development on approximately 491.19 acres; located South of Hwy 50 East between Caroline Way and Blackhawk Road, Stagecoach (APNs 15-365-01; 15-365-02; 15-365-**

**03; 15-365-04; 15-371-05; 15-371-06; 15-371-07; 15-371-08; 15-451-01) PLZ-18-0020.  
- Staff Report**

Comm. Gray moved to approve remand back to the Citizens Advisory Board and the Lyon County Planning Commission for the DESERT WELLS PRESERVE – ADOPT A SPECIFIC PLAN TO CHANGE THE CHARACTER DISTRICT DESIGNATION -request to amend the 2010 County-Wide Master Plan Character District from Rural to Suburban on approximately for the Desert Wells Preserve, a proposed development on approximately 491.19 acres; located South of Hwy 50 East between Caroline Way and Blackhawk Road, Stagecoach (APNs 15-365-01; 15-365-02; 15-365-03; 15-365-04; 15-371-05; 15-371-06; 15-371-07; 15-371-08; 15-451-01) PLZ-18-0020. Comm. Mortensen seconded and the motion passed 5 – 0.

**16.f. For Possible Action: Approve remand back to the Citizens Advisory Board and the Lyon County Planning Commission for the DESERT WELLS PRESERVE - SPECIFIC PLAN - for a Specific Plan for the Desert Wells Preserve on approximately 491.19 acres to include 106.24 acre mixed use (including 510 residential units); 279.34 acres of single family residential lots with 943 residential lots total ranging in size from 6,000 square feet to 1 acre; 57.22 acres of open space; 10.39 acre elementary school site; 15.47 acre park site; and 5.0 acre equestrian center; all located South of Hwy 50 East between Caroline Way and Blackhawk Road, Stagecoach (APNs 15-365-01; 15-365-02; 15-365-03; 15-365-04; 15-371-05; 15-371-06; 15-371-07; 15-371-08; 15-451-01) PLZ-18-0021.**

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Staff

Report

Comm. Mortensen moved to approve remand back to the Citizens Advisory Board and the Lyon County Planning Commission for the DESERT WELLS PRESERVE - SPECIFIC PLAN - for a Specific Plan for the Desert Wells Preserve on approximately 491.19 acres to include 106.24 acre mixed use (including 510 residential units); 279.34 acres of single family residential lots with 943 residential lots total ranging in size from 6,000 square feet to 1 acre; 57.22 acres of open space; 10.39 acre elementary school site; 15.47 acre park site; and 5.0 acre equestrian center; all located South of Hwy 50 East between Caroline Way and Blackhawk Road, Stagecoach (APNs 15-365-01; 15-365-02; 15-365-03; 15-365-04; 15-371-05; 15-371-06; 15-371-07; 15-371-08; 15-451-01) PLZ-18-0021. Comm. Gray seconded and the motion passed 5 – 0.

**16.g. For Possible Action: Approve remand back to the Citizens Advisory Board and the Lyon County Planning Commission for the DESERT WELLS PRESERVE – ZONE CHANGE - Request to change the zoning from RR-5 (Rural Resid.-20 ac min) on approx. 320.94 ac; C-2 (Gen. Comm.) on approx.; 10.25 ac; and RR-2 (Rural Resid.-2 ac min) on approx. 160 ac TO SCMU (Suburban Comm. Mixed Use) on approx.. 106.24 ac.; NR-1 (SFD-Non Rural Resid. 6,000 sq. ft. min.) on approx. 67.63 ac.; NR-3 (SFD-Non Rural Resid. 9,000 sq. ft. min.) on approx. 161.55 ac.; E-2 (2nd Est. SFD-1/2 ac. min.) on approx. 36.82 ac.; RR-1 (Rural Resid.-1 ac min) on approx.. 13.34 ac; and RR-5 (Rural Resid.-20 ac min) on approx. 111.94 ac.; all on 497.52 total acres, as specified in the comprehensive application submitted to the Planning Dept. on December 18, 2017; located South of Hwy 50 East between Caroline Way and Blackhawk Road, Stagecoach (APNs 15-365-01; 15-365-02; 15-365-03; 15-365-04; 15-371-05; 15-371-06; 15-371-07; 15-371-08; 15-451-01) PLZ-18-0022.**

**- Staff Report**

Comm. Gray moved to approve remand back to the Citizens Advisory Board and the Lyon County Planning Commission for the DESERT WELLS PRESERVE – ZONE CHANGE - Request to change the zoning from RR-5 (Rural Resid.-20 ac min) on approx. 320.94 ac; C-2 (Gen. Comm.) on approx.; 10.25 ac; and RR-2 (Rural Resid.-2 ac min) on approx. 160 ac TO SCMU (Suburban Comm. Mixed Use) on approx.. 106.24 ac.; NR-1 (SFD-Non Rural Resid. 6,000 sq. ft. min.) on approx. 67.63 ac.; NR-3 (SFD-Non Rural Resid. 9,000 sq. ft. min.) on approx. 161.55 ac.; E-2 (2nd Est. SFD-1/2 ac. min.) on approx. 36.82 ac.; RR-1 (Rural Resid.-1 ac min) on approx.. 13.34 ac; and RR-5 (Rural Resid.-20 ac min) on approx. 111.94 ac.; all on 497.52 total acres, as specified in the comprehensive application submitted to the Planning Dept.

on December 18, 2017; located South of Hwy 50 East between Caroline Way and Blackhawk Road, Stagecoach (APNs 15-365-01; 15-365-02; 15-365-03; 15-365-04; 15-371-05; 15-371-06; 15-371-07; 15-371-08; 15-451-01) PLZ-18-0022. Comm. Mortensen seconded and the motion passed 5 – 0.

**16.h. For Possible Action: Approve remand back to the Citizens Advisory Board and the Lyon County Planning Commission for the DESERT WELLS PRESERVE – MERGER AND RESUBDIVISION INTO A TENTATIVE SUBDIVISION MAP - To combine nine (9) existing parcels totaling 497.52 total acres into 943 residential lots as well as associated commercial, public facility and amenity parcels, through the Merger and Resubdivision process into a Tentative Subdivision Map for the Desert Wells Preserve; located South of Hwy 50 East between Caroline Way and Blackhawk Road, Stagecoach (APNs 15-365-01; 15-365-02; 15-365-03; 15-365-04; 15-371-05; 15-371-06; 15-371-07; 15-371-08; 15-451-01) PLZ-18-0023.**

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Staff

Report

Agenda Items #16.d., #16.e., #16.f., #16.g. and #16.h. were heard together but acted on separately.

County Manager Jeff Page went over the history of the project. He said this was on the agenda in April. He said that Desert Wells explained that the newly proposed plan will be significantly different.

Mr. Dave Brown of ESG was present. He is the engineer for the project and recommended taking it back to the developer for and redesigning the project.

Comm. Mortensen looks forward to seeing the new plan.

#### **PUBLIC COMMENT:**

County Jeff Page said this is a procedural process.

Haley Gahr thanked everyone for working together.

Ron Kennedy of Churchill Estates said the commissioners should have approved or denied the project in April since people came back again. He feels the community is being walled off.

Jerry Culwell said the project is being run by a bunch of attorneys. He feels the commissioners should keep zoning the same as it has been. He commented on crime in apartment complexes.

Mark Humboldt of Stagecoach commented on policy. He said there has been discussion about the construction 950 houses and possibly some apartments. He also talked about the water issues in Stagecoach.

John Nickerson is not in favor of the project.

#### **PUBLIC COMMENT WAS CLOSED:**

Comm. Mortensen moved to approve remand back to the Citizens Advisory Board and the Lyon County Planning Commission for the DESERT WELLS PRESERVE – MERGER AND RESUBDIVISION INTO A TENTATIVE SUBDIVISION MAP - To combine nine (9) existing parcels totaling 497.52 total acres into 943 residential lots as well as associated commercial, public facility and amenity parcels, through the Merger and Resubdivision process into a Tentative Subdivision Map for the Desert Wells Preserve; located South of Hwy 50 East between Caroline Way and Blackhawk Road, Stagecoach (APNs 15-365-01; 15-365-02; 15-365-03; 15-365-04; 15-371-05; 15-371-06; 15-371-07; 15-371-08; 15-451-01) PLZ-18-0023. Comm. Gray seconded and the motion passed 5 – 0.

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

#### **REGULAR AGENDA**

**17. Advisory Board Appointments and Resignations**

**17.a. For Possible Action: Appoint member to the Dayton Regional Advisory Board, with a term expiring December 31, 2019.**

- Application for Christopher Gonzales

Comm. Mortensen moved to appoint Christopher Gonzales to the Dayton Regional Advisory Board, with a term expiring December 31, 2019. Comm. Gray seconded and the motion passed 5 – 0.

**17.b. For Possible Action: Accept resignation from Lynda Marz from the Dayton Regional Advisory Board.**

- Lynda Marz Resignation Letter

Comm. Mortensen moved to accept the resignation of Lynda Mars from the Dayton Regional Advisory Board. Comm. Gray seconded and the motion passed 5 – 0.

**17.c. For Possible Action: Appoint member to the Smith Valley Advisory Board, with a term expiring December 31, 2018.**

- Application for Todd Silveira  
- Transmittal Report

Comm. Mortensen moved to appoint Todd Silveira to the Smith Valley Advisory Board with a term expiring December 31, 2018. Comm. Gray seconded and the motion passed 5 – 0.

**17.d. For Possible Action: Accept resignation from Jessica Anderson from the Smith Valley Park & Recreation Board.**

- Jessica Anderson Resignation Letter

Comm. Mortensen moved to accept the resignation from Jessica Anderson from the Smith Valley Park & Recreation Board. Comm. Gray seconded and the motion passed 5 – 0.

**18. County Manager**

**18.a. For possible action: to approve a Resolution of the Lyon County Board of County Commissioners to place an ADVISORY QUESTION on the November 2018 General Election ballot to request the Lyon County voters to answer the following advisory question:**

**Shall the Lyon County Board of Commissioners rescind Title 3, Chapter 5, the Prostitution ordinance, in order to end legalized prostitution in Lyon County, Nevada**  
- Brothel Advisory Question Resolution, Draft

18.a. and 18.b. were heard together and acted on separately.

Jeff Page reminded everyone this is a result of the last meeting requesting a referendum be placed on the November 2018 ballot. Advisory question is not binding. Pointed out fees rec'd from brothels used for vehicle acquisition. He recommended a motion to have an advisory question placed on the ballot.

Comm. Mortensen moved to approve a Resolution of the Lyon County Board of County Commissioners to place an ADVISORY QUESTION on the November 2018 General Election ballot to request the Lyon County voters to answer the following advisory question:

Shall the Lyon County Board of Commissioners rescind Title 3, Chapter 5, the Prostitution ordinance, in order to end legalized prostitution in Lyon County, Nevada - Brothel Advisory Question Resolution, Draft. Comm. Gray seconded the motion.

**PUBLIC COMMENT:**

Denise Berumen said she will be sure the petition is not presented to the clerk's office if the question appears on the ballot.

John Wiltse thanked the commissioners for having this placed on the ballot as an advisory question.

Jim Dunlap read his statement into the record.

Jim Poundstone is in support of the advisory question.

**PUBLIC COMMENT WAS CLOSED:**

Bob Hastings called for the vote and it passed 5 – 0.

**18.b. For Possible Action: Board of County Commissioners consultation with the County Clerk pursuant to NRS 295.095(4) to determine if the Referendum on the Provisions Related to the Lyon County Brothel Ordinance may have any anticipated financial effect on the local government if the referendum is approved by the voters. If the board determines that the referendum may have an anticipated financial effect on the local government if the referendum is approved by the voters, the board must prepare a description of the anticipated financial effect and the county clerk shall post a copy of this information on the county clerk’s Internet website.**

- NRS 295.095

- Fiscal Note

- Brothel and Related Fees

-

**Referendum**

**Petition**

Comm. Gray moved to direct the Board of County Commissioners consultation with the County Clerk pursuant to NRS 295.095(4) to determine if the Referendum on the Provisions Related to the Lyon County Brothel Ordinance may have any anticipated financial effect on the local government if the referendum is approved by the voters. If the board determines that the referendum may have an anticipated financial effect on the local government if the referendum is approved by the voters, the board must prepare a description of the anticipated financial effect and the county clerk shall post a copy of this information on the county clerk’s Internet website. as stated. Comm. Mortensen seconded and the motion passed 4 – 1. Opposed: Comm. Alt

**19. Comptroller**

**19.a. For Possible Action: Approve the fee resolution for all Lyon County Departments for fiscal year 2018-2019.**

- Fee

**Resolution**

**2019**

**Proposed**

Comptroller Josh Foli said there were minimal changes to the fee resolution.

Comm. Mortensen moved to approve the fee resolution for all Lyon County Departments for fiscal year 2018-2019. Comm. Gray seconded and the motion passed 5 – 0.

**19.b. For Possible Action: Adopt a resolution authorizing the transfer of funds for FY2017-2018 from various line items, including Contingency, within the General Fund and the Fair & Rodeo Fund as authorized by NRS 354.598005.**

- Contingency

**Transfer**

**Resolution**

**2018**

Comptroller Josh Foli presented.

Comm. Mortensen had questions concerning the Fair and Rodeo Fund.

Comm. Mortensen moved to approve a resolution authorizing the transfer of funds for FY2017-2018 from various line items, including Contingency, within the General Fund and the Fair & Rodeo Fund as authorized by NRS 354.598005. - Contingency Transfer Resolution 2018. Comm. Gray seconded and the motion passed 5 – 0.

**19.c. For Possible Action: Approve a five year contract with Motorola for body cameras and related software and storage in the amount of \$353,870.02.**

- Motorola

**Body**

**Worn**

**Camera**

**Contract**

Comptroller Josh Foli said the sheriff scaled this down the requested number when he saw the cost. They believe this is the best option for the funds available.

Comm. Mortensen moved to approve a five year contract with Motorola for body cameras and related software and storage in the amount of \$353,870.02. - Motorola Body Worn Camera Contract. Comm. Gray seconded and the motion passed 5 – 0.

- 19.d. For Possible Action: Adopt a resolution augmenting the budget for 2017-2018 for the Vehicle Acquisition Fund in the amount of \$37,082.**  
**-Vehicle Acquisition Fund Augmentation 2018**

Comptroller Josh Foli presented.

Comm. Mortensen moved to adopt a resolution augmenting the budget for 2017-2018 for the Vehicle Acquisition Fund in the amount of \$37,082. - Vehicle Acquisition Fund Augmentation 2018. Comm. Gray seconded and the motion passed 5 – 0.

**RECESS TO RECONVENE AS WILLOWCREEK GENERAL IMPROVEMENT DISTRICT BOARD**

**20. Public Participation**

There was no public participation.

- 21. For Possible Action: Review and Accept Claims and Financial Report**
  - 21.a. For Possible Action: Review and accept claims and financial reports.**  
**- Claims Report 5-1-18 to 5-15-18**  
**- Cash Report 5-15-18**

The cash balance as of May 15, 2018 was \$347,625.86. Claims totaled \$821.24; 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.

- 22. Debt Management Policy and Capital Improvement Plan**
  - 22.a. For Possible Action: Approve debt management policy and capital improvement plan for 2017-2018.**  
**- Willowcreek Debt Management Policy 2018**

Comptroller Josh Foli presented.

Comm. Mortensen moved to approve the debt management policy and capital improvement plan for 2017- claims and financial report as presented. Comm. Gray seconded and the motion passed 5 – 0.

**23. Public Participation**

There was no public participation.

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

**24. Public Participation**

There was no public participation.

- 25. Board Reports**
  - 25.a. Mason Valley Mosquito Abatement District**  
**- District Manager's Report for April 2018**

**26. For Possible Action: Review and Accept Claims and Financial Report**

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

**- Claims Report 5-1-18 to 5-15-18**

-	Cash	Report	5-15-18
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The cash balance as of May 15, 2018 was \$392,030.61. Claims totaled \$147.83 and payroll totaled \$4,505.14.

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

**27. Public Participation**

There was no public participation.

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

**28. Public Participation**

There was no public participation.

**29. For Possible Action: Review and Accept Claims and Financial Report**

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

**- Claims Report 5-1-18 to 5-15-18**

-	Cash	Report	5-15-18
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The cash balance as of May 15, 2018 was \$115,938.02. Claims totaled \$3,125.10; 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.

**30. Public Participation**

There was no public participation.

**ADJOURN TO RECONVENE AS CENTRAL LYON COUNTY VECTOR CONTROL DISTRICT BOARD**

**31. Public Participation**

There was no public participation.

**32. For Possible Action: Review and Accept Claims and Financial Report**

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

**- Claims Report 5-1-18 to 5-15-18**

-	Cash	Report	5-15-18
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The cash balance as of May 15, 2018 totaled \$306,589.10. Claims totaled \$1.79; 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 SILVER SPRINGS GENERAL IMPROVEMENT DISTRICT BOARD**

**34. Public Participation**

There was no public participation.

**35. For Possible Action: Review and Accept Claims and Financial Report**

**35.a. For Possible Action: Review and accept claims and financial reports.**

**- Claims Report 5-1-18 to 5-15-18**

-	Cash	Report	5-15-18
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The cash balance as of May 15, 2018 was \$1,922,023.35. Claims totaled \$3,194.03; 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.

**36. Public Participation**

There was no public participation.

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

**37. Commissioner Comments**

Comm. Hunewill said the Smith Valley cemetery looks very good.

**38. Closed Session pursuant to NRS 241.015(3)(b)(2) - Closed Session 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)**

**39. Public Participation**

Jim Dunlap would like special use permits tied to the land.

**40. Adjourn**

The meeting was adjourned.

**LYON COUNTY BOARD OF COMMISSIONERS**

\_\_\_\_\_  
**BOB HASTINGS, Chairman**

**ATTEST**

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