



**LYON COUNTY BOARD OF COUNTY COMMISSIONERS
MONDAY, JANUARY 06, 2025
9:00 AM
LYON COUNTY ADMINISTRATIVE COMPLEX
27 S. MAIN STREET
YERINGTON, NV 89447**

Join Zoom Meeting:

<https://us02web.zoom.us/j/83368686463?pwd=ZlVGaWFOT3pGUjJPWWV0VmZRQ0N5dz09>

Meeting ID: 833 6868 6463 / Passcode: 896135

Mobile: 1-253-215-8782 / 1-346-248-7799

County Commission meetings are open to the public and may be attended in person or via virtual Zoom, if available. Virtual public comment may be given if you are attending the virtual Zoom meeting by raising your hand. This can occur in several ways, including by dialing *9 from your phone to raise your hand and request to speak for public comment. Then to unmute yourself, dial *6.

Written public comments may be mailed to the Lyon County Manager's Office at 27 S. Main Street, Yerington, Nevada 89447, or emailed to countyclerks@lyon-county.org, be sure to type, PUBLIC COMMENT in the subject line. Comments must be received the day prior to the date of the meeting by 4:00 P.M. for the comments to be included in the meeting. Any written public comments received after the aforementioned time will be compiled and added as supplemental materials to the County's website and distributed to the Board of Commissioners within 24 hours after the meeting.

AGENDA

(Action will be taken on all items unless otherwise noted)

(No action will be taken on any item until it is properly agendized).

To avoid meeting disruptions, please place cell phones and beepers in the silent mode or turn them off during the meeting.

The Board reserves the right to take items in a different order to accomplish business in the most efficient manner. Items may be combined for consideration and items may be pulled or removed from the agenda at anytime.

Restrictions on comments by the general public: Any such restrictions must be reasonable and may restrict the time, place and manner of the comments, but may not restrict comments based upon viewpoint.

BOARD OF COMMISSIONERS CONVENING AS OTHER BOARDS - *Members of the Board of County Commissioners also serve as the Liquor Board, Central Lyon Vector Control District Board, Mason Valley Mosquito Abatement District Board, Walker River Weed Control District Board, Willowcreek General Improvement District Board, the Silver Springs General Improvement District Board, and during this meeting may convene as any of those boards as indicated on this or a separately posted agenda.*

NOTE: THIS MEETING MAY BREAK BETWEEN 11:30 - 1:30 FOR LUNCH

1. Roll Call

2. Invocation given by John Poundstone of Joy Church

3. Pledge of Allegiance

4. Public Participation (no action will be taken on any item until it is properly agendized) - *It is anticipated that public participation will be held at this time, though it may be returned to at any time during the agenda. Citizens wishing to speak during public participation are asked to state their name for the record and will be limited to 3 minutes. The Board will conduct public comment after discussion of each agenda action item, but before the Board takes any action.*

5. For Possible Action: Review and adoption of agenda

6. Time Certain

- 6.a. Time Certain at 9:00 AM: For Possible Action: Swearing in of elected officials.
- 6.b. Time Certain at 9:00 AM: For Possible Action: Elect the Board of County Commissioners Chair and to fix the term of office for the Chair as required by NRS 244.070.
- 6.c. Time Certain at 9:00 AM: For Possible Action: Elect the Board of County Commissioners Vice Chair and to fix the term of office for the Vice Chair as required by NRS 244.070.

7. Presentation of awards and/or recognition of accomplishments

8. Commissioners/County Manager reports

9. Elected Official's reports

- 9.a. For Report Only: Canal Township Justice Court Statistics
 - [November Statistics Report 2024](#)

10. Appointed Official's reports

11. Advisory Board reports

12. CONSENT AGENDA (Action Will be Taken on All Items) - *All matters listed under the consent agenda are considered routine, and may be acted upon by the Board of County Commissioners with one action, and without an extensive hearing. Any member of the Board or any citizen may request that an item be taken from the consent agenda, discussed, and acted upon separately during this meeting.*

- 12.a. For Possible Action: Review and accept claims and financial reports.
 - [Claims Report 12-1-24 to 12-15-24](#)
 - [Cash Report 12-15-24](#)
- 12.b. For Possible Action: Review and accept travel claims.
 - [Travel Report 12-1-24 to 12-15-24](#)
- 12.c. For Possible Action: Approve the changes on Assessor's tax roll due to correction in assessments and review of tax roll changes.
 - [Unsecured Factual Corrections](#)
 - [Secured Factual Corrections](#)
- 12.d. For Possible Action: Approve the December 19, 2024 minutes.
 - [December 19, 2024 Minutes](#)
- 12.e. For Possible Action: Approve a revised FY 2024-2025 Plan for the Provision of Indigent Defense Services.
 - [Lyon County Plan for the Provision of Indigent Defense Services - 2024-2025 as of 11-1-24](#)
- 12.f. For Possible Action: Approve a revised Policy 2-7 Procurement Policy and Procedures.
 - [2-7 Procurement Policy - Revised 1-6-25](#)
- 12.g. For Possible Action: Declare two Crown Victoria cars #053185 and #093001 surplus and approve to donate them to Healthy Communities Coalition of Lyon County.
 - [HCC Letter](#)
- 12.h. For Possible Action: Accept grant award from the Nevada Department of Business and Industry Housing Division for FY25, in the amount of \$68,841.80, for the Emergency Solutions Grant, to provide case management to homeless persons and families who are at risk of homelessness.
 - [FY25 Emergency Solutions Grant Notice of Subaward](#)
- 12.i. For Possible Action: Approve paying the Nevada Association of Counties 2025 membership dues in the amount of \$53,548, with the unbudgeted amount of \$14,300 to be funded from a budget transfer from the General Fund contingency.
 - [2025 NACO Dues Invoice - Lyon County](#)

REGULAR AGENDA - *(Action will be taken on all items unless otherwise noted)*

13. Public Hearing on Planning Items

- 13.a. For Possible Action: To approve the request from Miles Minerals for a Zoning Map Amendment to amend the Zoning Map designation from the Title 10 district of RR-3 (Third Rural Residential District (5 acres)) to the Title 15 district of EMU (Employment Mixed-Use) located at 3270 and 3090 Twain Ave. in Silver Springs for two parcels totaling approximately 4.67 acres (APN 018-364-01 and

018-364-02), PLZ-2024-064.

- [Staff Report](#)
- [Backup](#)

13.b. For Possible Action: To approve the request from Lyon County School District for a Conditional Use Permit to place an Adult Education modular classroom at the Dayton High School on land subject to RR-20 (Rural Residential – 20 Acre Minimum) zoning located at 335 Old Dayton Valley Road in Dayton on an approximately 80.45-acre parcel (APN 016-271-11); PLZ-2024-057.

- [Staff Report](#)
- [Backup](#)

14. Commission and Advisory Board

14.a. For Possible Action: Appoint a member to the Planning Commission with a term expiring December 31, 2028.

- [Wes Henderson, Application \(Dayton\)](#)
- [Patricia Palmer, Application \(Fernley\)](#)
- [Andrew Merritt, Application \(Stagecoach\)](#)
- [William Kling, Application \(Yerington\)](#)

14.b. For Possible Action: Appoint up to 2 members to the Dayton Regional Advisory Board with terms expiring December 31, 2026.

- [Ronald Wyman, Application](#)

14.c. For Possible Action: Appoint up to 2 members to the Mound House Advisory Board with terms expiring December 31, 2026.

- [Jeff Trowbridge, Application](#)
- [John Diffenbaugh, Application](#)

14.d. For Possible Action: Appoint up to 5 members to the Smith Valley Park and Recreation Advisory Board with 3 terms expiring December 31, 2025, and 2 terms expiring December 31, 2026.

- [Celeste Thornhill, Application](#)

14.e. For Possible Action: Appoint up to 3 members to the Central Lyon County Parks and Recreation Advisory Board with terms expiring December 31, 2026.

- [Thomas Purvis, Application \(Dayton\)](#)
- [Danielle Hasbrouck, Application \(Dayton\)](#)

14.f. For Possible Action: Appoint a member to the Walker River Weed Control Board with a term expiring December 31, 2025.

- [Brandon Galantuomini, Application](#)

15. County Manager

15.a. For Possible Action: Appoint County Commissioners and staff to the following Boards, Commissions, or Committees for calendar year 2025:

Comstock Historic District
Debt Management Commission
Dayton Valley Conservation District
Mason Valley Conservation District
Smith Valley Conservation District

Nevada Public Agency Insurance Pool
 Public Agency Compensation Trust
 Nevada Association of Counties

1. Board of Directors- 1 Commissioner
2. Legislative Committee - Up to 2 Commissioners
3. Public Lands and Natural Resources Committee - Up to 2 Commissioners

 Local Emergency Planning Committee
 Northern Nevada Development Authority
 Nevada WORKS
 Walker River Irrigation District
 Carson Water Subconservancy District
 Lyon County Room Tax Board
 Quarterly Jail Inspection
 Truckee Canal Safety Commission
 Lyon County Regional Transportation Commission
 Quad County Legislative Coalition
 Carson Area Metropolitan Planning Organization
 State Land Use Planning Agency
 Nevada Local Justice Reinvestment Coordinating Council
 Nevada Commission of the Aging
 Intergovernmental Executive Committee (Expiring Term of December 31, 2025)

- [Commissioner Appointments 2024](#)
- [LC Policy 1-3 General Powers & Responsibilities](#)

- 15.b. For Possible Action: Discussion and review of the draft revised bylaws from the Nevada Association of Counties, which will be voted on by the NACO Board of Directors at their meeting on Friday, January 31, 2025.
- [Revised NACO ByLaws \(Draft\)](#)
- 15.c. For Possible Action: Direct staff to draft a comment letter to the Bureau of Land Management (BLM) for the sale of public lands and the underlying federal mineral estate associated with the Anaconda Copper Mine site.
- [Letter from BLM](#)
 - [Preliminary Environmental Assessment - Yerington Anaconda Site](#)
- 15.d. For Possible Action: Renew Appointment of Dr. Robin Titus, M.D., as Lyon County Health Officer and approve two year contract with compensation in the amount of \$1,000 per month plus mileage reimbursement (the same amount paid during the last two-year period).
- [Public Health Officer Agreement with Dr. Titus 2025](#)

16. Comptroller

- 16.a. For Possible Action: Accept a grant from the Nevada Administrative Offices of the Courts in the amount of \$10,000 to be used for the first year of an Alternative Sentencing software program and the cost of implementation and staff training to be used in the Fernley Justice Court.
- [AOC Grant for Alternative Sentencing Program](#)
 - [SaaS Subscription Order Form](#)

17. Human Services

- 17.a. For Possible Action: Approve the creation of four temporary Respite Program Assistant positions, at

an A2 pay rate, to be 100% grant-funded through the Department of Health and Human Services, Administration for Community Living grant award, with a funding period ending August 31, 2025.

- [Respite Program Assistant Job Description](#)

18. Utilities

18.a. For Possible Action: Authorize the Utilities Director to issue an Intent to Serve letter for sewer and water service for the Sage Vista Specific Plan Project PLZX-19-0081.

- [Developer Request](#)
- [Sage Vista Staff Report and Backup BOCC 12.17.2020](#)
- [Sage Vista Specific Plan Approval](#)
- [Intent to Serve Letter](#)

19. Agenda Requests - *Administrative Policies and Procedures 1.05, A Commission Member or elected/appointed department head may request an item be considered on a future agenda either by making an oral request at a County Commission meeting or submitting the request in writing to the County Manager at least 30 days prior to the meeting for which the item is requested to be placed on the agenda.*

20. Commissioner Comments

21. Public Participation (no action will be taken on any item until it is properly agendized) - *It is anticipated that public participation will be held at this time, though it may be returned to at any time during the agenda. Citizens wishing to speak during public participation are asked to state their name for the record and will be limited to 3 minutes. The Board will conduct public comment after discussion of each agenda action item, but before the Board takes any action.*

22. Closed Session pursuant to NRS 241.015(3)(b)(2) - *To receive information from the District Attorney or counsel 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, and pursuant to NRS 288.220, to receive a report on the status of ongoing labor negotiations; and direct staff accordingly.*

23. Adjourn

Pursuant to NRS 241.020, the agenda has been posted at the following locations: Lyon County Administrative Complex (27 S. Main Street, Yerington, NV), the Lyon County Website: <https://www.lyon-county.org>, and the State Website: <https://notice.nv.gov>. Supporting documentation for the items on the agenda is available to members of the public at the County Manager's Office (27 S. Main Street, Yerington, NV), by phone (775)463-6531, or by email requests to countyclerks@lyon-county.org.

Lyon County recognizes the needs and civil rights of all persons regardless of age, race, color, religion, sex, handicap, family status, or national origin. In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any

program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternate means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible agency or USDA's TARGET Center at (202) 720-2600 (voice and T) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found on-line at http://www.ascr.usda.gov/complaint_filing_cust.html and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) Mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410; Fax: (202) 690-7442; or Email: program.intake@usda.gov

T.D.D. services available through 463-2301 or 463-6620 or 911 (emergency services) notice to persons with disabilities: members of the public who are disabled and require special assistance or accommodations at the meeting are requested to notify the Commissioners'/Manager's office in writing at 27 S. Main Street, Yerington, NV 89447, or by calling (775) 463-6531 at least 24 hours in advance

Lyon County is an equal opportunity provider.

**Agenda and Backup Material is
Available at www.lyon-county.org**



#4

Erin Lopez <elopez@lyon-county.org>

Fwd: Please add to the agenda

1 message

Brandi Lathrop <blathrop@lyon-county.org>
To: Erin Lopez <elopez@lyon-county.org>

Mon, Jan 6, 2025 at 8:16 AM

----- Forwarded message -----

From: **Kirstin Clifford** <kirstinclifford19@gmail.com>
Date: Mon, Jan 6, 2025 at 7:22 AM
Subject: Please add to the agenda
To: <blathrop@lyon-county.org>

Lyon County Commissioners:

I am writing regarding adding a very concerning agenda item at the next meeting to fill the currently vacant seat with a library trustee who will revise policies to protect children from sexually explicit material and ensure the library is a wholesome place for families and children to enjoy. I have noticed that the library board has not had a 5th member seated since last July. Although concerned citizens have applied to service in this position, there is still no agenda this week in appointing anyone to this seat.

At the last commissioners meeting in December, some residents expressed concerns about "banning books." This is not the issue. The issue is about not having policies in place to protect children at the public library and ensure that children are not exposed to sexually explicit material without their parent's knowledge.

Please add my comments to the official records of today's meeting.

Sincerely,

Kirstin Clifford

775-790-78984

--
Thank You
Brandi Lathrop
Administrative Assistant
(775) 463-6592 x1481
blathrop@lyon-county.org



Erin Lopez <elopez@lyon-county.org>

Fwd: Please add to the Agenda

1 message

Brandi Lathrop <blathrop@lyon-county.org>
To: Erin Lopez <elopez@lyon-county.org>

Mon, Jan 6, 2025 at 8:16 AM

----- Forwarded message -----

From: **Justin Clifford** <jcliffordbrd@gmail.com>
Date: Mon, Jan 6, 2025 at 7:21 AM
Subject: Please add to the Agenda
To: <blathrop@lyon-county.org>

Lyon County Commissioners:

I am writing regarding adding a very concerning agenda item at the next meeting to fill the currently vacant seat with a library trustee who will revise policies to protect children from sexually explicit material and ensure the library is a wholesome place for families and children to enjoy. I have noticed that the library board has not had a 5th member seated since last July. Although concerned citizens have applied to service in this position there is still not agenda this week in appointing anyone to this seat.

At the last commissioners meeting in December,, some residents expressed concerns about "banning books." This is not the issue. The issue is about not having policies in place to protect children at the public library and ensure that children are not exposed to sexually explicit material without their parent's knowledge.

Please add my comments to the official records of today's meeting.

Sincerely,

Justin Clifford

775-220-5090

--

Thank You
Brandi Lathrop
Administrative Assistant
(775) 463-6592 x1481
blathrop@lyon-county.org

Lyon County Board of County Commissioners Agenda Summary

Meeting Date: January 6, 2025

Agenda Item Number:

6.a

Subject:

Time Certain at 9:00 AM: For Possible Action: Swearing in of elected officials.

Summary:

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

ATTACHMENTS

-

Lyon County Board of County Commissioners Agenda Summary

Meeting Date: January 6, 2025

Agenda Item Number:

6.b

Subject:

Time Certain at 9:00 AM: For Possible Action: Elect the Board of County Commissioners Chair and to fix the term of office for the Chair as required by NRS 244.070.

Summary:

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

Move to appoint _____ as Chairman for 2025 and until the first meeting of 2026.

ATTACHMENTS

-

Lyon County Board of County Commissioners Agenda Summary

Meeting Date: January 6, 2025

Agenda Item Number:

6.c

Subject:

Time Certain at 9:00 AM: For Possible Action: Elect the Board of County Commissioners Vice Chair and to fix the term of office for the Vice Chair as required by NRS 244.070.

Summary:

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

Move to appoint _____ as Vice Chairman for 2025 and until the first meeting of 2026.

ATTACHMENTS

-

Lyon County Board of County Commissioners Agenda Summary

Meeting Date: January 6, 2025

Agenda Item Number:

9.a

Subject:

For Report Only: Canal Township Justice Court Statistics

Summary:

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

ATTACHMENTS

- [November Statistics Report 2024](#)



CANAL TOWNSHIP JUSTICE COURT

565 East Main Street
Fernley, Nevada 89408
775-575-3355 / Fax 775-575-3359

LORI MATHEUS
JUSTICE OF THE PEACE

To: Lyon County Commissioners
Andrew Haskin, County Manager

From: Lori Matheus, Justice of the Peace 

Date: December 9, 2024

Subject: November 2024 Statistics for Canal Township Justice Court

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Attached please find the November 2024 Clerk's Report to Auditor of Costs and Fees Collected, Minimum Accounting Standards (MAS) Collection Report and Case Statistics.

If you have any questions, please feel free to contact me.

Approved by State Board of Accounts for LYON County - 2024

To Auditor of LYON County, NEVADA
Collecting for Period: 10/30/2024 thru 11/27/2024

Account	Prior Collections	Collections This Period	Year To Date Collections
3F - TOWN FINE	0.00	0.00	0.00
3F AA FEE - GENETIC #30255	897.00	147.00	1,044.00
3F AA FEE - JUSTICE #30043	2,128.00	329.00	2,457.00
3F AA FEE - JUVENILE #30048	608.00	94.00	702.00
3F AA FEE - STATE (A #30428	0.00	0.00	0.00
3F AA FEE - STATE (G #30430	17,199.00	2,627.00	19,826.00
3F ALCOHOL DETECTION #10107	0.00	0.00	0.00
3F ALTERNATIVE SENTE #10097	0.00	0.00	0.00
3F ALTERNATIVE SENTE #10097	0.00	0.00	0.00
3F ATTORNEY FEE REIM #10103	0.00	0.00	0.00
3F ATTORNEY GENERAL COURT COSTS	0.00	0.00	0.00
3F BAIL FORFEITURES #10100	1,775.00	200.00	1,975.00
3F BAILIFF FEES #10102	5,475.00	1,398.00	6,873.00
3F BOND FILING FEE V #30434	375.00	100.00	475.00
3F BOND PROCESSING F #10097	281.25	75.00	356.25
3F CENSUS FEE #30427	361.00	113.00	474.00
3F CHEMICAL ANALYSIS #10108	270.00	90.00	360.00
3F CIVIL FEES #10097	19,593.75	7,293.75	26,887.50
3F CIVIL FEES - COUR #30042	8,005.18	2,974.63	10,979.81
3F CIVIL PENALTY #10097	24,120.00	3,700.00	27,820.00
3F COLLECTION FEE #10097	0.00	0.00	0.00
3F COUNTY FINE #10099	3,770.00	800.00	4,570.00
3F COURT FACILITY FE #30044	2,995.00	505.00	3,500.00
3F CREDIT CARD PROCE #10097	0.00	0.00	0.00
3F DEPARTMENT OF WILDLIFE - CIVIL PENALT	0.00	0.00	0.00
3F DUI SCHOOL	0.00	0.00	0.00
3F DUI SPECIALTY COU #30426	0.00	0.00	0.00
3F DUI SPECIALTY COU #30426	0.00	0.00	0.00
3F EVALUATION FEE	0.00	0.00	0.00
3F FELONY/GROSS MISD FORF - SPECIALTY CO	0.00	0.00	0.00
3F FELONY/GROSS MISD FORF - VICTIMS OF C	0.00	0.00	0.00
3F FINE - STATE OF N #30421	5,045.00	1,370.00	6,415.00
3F GPS FEE #10107	0.00	0.00	0.00
3F INTERPRETER FEES	0.00	0.00	0.00
3F MARRIAGE FEE #30435	0.00	0.00	0.00
3F MISCELLANEOUS FEE #10114	3,213.74	8,069.62	11,283.36
3F PENALTY FEE #10097	0.00	0.00	0.00
3F PREVENTION/TREATM #10098	3,610.00	1,130.00	4,740.00
3F SERVICE FEES TO SHERIFF'S OFFICE	0.00	0.00	0.00
3F SMALL CLAIMS FEE #10097	961.50	991.50	1,953.00
3F SPECIALTY COURT F #30428	2,098.00	348.00	2,446.00
3F STATE CONTRACTORS BOARD COURT COSTS	0.00	0.00	0.00
3F STATE PERMANENT S #30613	5,100.00	595.00	5,695.00
3F STOP PAYMENT FEE #10097	0.00	0.00	0.00
3F STOP PAYMENT FEE #10097	0.00	0.00	0.00
3F TRANSCRIPT FEES T #10097	0.00	0.00	0.00
3F WITNESS FEES #00134115	0.00	0.00	0.00
3F WORKERS COMP #10097	0.00	0.00	0.00
DEPARTMENT OF WILDLIFE - CIVIL PENALTIES	0.00	0.00	0.00
Totals:	107,881.42	32,950.50	140,831.92

State of NEVADA LYON County, SS:

I SWEAR THAT THE ABOVE IS A TRUE AND CORRECT STATEMENT OF ALL COSTS AND FEES BELONGING TO THE ABOVE NAMED COUNTY COLLECTED BY ME FOR THE PERIOD SHOWN.

A. Della Tascia

Date: 11/27/2024 11:08

**Clerk's Report to Auditor
of Costs and Fees Collected**

Page: 2

Approved by State Board of Accounts for LYON County - 2024

To Auditor of LYON County, NEVADA
Collecting for Period: 10/30/2024 thru 11/27/2024

CLERK OF THE FERNLEY JUSTICE COURT -
CANAL TOWNSHIP COURT

Clerk's Report to Auditor
of Costs and Fees Collected

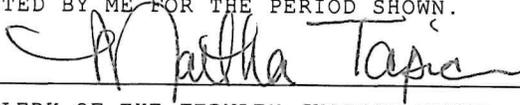
Approved by State Board of Accounts for LYON County - 2024

To Auditor of LYON County, NEVADA
Collecting for Period: 10/30/2024 thru 11/27/2024

Account	Prior Collections	Collections This Period	Year To Date Collections
3F DOMESTIC VIOLENCE #30429	0.00	0.00	0.00
Totals:	0.00	0.00	0.00

State of NEVADA LYON County, SS:

I SWEAR THAT THE ABOVE IS A TRUE AND CORRECT STATEMENT OF ALL COSTS AND FEES BELONGING TO THE ABOVE NAMED COUNTY COLLECTED BY ME FOR THE PERIOD SHOWN.



 CLERK OF THE FERNLEY JUSTICE COURT -
 CANAL TOWNSHIP COURT

Nevada Supreme Court
 Administrative Office of the Courts
 Minimum Accounting Standards Reporting & Auditing

MAS Collections Report: 11/1/2024 TO 11/30/2024
J031101 - FERNLEY JUSTICE COURT - CANAL TOWNSHIP

Number of cases in which court costs, fees, and fines were assessed during the reporting period: 191

Court Fines and Fees

	Dollar Amount	Percent of Assessed
Dollar amount assessed:	\$32,107.50	
Dollar amount collected:	\$12,420.00	38.68%
Dollar amount waived/suspended:	\$0.00	0.00%
Dollar amount of jail time served credit given:	\$300.00	0.93%
Dollar amount of community service credit given:	\$0.00	0.00%
Total of collections, waived and credited amounts:	\$12,720.00	39.62%

	Dollars Collected	Percentage Collected
0-30 Days:	\$10,975.00	88.37%
31-60 Days:	\$50.00	0.40%
61-90 Days:	\$585.00	4.71%
91-120 Days:	\$100.00	0.81%
Over 120 Days:	\$710.00	5.72%
Total:	\$12,420.00	100.00%

Note: Aging calculated from date cost docket assessed to date of receipt/payment in this reporting period.

Days Outstanding	Amount Owed	Amount Outstanding	Percentage Outstanding
0-30 Days:	\$1,530.00	\$1,380.00	1.77%
31-60 Days:	\$1,040.00	\$940.00	1.21%
61-90 Days:	\$4,430.00	\$4,245.00	5.46%
91-120 Days:	\$3,290.00	\$3,090.00	3.97%
Over 120 Days:	\$77,502.00	\$68,125.55	87.59%
Total:		\$77,780.55	100.00 %

**Note: The amounts above exclude restitution and bail holding.
The percentage is calculated by amount outstanding divided by the grand total of amount outstanding.**

**CANAL TOWNSHIP JUSTICE COURT
STATISTICS FY 24/25**

TOTAL FINES AND FEES COLLECTED	Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24	Jan-25	Feb-25	Mar-25	Apr-25	May-25	June-25	TOTALS
Fines and Fees	\$32,124.50	\$28,033.28	\$22,829.14	\$24,894.50	\$32,950.50								\$140,831.92
Domestic Violence Fees	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00								\$0.00
Civil Infractions	Included above	\$0.00											

CASELOAD COUNT BY AGENCY	Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24	Jan-25	Feb-25	Mar-25	Apr-25	May-25	June-25	TOTALS
Lyon County District Attorney	10	5	2	13	10								40
Lyon County Sheriff's Department	22	26	22	11	15								96
Nevada Highway Patrol	86	73	65	72	73								369
Department of Wildlife	0	0	0	0	0								0
Gaming Control Board	0	0	0	0	0								0
TOTAL CASE COUNT BY AGENCY	118	104	89	96	98	0	505						

CASE TYPES	Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24	Jan-25	Feb-25	Mar-25	Apr-25	May-25	June-25	TOTALS
Criminal Cases	35	34	25	24	25								143
Traffic Cases	20	22	26	19	17								104
General Civil	49	31	31	43	55								209
Summary Eviction	37	52	44	35	37								205
Protective Orders	14	15	13	8	9								59
Small Claims	5	2	7	1	14								29
Civil Traffic Infractions	62	48	38	53	56								257
TOTAL CASE TYPES	222	204	184	183	213	0	1006						

CLOSED CIVIL/CRIMINAL CASES	Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24	Jan-25	Feb-25	Mar-25	Apr-25	May-25	June-25	TOTALS
	171	146	101	104	44								566

OTHER - COURT ACTIVITY	Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24	Jan-25	Feb-25	Mar-25	Apr-25	May-25	June-25	
Remanded Cases	0	1	0	0	1								2
Bench Trials	0	2	0	0	0								2
Jury Trials	0	0	0	0	0								0
Search Warrant Requests	5	7	2	3	3								20
Probable Cause Findings	19	25	19	17	19								99
72 Hour-Hearings	2	0	1	1	0								4
Arraignment Hearings	46	45	27	37	18								173
Preliminary Hearings	0	1	0	1	2								4
Sentencing Hearings	48	28	50	34	12								172
Revocation Hearings	0	0	0	0	0								0

**CANAL TOWNSHIP JUSTICE COURT
STATISTICS FY 24/25**

CASE TYPE - FELONY	Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24	Jan-25	Feb-25	Mar-25	Apr-25	May-25	June-25	TOTALS
Crimes Against Persons	3	3	0	0	0								6
Domestic Violence		0	0	1	0								1
Elder Abuse	0	0	0	0	0								0
Child Abuse and Neglect	0	0	0	2	0								2
Protection Order Violation	0	0	0	0	0								0
Crimes Against Property	3	3	1	2	0								9
Drugs	5	0	2	2	6								15
Weapons	1	0	0	1	0								2
Motor Vehicle - DUI	0	0	0	0	1								1
Motor Vehicle - Reckless	0	0	0	0	0								0
Motor Vehicle - Other	0	0	0	1	0								1
Public Order	0	0	0	0	0								0
Other Felonies	0	0	0	0	0								0

CASE TYPE-GROSS MISDEMEANOR	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	June-24	TOTALS
Crimes Against Persons	1	0	0	0	3								4
Domestic Violence	0	0	0	0	0								0
Elder Abuse	0	0	0	0	0								0
Child Abuse and Neglect	0	0	0	0	0								0
Protection Order Violation	0	0	0	0	0								0
Crimes Against Property	0	0	0	0	1								1
Drugs	0	0	0	0	0								0
Weapons	0	1	0	0	1								2
Motor Vehicle - Other	0	0	0	0	0								0
Public Order	0	0	0	0	0								0
Other Gross Misdemeanors	0	0	0	0	0								0

CASE TYPE - MISDEMEANOR	Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24	Jan-25	Feb-25	Mar-25	Apr-25	May-25	June-25	TOTALS
Bail Forfeitures - Traffic Citations	14	12	6	4	7								43
Crimes Against Persons	5	1	1	4	1								12
Domestic Violence	4	10	6	3	2								25
Elder Abuse	0	0	0	0	0								0
Protection Order Violation	0	0	0	1	0								1
Crimes Against Property	0	2	1	0	2								5
Drugs	5	6	5	2	2								20
Weapons	0	0	0	0	1								1
Public Order	1	3	0	2	0								6
Other Non-Traffic Misdemeanors	3	1	2	1	2								9
Motor Vehicle - DUI	2	1	3	1	1								8
Motor Vehicle - Reckless	0	0	0	1	0								1
Traffic	21	23	26	51	17								138
Parking	0	0	0	0	0								0

**CANAL TOWNSHIP JUSTICE COURT
STATISTICS FY 24/25**

CIVIL FILINGS	Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24	Jan-25	Feb-25	Mar-25	Apr-25	May-25	June-25	
Landlord/Tenant - Summary Eviction	37	53	44	35	37								206
Unlawful Detainer - Writs of Restitution	0	0	0	1	1								2
Other Real Property Case	0	0	0	0	0								0
Auto Negligence Case	0	0	0	0	0								0
Premises Liability Case	0	0	0	0	0								0
Other Negligence Case	0	0	0	0	0								0
Intentional Misconduct Case	0	0	0	0	0								0
Other Tort Case	0	0	0	0	0								0
Credit Card Collection Case	41	21	25	40	39								166
Pay Day Loan Collection Case	0	4	0	0	4								8
Debt Collection Agency Case	1	1	2	0	2								6
Other Debt Collection Agency Case	6	3	4	2	8								23
Contract Buyer/Plaintiff Case	0	0	0	0	0								0
Other Contract Case	0	2	0	0	0								2
Contested Liens Case	0	0	0	0	0								0
Petition to Seal Records	1	0	0	0	1								2
Other Civil Matters	0	0	0	0	0								0
Small Claims Case	5	2	7	1	14								29
Request for DV Protection Order	2	6	7	5	5								25
Request for Protection Order (Non-DV)	12	9	6	4	4								35
Civil Writs (Related to an Existing Case)	3	10	5	9	14								41
Remitted/Remanded Civil Cases	0	0	0	0	0								0
Jury Trials	0	0	0	0	0								0
Non-Jury Bench Trials	2	4	2	11	0								19
Satisfaction of Judgment	5	4	11	10	1								31
Inmate Requests/Filings	0	0	0	0	0								0
Contempt and Preliminary Injunctions	0	0	0	0	0								0
Renewal of Judgment	1	1	0	0	3								5
Sexual Assault Protection Order	0	0	1	0	0								1
Extended DV Protection Orders Granted	0	1	2	1	0								4
Extended DV Protection Orders Denied	1	0	0	3	1								5
Extended DV Protection Orders Other	2	0	1	0	2								5
Extended Protection Orders (non-DV)Granted	5	2	2	1	0								10
Extended Protection Orders (non-DV)Denied	5	3	4	3	0								15
Extended Protection Orders (non-DV)Other	3	0	3	0	0								6
Order to Seal Records	2	0	0	0	0								2

Lyon County Board of County Commissioners Agenda Summary

Meeting Date: January 6, 2025

Agenda Item Number:

12.a

Subject:

For Possible Action: Review and accept claims and financial reports.

Summary:

Under NRS 244, the Comptroller approves bills for payment and the Board reviews the claims report.

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

Accept claims and financial reports.

ATTACHMENTS

- [Claims Report 12-1-24 to 12-15-24](#)
- [Cash Report 12-15-24](#)

**CLAIMS REPORT
DECEMBER 1 THROUGH DECEMBER 15, 2024**

<u>LYON COUNTY</u>	<u>BILLS</u>	<u>PAYROLL</u>	<u>TRUST AND AGENCY</u>	<u>BILLS</u>	<u>PAYROLL</u>
Governmental Funds					
General	727,201.22	1,488,947.07	DNA Testing	1,446.50	
Employee Benefits			Western Regional Youth Facility	10,969.87	79,388.07
Park Construction Tax	2,469.14		Mason Valley Swimming Pool District	36,585.72	
Co-Op Extension	6,322.19		Silver Springs/Stagecoach Hospital	3,217.42	3,864.02
Unemployment			Fernley Swimming Pool	11,850.83	27,110.87
Room Tax	4,117.65		City of Fernley	94,832.85	
Aid to Domestic Violence	340.00		Mason Valley Fire Protection District	248,154.36	48,358.87
Vehicle Acquisition			North Lyon County Fire Protection District	52,997.26	
Fair and Rodeo			Smith Valley Fire Protection District	7,822.57	18,720.63
Capital Improvements	136,445.00		Stagecoach General Improvement District		
Justice Court Special Assessment	261.00		South Lyon Hospital District	142,838.24	
District Court Restricted Fees	2,317.00		State of Nevada	231,431.79	
Juvenile Probation Special Assessment		1,572.53	City of Yerington	4,511.22	
County Library Gift			Fish and Game		
911 Surcharge	32,457.98		Walker River Irrigation District	6,915.95	
Mining Claim Map			Range Improvement		
Road	14,759.88	73,460.92	Lyon County Bond	19,210.23	
R T C	4,751.25		Coroner Estate Proceeds		
Road Improvement	931.20		County Trust Property		
Opioid Settlement		7,075.81	Social Security Payee Program	21,861.44	
General Indigent	18,349.97	97,078.53	Central Lyon County Fire Protection District	150,837.73	
Medical Indigent	2,100.00	9,786.49	Carson Water Sub-Conservancy District		
Senior Services	17,482.31	70,485.15	Dayton Valley Ground Water		
Senior Services Donations	259.32		Smith Valley Artesia		
Animal Control Donations			Mason Valley Artesia		
Enterprise Funds			Churchill Valley Ground Water		
Dayton Water Utility	124,685.19	77,866.87	Truckee Carson Irrigation District	12,297.27	
Dayton Sewer Utility	173,399.76	60,356.44	Fernley Ground Water		
Component Unit Funds			Brady Hot Springs Ground Water		
Mason Valley Mosquito Control District	135.35	5,199.19	Lyon County School District	401,833.82	
Central Lyon Vector Control District	20,895.00		Subtotal	1,459,615.07	177,442.46
Walker River Weed Control District	138.24		SUMMARY		
Silver Springs General Improvement District	6,170.94		Lyon County	1,296,393.49	1,891,829.00
Willowcreek General Improvement District	403.90		Trust & Agency	1,459,615.07	177,442.46
Subtotal	1,296,393.49	1,891,829.00	TOTAL	2,756,008.56	2,069,271.46

CASH REPORT

December 15, 2024

<u>LYON COUNTY</u>	<u>BALANCE</u>	<u>CUSTODIAL FUNDS</u>	<u>BALANCE</u>
Governmental Funds			
General	14,962,312.17	DNA Testing	1,121.50
Park Construction Tax	1,184,151.38	Western Nevada Regional Youth Center	1,459,463.63
Cooperative Extension	566,997.31	Mason Valley Swimming Pool District	3,457,694.11
Unemployment	419,389.18	Silver Springs/Stagecoach Hospital	2,012,912.69
Room Tax	65,358.13	Fernley Swimming Pool District	3,832,715.61
County Stabilization	3,450,000.00	City of Fernley	129,694.91
Aid to Domestic Violence	5.00	<u>Mason Valley Fire Protection District</u>	.
Vehicle Acquisition	436,624.28	General Fund	166,174.52
Fair and Rodeo	273,278.77	Ambulance Fund	1,754,750.06
Justice Court Special Assessment	1,065,489.23	Acquisition Fund	221,733.60
District Court Restricted Fees	839,802.42	Emergency Fund	17,273.82
Juvenile Probation Special Assessment	201,696.09	North Lyon County Fire Protection District	818,556.35
Library Gift	10,033.86	<u>Smith Valley Fire Protection District</u>	.
Mining Claim Map	23,929.07	General Fund	335,946.41
911 Surcharge	749,781.06	Emergency Fund	404,952.48
Animal Control Donations	114,933.53	Acquisition Fund	1,442,585.04
Road	477,057.92	Stagecoach General Improvement District	18,928.18
R T C	18,909,727.14	South Lyon Hospital District	1,270,433.74
Road Improvement	1,346,232.51	State of Nevada	985,069.94
Opioid Settlement	932,242.11	City of Yerington	3,322.87
General Indigent	589,483.67	Fish and Game	5,074.09
Medical Indigent	5,997,788.14	Walker River Irrigation District	22,445.93
Senior Services	759,111.42	Range Improvement	417.72
Senior Services Donations	199,727.04	Lyon County Bond	644,385.96
Capital Improvements	22,710,242.40	Coroner Estate Proceeds	4,012.96
Subtotal Governmental Funds	76,285,393.83	County Trust Property & Inmate Trust	11,010.37
Enterprise Funds			
Dayton Water Utility	15,057,114.86	Social Security Payees/Public Guardianships	472,427.20
Dayton Sewer Utility	21,640,722.47	<u>Central Lyon County Fire Protection District</u>	.
Subtotal Enterprise Funds	36,697,837.33	General Fund	116,528.87
Component Unit Funds			
Mason Valley Mosquito Control District	911,963.22	Ambulance Fund	9,476.18
Central Lyon County Vector Control District	571,195.72	Carson Water Sub-Conservancy District	63,071.63
Walker River Weed Control District	310,337.79	Dayton Valley Ground Water	3,448.43
Silver Springs General Improvement District	4,677,794.07	Smith Valley Artesia	10,029.55
Willowcreek General Improvement District	957,639.09	Mason Valley Artesia	25,670.84
Subtotal Component Unit Funds	7,428,929.89	Churchill Valley Ground Water	1,579.63
		Truckee Carson Irrigation District	5,424.48
		Brady Hot Springs Ground Water	-
		Fernley Ground Water	1,836.20
		<u>Lyon County School District</u>	.
		General Fund	255,954.50
		Debt Service Fund	184,119.98
Total Lyon County	120,412,161.05	Total Custodial Funds	20,170,243.98

(cash balances with a debit balance are overdrawn (negative cash))

SUMMARY

Lyon County	120,412,161.05
Custodial Funds	20,170,243.98
Unallocated Cash	
Unapportioned Secured Taxes	-
Unapportioned Unsecured Taxes	-
Unapportioned Purchase Cards	(38,076.27)
Unapportioned Interest	111,402.62
TOTAL	140,655,731.38

BANK ACCOUNTS AND PETTY CASH

Wells Fargo Bank Checking	22,301,989.12
US Bank Investment	79,893,788.39
Local Government Investment Pool	38,439,193.50
Inmate Trust	12,010.37
Fernley Swimming Pool Imprest	300.00
Dayton Utilities Imprest	500.00
Silver Springs GID Imprest	500.00
Petty Cash	7,450.00

TOTAL

140,655,731.38

Lyon County Board of County Commissioners Agenda Summary

Meeting Date: January 6, 2025

Agenda Item Number:

12.b

Subject:

For Possible Action: Review and accept travel claims.

Summary:

The Board of Commissioners has requested to have the travel report presented to them. It is not required by statute.

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

Accept travel claims.

ATTACHMENTS

- [Travel Report 12-1-24 to 12-15-24](#)

LYON COUNTY TRAVEL REPORT
December 1-15, 2024

Department / Name	Description	Amount
Sheriff		
Ariana Mendoza	Cellphone Investigations Las Vegas, NV 12/02-12/06/2024 - Registration, Lodging	1,441.81
Ted Ziegenfuss	Sex Offender Watch New Orleans, LA 11/10-11/14/2024 - Lodging, Rental Car	1,508.10
Kelsey Ravetto	Sex Offender Watch New Orleans, LA 11/10-11/14/2024 - Lodging	1,578.51
Erik Kusmerz	CVSA Examiner Sacramento, CA 01/27-01/31/2024 - Registration	595.00
Nicholas Schunke	Leadership Institute Las Veags, NV 10/27-11/02/2024 - Parking	125.00
Zachary Westbrook	Deflection Diversion Summit Seattle, WA 10/28-11/02/2024 - Rental Car	402.68
Kelsey Ravetto	Dayton Substation Coverage 11/01 & 11/06/2024 - Mileage	50.92
Joshua Lynch	BID Training Carson City, NV 01/06-01/09/2024 - Per Diem	76.00
Trevor Bonds	BID Training Carson City, NV 01/06-01/09/2024 - Per Diem	76.00
Anthony Cupp	BID Training Carson City, NV 01/06-01/09/2024 - Per Diem	76.00
County Manager		
Andrew Haskin	NACO Legislative Conference 03/01-03/05/2024 - Registration, Airfare	1,260.96
Commissioners		
Tammy Hendrix	NACO Legislative Conference 03/01-03/05/2024 - Registration, Airfare	1,260.96
Scott Keller	NACO Legislative Conference 03/01-03/05/2024 - Registration, Airfare	1,260.96
Emergency Management		
Taylor Allison	2024 Association for Emergency Managers Colorado Springs, CO 11/17-11/21/2024 - Per Diem, Mileage, Parking, Lodging	915.80
District Attorney		
Marcia Filipas	TAC Training Carson City, NV 11/19-11/21/2024 - Mileage	124.17
Planning		
Audrey Allan	Planning Commision Meeting 12/10/2024 - Mileage	63.92
Constantine Kuzmicki	Planning Commision Meeting 12/10/2024 - Mileage	37.52
Mark Jones	Planning Commision Meeting 12/10/2024 - Mileage	38.99
Ralph Ewing	Planning Commision Meeting 12/10/2024 - Mileage	62.98
Michael Carlson	Planning Commision Meeting 12/10/2024 - Mileage	62.98
Road		
Cody Tucker	Flagger Training Reno, NV 11/18/2024 - Registration, Per Diem	102.00
District Court		
Sara Glover	Dayton Juvenile court 12/05/2024 - Mileage	69.68
Sara Glover	Fernley Juvenile Court 12/12/2024 - Mileage	62.98
Human Services		
Jennas Dykes	NHV Staewide Meeting Las Vegas, NV 12/10-12/12/2024 - Per Diem	130.00
Mirian Zarazua	NHV Staewide Meeting Las Vegas, NV 12/10-12/12/2024 - Per Diem	130.00
Natasha Valiska	NHV Staewide Meeting Las Vegas, NV 12/10-12/12/2024 - Per Diem, Airport Parking	166.00
Rebecca Williams	Senior Center Coverage Sept-Nov - Mileage	124.56
Library		
Kay Edwards	Trustee Meeting Yerington, NV 12/03/2024 - Mileage	46.90
Janet Schardt	Trustee Meeting Yerington, NV 12/03/2024 - Mileage	28.14
Jimmie Richards	Cover Branch Silver Stage, NV 12/11/2024 - Mileage	45.76
Juvenile Probation		
Brian Kirkley	NV School Safety Training Reno, NV 12/04-12/05/2024 - Per Diem	44.00
Christopher Gentine	Internal Affairs Conference Las Vegas, NV 12/08-12/13/2024 - Per Diem	464.00
Abram Minnitte	One Day Gang Training Reno, NV 11/22/2024 - Per Diem	42.00
Kevin Montgomery	One Day Gang Training Reno, NV 11/22/2024 - Per Diem	42.00

Matt Clapham	Transport Minor Fallon, NV 12/01/2024 - Per Diem	16.00
Matt Clapham	Transport Minor Fallon, NV 12/02/2024 - Per Diem	28.00
Dylan Hennig	Transport Minor Churchill, NV 12/02/2024 - Per Diem	19.00
Haylea Strickler	Juvenile Court Yerington, NV 12/03/2024 - Mileage	35.04
Abram Minnitte	Transport Minor Reno, NV 12/11/2024 - Per Diem	33.00
Abram Minnitte	Transport Minor Churchill, NV 12/02/2024 - Per Diem	19.00
Victoria Kubis	Fernley JPO Training 12/05/2024 - Mileage	20.10
Victoria Kubis	Juvenile Court Fernley, NV 12/12/2024 - Mileage	20.10
		<u>12,707.52</u>

Lyon County Board of County Commissioners Agenda Summary

Meeting Date: January 6, 2025

Agenda Item Number:

12.c

Subject:

For Possible Action: Approve the changes on Assessor's tax roll due to correction in assessments and review of tax roll changes.

Summary:

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

Approve the changes on Assessor's tax roll due to correction in assessments and review of tax roll changes.

ATTACHMENTS

- [Unsecured Factual Corrections](#)
- [Secured Factual Corrections](#)



Meeting: 1/6/2025

LYON COUNTY

The Assessor's Office deems the following Unsecured Property accounts to be factual corrections:

Acct #	Name/Owner	Reason for Deletion	Tax Dist.	Tax. Year.	Tax Amount
MH010293	JACKSON, ROBERT	APPLY DV EXEMPT	8.2	2024-2025	\$153.53
LY008566	COMSTOCK DRYWALL LLC	AMEND BILL NO EQUIPMENT	8.8	2024-2025	\$430.97
LY080055	US BANK NAT'L ASSN	AMEND BILL, DUPLICATE ITEM	6	2024-2025	\$51.38
LY008777	ROBERT JOHNS	AMEND TO CLOSE BUSINESS	8.4	2024-2025	\$1,172.68
FE010029	INT'L SERVICE & REBUILDING	AMEND, NO BUSINESS	6.0	2024-2025	\$8,432.70
LY019400	APEX SITE SOLUTIONS	BUSINESS LOCATED IN CA TX P	8.3	2024-2025	\$3,790.91
TOTAL:					\$12,223.61



Meeting: 1/6/2025

LYON COUNTY

The Assessor's Office deems the following Secured Property accounts to be factual corrections:

Acct #	Name/Owner	Reason for Deletion	Tax Dist.	Tax. Year.	Tax Amount
010-291-61	FOUR POINT RANCH LLC	RES 50% PER OWNER	4.0	2024-2025	\$4,786.55
015-241-04	VAN HOOK, GERALD	APPLY DV EXEMPT	8.2	2024-2025	\$120.02
022-051-04	HAWLEY, WAYNE	APPLY DV EXEMPT	6.0	2024-2025	\$502.78
001-261-03	DADMS, JARROD ET AL	AMEND TAX CAP	1.0	2024-2025	\$56.01
020-713-45	WILSON, BRIAN	AMEND TAX CAP	6.0	2024-2025	\$81.24
022-232-04	CALLAHAN, DENNIS	APPLY DV EXEMPT	6.0	2024-2025	\$628.93
020-523-55	BACAYLAN, RICHARD	APPLY DV EXEMPT	6.0	2024-2025	\$314.46
010-231-24	BLACKWOOD, SHANE	APPLY DV EXEMPT	4.0	2024-2025	\$906.01
					\$7,396.00

Lyon County Board of County Commissioners Agenda Summary

Meeting Date: January 6, 2025

Agenda Item Number:

12.d

Subject:

For Possible Action: Approve the December 19, 2024 minutes.

Summary:

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

ATTACHMENTS

- [December 19, 2024 Minutes](#)

Board of County Commissioners Lyon County, Nevada

The Honorable Board of Lyon County Commissioners met this day, Thursday, December 19, 2024, at 9:00 A.M. in the LYON COUNTY ADMINISTRATIVE COMPLEX, 27 S. MAIN STREET, YERINGTON, NV 89447.

1. Roll Call

Present: Chair David Hockaday, Vice-Chair Wes Henderson, Commissioner Robert Jacobson, Commissioner Scott Keller and Commissioner Tammy Hendrix

Staff Present: County Manager Andrew Haskin, Comptroller Josh Foli and District Attorney Steve Rye

2. Invocation given by Irene Albritton of First Christian Church

3. Pledge of Allegiance

4. Public Participation

Comm. Hockaday asked for public comment.

Hillary Dashrell, Tim Sanford, Ted Rudolf and Lucy Rechel shared their concerns with censorship being implemented in libraries.

5. For Possible Action: Review and Adoption of Agenda

Comm. Hockaday asked for public comment and there was none.

Comm. Keller moved to adopt the agenda as presented, Comm. Hendrix seconded, and the motion passed 5-0.

6. Presentation of awards and/or recognition of accomplishments

6.a. For Presentation Only: Present Carl Mushrush with a retirement plaque, and thank him for his 18 years of service to the communities of Lyon County.

Sheriff Brad Pope presented Carl Mushrush with a retirement plaque.

The Commissioners thanked Carl for his years of service to Lyon County.

6.b. For Presentation Only: Present Deputy Nathan Whittemore and Deputy Justin Ryan with the Lyon County Sheriff's Office "Life Saving Award".

Sheriff Brad Pope presented Deputy Nathan Whittemore and Deputy Justin Ryan with the Lyon County Sheriff's Office Life Saving Award.

The Commissioners thanked both Deputies for their continued efforts.

6.c. For Presentation Only: Present Dennis Billow with the Lyon County Sheriff's Office Community Service Award for his efforts in raising money for the Shop with a Sheriff event.

Sheriff Brad Pope presented Dennis Billow the Community Service Award.

The Commissioners thanked Dennis for his efforts and service to the community.

7. Time Certain

7.a. Time Certain 10:00 A.M.: For Possible Action - Approve the Fiscal Year 2024 Annual Comprehensive Financial Report, which has been audited by Sciarani & Co. in accordance with Nevada Revised Statute 354.624.

• Lyon County Annual Comprehensive Financial Report 2023-2024

Comptroller Josh Foli gave a presentation reviewing the Fiscal Year 2024 Annual Comprehensive Financial Report that was audited by Sciarani & Co. He also thanked his staff for all their efforts.

Jim Sciarani of Sciarani & Company presented his audit findings to the board.

The Commissioners and Josh Foli had a discussion about income revenue.

Comm. Hockaday asked for public comment and there was none.

Comm. Keller moved to approve the Fiscal Year 2024 Annual Comprehensive Financial Report, Comm. Jacobson seconded, and the motion passed 5-0.

8. Commissioners/County Manager Reports

All the Commissioners and the County Manager thanked Comm. Henderson for his service to Lyon County.

Comm. Jacobson thanked all the officers for their efforts and keeping the community safe. He congratulated Wendy Madson of the Healthy Community Coalition for being recognized by the National Association of School Boards. He stated he attended the Room Tax Board meeting.

Comm. Keller attended a meeting with the Planning Commission, the Smart from the Start Consortium, the Fernley City Council, the NACO General Board, the NACO Legislative Committee, the NACO Public Lands and Natural Resources Committee, the NACO Rural Action Caucus meeting, the NACO West Region meeting, the Fallon Range Intergovernmental Executive Committee and the NACO Symposium in Sonoma County.

Comm. Henderson stated he attended a CAMPO meeting.

Comm. Hendrix attended a meeting with the Planning Commission, the NACO Public Lands and Natural Resources Committee, the NACO Public Lands Steering Committee, the NACO Board of Directors meeting, the Dayton Valley Conservation District and the Carson Water Subconservancy District. She also attended the Silver Springs Christmas Tree Lighting event.

Comm. Hockaday attended a meeting with Walker River Irrigation District, the Planning Commission, Smith and Mason Valley Conservation Districts.

County Manager Andrew Haskin reported he met with numerous solar companies that are interested in having projects in Lyon County. He stated he received an inquiry from the US Forest Service seeking members for the Nevada Secure Rural Schools Resource Advisory Committee.

9. Elected Official's Reports

Sheriff Brad Pope thanked Comm. Henderson for his service to Lyon County. He also provided updates on recent events that the Sheriff's office have participated in.

District Attorney Steve Rye thanked Comm. Henderson for his service to Lyon County.

10. Appointed Official's Reports

There were none at this time.

11. Advisory Board Reports

There were none at this time.

12. CONSENT AGENDA

Comm. Hockaday asked for public comment and there was none.

Comm. Henderson moved to approve the Consent Agenda items 12.a. through 12.f, Comm. Jacobson seconded and the motion passed 5-0.

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

County claims totaled \$859,148.19 and payroll totaled \$1,431,225.63. The cash balance as of November 30, 2024, was \$122,445,430.11.

12.b. For Possible Action: Review and accept travel claims.

Travel claims total as of November 30, 2024 was \$7,498.22.

12.c. For Possible Action: Approve the changes on Assessor's tax roll due to correction in assessments and review of tax roll changes.

Secured Property Corrections totaled \$5,911.64. Unsecured property taxes totaled \$2,171.72

12.d. For Possible Action: Approve the December 5, 2024 minutes.

The December 5, 2024 minutes were approved.

12.e. For Possible Action: Approve a Letter of Promulgation adopting the 2024 Lyon County All-Hazards Emergency Operations Plan.

12.f. For Possible Action: Accept change in CCW applicant fees due to the decrease in FBI fee portion of fingerprint based background checks per the Nevada Department of Public Safety.

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

13. Commission Appointments

13.a. For Possible Action: Appoint a member to the Planning Commission with a term to begin January 1, 2025, and expiring December 31, 2028.

Comm. Henderson stated he will not be participating in this item as his application is being considered.

Patricia Palmer and Wes Henderson gave a presentation explaining why they would make great candidates.

Comm. Hockaday asked for public comment and there was none.

Comm. Hockaday motioned to appoint Wes Henderson to the Planning Commission with a term to begin January 1, 2025, and expiring December 31, 2028, Comm. Jacobson seconded and the motion failed 2-2. Comm. Keller and Comm. Hendrix opposed.

Comm. Hockaday stated this item will continue onto the next agenda.

14. Community Development

14.a. For Possible Action: Approve the selection of an engineering firm for the Master Services Agreement (MSA) related to development services, including County Engineer, County Surveyor, Floodplain Management, and Inspection Services, and authorize staff to negotiate and finalize the agreement, subject to review and approval by the Lyon County Board of Commissioners.

Community Development Director Gavin Henderson gave a presentation discussing the selection of an engineering firm for the Master Services Agreement (MSA) related to development services, including County Engineer, County Surveyor, Floodplain Management and Inspection Services.

Comm. Hockaday asked for public comment.

Mark Jones questioned if these companies were involved in the original agreement.

Comm. Hendrix motioned to approve the selection of an engineering firm for the Master Services Agreement (MSA) related to development services, including County Engineer, County Surveyor, Floodplain Management, and Inspection Services, and authorize staff to negotiate and finalize the agreement, subject to review and approval by the Lyon County Board of Commissioners, Comm. Keller seconded and the motion passed 5-0.

15. Human Resources

15.a. For Possible Action: Approve County Manager's annual performance evaluation, and, provided his performance is deemed satisfactory, approve a merit increase in the amount of 2.5% of his base salary.

The Commissioners thanked Andrew for his continued efforts.

Comm. Hockaday asked for public comment and there was none.

Comm. Hendrix motioned to approve County Manager's annual performance evaluation and approve a merit increase in the amount of 2.5% of his base salary effective on his anniversary date, Comm. Henderson seconded and the motion passed 5-0.

16. Emergency Management

16.a. For Presentation Only: Presentation on Senate Bill 53, Lyon County's Bill for the 83rd legislative session, establishing requirements for GPS Navigation websites and applications to post extended closures and hazards, and providing other matters properly relating thereto.

County Manager Andrew Haskin stated that Emergency Manager Taylor Allison was unable to attend today's meeting. He gave a presentation regarding Senate Bill 53 discussing requirements for GPS Navigation websites and applications to post extended closures and hazards, and providing other matters properly relating thereto.

17. Comptroller

17.a. For Possible Action: Authorize the Comptroller to reallocate any unobligated American Rescue Plan Act Funds to public safety salaries as of December 31, 2024.

Comptroller Josh Foli gave a brief description regarding the reallocation of any unobligated American Rescue Plan Act Funds to public safety salaries.

Comm. Hockaday asked for public comment and there was none.

Comm. Jacobson motioned to authorize the Comptroller to reallocate any unobligated American Rescue Plan Act Funds to public safety salaries as of December 31, 2024, Comm. Keller seconded and the motion passed 5-0.

18. Human Services

18.a. For Possible Action: Approve the services of independent contractor, Candice Landa, LCSW in an amount not to exceed \$15,600 to provide Behavioral Health Clinician services with the Lyon County Resilient Families (LCRF) program.

Human Services Director Doctor Shayla Holmes gave a brief review of the contract with Candice Landa to provide Behavioral Health Clinician services with the Lyon County Resilient Families program.

Comm. Hockaday asked for public comment and there was none.

Comm. Jacobson motioned to approve the services of independent contractor, Candice Landa, LCSW in an amount not to exceed \$15,600 to provide Behavioral Health Clinician services with the Lyon County Resilient Families (LCRF) program, Comm. Keller seconded and the motion passed 5-0.

18.b. For Possible Action: Approve a contract between Lyon County and Candice Landa, LCSW, in an amount not to exceed \$15,600, to provide Behavioral Health Clinician services with the Mobile Outreach Safety Team (MOST), funded through the State of Nevada, Health and Human Services, Division of Public and Behavioral Health MOST grant award.

Human Services Director Doctor Shayla Holmes gave a brief review of the contract with Candice Landa to provide Behavioral Health Clinician services with the Mobile Outreach Safety Team.

Comm. Hockaday asked for public comment and there was none.

Comm. Keller motioned to approve a contract between Lyon County and Candice Landa, LCSW, in an amount not to exceed \$15,600, to provide Behavioral Health Clinician services with the Mobile Outreach Safety Team

(MOST), funded through the State of Nevada, Health and Human Services, Division of Public and Behavioral Health MOST grant award, Comm. Jacobson seconded and the motion passed 5-0.

18.c. For Possible Action: Approve a contract between Lyon County and Candice Landa, LCSW, in an amount not to exceed \$78,000 to provide Behavioral Health Clinician services with the Trauma Focused Therapy (TFT) program.

Human Services Director Doctor Shayla Holmes gave a brief review of the contract with Candice Landa to provide Behavioral Health Clinician services with the Trauma Focused Therapy program.

Comm. Hockaday asked for public comment and there was none.

Comm. Jacobson motioned to approve a contract between Lyon County and Candice Landa, LCSW, in an amount not to exceed \$78,000 to provide Behavioral Health Clinician services with the Trauma Focused Therapy (TFT) program, Comm. Hockaday seconded and the motion passed 5-0.

18.d. For Possible Action: Approve a contract between Lyon County and Angelica Alexander, LCSW, in an amount not to exceed \$30,160 to provide Behavioral Health Clinician services with the Trauma Focused Therapy (TFT) program.

Human Services Director Doctor Shayla Holmes gave a brief review of the contract with Candice Landa to provide Behavioral Health Clinician services with the Trauma Focused Therapy program.

Comm. Hockaday asked for public comment and there was none.

Comm. Jacobson motioned to approve a contract between Lyon County and Angelica Alexander, LCSW, in an amount not to exceed \$30,160 to provide Behavioral Health Clinician services with the Trauma Focused Therapy (TFT) program, Comm. Hockaday seconded and the motion passed 5-0.

18.e. For Possible Action: Approve a contract between Lyon County and Transition Support Property Solutions for \$5,588 to provide handyman services to individuals within the Senior Services Case 4 Management program.

Human Services Director Doctor Shayla Holmes gave a brief review of the contract between Lyon County and Transition Support Property Solutions to provide handyman services to individuals within the Senior Services Case 4 Management program.

Comm. Hockaday asked for public comment and there was none.

Comm. Hockaday motioned to approve a contract between Lyon County and Transition Support Property Solutions for \$5,588 to provide handyman services to individuals within the Senior Services Case 4 Management program, Comm. Henderson seconded and the motion passed 5-0.

19. County Manager

19.a. For Possible Action: Approve letter of support on behalf of the Board of Commissioners for South Lyon County Hospital District's proposal to construct a new clinic.

Comm. Hockaday asked for public comment and there was none.

Comm. Henderson motioned to approve a letter of support on behalf of the Board of Commissioners for South Lyon County Hospital District's proposal to construct a new clinic, Comm. Jacobson seconded and the motion passed 5-0.

19.b. For Possible Action: Review, discuss and approve letter of collaboration between local government and Federal projects to be submitted to Governor Joe Lombardo.

County Manager Andrew Haskin and the Commissioners shared their thoughts regarding the letter of collaboration.

Comm. Hockaday asked for public comment and there was none.

Comm. Henderson motioned to approve a letter of collaboration between local government and Federal projects to be submitted to Governor Joe Lombardo, Comm. Keller seconded and the motion passed 5-0.

RECESS TO RECONVENE AS CENTRAL LYON COUNTY VECTOR CONTROL DISTRICT BOARD

20. Public Participation

Comm. Hockaday asked for public comment and there was none.

21. Contract

21.a. For Possible Action: Award bid and approve a 3-year contract for vector control services with Integrity Pest Management ending on December 31, 2027, for a total contract amount of \$656,850.

Comptroller Josh Foli gave a brief overview of a 3-year contract for vector control services with Integrity Pest Management ending on December 31, 2027.

Comm. Hockaday asked for public comment and there was none.

Comm. Keller motioned to award bid and approve a 3-year contract for vector control services with Integrity Pest Management ending on December 31, 2027, for a total contract amount of \$656,850, Comm. Hendrix seconded and the motion passed 5-0.

22. Public Participation

Comm. Hockaday asked for public comment and there was none.

ADJOURN TO RECONVENE AS THE LYON COUNTY BOARD OF COMMISSIONERS

23. Agenda Requests

Comm. Jacobson requested a presentation from Jim Kepler of Dayton Valley Golf Course regarding the amount of effluent water the golf course is able to retain.

Comm. Keller stated that when there is a request for a new maintenance item, he would like a report to be provided of what maintenance has already been done and what maintenance will be needed.

24. Commissioner Comments

Comm. Jacobson commented that he was impressed with the Technical Schools and Community Colleges in the area that prepare high school graduates for their futures.

Comm. Henderson stated it has been an honor to be a Commissioner and thanked the board for everything they do for Lyon County.

The Commissioners wished everyone Happy Holidays and thanked Commissioner Henderson for his service to Lyon County.

25. Public Participation

Comm. Hockaday asked for public comment and there was none.

26. Closed Session pursuant to NRS 241.015(3)(b)(2)

There was no closed session.

27. Adjourn

Meeting was adjourned at 11:26 a.m.

LYON COUNTY BOARD OF COMMISSIONERS

DAVE HOCKADAY, Chairman

ATTEST

STACI LINDBERG, Lyon County Clerk/Treasurer

Lyon County Board of County Commissioners Agenda Summary

Meeting Date: January 6, 2025

Agenda Item Number:

12.e

Subject:

For Possible Action: Approve a revised FY 2024-2025 Plan for the Provision of Indigent Defense Services.

Summary:

Effective November 1, 2024, Lyon County made some changes in the contracted indigent defense attorney firms and conflict counsel procedures. The Department of Indigent Defense Services requires the Lyon County Plan for Indigent Services to be updated to reflect those changes. The attached document reflects the current practice based on the changes made effective November 1, 2024.

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

Approve attached plan.

ATTACHMENTS

- [Lyon County Plan for the Provision of Indigent Defense Services - 2024-2025 as of 11-1-24](#)



PLAN FOR THE PROVISION OF INDIGENT DEFENSE SERVICES

Fiscal Year 2024-2025

I. PLAN OBJECTIVE

The objective of this plan is to ensure competent, zealous legal representation for indigent persons eligible for the services of court-appointed counsel. To that end, this plan establishes guidelines and procedures for, among other things, the appointment, duties, compensation, and oversight of the attorneys with whom Lyon County contracts to serve as its public defenders.

II. DEFINITIONS

- A. Appointing Authority: The Judge, Justice, or Master presiding over a case arising in a court of law within Lyon County.
- B. Case-Related Expenses: Expenses, other than attorneys' fees, reasonably necessary to provide an appropriate defense. Such expenses may include, without limitation, fees for investigators, expert witnesses, forensic services, photocopying, and transcription.
- C. Department: The Nevada Department of Indigent Defense Services.
- D. Eligible Client: An indigent person whom an Appointing Authority has determined to be eligible for the services of a public defender.
- E. Fiscal Year: July 1st through June 30th.
- F. Qualified Attorney: An attorney approved by the Department to provide indigent defense services within certain categories of cases as set forth in the Regulations.
- G. Regulations: The Permanent Regulations of the Board of Indigent Defense Services.

III. APPOINTMENT OF PUBLIC DEFENDERS

Lyon County shall appoint only Qualified Attorneys as public defenders. Lyon County may contract with as many Qualified Attorneys as necessary to ensure adequate representation for all Eligible Clients. All contracts with Qualified Attorneys shall be consistent with this plan and the Regulations, and shall be approved by the Lyon County Board of Commissioners.

A. Selection Process

In seeking out Qualified Attorneys to serve as public defenders, Lyon County shall use a selection committee composed of the County Manager and the Comptroller. The selection committee may, through a formal request for proposals or through other means, request information from Qualified Attorneys regarding their experience, workload capacity, fee structure,

and any other material information. The selection committee shall weigh these and other relevant factors (including those set forth under Sec. 22(3) of the Regulations) in identifying the Qualified Attorneys with whom it would be in Lyon County's best interest to contract, and the terms of such contracts. The selection committee may utilize outside counsel for assistance during any portion of the selection process, and during the drafting and negotiation of contracts with Qualified Attorneys. In addition, the selection committee may seek input from the Department. The selection committee shall present all proposed contracts to the Board of County Commissioners for approval. No contract shall be effective unless and until it is approved by the Board of County Commissioners.

Any Qualified Attorneys interested in consideration by the selection committee are encouraged to contact the Lyon County Manager.

B. Compensation

The terms of compensation shall be set forth in each Qualified Attorney's approved contract. The compensation shall reflect the Qualified Attorneys' experience, competency, credentials, and amount of work performed. Compensation may be in the form of flat fees, piece rates, hourly rates, or any combination thereof, provided that the compensation is ultimately reasonable and consistent with the Regulations.

C. Independent Contractors; Private Practice of Law

All Qualified Attorneys providing services to Eligible Clients within Lyon County shall be independent contractors, not employees of Lyon County. Qualified Attorneys may engage in the private practice of law outside the scope of their approved contracts provided that: (i) such practice does not conflict with obligations to Lyon County under the Qualified Attorney's approved contract; (ii) such practice does not conflict with the Qualified Attorney's ability to provide zealous, competent representation to Eligible Clients; and (iii) the Qualified Attorney agrees not to represent clients in any lawsuits against Lyon County, its officers, employees, or agents, or entities in which the Board of County Commissioners act as a governing body.

IV. ELIGIBLE CLIENTS

Consistent with the Regulations and applicable law, the Appointing Authority shall be responsible for determining whether a person is indigent and is eligible for the services of a public defender in the following categories of cases:

1. Misdemeanor Cases: A case in which the highest charge is a misdemeanor.
2. Category B, C, D, or E Felony or Gross Misdemeanor Cases: A case in which the highest charge is a gross misdemeanor or a Category B, C, D, or E felony for which the maximum penalty is ten (10) or fewer years imprisonment.

3. Category B Felony Cases (10+ year maximum): A case in which the highest charge is a Category B felony for which the maximum penalty is greater than ten (10) years imprisonment.
4. Non-Capital Category A Cases: A case in which the highest charge is a non-capital Category A felony.
5. Capital Cases: A case in which the highest charge is a capital Category A felony.
6. Juvenile Proceedings: A case in which a juvenile is alleged to be delinquent or need of supervision.
7. Appeals: Any appeal of an interlocutory adjudication or Final Adjudication in a Case to the Third Judicial District or the Nevada Supreme Court.
8. Other Cases: Any other case in which the assignment of court-appointed counsel is required or permitted by law.

The Appointing Authority shall make indigence determinations in the above categories of cases in accordance with applicable law. A Pretrial Services Officer may be utilized to assist with screening for indigence. The Pretrial Services Officer shall use the approved screening form. Such screening shall occur within forty eight (48) hours of arrest. Indigence determinations are ultimately the responsibility of the Appointing Authority.

V. ASSIGNMENT OF QUALIFIED ATTORNEYS TO ELIGIBLE CLIENTS

Lyon County plans on contracting with three primary public defender firms that shall serve as Lyon County's primary public defenders and conflict public defenders for adult cases. They will also serve as conflict counsel in juvenile cases. One firm will be assigned to the Fernley Justice Court and the Fernley Municipal Court as the primary public defender. Another firm will be assigned to the Dayton Justice Court and the Walker River Justice Court as their primary public defender. A third firm will serve as the primary public defender for Drug Court, juvenile cases, and the Yerington Municipal Court. All firms will be responsible for inputting applicable information into the Department's case management system, including hours and conflicts.

These three contracts will handle all eligible clients arising in all municipal, justice, and district courts within Lyon County except:

1. In the event that a firm has a conflict of interest or otherwise cannot represent all parties in a matter in accordance with the Nevada Rules of Professional Conduct;
2. As lead counsel in a capital case.

In the event that a firm has a conflict of interest or otherwise cannot represent all parties in a matter, a separate Qualified Attorney with whom Lyon County has an approved contract shall be assigned. The procedure for assignment is set forth below:

The firm primarily representing the Dayton Justice Court jurisdiction will be the primary conflict counsel for the Canal Township Justice Court and conflict Juvenile cases in the Dayton Justice Court jurisdiction. The firm primarily representing the Canal Township Justice Court jurisdiction will be the primary conflict counsel for the Dayton Justice Court jurisdiction and Juvenile cases in the Canal Township Justice Court jurisdiction and secondary conflict counsel for the Walker River Justice Court. The firm primarily representing the Walker River Justice Court jurisdiction will be the primary conflict counsel for jurisdiction for Juvenile cases in the Walker River Township Justice Court jurisdiction. The firm primarily representing Drug Court, juvenile cases, and the Yerington Municipal Court will serve as primary conflict counsel for the Walker River Justice Court. Lyon County may change primary and secondary conflicts for certain cases based on complexity so that the workloads between the primary public defender firms are more equitable. The primary and secondary conflicts may be assigned by the courts administratively without notification to the Department.

For all other conflicts, the assignment will be as follows:

1. A firm shall provide immediate notice of its inability to represent Eligible Client(s) to the Department by email at didscontact@dids.nv.gov. the firm shall make this notification as soon as it determines that it intends to file a notice of conflict or a motion to withdraw, as applicable. The notification shall include the following information (if available): charging document, probable cause sheet or declaration, and the date and location of the next scheduled court appearance.
2. Upon receipt of the above notification, the Department shall select other Qualified Attorney(s) for assignment, starting with the three primary defender firms and then proceeding to the panel of Qualified Attorneys with whom Lyon County has an approved contract. The Department shall otherwise have discretion to make assignments on any legitimate basis, including, without limitation, qualifications, interest, track record of responsiveness and dependability in accepting assignments, feedback from Eligible Clients, feedback from Lyon County officials, and capacity to take on work.
3. A Qualified Attorney contacted by the Department for an assignment may accept or reject the assignment. If the Qualified Attorney (or staff duly authorized to accept assignments on the Qualified Attorney's behalf) is not available during normal business hours when contacted by the Department, the assignment shall be deemed rejected. The Department shall contact other Qualified Attorneys until it obtains acceptance from a sufficient number of Qualified Attorneys to represent all Eligible Clients.¹

¹ Nothing herein shall preclude Lyon County from entering into additional contracts to add more Qualified Attorneys to the panel after the effective date of this plan. In addition, nothing herein shall preclude the Department from exercising its authority to appoint counsel outside the panel pursuant to NRS 7.115 et seq. in the event there are not a sufficient number of Qualified Attorneys on the panel to accept assignments to represent all Eligible Clients.

4. Upon confirmation of acceptance of assignment by Qualified Attorney(s), the Department shall provide prompt notice and a proposed order confirming selection of counsel to the Appointing Authority—i.e., the Judge, Justice, or Master presiding over the court in which the Eligible Client’s charges are pending.

In the event of a capital case, Lyon County shall retain a Qualified Attorney authorized to serve as lead counsel under Supreme Court Rule 250 and shall pay reasonable compensation for such services. The primary public defender firms and/or other Qualified Attorneys may be assigned as co-counsel consistent with the terms of their approved contracts.

VI. DUTIES OF QUALIFIED ATTORNEYS

A. Standards of Performance

Qualified Attorneys providing services to Eligible Clients within Lyon County shall be responsible for providing such services in a professional, skilled manner. They shall comply with all applicable laws, regulations, Rules of Professional Conduct, and the Nevada Indigent Defense Standards of Performance adopted by the October 16, 2008 Nevada Supreme Court Order in Administrative Docket 411, or the same as may be amended.

B. Continuity in Representation

Qualified Attorneys providing services to Eligible Clients within Lyon County shall ensure, to the extent practicable, consistency in representation such that the same attorney represents a defendant through every stage of the case; provided, however, that attorneys may delegate appropriate administrative tasks to support staff, or may assign more than one (1) attorney to represent an Eligible Client as necessary provided it would not prejudice the rights or defense of the Eligible Client. Courts may also group all of a defendant’s cases with a single attorney to enable continuity in representation.

C. Workload Standard

The workload of each Qualified Attorney providing services to Eligible Clients within Lyon County must allow the attorney to give each client the time and effort necessary to ensure effective representation. Any attorney who provides indigent defense services shall not accept a workload that, by reason of its excessive size, interferes with the attorney’s competence, diligence, and/or representation of clients. The maximum workload guidelines as determined by the Department are incorporated herein by reference and shall be followed to the greatest extent practicable. To the extent required by the Department’s Board, Qualified Attorneys providing indigent defense services under this plan shall maintain caseload data and track time spent providing indigent defense services in accordance with Sections 44 and 45 of the Regulations. The County will require the four primary public defender firms to employ enough attorneys and support staff to meet caseload standards based on the workload standards. If the four primary public defenders are unable to hire enough attorneys due to a lack of qualified applicants, then the County will work with the Department on any other viable options for meeting the workload standards.

Lyon County plans to meet the workload standards by November 1, 2024 as follows: Each of the three primary public defender firms for adults will be required to have three attorneys and two support staff. The primary public defender firm for juveniles will be required to have one attorney. Additional conflict contracts are expected to supply two attorneys towards the workload standards. Investigations will continue to be contracted outside the attorney contracts in sufficient numbers to meet the DIDS requirements as well. Since the proposed three primary attorney system for adult cases is a new development, caseloads by firm will continue to be evaluated and contracts adjusted to meet proper staffing numbers based on the caseload analysis.

D. Conflicts of Interest

All Qualified Attorneys providing services to Eligible Clients within Lyon County shall be required to timely screen all case assignments for conflicts of interest. In the event of a conflict of interest, the Qualified Attorney shall file an appropriate motion or, as applicable, a notice of conflict with the Appointing Authority. Unless leave to withdraw is withheld by the Appointing Authority, the Qualified Attorney shall ensure prompt transfer of the Eligible Client's file to the Eligible Client's new attorney.

E. Training

All Qualified Attorneys providing services to Eligible Clients within Lyon County shall be required to comply with the training and continuing education requirements of the Department.

F. Other Responsibilities

All Qualified Attorneys providing services to Eligible Clients within Lyon County shall be responsible for ensuring:

1. Clients do not waive any substantive rights or plead guilty at the initial appearance, unless doing so is the client's best interest.
2. Clients receive adequate and frequent communication from their attorney. As a guideline, Qualified Attorneys shall, where practicable, communicate with clients seven (7) days following the assignment of the case and every thirty (30) days thereafter unless there are no significant updates in the client's matter.
3. Clients are notified of and encouraged to participate in client surveys authorized by the Department.
4. Clients are appropriately notified of their right to utilize the Department's Complaint and Recommendation process.
5. Attorney-client privilege and client confidentiality are maintained.

G. Initial In-Custody Appearances

The County will establish a rotating coverage schedule for the three primary public defender firms so that Representational Services are provided for all eligible adult clients who are in custody and require a bail hearing. Insofar as any firm has a conflict of interest precluding the firm from continuing to provide Representational Services in connection with a substantive defense of the charges, that firm shall limit the scope of its representation. It shall only advocate for the Eligible Client's best interests at the bail hearing and shall advise the Eligible Client of the limited scope of such representation.

Notwithstanding any other provision herein, nothing shall preclude any firm from declining to represent an Eligible Client, even for the limited purpose described in the preceding paragraph, if it determines it cannot do so in a manner consistent with the Nevada Rules of Professional Conduct. In the event this occurs, the firm shall immediately notify the Department so the Department can assign alternative counsel from among the panel of Qualified Attorneys with whom Lyon County has an approved contract.

In accordance with NRS 178, all bail hearings shall occur within forty eight (48) hours after the Eligible Client has been taken into custody, unless continued for good cause.

VII. ACCOMMODATIONS FOR CONFIDENTIAL ATTORNEY/CLIENT COMMUNICATIONS

The Lyon County Sheriff's Office offers the opportunity for Qualified Attorneys to meet confidentially with Eligible Clients in person or via video conference. Qualified Attorneys seeking a confidential meeting are encouraged to contact Lyon County Sheriff's Office staff at 775-463-6600 at least twenty four (24) hours in advance. The Lyon County Sheriff's Office will make every reasonable effort to ensure a Qualified Attorney is able to meet with an Eligible Client at the desired time. Absent twenty four (24) hours' notice, the Lyon County Sheriff's Office will still make every reasonable effort to arrange a meeting as requested by the Qualified Attorney, but Qualified Attorneys shall, for their part, demonstrate reasonable flexibility and mutual cooperation in such instances. Qualified Attorneys shall be responsible for compliance with all safety protocols and all reasonable instructions of jail personnel.

Questions or concerns with respect to accommodations for confidential meetings with Eligible Clients may, if not satisfactorily addressed by staff, be directed to the Lieutenant in charge of the jail.

VIII. INVOICING AND PAYMENT

A. Attorneys' Fees

Qualified Attorneys providing services to Eligible Clients within Lyon County in exchange for an hourly rate shall submit monthly invoices to the Department. Such invoices shall be submitted via LegalServer (or any other platform the Department may subsequently choose to utilize) no later than ten (10) days after the end of the month in which the services were rendered.

Time entries shall be rounded to the nearest one-tenth (1/10th) of an hour, describing with specificity the work performed and identifying the attorney who performed it.

The Department shall approve for payment all reasonable attorney's fees. In reviewing for reasonableness, the Department may consider factors such as: (i) average case times as determined by workload analysis; (ii) time and skill required; (iii) complexity of the case; and (iv) experience and ability of the Qualified Attorney(s). The Department may request additional information or explanation where necessary. In the event the Department denies or modifies a request for attorneys' fees, it shall provide an explanation to the Qualified Attorney, with a copy to the Lyon County Manager, as to why the denied portion was not reasonable. Such denials shall be subject to judicial review pursuant to NRS 7.135.

Payment for all approved attorneys' fees shall be issued by the Lyon County Comptroller's Office. The Department shall notify the Comptroller's Office of all approved requests for attorneys' fees, attaching a copy of the invoice and any backup. The Comptroller's Office shall issue payment within ten (10) days of receipt.

B. Case-Related Expenses

Insofar as Case-Related Expenses are incurred in providing services to Eligible Clients, the following procedures shall apply:

1. **Pre-Authorization:** Case-Related Expenses expected to exceed two thousand five hundred dollars (\$2,500) shall be submitted to the Department for pre-authorization before they are incurred. The Qualified Attorney shall submit the request for pre-authorization to the Department by email at didscontact@dids.nv.gov. The request shall include an explanation of why the expense is reasonably necessary to provide Representational Services.
2. **Reasonableness Review:** All Case-Related Expenses, whether or not they are subject to pre-authorization, are subject to the Department's review for reasonableness. Invoices for Case-Related Expenses shall be submitted to the Department no later than sixty (60) days following the termination of the representation. Any requests not timely submitted shall be waived. The Department shall approve all reasonable and necessary Requests for Case-Related Expenses, and shall notify the Lyon County Comptroller's Office of all approved expenses and provide a copy of the invoice.
3. **Payment:** The Lyon County Comptroller's Office shall issue payment for all approved Case-Related Expenses within ten (10) days of receipt of notice of the Department's approval and a copy of the invoice.

IX. REIMBURSEMENT FOR PAYMENTS EXCEEDING THE MAXIMUM COUNTY CONTRIBUTION

Pursuant to NRS 180.320(3), the Department's Board has promulgated under Section 16 of its Regulations a formula for establishing the maximum amount a county is required to pay for the provision of indigent defense services in a Fiscal Year. Lyon County shall not pay any amount in excess of that formula in any Fiscal Year.

Pursuant to Sections 16 - 19 of the Regulations, Lyon County shall be permitted to obtain reimbursement for costs associated with the provision of indigent defense services under this plan to the extent they exceed the maximum contribution in the preceding paragraph. Lyon County shall file financial status reports with the Department in a manner consistent with the Regulations, using the forms prescribed by the Department. The Lyon County Board of Commissioners hereby designates the Lyon County Comptroller as its designee to submit such reports to the Department. To the extent the financial status reports reflect costs in excess of the maximum contribution. In the event reimbursable costs exceed this amount, nothing herein shall be construed to preclude Lyon County from seeking additional reimbursement pursuant to NRS 353.266, NRS 180.450, or as otherwise permitted by law.

X. EFFECTIVE DATE; MODIFICATION

This plan is effective November 1, 2024 and shall remain in effect until June 30, 2025. This plan may be modified by formal action of the Board of County Commissioners.

XI. PLAN ADMINISTRATOR AND CONTACTS

The County Manager shall be the administrator of this plan and the contracts for the provision of indigent defense services. The County Manager shall report material breaches or other significant matters to the Board of County Commissioners. The Board of County Commissioners may take any lawful, situationally-appropriate action with respect to any contract.

Questions about the administration of this plan may be directed to the Lyon County Manager.

Lyon County Board of County Commissioners Agenda Summary

Meeting Date: January 6, 2025

Agenda Item Number:

12.f

Subject:

For Possible Action: Approve a revised Policy 2-7 Procurement Policy and Procedures.

Summary:

The policy has been updated due to a couple of changes in federal laws.

Section F - Federal Methods of Procurement Section 7, new subsections g and h have been added. These sections address new federal laws that (1) prohibit purchasing from certain companies and (2) provide preference/requirements for purchasing American-made products.

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

Approve a revised Policy 2-7 Procurement Policy and Procedures.

ATTACHMENTS

- [2-7 Procurement Policy - Revised 1-6-25](#)

	LYON COUNTY ADMINISTRATIVE POLICIES AND PROCEDURES	
	TOPIC: Procurement Policies and Procedures	NUMBER: 2-7
EFFECTIVE: 10/18/2018	REVISED: 1/06/2025	REVIEWED:
REFERENCE: NRS 332, NRS 338, 2 CFR 200		
POLICY CUSTODIAN: COUNTY MANAGERS OFFICE		

A. APPLICATION

1. This policy shall apply to every expenditure of public funds irrespective of their source, including state and federal assistance funds. Nothing in this policy shall prevent the County, or any governmental body or political subdivision from complying with the terms and conditions of any grant, gift, bequest, or cooperative agreement.
2. When the procurement involves the expenditure of federal assistance or contract funds, the procurement shall be conducted in accordance with any applicable mandatory federal law and regulation which is not reflected in this policy. When this policy does not specifically address a procurement issue, the issue may be resolved in accordance with the applicable sections of NRS 332, NRS 338, and other Lyon County policies.

B. STANDARDS OF CONDUCT

1. No officer, employee or agent of the County shall participate in the selection, award and administration of contracts on behalf of Lyon County if such participation would arise in a conflict of interest. Such a conflict of interest would arise when the employee, officer or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein;
2. Has a financial interest or other interest in or a tangible personal benefit from a firm considered for contract;
3. The officers, employees, and agents of the County may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts.
4. Employees, officers or agents of the County that are found to be in violation of the article(s) above will be held accountable. Disciplinary actions may include any or all of the following: termination of employment, removing the appointed officer from the office, dissolving the relationship between the County and agent.

C. PURCHASE ORDERS

A purchase order is a legally binding document that obligates the County to make a purchase. Lyon County requires purchase orders for certain purchases to ensure compliance with budget, state procurement statutes, and federal grant agreements and regulations. Prior to signature, the approver of the purchase order is required to review the purchase order request to ensure that the item has been budgeted and is within budget, is in accordance with local government purchasing requirements in NRS 332 and 338, and is in accordance with applicable federal grant agreements and regulations.

Purchases for \$10,000 or more

1. County purchase orders are required for purchases of \$10,000 or more. A purchase order must be issued prior to ordering the items or services being purchased. These purchase orders must be approved by either the Comptroller or the County Manager. This approval is documented by the approver's signature on the purchase order.
2. Contracts or task orders formally approved by the Board of Commissioners do not require purchase orders, but may have one issued if requested.

Purchases under \$10,000

1. Purchase orders are not required for purchases under \$10,000; however, a purchase order may be completed if required by a vendor.
2. Individual departments may choose to set up their own purchase order/requisition process for purchases under \$10,000. The process must be pre-approved by the Comptroller. These purchase orders may be approved and signed by the Department Head or designee.

D. CONTRACTS

1. Lyon County will utilize contracts for purchases of services.
 - a. The District Attorney's office has created two standard contracts that may be used by departments.
 - 1) A short-form contract may be used for purchases of services up to \$25,000.
 - 2) A long-form contract may be used for any purchase of services.
 - b. Vendor provided contracts may used; however, normally a standard long-form contract will be used with an unsigned vendor-provided contract used as an attachment to specify the scope of work.
2. Lyon County will utilize contracts for public works projects.
3. If a master agreement is in place with a vendor, a task order may be used instead of a contract for purchase of services or public works projects.
4. Prior to signature, contracts will be reviewed and approved by the District Attorney's Office, Comptroller, and Human Resources to ensure legal and risk management provisions are adequate.
5. Contracts and task orders over \$50,000 will go to the Board of Commissioners for approval or signature, while contracts and task orders under \$50,000 may go to the Board of Commissioners or may be signed by the County Manager or designee.

E. GENERAL METHODS OF PROCUREMENT

Lyon County will use the following methods of procurement for non-federal grant purchases. Federal grant purchases will also be subject to these methods of procurements, but may also have additional requirements; so the additional Federal grant purchase policies and procedures are addressed separately in this section. When Federal requirements conflict with State or County purchasing policies and procedures, the Federal requirements will be followed.

1. Goods and services purchases – NRS 332.
 - a. Under \$50,000 annually – no bidding requirement
These purchases require departments to perform due diligence to purchase for the best price. Documentation of due diligence is not required.
 - b. \$50,000 - \$100,000 annually – informal bidding requirement
These purchases require quotes from two or more vendors. The department should choose the lowest responsive and responsible vendor. The department should document the quotes received and selection of the most responsive quote and attach them to the voucher when being paid.
 - c. Over \$100,000 annually – formal bidding requirement
These purchases require formal advertising and contracts are awarded by the Board of Commissioners to the lowest responsive and responsible bidder. The Board of Commissioners may also reject all bids received. The Clerk-Treasurer's Office is normally the department that publishes the advertisement and conducts the bid opening.
 - d. Competitively bid items by other governments
Lyon County may make purchases by using pricing from other competitively bid governmental contracts, such as Nevada State Purchasing, GSA, NASPRO, etc. Lyon County may also piggyback off of pricing used in a contract for another government. These type of purchases meet the state requirements for either informal or formal bidding.
 - e. Exceptions to informal or formal bidding requirements
There are a number of exceptions to informal and formal bidding requirements in NRS 332.112-332.148; including, but not limited to: professional services; computer hardware and software, systems of communications, sole source. Engineering services may not be awarded based on price. The Comptroller, in consultation with the District Attorney's Office, can assist departments in determination if goods or services qualify under an exception.
2. Public Works purchases – NRS 338
 - a. Definition of a public work – NRS 338.010
Public works include any project for new construction, repair or reconstruction of a project financed in whole or in part from public money for: public buildings, jails and prisons, public roads, public highways, public streets and alley, public utilities, publically owned water mains and sewers, public parks and playgrounds, public convention facilities, and all other publically owned works and property.
 - b. County may perform work under \$100,000 – NRS 338.1444
The County may elect to perform its own work on a public works project under \$100,000 subject to the requirements of NRS 338.1444.

- c. Requirements for awarding a public works contract
 - 1) *\$25,000 or less – NRS 383.13862*
The County may award a contract after soliciting a bid from at least one licensed contractor.
 - 2) *\$25,000 to \$100,000 – NRS 338.13862*
The County may award a contract to the lowest responsive and responsible bidder after soliciting a bid from at least three licensed contractors. Preferences of 5% will be given for local businesses owned and operated by veterans with service-connected disabilities are applicable in NRS 338.1384-338.13847.
 - 3) *\$100,000 and above – NRS 338.3185*
The County must formally advertise and bid a project between \$100,000, with the Board of Commissioners formally awarding the contract to the lowest responsive and responsible bidder or the best bid (best bid defined under NRS 338.1389 for contracts over \$250,000).
 - 4) *Construction manager at risk – NRS 338.1685 to 338.16995*
The County may utilize the construction manager at risk method by following the requirements in NRS 338.1685 to 338.16995.
 - 5) *Design-Build – NRS 338.1711 to 338.173*
The County may utilize the design-build construction method by following the requirements in NRS 338.1711 to 338.173.
- d. Prevailing wage
In accordance with NRS 338.080, state prevailing wage is applicable to public works projects in excess of the exemption, which is currently \$250,000.

F. FEDERAL METHODS OF PROCUREMENT

Lyon County will use the following methods of procurement when making purchases that involve any level of federal funding. These methods of procurement work in conjunction with the General Methods of Procurement, but when there is a conflict between the two methods, the Federal Methods of Procurements in 2 CFR 200 will be followed. Key provisions of 2 CFR 200 are as follows:

- 1. Purchase methods
 - a. Micropurchase – Less than \$10,000
 - 1) Micropurchases are purchases of supplies or services less than the threshold set by the Federal Office of Management and Budget (OMB). The threshold as of January 6, 2025 is \$10,000 and may be changed from time-to-time by the OMB. If it is a construction project involving federal funding, the Davis-Bacon threshold for prevailing wage is applicable (as of January 6, 2025 it is \$2,000).
 - 2) The County must distribute micropurchases equally among qualified suppliers to the extent practical. This doesn't prohibit the County from using the lowest cost supplier.
 - 3) Micropurchases may be awarded without soliciting bids if the price is considered reasonable.

- b. Small purchase procedures - \$10,000 to \$250,000
 - 1) Small purchase procedures are simple and informal procurement standards for securing services, supplies, or other property that don't cost more than the Simplified Acquisition Threshold (\$250,000 as of January 6, 2025).
 - 2) Price or rate quotations must be obtained from an adequate number of qualified sources, which is defined as no less than 2 sources capable of completing the contract.
- c. Sealed bids - \$250,000 or more
 - 1) Sealed bid procedures are formal procurement standards for securing services, supplies, or other property that cost more than the Simplified Acquisition Threshold (\$250,000 as of January 6, 2025). Price or rate quotations must be obtained from an adequate number of qualified sources.
 - 2) This is the preferred method for construction if:
 - a) A complete, adequate, and realistic specification is available.
 - b) Two or more responsible bidders are willing and able to compete.
 - c) The procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price.
 - 3) The invitation to bid will be publically advertised and bids must be solicited from an adequate number of know suppliers with sufficient time to respond to the bid.
 - 4) The invitation to bid will include specifications and attachments for a bidder to respond.
 - 5) All bids will be publically opened at the time and place in the invitation.
 - 6) A written contract for a fixed price will be made to the lowest responsible bidder. The contract will be approved by the Board of Commissioners.
 - 7) All bids may be rejected for a sound, documented reason.
- d. Competitive proposals - \$250,000 or more
 - 1) Competitive proposals are when more than one source submits an offer for either a fixed price or a cost-reimbursement type contract.
 - 2) Requests for proposals must be publicized and identify all evaluation factors and their relative importance.
 - 3) Proposals must be solicited from an adequate number of qualified sources, which is defined as no less than 2 sources capable of completing the contract.
 - 4) The County must have a written method for conducting technical evaluations of the proposals and for selecting recipients.
 - 5) Contracts must be awarded to the most responsive firm whose proposal is most advantageous to the program.
 - 6) The County may use competitive proposal procedures for qualifications-based procurement of architectural/engineering services, with the most qualified applicant being selected subject to negotiation of fair and reasonable compensation.
- e. Non-competitive proposals
 - 1) Non-competitive proposals involve procurement from only one source when at least one of the following circumstances apply:

- a) Item is available only from a single source.
 - b) Public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation.
 - c) The Federal Awarding Agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the County.
 - d) After solicitation of a number of sources, competition is determined inadequate.
2. Contract cost and price and provisions
- a. The County must perform a cost analysis for every procurement action in excess of the Simplified Acquisition Threshold, including contract modifications. The County must make independent estimates before receiving bids or proposals.
 - b. The County must negotiate profit as a separate element of the price for each contract where there is no price competition.
 - c. Costs or prices based on estimated costs for contracts are allowable only to the extent that costs incurred or cost estimates included in negotiated prices would be allowable under 2 CFR 200 Subpart E – Cost Principles.
 - d. Cost plus a percentage of costs and percentage of construction cost methods of contracting must not be used.
 - e. The County’s contract must contain the applicable provisions described in Appendix II to 2 CFR 200 – Contract Provisions for non-Federal Entity Contracts under Federal Awards.
3. Bonding requirements
- For construction or facility improvement contracts, the County should require the following bonding:
- a. A bid guarantee from each bidder equivalent to 5% of the bid price. The bid guarantee must consist of a firm commitment, such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of the bid, execute such contractual documents as may be required within the time specified.
 - b. A performance bond on the part of the contractor for 100% of the contract price.
 - c. A payment bond on the part of the contractor for 100% of the contract price.
4. Contracting with small and minority businesses, women’s business enterprises, and labor surplus area firms
- a. The County must take all necessary affirmative steps to assure that minority businesses, women’s business enterprises, and labor surplus area firms are used when possible.
 - b. Affirmative action steps:
 - 1) Placing qualified small and minority businesses and women’s business enterprises on solicitation lists.
 - 2) Assuring that small and minority businesses, and women’s business enterprises are solicited whenever they are potential sources.
 - 3) Dividing total requirement, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women’s business enterprises.
 - 4) Establishing delivery schedules, where the requirement permits, which

encourage participation by small and minority businesses, and women's business enterprises.

- 5) Using the services and assistance, as appropriate, of such organization of the Small Business Administration and the Minority Business Development Agency of the Department of Commerce, and;
 - 6) Requiring the prime contractor, if subcontracts are to be let, to take the affirmative action steps in 1 through 5.
5. Prevailing Wage
- a. If there is a construction project in excess of the Davis-Bacon threshold (\$2,000 as of January 6, 2025) involving federal funding, federal prevailing wage is applicable. If state prevailing wage is also applicable, the higher of state prevailing wage or federal prevailing wage will be used for each job.
6. Procurement of recovered materials
- The County complies with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act by:
- a. Procuring items designated (by EPA in 40 CFR part 247) that contain the highest percentage of recovered materials practical, consistent with maintaining a satisfactory level of competition, where the purchase price exceeds \$10,000 or the value of the quantity acquired the prior fiscal year exceed \$10,000.
 - b. Procuring solid waste management services in a manner that maximizes energy and resource recovery.
 - c. Establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guideline.
7. Procedures
- a. The County will take all necessary measures to avoid the acquisition of unnecessary or duplicative items;
 - b. Consideration will be given to consolidating or breaking out procurements to obtain a more economical purchase;
 - c. The County will enter, when deems applicable by the governing body, into state and local intergovernmental agreements or inter-entity agreements where appropriate for procurement or use of common or shared goods and services.
 - d. The County will give consideration to purchase Federal excess and surplus property in lieu of purchasing new equipment and property whenever such use is feasible and reduces project costs.
 - e. The County will only award contracts to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance and financial and technical resources.
 - f. In compliance with 2 CFR Part 180 and 2 CFR Part 183, the County is prohibited from contracting with or making subawards under covered transactions to parties that are debarred or suspended or otherwise excluded from or ineligible for participation in Federal assistance programs or activities. Buyers must actively attempt to verify that a vendor is not debarred, suspended or otherwise excluded from or ineligible for participation in Federal assistance programs or activities. This verification may be accomplished by (1) Excluded Parties List System (EPLS) maintained by the General Services Administration (GSA) and available at <https://www.sam.gov/portal/public/SAM/>, (2) collecting a

- certificate from the entity, or (3) adding a clause or condition to the covered transaction with that entity.
- g. In compliance with 2 CFR 200 Part 216, the County is prohibited from contracting with or making subawards under covered transactions to procure, obtain, or extend or renew a contract for covered telecommunications equipment or services with any company described in Section 889 or Public law 115-232. This includes telecommunications equipment or services produced by (including any subsidiary or affiliate of such entities): Huawei Technologies Company, ZTE Corporation, Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company. It also includes any entity that the Secretary of Defense, in consultation with the Director of the National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the government of a covered foreign country.
 - h. Certain federal grants may have additional requirements to buy or provide preference for products made in America. The County will follow these grant requirements as set forth in the grant agreement and in accordance with applicable federal law.
 - i. The County will maintain records sufficient to detail the history of procurement. These records will include, but are not limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.
 - j. The County may use time and materials type contract only after a determination that no other contract is suitable and if the contract includes a ceiling price that the contractor exceeds at its own risk. Time and materials type contract means a contract whose cost to a non-Federal entity is the sum of the actual cost of materials and direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses and profit.
 - k. The County will exercise its best administrative practice and sound business judgement when settling contractual and administrative issues arising out of procurements.
8. Competition
- a. The County will conduct all procurement transactions in a manner providing full and open competition. Contractors that develop or draft specifications, requirements, statements of work or invitations for bid or requests for proposals will be excluded from competing for procurements for the county. Some of the situations considered to be restrictive of competition include, but are not limited to:
 - 1) Placing unreasonable requirements of firms in order for them to qualify to do business;
 - 2) Requiring unnecessary experience and excessive bonding;
 - 3) Noncompetitive pricing practices between firms or between affiliated companies;
 - 4) Noncompetitive contracts to consultants that are on retainer contracts;
 - 5) Organizational conflicts of interests;
 - 6) Specifying a brand name product instead of allowing an equal product to be offered and describing the performance or other relevant requirements of the procurement; and

- 7) Any arbitrary action in the procurement process.
- b. The County will conduct procurements of goods and services for federal grant expenditures in a manner that prohibits the use of statutorily or administratively imposed state or local geographical preferences in the evaluation of its bids or proposals, except in those cases where applicable Federal statutes expressly mandate or encourage geographic preference. Nothing in this section preempts state and local licensing laws. When contracting for architectural and engineering (A&E) services, geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.
 - c. Solicitations will incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description will not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, will set forth those minimum essential characteristics and standards to which it must conform it is to satisfy its intended use. Detailed product specifications shall be avoided if at all possible. When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a “brand-name or equivalent” description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offers must be clearly state; and identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals.
 - d. The County ensures that all prequalified lists or persons, firm or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition. The County shall not preclude potential bidders from qualifying during the solicitation period.

Lyon County Board of County Commissioners Agenda Summary

Meeting Date: January 6, 2025

Agenda Item Number:

12.g

Subject:

For Possible Action: Declare two Crown Victoria cars #053185 and #093001 surplus and approve to donate them to Healthy Communities Coalition of Lyon County.

Summary:

These cars have been taken out of service by Lyon County. Healthy Communities Coalition has shown interest in them to transport their clients.

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

For Possible Action: Declare two Crown Victoria cars #053185 and #093001 surplus and approve to donate them to Healthy Communities Coalition of Lyon County.

ATTACHMENTS

- [HCC Letter](#)



March 5, 2024

Good morning County Manager Haskins,

I'm bringing forward a request on behalf of Healthy Communities Coalition (HCC), a consideration of donating three of the County's vehicle surplus to support the efforts of HCC and the work we do in tandem with the County.

HCCs Community Health Workers (CHW) provide support to Lyon County Human Services, MOST and FASTT in part by transporting clients to medical appointments, the VA, Court appearances, and behavioral health appointments. Currently, our CHWs drive their personal vehicles as HCC staff are restricted from driving a County vehicle.

Currently HCC has secured grant funds to purchase refrigerated vans that allow food pantry-based CHWs to deliver weekly food boxes and check-ins to our homebound individuals, the majority of whom or seniors. Follow ups throughout the month are done by CHWs driving their personal vehicles.

The ability to have dedicated vehicles to our organization would relieve the burden on HCCs mileage cost reimbursement to staff and the burden on staff needing to drive their personal vehicles in order to provide CHW services to community members.

We appreciate your consideration of this request

Sincerely,

Wendy Madson

Executive Director, Healthy Communities Coalition

Healthy Communities Coalition of Lyon and Storey Counties
PO Box 517 · Dayton, NV 89403 ·
Phone: 775-246-7550 · FAX: 775-246-7553
Website: www.healthycomm.org · Coalition e-mail: info@healthycomm.org

Lyon County Board of County Commissioners Agenda Summary

Meeting Date: January 6, 2025

Agenda Item Number:

12.h

Subject:

For Possible Action: Accept grant award from the Nevada Department of Business and Industry Housing Division for FY25, in the amount of \$68,841.80, for the Emergency Solutions Grant, to provide case management to homeless persons and families who are at risk of homelessness.

Summary:

This is an annual renewal of funding received through the State of Nevada Housing Division. The purpose of the grant is to provide case management services to re-house individuals and families and/or prevent them from becoming homeless.

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

Accept grant award from the Nevada Department of Business and Industry Housing Division for FY25, in the amount of \$68,841.80, for the Emergency Solutions Grant, to provide case management to homeless persons and families who are at risk of homelessness.

ATTACHMENTS

- [FY25 Emergency Solutions Grant Notice of Subaward](#)

Nevada Department of Business and Industry Housing Division

PY 2024 EMERGENCY SOLUTIONS GRANT

NOTICE OF SUBRECIPIENT AWARD

CFDA Number 14.231

Grant #E24-DC-32-0001

Reason for Award: EMERGENCY SOLUTIONS GRANT FUNDING FOR HOMELESS ASSISTANCE, HOMELESS PREVENTION, AND OTHER ELIGIBLE ACTIVITIES	
Program Name: EMERGENCY SOLUTIONS GRANT PROVIDED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT	Address: 1830 E. College Pkwy, Ste. 200, Carson City NV 89706
Subrecipient name: Lyon County Human Services	Address: Po Box 1141 Silver Springs, NV 89429
Project period: July 1, 2024 - June 30, 2026 Federal Award Date: September 22, 2023	
Approved cost categories:	
1. Administration	\$3,278.50
2. Street Outreach	\$39,338.27
3. Emergency Shelter	\$0.00
4. Rapid Rehousing	\$26,225.03
5. Homelessness Prevention	\$0.00
6. HMIS and Data Collection	\$0.00
Total Award	\$68,841.80
Disbursement schedule as follows: <i>Subrecipients must submit executed draw reimbursement requests monthly by the 15th, which are to be accompanied by an HMIS ESG CAPER report, evidence of match contribution, and staff time sheets if salaries are charged to this grant.</i>	
Source of funds: 1. FEDERAL (HUD) 100%	
In accepting these grant funds, it is understood and agreed that: <ol style="list-style-type: none"> 1. This allocation is subject to the successful award of funding by HUD to the Nevada Housing Division. The Division shall make available funds for eligible costs incurred after the Project period reflected above; 2. Expenditures must comply with all applicable state and/or federal regulations; 3. The subrecipient shall comply with the Additional Stipulations, Section 1, attached hereto and incorporated by reference; 4. Funds are subject to recapture and reallocation, as allowed in Part 576 of the Emergency Solutions Grant program, for failure to meet any of the following: 1) expenditure timeliness; 2) submission of reports and draw reimbursement requests by due dates; 3) lack of participation in HMIS and the CoC's centralized/coordinated assessment system; and 4) failure to provide annual financial statements by deadlines reflected in this Notice. Subrecipients will receive written notification of concerns and if applicable, the Division's intent to recapture funds. Notification will be provided 30 days in advance of recapture. Subrecipients subject to recapture of grant funds shall also be subject to future funding sanctions; 5. The subrecipient shall comply with the ESG Program Reporting Contents; and 6. The subrecipient shall comply with the Place of Performance for Certification regarding Drug-free Workplace Requirements. 	
Authorized subrecipient official: By: _____ Signature of person authorized to accept this Grant on behalf of the subrecipient David Hockaday, Chair Lyon County Board of Commissioners (775) 461-6302 Date: _____ Printed Name Telephone Number Agency SAM UEI number: <u>RW6PQMLSAXK5</u>	
Administrator, Nevada Housing Division: By: _____ Date: _____ Stephen Aichroth, Administrator	

SECTION 1

ADDITIONAL STIPULATIONS

The subrecipient hereby accepts and agrees to the following additional stipulations in this Section 1 for the funds received pursuant to this award:

PART I- PROGRAM REQUIREMENTS

- A. Comply with the Emergency Solutions Grant (ESG) Program requirements of 24 CFR Part 576;
- B. Develop and implement ESG Program Policies and Procedures, including elements reflected in 24 CFR Part 576 Subpart B (§§576.100 to 576.108, inclusive); Subpart E (§§576.400 to 576.409, inclusive), and §576.500. Procedures shall include a summary of program rules and regulations; Written Standards which include, at a minimum, standards reflected in the Rural Nevada Continuum of Care/ESG Program Written Standards; confidentiality of records of domestic violence victims, or other victims of assault; termination policy of beneficiaries; nondiscrimination policy; drug-free workforce policy; standard of conduct governing performance of employees engaging in purchasing and/or the award or administration of contracts to avoid conflicts of interest; and a written code of conduct. Subrecipients shall also develop and disseminate a written grievance procedure that clearly defines the requirements for clients to formally dispute denials of assistance and shall document and make available all grievances and resolutions for review by the Division during site visits;
- C. Agree to provide programs and services as allowed in 24 CFR Part 576 Subpart B and approved by the Division, and assist eligible “homeless” or “at risk of homelessness” clients as defined in 24 CFR §576.2;
- D. Agree to design programs and services that will ensure successful outcomes for the Division’s Performance Standards;
- E. Agree to participate in local Workforce Investment Boards and/or local community coalitions; to encourage collaboration efforts with other providers that will assist the subrecipient to meet ESG and HEARTH Act goals; and will participate in at least 75% of local continuum of care meetings. Subrecipient shall provide to the Division a summary of meetings attended, partnerships formed, and collaboration efforts annually or when requested by Division staff;
- F. Comply with the requirement of Subpart E of 24 CFR §576.400(e) to develop Written Standards for providing ESG assistance. At a minimum the Standards must include all components reflected in 24 CFR §576.400(e)(3)(i)-(ix), inclusive, and minimum standards reflected in the Rural Nevada Continuum of Care/ESG Program Written Standards guidelines. Homeless prevention and rapid re-housing client eligibility criteria, identified in the Written Standards, shall be made available to the public via agency website, Nevada 211, or other site available to the public;
- G. Comply with 24 CFR §§91.5 and 576.2 regarding definitions of “homeless” and “at-risk of homelessness,” and documenting that all program participants meet these definitions;
- H. Comply with the requirements of 24 CFR §576.401(a) to conduct an evaluation of program participant eligibility and need for program assistance. Includes an initial evaluation to determine each individual or family’s eligibility for ESG assistance and the amount and types of assistance needed to regain stability in permanent housing. Per 24 CFR §576.401(e)(2), the subrecipient is exempt from the requirement under 24 CFR §576.401(e)(1)(i) if the Violence Against Women Act of 1994 or the Family Violence Prevention and Services Act prohibits that subrecipient from making its shelter or

- housing conditional on the participant's acceptance of services;
- I. Comply with the requirements of 24 CFR §576.401(b) to re-evaluate program participant's eligibility and types and amounts of assistance the program participant needs not less than once every 3 months for participants receiving homelessness prevention assistance, and not less than once annually for program participants receiving rapid re-housing assistance. Each re-evaluation must establish that the program participant does not have an annual income that exceeds 30% of area median income for the area and the participant lacks sufficient resources and support networks necessary to retain housing without ESG assistance. Each re-evaluation must be documented in the program participant's case file and HMIS;
 - J. Shall demonstrate need for ESG Program funds by meeting expenditure timelines as follows: At a minimum, twenty-five percent (25%) of the allocation shall be expended within the first six months of the grant period and fifty percent (50%) expended the first year. Seventy-five percent (75%) of the allocation shall be expended by the eighteenth month and one hundred percent (100%) in two years. Subrecipients are allowed to spend their allocation at a faster pace. If requested, the subrecipient further agrees to submit a detailed description of the strategy to expend all funds to the Division if it is determined that the subrecipient is not on target to expend funds within timelines reflected above. In all circumstances funds must be completely expended within the 24-month timeframe or funds will be recaptured by the U.S. Department of Housing and Urban Development (HUD);
 - K. Comply with the requirement to provide matching funds for the amount of the entire allocation, as required by 24 CFR § 576.201 and 42 USC §11375. Agrees to maintain documentation of the sources and amounts of funds used for program match for a period of five (5) years after grant closeout. Requests for match waivers must be submitted in writing;
 - L. Comply with the requirements of 24 CFR §576.103 which provides for funding of homeless prevention activities for: (1) an individual or family who: (i) has an annual income *below* 30% of median family income for the area, as determined by HUD; (ii) does not have sufficient resources or support networks, e.g., family, friends, faith-based or other social networks, immediately available to prevent them from moving to an emergency shelter or another place described in paragraph (1) of HUD's homeless definition; and (iii) meets one of the following conditions: (a) has moved because of economic reasons two or more times during the 60 days immediately preceding the application for homelessness prevention assistance; (b) is living in the home of another because of economic hardship; (c) has been notified in writing that their right to occupy their current housing or living situation will be terminated within 21 days after the date of application for assistance; (d) lives in a hotel or motel and the cost of the hotel or motel stay is not paid by charitable organizations or by Federal, State or local government programs for low-income individuals; (e) lives in a single-room occupancy or efficiency apartment unit in which there reside more than two persons or lives in a larger housing unit in which there reside more than 1.5 person per room, as defined by the U.S. Census Bureau; or (f) is exiting a publicly funded institution, or system of care (such as a health-care facility, a mental health facility, foster care or other youth facility, or correction program or institution); Assistance must not supplant funding for preexisting homeless prevention activities from any other source; (2) A child or youth who does not qualify as "homeless" under 24 CFR §576.2, but qualifies as homeless under federal programs listed in 24 CFR §576.2(2); or (3) a child or youth who does not qualify as "homeless" under this section, but qualifies as homeless under section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. §11434a(2)), and the parent(s) or guardian(s) of that child or youth if living with him or her;
 - M. Comply with requirements concerning record keeping and reporting requirements of

24 CFR §576.500, including documentation of client eligibility, and documentation of “homeless” and “at risk of homelessness” status for individuals and families, as defined by HUD. Providers assisting victims of domestic violence and other assaults are exempt from compliance with certain requirements and should refer to 24 CFR §576.500(b)(5) to determine acceptable evidence to document client eligibility;

- N. Comply with the requirement of 24 CFR §576.500(x) in which subrecipients must develop and implement written procedures to ensure: (i) all records containing personally identifying information (as defined in HUD’s standards for participation, data collection, and reporting in a local HMIS) of any individual or family who applies for and/or receives ESG assistance will be kept secure and confidential; (ii) the address or location of any domestic violence, dating violence, sexual assault, or stalking shelter project assisted under the ESG program will not be made public, except with written authorization of the person responsible for the operation of the shelter; and (iii) the address or location of any housing of a program participant will not be made public, except as provided under a preexisting privacy policy of the subrecipient and consistent with state and local laws regarding privacy and obligations of confidentiality. Furthermore, the subrecipient shall execute and retain on file the Division’s Privacy Policy. Confidentiality procedures must be in writing and must be maintained in accordance with these requirements;
- O. Comply with 24 CFR §576.102(b) which states the age of a child under age 18 must not be used as a basis for denying any family’s admission to an emergency shelter that uses Emergency Solutions Grant funding or services and provides shelter to families with children under age 18;
- P. Shall identify a staff person who will be responsible for coordinating a child’s access to education if the subrecipient serves households with children. All efforts must be documented in the client file;
- Q. Shall maintain files for clients who receive assistance including names (or other identifying number), dates, amount of assistance, type of assistance, and all supporting documentation for five (5) years from last date of service;
- R. Shall submit a Reimbursement Request Form to the Division, monthly requesting reimbursement of funds expended for eligible ESG activities. Reimbursements will not be authorized unless expenditures are substantiated in writing and are accompanied with all backup documentation requested by the Division. Failure to submit a reimbursement request monthly may result in program sanctions implemented by the Division, as defined in Part IV. If requested, subrecipient agrees to provide supporting documentation of expenditures, including copies of receipts, invoices, time sheets, etc. as part of a Desk Audit Review of the ESG program;
- S. Shall submit ESG Annual Reports which includes data obtained from HMIS by the deadline implemented by the Division;
- T. Shall ensure that no renovation or major rehabilitation will take place in property listed in the National Register of Historic Places; be located in a historic district or immediately adjacent to a property listed on the Register; be deemed by the State Historic Preservation Officer to be eligible for listing on the Register; take place in any 100- year flood plain designated by map by Federal Emergency Management Agency; or be completed unless there is a successful completion of HUD’s environmental assessment review;
- U. Comply with requirements listed in Section 1402(d) of the Housing and Community Development Act of 1992 which amends Section 415 of the Stewart B. McKinney Homeless Assistance Act which requires that termination of assistance to any individual or family be according to a formal process established by the subrecipient that recognizes the rights of individuals affected, which may include a hearing;

- V. Comply with HUD's "Equal Access to Housing in HUD Programs regardless of Sexual Orientation or Gender Identity" final rule (Equal Access rule). Refer to CPD Notice 15-02 dated February 20, 2015, titled "Appropriate Placement for Transgender Persons in Single-Sex Emergency Shelters and Other Facilities" for specific requirements;
- W. Shall submit a Certification of Local Government Approval for each project operated within the local government's jurisdiction if the ESG subrecipient is a non-profit agency. In the event a project receives funding from future ESG allocations, the certification must allow the local government the opportunity to withdraw its approval of the project at a future date;
- X. Shall submit in writing on subrecipient letterhead all requests to amend ESG allocations, along with a revised ESG Program Budget Form (Attachment 9), prior to expending funds from a Category other than what has been previously approved via the ESG Notice of Subrecipient Award. The written request shall include: (1) an explanation of the amounts to be transferred from the applicable categories; (2) a summary of how funds are proposed to be used; (3) a summary of the cash or in-kind services that will be used to meet the increased match requirement for the category ESG funds will be transferred; and (4) a summary of any changes to the number of program participants anticipated to be assisted under the revised categories;
- Y. Shall develop, to the maximum extent practicable and where appropriate, practices and protocols to ensure that publicly funded institutions, such as health care facilities, foster care or other youth facilities, and correction/jail programs do not discharge persons to the streets or otherwise result in homelessness. New subrecipient shall develop and submit an action plan with timelines for developing community-wide discharge plans within 12 months of grant award and shall develop and execute Memorandums of Understanding (MOU's) with partner agencies identified in the subrecipient's discharge plan. If existing plans are in place, subrecipients agree to provide a copy to the Division with this award;
- Z. Shall maintain control of access to accounting records, assets, blank forms, and confidential records to ensure that only authorized persons have access; Shall ensure that shelter building(s) meet or exceed state, local and HUD's habitability standards;
- AA. Make available all client files, along with any financial and program records, for periodic review by the Division. Monitoring of a subrecipient may be conducted by the Division, local HUD Office of Community Planning and Development, HUD's Office of Special Needs Assistance Programs, HUD's Office of Inspector General, HUD's Office of Fair Housing and Equal Opportunity, a contractor hired on behalf of the Division for the purposes of auditing programs funded through the State, or other authorized state or federal agency, to determine compliance with the requirements of each program. In lieu of a site visit the Division may request copies of supporting documentation be uploaded into the local HMIS in order to conduct a desk audit review of all subrecipients except victim service provider;
- BB. Shall make available copies of all monitoring letters from other federal, state, or local grant funded programs by the Division's request. Copies of written responses addressing areas of concerns or findings shall be included. These copies shall be provided during monitoring visits or more frequently if requested by Division staff;
- CC. Comply with the requirement that a member of an Agency's Board of Director's (if a non-profit) or other applicable Board or Commission tour shelters funded through the ESG program to ensure appropriate habitability standards are in place. This tour should be conducted at least once during the grant period and documented for review during site visits;
- DD. If ESG funds are used for shelter operations or essential services related to street outreach or emergency shelter, the subrecipient agrees to provide services or shelters

to homeless individuals and families for the period during which ESG assistance is provided, without regard to a particular site or structure, so long as the subrecipient services the same type of persons (e.g. families with children, unaccompanied youth, veterans, disable individuals, or victims of domestic violence) or persons in the same geographic area;

- EE. Agrees to assist homeless individuals in obtaining permanent housing, appropriate supportive services (including medical and mental health treatment, counseling, supervision, and other services essential for achieving independent living), and other Federal, State, local and private assistance when available for such individuals;
- FF. If an emergency shelter's rehabilitation costs exceed 75 percent of the building's value before rehabilitation, the building will be maintained as a shelter for homeless individuals and families for a minimum of 10 years after the date the building is first occupied by a homeless individual or family after the completed rehabilitation. If the cost to convert a building into an emergency shelter exceeds 75 percent of the building's value after conversion, the building will be maintained as a shelter for homeless individuals and families for a minimum of 10 years after the date the building is first occupied by a homeless individual or family after the completed conversion. In all other cases where ESG funds are used for renovation, the building will be maintained as a shelter for homeless individuals and families for a minimum of 3 years after the date the building is first occupied by a homeless individual or family after the completed renovation;
- GG. Any renovation carried out with ESG funds shall be sufficient to ensure that the building involved is safe and sanitary.

PART II-FINANCIAL MANAGEMENT REQUIREMENTS

- A. Shall ensure the expenditure of these funds is in accordance with the audit requirements of the Single Audit Act of 1984 (Public Law 98-502) and Office Management and Budget Circular A-128;
- B. Comply with requirements of OMB Circulars A-128, concerning nondiscrimination and equal opportunity;
- C. Comply with the requirements of 2 CFR Part 200 regarding financial management and oversight of grant funds;
- D. Acknowledge the requirements of Nevada law that in all contracts with state agencies it is required that all contractors provide proof of workers' compensation coverage. Subrecipient agrees to provide proof of workers' compensation coverage in accordance with NRS 616B.627 prior to the commencement of any work;
- E. Comply with requirements of the Division for submission of financial reports as follows:

Subrecipients expending \$1,000,000 or more annually in federal funds shall submit one copy of its most recent 2 CFR Part 200 single audit to the Division within 60 days of completion, and not later than nine months from the agency's fiscal year end. This audit must be performed by a Certified Public Accountant annually.

Subrecipients expending less than \$1,000,000 but more than \$100,000 in federal funds annually are exempt from 2 CFR Part 200 single audit requirements but must request that an audited financial statement be conducted annually. The audited financial statement shall be submitted to the Division within 30 days of receipt, and not later than six months from the agency's fiscal year end.

Subrecipients expending less than \$100,000 must submit unaudited financial

statements, a profit and loss statement, and a letter stating the agency expended less than \$100,000 in Federal funds within 60 days following the end of each fiscal year. This letter shall be written on agency letterhead and shall include the signature of the Executive Director. Failure to comply with this part may result in Sanctions described in Section IV of this document. Any subrecipient not required to conduct a 2 CFR Part 200 audit or audited financial statements by the Division, but is required to do so under another program, shall provide a copy of the 2 CFR Part 200 audit or audited financial statement in lieu of the unaudited financial statement normally required. The deadline for submission of these copies is the same as above;

- F. Comply with requirements of 2 CFR Part 200 that states any recipient that passes through federal funding to a subrecipient is responsible for communicating the Federal award information to each subrecipient, including informing each subrecipient of the Catalog of Federal Domestic Assistance (CFDA) title and number;
- G. Shall keep an inventory/equipment log of property purchased using \$5,000.00 or more in ESG funds and shall make it available for review by Division staff when requested;
- H. Comply with all state, local and federal procurement laws and requirements;
- I. Shall develop written policies and internal controls to include at a minimum: hiring procedures to ensure that staff qualifications are equal to job responsibilities and that individuals hired are competent to do the job; adequate separation of duties to ensure that no one individual has authority over an entire financial transaction; procedures for the recording of transactions, as well as an accounting manual and a chart of accounts; a policy specifying approval authority for financial transactions and guidelines for controlling expenditures; written position descriptions that describe the responsibilities of all key employees; an organization chart showing titles and lines of authority for all individuals involved in approving or recording financial and other transactions; protocol for creating and maintaining staff time records to support amounts charged to ESG grant if wages are chargeable to more than one funding source, and record that costs charged to the ESG grant are eligible under program regulations;
- J. Shall have a system in place for maintaining its financial records relative to the ESG grant for five (5) years from the last expenditure report to the Division, or until any litigation, claim, auditor or other action involving the records has been resolved, whichever comes later; and
- K. Shall maintain current SAM registration and shall notify the Division of any changes to either.

PART III-OTHER FEDERAL REQUIREMENTS

- A. Agrees to conduct an environmental review in accordance with The National Environmental Policy Act of 1969 set forth in Public Law 91 190 and the implementing regulations in 24 CFR, Part 58.
- B. Comply with requirements of 24 CFR §576.102(a)(4) and §576.408 concerning Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970;
- C. Comply with Executive Order 13166 concerning Limited English Proficiency (LEP) Persons to improve access of federally funded programs to people who are not native English speakers and do not understand the language;
- D. Agrees to follow Nondiscrimination and Equal Opportunity requirements as defined in 24 CFR §5.105(a). The use of Emergency Solutions Grant funds requires that subrecipients make facilities and services available to all on a nondiscriminatory basis and publicize this fact. The procedures a subrecipient uses to convey the availability of such facilities and services should reach all persons, without regard to handicaps, race, color, religion, sex, age, familial status or national origin within their service area who

may qualify for them. If not, the subrecipient must establish additional procedures that will ensure that these persons are made aware of the facilities and services. Subrecipients must adopt procedures to disseminate information to anyone who is interested regarding the existence and location of handicap accessible services or facilities. Subrecipient shall ensure that forms, applications, brochures, and other materials provided to the public are formatted with appropriate language to comply with Equal Opportunity laws and regulations;

- E. Comply with Section 808(e)(5) of the Fair Housing Act. HUD has a statutory duty to affirmatively promote fair housing and requires the same of its funding subrecipients. Subrecipients will have a duty to affirmatively further fair housing opportunities for classes protected under the Fair Housing Act. Protected classes include race, color, national origin, religion, sex, disability, and familial status. Examples of affirmatively furthering fair housing include: (1) marketing the program to all eligible persons, including persons with disabilities and persons with limited English proficiency; (2) making buildings and communications that facilitate applications and service delivery accessible to persons with disabilities (see, for example, HUD's rule on effective communications at 24 CFR §8.6); (3) providing fair housing counseling services or referrals to fair housing agencies; (4) informing participants of how to file a housing discrimination complaint, including providing the toll-free number for the Housing Discrimination Hotline: 1-800-669-9777; and (5) recruiting landlords and service providers in areas that expand housing choice to program participants if applicable;
- F. Comply with requirements of 24 CFR Part 35 concerning the Lead-Based Paint Hazard requirements;
- G. Shall meet the requirements of the Americans with Disabilities Act 1990;
- H. Comply with the Drug-Free Workplace Act of 1988 (41 U.S.C. 701, et seq.) and HUD's implementing regulations at 292 CFR Part 24;
- I. Comply with requirements of 24 CFR §576.404 regarding Conflict of Interest requirements; and
- J. Comply with homeless participation requirements as set forth in 24 CFR §576.405.
- K. Comply with requirements in 24 CFR §576.406 regarding faith-based activities.

PART IV-PROGRAM SANCTIONS

- A. Shall accept Program Sanctions if the following issues or concerns occur:
 - 1. Subrecipient is not on target to expend ESG allocation within timeframes stated in Section 1, Part I(B) of this Notice;
 - 2. Subrecipient has not provided copies of required documents as requested in Section 1, Part II(D) of this Notice;
 - 3. Subrecipient has been late in providing monthly draw reimbursement requests and client data reports as reflected in Section 1, Part I(M) of this Notice;
 - 4. Subrecipient has been late in providing annual reports that are due within 20 days of the end of each fiscal year;
 - 5. Subrecipient has not met requirements of Section 1, Part V of this Notice pertaining to HMIS requirements;
 - 6. Subrecipient has expended funds for ineligible costs; or
 - 7. The Division has been contacted by another Agency, including a federal, state, or local jurisdiction, foundation, non-profit agency, or other grant funder, with concerns that the subrecipient is noncompliant in one or more of their programs and the noncompliance is of such concern that the Division feels that Sanctions are in order.
- B. Sanctions for noncompliance with the above may include, but are not limited to:

1. A warning letter regarding further Sanctions for continued noncompliance;
2. Conditioning of a future grant award;
3. Directives to stop incurring certain costs;
4. Retraction of remaining grant funds;
5. Requirement to repay certain grant amounts spent ineligibly;
6. Reducing the level of funds a subrecipient may otherwise be entitled to, including other Grant Programs funded by the Division; or
7. Electing not to provide future funds until appropriate actions are taken to ensure compliance, including other Programs funded by the Division.

PART V-
HOMELESS MANAGEMENT INFORMATION SYSTEM (HMIS)
AND CENTRALIZED/COORDINATED INTAKE
AND REFERRAL SYSTEM

- A. Agrees to participate in the local Homeless Management Information System (HMIS) (or comparable database if a victim services provider) including collecting and entering the required Data Elements for clients served with ESG funds within one (1) week of assistance. Furthermore, subrecipient agrees to provide program staff access to training when requested by the HMIS Lead Agency or the Division. The Division may delay reimbursement of funding if it is determined that a subrecipient is not entering client information into the selected HMIS database as required;
- B. If a shelter, agrees to collect and enter required Data Elements for clients served in shelters regardless if funds are expended;
- C. Agrees to appoint a point-of-contact and an HMIS Security Officer (if required by new HMIS regulations) and shall provide contact information to the HMIS Lead Agency;
- D. Shall be responsible for understanding and ensuring the subrecipient and all Users abide by the following policies:
 1. HMIS Memorandum of Understanding executed between the subrecipient and HMIS Lead Agency;
 2. HMIS Notice of Privacy Practices;
 3. HMIS Standard Operating Procedures;
 4. Agency Data Sharing Agreement (see paragraph E below);
 5. HMIS Agency Partnership Agreement;
 6. Requirement to track client recidivism, length of stay, documentation of case notes demonstrating client eligibility in HMIS; and
 7. Any other policies or procedures issued by the HUD, the Division, HMIS Lead Agency, HMIS Grantee, HMIS Steering Committee or local Continuum of Care;
- E. Agrees to complete the HMIS Self-Assessment Worksheet annually and submit a copy of the completed and executed document to the Division. A copy shall then be provided to the HMIS Steering Committee or designated HMIS Lead Agency. As part of this process the Executive Director or designated staff shall review HMIS authorization forms, privacy notices, desk signage, release forms, written complaint policies, and other applicable forms or notices to ensure the most recent, accurate and updated information is provided to households receiving ESG assistance. Sample notices and forms can be downloaded from the HMIS Lead Agency website;
- F. Shall execute a Data Sharing Agreement with the HMIS Lead Agency to ensure duplication of services do not occur at a statewide level;
- G. Shall utilize HMIS to track goals and document outcomes for ESG programs. The Executive Director or designated staff shall review HMIS data and available internal reports at least monthly for accuracy of user input, and to ensure data quality standards

are met. Furthermore, subrecipient shall review reports provided by the HMIS Lead Agency and shall correct errors or issues as needed. ***Data quality percentage rates for “missing data” shall not be less than 90% for clients entered into HMIS;***

- H. Shall cooperate with entities conducting HMIS monitoring visits, including Division staff, the HMIS Lead Agency, the HMIS Grantee, or a member of the HMIS Steering Committee. Subrecipients shall download and complete the current HMIS Self-Assessment Checklist from the HMIS Lead Agency’s website and have it available for review during the site visit;
- I. Shall comply with the requirement of 24 CFR §576.400(d) that states “Once the Continuum of Care has developed a centralized assessment system or a coordinated assessment system in accordance with requirements to be established by HUD, each ESG-funded program or project within the Continuum of Care’s area must use and or participate in that assessment system. The subrecipient must work with the Continuum of Care to ensure the screening, assessment and referral of program participants are consistent with the written standards developed by the subrecipient. A victim service provider may choose not to use the Continuum of Care’s centralized or coordinated assessment system”.

SECTION 2

ATTACHMENTS 1-8

Complete (if applicable), execute and return all Attachments reflected in this Section 2 with the ESG Award Notice.

Attachment 1 – Certification Regarding Drug-Free Workplace Requirements: Signed and Attached

Attachment 2- Certification Regarding Subrecipient Lobbying Requirements: Signed and Attached

Attachment 3 – Certification Regarding Fair Housing Requirements of Subrecipients: Signed and Attached

Attachment 4 – ESG Privacy Policy Notice: Signed and Attached

Attachment 5 – ESG Conflict of Interest Policy: Signed and Attached

Attachment 6 – ESG Client Termination and Grievance Policies: Signed and Attached

Attachment 7 – Maintenance of Effort Cert for Units of General Purpose Local Governments: Signed and Attached

Attachment 8 – ESG Line of Credit Authorization Form: Completed and Attached

ATTACHMENT 1

CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS

Name of Subrecipient: Lyon County Human Services
Grant Program Name: ESG Program
CFDA Number: 14.231
Grant Period: July 1, 2024 - June 30, 2026

Total estimated number of employees expected to be engaged in the performance of the grant at the site(s) noted above: 6

Applicants awarded funds from HUD are required to provide a drug-free workplace. Compliance with this requirement means that the applicant will:

1. Publish a statement notifying employees that it is unlawful to manufacture, distribute, dispense, possess, or use a controlled substance in the applicant's workplace and that such activity is prohibited. The statement must specify the actions that will be taken against employees for violation of this prohibition. The statement must also notify employees that, as a condition of employment under the federal award, they are required to abide by the terms of the statement and that each employee must agree to notify the employer in writing if the employee is convicted for a violation of a criminal drug statute occurring in the workplace, no later than 5 calendar days after such conviction;
2. Establish an ongoing drug-free awareness program to inform employees about:
 - a. The dangers of drug abuse in the workplace;
 - b. The applicant's policy of maintaining a drug-free workplace;
 - c. Any available drug counseling, rehabilitation, or employee assistance programs; and
 - d. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
3. Notify the Division in writing within 10 calendar days after receiving notice from an employee of a drug abuse conviction or otherwise receiving actual notice of a drug abuse conviction the information reflected under (a), (b), (c) and (d) of this paragraph. The notification must be provided in writing to Nevada Housing Division, 1830 E. College Parkway, Suite 200, Carson City NV 89706. Once notified the Division will be required to notify HUD's Office of Strategic Planning and Management, Grants Management and Oversight, Department of Housing and Urban Development, 451 7th Street, SW, Room 3156, Washington DC 20410-3000, along with the following information:
 - a. The program title and award number for each HUD award covered;
 - b. The HUD staff contact name, telephone and fax numbers;
 - c. A grantee contact name, telephone and fax numbers; and
 - d. The convicted employee's position and title;

**CERTIFICATION REGARDING DRUG-FREE
WORKPLACE REQUIREMENTS (continued)**

4. Require that each employee engaged in the performance of the federally funded award be given a copy of the drug-free workplace statement required in item (1) above and notify the employee that one of the following actions will be taken against the employee within 30 calendar days of receiving notice of any drug abuse conviction:
 - a. Institution of a personnel action against the employee, up to and including termination consistent with requirements of the Rehabilitation Act of 1973 (29 U.S.C. 794), as amended; or
 - b. Imposition of a requirement that the employee participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency; and

5. Identify to the agency making the award all known workplaces under the award. Your workplace identification must include the actual address of buildings or other sites where work under the award will take place. You must also inform the agency of any workplace changes during the performance of the award. Your identification of the workplaces must occur either:
 - a. At the time of application or upon award; or
 - b. In documents that you keep on file in your offices during performance of the award, in which case you must make the information available for inspection upon request by the agency.

Please list below the site(s) expected to be used for the performance of work under the grant covered by the certification:

Place of Performance (includes street address, city, county, state, zip code for each site):

Lyon County

I agree to comply with federal requirements above and certify programs and services will be administered, in good faith, to endure that the workplace and/or facility is free from the illegal use, possession or distribution of drugs or alcohol by its beneficiaries.

Certified by:

Signature of Subrecipient Representative

David Hockaday, Chair
Lyon County Board of Commissioners

Printed Name/Title

Date

ATTACHMENT 2

**CERTIFICATION REGARDING SUBRECIPIENT LOBBYING
REQUIREMENTS**

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, Disclosure Form to Report Lobbying, in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, Title 31, U.S.

Certified by:

Signature of Subrecipient Representative

David Hockaday, Chair
Lyon County Board of Commissioners

Printed Name/Title

Date

ATTACHMENT 3

CERTIFICATION REGARDING FAIR HOUSING REQUIREMENTS
OF
EMERGENCY SOLUTIONS GRANT SUBRECIPIENTS

The undersigned certifies that the subrecipient shall comply with the nondiscrimination and equal opportunity requirements of 24 CFR §5.105(a) and §576.407(a) and (b):

1. The subrecipient must make known that use of the facilities, assistance, and services are available to all on a nondiscriminatory basis. If it is unlikely that the procedures that the subrecipient intends to use to make known the availability of the facilities, assistance, and services will reach persons of any particular race, color, religion, sex, age, national origin, familial status, or disability who may qualify for those facilities and services, *the subrecipient must establish additional procedures that ensure that those persons are made aware of the facilities, assistance, and service;*
2. The subrecipient must take appropriate steps to ensure effective communication with persons with disabilities including, but not limited to, adopting procedures that will make available to interested persons information concerning the location of assistance, services, and facilities that are accessible to persons with disabilities. Consistent with Title VI and Executive Order 13166, subrecipients are also required to take reasonable steps to ensure meaningful access to programs and activities for limited English proficiency (LEP) persons; and
3. The subrecipient will document compliance with the above requirements by:
 - Maintaining records demonstrating compliance with the nondiscrimination and equal opportunity requirements under 24 CFR §576.407(a), including data concerning race, ethnicity, disability status, sex, and family characteristics of persons and households who are applicants for, or program participants in, any program or activity funded in whole or in part with ESG funds along with the affirmative outreach requirements in §576.407(b).

Certified by:

Signature of Subrecipient Representative

David Hockaday, Chair
Lyon County Board of Commissioners

Printed Name/Title

Date

ATTACHMENT 4

EMERGENCY SOLUTIONS GRANT PROGRAM Privacy Policy Notice

This is a policy statement regarding the State of Nevada's Privacy Policy for the Emergency Solutions Grant Program through the Nevada Housing Division. This Privacy Policy shall be implemented by the Division and all subrecipients.

A. What This Notice Covers

1. This Notice describes the privacy policy and practices to be implemented by the Division and its subrecipient service providers of the Emergency Solutions Grant Program. The policy and practices in this Notice cover the processing of personal information for clients participating in the ESG program, including data entered into HMIS, and must be included as part of the subrecipient's policies and procedures.
 - a. Protected Personal Information (PPI) is any information that a subrecipient maintains about a client that: Allows identification of an individual directly or indirectly;
 - b. Can be manipulated by a reasonably foreseeable method to identify a specific individual; or
 - c. Can be linked with other available information to identify a specific client. When this notice refers to "personal information" it means PPI.
2. The State and all subrecipients shall adopt this policy in accordance with the HMIS Data and Technical Standards issued by the U.S. Department of Housing and Urban Development, the HMIS Steering Committee, and BitFocus, Inc. acting as the HMIS Lead Agency for training and HMIS implementation.
3. This notice will identify how the State and subrecipients will process personal information. All shall follow the policy and practices described in this notice, and include them in the agency's formal Privacy Policy Notice executed by the client.
4. This Notice shall be amended as policies or practices change. Amendments may affect personal information that is obtained before the effective date of an Amendment. Subgrantees will be notified of new notices at least 30 days prior to taking effect.
5. The Division will provide a written copy of this privacy notice to any individual or organization that requests one.

B. How and Why Service Providers Collect Personal Information

1. The Division and its subrecipient service providers shall collect personal information only when appropriate to provide services or for another specific purpose of the agency, or when required by law. Providers may collect information for the following purposes:
 - a. To provide or coordinate services to a client;
 - b. To locate other programs that may be able to assist a client;

- c. For functions related to payment or reimbursement from others for services that are provided;
 - d. To operate the agency and its programs, including legal activities, audits, personnel oversight, contract monitoring, program evaluation, and other management and/or administrative functions;
 - e. To comply with government and funder reporting obligations;
 - f. For research, data analysis, and community reporting purposes; and
 - g. When required by law.
2. The Division and its subrecipient service providers only use lawful and fair means to collect personal information.
 3. The Division and its subrecipient service providers normally collect personal information with the knowledge or consent of clients. If a client seeks assistance and provides personal information, there shall be the assumption that the client consents to the collection of information as described in this Notice and that data may be entered into HMIS.
 4. The State and its subrecipient service providers may also obtain information about a client from other available sources such as:
 - a. Individuals who accompany the clients, such as a guardian, caretaker, or advocate;
 - b. Other private organizations that provide services to the client;
 - c. County and other government agencies such as state and local mental health providers, Department of Health and Human Services, etc.; and
 - d. Telephone directories and other published sources.
 5. A sign shall be posted at each intake desk or other location explaining the reasons a client is asked for personal information. The signage shall be obtained from BitFocus, Inc. and shall say:

“We collect personal information directly from you for reasons that are discussed in our privacy statement. We may be required to collect some personal information by law or by organizations that give us money to operate this program. Other personal information that we collect is important to run our programs, to improve services for homeless persons, and to better understand the needs of homeless persons. We only collect information that we consider to be appropriate.”

Nosotros colectamos información personal directamente de usted por razones que se explican en nuestra declaración de privacidad. Podríamos tener que coleccionar cierta información personal por ley o por las organizaciones que nos dan dinero para operar este programa. Otra información personal que coleccionemos es importante para realizar nuestros programas, para mejorar los servicios para las personas sin hogar y para comprender mejor las necesidades de las personas sin hogar. Solo coleccionamos información que consideramos conveniente.”

C. How the Division and Subrecipient Service Providers Will Use and Disclose Personal Information

1. Personal information will be used for activities described in this part of the Notice. As necessary, the Division or its subrecipient service providers may or may not make any of these uses or disclosures. It shall be assumed that the client consents to the use or disclosure of personal information for the purposes described here and for other uses and disclosures that is determined to be compatible with these uses or disclosures:
 - a. To provide or coordinate services for individuals to help them obtain or retain services. Service providers may share client records (with consent) with other organizations that may have separate privacy policies and that may allow different uses and disclosures of the information;
 - b. For functions related to payment or reimbursement for services;
 - c. To carry out administrative functions such as audits, oversight and management of the HPRP program, including the maintenance and operation of HMIS;
 - d. To create de-identified (anonymous) information that can be used for research and statistical purposes without identifying clients;
 - e. When required by law to the extent that use or disclosure complies with and is limited to the requirements of law;
 - f. To avert a serious threat to health or safety if:
 - i. It is believed that use or disclosure is necessary to prevent or lessen a serious and imminent threat to the health or safety of an individual or the public; and
 - ii. The use or disclosure is made to a person reasonably able to prevent or lessen the threat, including the target of the threat;
 - g. To report about an individual that is reasonably believed to be a victim of abuse, neglect, or domestic violence to a government authority (including a social service or protective services agency) authorized by law to receive reports of abuse, neglect, or domestic violence under any of the following circumstances:
 - i. Where the disclosure is required by law and the disclosure complies with and is limited to the requirements of the law;
 - ii. If the individual agrees to the disclosure; or
 - iii. To the extent that the disclosure is expressly authorized by statute or regulation:
 1. it is believed the disclosure is necessary to prevent serious harm to the individual or other potential victims; or
 2. if the individual is unable to agree because of incapacity, then a law enforcement or other public official authorized to receive the report represents that the agency for which disclosure is sought is not intended to be used against the individual and that an immediate enforcement activity that depends upon the disclosure would be materially and adversely affected by waiting until the individual is able to agree to the disclosure; and
 - iv. When the agency makes a permitted disclosure about a victim of abuse, neglect, or domestic violence, they will promptly inform the individual who is the victim that a disclosure has been or will be made, except if:
 1. In the exercise of professional judgment it is believed informing the individual would place them at risk of serious harm, or
 2. The agency would be informing a personal representative (such as a family member or friend), and reasonably believes the personal

representative is responsible for the abuse, neglect or other injury, and that informing the personal representative would not be in the best interests of the individual as determined in the exercise of professional judgment;

- h. For academic research purposes, release of personal information will only be allowed if research is:
 - i. Conducted by an institution that has a formal relationship with the Division or its subrecipient service providers, as long as the research is conducted by either:
 - 1. An individual employed by or affiliated with the Division or subrecipient service provider for use in a research project conducted under a written research agreement approved in writing by the Division; or
 - 2. An institution for use in a research project conducted under a written research agreement approved in writing by a subrecipient Executive Director; and
 - ii. The formal relationship is contained in a written research agreement that must
 - 1. Establish rules and limitations for the processing and security of personal information in the course of the research;
 - 2. Provide for the return or proper disposal of all personal information at the conclusion of the research;
 - 3. Restrict additional use or disclosure of personal information, except where required by law;
 - 4. Require that the recipient of data formally agree to comply with all terms and conditions of the agreement; and
 - 5. Not be a substitute for approval, if appropriate, of a research project by an Institutional Review Board, Privacy Board, or other applicable human subject's protection institution;
- i. To a law enforcement official for a law enforcement purpose (if consistent with applicable law and standards of ethical conduct) under any of the following circumstances:
 - i. In response to a lawful court order, court-ordered warrant, subpoena, or summons issued by a judicial officer, or a grand jury subpoena; and
 - ii. If the law enforcement official makes a written request for personal information that:
 - 1. Is signed by a supervisory official of the law enforcement agency seeking personal information;
 - 2. States that the information is relevant and material to a legitimate law enforcement investigation;
 - 3. Identifies the personal information sought;
 - 4. Is specific and limited in scope to the extent reasonably practicable in light of the purpose for which the information is sought; and
 - 5. States that de-identified information could not be used to accomplish the purpose of the disclosure;
 - iii. If it is believed in good faith that the personal information constitutes evidence of criminal conduct that occurred on Division or its subrecipient service provider's premises;
 - iv. In response to an oral request for the purpose of identifying or locating a suspect, fugitive, material witness, or missing person, and the personal information disclosed consists only of name, address, date of birth,

- place of birth, social security number, and distinguishing physical characteristics; and
- v. If the official is an authorized federal official seeking personal information for the provision of protective services to the President or other person authorized by 18 U.S.C. §3056, or to foreign heads of state or other persons authorized by 22 U.S.C §2709(a)(3), or for the conduct of investigations authorized by 18 U.S.C §§871 and 879 (threats against the President and others); and if the information requested is specific and limited in scope to the extent reasonably practicable in light of the purpose for which the information is sought; and
 - j. To comply with governmental reporting obligations for homeless management information systems and for oversight of compliance with homeless management information system requirements.
2. Before any use or disclosure of a client’s personal information not described in this notice, the Division or its subrecipient service providers will seek client consent first.

D. How to Inspect and Correct Personal Information

1. A client may wish to inspect and have a copy of personal information maintained by the Division or its subrecipient service providers. The Division and/or its subrecipient service providers will respond to any such request within a reasonable time frame, usually two to three business days.
2. The Division or its subrecipient service providers will consider a request from a client for correction of inaccurate or incomplete personal information that is maintained. If agreed that the information is inaccurate or incomplete, the Division or its subrecipient service providers may delete it or choose to mark it as inaccurate or incomplete and will supplement it with additional information.
3. To inspect, receive a copy of, or ask for correction of personal information, a client may ask an ESG staff member. The appropriate staff member will be located to assist with the review and/or correction of the file within a reasonable time period, usually two to three business days.
4. The Division or its subrecipient service providers may deny a request for inspection or copying of personal information if:
 - a. The information was compiled in reasonable anticipation of litigation or comparable proceedings;
 - b. The information is about another individual (other than a health care provider or homeless provider);
 - c. The information was obtained under a promise or confidentiality (other than a promise from a health care provider or homeless provider) and if the disclosure would reveal the source of the information; or
 - d. Disclosure of the information would be reasonably likely to endanger the life or physical safety of any individual.
5. If the Division or its subrecipient service provider denies a request for access or correction, there will be included an explanation of the reason for the denial. The Division or its subrecipient will also include, as part of the personal information that is maintained, documentation of the request and the reason for denial.

6. The Division or its subrecipient service provider may reject repeated or harassing requests for access or correction.

E. Data Quality

1. The Division and its subrecipient service providers collect only personal information that is relevant to the purposes stated in this Notice or as required for reporting to funders. To the extent necessary, the Division and its subrecipient service providers seek to maintain only personal information that is accurate, complete, and timely.
2. The Division or its subrecipient service providers or the HMIS Lead Agency may dispose of personal information not in current use seven years after the information was created or last changed. As an alternative to disposal, the Division or its subrecipient service providers, or the HMIS Lead Agency may choose to remove identifiers from the information so that the data can be maintained for analysis purposes.
3. The Division or its subrecipient service providers, or the HMIS Lead Agency may keep information for a longer period if required to do so by statute, regulation, contract or other requirement.

F. Complaints and Accountability

1. The Division and its subrecipient service providers accept and consider questions or complaints about client privacy and security policies and practices. The client has the right to be heard if he or she believes that confidentiality rights have been violated, if a client has been denied access to personal records, or the client has been put at personal risk, or harmed. The Division and its subrecipient service providers have established a formal grievance process for use in such circumstances. To file a complaint or grievance, a client may request a copy of the process from the Division's website at www.nvhousing.state.nv.us, by calling the Division at 775-687-2040, or by contacting the applicable subrecipient service provider.

For a complaint or grievance against data collected for the HMIS database, clients may obtain a Client Grievance Form at <http://www.miner-hmis.com/client-forms/>. Forms may be submitted to the following:

BitFocus, Inc. - HMIS Lead Agency
Via FAX to: (702) 991-1881
Via US Mail to:
BitFocus, Inc.
9101 W. Sahara Ave #105-158
Las Vegas, NV 89117

2. Staff members of the Division and its subrecipient service providers, including employees, volunteers, affiliates, contractors and associates, are required to comply with this privacy notice. Each staff member must receive and acknowledge that they received a copy of this notice.

G. Privacy Notice Change History

Each copy of this Notice will have a history of changes made to the document. This document's change history is as follows

Version 2.0 August 30, 2024

The undersigned certifies that the subrecipient shall comply with this Privacy Policy and shall adopt a similar policy for the agency and will be provided to program staff:

Certified by:

Signature of subrecipient representative

David Hockaday, Chair
Lyon County Board of Commissioners
Printed Name/Title

Date

ATTACHMENT 5

EMERGENCY SOLUTIONS GRANT PROGRAM Conflict-of-Interest Policy

This is a policy statement regarding State of Nevada's Conflict-of-Interest Policy for the Emergency Solutions Grant Program through the Nevada Housing Division. This Policy shall be implemented by the Division and its subrecipients.

A. Organizational conflicts of interest

The provision of any type or amount of ESG assistance may not be conditioned on an individual's or family's acceptance or occupancy of emergency shelter or housing owned by the Division, the subrecipient, or a parent or subsidiary of the subrecipient. No subrecipient may, with respect to individuals or families occupying housing owned by the subrecipient, or any parent or subsidiary of the subrecipient, carry out the initial evaluation required pursuant to 24 CFR §576.401, or administer homelessness prevention assistance as reflected under 24 CFR §576.103.

B. Individual conflicts of interest

For procurement of goods and services, the Division and its subrecipients must comply with the codes of conduct and conflict of interest requirements under 2 CFR §§ 200.317 and 200.318(c) summarized at:

https://www.hud.gov/program_offices/spm/gmomgmt/grantsinfo/conductgrants

C. Contractors

All contractors of the Division or subrecipient must comply with the same requirements that apply to subrecipients.

D. Additional Requirements for ESG subrecipients and contractors

Subrecipient Conflict-of- Interest policies must also include instructions to staff that may be in the situation of needing assistance themselves, or providing assistance to close friends or family members, to ensure that ESG funds are not used inappropriately. Subrecipient staff must be aware of the subrecipient's Policy, evidenced by their signature, that they have received a copy of the Policy. The original executed copy shall be maintained in the ESG program file.

E. Conflict of Interest Change History

Each copy of this Notice will have a history of changes made to the document. This document's change history is as follows:

Version 2.0 August 30, 2024

The undersigned certifies that the subrecipient shall comply with this Conflict-of-Interest Policy and shall adopt a similar policy for the agency which will be provided to program staff:

Certified by:

Signature

David Hockaday, Chair
Lyon County Board of Commissioners

Printed Name/Title

Date

ATTACHMENT 6

EMERGENCY SOLUTIONS GRANT PROGRAM Client Termination and Grievance Policies

HUD requires subrecipients to develop formal Termination and Grievance Policies and to instruct agencies providing Emergency Solutions Grant (ESG) Program funds to do the same. Agency Termination and Grievance Policies will be reviewed as part of the Division's ESG monitoring site visit.

The following are the Division's policies regarding both termination of ESG assistance and the process for clients to pursue challenges to an agency's decision to deny ESG assistance as reflected in the ESG Policies and Procedures manual.

Termination Policy:

Subrecipients may terminate assistance to a program participant who violates program requirements. Subrecipients may resume assistance to a program participant whose assistance was previously terminated. In terminating assistance to a program participant, the subrecipient must provide a formal process that recognizes the rights of individuals receiving assistance to due process of law. The process, at a minimum, should consist of:

- Written notice to the program participant containing a clear statement of the reasons for termination;
- A review of the decision, in which the program participant is given the opportunity to present written or oral objections before a person other than the person (or a subordinate of that person) who made or approved the termination decision; and
- Prompt written notice of the final decision to the program participant.

Subrecipients must also make every effort to ensure that clients discharged from ESG assistance, either due to termination due to violation of program requirements or because a program participant has reached the maximum number of months that they are eligible for assistance, are not discharged into the streets or into an unstable housing situation.

Grievance Policy:

Each subrecipient is required to establish a formal process, in writing and available to potential clients, that includes necessary steps needed to challenge an agency's decision to deny ESG assistance. The procedure should include contact information at the local agency, Division if funds were allocated from the State, and the HUD contact in San Francisco.

Denial of assistance may include, but is not limited to, the individual or household's ineligibility for the program or failure to provide verifiable evidence of eligibility, etc. Subrecipients must have a procedure that governs applicant denial and grievance processes. These procedures should describe the program requirements and how an applicant did not qualify or was denied. The grievance procedure could be the same as a program participant terminated. This would include, for example, allowing applicants to request a hearing regarding the termination of their denial. The termination, denial, and grievance procedures should be readily available to participants either in written information or by posting the in a public place. It is critical to the nature of ESG and transparency to effectively communicate these procedures to program participants and ensure that the procedures are fully understood.

Staff members of the Division and its subrecipient service providers, including employees, volunteers, affiliates, contractors and associates, are required to comply with this grievance policy. Each staff member must receive and acknowledge that they received a copy of this notice. The original copy shall be maintained in the subrecipients ESG Program File.

The undersigned certifies that the subrecipient shall adopt a similar policy that shall be provided to members of the public if requesting assistance with ESG funds, regardless of whether or not the applicant is accepted into the ESG program:

Certified by:

Signature

David Hockaday, Chair
Lyon County Board of Commissioners

Printed Name/Title

Date

ATTACHMENT 7

**MAINTENANCE OF EFFORT CERTIFICATION
FOR
UNITS OF GENERAL PURPOSE LOCAL GOVERNMENTS**

The unit of general purpose local government certifies that the Emergency Solutions Grant funds allocated with this Award Notice for Street Outreach, Emergency Shelter Operations, or Emergency Shelter Essential Services *will not replace** funds that were provided by the unit of local government for emergency shelter or street outreach activities during the previous twelve (12) months, per requirements reflected in 24 CFR Part §576.101(c) which states:

“If the recipient or subrecipient is a unit of general purpose local government, its ESG funds cannot be used to replace funds the local government provided for street outreach and emergency shelter services during the immediately preceding 12-month period, unless HUD determines that the unit of general purpose local government is in a severe financial deficit.”

Certified by:

David Hockaday

Printed Name of Local Government Authorized Representative

Chair, Lyon County Board of Commissioners

Title

Authorized Representative Signature

ATTACHMENT 8

State of Nevada
 DEPARTMENT OF BUSINESS & INDUSTRY
 Housing Division
 1830 E. College Pkwy, Ste. 200, Carson City NV 89706
 (775) 687-2240 / (800) 227-4960
 Fax (775) 687-4040
www.housing.nv.gov

EMERGENCY SOLUTIONS GRANT PROGRAM

Line of Credit Authorization

Pursuant to the Emergency Solutions Grant Program Guidelines, the following person(s) is/are authorized to execute drawdown functions and deliver all instruments required by or contemplated in connection therewith on behalf of the below named administrative agent:

Administrative Agent: Lyon County Human Services Address: 620 Lake Ave, Silver Springs, NV 89429 Mailing: PO BOX 1141, Silver Springs, NV 89429 Phone: (785) 577-5009 Tax ID #: 88-6000097	Type of function: (mark one) 1 <input type="checkbox"/> New User(s) 2 <input checked="" type="checkbox"/> Recertify Existing User(s) 3 <input type="checkbox"/> Terminate Authority
Authorized User's Name/Title	Authorized User's Signature
Shayla Holmes, Director Lyon County Human Services	
Jennifer Thomas, Administrative Services Manager Lyon County Human Services	

I authorize the above-identified person(s) to drawdown funds on behalf of the above-referenced administrative agent according to the Emergency Solutions Grant Program Guidelines:

 Administrative Agent Signature
 David Hockaday, Chair
 Lyon County Board of Commissioners

 Title

 Date

Lyon County Board of County Commissioners Agenda Summary

Meeting Date: January 6, 2025

Agenda Item Number:

12.i

Subject:

For Possible Action: Approve paying the Nevada Association of Counties 2025 membership dues in the amount of \$53,548, with the unbudgeted amount of \$14,300 to be funded from a budget transfer from the General Fund contingency.

Summary:

The Nevada Association of Counties 2025 membership dues have increased from \$38,091 in 2024 to \$53,548 in 2025, which is an increase of 41%. This is \$14,300 more than was budgeted.

Financial Department Comments:

The invoice exceeds the budgeted amount by \$14,300, which is recommended to be funded from a budget transfer from the General Fund contingency.

Approved As To Legal Form:

County Manager Comments:

Recommendation:

Approve paying the Nevada Association of Counties 2025 membership dues in the amount of \$53,548, with the unbudgeted amount of \$14,300 to be funded from a budget transfer from the General Fund contingency.

ATTACHMENTS

- [2025 NACO Dues Invoice - Lyon County](#)



NEVADA ASSOCIATION OF COUNTIES

INVOICE

DATE: December 13, 2024
INVOICE # County 2025-11

304 S. Minnesota St.
Carson City, NV 89703

Lyon County
ATTN: Andrew Haskin
27 S. Main St.
Yerington, NV 89447

DESCRIPTION	AMOUNT
NACO 2025 Membership Dues	53,548.00
Thank you for your continued membership in, and support of, the Nevada Association of Counties!	
TOTAL DUE	\$ 53,548.00

Make all checks payable to **Nevada Association of Counties**

If you have any questions concerning this invoice, contact:

Amanda Berg, Office Manager aberg@nvnaco.org or 775-883-7863

THANK YOU FOR YOUR SUPPORT!

Lyon County Board of County Commissioners Agenda Summary

Meeting Date: January 6, 2025

Agenda Item Number:

13.a

Subject:

For Possible Action: To approve the request from Miles Minerals for a Zoning Map Amendment to amend the Zoning Map designation from the Title 10 district of RR-3 (Third Rural Residential District (5 acres)) to the Title 15 district of EMU (Employment Mixed-Use) located at 3270 and 3090 Twain Ave. in Silver Springs for two parcels totaling approximately 4.67 acres (APN 018-364-01 and 018-364-02), PLZ-2024-064.

Summary:

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

ATTACHMENTS

- [Staff Report](#)
- [Backup](#)



LYON COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT

BUILDING * DEVELOPMENT ENGINEERING * PLANNING
CODE ENFORCEMENT * ECONOMIC DEVELOPMENT

27 SOUTH MAIN STREET, YERINGTON, NV 89447

PHONE: 775-463-6592 FAX: 775-463-5305

WEBSITE: www.lyon-county.org

BOARD OF COUNTY COMMISSIONERS

PLZ-2024-064

Proposed Action	<u>Zoning Map Amendment from RR-3 (Third Rural Residential District (5 Acres)) to EMU (Employment Mixed-Use)</u>
Meeting Date	<u>January 6, 2025</u>
Property Owners	<u>Miles Minerals LLC</u>
Applicant	<u>Miles Minerals LLC</u>
Location	<u>Silver Springs</u>
Parcel Number	<u>018-364-01 and 018-364-02</u>
Parcel Size	<u>4.67 acres total</u>
Master Plan	<u>Employment</u>
Current Zoning	<u>RR-3 (Third Rural Residential District (5 Acres))</u>
Proposed Zoning	<u>EMU (Employment Mixed-Use)</u>
Flood Zone(s)	<u>X Unshaded per FIRM 32019C0200E (Effective 1/16/2009)</u>
Case Planner	<u>Lisa Nash</u>

REQUEST

The Applicant requests a Zoning Map Amendment (ZMA) to change the designation from the Title 10 district RR-3 (Third Rural Residential District (5 Acres)) to the Title 15 district of EMU (Employment-Mixed Use) on two parcels totaling 4.67 acres in Silver Springs.

PLANNING COMMISSION

The Planning Commission heard the item on December 10, 2024. The Commission forwarded a recommendation of approval voting 7-0. The recommendation was based on the findings listed in the staff report.

A Zoning Map Amendment request cannot be conditioned.

RECOMMENDED MOTION

If the Board of County Commissioners determines that they will approve of the requested Zoning Map Amendment application, then the Board of County Commissioners should make a motion similar to the following.

The Board of County Commissioners finds that:

- A. The proposed amendment is consistent with the policies embodied in the adopted master plan and the underlying land use designation contained in the land use plan;
- B. The proposed amendment will not be inconsistent with the adequate public facilities policies contained in this title; and
- C. The proposed amendment is compatible with the actual or master planned adjacent uses.

Based on the aforementioned Findings, I move that the Board of County Commissioners approves the request by Miles Minerals LLC for a Zoning Map Amendment to amend the Zoning Map Designation from the Title 10 district of RR-3 (Third Rural Residential District (5 acres)) to the Title 15 district of EMU (Employment Mixed-Use) on two parcels totaling approximately 4.67 acres located at 3270 and 3090 Twain Avenue in Silver Springs (APNs 018-364-01 and 018-364-02), PLZ-2024-064.

ALTERNATIVES TO RECOMMENDATION OF APPROVAL

Alternative Motion for Continuance

If the Board of County Commissioners determines that there is insufficient information with which to make a decision on the Zoning Map Amendment application before them and that additional information, discussion and public comment are necessary to have a more complete and thorough review of the proposed project, then the Board should make the appropriate findings and move to continue the Public Hearing for the Zoning Map Amendment application to a future date with concurrence from the applicant.

If so, then the Board of County Commissioners may wish to consider a motion similar to the following:

The Board of County Commissioners finds that:

- A. Additional information, discussion, and public review are necessary for a more thorough review of the proposed Master Plan Amendment application.

Based on the aforementioned finding, and with the applicant's concurrence, I move that the Board of County Commissioners continues the Zoning Map Amendment request by Miles Minerals LLC for a Zoning Map Amendment to amend the Zoning Map Designation from the Title 10 district of RR-3 (Third Rural Residential District (5 acres)) to the Title 15 district of EMU (Employment Mixed-Use) on two parcels totaling approximately 4.67 acres located at 3270 and 3090 Twain Avenue in Silver Springs (APNs 018-364-01 and 018-364-02), PLZ-2024-064 for ___ days.

Alternative Motion for Denial

If after review and public comment the Board of County Commissioners determines that they should recommend denial of the Zoning Map Amendment application, then the Board may wish to consider a motion similar to the following:

The Board of County Commissioners has considered:

15.220.05: FINDINGS:

When approving a zoning text or map amendment the commission and the Board must make the following findings, supported by a statement of evidence, facts and conclusions.

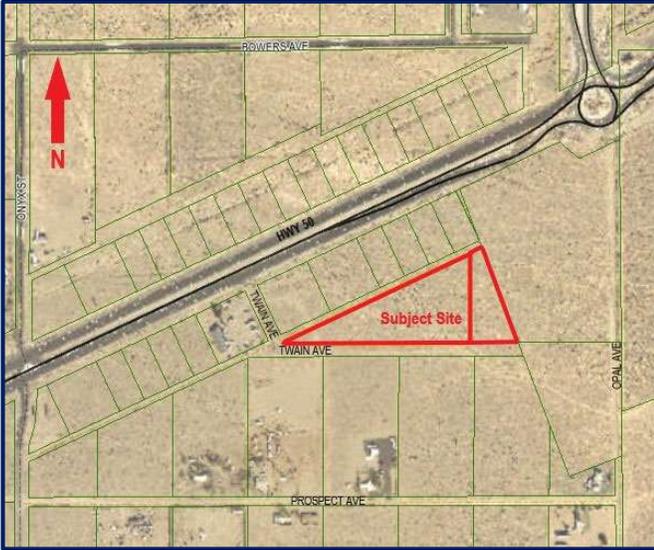
- A. That the proposed amendment is consistent with the policies embodied in the adopted master plan and the underlying land use designation contained in the land use plan;
- B. That the proposed amendment will not be inconsistent with the adequate public facilities policies contained in this title;
- C. That the proposed amendment is compatible with the actual or master planned adjacent uses.

Based on the aforementioned findings, I move that the Board of County Commissioners denies the request by Miles Minerals LLC for a Zoning Map Amendment to amend the Zoning Map Designation from the Title 10 district of RR-3 (Third Rural Residential District (5 acres)) to the Title 15 district of EMU (Employment Mixed-Use) on two parcels totaling approximately 4.67 acres located at 3270 and 3090 Twain Avenue in Silver Springs (APNs 018-364-01 and 018-364-02), PLZ-2024-064.

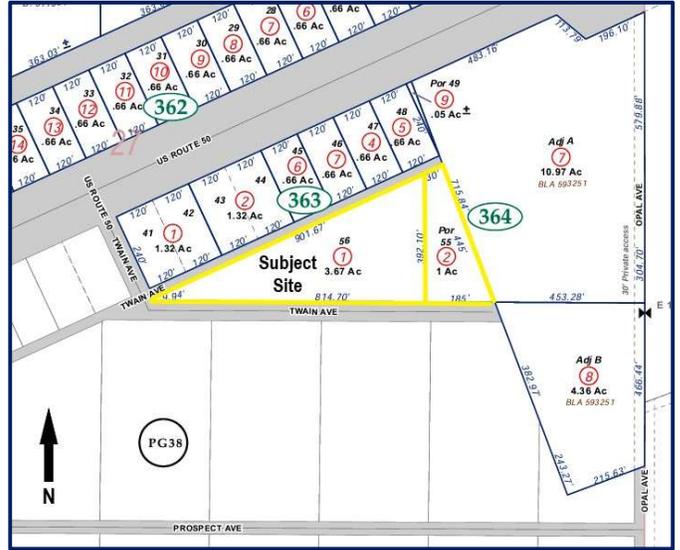
BACKGROUND INFORMATION

Location, Size, Topography

The subject property is located in the Silver Springs Suburban Character District at 3270 and 3090 Twain Avenue in Silver Springs (APNs 018-364-01 and 018-364-02). The two parcels are 3.67 acres and 1.00 acres totaling 4.67 acres size and are relatively flat. The parcels are located in line with and just west of the western end of the Silver Springs Regional Airport. The maps below show the location of the property from the County Assessor's records.



Location and Aerial Map



Assessor's Plat Map

Master Plan

The current Master Plan designation for the site is Employment within the Silver Springs Suburban Residential Character District.



Character District Map



Master Plan Designation

Zoning

The existing and proposed zoning of the subject parcel and the surrounding parcels are displayed in the Current Zoning and Proposed Zoning images below. The current zoning on the subject parcel is from the County’s expired Development Code, Title 10. The zoning is comprised of RR-3 (Third Rural Residential District (5 Acres)). Per the Consistency Matrix (excerpt below), the RR-3 district has a corresponding district of RR-5 (Rural Residential, 5 Acre Minimum) as outlined in the Matrix.

The proposed zoning request is to rezone the parcel from the Title 10 zoning district of RR-3 (Third Rural Residential District (5 acres)) to the Title 15 district of EMU (Employee Mixed-Use). The zoning amendment would be consistent with the Employment Master Plan designation.



Current Zoning Designation



Proposed Zoning Designation

STAFF REVIEW AND COMMENTS

Proposed Zoning Map Amendments are first reviewed by staff and the Planning Commission, who then make recommendations to the Board of County Commissioners. The Board makes the final vote on whether or not to approve the request.

FINDINGS

Chapter 15.220.05 of Lyon County Code states that when considering approval of a Zoning Map Amendment, three Findings must be considered and supported by a statement of evidence, facts and conclusions. Staff has included those three Findings in **bold** type below. Each Finding is listed with the applicant’s response in *italics* and then staff’s comments.

Finding A: The proposed amendment is consistent with the policies embodied in the adopted master plan and the underlying land use designation contained in the land use plan.

Applicant’s Response

Per the Adopted Master Plan Goals, Policies and Actions:

Policy LU 1.1: Follow Development Patterns as Established in the Land Use Plan:

The parcels in question are currently zoned RR5. The Silver Springs Land Use Plan has the parcels designated as “Employment”. Employment Mixed Use (EMU) zoning would more closely align these parcels with the land use established in the Land Use Plan.

Policy LU 1.2: Residential Development Patterns in Neighborhoods:

Future development plans for the parcels are unknown at this time, however EMU zoning will potentially allow development that will complement and possibly encourage development that may occur in the adjacent NC and/ or RR5 zoned adjacent parcels.

Policy LU 1.3: Commercial and Mixed-Use Development to be Located in Communities:

The parcels in question are located within the Silver Springs Suburban Character District rather than in the Rural designated portion of Silver Springs. Employment Mixed Use zoning, rather than Rural Residential, would more closely align these parcels with the Silver Springs Character District plan.

Policy LU 1.4: Locate Industrial Development as Designated on County-wide Land Use Plan or Determined by Criteria:

Allowed industrial uses in EMU zoning are limited and those that are allowed are not noxious and are minimally obtrusive to the adjacent parcels.

Policy LU 2.1: Residential Development in Areas with Services:

Future development plans for the parcels are unknown at this time, however EMU zoning will potentially allow for residential development. The parcels are located within the service boundaries of the local utility providers.

Policy LU 2.2: Service Levels to Vary by Character Areas:

As noted above, the parcels are located within the service boundaries of the local utility providers.

Policy LU 3.1: Diverse Economic Base:

EMU zoning, rather than the current RR5, will allow for greater support for economic diversification to more fully utilize the broad range of skills, knowledge and abilities inherent in the county's workforce.

Policy LU 3.2: Business and Industry Locations that are Consistent with Future Land Use Plan:

EMU zoning will bring the parcels into conformance with the Land Use Plan designation of "Employment" and will encourage properly located development per the Land Use Plan.

Policy LU 4.1: Encourage the Continuation of an Agricultural Lifestyle in Appropriate Rural Areas of the County:

The parcels are not located in an Agricultural area.

Policy LU 5.1: Encourage Resource-Sensitive Growth and Sustainable Design

Future development plans for the parcels are unknown at this time, however these issues may be addressed in the design review phase if and when development plans are generated.

Policy LU 6.1: Provide alternative standards that allow for unique growth in historic districts:

The parcels are not located in a historic district.

Staff Comment

The proposed Zoning Map Amendment would facilitate the development of the subject property in a manner consistent with the Master Plan and surrounding development in the area. The Master Plan Community Description for Silver Springs (Chapter 2, page 14) states "The Master Plan designations along the highway frontages are primarily Mixed Use, Commercial, Employment, and Industrial." and "Continued private-capital investment occurring in Northern Nevada may reach Silver Springs and find the development options appealing."

Chapter 3 of the Master Plan, Land Use, Economy and Growth, Table 2: Land Use Table describes the intended uses under the Employment designations and the zoning districts that are compatible with that Master Plan designation. This proposed Zoning Map Amendment is an allowed zoning district within the Employment Master Plan Land Use as shown in the table below. With these items, Staff feels this Finding is met.

	Title 10 Zoning (Consistent Title 15 Designation)	Title 15 Zoning	Density Range/Size	Description/Characteristics	Examples of Uses
Employment	M-1 (HI-R, -S)	LI-R, LI-S HI-R, HI-S EMU SI XX PUD *	Varies depending upon location and development context.	Suburban character district land use. Intended to provide concentrated areas of employment, combined with a mix of complementary commercial and residential uses Office/Research Park developments may be incorporated into a master planned neighborhood, or located in close proximity to residential areas. May include smaller live-work complexes consisting of a single building or several buildings that are not located within a typical office or industrial park setting, but are located on infill sites within established suburbanizing areas of the County. Activities typically take place indoors and outdoor storage or other more industrial types of uses are typically not permitted.	Light manufacturing, distribution, indoor and screened outdoor storage, and a wide range of other industrial and commercial services and operations. <i>Primary Uses:</i> Employment facilities, such as corporate offices, medical facilities and offices, research and development, service and light industrial facilities, and educational facilities. <i>Secondary Uses:</i> Limited residential, including residential mixed-use and live-work units, or commercial (or combination of the two) uses are encouraged in Employment Mixed-Use areas. Open space, parks, pathways, schools, other public uses, and senior housing facilities are also appropriate.

Finding B: The proposed amendment will not be inconsistent with the adequate public facilities policies contained in this title.

Applicant’s Response

The proposed amendment will not be inconsistent with the adequate public facilities policies. The parcels are all located within the service areas of the local utilities and water rights are available for dedication to the utility when needed. All applicable state permits will be provided when and if water and sewer development is Proposed.

Staff Comment

The parcels are located within the Silver Springs Mutual Water Company service district. The parcels are not within a Lyon County Utilities Department (LCUD) service boundary. The boundary for sewer service by LCUD is adjacent to the west and the applicant could apply for inclusion in the sewer district at a future time, although inclusion into the service is not guaranteed. The parcels, as they currently exist, would be served by individual on-site sewage disposal systems. Phone, internet, and electric utilities are similar to the other existing parcels in the area. It would not be inconsistent with the adequate public facilities policies nor would it introduce a new need for public services that are not already provided to nearby parcels in the area. This Finding is met.

Finding C: That the proposed amendment is compatible with the actual or master planned adjacent uses.

Applicant’s Response

The proposed Employment Mixed Use zoning is compatible with the parcels’ Master Plan designation of “Employment”. All surrounding parcels are Master Plan designated as “Employment” as well. EMU is also compatible with the actual zoning of the adjacent parcels.

Staff Comment

The proposed Zoning Map Amendment to rezone the parcel EMU (Employee Mixed-Use) would be consistent with the Master Plan designation of Employment. The subject parcels would not significantly increase density in the neighborhood nor would it introduce a new or incompatible use to the area.

The proposed zoning would be identical to the properties to the east, which are already zoned EMU, and support a consistent development pattern. The properties directly adjacent to the north are zoned Title 10, C-1 (Limited Commercial District) and the properties directly south are Title 10, RR-3 (Third Rural Residential District, 5 Acres Minimum). The presence of RR-3 directly south would require additional screening and landscaping due to the residential adjacency, depending on the type of future development proposed for this site. This Finding can be met.

Zoning Change Application – Silver Springs Parcels
018-364-01 and 018-364-02
Project Description/ Justification

This application requests a change in zoning of two undeveloped parcels in Silver Springs, both owned by Miles Minerals LLC. As noted below, this change will bring the parcels into better alignment with the Master Plan and increase the parcels potential development opportunities. The two parcels are located southwest of the USA Parkway and Highway 50 roundabout and are currently zoned RR5.

Parcel descriptions:

Parcel 018-364-01 is a parcel of 3.67 acres and is directly adjacent to the west of parcel 018-364-02, a 1 acre parcel, and both are currently zoned RR5 per Title 15 and RR3T per the available Assessor’s information.

Parcel locations and adjacencies are shown on attached Exhibits A – Parcels – Zoning, B – Assessor’s Parcel Map, and C – Parcels - General Area.

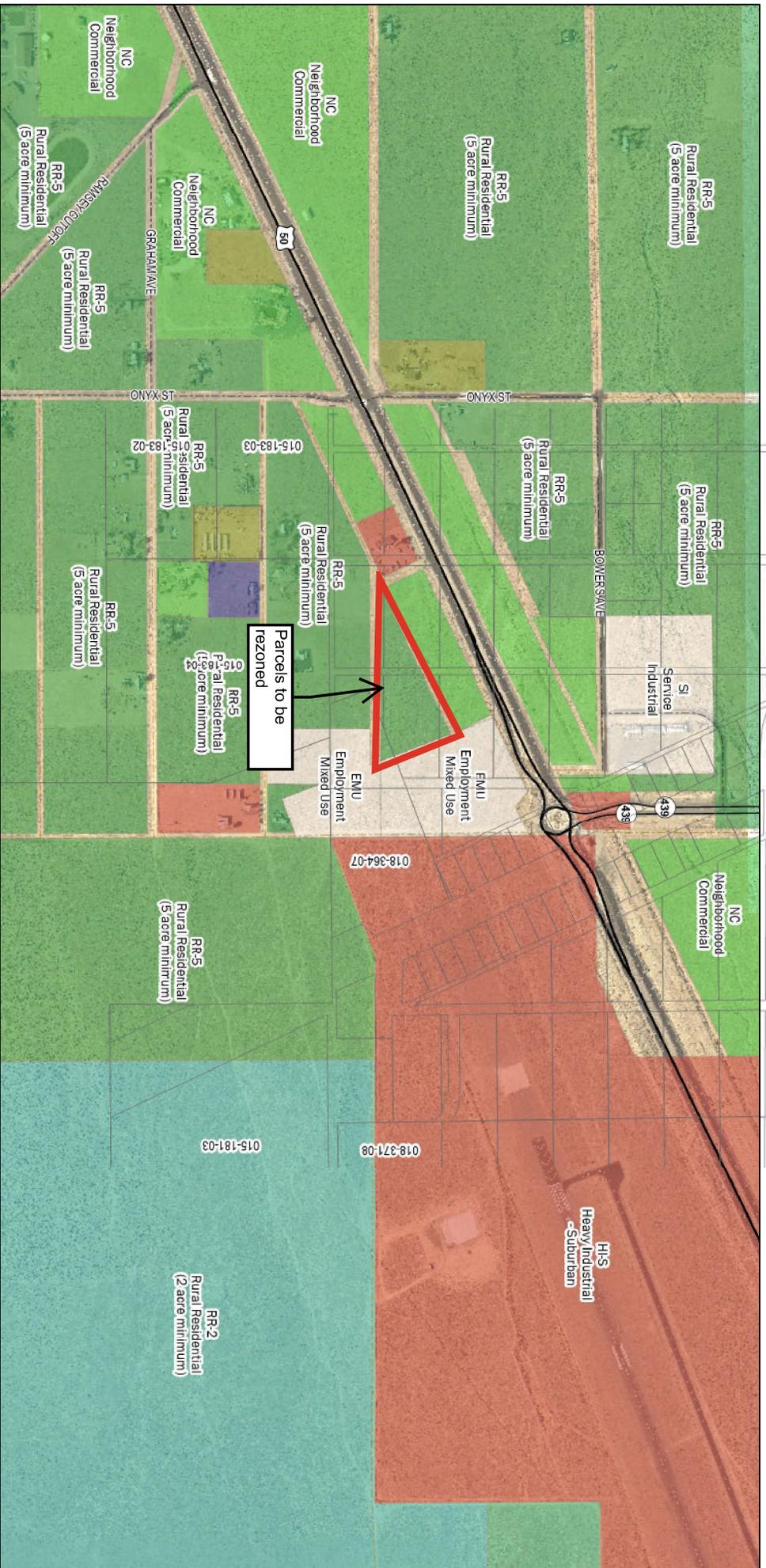
Silver Springs Master Plan applicability:

As shown on the attached Exhibit D – Parcels – Master Plan, both parcels are designated as “Employment”.

Miles Minerals is requesting changing the zoning of these two parcels to EMU (Employment Mixed Use). Bounded to the east by EMU zoned parcels, to the north by NC zoned parcels, to the west by HI-S zoning, and to the south by EMU and RR5, this will bring the parcels into better alignment with the current Silver Springs Master Plan designation of Employment and will also serve to increase the parcels’ potential development opportunities. In addition, due to their size, these parcels are currently nonconforming within the RR5 (5 acre minimum) zoning.

Thank you for taking the time to consider this application. If you have any further comments, questions, or concerns please feel free to contact William Miles at 775-230-6013

Web AppBuilder for ArcGIS

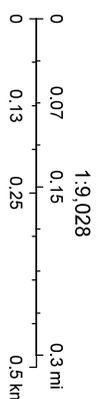


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- Parcels
- Local Route < 50,000
- Local Route
- Dirt Road
- State Route < 200,000
- State Route

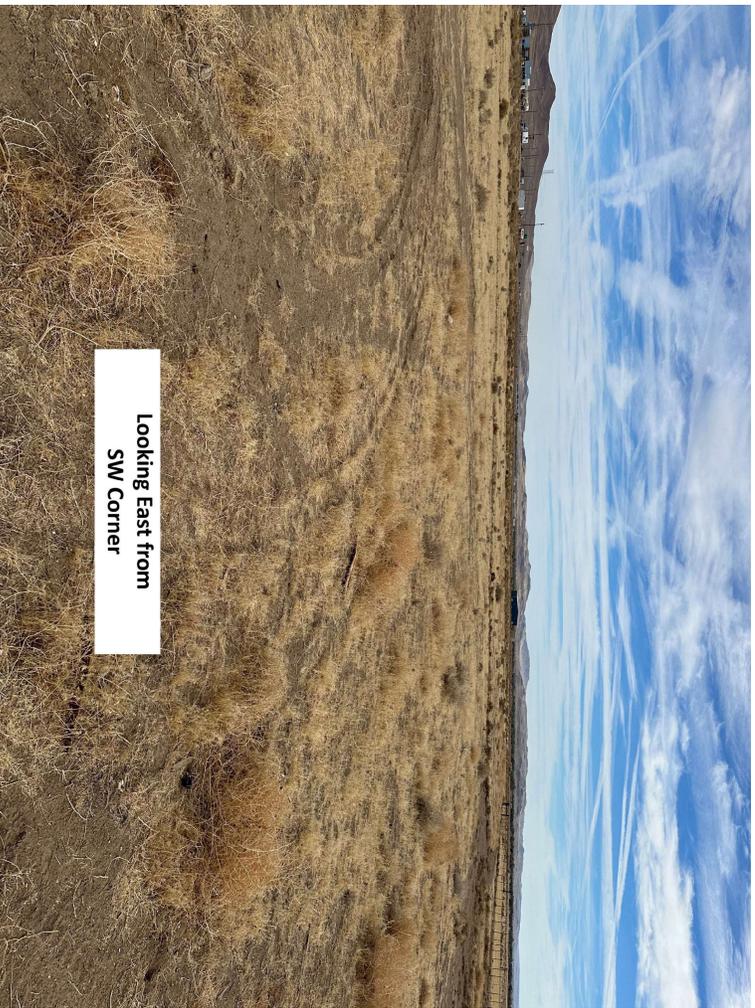
- Federal Highway
 - US Route
- Zoning**
- CC : Community Commercial
 - HI-S : Heavy Industrial - Suburban
 - L-S : Light Industrial - Suburban

- MFR : Multi-family Residential
- NC : Neighborhood Commercial
- RR-2 : Rural Residential (2 acre minimum)
- RR-5 : Rural Residential (5 acre minimum)
- No Consistent District



Esri, NASA, NOAA, USGS, FEMA | Lyon County, NV Planning Department | Lyon County, NV Assessor's Office | Lyon County, NV | Esri Community Maps Contributors, California State Parks, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc., METNUSA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, USFWS, Esri

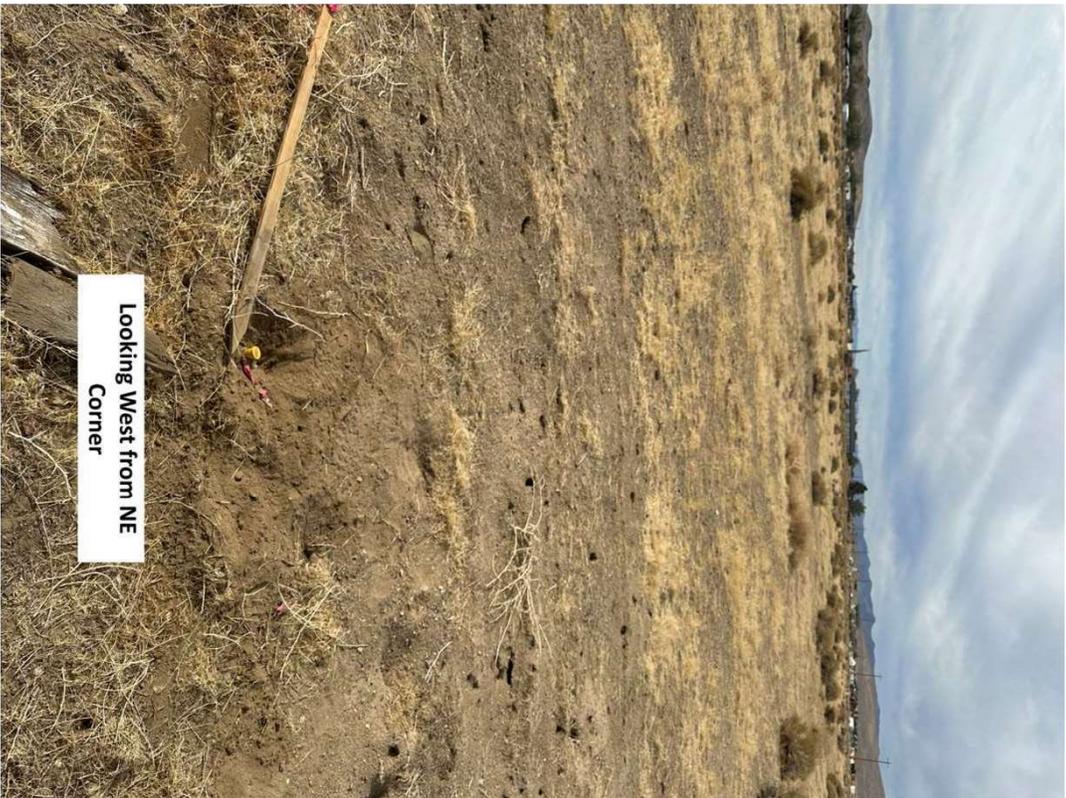
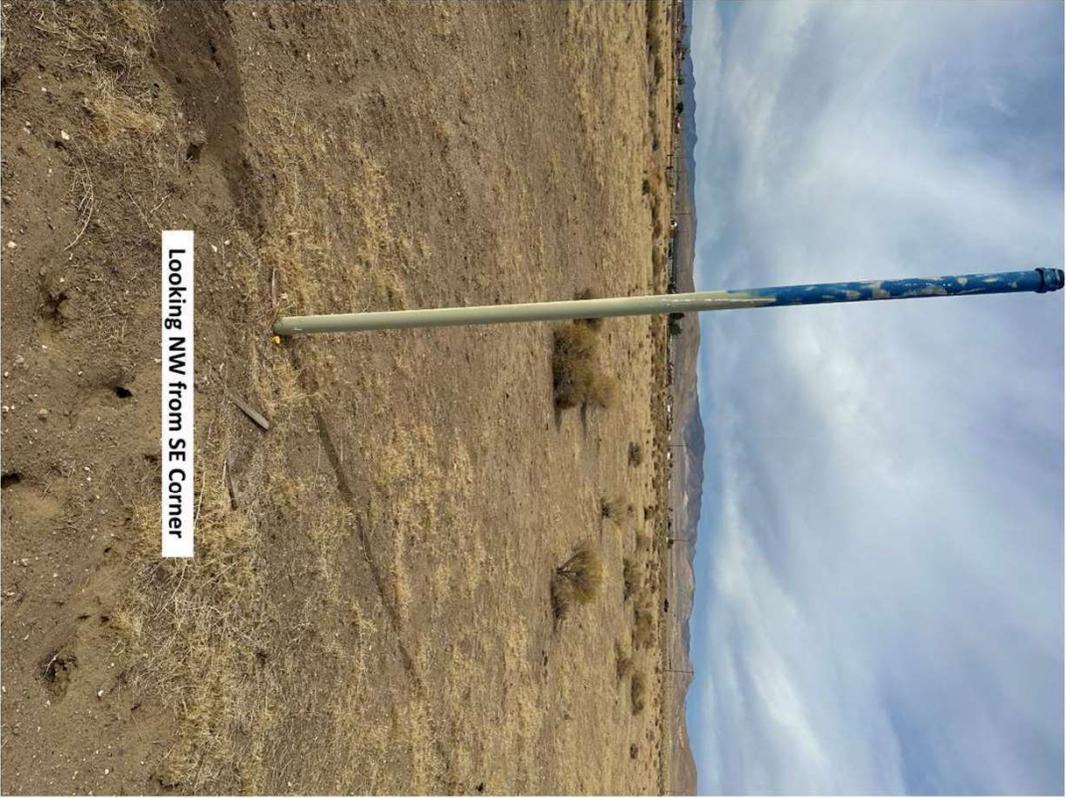
Property Photos
for Zoning Map Amendment Application
for APNs 018-364-01 and 018-364-02



Looking East from
SW Corner



Looking North from South
Property Line





Looking South



Community Development Department
Miles Minerals LLC
Zoning Map Amendments

PLZ-2024-064

Board of County Commissioners

January 6, 2025



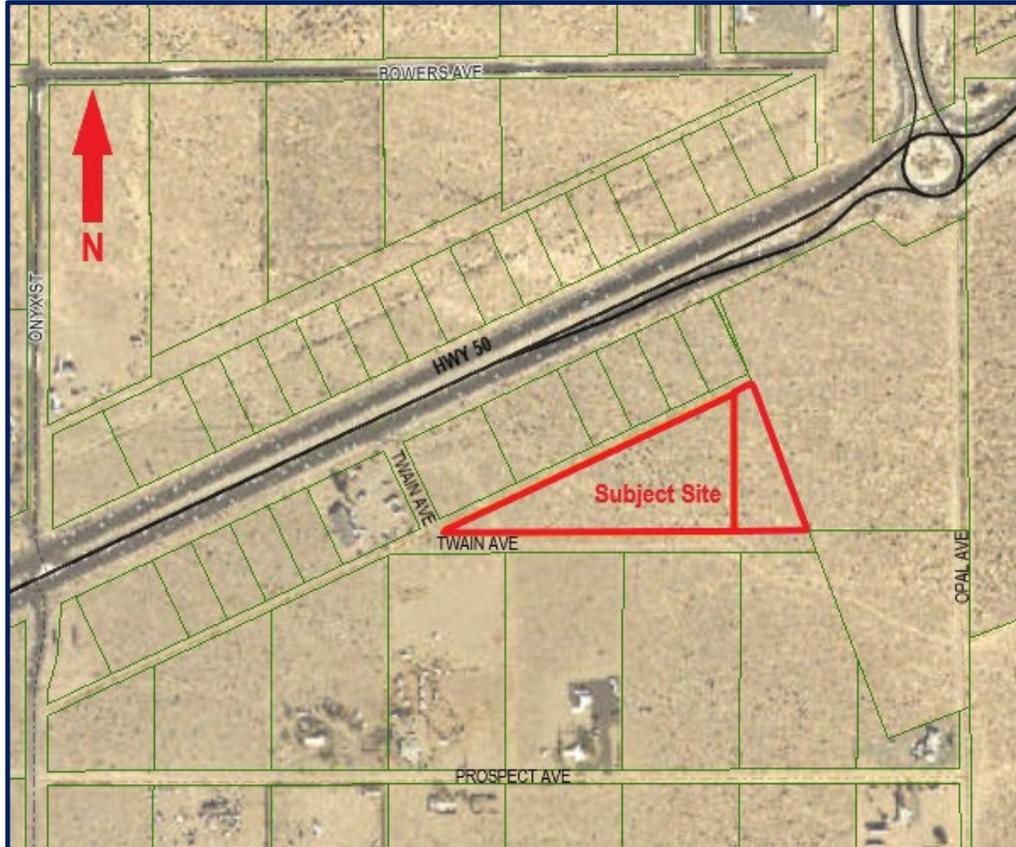
Applicant Request

The Applicant requests a Zoning Map Amendment to **change the current zoning on two parcels**, totaling 4.67 acres in size from the Title 10 district **RR-3** (Third Rural Residential District (5 Acres)) to the Title 15 district of **EMU** (Employment Mixed-Use).



Project Summary

Community Development Department



Location:

3270 and 3090 Twain Avenue, Silver Springs

APNs:

018-364-01

018-364-02

Total Area:

4.67 Acres

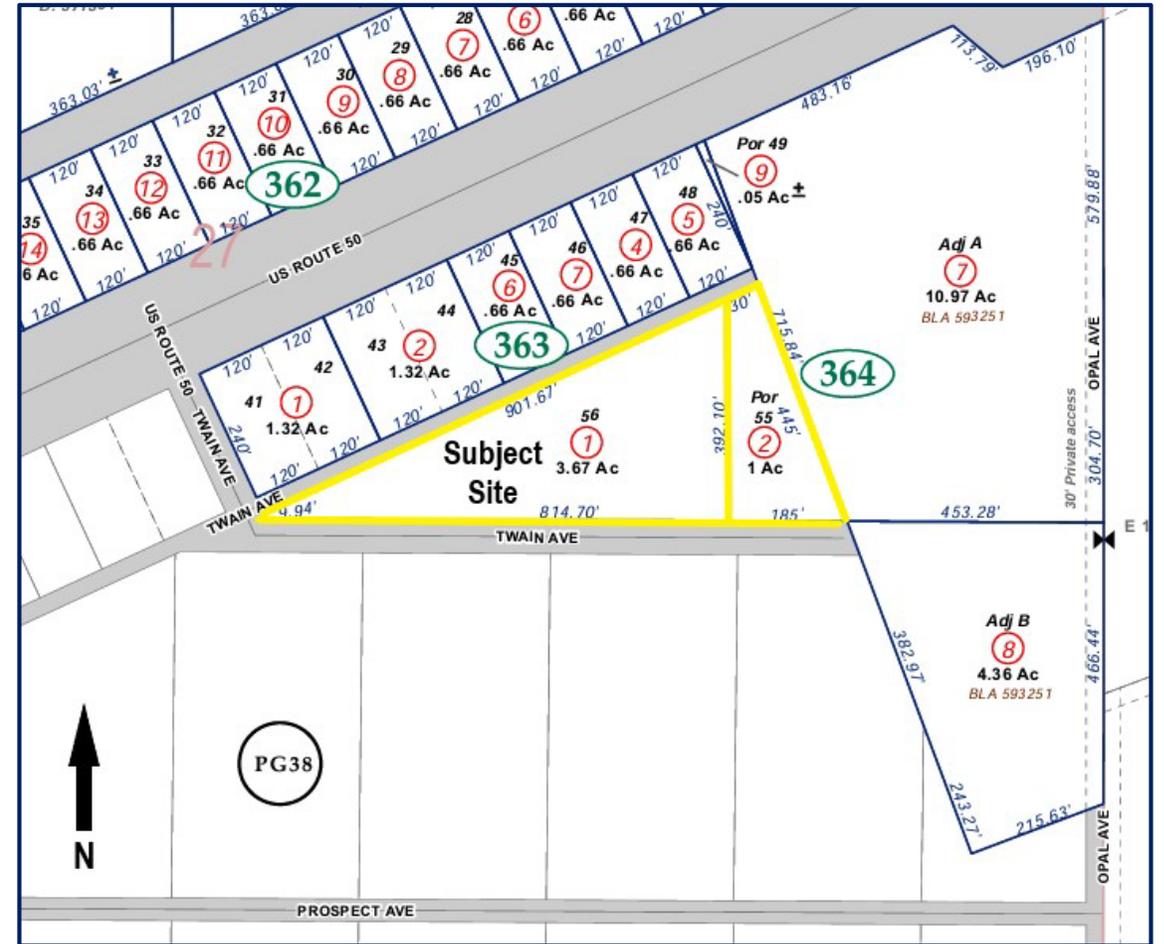
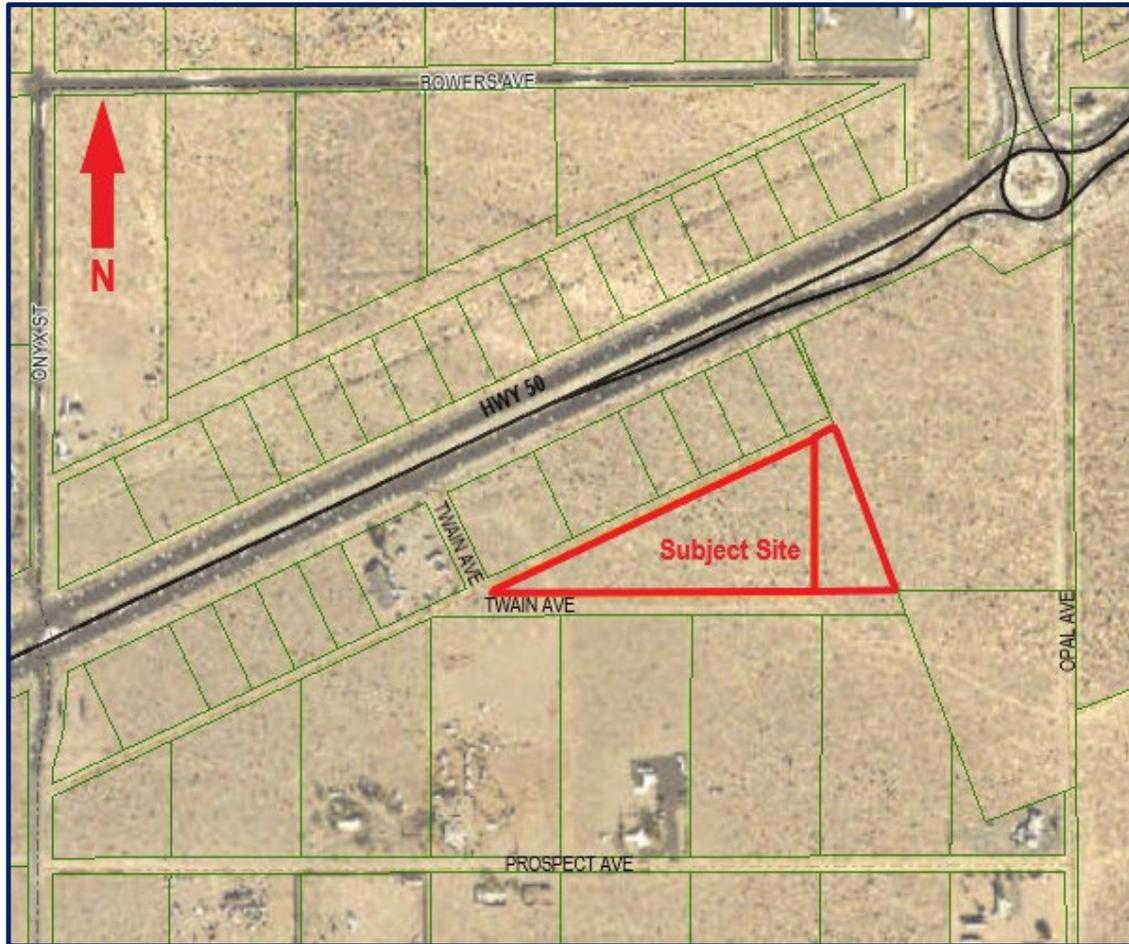
Topography:

Relatively flat topography



Vicinity Map

Community Development Department



Planning

Building

Engineering

Code Enforcement

Economic Development

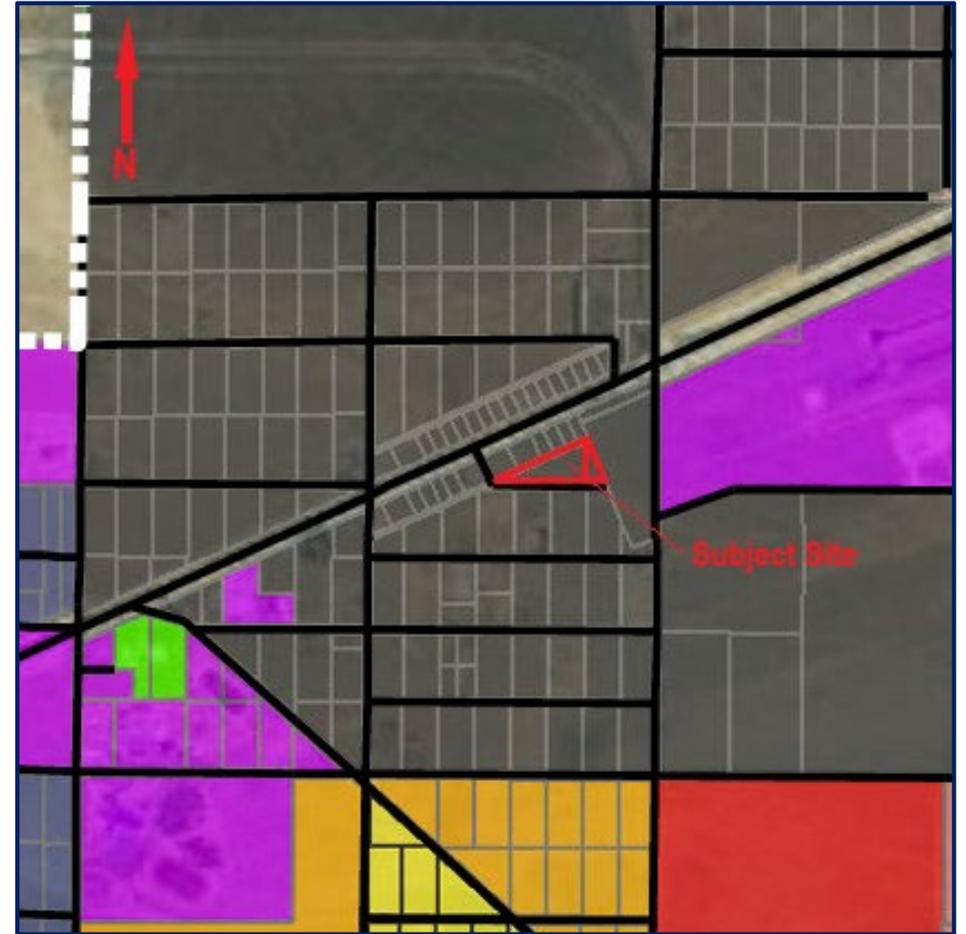


Master Plan

Community Development Department



Character District Map



Master Plan

Planning

Building

Engineering

Code Enforcement

Economic Development

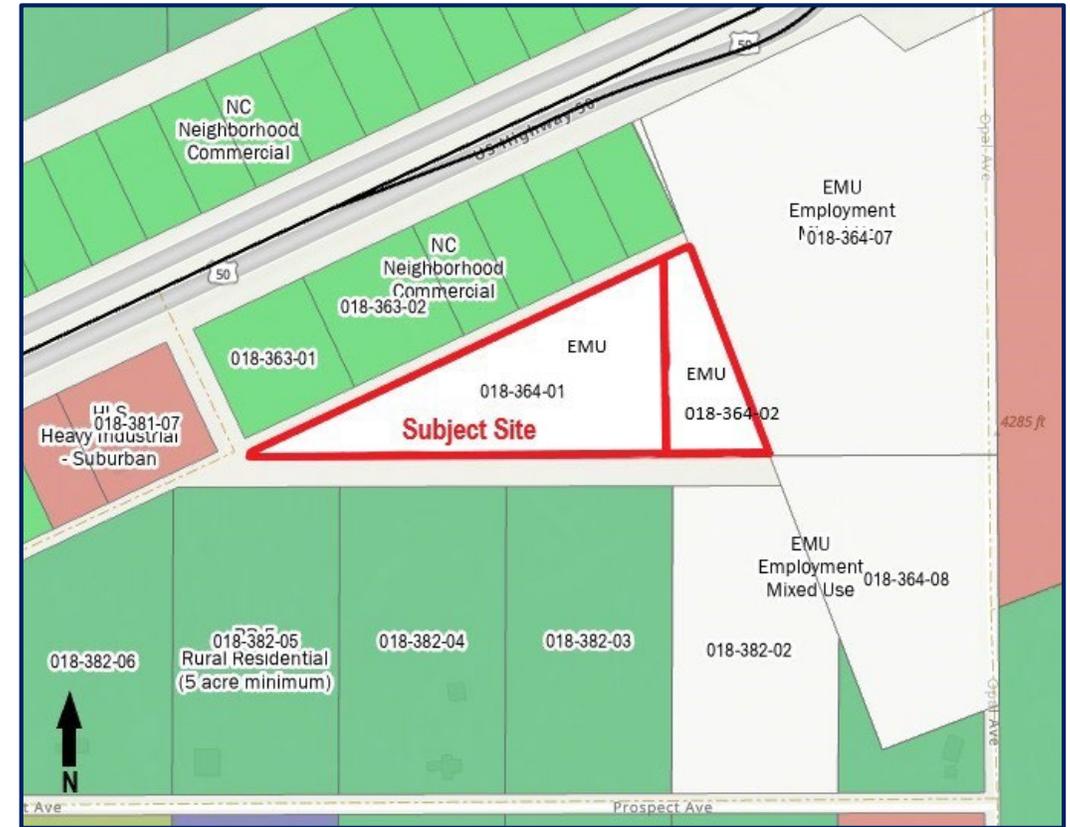


Zoning – Current and Proposed

Community Development Department



Existing Zoning



Currently Proposed Zoning

Planning

Building

Engineering

Code Enforcement

Economic Development



Findings

Community Development Department

Chapter 15.220.05 lists the **Findings** for the Planning Commission to consider when reviewing a request to amend zoning. The Findings must be supported by a statement of evidence, facts and conclusions prior to making a recommendation of approval or denial.

- A. The proposed amendment is consistent with the policies embodied in the adopted master plan and the underlying land use designation contained in the land use plan;**
- B. The proposed amendment will not be inconsistent with the adequate public facilities policies contained in this title;**
- C. The proposed amendment is compatible with the actual or master planned adjacent uses.**



Finding Highlights

- Finding A:** The Master Plan Community Description for Silver Springs (Chapter 2, page 14) states “*The Master Plan designations along the highway frontages are primarily Mixed Use, Commercial, Employment, and Industrial.*” Additionally, ZMA change to EMU is an allowed zoning district within the Employment Master Plan Land Use as shown in Chapter 3, Table 2.
- Finding B:** The parcels are located within the Silver Springs Mutual Water Company service district. The parcels are not within a Lyon County Utilities Department (LCUD) service boundary, and the parcels, as they currently exist, would be served by individual on-site sewage disposal systems. No additional need for public services will be required.
- Finding C:** The proposed amendment would be consistent with the Master Plan designation of Employment. The parcels would not introduce a new or incompatible use to the area.



Recommendations

Planning Commission Recommendation:

At the November 12, 2024 Planning Commission Meeting, the application was approved unanimously (7 Ayes; 0 Nays; 0 Abstentions) to forward a recommendation of approval to the Board of County Commissioners.

Recommended Motion:

Based on the aforementioned Findings, I move that the Board of County Commissioners approve the request by Miles Minerals LLC for a Zoning Map Amendment to amend the Zoning Map Designation from the Title 10 district of RR-3 (Third Rural Residential District (5 acres)) to the Title 15 district of EMU (Employment Mixed-Use) on two parcels totaling approximately 4.67 acres located at 3270 and 3090 Twain Avenue in Silver Springs (APNs 018-364-01 and 018-364-02), PLZ-2024-064.

Lyon County Board of County Commissioners Agenda Summary

Meeting Date: January 6, 2025

Agenda Item Number:

13.b

Subject:

For Possible Action: To approve the request from Lyon County School District for a Conditional Use Permit to place an Adult Education modular classroom at the Dayton High School on land subject to RR-20 (Rural Residential – 20 Acre Minimum) zoning located at 335 Old Dayton Valley Road in Dayton on an approximately 80.45-acre parcel (APN 016-271-11); PLZ-2024-057.

Summary:

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

ATTACHMENTS

- [Staff Report](#)
- [Backup](#)



LYON COUNTY COMMUNITY DEVELOPMENT DEPARTMENT

BUILDING * DEVELOPMENT ENGINEERING * PLANNING
CODE ENFORCEMENT * ECONOMIC DEVELOPMENT

27 SOUTH MAIN STREET, YERINGTON, NV 89447

PHONE: 775-463-6592 FAX: 775-463-5305

WEBSITE: www.lyon-county.org

PLZ-2024-057

Proposed Action	<u>Conditional Use Permit for modular classroom at Dayton High School</u>
Meeting Date	<u>January 6, 2025 - BOCC</u>
Owner	<u>Lyon County School District (LCSD)</u>
Applicant	<u>Darrell Bluhm - LCSD Project Facilitator</u>
Location	<u>335 Old Dayton Valley Road, Dayton</u>
Parcel Numbers	<u>016-271-11</u>
Parcel Sizes	<u>80.45 acres</u>
Master Plan	<u>Public/Quasi Public</u>
Applicable Zoning	<u>RR-20 (Rural Residential 20-acre minimum)</u>
Flood Zone(s)	<u>X Unshaded per FIRM 32019CO452F</u>
Case Planner	<u>Louis Cariola</u>

REQUEST

The applicant is requesting a Conditional Use Permit (CUP) for the Lyon County School District (LCSD) to install a modular Adult Education building on the Dayton High School campus.

PROJECT SUMMARY

The Lyon County School District is requesting authorization for construction of a 24' x 60' modular building on the Dayton High School campus for the administration of Adult Education classes. The location is proposed adjacent to an existing parking lot. The Adult Education classes are primarily conducted on-line by students, but the LCUD would like a dedicated location for an office and for students to pick up printed materials and take physical exams.

PLANNING COMMISSION RECOMMENDATION

At the December 10, 2024 Planning Commission meeting, the Commission voted 7-0 to recommend approval to the Board of Commissioners of the requested Conditional Use Permit.

RECOMMENDED MOTION

If the Board determines they will approve the application, they may want to make a motion similar to the following:

The Lyon County Board of Commissioners finds that:

- A. The proposed use at the specified location is consistent with the policies embodied in the adopted master plan and the general purpose and intent of the applicable district regulations;
- B. The proposed use is compatible with the character and integrity of adjacent development and neighborhoods and includes improvements or modifications either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, or other similar adverse effects to adjacent development and neighborhoods;
- C. The proposed use will not generate vehicular traffic which cannot be accommodated by the existing, planned or conditioned roadway infrastructure;
- D. The proposed use incorporates roadway improvements, traffic control devices or mechanisms, or access restrictions to control traffic flow or divert traffic as needed to mitigate the development impacts;
- E. The proposed use incorporates features to address adverse effects, including visual impacts and noise, of the proposed conditional use on adjacent properties;
- F. The proposed conditional use complies with all additional standards imposed on it by the particular provisions of this chapter and all other requirements of this title applicable to the proposed conditional use and uses within the applicable base zoning district, including but not limited to, the adequate public facility policies of this title; and
- G. The proposed conditional use will not be materially detrimental to the public health, safety and welfare, and will not result in material damage or prejudice to other properties in the vicinity.

Based on the aforementioned Findings, I move that the Lyon County Board of County Commissioners approve the request from Lyon County School District for a Conditional Use Permit to place an Adult Education modular classroom at the Dayton High School on land subject to RR-20 (Rural Residential – 20 acre minimum) zoning located at 335 Old Dayton Valley Road in Dayton on an approximately 80.45-acre parcel (APN 016-271-11); PLZ-2024-057.

ALTERNATIVES TO RECOMMENDATION OF APPROVAL

Alternative Motion for Continuance

If the Lyon County Board of County Commissioners determines that additional information, discussion and public review are necessary for a more thorough review of the proposed conditional use permit; the Commission should make appropriate findings and move to **continue** the Public Hearing with a specific time period for the applicant to provide additional specific information necessary for the analysis of the request. The Commission may wish to consider a motion similar to the following:

The Lyon County Board of County Commissioners finds that:

- A. Additional information, discussion and public review are necessary for a more thorough review of the proposed Conditional Use Permit.

Based on the above findings and with the applicant's concurrence, I move that the Lyon County Board of County Commissioners continue the request from Lyon County School District for a Conditional Use Permit to place an Adult Education modular classroom at the Dayton High School on land subject to RR-20 (Rural

Residential – 20 acre minimum) zoning located at 335 Old Dayton Valley Road in Dayton on an approximately 80.45-acre parcel (APN 016-271-11); PLZ-2024-057 for ____ days.

Alternative Motion for Denial

If the Lyon County Board of County Commissioners determines that they should recommend denial of the request for a Conditional Use Permit, then the Commission needs to make findings supporting a recommendation of denial. The Commissioners may wish to consider a motion similar to the following:

The Lyon County Board of County Commissioners finds that the proposed use:

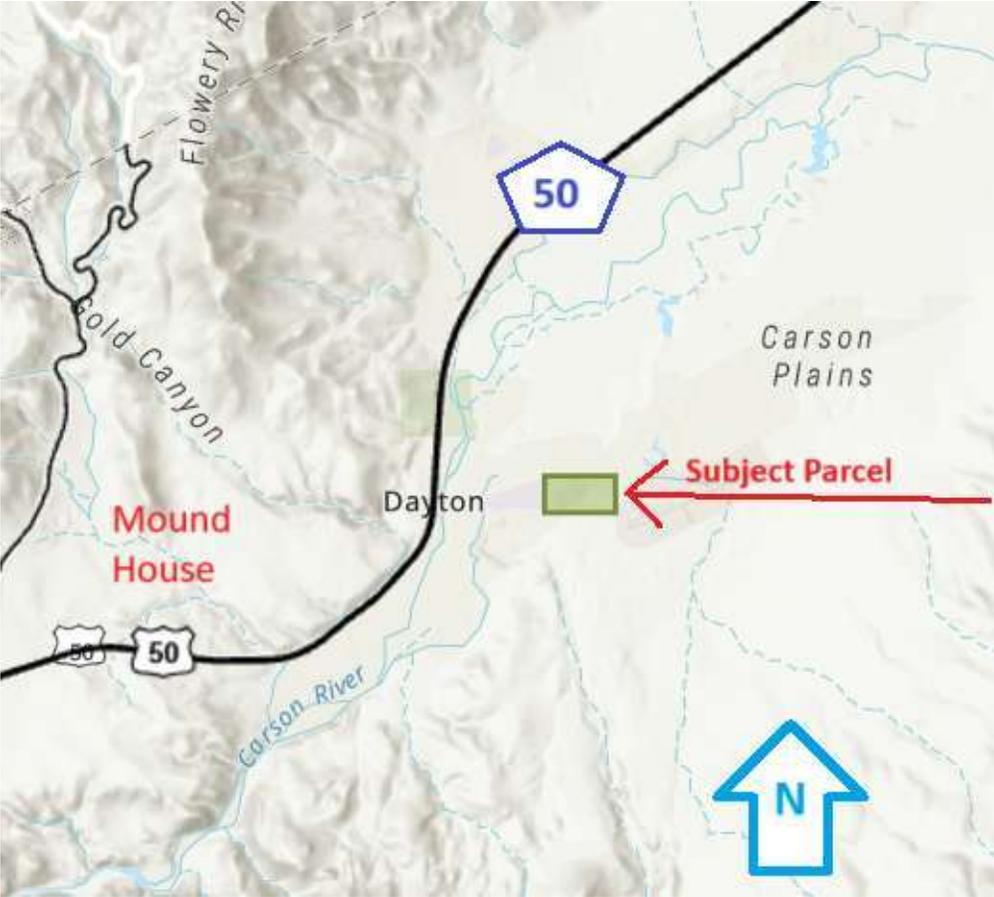
- A. Will be detrimental to the use, peaceful enjoyment, economic value, or development of surrounding properties or the general neighborhood; and is incompatible with and detrimental to the character and integrity of adjacent development and neighborhoods, nor has the applicant proposed mitigation of adverse impacts such as noise, vibrations, fumes, odors, dust, glare or physical activity related to the proposed project.
- B. Will be detrimental to the public health, safety, convenience and welfare; and
- C. Will result in material damage or prejudice to other property in the vicinity.

Based on the aforementioned findings, I move that the Lyon County Board of County Commissioners deny the request from Lyon County School District for a Conditional Use Permit to place an Adult Education modular classroom at the Dayton High School on land subject to RR-20 (Rural Residential – 20 acre minimum) zoning located at 335 Old Dayton Valley Road in Dayton on an approximately 80.45-acre parcel (APN 016-271-11); PLZ-2024-057.

BACKGROUND INFORMATION

Location and Access

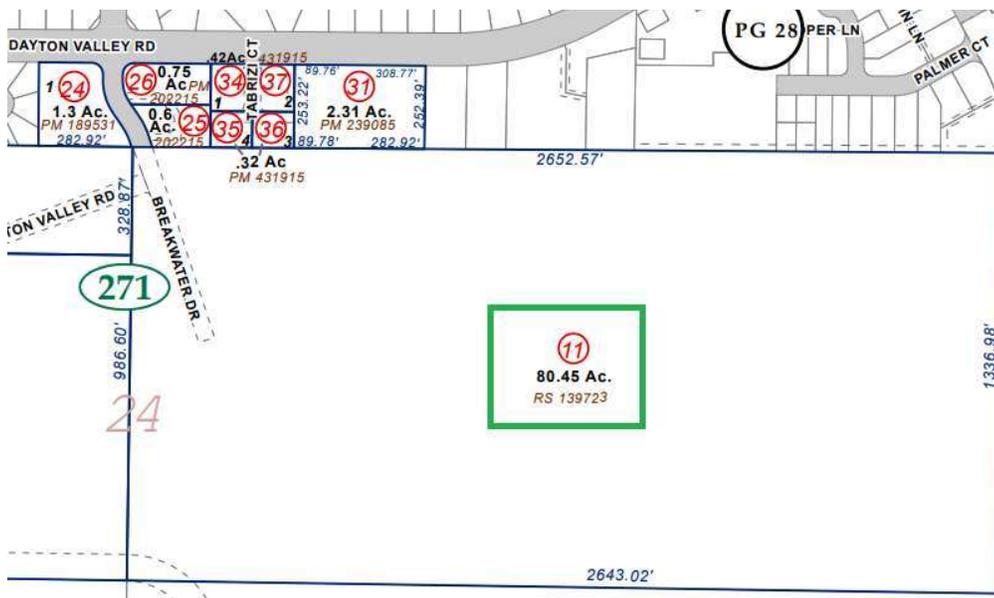
The subject parcel is the Dayton High School campus, located in Dayton, east of US Highway 50. Vehicular access is provided by Dayton Valley Road's connections to Old Dayton Valley Road and Breakwater Drive.



The relative location of the new structure is depicted in the following image.



The subject parcel is 80.45 acres per the Assessor's Office plat map.



Topography and FEMA designation

The subject parcel is relatively flat and within an X-Unshaded zone (Area of Minimal Flood Hazard) per the applicable FEMA map of Special Flood Hazard Areas, indicating that no Floodplain Development permit will be required for construction, however, the Lyon County Building Department will review the submittal for Building Permits for compliance with the Lyon County Drainage Guidelines and the South Dayton Area Drainage Master Plan.



Site Photos

The image below was supplied by the applicant to show the area and relative location of the proposed new structure looking south towards the high school.



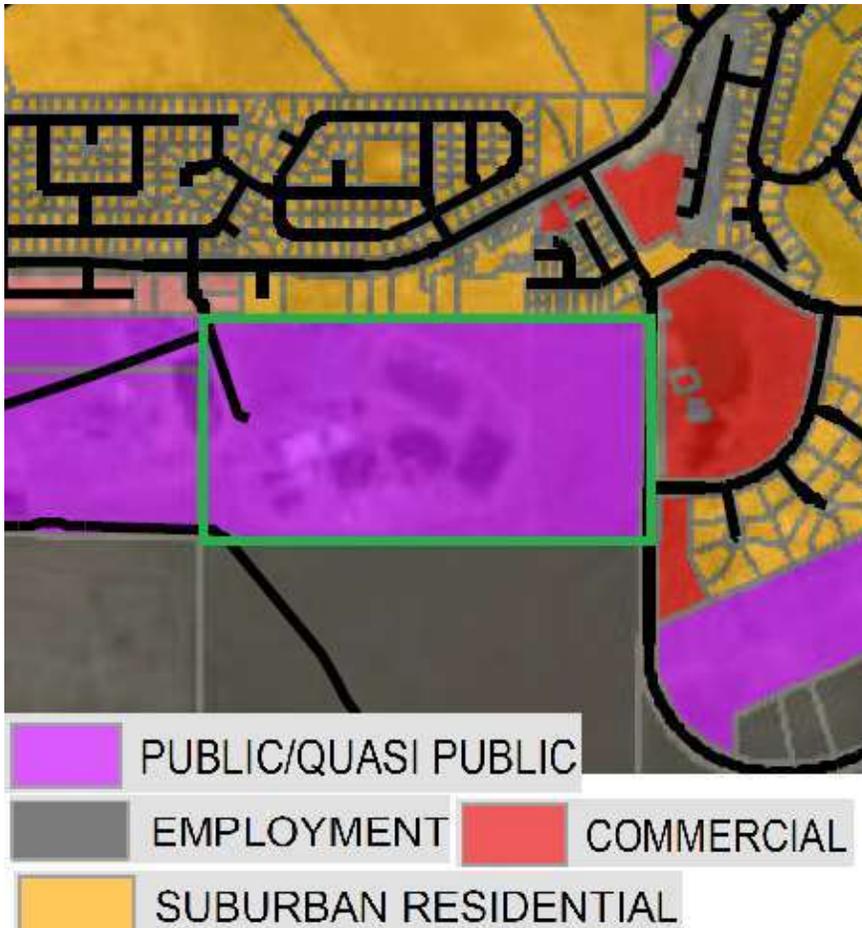
Master Plan and Zoning

Master Plan

The Master Plan designation is Public/Quasi Public per the 2020 Master Plan, consistent with the current land use of a high school campus.

The subject parcel is located in a homogenous Suburban Character District in the Dayton community. Suburban areas typically include areas with public utilities and established roadways, as is the case for the subject parcel.

Master Plan



Character District



Zoning

The subject parcel is zoned RR-5 - Fifth Rural Residential District (20 acres) under Title 10 and, per the Zoning Consistency Matrix, is subject to RR-20 – Rural Residential (20 acre minimum) zoning standards under Title 15. The zoning of the surrounding properties is a mix of RR-20, MFR (Multi-family Residential), NC (Neighborhood Commercial), and CC (Community Commercial).



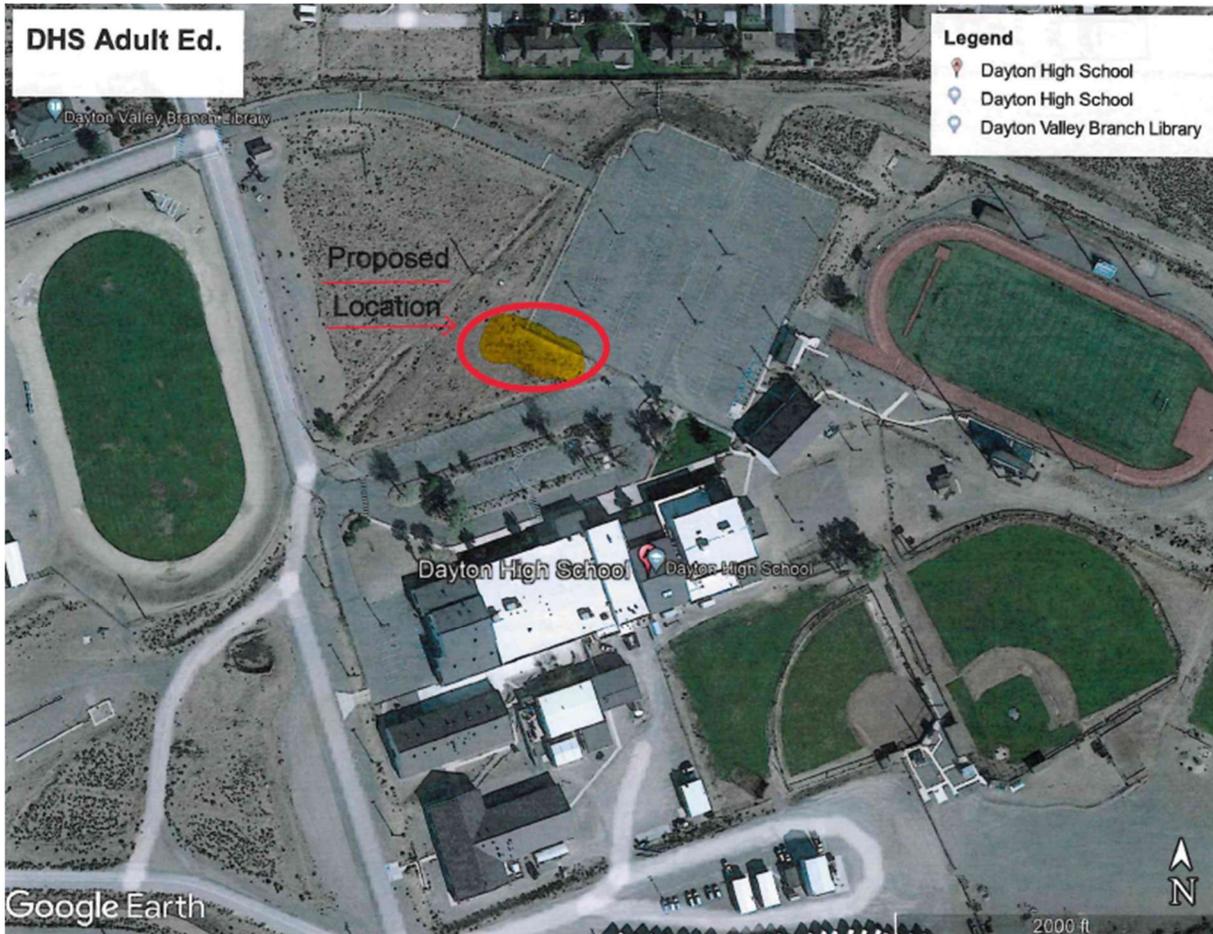
Project Description

Per the applicant, Darrell Bluhm, Project Facilitator of the Lyon County School District, the proposed development is described as follows:

I'm writing this letter to inform you that LCSD would like to place an Adult Ed modular classroom on the grounds of Dayton High School to accommodate the area of Dayton to further their education goals.

Per Mr. Bluhm, the Adult Education classes are primarily conducted on-line for adults to receive their GED (General Equivalency Diploma), but the operation needs an office for limited staff and for adult students to pick up printed materials and sometimes to take tests. Per Mr. Bluhm, the applicable State of Nevada statutes require that the adult education facilities be separated from the high school student facilities, hence the separate building proposed is necessary. This type of facility, a commercial coach, requires a Conditional Use Permit, but since the location is within an established and functioning campus, the impacts will be minimal.

This image that follows has limited resolution and was taken from the applicant’s site plan submittal materials. It shows the connection of the site to an existing parking lot as seen in the Google Earth image that accompanies the site plan.



Parking

The existing parking lot will provide more than sufficient parking for the Adult Education Center as the classes are primarily conducted on-line. Per Title 15, Chapter 401, the parking requirements for a college-type use is one stall per 300 sf of enclosed space. The entire modular building proposed for the Center is 1,440 sf, meaning that only 5 stalls would be required at maximum (because bathroom areas can be excluded from parking calculations). Mr. Bluhm indicated that the school parking lot is not filled currently during session and that there will be no expected conflicts with parking.

Building Permit/Utilities

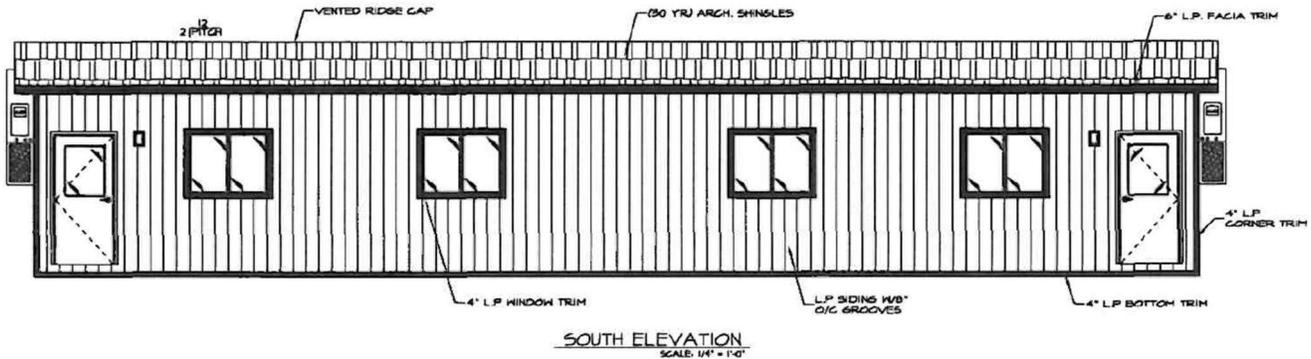
Should the proposed CUP be approved, the proposed modular office building will be subject to Building Permit Review. The connections to Lyon County Public Utilities are noted on the conceptual site plan provided for this CUP, but review of the connection will be completed during the building/installation phase of the project. LCUD provided the following comments for the proposal, noting that an existing sewer main may complicate the exact location of construction of the structure. Additionally, LCUD notes that there may be permitting delays caused by the process necessary for the Nevada Division of Environmental Protection Bureau of Safe Drinking Water's approval. Recommended Condition of Approval number 7 outlines the fact that the applicant must work with LCUD as part of the Building Permit submittal.

LCUD Comments

- *This property has a 6" water main located on the property.*
- *This property has a 8" sewer main located on the property.*
- *The new building appears to be on top of or at least very close to being installed on top of an existing (private) 8" sewer main according to the attached aerial map. This line needs to be verified by LCSD and LCUD prior to any permit approvals.*
- *Any proposed connection to the existing LCUD water system will require a permit submission and approval prior to construction.*
- *All connections to the LCUD water infrastructure will require an approved backflow preventer.*
- *Any connection to the existing water main will require a submittal and approval to Nevada Division of Environmental Protection Bureau of Safe Drinking Water (NDEP BSDW), NDEP BSDW requires an NAC letter from the utility, this letter is generated by our County Engineer's office (DOWL). DOWL will need the project information including plans, fire flow requirements and domestic and irrigation fixture unit calculations. Please be aware the NAC letter may take 3-4 weeks to receive, then the applicant can submit to NDEP BSDW which can also take an additional 3-4 weeks of review and approval. It's recommended to contact Sean Sinclair with LCUD directly to discuss if this project will be connected to the existing LCUD water system to help navigate the NAC letter and NDEP BSDW submittal process.*
- *Before receiving a building permit, LCUD reserves the right to deny or limit connections to ensure the system resources remain permit compliant.*
- *Water Rights will be required for any commercial and/or irrigation use.*
- *Water & Sewer Connection fees will be required for any commercial and irrigation needs.*

Preliminary Elevation

The image below was provided by the applicant as an example of the proposed building, a commercial coach with restroom and office/classroom areas.



FINDINGS

When considering applications for a CUP, staff, the Planning Commission, and the Board must evaluate the impact of the conditional use on, and its compatibility with, surrounding properties and neighborhoods in order to mitigate potential impacts of the use at a particular location and make the following findings from *Chapter 15.230.06: FINDINGS*. Each Finding is listed with the applicant’s response and staff’s comments.

Finding A: The proposed use at the specified location is consistent with the policies embodied in the adopted master plan and the general purpose and intent of the applicable district regulations;

Applicant’s Response

LCUD has reviewed the current Master Plan and is following the current zoning requirements under the guidance of Title 15 and RR-20 format as stated below.

Use Category	Use Type	Rural Residential					Commercial Mixed-use		Agricultural/Resource				Commercial		Use Specific Regulations
		RR-20	RR-10	RR-5	RR-2	RR-1	CMUR	HMUR	AG	MIA	RL	PL	NC	TC-R	
Educational Facilities	School, K-12 (public or private)	C	C	C	C	C	C	C	--	--	C	C	--	--	15.336
	Post-secondary, trade, or technical education	--	--	--	--	--	C	C	--	--	--	--	--	--	15.336

Staff Comment

The proposed use is associated with the existing LCSD educational facility and will not introduce a new use that might be incompatible with the intent of the Master Plan or zoning. The building would be supportive of efforts to provide adequate school facilities and quality education for Lyon County residents working to attain their GEDs. This Finding is met in the affirmative.

B. The proposed use is compatible with the character and integrity of adjacent development and neighborhoods and includes improvements or modifications either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, or other similar adverse effects to adjacent development and neighborhoods;

Applicant's Response

LCSD has looked at all aspects of the above related questions and deems there will not be any influence of such.

Staff Comment

The new building represents a moderate expansion of the educational facility use that already exists, resulting in no notable new impacts to properties that are contiguous with the subject parcel. This Finding is met.

C. The proposed use will not generate vehicular traffic which cannot be accommodated by the existing, planned or conditioned roadway infrastructure;

Applicant's Response

LCSD has reviewed such and no related impacts will be incurred.

Staff Comment

As previously inferred, the proposed use would not result in a significant increase to vehicular traffic. All required parking will be provided on-site and accessed through existing infrastructure. This Finding is met.

D. The proposed use incorporates roadway improvements, traffic control devices or mechanisms, or access restrictions to control traffic flow or divert traffic as needed to mitigate the development impacts;

Applicant's Response

LCSD does not see any impacts of the above mentioned.

Staff Comment

The proposed new building would not increase or impact area traffic flow such that mitigation would be necessary. This Finding is met.

E. The proposed use incorporates features to address adverse effects, including visual impacts and noise, of the proposed conditional use on adjacent properties;

Applicant's Response

This structure is replacing 2 existing structures and will not affect the surroundings in its location.

Staff Comment

The CUP request is for a new building and the request is not affected by the school district retiring other existing structures. The project would not introduce a new use that would be generate visual impacts and noise effects on adjacent properties that differ from the school campus use. As conditioned, lighting for the project shall be screened to ensure there is no light spillage on adjacent properties. This Finding is met.

F. The proposed conditional use complies with all additional standards imposed on it by the particular provisions of this chapter and all other requirements of this title applicable to the proposed conditional use and uses within the applicable base zoning district, including but not limited to, the adequate public facility policies of this title; and

Applicant's Response

-no response-

Staff Comment

The proposal is for an area of a functioning school campus and will be subject to further review in the building permit phase. Public utilities are in place for connection and access is provided. This Finding is met.

G. The proposed conditional use will not be materially detrimental to the public health, safety and welfare, and will not result in material damage or prejudice to other properties in the vicinity.

Applicant's Response

In the location of this new office the above mentioned will not be affected as laid out in the above mentioned standards.

Staff Comment

The proposed use is a moderate expansion of the educational facility use that already exists on LCSD's campus. The proposed buildings will be subject to Building Permit review, which will ensure that the structure will not be detrimental to health and safety. This Finding is met.

Attachment

PLZ-2024-057

LCUD

CUP

Applicant's
Project Description,
Site Plan, and
Elevations

LCSD DHS Adult Ed

To whom it may concern:

I'm writing this letter to inform you that LCSD would like to place a Adult Ed modular classroom on the grounds of Dayton High School to accommodate the area of Dayton to further their education goals.

Thank you for your consideration in this matter.

Respectfully submitted,

Darrell Bluhm

LCSD Project Facilitator

The findings listed in Chapter 235.04 are as follows:

A. The proposed development is consistent with the goals and policies embodied in the adopted master plan and the general purpose and intent of the applicable zoning district regulations; **LCSD has reviewed the current Master Plan and is following the current zoning requirements under the guidance of Title 15 and RR-20 format as stated below.**

Use Category	Use Type	Rural Residential					Commercial Mixed-use		Agricultural/Resource				Commercial		Use Specific Regulations
		RR-20	RR-10	RR-5	RR-2	RR-1	CMU-R	HMU-R	AG	M/A	RL	PL	NC	TC-R	
Educational Facilities	School, K-12 (public or private)	C	C	C	C	C	C	C	--	--	C	C	--	--	15.336
	Post-secondary, trade, or technical education	--	--	--	--	--	C	C	--	--	--	--	--	--	15.336

B. The proposed development is compatible with the character and integrity of adjacent development and neighborhoods and includes improvements or modifications either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, or other similar adverse effects to adjacent development and neighborhoods; **LCSD has looked at all aspects of the above related questions and deems there will not be any influence of such.**

C. The proposed development will not generate vehicular traffic which cannot be accommodated by the existing, planned or conditioned roadway infrastructure; **LCSD has reviewed such and no related impacts will be incurred.**

D. The proposed development incorporates roadway improvements, traffic control devices, mechanisms or access restrictions to control traffic flow or divert traffic as needed to mitigate the development impacts; **LCSD does not see any impacts of the above mentioned.**

E. The proposed development incorporates features to address adverse effects, including visual impacts, of the proposed development on adjacent properties; **This structure is replacing 2 existing structures and will not affect the surroundings in its location.**

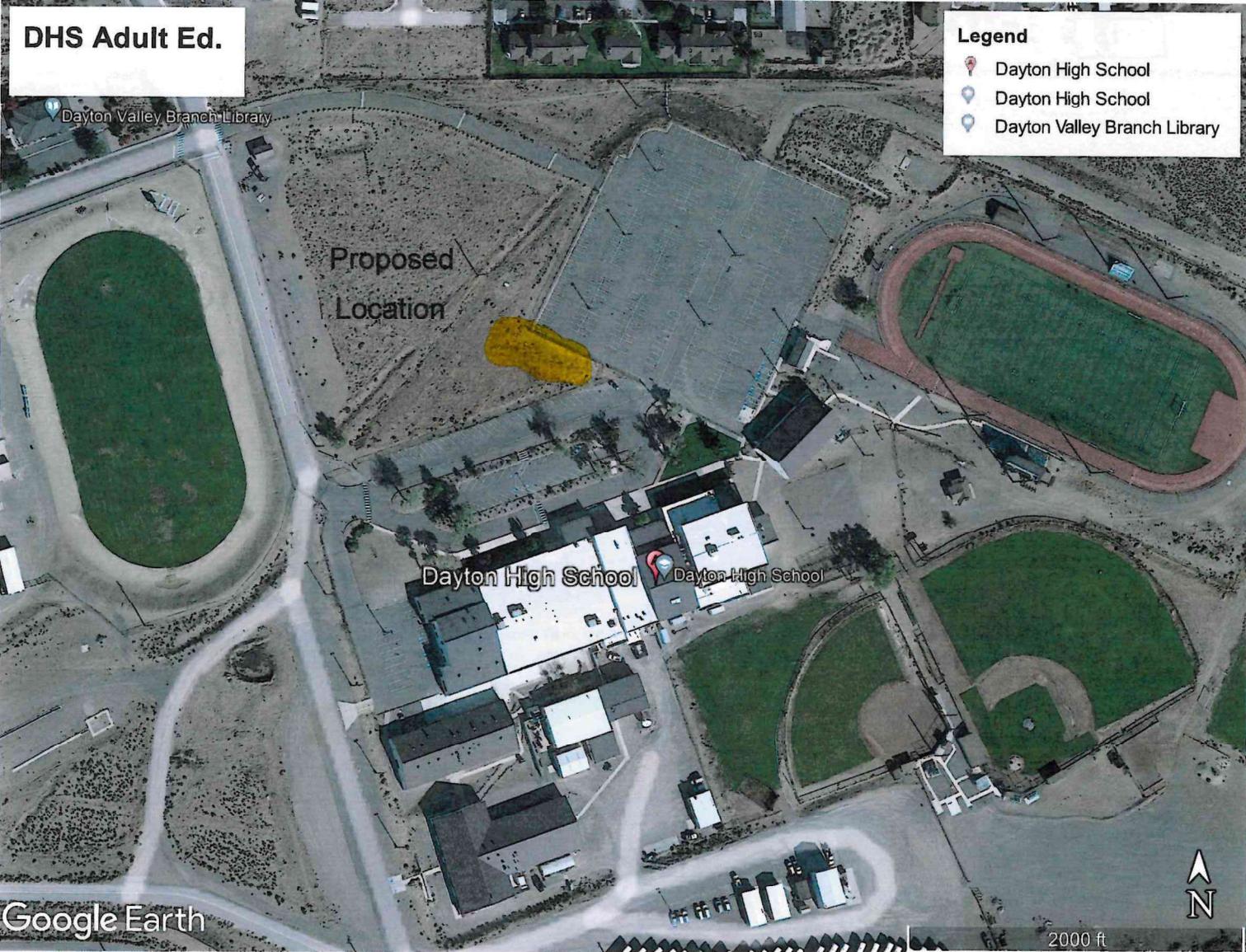
F. The proposed development complies with all additional standards imposed on it by the particular provisions of this title, the Lyon County Design Criteria and Improvement Standards and all other requirements of this title applicable to the proposed development and uses within the applicable base zoning district, including but not limited to, the adequate public facility policies of chapter 110 of this title; and

G. The proposed development will not be materially detrimental to the public health, safety, and welfare, or result in material damage or prejudice to other properties in the vicinity. **In the location of this new office the above mentioned will not be affected as laid out in the above mentioned standards.**

DHS Adult Ed.

Legend

-  Dayton High School
-  Dayton High School
-  Dayton Valley Branch Library





Community Development Department
Lyon County School District
CUP

PLZ-2024-057

Board of County Commissioners

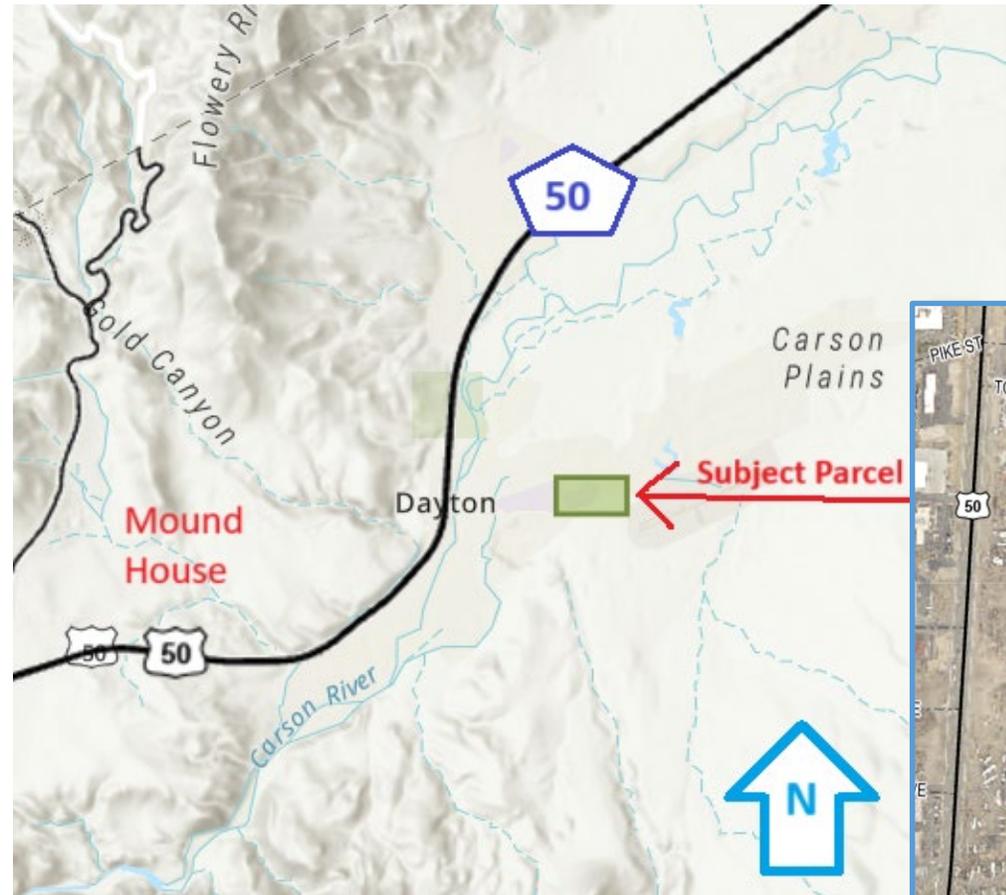
January 6, 2025



Community Development Department

Dayton High School campus, via Dayton Valley Road

335 Old Dayton Valley Road
Old Dayton Valley Road and Breakwater Drive
provide access to campus.



Planning

Building

Engineering

Code Enforcement

Economic Development



Community Development Department

Dayton High School campus, via Dayton Valley Road

Clarification of Request

Request and staff report is written for a “modular” office building.

Title 15 requires a CUP for “commercial coaches”.



Planning

Building

Engineering

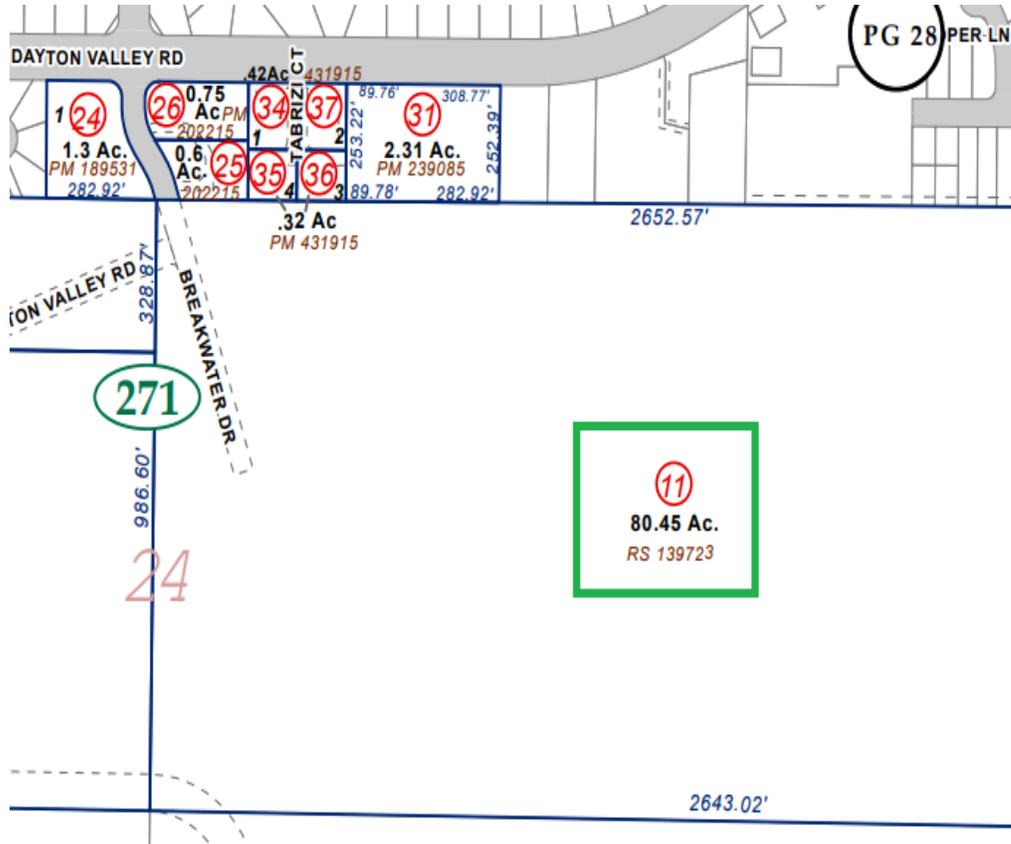
Code Enforcement

Economic Development



Community Development Department

Parcel Details - 80.45 acres



Looking South towards school

Planning

Building

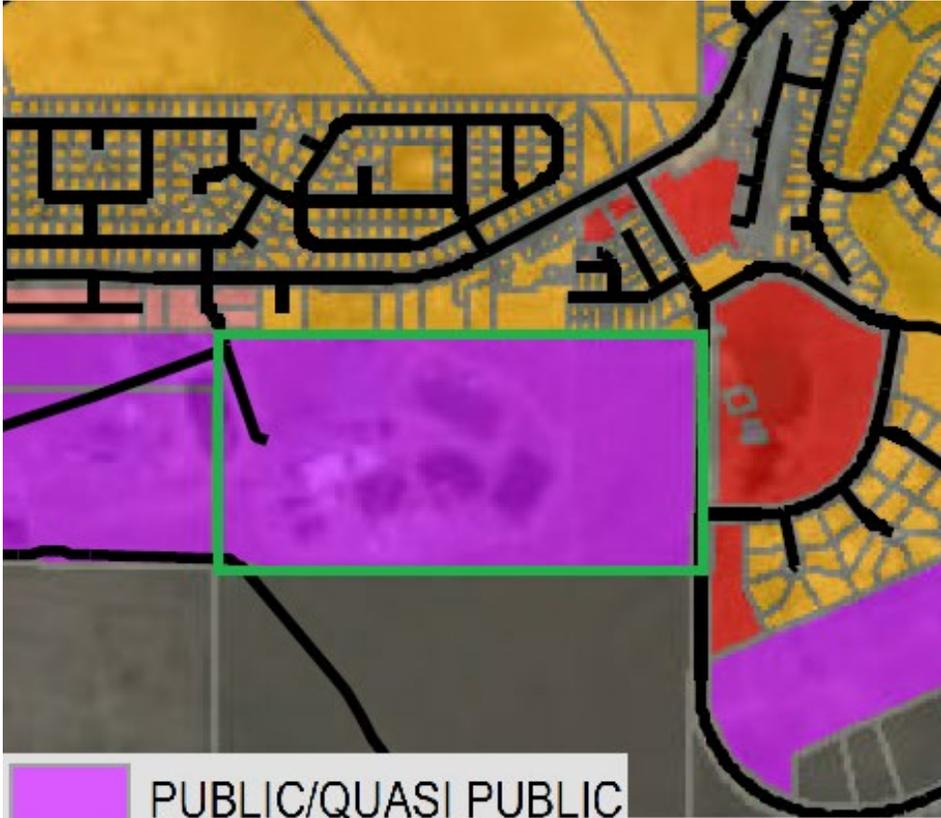
Engineering

Code Enforcement

Economic Development



Master Plan and Character District



-  PUBLIC/QUASI PUBLIC
-  EMPLOYMENT
-  COMMERCIAL
-  SUBURBAN RESIDENTIAL

- **Public/Quasi-Public**
- **Suburban Character**

Appropriate for School site

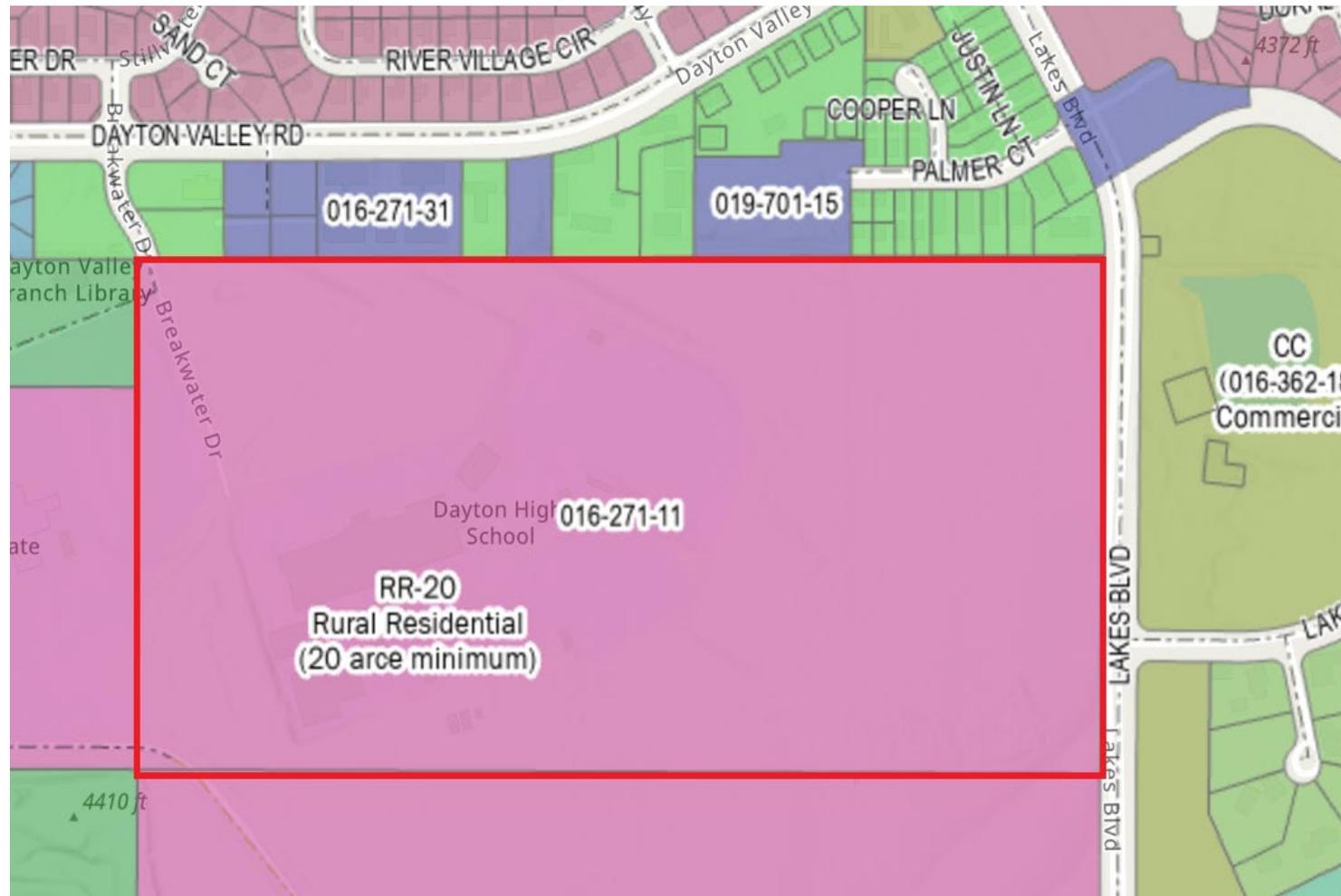
Character District





Zoning

Community Development Department



M1 (Fifth Rural Residential 20-acre minimum)

from the County's expired development code, Title 10, subject to

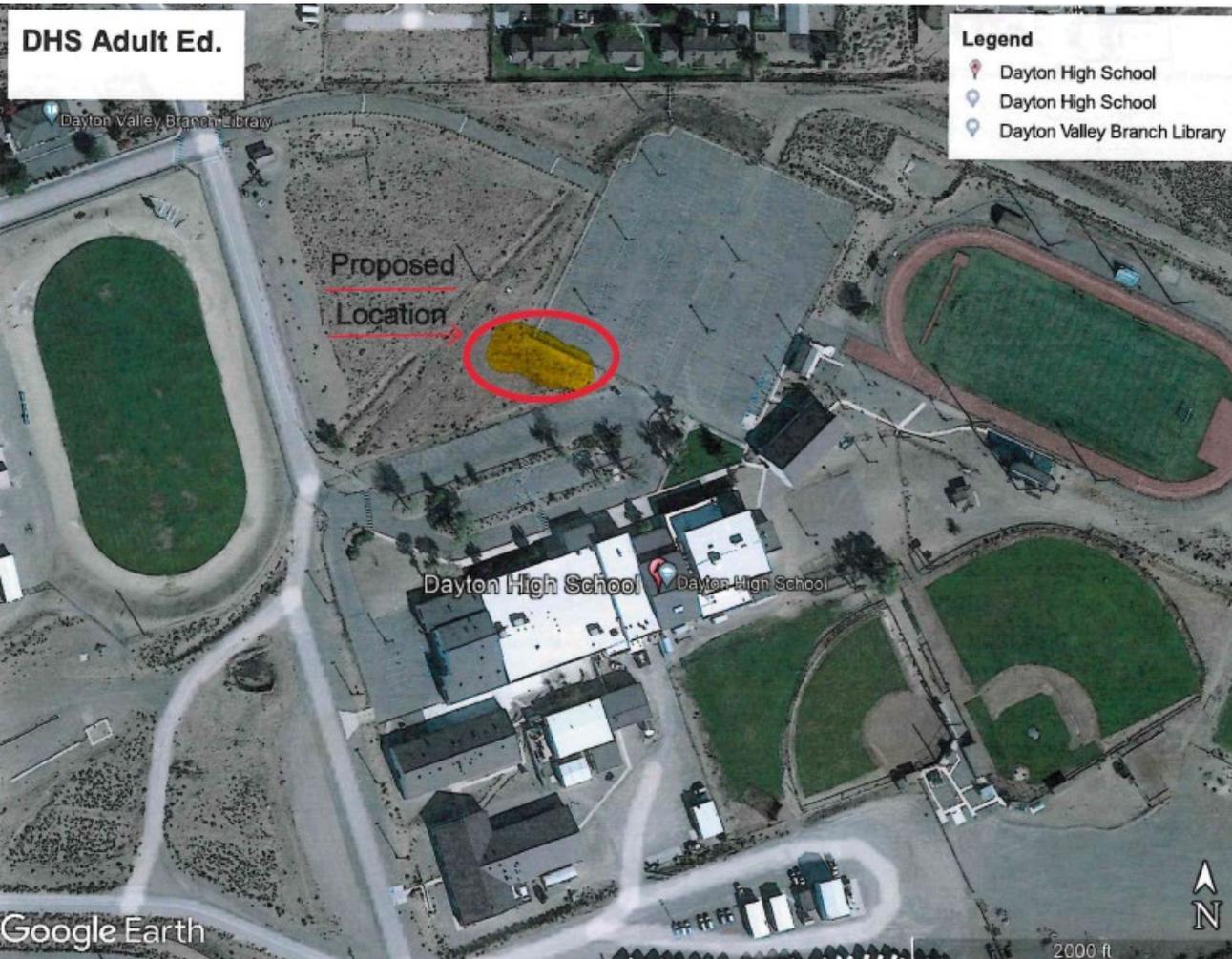
RR-20 (Rural Residential 20-acre minimum)

zoning and development standards per the current code, Title 15



Request Details

Community Development Department



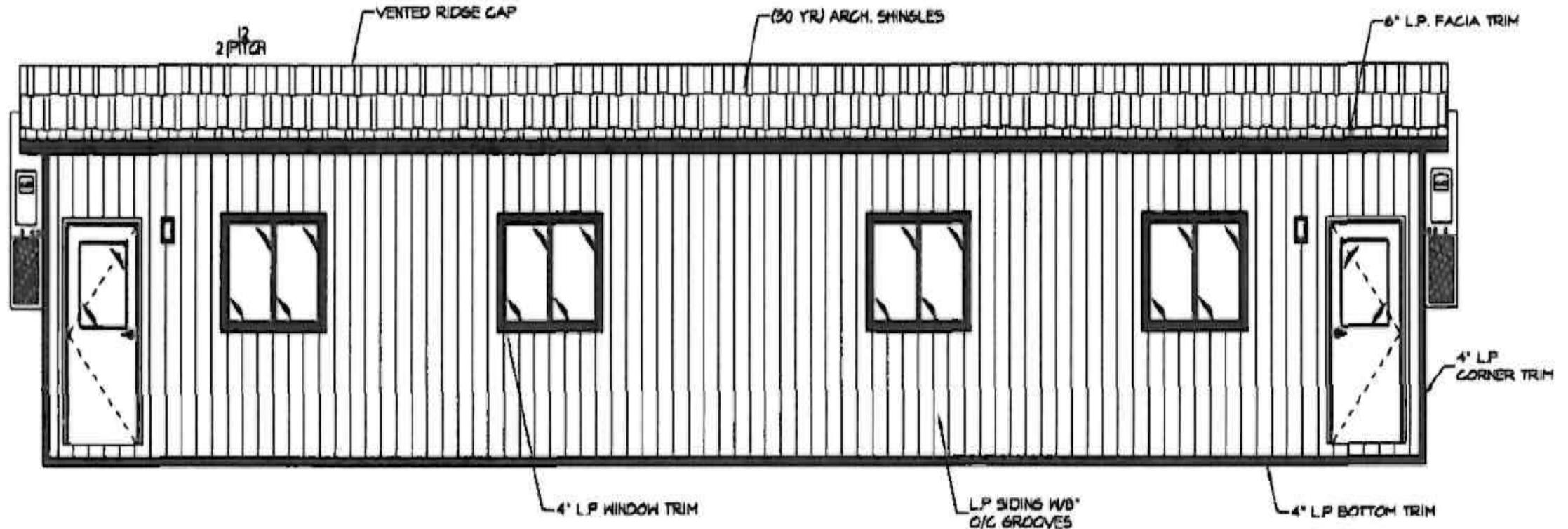
Adult Education Building adjacent to existing parking lot.

- Used mostly for adults studying on-line for GED (General Equivalency Diploma)
- Building will be used for mostly for picking up of printed materials and test taking
- Per LCUD, for limited staff use, but required by the State to be located in a separate building from main facility (of high school)



24' x 60' Commercial Coach (1,440 sf)

Community Development Department



SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



Findings for Conditional Use Permits

Chapter 15.230.06 of the Lyon County Code list the **Findings** for staff, the Planning Commission, and the Board of Commissioners to consider when reviewing a **Conditional Use Permit**.



Findings/Analysis Highlights – summaries from Staff Report

- The uses are **Consistent with the Master Plan's** contemplated uses for land with the designation of **Public / Quasi Public**.
- The County **requires Building Permits and Lyon County Utilities** approvals, plus **independent submittals** to the **Fire District** are also required.
- Minimal impacts to existing development and neighbors as the proposal is on campus, uses existing parking, will have limited use by students, and has to attain all necessary construction permitting.
- Because this is a CUP, any expansion or change in use will require amendment.



Planning Commission Recommendation

On December 10, 2024, the

Planning Commission

Recommended Approval, voting 7-0

subject to the recommended Conditions of Approval.



Questions and Recommended Motion

Based on the aforementioned Findings, I move that the Lyon County Board of County Commissioners approve the request from Lyon County School District for a Conditional Use Permit to place an Adult Education modular classroom at the Dayton High School on land subject to RR-20 (Rural Residential – 20 acre minimum) zoning located at 335 Old Dayton Valley Road in Dayton, on an approximately 80.45-acre parcel (APN 016-271-11); PLZ-2024-057.

Lyon County Board of County Commissioners Agenda Summary

Meeting Date: January 6, 2025

Agenda Item Number:

14.a

Subject:

For Possible Action: Appoint a member to the Planning Commission with a term expiring December 31, 2028.

Summary:

Current Members: Audrey Allen (Dayton), Ralph Ewing (Dayton), Mark Jones (Wellington), Wendy Loomis (Wellington), Shannon Creseola (Fernley), and Loretta Sell (Silver Springs)

Ordinance: https://codelibrary.amlegal.com/codes/lyoncountynv/latest/lyoncounty_nv/0-0-0-716
(Title 3, Chapter 2, Planning Commission)

Lyon County Ord. 3.02.02: MEMBERSHIP; APPOINTMENT; TERMS:

1. Members of the Planning Commission must be a resident of Lyon County
2. The appointed members of the Planning Commission shall hold no other public office. (If appointed, the applicant must resign from other public office/s.)

This application will be part of the information considered by the Board of County Commissioners. It's strongly encouraged that all applicants attend in-person or virtually to give a three minute presentation.

- All presenters will draw a number for speaking order. If attending virtually, either the County Manager or staff designee will draw for them.
- If an applicant chooses to attend virtually and experiences technical difficulties, Lyon County is not responsible if they are unable to join the meeting or give their presentation.
- Agenda items may be taken out of order, it is recommended that you plan to attend the meeting by 9:00 A.M. until the item is heard.
- If the applicant is not available then they forfeit their speaking time.
- The Board may ask questions during or after each presentation, or after all presentations are complete.

The Chair of the Board of Commissioners will make a motion for appointment which must be passed by a majority vote of the board. The Chair is not required to consider any recommendations from the County Commission. Please provide complete information and attach additional pages or resume if necessary.

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

ATTACHMENTS

- Wes Henderson, Application (Dayton)
- Patricia Palmer, Application (Fernley)
- Andrew Merritt, Application (Stagecoach)
- William Kling, Application (Yerington)



Lyon County Application to Serve on the Planning Commission

Please note that all information contained in this application is considered public record and available for public review.

The Planning Commission is comprised of 7 members which are appointed by the Lyon County Board of Commissioners. The Planning Commission reviews development applications and land use matters for resolution and recommendation to the Board of Commissioners. Meetings are held on the 2nd Tuesday of each month at 9:00 a.m., at 27 S. Main Street, Yerington, Nevada 89447. This position is further outlined in Lyon County Code Title 3, Chapter 2 Planning Commission, and in Nevada Revised Statutes 278.030.

Applications submitted for a seat on the Planning Commission will be reviewed for completeness administratively and forwarded to the Board of County Commissioners for a public hearing.

Lyon County Ord. 3.02.02: MEMBERSHIP; APPOINTMENT; TERMS:

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- The Board may ask questions during or after each presentation, or after all presentations are complete.

The Chair of the Board of Commissioners will make a motion for appointment which must be passed by a majority vote of the board. The Chair is not required to consider any recommendations from the County Commission. Please provide complete information and attach additional pages or resume if necessary.

Application:

Full Name of candidate: Wes Henderson

Home Address: 117 Denio Dr. Dayton, NV 89403

Mailing Address (if different): _____

Phone: (775) 881-8273

Email: wbaro56@charter.net

District: 1

Please note:

How long have you been a resident of Lyon County? October 2008

How many Board or Planning Commission meetings have you attended in the last year? Just ab

List boards or commissions you presently serve on or have served on in the past, including dates of service:

Lyon County Board of County Commissioners (2021 - 2024)

Nevada Association of Counties (NACO) Board of Directors (Jan. 2023 - July 2024)

NACO Public Lands and Public Affairs and Legislative Committee* (2021 - 2023* - 2024)

Carson Area Metropolitan Planning Organization (2021 - 2024)

National League of Cities Board of Directors (2017 - 2019)

Various State Committees including STTAC (NDOT) NECTS (NDOT/DPS)

List education, work experience, and/or training relevant or helpful in showing your qualifications to serve in the position of Lyon County Planning Commissioner (attach additional pages if necessary):

During my services the Nevada Association of Counties and the Nevada League of Cities and Municipalities, I have gained knowledge regardin all types of land use issues and procedures.

Explain briefly why you would like to be appointed as Lyon County Planning Commissioner (attach additional pages if necessary):

i would like to continue my service to the county where I live.

I certify that, to the best of my knowledge, the information I provided in this application is true. If the information provided is false or incomplete, it shall be sufficient cause for disqualification or removal.

Signature: [Handwritten Signature]

Date: 11/15/24

Please return the application to:

Email: elopez@lyon-county.org

Or

Lyon County Manager's Office

ATTN: Erin Lopez

27 South Main Street

Yerington, Nevada 89447

Office: (775)463-6531

Notice:

At the meeting to consider your application for appointment to the Planning Commission, the Board or Commission may consider your character, alleged misconduct, professional competence, or physical or mental health. This notice is provided pursuant to NRS 241.031 and 241.033. The topics of discussion will relate to your ability to serve in the position for which you have applied. If the Board of County Commissioners desires to close the meeting, they must allow you to: (a) attend the closed meeting or that portion of the closed meeting during which the character, alleged misconduct, professional competence, or physical or mental health of the person is considered; (b) have an attorney or other representative of the person's choosing present with the person during the closed meeting; and (c) present written evidence, provide testimony and present witnesses relating to the character, alleged misconduct, professional competence, or physical or mental health of the person to the public body during the closed meeting. You will not receive any additional notice, and by signing this application you hereby agree to waive any right to future notice pursuant to NRS Chapter 241.

Signature: [Handwritten Signature]

Date: 11/15/24

Name: Wes Henderson



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- The Board may ask questions during or after each presentation, or after all presentations are complete.

The Chair of the Board of Commissioners will make a motion for appointment which must be passed by a majority vote of the board. The Chair is not required to consider any recommendations from the County Commission. Please provide complete information and attach additional pages or resume if necessary.

Application:

Full Name of candidate: Patricia Palmer

Home Address: 1106 Dixie Lane Fernley, NV 89408

Mailing Address (if different): _____

Phone: 775-221-9318 Email: pattipalmer1219@gmail.com

District: 2

Please note:

How long have you been a resident of Lyon County? 6 years

How many Board or Planning Commission meetings have you attended in the last year? 0

List boards or commissions you presently serve on or have served on in the past, including dates of service:

2023 – present – Second Vice President, Fernley Republican Women

2022 – present – Secretary, Lyon County Republican Central Committee

List education, work experience, and/or training relevant or helpful in showing your qualifications to serve in the position of Lyon County Planning Commissioner (attach additional pages if necessary):

I am currently a Real Estate agent in Northern Nevada. I interact with individuals on a daily basis that are interested in both land and housing development.

I also have airport operation experience that include inclement weather conditions that resulted in de-icing situations.

Explain briefly why you would like to be appointed as Lyon County Planning Commissioner (attach additional pages if necessary):

It is important to stay informed about land and building development that impacts the community.

Serving on this board will help me achieve that. I believe in community service and wish to help

those in Lyon County to the best of my ability.

I certify that, to the best of my knowledge, the information I provided in this application is true. If the information provided is false or incomplete, it shall be sufficient cause for disqualification or removal.

Signature: ppalmer

Date: 11.19.2024

Please return the application to:

Email: elopez@lyon-county.org

Or

Lyon County Manager's Office

ATTN: Erin Lopez

27 South Main Street

Yerington, Nevada 89447

Office: (775)463-6531

Notice:

At the meeting to consider your application for appointment to the Planning Commission, the Board or Commission may consider your character, alleged misconduct, professional competence, or physical or mental health. This notice is provided pursuant to NRS 241.031 and 241.033. The topics of discussion will relate to your ability to serve in the position for which you have applied. If the Board of County Commissioners desires to close the meeting, they must allow you to: (a) attend the closed meeting or that portion of the closed meeting during which the character, alleged misconduct, professional competence, or physical or mental health of the person is considered; (b) have an attorney or other representative of the person's choosing present with the person during the closed meeting; and (c) present written evidence, provide testimony and present witnesses relating to the character, alleged misconduct, professional competence, or physical or mental health of the person to the public body during the closed meeting. You will not receive any additional notice, and by signing this application you hereby agree to waive any right to future notice pursuant to NRS Chapter 241.

Signature: ppalmer

Date: 11.19.2024

Name: Patricia Palmer



Lyon County Application to Serve on the Planning Commission

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Applications submitted for a seat on the Planning Commission will be reviewed for completeness administratively and forwarded to the Board of County Commissioners for a public hearing.

Lyon County Ord. 3.02.02: MEMBERSHIP; APPOINTMENT; TERMS:

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- Agenda items may be taken out of order, it is recommended that you plan to attend the meeting by 9:00 A.M. until the item is heard.
- If the applicant is not available then they forfeit their speaking time.
- The Board may ask questions during or after each presentation, or after all presentations are complete.

The Chair of the Board of Commissioners will make a motion for appointment which must be passed by a majority vote of the board. The Chair is not required to consider any recommendations from the County Commission. Please provide complete information and attach additional pages or resume if necessary.

Application:

Full Name of candidate: **Andrew Merritt** _____

Home Address: **9220 Calico Trail, Stagecoach, NV. 89429** _____

Mailing Address (if different): _____

Phone: **(775) 225-1630** _____ Email: **staticindustries1929@yahoo.com** _____

District: **4** _____

Please note:

How long have you been a resident of Lyon County? almost 3 years

How many Board or Planning Commission meetings have you attended in the last year? 0

List boards or commissions you presently serve on or have served on in the past, including dates of service:

**Missions committee for Sierra bible church in Reno NV, March of 2018 to March of 2021
TrailLife troop 2234 committee at Calvary Chapel in Dayton NV, April of 2024 to present.**

List education, work experience, and/or training relevant or helpful in showing your qualifications to serve in the position of Lyon County Planning Commissioner (attach additional pages if necessary):

Experience from the above committees.

Explain briefly why you would like to be appointed as Lyon County Planning Commissioner (attach additional pages if necessary):

I want to help the county make the right decisions, especially for Stagecoach.

I certify that, to the best of my knowledge, the information I provided in this application is true. If the information provided is false or incomplete, it shall be sufficient cause for disqualification or removal.

Signature: Andrew Merritt Digitally signed by Andrew Merritt
Date: 2024.11.25 14:34:19 -0800

Date: 11/25/24

Please return the application to:

Email: elopez@lyon-county.org
Or
Lyon County Manager's Office
ATTN: Erin Lopez
27 South Main Street
Yerington, Nevada 89447
Office: (775)463-6531

Notice:

At the meeting to consider your application for appointment to the Planning Commission, the Board or Commission may consider your character, alleged misconduct, professional competence, or physical or mental health. This notice is provided pursuant to NRS 241.031 and 241.033. The topics of discussion will relate to your ability to serve in the position for which you have applied. If the Board of County Commissioners desires to close the meeting, they must allow you to: (a) attend the closed meeting or that portion of the closed meeting during which the character, alleged misconduct, professional competence, or physical or mental health of the person is considered; (b) have an attorney or other representative of the person's choosing present with the person during the closed meeting; and (c) present written evidence, provide testimony and present witnesses relating to the character, alleged misconduct, professional competence, or physical or mental health of the person to the public body during the closed meeting. You will not receive any additional notice, and by signing this application you hereby agree to waive any right to future notice pursuant to NRS Chapter 241.

Signature: Andrew Merritt Digitally signed by Andrew Merritt
Date: 2024.11.25 14:35:00 -0800

Date: 11/25/24

Name: Andrew Merritt



Lyon County Application to Serve on an Advisory Board

Please note that all information contained in this application is considered public record and available for public review.

Check the Board or Commission for which you are applying:

- | | |
|---|---|
| <input type="checkbox"/> 911 Surcharge Committee | <input type="checkbox"/> Mound House Advisory Board |
| <input type="checkbox"/> Advisory Board to Manage Wildlife | <input checked="" type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Animal Control Advisory Board | <input type="checkbox"/> Regional Transportation Board |
| <input type="checkbox"/> Central Lyon Park & Recreation Board | <input type="checkbox"/> Room Tax Board |
| <input type="checkbox"/> Central Lyon Vector Control Board | <input type="checkbox"/> Silver City Cemetery Board |
| <input type="checkbox"/> Dayton Regional Advisory Board | <input type="checkbox"/> Silver City Advisory Board |
| <input type="checkbox"/> Dayton Valley Events Center Board | <input type="checkbox"/> Silver Springs Advisory Board |
| <input type="checkbox"/> Debt Management Commission | <input type="checkbox"/> Smith Valley Advisory Board |
| <input type="checkbox"/> Library Board of Trustees | <input type="checkbox"/> Smith Valley Park & Recreation Board |
| <input type="checkbox"/> Lyon County Fair Board | <input type="checkbox"/> Stagecoach Advisory Board |
| <input type="checkbox"/> Mason Valley Advisory Board | <input type="checkbox"/> Walker River Weed Control Board |
| <input type="checkbox"/> Mason Valley Mosquito Abatement | |

Contact Information:

Name: William Kling

Address: 402 Saandy Ave

Phone: 775-217-5888 Email: william.kling@usda.gov

How long have you been a resident of Lyon County? 14 years

How many board or commission meetings have you attended in the last year? 5

List boards or commissions you presently serve on or have served on in the past including dates

of service:

Walker River Weed Control Board

Education and/or training relevant to the position you are applying for:

3 years as lead field technician with the Mason and Smith Valley Conservation Districts
Multiple years in construction and concrete fields
Experienced Heavy Equipment Operator
NV Herbicide/pesticide
CDL Class A / Plus Endorsements with experience in heavy hauling
Drone Pilot Type 106
Welding Certified

Explain briefly why you would like to be appointed to this board or commission:

It would be a honor to better serve my community in being a voice for those concerned about industrial, residential and ag. I feel that my knowledge in transportation, construction and conservation would greatly serve the citizens of the county when there are questions concerning rezoning or new construction.

I certify that, to the best of my knowledge, the information I provided in this application is true. If the information provided is false or incomplete, it shall be sufficient cause for disqualification or removal, if appointed. I acknowledge that, if appointed, I am required to: timely attend all mandatory training (including training that is a condition to being sworn in); comply with applicable record keeping requirements; and otherwise adhere to the handbook, policies, and laws by which I am bound. I am aware that failure to do so is grounds for removal from the advisory board.

Signature: _____

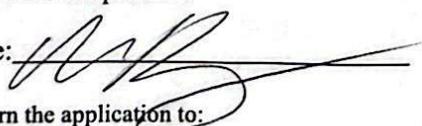


Date: 12/11/2024

Notice:

At the meeting to consider your application for appointment, the Board or Commission, may consider your character, alleged misconduct, professional competence, or physical or mental health. This notice is provided pursuant to NRS 241.031 and 241.033. The topics of discussion will relate to your ability to serve in the position for which you have applied. If the Advisory Board of County Commission desires to close the meeting, they must allow you to: (a) attend the closed meeting or that portion of the closed meeting during which the character, alleged misconduct, professional competence, or physical or mental health of the person is considered; (b) have an attorney or other representative of the person's choosing present with the person during the closed meeting; and (c) present written evidence, provide testimony and present witnesses relating to the character, alleged misconduct, professional competence, or physical or mental health of the person to the public body during the closed meeting. You will not receive any additional notice, and by signing this application you hereby agree to waive any right to future notice pursuant to NRS Chapter 241.

Signature: _____



Date: 12/11/2024

Please return the application to:

Lyon County Manager's Office
ATTN: Erin Lopez
27 South Main Street
Yerington, Nevada 89447
Office: (775)463-6531; Fax: (775)463-6500

Via email: elopez@lyon-county.org

Lyon County Board of County Commissioners Agenda Summary

Meeting Date: January 6, 2025

Agenda Item Number:

14.b

Subject:

For Possible Action: Appoint up to 2 members to the Dayton Regional Advisory Board with terms expiring December 31, 2026.

Summary:

Financial Department Comments:

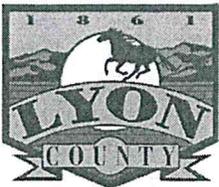
Approved As To Legal Form:

County Manager Comments:

Recommendation:

ATTACHMENTS

- [Ronald Wyman, Application](#)



Lyon County Application to Serve on an Advisory Board

Please note that all information contained in this application is considered public record and available for public review.

Check the Board or Commission for which you are applying:

- | | |
|--|---|
| <input type="checkbox"/> 911 Surcharge Committee | <input type="checkbox"/> Mound House Advisory Board |
| <input type="checkbox"/> Advisory Board to Manage Wildlife | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Animal Control Advisory Board | <input type="checkbox"/> Regional Transportation Board |
| <input type="checkbox"/> Central Lyon Park & Recreation Board | <input type="checkbox"/> Room Tax Board |
| <input type="checkbox"/> Central Lyon Vector Control Board | <input type="checkbox"/> Silver City Cemetery Board |
| <input checked="" type="checkbox"/> Dayton Regional Advisory Board | <input type="checkbox"/> Silver City Advisory Board |
| <input type="checkbox"/> Dayton Valley Events Center Board | <input type="checkbox"/> Silver Springs Advisory Board |
| <input type="checkbox"/> Debt Management Commission | <input type="checkbox"/> Smith Valley Advisory Board |
| <input type="checkbox"/> Library Board of Trustees | <input type="checkbox"/> Smith Valley Park & Recreation Board |
| <input type="checkbox"/> Lyon County Fair Board | <input type="checkbox"/> Stagecoach Advisory Board |
| <input type="checkbox"/> Mason Valley Advisory Board | <input type="checkbox"/> Walker River Weed Control Board |
| <input type="checkbox"/> Mason Valley Mosquito Abatement | |

Contact Information:

Name: Ronnie Wyman

Address: 534 V & T Way Dayton NV 89403

Phone: (909) 238-0498 Email: ronwym@aol.com

How long have you been a resident of Lyon County? 4 Years

How many board or commission meetings have you attended in the last year? 12

List boards or commissions you presently serve on or have served on in the past including dates of service:

I am currently the board Secretary of the DRCAB

Education and/or training relevant to the position you are applying for:
All this information is still current from my previous applications.

Explain briefly why you would like to be appointed to this board or commission:
I am currently a board member and would love to continue my journey on helping to enhance the community that I reside in.

I certify that, to the best of my knowledge, the information I provided in this application is true. If the information provided is false or incomplete, it shall be sufficient cause for disqualification or removal, if appointed. I acknowledge that, if appointed, I am required to: timely attend all mandatory training (including training that is a condition to being sworn in); comply with applicable record keeping requirements; and otherwise adhere to the handbook, policies, and laws by which I am bound. I am aware that failure to do so is grounds for removal from the advisory board.

Signature: *Ronnie Wynn*

Date: 11/26/2024

Notice:

At the meeting to consider your application for appointment, the Board or Commission, may consider your character, alleged misconduct, professional competence, or physical or mental health. This notice is provided pursuant to NRS 241.031 and 241.033. The topics of discussion will relate to your ability to serve in the position for which you have applied. If the Advisory Board of County Commission desires to close the meeting, they must allow you to: (a) attend the closed meeting or that portion of the closed meeting during which the character, alleged misconduct, professional competence, or physical or mental health of the person is considered; (b) have an attorney or other representative of the person's choosing present with the person during the closed meeting; and (c) present written evidence, provide testimony and present witnesses relating to the character, alleged misconduct, professional competence, or physical or mental health of the person to the public body during the closed meeting. You will not receive any additional notice, and by signing this application you hereby agree to waive any right to future notice pursuant to NRS Chapter 241.

Signature: *Ronnie Wynn*

Date: 11/26/2024

Please return the application to:

Lyon County Manager's Office
ATTN: Erin Lopez
27 South Main Street
Yerington, Nevada 89447
Office: (775)463-6531; Fax: (775)463-6500

Via email: elopez@lyon-county.org

Lyon County Board of County Commissioners Agenda Summary

Meeting Date: January 6, 2025

Agenda Item Number:

14.c

Subject:

For Possible Action: Appoint up to 2 members to the Mound House Advisory Board with terms expiring December 31, 2026.

Summary:

This is a two-year term board and the members with expiring terms are: Melinda Cash, Heidi Marty and Jeff Trowbridge

Heidi Marty was appointed on 11/21/2024, leaving two vacancies to be filled.

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

ATTACHMENTS

- [Jeff Trowbridge, Application](#)
- [John Diffenbaugh, Application](#)



Lyon County Application to Serve on an Advisory Board

Please note that all information contained in this application is considered public record and available for public review.

Check the Board or Commission for which you are applying:

- | | |
|---|--|
| <input type="checkbox"/> 911 Surcharge Committee | <input checked="" type="checkbox"/> Mound House Advisory Board |
| <input type="checkbox"/> Advisory Board to Manage Wildlife | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Animal Control Advisory Board | <input type="checkbox"/> Regional Transportation Board |
| <input type="checkbox"/> Central Lyon Park & Recreation Board | <input type="checkbox"/> Room Tax Board |
| <input type="checkbox"/> Central Lyon Vector Control Board | <input type="checkbox"/> Silver City Cemetery Board |
| <input type="checkbox"/> Dayton Regional Advisory Board | <input type="checkbox"/> Silver City Advisory Board |
| <input type="checkbox"/> Dayton Valley Events Center Board | <input type="checkbox"/> Silver Springs Advisory Board |
| <input type="checkbox"/> Debt Management Commission | <input type="checkbox"/> Smith Valley Advisory Board |
| <input type="checkbox"/> Library Board of Trustees | <input type="checkbox"/> Smith Valley Park & Recreation Board |
| <input type="checkbox"/> Lyon County Fair Board | <input type="checkbox"/> Stagecoach Advisory Board |
| <input type="checkbox"/> Mason Valley Advisory Board | <input type="checkbox"/> Walker River Weed Control Board |
| <input type="checkbox"/> Mason Valley Mosquito Abatement | |

Contact Information:

Name: Jeff Trowbridge

Address: 190 Linehan RD, Mound House NV 89706

Phone: 818-277-7615 Email: ljtrowbridge74@gmail.com

How long have you been a resident of Lyon County? 9 years

How many board or commission meetings have you attended in the last year? 11

List boards or commissions you presently serve on or have served on in the past including dates of service:
MHCAB for the last term

Education and/or training relevant to the position you are applying for:
MHCAB for the last term

Explain briefly why you would like to be appointed to this board or commission:
I enjoy being active in my community

I certify that, to the best of my knowledge, the information I provided in this application is true. If the information provided is false or incomplete, it shall be sufficient cause for disqualification or removal, if appointed. I acknowledge that, if appointed, I am required to: timely attend all mandatory training (including training that is a condition to being sworn in); comply with applicable record keeping requirements; and otherwise adhere to the handbook, policies, and laws by which I am bound. I am aware that failure to do so is grounds for removal from the advisory board.

Signature: Jeff Trowbridge

Date: 11/29/2024

Notice:

At the meeting to consider your application for appointment, the Board or Commission, may consider your character, alleged misconduct, professional competence, or physical or mental health. This notice is provided pursuant to NRS 241.031 and 241.033. The topics of discussion will relate to your ability to serve in the position for which you have applied. If the Advisory Board of County Commission desires to close the meeting, they must allow you to: (a) attend the closed meeting or that portion of the closed meeting during which the character, alleged misconduct, professional competence, or physical or mental health of the person is considered; (b) have an attorney or other representative of the person's choosing present with the person during the closed meeting; and (c) present written evidence, provide testimony and present witnesses relating to the character, alleged misconduct, professional competence, or physical or mental health of the person to the public body during the closed meeting. You will not receive any additional notice, and by signing this application you hereby agree to waive any right to future notice pursuant to NRS Chapter 241.

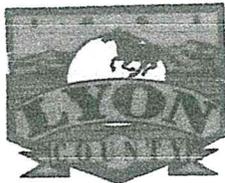
Signature: Jeff Trowbridge

Date: 11/29/2024

Please return the application to:

Lyon County Manager's Office
ATTN: Erin Lopez
27 South Main Street
Yerington, Nevada 89447
Office: (775)463-6531; Fax: (775)463-6500

Via email: elopez@lyon-county.org



Lyon County Application to Serve on an Advisory Board

Please note that all information contained in this application is considered public record and available for public review.

Check the Board or Commission for which you are applying:

- | | |
|---|--|
| <input type="checkbox"/> 911 Surcharge Committee | <input checked="" type="checkbox"/> Mound House Advisory Board |
| <input type="checkbox"/> Advisory Board to Manage Wildlife | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Animal Control Advisory Board | <input type="checkbox"/> Regional Transportation Board |
| <input type="checkbox"/> Central Lyon Park & Recreation Board | <input type="checkbox"/> Room Tax Board |
| <input type="checkbox"/> Central Lyon Vector Control Board | <input type="checkbox"/> Silver City Cemetery Board |
| <input type="checkbox"/> Dayton Regional Advisory Board | <input type="checkbox"/> Silver City Advisory Board |
| <input type="checkbox"/> Dayton Valley Events Center Board | <input type="checkbox"/> Silver Springs Advisory Board |
| <input type="checkbox"/> Debt Management Commission | <input type="checkbox"/> Smith Valley Advisory Board |
| <input type="checkbox"/> Library Board of Trustees | <input type="checkbox"/> Smith Valley Park & Recreation Board |
| <input type="checkbox"/> Lyon County Fair Board | <input type="checkbox"/> Stagecoach Advisory Board |
| <input type="checkbox"/> Mason Valley Advisory Board | <input type="checkbox"/> Walker River Weed Control Board |
| <input type="checkbox"/> Mason Valley Mosquito Abatement | |

Contact Information:

Name: JOHN DIFFENBAUGH

Address: 11 McCLELLAN PEAK DR, MOUND HOUSE 89706

Phone: 661 340 3580 Email: jdifm@comcast.net

How long have you been a resident of Lyon County? 13 yrs.

How many board or commission meetings have you attended in the last year? all

List boards or commissions you presently serve on or have served on in the past including dates of service:

Mound House Advisory Board member for 3 terms
approx 2014-2018(?); 2020-2022

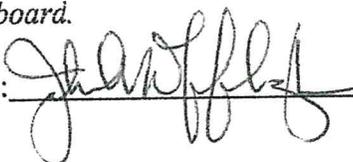
Education and/or training relevant to the position you are applying for:

Served 3 terms including vice chairman once
Attended several classes on public meeting laws

Explain briefly why you would like to be appointed to this board or commission:

To continue keeping the local public informed on
govt activities pertinent to the Mound House
area

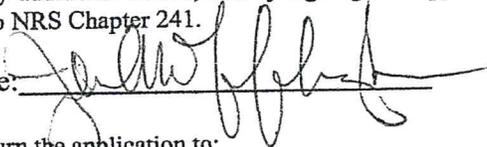
I certify that, to the best of my knowledge, the information I provided in this application is true. If the information provided is false or incomplete, it shall be sufficient cause for disqualification or removal, if appointed. I acknowledge that, if appointed, I am required to: timely attend all mandatory training (including training that is a condition to being sworn in); comply with applicable record keeping requirements; and otherwise adhere to the handbook, policies, and laws by which I am bound. I am aware that failure to do so is grounds for removal from the advisory board.

Signature: 

Date: 11-5-2024

Notice:

At the meeting to consider your application for appointment, the Board or Commission, may consider your character, alleged misconduct, professional competence, or physical or mental health. This notice is provided pursuant to NRS 241.031 and 241.033. The topics of discussion will relate to your ability to serve in the position for which you have applied. If the Advisory Board of County Commission desires to close the meeting, they must allow you to: (a) attend the closed meeting or that portion of the closed meeting during which the character, alleged misconduct, professional competence, or physical or mental health of the person is considered; (b) have an attorney or other representative of the person's choosing present with the person during the closed meeting; and (c) present written evidence, provide testimony and present witnesses relating to the character, alleged misconduct, professional competence, or physical or mental health of the person to the public body during the closed meeting. You will not receive any additional notice, and by signing this application you hereby agree to waive any right to future notice pursuant to NRS Chapter 241.

Signature: 

Date: 11-5-2024

Please return the application to:

Lyon County Manager's Office
ATTN: Erin Lopez
27 South Main Street
Yerington, Nevada 89447
Office: (775)463-6531; Fax: (775)463-6500

Via email: elopez@lyon-county.org

Lyon County Board of County Commissioners Agenda Summary

Meeting Date: January 6, 2025

Agenda Item Number:

14.d

Subject:

For Possible Action: Appoint up to 5 members to the Smith Valley Park and Recreation Advisory Board with 3 terms expiring December 31, 2025, and 2 terms expiring December 31, 2026.

Summary:

This is an eleven member board with three prior vacant positions for 2025. The member with a term expiring in 2024 was: Celeste Thornhill

Members with expiring terms for 2024 and were appointed on November 21, 2024 are: Brandt Hiles, Mark Phillips and Debbie Hockaday

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

ATTACHMENTS

- [Celeste Thornhill, Application](#)



Lyon County Application to Serve on an Advisory Board

Please note that all information contained in this application is considered public record and available for public review.

Check the Board or Commission for which you are applying:

- | | |
|---|--|
| <input type="checkbox"/> 911 Surcharge Committee | <input type="checkbox"/> Mound House Advisory Board |
| <input type="checkbox"/> Advisory Board to Manage Wildlife | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Animal Control Advisory Board | <input type="checkbox"/> Regional Transportation Board |
| <input type="checkbox"/> Central Lyon Park & Recreation Board | <input type="checkbox"/> Room Tax Board |
| <input type="checkbox"/> Central Lyon Vector Control Board | <input type="checkbox"/> Silver City Cemetery Board |
| <input type="checkbox"/> Dayton Regional Advisory Board | <input type="checkbox"/> Silver City Advisory Board |
| <input type="checkbox"/> Dayton Valley Events Center Board | <input type="checkbox"/> Silver Springs Advisory Board |
| <input type="checkbox"/> Debt Management Commission | <input type="checkbox"/> Smith Valley Advisory Board |
| <input type="checkbox"/> Library Board of Trustees | <input checked="" type="checkbox"/> Smith Valley Park & Recreation Board |
| <input type="checkbox"/> Lyon County Fair Board | <input type="checkbox"/> Stagecoach Advisory Board |
| <input type="checkbox"/> Mason Valley Advisory Board | <input type="checkbox"/> Walker River Weed Control Board |
| <input type="checkbox"/> Mason Valley Mosquito Abatement | |

Contact Information:

Name: CELESTE A. THORNHILL

Address: 2855 ST. RT. 208 # 22

Phone: 775-495-0183 Email: THORNHILL.CELESTE@gmail.com

How long have you been a resident of Lyon County? 2 YEAR

How many board or commission meetings have you attended in the last year? 12

List boards or commissions you presently serve on or have served on in the past including dates of service:

Education and/or training relevant to the position you are applying for:

*founder of ~~the~~ a little league organizati
familiar with sports needs and events
dust and construction*

Explain briefly why you would like to be appointed to this board or commission:

*continue with learning the mission and
work of the Smith Valley board*

I certify that, to the best of my knowledge, the information I provided in this application is true. If the information provided is false or incomplete, it shall be sufficient cause for disqualification or removal, if appointed. I acknowledge that, if appointed, I am required to: timely attend all mandatory training (including training that is a condition to being sworn in); comply with applicable record keeping requirements; and otherwise adhere to the handbook, policies, and laws by which I am bound. I am aware that failure to do so is grounds for removal from the advisory board.

Signature: *Rebecca A. Thornhill*

Date: 11-25-2024

Notice:

At the meeting to consider your application for appointment, the Board or Commission, may consider your character, alleged misconduct, professional competence, or physical or mental health. This notice is provided pursuant to NRS 241.031 and 241.033. The topics of discussion will relate to your ability to serve in the position for which you have applied. If the Advisory Board of County Commission desires to close the meeting, they must allow you to: (a) attend the closed meeting or that portion of the closed meeting during which the character, alleged misconduct, professional competence, or physical or mental health of the person is considered; (b) have an attorney or other representative of the person's choosing present with the person during the closed meeting; and (c) present written evidence, provide testimony and present witnesses relating to the character, alleged misconduct, professional competence, or physical or mental health of the person to the public body during the closed meeting. You will not receive any additional notice, and by signing this application you hereby agree to waive any right to future notice pursuant to NRS Chapter 241.

Signature: *Rebecca A. Thornhill*

Date: 11-25-24

Please return the application to:

Lyon County Manager's Office
ATTN: Erin Lopez
27 South Main Street
Yerington, Nevada 89447
Office: (775)463-6531; Fax: (775)463-6500

Via email: elopez@lyon-county.org

Lyon County Board of County Commissioners Agenda Summary

Meeting Date: January 6, 2025

Agenda Item Number:

14.e

Subject:

For Possible Action: Appoint up to 3 members to the Central Lyon County Parks and Recreation Advisory Board with terms expiring December 31, 2026.

Summary:

This is a five person board with a two-year term and the members with expiring terms are: Britnee Somers, Richard Mitroz and Kathryn Ataman

Existing Members are:

Chris Gonzales (Dayton)

Monie Byers (Silver Springs)

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

ATTACHMENTS

- [Thomas Purvis, Application \(Dayton\)](#)
- [Danielle Hasbrouck, Application \(Dayton\)](#)



Lyon County Application to Serve on an Advisory Board

Please note that all information contained in this application is considered public record and available for public review.

Check the Board or Commission for which you are applying:

- | | |
|--|---|
| <input type="checkbox"/> 911 Surcharge Committee | <input type="checkbox"/> Mound House Advisory Board |
| <input type="checkbox"/> Advisory Board to Manage Wildlife | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Animal Control Advisory Board | <input type="checkbox"/> Regional Transportation Board |
| <input checked="" type="checkbox"/> Central Lyon Park & Recreation Board | <input type="checkbox"/> Room Tax Board |
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| <input type="checkbox"/> Dayton Regional Advisory Board | <input type="checkbox"/> Silver City Advisory Board |
| <input type="checkbox"/> Dayton Valley Events Center Board | <input type="checkbox"/> Silver Springs Advisory Board |
| <input type="checkbox"/> Debt Management Commission | <input type="checkbox"/> Smith Valley Advisory Board |
| <input type="checkbox"/> Library Board of Trustees | <input type="checkbox"/> Smith Valley Park & Recreation Board |
| <input type="checkbox"/> Lyon County Fair Board | <input type="checkbox"/> Stagecoach Advisory Board |
| <input type="checkbox"/> Mason Valley Advisory Board | <input type="checkbox"/> Walker River Weed Control Board |
| <input type="checkbox"/> Mason Valley Mosquito Abatement | |

Contact Information:

Name: Thomas Purvis

Address: 180 Snake River Way

Phone: (775) 220-1416 Email: purvis1416@yahoo.com

How long have you been a resident of Lyon County? 28 years

How many board or commission meetings have you attended in the last year? 0

List boards or commissions you presently serve on or have served on in the past including dates

of service:

N/A



Lyon County Application to Serve on an Advisory Board

Please note that all information contained in this application is considered public record and available for public review.

Check the Board or Commission for which you are applying:

- | | |
|--|---|
| <input type="checkbox"/> 911 Surcharge Committee | <input type="checkbox"/> Mound House Advisory Board |
| <input type="checkbox"/> Advisory Board to Manage Wildlife | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Animal Control Advisory Board | <input type="checkbox"/> Regional Transportation Board |
| <input checked="" type="checkbox"/> Central Lyon Park & Recreation Board | <input type="checkbox"/> Room Tax Board |
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| <input type="checkbox"/> Library Board of Trustees | <input type="checkbox"/> Smith Valley Park & Recreation Board |
| <input type="checkbox"/> Lyon County Fair Board | <input type="checkbox"/> Stagecoach Advisory Board |
| <input type="checkbox"/> Mason Valley Advisory Board | <input type="checkbox"/> Walker River Weed Control Board |
| <input type="checkbox"/> Mason Valley Mosquito Abatement | |

Contact Information:

Name: Danielle Hasbrouck

Address: 73 S. Rainbow Dr. A Dayton, NV 89403

Phone: 775 224 7987 Email: d.dailey@689@gmail.com

How long have you been a resident of Lyon County? 8 years as of May 2025

How many board or commission meetings have you attended in the last year? 0

List boards or commissions you presently serve on or have served on in the past including dates

of service: (Youth Board Advisor)
Stockton Wells keystones - October 2023- present
A450 Region 1637 - Coach Coordinator - Feb 2024 - present
Howe Hawk Boosters- President - June 2024- current (currently being reutilized/changed)

Education and/or training relevant to the position you are applying for:

I have experience between two local community groups that focus on our youth. One directly related to the use of Lyon county parks and both of which benefit the youth of Lyon County. I have also volunteered within our local schools.

Explain briefly why you would like to be appointed to this board or commission:

I believe I would be a good asset to our community more so than I have already. Our local parks and recreational areas have helped my own children thrive in this community.

I would love to be even more involved than I already am.

I certify that, to the best of my knowledge, the information I provided in this application is true. If the information provided is false or incomplete, it shall be sufficient cause for disqualification or removal, if appointed. I acknowledge that, if appointed, I am required to: timely attend all mandatory training (including training that is a condition to being sworn in); comply with applicable record keeping requirements; and otherwise adhere to the handbook, policies, and laws by which I am bound. I am aware that failure to do so is grounds for removal from the advisory board.

our county and town.

Signature: Sauelle Hasbrouck

Date: 12/3/2024

Notice:

At the meeting to consider your application for appointment, the Board or Commission, may consider your character, alleged misconduct, professional competence, or physical or mental health. This notice is provided pursuant to NRS 241.031 and 241.033. The topics of discussion will relate to your ability to serve in the position for which you have applied. If the Advisory Board of County Commission desires to close the meeting, they must allow you to: (a) attend the closed meeting or that portion of the closed meeting during which the character, alleged misconduct, professional competence, or physical or mental health of the person is considered; (b) have an attorney or other representative of the person's choosing present with the person during the closed meeting; and (c) present written evidence, provide testimony and present witnesses relating to the character, alleged misconduct, professional competence, or physical or mental health of the person to the public body during the closed meeting. You will not receive any additional notice, and by signing this application you hereby agree to waive any right to future notice pursuant to NRS Chapter 241.

Signature: Sauelle Hasbrouck

Date: 12/3/2024

Please return the application to:

Lyon County Manager's Office
ATTN: Erin Lopez
27 South Main Street
Yerington, Nevada 89447
Office: (775)463-6531; Fax: (775)463-6500

Via email: elopez@lyon-county.org

Lyon County Board of County Commissioners Agenda Summary

Meeting Date: January 6, 2025

Agenda Item Number:

14.f

Subject:

For Possible Action: Appoint a member to the Walker River Weed Control Board with a term expiring December 31, 2025.

Summary:

This is a 3 person board with a three-year term and the existing members are: William Kling and Scott Huntley Bud Stinson is the administrator.

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

ATTACHMENTS

- [Brandon Galantuomini, Application](#)



Lyon County Application to Serve on an Advisory Board

Please note that all information contained in this application is considered public record and available for public review.

Check the Board or Commission for which you are applying:

- | | |
|---|---|
| <input type="checkbox"/> 911 Surcharge Committee | <input type="checkbox"/> Mound House Advisory Board |
| <input type="checkbox"/> Advisory Board to Manage Wildlife | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Animal Control Advisory Board | <input type="checkbox"/> Regional Transportation Board |
| <input type="checkbox"/> Central Lyon Park & Recreation Board | <input type="checkbox"/> Room Tax Board |
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| <input type="checkbox"/> Library Board of Trustees | <input type="checkbox"/> Smith Valley Park & Recreation Board |
| <input type="checkbox"/> Lyon County Fair Board | <input type="checkbox"/> Stagecoach Advisory Board |
| <input type="checkbox"/> Mason Valley Advisory Board | <input checked="" type="checkbox"/> Walker River Weed Control Board |
| <input type="checkbox"/> Mason Valley Mosquito Abatement | |

Contact Information:

Name: Brandon Galantuomini

Address: 13 Andes Ln

Phone: 775-546-8060 Email: bgalantuomini1@gmail.com

How long have you been a resident of Lyon County? 16 Years

How many board or commission meetings have you attended in the last year? 2

List boards or commissions you presently serve on or have served on in the past including dates

of service:
none

Education and/or training relevant to the position you are applying for:

NV State certified for Pesticide
Weed Warrior Program Certified
3yrs with Conservation District field technician

Explain briefly why you would like to be appointed to this board or commission:
to help establish protocols and relationships with Lyon county residents on future weed removal and eradication and having been with the district i have experience and know how on weed eradication protocols

I certify that, to the best of my knowledge, the information I provided in this application is true. If the information provided is false or incomplete, it shall be sufficient cause for disqualification or removal, if appointed. I acknowledge that, if appointed, I am required to: timely attend all mandatory training (including training that is a condition to being sworn in); comply with applicable record keeping requirements; and otherwise adhere to the handbook, policies, and laws by which I am bound. I am aware that failure to do so is grounds for removal from the advisory board.

Signature: *Brendan Spadromini*

Date: 12/11/2024

Notice:

At the meeting to consider your application for appointment, the Board or Commission, may consider your character, alleged misconduct, professional competence, or physical or mental health. This notice is provided pursuant to NRS 241.031 and 241.033. The topics of discussion will relate to your ability to serve in the position for which you have applied. If the Advisory Board of County Commission desires to close the meeting, they must allow you to: (a) attend the closed meeting or that portion of the closed meeting during which the character, alleged misconduct, professional competence, or physical or mental health of the person is considered; (b) have an attorney or other representative of the person's choosing present with the person during the closed meeting; and (c) present written evidence, provide testimony and present witnesses relating to the character, alleged misconduct, professional competence, or physical or mental health of the person to the public body during the closed meeting. You will not receive any additional notice, and by signing this application you hereby agree to waive any right to future notice pursuant to NRS Chapter 241.

Signature: *Brendan Spadromini*

Date: 12/11/2024

Please return the application to:

Lyon County Manager's Office
ATTN: Erin Lopez
27 South Main Street
Yerington, Nevada 89447
Office: (775)463-6531; Fax: (775)463-6500

Via email: elopez@lyon-county.org

Lyon County Board of County Commissioners Agenda Summary

Meeting Date: January 6, 2025

Agenda Item Number:

15.a

Subject:

For Possible Action: Appoint County Commissioners and staff to the following Boards, Commissions, or Committees for calendar year 2025:

Comstock Historic District

Debt Management Commission

Dayton Valley Conservation District

Mason Valley Conservation District

Smith Valley Conservation District

Nevada Public Agency Insurance Pool

Public Agency Compensation Trust

Nevada Association of Counties

1. Board of Directors- 1 Commissioner

2. Legislative Committee - Up to 2 Commissioners

3. Public Lands and Natural Resources Committee - Up to 2 Commissioners

Local Emergency Planning Committee

Northern Nevada Development Authority

Nevada WORKS

Walker River Irrigation District

Carson Water Subconservancy District

Lyon County Room Tax Board

Quarterly Jail Inspection

Truckee Canal Safety Commission

Lyon County Regional Transportation Commission

Quad County Legislative Coalition

Carson Area Metropolitan Planning Organization

State Land Use Planning Agency

Nevada Local Justice Reinvestment Coordinating Council

Nevada Commission of the Aging

Intergovernmental Executive Committee (Expiring Term of December 31, 2025)

Summary:

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

ATTACHMENTS

- [Commissioner Appointments 2024](#)
- [LC Policy 1-3 General Powers & Responsibilities](#)



LYON COUNTY DIRECTORY

Commissioners Appointments to Boards	Primary	Second
Comstock Historic District	Comm. Hendrix	
Debt Management Commission	Comm. Jacobson	
Dayton Valley Conservation District	Comm. Hendrix	
Mason Valley Conservation District	Comm. Hockaday	
Smith Valley Conservation District	Comm. Hockaday	
Nevada Public Agency Insurance Pool	Josh Foli	
Public Agency Compensation Trust	Josh Foli	
Nevada Association of Counties:		
• Board of Directors	Comm. Henderson	Alt. Keller
• Legislative Committee	Comm. Henderson	Comm. Keller
• Public Lands and Natural Resources Committee	Comm. Hendrix	Comm. Keller
Local Emergency Planning	Comm. Hockaday	
Northern Nevada Development Authority	Comm. Keller	Andrew Haskin
Nevada Works	Comm. Jacobson	Andrew Haskin
Walker River Irrigation District	Comm. Hockaday	
Carson Water Sub Conservancy	Comm. Hendrix	
Lyon County Room Tax Board	Comm. Jacobson	Alt. Keller
Quarterly Jail Inspection	Comm. Hockaday	
Truckee Canal Safety Commission	Comm. Jacobson	Alt. Comm. Keller
Lyon County Regional Transportation Commission	Comm. Keller	
Quad County Legislative Coalition	Comm. Hockaday	Comm. Henderson
Carson Area Metropolitan Organization	Comm. Henderson	
State Land Use Planning Advisory Counsel	Comm. Henderson	
Nevada Local Justice Reinvestment Coordinating Council	DA Steve Rye	
Nevada Commission of the Aging	Comm. Hendrix	
Intergovernmental Executive Committee	Comm. Keller	Andrew Haskin

**Term expires Dec. 2025*

	LYON COUNTY ADMINISTRATIVE POLICIES AND PROCEDURES	
	TOPIC: County Commission: General Powers & Responsibilities	NUMBER: 1 – 3
	EFFECTIVE: 7/19/2012	REVISED: 07/05/2013
	REFERENCE: LCC 1.07, NRS 241, NRS 244	
	POLICY CUSTODIAN: County Manager	

A. County Commission Generally

Fundamentally, the powers of the County Commission are to be utilized for the good of the community and its residents; to provide for the health, safety and general welfare of the citizenry. The County Commission is the policy making and law making body of the County. State law and local ordinances grant the powers and responsibilities of the Commission.

It is important to note that the Commission acts as a body and speaks with one “corporate voice”. No member has any extraordinary powers beyond those of other members. While the Chairman has some additional ceremonial and presiding officer responsibilities as described below, when it comes to establishing policies, voting, and in other significant areas, all members are equal. It is also important to note that policy is established by at least a majority vote of the Commission. While individual members may disagree with decisions of the majority, a decision of the majority does bind the Commission to a course of action. Commission Members should respect adopted Commission policy. In turn, it is staff’s responsibility to ensure the policy of the Commission is upheld.

Actions of staff to pursue the policy direction established by a majority of Commission do not reflect any bias against Commission Members who held a minority opinion on an issue.

1. Commission Non-Participation in Administration

In order to uphold the integrity of the Commission-Manager form of government, and to provide proper checks and balances, members of the County Commission shall refrain from becoming directly involved in the administrative affairs of the County. As the Commission is the policy making body and the maker of local laws, its involvement in enforcement of ordinances would only damage the credibility of the system.

Except for the purpose of inquiry, the Commission and its members will deal with the administrative service solely through the County Manager or designee, and neither the Commission nor any advisory board or member of an advisory board shall give orders to any subordinate of the County Manager.

B. ROLE OF COMMISSION MEMBERS

Members of the Lyon County Commission are collectively responsible for establishing policy, adopting an annual budget, and providing vision and goals to the County Manager and staff. The following outline is a brief description of the various duties of Commission Members. The description is not intended to be comprehensive, but rather it is an effort to summarize the primary responsibilities of the Commission.

1. Summary of Commission Duties and Responsibilities as Provided in, but not Limited to, the Nevada Revised Statutes, Nevada Administrative Code and Lyon County Code.
 - a. Establish Policy
 - 1) Adopt goals and objectives
 - 2) Establish priorities for public services
 - 3) Approve/amend the operating and capital budgets
 - 4) Approve contracts
 - 5) Adopt resolutions
 - b. Enact Local Laws
 - 1) Adopt ordinances
 - c. Supervise Appointed Officials
 - 1) Appoint County Manager
 - 2) Evaluate performance of County Manager
 - 3) Establish advisory boards and commissions
 - 4) Make appointments to advisory bodies
 - 5) Provide direction to advisory bodies
 - d. Provide Public Leadership
 - 1) Relate wishes of constituents to promote representative governance
 - 2) Mediate conflicting interests while building a consensus
 - 3) Communicate the County's vision and goals to constituents
 - 4) Represent the County's interest at regional, county, state, and federal levels
 - e. Decision-Making
 - 1) Study problems
 - 2) Review alternatives
 - 3) Determine best course of public policy

C. ROLE OF CHAIRMAN

1. Presiding Officer

The Chairman serves as the presiding officer and acts as chair at all meetings of the County Commission. The Chairman may participate in all deliberations of the Commission in the same manner as any other members and is expected to vote in all proceedings, unless a conflict of interest exists. The Chairman does not possess any power of veto. The Chairman may move an action and may second a motion.

D. ABSENCE OF CHAIRMAN AND COMMISSION MEMBERS

In the absence of the Chairman, the Vice Chairman shall perform the duties of the Chairman. When both the Chairman and Vice Chairman are absent, the Commission may choose from among its members a person to serve as acting Chairman, who shall, for the term of such absence, have the powers of the Chairman.

E. ELECTION OF OFFICERS

Procedures for electing officers are as follows:

1. Annual Election of Chairman and Vice Chairman

Annually, at the first meeting of the calendar year, the members thereof will choose a presiding officer from their number who will have the title of Chairman. In addition to the powers conferred upon him/her as Chairman, he/she will continue to have all the rights, privileges and immunities of a member of the Commission. If a permanent vacancy occurs in the Office of Chairman, the members of the Commission at their next regular meeting will select a Chairman from their number for the unexpired term. Following the election of the Chairman, there will be an election for Vice Chairman. The term of the Vice Chairman will run concurrently with that of the Chairman.

2. Nominations

Nominations will be taken from members of the Board in the form of a motion and must be seconded a by a commissioner other than the commissioner making the motion. If the motion is not seconded this process will be followed until a motion has been seconded and a simple majority of the Board members present has voted in favor of the motion. If the vote taken is not in favor of the motion and seconded; the process will start all over until a Chairman is selected. The new Chairman will then take control of the meeting and begin the process for the Vice Chairman.

The process to elect a Vice Chairman will follow the same process to elect the Chairman. Any member nominated for Chair or Vice Chair can decline the nomination.

3. Resignation of Chairman or Vice Chairman

If the Chairman or Vice Chairman resigns, the County Commission will appoint a new Chairman or Vice Chairman, using the procedure outlined above.

F. DECLARATION OF DISASTER OR EMERGENCY

Pursuant to NRS 414 and Lyon County Code 3.03.03 the Board of Commissioners have the authority to declare an emergency or disaster. This will be accomplished as follows:

1. The County Manager or designee shall notify the Board of Commissioners, County Clerk and District Attorney of the need for such declaration and request an emergency meeting of the Board as authorized by the open meeting law.
2. The Board will meet, outlying Commissioners may call in, at the date and time specified in the agenda.
3. The Board will hear testimony for the need of such declaration and make a decision.
4. The meeting of the Board will be recorded and minutes kept in accordance with the open meeting law.
5. The County Manager is authorized to make a declaration of emergency or disaster if a quorum of the Board is not present in the County or available by telephone.
6. The County Manager's designee, as addressed in the County Emergency Operations Plan, is authorized to make a declaration of emergency or disaster if a quorum of the Board and the County Manager is not present in the County or available by telephone.
7. The Declaration shall be signed by the members present, County Manager and attested to by the County Clerk and then sent to the Nevada Division of Emergency Management and Homeland Security.

G. APPOINTMENT/REMOVAL OF COUNTY MANAGER & APPOINTED DEPARTMENT HEADS

The Board of County Commissioners is responsible for the appointment, supervision and appointment of the County Manager as authorized by Nevada Revised Statutes Chapter 244 and Lyon County Code 1.07.

The County Manager is authorized by Lyon County Code 1.07.07 to appoint, discipline or terminate appointed department heads with approval from the Board of Commissioners.

1. Appointment to fill a vacancy – The County Manager will appoint a person to a vacated department head position by following the advertising and selection

processes outlined in the Lyon County Personnel Policy. The County Manager will then, in a public Board meeting, present the Board with a list of qualified candidates and his/her recommendation for selection. The Board will vote to approve the County Managers recommendation or select another person from the list.

2. Serious discipline up to and including termination – The County Manager will follow the requirements of the Lyon County Personnel Policy in regards to discipline. If discipline is to be suspension without pay, demotion or termination the County Manager will:
 - a. Place an item on the next Commission agenda for a closed session to discuss the issue and proposed discipline. No action will be taken during the closed session.
 - b. Place an item on the next Commission agenda for an open meeting to authorize the County Manager to issue the proposed discipline.
 - c. Ensure that the affected department head is notified and notice him/her that the Board will be considering the character, alleged misconduct, professional competence, or physical or mental health of the person in both the closed and open session.
 - d. The Board will take action to affirm or deny the County Manager’s recommendation. A simple majority vote is required to approve or deny the recommendation.

H. APPOINTMENT TO COMMITTEES, BOARDS AND COMMISSIONS

1. The members of the Board and staff serve on a variety of committees, boards and commissions. The Board will, annually, at the first meeting in January make appointments to the various committees, boards and commissions by:
 - a. The Chairman will begin the process by asking the Board members if there are members interested in participating. In the event only one Commissioner is interested in serving on a committee, board or commission then the Chair will make the appointment. In the event that two or more members of the Commission want to serve then the Chair will entertain a motion and second to make the appointment. A simple majority vote is required to approve the appointment. Upon completion of the appointment process the Chair will entertain a motion and second to approve the appointments.
 - b. The following are standing committees, boards, and commissions:
 - Comstock Historic District
 - Debt Management Commission
 - Mason Valley Conservation District
 - Smith Valley Conservation District
 - Dayton Valley Conservation District
 - Nevada Public Agency Insurance Pool

- Nevada Association of Counties (NACO)
- NACO Board of Directors
- NACO Legislative Committee
- NACO Public Lands and Natural Resources Committee
- Local Emergency Planning Committee
- Northern Nevada Development Authority
- Western Nevada Development District
- Nevada Works
- State Land Use Planning Advisory Committee
- Walker River Irrigation District
- Carson Water Subconservancy District
- Room Tax Board
- Nevada Commission for the Reconstruction of the V & T Railway
- Western Nevada Home Consortium
- Quarterly Jail Inspection
- Truckee Canal Safety Commission
- Regional Transportation Commission
- Carson Area Metropolitan Planning Organization

c. New committees, boards, commissions

In the event that a new committee, board or commission is created and/or requires appointment the Board will make such appointment at the next Board meeting by following the procedures outlined above.

2. Appointment of Citizens to Boards, Commissions and Committees

a. Advisory Boards

Appointments to and Removal from the various Advisory Boards will be made by the Board of County Commissioners as outlined in County Code, Resolution and Bylaws creating the Advisory Board.

Memberships on Advisory Boards are selected with the intent to provide representation from a broad cross-section of the represented community. The idea is to ensure that all major viewpoints are examined, and that any faction or special interest group does not dominate the Advisory Board.

The Board of County Commissioners appoints members for staggered two-year terms beginning January 1 of each year. Each advisory board will make a recommendation to the Board of County Commissioners during their November meeting. All persons interested in serving on an advisory board must submit an application to the County Managers Office, a copy of the application(s) will be forwarded to the appropriate CAB Chairperson. Once recommendation has been made by the CAB, the application(s) and recommendations will be forwarded to the BOC for appointment.

VACANCIES. A vacancy occurring on a citizen advisory board shall be filled by the board of county commissioners, upon recommendation of the affected advisory board, for the remainder of the unexpired term. The County Managers Office will publish, in a newspaper of general circulation, the county web site and county social media outlets, for a period of two weeks the vacancy and the process to apply. All persons interested in serving on an advisory board must submit an application to the County Managers Office, a copy of the application(s) will be forwarded to the appropriate CAB Chairperson. Once recommendation has been made by the CAB, the application(s) and recommendations will be forwarded to the BOC for appointment.

b. Planning Commission

Appointments to and removal from the Planning Commission will be made by the Board of County Commissioners as outlined in Lyon County Code 3.02. The Planning Department will advertise any vacancy on the Planning Commission. All persons interested in serving on the Planning Commission must submit an application to the Planning Department. The Planning Department will provide the applications of the candidates to the Board of Commissioners. The Chair will make the appointment with the approval of the Board.

All persons interested in serving on the Planning Commission must submit an application to the Planning Department.

A motion to approve will be made by a member of the Board and must be seconded a by a commissioner other than the commissioner making the motion. If the motion is not seconded this process will be followed until a motion has been seconded and a simple majority of the Board members present has voted in favor of the motion. If the vote taken is not in favor of the motion and seconded; the process will start all over until an appointment is approved.

VACANCIES. A vacancy occurring on the Planning Commission shall be filled by the board of county commissioners. The Planning Department will publish, in a newspaper of general circulation, the county web site and county social media outlets, for a period of two weeks the vacancy and the process to apply. All persons interested in serving on the Planning Commission must submit an application to the Planning Department. The Planning Department will provide the applications of the candidates to the Board of Commissioners and the appointment process will be followed as stated above.

c. Library Board of Trustees

Appointments to and removal from the Library Board of Trustees will be made by the Board of County Commissioners as required by NRS 379. A Trustee shall be appointed to serve a term of 4 years and may not serve more than two terms.

All persons interested in serving on the Library Board of Trustees must submit an application to the County Managers Office, a copy of the application(s) will be forwarded to the Library Director. Once recommendation has been made by the Library Board of Trustees, the application(s) and recommendations will be forwarded to the BOC for appointment.

VACANCIES. A vacancy occurring on the Library Board of Trustees shall be filled by the board of county commissioners, upon recommendation of the Library Board of Trustees, for the remainder of the unexpired term. The Library Director will publish, in a newspaper of general circulation, the county web site and county social media outlets, for a period of two weeks the vacancy and the process to apply. All persons interested in serving on an advisory board must submit an application to the County Managers Office, a copy of the application(s) will be forwarded to the Library Director. Once recommendation has been made by the Library Board of Trustees, the application(s) and recommendations will be forwarded to the BOC for appointment.

d. Fair Board & Event Center Board

Appointments to and Removal from these Boards will be made by the Board of County Commissioners as outlined in County Code, Resolution and Bylaws creating these Boards.

Memberships on these boards are selected with the intent to provide representation from a broad cross-section of the represented community. The idea is to ensure that all major viewpoints are examined, and that any faction or special interest group does not dominate either of these boards.

The Board of County Commissioners appoints members for staggered terms beginning January 1 of each year. Each of these boards will make a recommendation to the Board of County Commissioners during their November meeting. All persons interested in serving on either of these boards must submit an application to the County Managers Office, a copy of the application(s) will be forwarded to the appropriate board Chairperson. Once recommendation has been made by these boards, the application(s) and recommendations will be forwarded to the BOC for appointment.

VACANCIES. A vacancy occurring on these boards shall be filled by the board of county commissioners, upon recommendation of the affected advisory board, for the remainder of the unexpired term. The County Managers Office will publish, in a newspaper of general circulation, the county web site and county social media outlets, for a period of two weeks the vacancy and the process to apply. All persons interested in serving on an advisory board must submit an application to the County Managers Office, a copy of the application(s) will be forwarded to the appropriate Chairperson. Once recommendation has been made by the appropriate board, the application(s) and recommendations will be forwarded to the BOC for appointment.

LYON BOCC WORKSHEET FOR 2025 APPOINTMENTS TO BOARDS

Boards & Commissions	2024 Appointments	Appointment Requests	2025 Appointments
COMSTOCK HISTORIC DISTRICT	Hendrix	Hendrix	Hendrix
DEBT MANAGEMENT COMMISSION	Jacobson	Jacobson	Jacobson
DAYTON VALLEY CONSERVATION DISTRICT	Hendrix	Hendrix, Cassinelli	Cassinelli
MASON VALLEY CONSERVATION DISTRICT	Hockaday	Hockaday	Hockaday
SMITH VALLEY CONSERVATION DISTRICT	Hockaday	Hockaday	Hockaday
Nevada Public Agency Insurance Pool	Foli	Foli	Foli
Public Agency Compensation Trust	Foli	Foli	Foli
NEVADA ASSOCIATION OF COUNTIES:			
BOARD OF DIRECTORS	Henderson	Keller	Keller
<i>Alternate to Board of Directors</i>	Keller	Hendrix	Hendrix
LEGISLATIVE COMMITTEE	Henderson	Keller	Keller
<i>Additional appointment to Legislative Comm.</i>	Keller	None	
PUBLIC LANDS & NATURAL RESOURCES	Hendrix	Hendrix	Hendrix
<i>Additional appointment to Public Lands...</i>	Keller	Keller	Keller
LOCAL EMERGENCY PLANNING COMMITTEE	Hockaday	Hockaday	Hockaday
NORTHERN NV DEVELOPMENT AUTHORITY	Keller	Cassinelli	Cassinelli
<i>Additional Appointment to NNDA</i>	Haskin	Haskin	Haskin
NEVADA WORKS	Jacobson	Jacobson	Jacobson
<i>Additional Appointment to NV Works:</i>	Haskin	Cassinelli	Cassinelli
WALKER RIVER IRRIGATION DISTRICT	Hockaday	Hockaday	Hockaday
CARSON WATER SUBCONSERVANCY DISTRICT	Hendrix	Hendrix	Hendrix
LYON COUNTY ROOM TAX BOARD	Jacobson	Jacobson	Jacobson
<i>Alternate to Room Tax Board</i>	Keller	Keller	Keller
QUARTERLY JAIL INSPECTION	Hockaday	Hockaday	Hockaday
TRUCKEE CANAL SAFETY COMMISSION	Jacobson	Jacobson	Jacobson
<i>Alternate Appointment to TCS</i>	Keller	Keller	Keller
LC REGIONAL TRANSPORTATION COMMITTEE	Keller	Keller	Keller
QUAD COUNTY LEGISLATIVE COALITION	Hockaday	Keller	Keller
<i>Additional Appointment to QUAD County</i>	Henderson	Hendrix	Hendrix
CARSON AREA METRO PLANNING ORGANIZATION	Henderson	Cassinelli	Cassinelli
STATE LAND USE PLANNING AGENCY <i>Term Expires 2024</i>	Henderson	Keller	Keller
NV LOCAL JUSTICE REINVESTMENT COORD COUNCIL	DA Steve Rye	DA Steve Rye	DA Steve Rye
NV COMMISSION OF THE AGING	Hendrix	Jacobson	Jacobson
INTERGOVERNMENTAL EXECUTIVE COMMITTEE	Keller	Keller	Keller
<i>Alternate to IEC, both terms expire Dec. 2025</i>	Haskin	Haskin	Haskin

Lyon County Board of County Commissioners Agenda Summary

Meeting Date: January 6, 2025

Agenda Item Number:

15.b

Subject:

For Possible Action: Discussion and review of the draft revised bylaws from the Nevada Association of Counties, which will be voted on by the NACO Board of Directors at their meeting on Friday, January 31, 2025.

Summary:

Request from NACO:

The Nevada Association of Counties (NACO) at the direction of the Board of Directors has revised their organization bylaws. Per Article XI, Section 2 of the current NACO bylaws, “A copy of a By-Law or amendment proposed by the Board pursuant to Article X Section 1 shall be electronically transmitted to each County Director at least thirty (30) days prior to the Association meeting date at which the proposed By-Law or amendment is to be voted on.” Per the existing bylaws, we are providing a copy of the revised version of the bylaws that will be voted on by the NACO Board of Directors at their meeting on Friday, January 31, 2025.

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

ATTACHMENTS

- [Revised NACO ByLaws \(Draft\)](#)

BY-LAWS OF THE NEVADA ASSOCIATION OF COUNTIES

Adopted *New Date*

ARTICLE I

NAMES AND DEFINITIONS

SECTION 1. NAME. This organization shall be known as “Nevada Association of Counties.”

SECTION 2. DEFINITIONS. The terms defined in this section shall have the meanings given unless otherwise provided or indicated by context:

Sub. 1. “Association” means the Nevada Association of Counties.

Sub. 2. “Board” means the Board of Directors of the Association.

Sub. 3. “Commissioner” means any duly elected, **appointed**, qualified, sitting county commissioner or Carson City Supervisor.

Sub. 4. “County” means any county unit or government in the State of Nevada and includes Carson City.

Sub. 5. “Member County” means any county of the State of Nevada that pays the annual membership fee established by the Association.

Sub. 6. “Affiliate” means any organization whose membership consists predominately of county officials or employees that seek formal recognition as being associated with the Association and has been approved by the Board. Examples of “Affiliates” are Nevada Assessors Association, County Fiscal Officers Association and Nevada Association of County Human Services Administrators.

Sub. 7. “Associate Membership” means any entity, company, organization or individual that is not a member county or county official or employee that wishes to be involved with the Association with no voting rights.

Sub. 8. “Government Partner” means a non-voting affiliated organization not primarily comprised of elected officials. Examples of “Government Partner” are general improvement districts, regional water authorities, and public works associations.

ARTICLE II

OBJECTIVES AND PURPOSES

SECTION 1. OBJECTIVE. The Core belief of the Association is that counties, being general purpose government entities encompassing both unincorporated and incorporated areas and thereby providing services to all people within the State, should exercise initiative and leadership and assume responsibility in dealing with the problems and needs requiring attention and action on a statewide basis. The Mission Statement for the Nevada Association of Counties shall be:

To encourage county government to provide services that will maximize efficiency and foster public trust in county government.

SECTION 2. PURPOSES. The purposes of the Association shall include but are not limited to the following:

Sub. 1. To enhance the working relationships within county government; to strengthen the communication with federal, state and private organizations; to identify and solve common problems; to promote effective and efficient government; and to provide a forum for determining the long range goals for county government.

Sub. 2. To provide training and educational programs for local government officials and other members of the private and public sector.

Sub. 3. To provide ways and means whereby elected and appointed county officials may interchange information, ideas and experiences and to obtain expert advice.

Sub. 4. To provide the Legislature, other units of government and the public with necessary information about county government and the means by which it may be improved.

Sub. 5. To rent, purchase, and otherwise own or hold real estate or other property, including beneficial interest therein either solely or jointly with other organizations to house staff; to assess and collect dues; to contract with governmental units, persons, firms, or other organizations to procure or provide services or to perform functions by either contracting party or jointly and to pay or receive money therefore; and to do all such other things as are incidental and proper or reasonable and desirable to carry into effect the purposes of the Association.

ARTICLE III

MEMBERSHIP & DUES

SECTION 1. MEMBERSHIP. The Association shall have four classes of membership. The designation of such classes and the qualifications of the members of such classes shall be as follows:

Sub. 1. County Membership. County membership in this Association is available to any county in the State of Nevada which indicates its willingness to cooperate with and support the work of the Association. The Board of Directors may **temporarily** suspend county membership of any county for non-payment of annual dues that are assessed under Article III, Section 2, Sub. 1., **until such dues are paid in full.**

Sub. 2. Affiliate Membership. The Board may, upon written application and subject to ratification by the Board, recognize as affiliates of the Association organizations whose membership consist predominately of county officials or county employees. The general purpose of such affiliates shall be to encourage maximum cooperation between the Association and the various county functions, between administrative departments and agencies and between the counties throughout the State. The Board may require for affiliate recognition such conditions as to activities, membership and finances, as it deems appropriate. In no event shall recognized affiliate advocate legislation or other policies as Association policies unless such policies have been approved by the Board as being consistent with the Association's policies and programs.

Sub. 3. Associate Membership. The Board may, upon written application and subject to ratification by the Board, approve the membership. The general purpose of such memberships shall be to encourage maximum cooperation between the Association and private businesses. In no event shall an associate member be able to vote or represent the Association.

Sub. 4. Government Partner Membership. The Board may, upon written application and subject to ratification by the Board, approve the membership. The general purpose of such memberships shall be to broaden the scope of relationships with the non-elected departments of county government that are not directly associated with the formal programs of NACO. In no event shall a Government Partner member be able to vote or represent the Association.

SECTION 2. DUES. The annual membership dues for county membership, affiliate membership and associate membership shall be in accordance with the following:

Sub. 1. COUNTY MEMBERSHIP DUES. The Board of Directors shall determine dues for county membership in the Association in accordance with the formula consisting of a base assessment calculated from the audited revenues of the individual county and a per capita population assessment which is attached to the By-laws as Appendix A, and an additional assessment based on a percentage, as determined by the Board to apply to all counties, equivalent to the most recent federal Payment in Lieu of Taxes (PILT) payment made to each county. **The Board may determine additional dues, based on Association needs. Such dues would be adopted under existing policy and would be reviewed and approved by a majority of Board members during such time as they may be considered. Further, members would be notified thirty (30) days prior to any additional dues or assessments.**

Sub. 2. AFFILIATE DUES. The Board of Directors may, if deemed necessary, determine appropriate dues for affiliate membership in the Association

Sub. 3. ASSOCIATE DUES. The Board of Directors may, if deemed necessary, determine appropriate dues for associate membership in the Association.

Sub. 4. GOVERNMENT PARTNER DUES. The Board of Directors may, if deemed necessary, determine appropriate dues for government partner membership in the Association.

SECTION 3. ASSOCIATION BUDGET AND FISCAL YEAR. The fiscal year of the Association shall begin on the first day of January and end on the last day of December each year. The Board shall adopt an annual budget for the Association prior to the beginning of the fiscal year at a date not later than December 15th, **with payment of dues within 90 days.**

DRAFT

ARTICLE IV

BOARD OF DIRECTORS

SECTION 1. GENERAL POWERS. The Board shall have all powers necessary to carry out effectively the management, business and affairs of the Association and such other powers as are necessary and incidental to the performance of the Association's purposes as specified in Article II, Section 2, of these By-Laws.

SECTION 2. BOARD OF DIRECTORS. There shall be organized a Board of Directors composed of the following:

Sub. 1. County Directors. One (1) commissioner from each member county of the Association appointed by their respective governing board. Another commissioner from the same county may serve as an alternate with the same voting rights as the County Director and may exercise the county's voting right in the absence of the County Director.

Sub. 2. NACo Director. Any county commissioner who has been elected to the Board of Directors of the National Association of Counties.

Sub. 3. WIR-NACo Director. Any county commissioner who has been elected to the Western Interstate Region-NACo Board of Directors.

Sub. 4. Association Officers. Any county commissioner who has been elected to the office of the President, President Elect, or Vice President of the Association. The Immediate Past President shall also serve as an Association officer.

Sub. 5. Affiliate Director. One official from any organization who has been granted Affiliate status of the Association's Board of Directors, except that such officials may, upon prior request, vote only on matters related to their Affiliate membership as determined by the Association's President.

Sub. 6. At Large Member of the Executive Committee. Any commissioner who is chosen by a majority of the Board of Directors to serve on the Executive Committee pursuant to Section 3 Article V of the NACo By-Laws.

SECTION 3. TERM OF OFFICE. The term of office for each member of the Board of Directors shall be as follows:

Sub. 1. The term of office for County Directors and Association officers will begin on the first day of January of each year and shall end on December 31 of each year.

Sub. 2. The term of office for NACo Directors shall run for two consecutive years. Each year shall run concurrently with their term of office as appointed by the National Association of Counties Board of Directors.

Sub. 3. The term of office for WIR-NACo Directors shall run concurrently with their term of office as appointed by the National Association of Counties Western Interstate Region Board of Directors.

Sub. 4. Affiliate Directors shall serve for a period of one year or until a successor is appointed by the Affiliate organization.

SECTION 4. DIRECTORSHIP VACANCIES. If for any reason, a vacancy occurs in any directorship, that directorship will remain vacant until such time as filled by the appointing authority.

SECTION 5. OFFICER VACANCIES. If for any reason an Officer of the Association is unable to complete his or her term of office, the office shall be declared vacant. Such vacancy shall be filled as specified in Article V, Section 8.

SECTION 6. VOTING. Except as provided in Article IV, Section 2, Sub. 5, and Sub. 1 of this Section all members of the Board of Directors shall be entitled to one vote.

Sub. 1. If there are more than two (2) members from a county on the Board of Directors, that county shall only have one vote in addition to the vote of the County Director.

SECTION 7. REGULAR MEETING. The President may call the time and place for holding regular meetings of the Board. The Board shall hold at least two (2) regular meetings each year. A written notice of each meeting of the Board shall be required. Such notice shall be transmitted electronically to members at least 10 working days in advance of the meeting and such notice shall be accompanied by an agenda. At the request of a Board member this notification may be given by mailed letter.

SECTION 8. QUORUM. A majority of the County Directors on the Board, which may include alternates, shall constitute a quorum for the transaction of business at any meeting of the Board.

SECTION 9. MANNER OF ACTING. The act of the majority of the Directors present at a meeting of which a quorum is present shall be the act of the Board, unless the act of a greater number is required by law or these By-Laws.

SECTION 10. SPECIAL MEETINGS OF THE BOARD. Special meetings of the Board may be called by or at the request of the President or any nine (9) County Directors. The person or persons authorized to call special meetings of the Board may fix the place within the State of Nevada as a place for holding any special meetings of the Board called by them. Each Director shall receive at least five (5) working days notice of such special meeting.

SECTION 11, DISSOLUTION. The Board may be dissolved at any time by unanimous vote of all the members. Upon dissolution of the Board, the counties then participating shall mutually agree upon the transfer of personnel, division and distribution of assets, outstanding indebtedness and liabilities (including accrued personnel benefits).

ARTICLE V

OFFICERS

SECTION 1. OFFICERS AND ELECTIONS. There shall be a President, President Elect, and Vice President of the Association. At the Annual Meeting of the Association, there shall be an election to fill the office of Vice President and any other office previously filled pursuant to Article V, Section 8 of these By-Laws.

SECTION 2. TERM OF OFFICE. The term of office for Association officers will begin the first Monday in January of each year and shall end on December 31 of each year.

SECTION 3. EXECUTIVE COMMITTEE. The President, President Elect, Vice President and Immediate Past President shall constitute the Executive Committee of the Board of Directors. The Executive Committee may be expanded by a maximum of two (2) At-Large members with one (1) commissioner from each of the two counties with the largest populations chosen by a majority of the Board of Directors if those counties are not otherwise represented on the Executive Committee. If the Immediate Past President is no longer eligible to serve on the Executive Committee pursuant to Article V, Section 4, Sub. 1, the next Immediate Past President who is eligible may serve on the Executive Committee if approved by a majority vote of the Board of Directors. The Executive Committee shall have the authority to act in those circumstances and on those matters as directed by the Board of Directors.

SECTION 4. ELIGIBILITY OF OFFICERS.

Sub. 1. Any commissioner from any member county of the Association shall be eligible to serve as an officer of the Association. ~~however they must be a current member of the Board.~~ **Such an individual must be a current member of the Board of Directors.**

Sub. 2. In the event that an officer is unable to serve as a commissioner, the term of the office in the Association is deemed to end and the remaining officers shall ascend as provided by Article V, Section 5.

Sub. 3. Unless otherwise approved by the Board of Directors, the President of the Association shall not be from the same **member** county in consecutive years.

Sub. 4. A former President of the Association shall not be eligible to seek election as an officer, except as Immediate Past President, without prior approval of a majority of the Board of Directors.

SECTION 5. DUTIES AND ASCENDENCY OF OFFICERS. The officers shall have the following powers and duties and shall ascend in the following order:

Sub. 1. President. The President shall preside at all regular and special Association, Board and Executive Committee meetings. The President shall perform the usual duties as the chief elected officer of the Association and may speak for or on behalf of the Association and Executive Committee. The President, with the concurrence of the Executive Committee, shall make all standing committee appointments and shall be an ex—officio member of all standing and special committees of the Association and Board. The President may sign with any other appropriate officers or designated

persons of the Association authorized by the Board, any deeds, mortgages, contracts or any other instruments which the Board wishes to be executed. The President shall perform all duties incident to the office of President and such other duties as may be prescribed by the Board of Directors from time to time.

Sub. 2. President Elect. The President Elect, if eligible pursuant to Article V, Section 4, shall automatically ascend to the office of President at the end of the term of President Elect. The President Elect shall automatically ascend to the office of President should a vacancy occur in the office of President. In the absence of the President or in the event of an inability or refusal to act, the President Elect shall perform the duties of the President and when so acting, shall have all the powers of and be subject to all restrictions upon the President. The President Elect shall, at the direction of the President, assist the Executive Director in program development for the Institute of Local Government. The President Elect shall serve as Secretary of the Association and perform such other duties as from time to time may be assigned by the President or the Board.

Sub. 3. Vice President. The Vice President, if eligible pursuant to Article V, Section 4, shall automatically ascend to the office of President Elect at the end of the term of Vice President. The Vice President shall automatically ascend to the office of President Elect should a vacancy occur in the office of President Elect. In the absence of the President and President Elect, or in the event of their disability or refusal to act, the Vice President shall have all powers of and be subject to all restrictions upon the President and President Elect. The Vice President shall, at the direction of the President, assist the Executive Director in developing the budget for the Association. The Vice President shall serve as chairperson of the Elections Committee. The Vice President shall perform such other duties from time to time as may be assigned by the President or the Board.

SECTION 6. FISCAL OFFICER. The Board of Directors shall appoint a Fiscal Officer to review the financial records of the Association monthly. The Fiscal Officer shall serve as the Association's Treasurer and be responsible for meeting with the Executive Director quarterly to discuss the financial records and report back to the Board of Directors. The Fiscal officer shall annually review the Association's internal control policy and recommend to the Board of Directors any pertinent changes.

SECTION 7. NOMINATION AND ELECTION OF OFFICERS.

Sub. 1. Prior to each Annual Meeting the President shall appoint a Nominating Committee composed of three (3) commissioners from member counties of the Association. The Chair of the committee shall be the Vice President of the Association. The two (2) remaining members of the Committee shall be appointed from those commissioners who have exhibited a knowledge of the Association and its goals; leadership within the Association; and representation within the diverse segments and areas of the Association.

Sub. 2. The Nomination Committee shall recommend a slate of officers that includes a nomination for the Vice President and any other offices filled pursuant to Article V, Section 8 to the general membership 30 days prior to the Annual Conference. Such recommendation shall be transmitted electronically to the Board of Directors of the Association. At the request of Board member this notification may be given by a mailed letter.

Sub. 3. Nomination for Vice President and any office filled pursuant to Article V, Section 8 can also be made during the Annual Business Meeting of the Association. Such nominations are deemed valid even if absent from the slate proposed by the Nominating Committee.

SECTION 8. VACANCIES. If for any reason an office becomes vacant prior to the end of the term of office, the vacancy may be filled by a majority vote of the Board of Directors. Any office filled in this manner must be ratified through the election process at an Association meeting.

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ARTICLE VI

MANAGEMENT

SECTION 1. PERMANENT OFFICES. The Board shall establish and maintain a permanent office for the Association.

SECTION 2. EXECUTIVE DIRECTOR. The Board shall appoint an Executive Director to serve at the pleasure of the Board as the Chief Administrative Officer of the Association. The Executive Director shall be chosen solely on the basis of training, experience and other qualifications in the field of local government administration and legislative advocacy. The Executive Director is responsible to the President and Executive Committee members to ensure that the directives of the Board of Directors are carried out in accordance with the policies and procedures of the Association. The Executive Director need not be a resident of the State of Nevada when appointed, **however such a candidate would need to establish residency in the state of Nevada within 6 months after appointment.** The Executive Director shall attend all meetings of the Board, but shall not vote, and shall have the following powers and duties to be exercised in accordance with the policies declared by the Board:

Sub. 1. To attend all Board and Executive Committee meetings and to preserve in books of the Association true minutes of the proceedings of all meetings.

Sub. 2. To see that all resolutions, rules, regulations and orders of the Board are carried out.

Sub. 3. To develop a staffing plan, including position descriptions, based on budgets approved by the Board of Directors.

Sub. 4. To appoint and remove, on the basis of merit and fitness in accordance with the Association policies and regulations, all subordinate regular and special employees of the Association.

Sub. 5. To present to the Board plans, studies and reports prepared for Board purposes and action and recommend to the Board for adoption those measures deemed necessary to enforce or carry out the powers and duties of the Board or for the efficient administration of the affairs of the Association.

Sub. 6. To keep the Board fully advised as to its financial condition, and to prepare and submit to the Board an annual budget for the Association and such other financial information as it may request.

Sub. 7. To represent the Association's public policy position to the Legislature, local government and the public.

Sub. 8. To perform such duties as may be prescribed by the Board.

SECTION 3. FISCAL POLICY. The Board of Directors shall adopt and maintain an internal control policy to facilitate proper fiscal controls.

ARTICLE VII

CONTRACTS, CHECKS, DEPOSITS AND FUNDS

SECTION 1. CONTRACTS. The Board may authorize any officers, agent or agents of the Association, to enter into any contract or execute and deliver any instrument in the name of or on behalf of the Association, and such authority may be general or confined to specific instances.

SECTION 2. CHECKS, DRAFTS AND ORDERS. All checks, drafts, or orders for the payment of money, notes or otherwise evidences of indebtedness issued in the name of the Association shall be signed by officers or designated persons of the Association.

SECTION 3. DEPOSITS. All funds of the association shall be deposited from time to time to the credit of the Association in such banks, trust companies or other depositories as the Board or Executive Director may designate.

SECTION 4. FUNDS. Any funds which may come to the Association or be subject to its control, for its use in furthering and promoting the aims and purposes of the Association or its policies, shall be received, disbursed, controlled and accounted for by the Executive Director.

SECTION 5. TRAVEL REIMBURSEMENT. Member travel for Association related business may be reimbursed in accordance with a policy approved by the Board of Directors.

ARTICLE VIII

COMMITTEES

SECTION 1. There shall be such standing and study committees as are determined by the Board. All committees shall have such authority, direction, duration and limitations as are determined by the Board.

SECTION 2. All recommendations of any standing and study committees shall be made to the Board in writing.

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ARTICLE IX

ASSOCIATION MEETINGS

SECTION 1. ANNUAL MEETING. The Association shall hold an Annual Business Meeting in conjunction with the Association's Annual Conference, the time and place of which shall be determined by the Board. Notice shall be given to the Board of Directors not less than thirty (30) days prior to the opening session. Such notice stating the time and place of the meeting shall be transmitted electronically to each member of the Board of Directors. At the request of a Board member this notification may be given by a mailed letter.

SECTION 2. SPECIAL MEETINGS OF THE ASSOCIATION. Special meetings of the Association may be called by or at the request of the President or the Board of Directors. The person or persons authorized to call special meetings of the Association may fix the place within the State of Nevada as a place for holding any special meetings of the Association called by them. Each Director shall receive at least five (5) working days notice of such special meeting.

SECTION 3. QUORUM. A quorum shall be necessary for the transaction of business at the Annual Association Business Meeting. Unless otherwise required by statute or these By-Laws, a quorum shall be a majority of the member counties. The Executive Director shall determine for the record as to whether a quorum is present.

SECTION 4. MANNER OF ACTING. Every decision at a meeting of the Association shall be by a majority of votes cast provided a quorum is present. Each county may cast the same number of votes that are equal to the number of commissioners elected to their respective Board of Commissioners. In the event that no commissioner is present from a member county, an elected official in attendance may cast that county's votes. In the event that no elected official is present from a member county, a designated county official may cast the county's vote. The Executive Director shall cause to be written minutes and records of the Annual Association Business Meeting to be kept.

ARTICLE X

ELECTION OF NATIONAL ASSOCIATION OF COUNTIES OFFICERS

A member county must adhere to ARTICLE XII, Voting, of the National Association of Counties (NACo) By-Laws, except that the vote(s) of a member county that is entitled to vote for an officer of the National Association of Counties (NACo) must be made by an elected official from that county who is registered and qualified to vote in accordance with, ARTICLE XII, Section 3 of the NACo By-Laws, and is present at the NACo Annual Conference. Alternatively, a member county that does not have an elected official in attendance but is otherwise registered to vote may leave its written proxy with the head of the Associations' delegation.

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ARTICLE XI

AMENDMENTS TO BY-LAWS

SECTION 1. PROPOSALS AND ADOPTION. A new By-Law or amendment to an existing By-Law may be proposed by the Board by a two-thirds (2/3) vote **and approval** of the Board present at any regular or special meeting of the Board.

~~SECTION 2. ADOPTION. After a new By-Law or amendment to an existing By-Law has been proposed, such proposed By-Law or amendment may be adopted at any properly noticed Association meeting. Each member county may cast the same number of votes that are equal to the number of commissioners elected to their respective Board of Commissioners. In the event that no commissioner is present from a member county, an elected official in attendance may cast that county's votes. In the event that no elected official is present from a member county, a designated county official may cast the county's vote. **Proposed amendments must be approved by a majority vote of the voting active member counties.** A copy of a By-Law or amendment proposed by the Board pursuant to Article X Section 1 shall be electronically transmitted to each County Director at least thirty (30) days prior to the Association meeting date at which the proposed By-Law or amendment is to be voted on. At the request of a County Director this notification may be given by a mailed letter.~~

SECTION 2.3. EFFECTIVE DATE. Such proposed By-Law or amendment, when duly approved, shall go into effect immediately following its adoption unless otherwise provided.

ARTICLE XII

GENERAL PROVISIONS

SECTION 1. PARLIMENTARY AUTHORITY. The rules of parliamentary procedure and practice contained in *Roberts Rules of Order* shall supplement the rules and procedures adopted by the Association and shall govern the Association, the Board and Association committees in all cases in which *Roberts Rules of Order* is applicable and insofar as they are not inconsistent or in conflict with the statutes of the State of Nevada, these By-Laws or on rules or regulations adopted by the Nevada Association of Counties.

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Appendix A

NACO Dues Formula

$$\text{NACO Dues} = \text{Base Assessment} + \text{Population Assessment}$$

BASE ASSESSMENT: The base assessment is based upon the most recent audited revenues submitted by each county to the Tax Commission.

Audited S-1 Revenues	Base Assessment
\$0 - \$5,499,999	\$4,500
\$5,500,000 - \$10,499,999	\$6,500
\$10,500,000 - \$15,499,999	\$8,500
\$15,500,000 - \$20,499,999	\$10,500
\$20,500,000 - \$35,499,999	\$13,000
\$35,500,000 - \$50,499,999	\$15,500
\$50,500,000 - \$65,499,999	\$18,000
\$65,500,000 - \$250,499,999	\$21,500
\$250,500,000 and above	\$24,500

POPULATION ASSESSMENT: The population assessment is based on the prior year's population figures certified by the Governor.

Population	Assessment Per Capita
0 – 5,000	0.15
5,001 – 10,000	0.12
10,001- 25,000	0.10
25,001 – 50,000	0.08
50,001 – 100,000	0.06
100,001 – 500,000	0.04
500,001 and above	0.03

Lyon County Board of County Commissioners Agenda Summary

Meeting Date: January 6, 2025

Agenda Item Number:

15.c

Subject:

For Possible Action: Direct staff to draft a comment letter to the Bureau of Land Management (BLM) for the sale of public lands and the underlying federal mineral estate associated with the Anaconda Copper Mine site.

Summary:

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

ATTACHMENTS

- [Letter from BLM](#)
- [Preliminary Environmental Assessment - Yerington Anaconda Site](#)



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

Sierra Front Field Office
5665 Morgan Mill Road
Carson City, Nevada 89701

Phone: 775-885-6000 Fax: 775-885-6147
<http://www.blm.gov/nevada>

DEC 19 2024

Dear Reader,

The Bureau of Land Management (BLM), Carson City District, Sierra Front Field Office, has made available for public review the Yerington Anaconda Mine Site Conveyance Environmental Assessment (EA) DOI-BLM-NV-C020-2025-0010-RMP-EA. The proposed project would occur in Lyon County, Nevada (enclosed map). The BLM is also seeking public comments and input under Section 106 of the National Historic Preservation Act for the project. This includes seeking information and identifying historic properties in or near the project area.

Atlantic Richfield Company has made a request for a direct sale of public lands and the underlying federal mineral estate associated with the Anaconda Copper Mine Site. The proposed sale includes 2,062 acres of land, including the underlying mineral estate, (disposal lands). The disposal lands are comprised of five parcels in Lyon County that are west of the City of Yerington and east of the community of Weed Heights, immediately west of State Highway 339, at the eastern foot of the Singatse Range.

The 30-day public review period is from December 19, 2024 through January 21, 2025. For a copy of the preliminary environmental assessment, information on how to comment, and maps of the Project area go to: <https://eplanning.blm.gov/eplanning-ui/project/2035766/510>.

For information contact Mary Feitz, Realty Specialist at mfeitz@blm.gov or (775) 885-6194.

Privacy notice: Before including address, phone number, email address, or any other personal identifying information in your comments, be advised that your entire comment, including personal identifying information, may be made publicly available at any time. While individuals may request that the BLM withhold personal identifying information from public view, the BLM cannot guarantee it will be able to do so. If you wish to withhold your personal information, you must state this prominently at the beginning of your comment. We will make all submissions from organizations and businesses available for public disclosure in their entirety.

Sincerely,

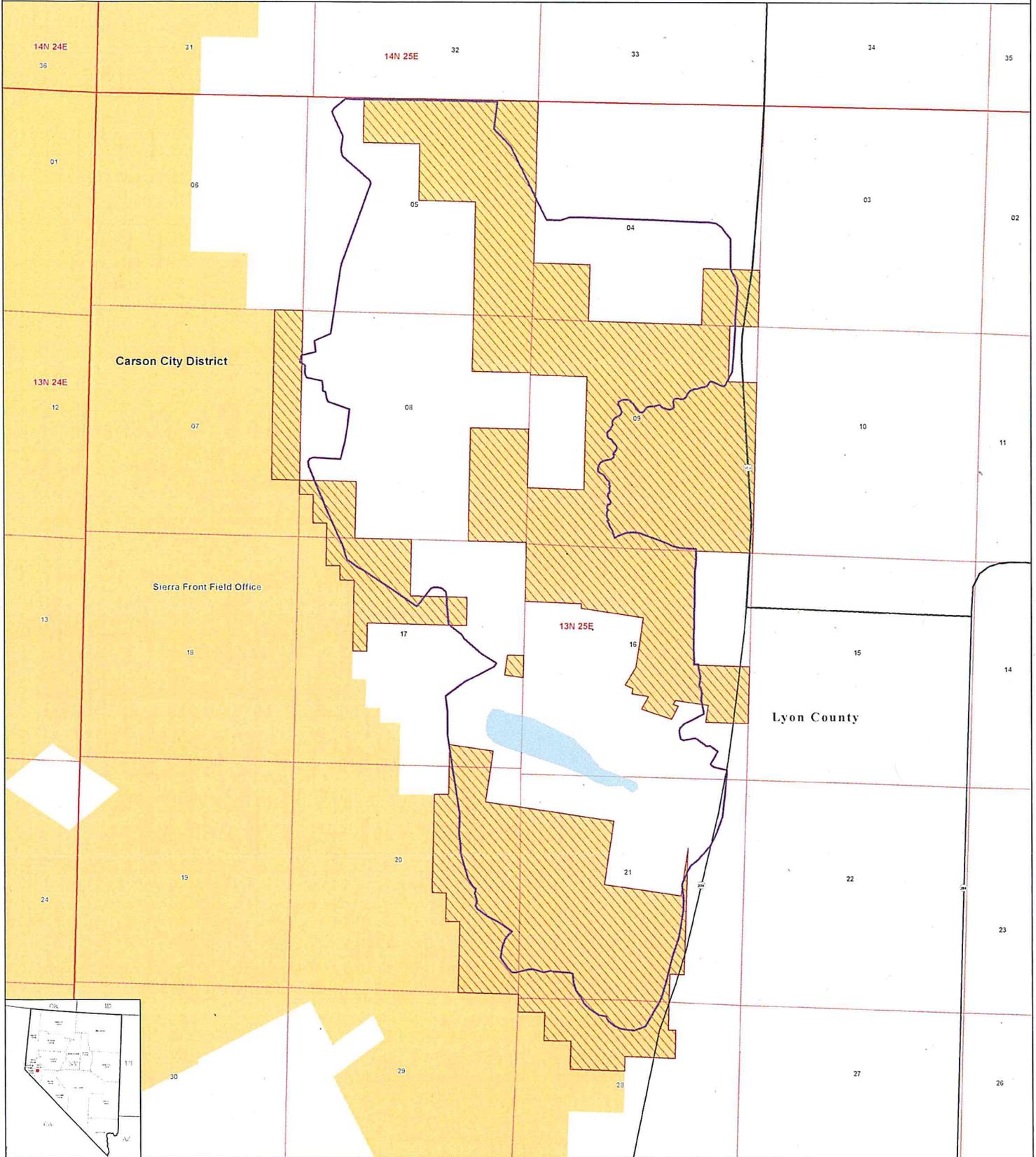

For Kimberly D. Dow
District Manager, Carson City District

Enclosure

Anaconda Mine Remediation Conveyance to Atlantic Richfield Company

July 24, 2018

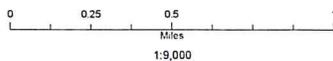
This map prepared at the request of Representative Mark Amodei



No Warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual use or aggregate use with other data. Proposal data provided by Representative Mark Amodei's office.

This map is intended to be plotted at 34 x 44 inches

- Mine Site Boundary
- Federal Selected Lands
- Township
- Section
- Land Status
 - Bureau of Land Management
 - Private



PRELIMINARY ENVIRONMENTAL ASSESSMENT

Yerington Anaconda Mine Site

Conveyance

Yerington, Nevada

DOI-BLM-NV-C020-2025-0010-RMP-EA

U.S. Department of the Interior
Bureau of Land Management
Carson City District
Sierra Front Field Office
5665 Morgan Mill Road
Carson City, NV 89701
775-885-6000

December 2024

It is the mission of the Bureau of Land Management to sustain the health, diversity, and productivity of the public lands for the use and enjoyment of present and future generations.

DOI-BLM-NV-C020-2025-0010-RMP-EA

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LIST OF ACRONYMS

A

ACMS	Anaconda Copper Mine Site
AO	Authorizing/Authorized Officer
APE	Area of Potential Effects
ARC	Atlantic Richfield Company
ARMPA	Approved Resource Management Plan Amendment
AUM	Animal Unit Month
AVSO	Appraisal Valuation Services Office

B

BLM	Bureau of Land Management
BWPC	NDEP Bureau of Water Pollution Control

C

CEQ	Council on Environmental Quality
CERCLA	Comprehensive Environmental Response, Compensation and Liability Act
CESA	Cumulative Effects Study Area
CFR	Code of Federal Regulations
CRINA	Cultural Resources Inventory Needs Assessment
CRMP	Consolidated Resource Management Plan

E

EA	Environmental Assessment
EO	Executive Order
EPA	Environmental Protection Agency
ESA	Endangered Species Act

F

FLPMA	Federal Land Policy Management Act of 1976, as amended
FONSI	Finding of No Significant Impact

G

GHMA	General Habitat Management Area
------	---------------------------------

H

HMA	Herd Management Area
HPTP	Historic Properties Treatment Plan

I

IAOC Interim Administrative Order on Consent
IDT Interdisciplinary Team

L

LUP Land Use Plan

M

MOA Memorandum of Agreement
MOU Memorandum of Understanding
MPR Mineral Potential Report

N

NDEP Nevada Department of Environmental Protection
NDOW Nevada Department of Wildlife
NDWR Nevada Division of Water Resources
NEPA National Environmental Policy Act
NHPA National Historic Preservation Act
NPL National Priorities List
NRHP National Register of Historic Places
NRS Nevada Revised Statute

P

PHMA Priority Habitat Management Area
PRP Potentially Responsible Party

R

RD/RA Remedial Design / Remedial Action
RFFA Reasonably Foreseeable Future Action
RI/FS Remedial Investigation / Feasibility Study
ROD Record of Decision

S

SFFO Sierra Front Field Office
SOW Statements of Work

U

U.S.C. United States Code

USFWS United States Fish and Wildlife Service

1.0 INTRODUCTION

The Bureau of Land Management (BLM), Carson City District, Sierra Front Field Office (SFFO) is the lead agency in preparing this Environmental Assessment (EA) DOI-BLM-NV-C020-2025-0010-RMP-EA for the Anaconda Copper Mine Site (referred to herein as ACMS) Federal Land Conveyance action (Proposed Action). This EA is a site-specific analysis of potential impacts that may result by implementing the Proposed Action or the No Action Alternative. This EA will allow the Authorizing Officer (AO) to determine whether implementing the Proposed Action or the No Action Alternative may cause significant impacts to the human environment. The Proposed Action is for the direct sale of 2,062 acres of public lands and the underlying mineral estate to Atlantic Richfield Company (ARC) to facilitate the remediation of the ACMS. If the AO determines no significant impacts would occur, a Finding of No Significant Impact (FONSI) would be prepared, and a Decision Record would be issued. If significant impacts are likely to occur, or a FONSI cannot be reached, an Environmental Impact Statement (EIS) would be prepared with a subsequent Record of Decision (ROD). This EA has been prepared in compliance with the National Environmental Policy Act of 1969 (NEPA) following the guidance provided in BLM Handbook H-1790-1 (National Environmental Policy Act, Rel. 1-1710, January 2008), hereafter referred to as H-1790-1. This EA also is compliant with the PEP Environmental Statement Memorandum No. ESM 13-14 Complying with Time and Page Limits for EISs and EAs under Section 107 of NEPA and the National Environmental Policy Acts Implementing Regulations Revisions Phase One , IB 2024-035 Change 1 Conservation and Landscape Health Rule (Public Lands Rule).

The Proposed Action would facilitate timely remediation activities that were developed to meet Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) requirements pursuant to the Deferral Agreement (Deferral Agreement) between the U.S. Environmental Protection Agency (EPA) and the Nevada Division of Environmental Protection (NDEP) (EPA, 2018).

Currently NDEP has an aggressive schedule for the remediation of the ACMS. The Deferral Agreement and the Interim Administrative Order on Consent (IAOC) between the NDEP and Atlantic Richfield Company (ARC), dated February 5, 2018 (NDEP, 2018), calls for closure of the site by 2029. Information on the agreements, remedial activities and current status of the remediation can be found on the NDEP Sharepoint site at <https://ndep.nv.gov/land/abandoned-mine-lands/anaconda-home/anaconda-site-docs>.

1.1 Identifying Information

1.1.1 Title, Environmental Assessment Number

The title of this EA is Yerington Anaconda Mine Site Federal Land Conveyance, Yerington, Nevada, DOI-BLM-NV-C020-2025-0010-RMP-EA.

1.1.2 Location of Proposed Action

The Proposed Action is located on 2,062 acres of public lands located in Mason Valley, Lyon County, Nevada (project area) immediately west of Nevada State Highway 339 (Appendix A, Map 1).

1.1.3 Lead Office/Preparing Office

BLM, Carson City District, Sierra Front Field Office (SFFO).

1.1.4 Subject Function Code, Lease, Serial or Case File Number

NVN 097801

1.1.5 Applicant Name

The applicant is Atlantic Richfield Company (ARC).

1.2 Background Information

The BLM is proposing to dispose of 2,062 acres of public lands, including the underlying mineral estate, administered by BLM within and adjacent to the ACMS to ARC. ARC is responsible for certain remedial action under CERCLA as a potentially responsible party (PRP). The conveyance of these lands would assist ARC in facilitating the remediation of health and safety hazards located on the ACMS. If the land were private, more robust land use restriction could be placed on the parcels after remediation. As federal land, use restrictions and institutional controls would not be perpetual and subject to alteration through the resource management planning process under FLPMA. A conveyance of public lands from federal management is considered a major federal action requiring compliance with the National Environmental Policy Act (NEPA) and a federal undertaking under Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA). Under CERCLA Section 120(h), when the federal government conveys contaminated impaired federal lands, it must covenant that all required remedial action has been taken before the transfer and any additional remedial action found to be necessary after the transfer would be conducted by the United States; provided, however, that these covenants are not required if the property is transferred to a potentially responsible party (PRP). Because ARC is a PRP and is already under an obligation (pursuant to the IAOC) to perform the CERCLA remedial action selected in 2017 by NDEP, BLM, and EPA for the ACMS, ARC is the only private entity to which the BLM can convey the lands.

The lands that BLM is considering for disposal to ARC under the Proposed Action (disposal lands) are within and around the ACMS in Mason Valley, Lyon County, Nevada (Appendix A, Drawing 1). The disposal lands are comprised of five parcels that are west of the City of Yerington and east of the community of Weed Heights, at the eastern foot of the Singatse Range (Appendix A, Drawing 2).

Authorization of the Proposed Action requires an amendment to the 2001 Carson City Field Office Consolidated Resource Management Plan (CRMP). Of the 2,062 acres identified in the Proposed Action for disposal, 2,002 acres are currently identified as suitable for disposal. The proposed amendment would classify an additional 60 acres as suitable for disposal from federal ownership.

Large scale mining operations began at the ACMS, which was originally known as the Empire Nevada Mine, in approximately 1918. The Anaconda Copper Mining Company (Anaconda) leased lands at the ACMS and conducted exploration activities from 1942 to 1945. Anaconda purchased the privately owned portions of the site in 1952 and conducted mining and mineral

processing operations from 1953 to 1978. Anaconda merged with an ARC subsidiary in 1977, which merged into ARC in 1981. Anaconda ceased mining operations at the ACMS in June 1978.

Over time, portions of the mining claims passed into private ownership through the patenting process. In 1982, the ACMS was purchased by Don Tibbals (now deceased), who formed Copper Tek Corp. At the time of that purchase, approximately half of the ACMS was comprised of privately-owned patented mining claims and half by unpatented claims on public land. In 1988 Arimetco purchased Copper Tek, including its land holdings at the ACMS. Arimetco declared bankruptcy in 1997 and abandoned the ACMS in 2000. In April 2011, Singatse Peak Services, LLC (SPS) purchased certain assets of Arimetco out of bankruptcy, including approximately 1,800 acres of the ACMS. SPS currently owns the private lands and holds the unpatented mining claims on the public lands within the ACMS.

EPA initially proposed adding the ACMS to the CERCLA National Priorities List in 2000. In 2002, NDEP, EPA, and BLM signed a Memorandum of Understanding regarding coordination and oversight of the ACMS remediation activities. In 2007, EPA issued ARC a Unilateral Administrative Order to begin the remedial investigation and feasibility study process. In 2009, EPA and ARC entered into an Administrative Order on Consent, under which ARC agreed to operate and maintain certain management systems at the ACMS. To comprehensively address site-wide issues, EPA deferred oversight of response actions and investigations at the ACMS to NDEP by executing a Deferral Agreement on February 5, 2018 (EPA, 2018). On the same date, NDEP and ARC executed the IAOC (NDEP, 2018), providing for ARC's design and implementation of the CERCLA remedial action selected for the Arimetco Facilities Operable Unit and completion of the sitewide remedial investigation / feasibility study. Details regarding the ACMS history, contaminants of concern, environmental investigations, and remedial activities are summarized in the Interim Record of Decision, dated July 2017 (EPA, 2017) (ROD 2017).

1.3 Purpose and Need

As described above, the ACMS is subject to CERCLA remediation and long-term monitoring. ARC has requested the purchase of BLM administered lands within the ACMS. ARC made this request to facilitate the remediation of health and safety hazards located on the ACMS. Robust land use restrictions can be placed on the parcels to protect the remedial action, if made private. The BLM has a need to respond to the request by ARC to purchase the BLM administered lands within the ACMS. Therefore, the BLM's purpose for action is to approve, approve with modifications, or to deny ARC's request consistent with agency responsibilities, as defined in Sections 203 and 209 of the Federal Land Policy and Management Act of 1976 (FLPMA) and 43 CFR Parts 2711.3-3 and 2720.0-3.

1.4 Land Use Plan Conformance Statement

Carson City Field Office Consolidated Resource Management Plan (CRMP), May 2001:

The majority of the disposal lands requested by ARC are identified for disposal in the CRMP (BLM 2001), and the sale of such lands is in conformance with the CRMP. While the CRMP identifies the majority of the disposal lands as suitable for disposal, there are 60 acres on the

northwest side of the ACMS identified in Federal Parcel 2 have not been identified in the CRMP as suitable for disposal. In order to include this parcel in the conveyance, an amendment to the CRMP would be required prior to approval of the direct sale of this portion of the disposal lands to ARC. This parcel is needed to implement future remedial activities.

Record of Decision and Land Use Plan Amendment for Nevada and California Greater Sage-Grouse Bi-State Distinct Population Segment in the Carson City District and Tonopah Field Office, May 2016 and 2022 map data:

The Proposed Actions and alternatives are not located in identified Sage-Grouse habitat or connective areas in the referenced document. The goals and objectives for the Greater Sage Grouse Bi-State Distinct Segment are directed at habitat and connective areas.

1.5 Relationships to Statutes, Regulations, Other Plans and Environmental Analysis Documents

The Proposed Action and No Action Alternative are consistent with federal laws and regulations, plans, programs and policies of other federal agencies, and state and local governments, including, but not limited to, the following:

- The National Environmental Policy Act of 1969 (42 United States Code (U.S.C.) §§ 4321 et seq.)
- Federal Land Policy Management Act of 1976 (43 U.S.C. §§ 1701-1782, October 21, 1976, as amended 1978, 1984, 1986, 1988, 1990-1992, 1994 and 1996)
- Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. §§ 9601 et seq., 1980)
- Mining and Mineral Policy Act of 1970 (30 U.S.C. §§ 21)
- General Mining Law of 1872; 16 U.S.C. 1280; 30 U.S.C. 22; 30 U.S.C. 612; 43 U.S.C.1201; and 43 U.S.C. 1732, 1733, 1740, 1781, 1782
- The Endangered Species Act of 1973 (16 U.S.C. §§ 1531-1544, December 28, 1973, as amended)
- Migratory Bird Treaty Act – Executive Order (EO) 13806
- Native American Graves Protection and Repatriation Act, 1990
- American Indian Religious Freedom Act of 1979
- National Historic Preservation Act (P.L. 89-665; 54 U.S.C. §300101 et seq)
- Archaeological Resources Protection Act of 1979, as Amended (P.L. 96-95; 16 U.S.C. 470aa-mm)
- Wild Free-Roaming Horse and Burro Act, as amended, of 1971
- Clean Water Act of 1972
- Bald and Golden Eagle Protection Act (16 U.S.C. 668-668c)
- Federal Noxious Weeds Act of 1974
DOI-BLM-NV-C000-2015-0003-EA Integrated Weed Management Plan - Final Programmatic EA
- Superfund, Emergency Planning, and Community Right-to Know Programs (42 U.S.C. §§ 9620)
- Lyon County 2020 Master Plan, adopted December 16, 2021 (Land Use Mason Valley)

1.6 Decision to Be Made

The decisions to be made are (1) whether to amend the CRMP and (2) whether to convey the 2,062 acres of public lands and underlying federal mineral estate to ARC as identified in the Proposed Action or keep them in federal ownership.

The decisions BLM would make are based on regulations specified under 43 CFR 2710, 2711, and 2720 and disclosure of agency considerations in this EA.

2.0 THE PROPOSED ACTION AND NO ACTION ALTERNATIVE

In order to meet the purpose and need of the Proposed Action in a way that resolves any resource conflicts and issues, BLM has developed a reasonable range of alternatives. The Proposed Action, as well as a No Action Alternative, are presented below.

2.1 Proposed Action

ARC has made a request for a direct sale of 2,062 acres of public lands and the underlying federal mineral estate associated with the ACMS near the town of Yerington in Lyon County, Nevada, as provided for in Section 203(f) of FLPMA. ARC's purpose for this request is to facilitate better management of the ACMS remediation by acquiring ownership of the federal lands within the ACMS. By agreements entered into with SPS and BLM in 2019, ARC is authorized to perform the remediation and remedial investigations on the existing private lands and BLM-managed lands at the ACMS, subject to certain specified conditions. Ownership of the disposal lands will allow for a comprehensive remedy of the entire site, including the potential for land use restrictions and other institutional controls that are difficult to implement on federal lands. Authorization of the Proposed Action requires an amendment to the 2001 CRMP to change the land tenure management direction on 60 of the 2,062 acres to "suitable for disposal." See Drawing 3.

The proposed future remedial activities are currently being developed under the direction of NDEP. The analyses of these future remedial activities have not been completed, so future actions are not known. These activities could include re-grading of portions of the site, control of stormwater runoff and site-access control.

The public lands requested by ARC are legally described as follows:

Mount Diablo Meridian, Lyon County, Nevada

Township. 13 N., Range. 25 E.,

sec. 4, SW1/4SW1/4 and SE1/4SE1/4;

sec. 5, lots 1 thru 3, lots 5 thru 7, and SW1/4NE1/4;

sec. 7, E1/2NE1/4NE1/4, E1/2SE1/4NE1/4, and E1/2NE1/4SE1/4;

sec. 8, lots 1, 3, and 4, NE1/4SW1/4SW1/4, N1/2NW1/4SW1/4SW1/4,
SE1/4NW1/4SW1/4SW1/4, NE1/4SW1/4SW1/4SW1/4,
SE1/4SW1/4SW1/4;

sec. 9, W1/2NE1/4NE1/4, W1/2NE1/4, SE1/4NE1/4, N1/2NW1/4,
SE1/4NW1/4, NE1/4SW1/4, S1/2SW1/4, and SE1/4;

sec. 16, lots 3 thru 10, NW1/4NE1/4, and N1/2NW1/4;

sec. 17, lot 7, lots 13 thru 15, N1/2SW1/4NE1/4, NE1/4NW1/4,
NE1/4NW1/4NW1/4, NE1/4SE1/4NW1/4NW1/4, N1/2SE1/4NW1/4, and
W1/2SW1/4SE1/4NW1/4;

- sec. 20, lots 2 thru 5, E1/2NE1/4NW1/4NE1/4, SE1/4NW1/4NE1/4, E1/2SW1/4NE1/4, N1/2NE1/4NW1/4SE1/4, SE1/4NE1/4NW1/4SE1/4, and NE1/4SE1/4NW1/4SE1/4; sec. 21, lots 1 thru 6, SW1/4NW1/4, SW1/4, N1/2SW1/4SE1/4, SW1/4SW1/4SE1/4, and W1/2SE1/4SW1/4SE1/4;
- sec. 28, W1/2NE1/4NW1/4NE1/4, W1/2NW1/4NE1/4, W1/2NE1/4SE1/4NW1/4NE1/4, W1/2SE1/4NW1/4NE1/4, W1/2SE1/4SE1/4NW1/4NE1/4, NE1/4NW1/4, NE1/4NW1/4NW1/4, N1/2NW1/4NW1/4NW1/4, N1/2SE1/4NW1/4NW1/4, N1/2NE1/4SE1/4NW1/4, and N1/2NW1/4SE1/4NW1/4.

The areas described aggregate 2,062.42 acres, according to the official plats of the surveys of said lands, on file with BLM.

2.2 No Action Alternative

In accordance with Chapter VI, Section 6.6.2 of BLM Handbook H-1790-1, this EA evaluates the No Action Alternative. The objective of the evaluation of a No Action Alternative is to describe the environmental consequences that may result if the Proposed Action is not implemented. The No Action Alternative forms the baseline from which the impacts of the Proposed Action can be measured.

Under the No Action Alternative, the land would not be sold to ARC and would remain in federal ownership. The disposal lands would remain open to location under U.S. mining laws, and BLM would continue to have the responsibility of managing the surface landscape and the subsurface mineral estate. Land use restrictions and institutional controls directed by the subsequent Records of Decision would continue to be regulated by BLM CFRs and policy, such as regulations requiring BLM to consider proposed mining activities should a plan of operations be submitted.

2.3 Alternatives Considered but Eliminated from Detailed Analysis

None.

2.4 Common to All Alternatives

The Proposed Alternative considers the disposal of the federal lands. Whether or not the land is conveyed, the remediation of the ACMS will proceed per the IAOC and future amendments thereto or additional administrative orders under the supervision of the State. Any potential effects of the pending remediation would be the same for all alternatives, including the No Action Alternative, although land use restrictions and institutional controls would not be perpetual and subject to alteration through the resource management planning process under FLPMA. Information on the agreements, remedial activities and current status of the remediation can be found on the NDEP Sharepoint site at <https://ndep.nv.gov/land/abandoned-mine-lands/anaconda-home/anaconda-site-docs>.

3.0 AFFECTED ENVIRONMENT, ENVIRONMENTAL CONSEQUENCES, & CUMULATIVE EFFECTS

This chapter identifies and describes the current condition and trend of elements or resources in the human environment which may be affected by the Proposed Action and the anticipated environmental consequences of the Proposed Action on those elements or resources. ARC submitted its application to the BLM requesting conveyance of the disposal lands in 2017. The Council on Environmental Quality (CEQ) regulations were substantially amended in 2022 (CEQ-2021-002), with an effective date of April 20, 2022, for all NEPA processes begun after that date.

Under 40 CFR 1508.8, “effects” and “impacts” are synonymous in this EA. Effects include ecological (such as the effects on natural resources and on the components, structures, and functioning of affected ecosystems), aesthetic, historic, cultural, economic, social, or health, whether direct, indirect, or cumulative.

The CEQ regulations that implement NEPA defines a cumulative impact as “The impact on the environment which results from the incremental impact of the action when added to other past, present, or reasonably foreseeable future actions.” Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time (40 CFR 1508.1(g)(3)).

Resources Considered for Analysis

This Chapter describes the resources identified through the scoping process that will be carried forward in this EA for analysis of direct, indirect, and cumulative effects.

Effects are considered direct when they are “caused by the action and occur at the same time and place” (Section 6.8.2 of BLM Handbook H-1790-1).

Effects are considered indirect when they are “caused by the action and are later in time or farther removed in distance but are still reasonably foreseeable. Indirect effects may include growth inducing effects and other effects related to induced changes in the pattern of land use, population density, or growth rate, and related effects on water and air and other natural systems, including ecosystems” (Section 6.8.2 of BLM Handbook H-1790-1).

As required under NEPA and the regulations implementing NEPA, this chapter addresses those cumulative effects on environmental resources in the Cumulative Effects Study Areas (CESAs) which could result from the implementation of the Proposed Action and the No Action Alternative, past actions, present actions, and Reasonably Foreseeable Future Actions (RFFA). The extent of the CESA varies by resource based on the geographic or biological limits of the specific resource and is specified for each resource analysis below. The time frame considered to be most appropriate for evaluating the incremental effects of RFFA is one year. The reasonable scope of the cumulative analysis is restricted to resources subject to direct and indirect effects from the Proposed Action within the CESA.

For this analysis the CESA is considered to be the same as the APE for all resources brought forward and the timeframe for consideration of future actions is 10 years.

3.1 Scoping and Issue Identification

Scoping is the process by which the BLM solicits internal and external input on the issues, impacts, and potential alternative that will be addressed in this EA. In accordance with BLM Handbook H-1790-1, internal scoping was conducted by the SFFO Interdisciplinary Team (IDT) to identify potential resources which may be impacted by implementation of the Proposed Action and Alternatives.

Formal public scoping was initiated by the publication of a Notice of Intent to prepare an EA in the Federal Register on December 11, 2020, under the former NEPA number DOI-BLM-NV-C020-2020-0010-EA. The public scoping period for the EA began on December 11, 2020 and finished on January 11, 2021. A virtual Tribal scoping meeting was held on December 10, 2020, to introduce the project to the Yerington Paiute Tribe (YPT). A virtual formal public scoping meeting was held on January 5, 2021, to introduce the project and invite the public, Tribal organizations, and other agencies and organizations to submit comments during the public scoping period.

The BLM focuses its analysis on issues that are truly significant to the action in question (40 CFR 1500.1(b)). As described in the BLM's NEPA Handbook (H-1790-1, Section 6.4.1), the BLM analyzes issues in an EA that are raised during scoping and are necessary to make a reasoned choice between alternatives or the analysis of the issues is necessary to determine the significance of impacts.

In addition to issues identified through internal and external scoping, the BLM looks to supplemental authorities that provide procedural or substantive responsibilities relevant to the NEPA process to help identify issues for analysis. Table 3-1 lists the resources and authorities that the BLM considered through the scoping process indicating whether those resources are not present, not affected, and potentially impacted by the Proposed Action and alternative, with the rationale for whether the topic will or will not be carried forward for detailed analysis.

The BLM engages in ongoing consultation with the YPT and the Walker River Paiute Tribe (WRPT). The YPT and the WRPT are provided periodic updates on the remediation activities at the site as well as direct consultation pertaining to the proposed land conveyance.

3.2 General Setting

The ACMS is located in a high desert environment characterized by an arid climate. Average annual rainfall for the city of Yerington is 4.8 inches per year, with the lowest rainfall occurring between July and September. The ACMS is located on the west side of Mason Valley, a structural basin surrounded by uplifted mountain ranges composed primarily of consolidated igneous rocks. Mason Valley is approximately 40 miles long (north to south) and ranges in width (east to west) from 9 miles in the south to an estimated 20 miles transecting the city of Yerington (OU 8 IROD, 2017). The majority of the lands considered for conveyance are within the existing ACMS boundary.

The ACMS includes a historic open pit mine up to 810 feet below the original ground surface elevation. The disposal lands to be conveyed under the Proposed Action contains mine waste disposal facilities, including stockpiles of waste rock, excavated alluvium, and tailings from various extraction processes. About 70 percent of the land in the disposal lands is covered by mine waste facilities, and the rest is natural ground with unimproved roads.

The disposal lands lie just east of the eastern flank of the Singatse Range, the western boundary of Mason Valley. Lands in the study area that are outside of the mine waste facilities are undeveloped and have sparse sagebrush, other low shrubs, and grasses. Portions of the disposal lands are adjacent to the community of Weed Heights, a housing project established in 1952 by the Anaconda Copper Company to house the work force employed at the mine and it is still populated in the present day. The town of Yerington is two miles east of the ACMS and has a population of approximately 3,077 (United States Census Bureau, 2017).

3.3 Resources Considered

The affected environment and environmental impacts are described for all resources/resource uses, including Critical Elements, which are potentially affected by the Proposed Action or alternatives. Those resources listed below that received a ‘not present’ determination (not present in the area impacted by the proposed or alternative actions) or a ‘Not Affected’ determination (present, but not affected to a degree that detailed analysis is required) will not be discussed beyond the rationale for determination described below in Table 3-1. Only those resources receiving a Present and May be Affected determination (present and may be impacted to some degree) will be analyzed in affected environment and environmental impacts section(s). The elimination of non-relevant issues follows CEQ regulations, as stated in 40 CFR 1500.4.

Additionally, as described in Table 3-1, the BLM made determinations based on current potentially effected environment and the ability of the Proposed Action or alternatives to impact that environment. Many of the resources described in Table 3-1 were identified within the larger ACMS, where the Nevada Division of Environmental Protection is performing oversight of the CERCLA remedial investigation and cleanup. Existing negative impacts to the resources listed below as not affected are managed for remediation and long-term monitoring consistent with

CERCLA as described in the existing and future ROD's which are hereby incorporated by reference. Transfer of the land will facilitate the CERCLA required remediation, and long-term monitoring and future use of the site would be required to follow all current federal, state, and local laws regarding the specific resource regardless of whether portions of the ACMS were managed by BLM and ARC or all of it was managed by ARC. See the Rationale for Determination section for each resource below for a detailed rational regarding specific resources of concern.

Table 3-1: Resource Concerns

Critical Elements		
NA, PI, NP*	Resource	Rationale for Determination
NA	Air Quality <i>(The Clean Air Act of 1955, as amended)</i>	The project area is not within an area of non-attainment where criteria pollutants are exceeded. The conveyance of land would not result in non-attainment of any criteria pollutant. The Proposed Action is solely the transfer of land outside of federal oversight. No physical activities are considered as part of the Proposed Action. The proposed action is a land conveyance and is not expected to change any ongoing or planned remediation activities or related air pollutant emissions at the ACMS. The enforcement of the Clean Air Act has been delegated to the state. The state would administer air permits necessary for any future projects located within the conveyed land. This resource will not be analyzed further.
NP	Areas of Critical Environmental Concern (ACEC) <i>(Federal Land Policy and Management Act of 1976)</i>	There are no areas of critical environmental concern within the project area. This resource will not be analyzed further.
PI	Cultural Resources <i>(National Historic Preservation Act of 1966, as amended)</i>	Broadbent & Associates, Inc. (Broadbent) prepared BLM Report No. 3-2831.1 – <i>An Assessment of Cultural Resources for the Anaconda Copper Mine Land Disposal, Yerington, Nevada</i> in December 2019, revised February 2020, and BLM Report No 3-2831.2 – <i>An Architectural Assessment of the Anaconda Copper Mine Site and the Sagecrest Drive-In Theater, Yerington Nevada</i> in January 2020. Transfer of lands out of federal management that contain Historic Properties, without protective covenants, is considered an adverse effect on such

Critical Elements		
NA, PI, NP*	Resource	Rationale for Determination
		properties. This resource will be carried through the analysis.
NA	Environmental Justice (<i>Executive Order 12898</i>)	Environmental Justice communities of concern are present around the analysis area. It is unlikely that the proposed action would result in disproportionate and adverse impacts to those communities of concern. Tribal representatives were present during the scoping meeting and a separate scoping meeting was held with the Yerington Paiute Tribe. This resource will not be analyzed further.
NP	Farmlands (Prime & Unique) (<i>Surface Mining Control and Reclamation Act of 1977</i>)	There are no farmlands within the project area. This resource will not be analyzed further.
NA	Floodplains (<i>Executive Order 11988</i>)	According to the FEMA FIRM Map (Panel No. 32019C0854E and 32019C0858E, dated January 16, 2009), the southeast corner of Parcel 5 is located within flood hazard zone AE (area subject to inundation by the 1-percent-annual-chance flood event) with a base flood elevation of 4,403 feet (Appendix A, Drawing 5). No modification of the hydraulic properties of the existing Walker River corridor are proposed and no modifications to the hydrologic properties of the basin are part of the Proposed Action. The conveyance of land would not affect floodplain requirements for the affected area. The lands would still be subject to review by state and local regulators with respect to development in the regulated floodplain. This resource will not be analyzed further.
NA	General Wildlife	The majority of the lands to be conveyed are within the existing ACMS boundary and have been disturbed by past activities and is not frequented by wildlife. This resource will not be analyzed further.
PI	Native American Religious Concerns (<i>Executive Order 13007</i>)	The BLM has a continuing program of Tribal consultation. No concerns have been identified, but this resource will be carried through the analysis.
NA	Weeds (i.e. Noxious, Invasive, Non-native, and Nuisance weed species) (Federal Noxious Weed Act of 1974, as amended)	BEC Environmental, Inc. prepared the <i>Limited Biological Evaluation – Wildlife Species – Anaconda Copper Mine Bureau of Land Management Land Disposal</i> . Invasive species were observed within habitat described as Invasive

Critical Elements		
NA, PI, NP*	Resource	Rationale for Determination
		Annual and Biennial Forbland (Including Disturbed Areas), which includes Saltlover (<i>Halogeton glomeratus</i>), Kochia (<i>Kochia scoparia</i>), and Russian thistle (<i>Salsola spp.</i>). There are standard mitigation measures that may be implemented to prevent the spread of invasive, nonnative, and noxious species. No physical activities are part of the Proposed Action, therefore no introduction of additional weed species will occur by the land transfer. The conveyance of land is not expected to affect this resource as state and local laws still protect lands with respect to noxious weeds. Nevada Revised Statute (NRS) 555.130 requires landowners to “cut, destroy or eradicate all weeds declared and designated as noxious.” This resource will not be analyzed further.
NA	Riparian Areas/Wetlands (Executive Order 11990)	BEC Environmental, Inc. prepared the <i>Limited Biological Evaluation – Wildlife Species – Anaconda Copper Mine Bureau of Land Management Land Disposal</i> . The report identified riparian habitat in a small area where the Walker River intersects the southeast corner of Parcel 5. The Proposed Action does not include activities along the Walker River, and the Endangered Species Act would still be in place to protect habitat, if needed. The land conveyance would not impact the riparian habitat. This resource will not be analyzed further.
NA	Threatened, Endangered, or Candidate Plant Species (Endangered Species Act of 1973, as amended)	BEC Environmental, Inc. prepared the <i>Limited Biological Evaluation – Wildlife Species – Anaconda Copper Mine Bureau of Land Management Land Disposal</i> . No candidate species were identified. This resource will not be analyzed further.
NA	Threatened, Endangered, or Candidate Animal Species (Endangered Species Act of 1973, as amended)	BEC Environmental, Inc. prepared the <i>Limited Biological Evaluation – Wildlife Species – Anaconda Copper Mine Bureau of Land Management Land Disposal</i> . Due to the presence of riparian area along the Walker River located at the southeast corner of Parcel 5, threatened or endangered species that have the potential to occur in the project area include Lahontan cutthroat trout (<i>Oncorhynchus clarkia henshawi</i>) and western

Critical Elements		
NA, PI, NP*	Resource	Rationale for Determination
		yellow-billed cuckoo (<i>Coccyzus americanus</i>). The Lahontan cutthroat trout is not known to inhabit and is not managed in this portion of the Walker River according to the United States Fish and Wildlife Service (USFWS). The habitat within and adjacent to the project area contain a small number of cottonwoods and lacks bankside vegetation, and therefore the yellow-billed cuckoo could move or migrate through the area but would not likely linger for nesting purposes. These species would continue to be protected through the Endangered Species Act. This resource will not be analyzed further.
NA	Water Quality, surface/ground	353 groundwater monitor wells are located within and around the project area, 58 of which are sampled annually for general water quality (alkalinity, chloride, nitrate); major cations (calcium, magnesium, manganese, potassium, sodium); constituents of interest (sulfate, uranium, arsenic, boron, copper, iron, molybdenum, selenium, and zinc); and field parameters (dissolved oxygen, electrical conductivity, oxidation-reduction potential, pH, temperature, and turbidity). A small portion of the pit lake is within the northeast and northwest corners of Parcel 5 and is directly affected by groundwater. The Walker River intersects the southeast corner of Parcel 5 but is not expected to be impacted. The Proposed Action does not include any physical activities and only transfers the land to ARC. No changes to either surface or ground-water hydrology would occur. Potential future remedial activities would mitigate existing issues and protect the resource in the future. The site would still be protected through NDEP oversight. This resource will not be analyzed further.
NA	Wastes (hazardous or solid) <i>(Resource Conservation and Recovery Act of 1976, and Comprehensive Environmental Response, Compensation, and Liability Act of 1980)</i>	About 70% of the ACMS is covered with mine waste materials and facilities.. Broadbent conducted a Phase I Environmental Site Assessment (ESA) for each of the 5 parcels within the project area to determine the extent of contaminants and identify any physical hazards. The reports were completed in November 2019 and were accepted by the BLM. The site would still be under the review and control

Critical Elements		
NA, PI, NP*	Resource	Rationale for Determination
		of NDEP under the IAOC. This resource will not be analyzed further.
NP	Wild and Scenic Rivers <i>(Wild and Scenic Rivers Act of 1968, as amended)</i>	There are no national wild and scenic rivers within the project area. This resource will not be analyzed further.
NP	Wilderness/Wilderness Study Areas <i>(Federal Land Policy and Management Act of 1976 and Wilderness Act of 1964)</i>	There are no wilderness or wilderness study areas located within the project area. This resource will not be analyzed further.
Other Relevant Resources/Concerns		
NA, PI, NP*	Resource	Rationale for Determination
NP	Fuels / Fire Management	The majority of land in the project area is disturbed with very little vegetative cover. The land would still be managed under state and local regulations with respect to fire risk management. This resource will not be analyzed further.
NP	Forestry	There are no forested lands located within the project area. This resource will not be analyzed further.
PI	Geology / Mineral Resources / Energy Production	A Mineral Potential Report (MPR) for the project area was prepared by SRK Consulting in May 2020. The land within the project area is prospective for locatable mineral resources. This resource will be carried through the analysis.
NA	Global Climate/Greenhouse Gas Emissions	Executive Orders (EO) were signed in 2021 to direct federal agencies to consider the impact of oil, gas, and coal leasing activities on the climate, the impact of decisions on minority populations with respect to climate change, and the financial risk cause by climate change to the federal government. The proposed land conveyance is consistent with these EOs and is not expected to change any ongoing or planned remediation activities or related air pollutant emissions at the ACMS.. This resource will not be analyzed further.
PI	Lands / Access / Rights-of-Way (ROW)	BLM has determined to amend the CRMP to clarify the disposal classification of 60 acres of the disposal lands prior to conveyance into private ownership.

Other Relevant Resources/Concerns		
NA, PI, NP*	Resource	Rationale for Determination
		<p>Within the proposed sales parcels, existing rights-of-way have been historically managed by the BLM. These authorizations were issued under FLPMA for 30-year terms. As part of the land conveyance to ARC, BLM authorization holders in the affected area were given the option to convert their term rights-of-way to perpetuity. Requests for conversion is considered an amendment to the ROW and shall require an application, payment of applicable application and processing fees and rental, and would be subject to potential changes in terms, conditions and stipulations. The conversion of a ROW from a 30-year term to perpetuity is an administrative action and does not convey additional rights to the holders or authorize expansion of the ROW footprint. The subject facilities currently exist as-built and no new construction is proposed. There will be no new ground disturbance associated with this action. Most of the subject facilities are utilities such as powerlines and pipelines, which will remain operational regardless of the land status. This resource will not be carried forward.</p>
NP	Lands with Wilderness Characteristics (LWC)	<p>The lands to be conveyed are either part of the ACMS or immediately adjacent to the historical disturbance. There is no land in the project area with wilderness characteristics, and this resource will not be carried forward.</p>
PI	<p>Livestock Grazing (<i>Taylor Grazing Act of 1934, National Environmental Policy Act of 1969 Endangered Species Act of 1973, Federal Land Policy and Management Act of 1976, and the Public Rangelands Improvement Act of 1978</i>)</p>	<p>Portions of the project area are within BLM grazing allotments (Appendix A, Map 4). Portions of Parcel 2 are located within BLM Grazing Allotment 03512 – Carson Hill. Portions of Parcel 5 are located within BLM Grazing Allotment 03545 – Hudson Hills. The conveyance of land would result in loss of BLM-managed lands. There would be a slight reduction in AUMs associated with the grazing allotments within Parcels 2 and 5. This resource will be analyzed further.</p>
NA	<p>Migratory Birds e.g. Migratory birds (<i>E.O. 13186</i>)</p>	<p>BEC Environmental, Inc. prepared the <i>Limited Biological Evaluation – Wildlife Species – Anaconda Copper Mine Bureau of Land Management Land Disposal</i>. The report identified</p>

Other Relevant Resources/Concerns		
NA, PI, NP*	Resource	Rationale for Determination
		Clark's grebe (<i>Aechmophorus clarkia</i>), golden eagle (<i>Aquila chrysaetos</i>), and lesser yellowlegs (<i>Tringa flavipes</i>) as migratory birds that may be present in the project area. Clark's grebe may be present during breeding seasons. Although no physical activities are part of the Proposed Action, if construction is to occur within the project area after the land has been conveyed, clearance surveys would be required by the Migratory Bird Treaty Act prior to land disturbance during the breeding seasons. This would be required even if the proposed sale is not completed. These resources are still protected by the Migratory Bird Treaty Act. This resource will not be analyzed further.
NA	Paleontology (<i>Paleontological Resources Protection Act P.L. 111-011, HR 146</i>)	No potential for paleontological resources has been identified within the project area. This resource will not be analyzed further.
NA	Rangeland Health Standards and Guidelines (<i>43 CFR 4180</i>)	Since the Proposed Action does not include physical actions, no change to rangeland health is expected. The Proposed Action would have no deleterious effect on the plant cover, water quality, riparian vegetation or soils as described in the 1997 <i>Sierra Front-Northwestern Great Basin Standards and Guidelines</i> . After completion of the remedial activities, rangeland health should be improved. This resource will not be analyzed further.
NA	Recreation	The lands to be conveyed are contiguous to the ACMS, mostly to the western side of the site. The historic mining activities have limited access to the mountain ranges to the west. The proposed conveyance of the five parcels would not create additional limits to access to public land. No active public access points were identified on the parcels. The conveyance of land would not impact access to trails to BLM land, or recreation near the Walker River. This resource will not be analyzed further.
NP	Sensitive Species Plants BLM Manual 6840	There were no sensitive plant species present or with the potential to occur in the project area. This resource will not be analyzed further.
PI	Sensitive Species Animals BLM Manual 6840	BEC Environmental, Inc. prepared the <i>Limited Biological Evaluation – Wildlife Species – Anaconda Copper Mine Bureau of Land</i>

Other Relevant Resources/Concerns		
NA, PI, NP*	Resource	Rationale for Determination
		<i>Management Land Disposal</i> . Sensitive species with potential habitat within the project area include ten insect species, three fish species, two amphibians, eleven birds, and nineteen mammals. This resource will be analyzed further.
NA	Socioeconomics	The conveyance of land would result in loss of BLM-managed lands. There would be a slight reduction in AUMs associated with the grazing allotments within Parcels 2 and 5 (Appendix A, Map 4). Any future rents due by right-of-way holders will be collected if the rights are made perpetual. This resource will not be analyzed further.
NA	Soils	Since the Proposed Action is only the conveyance of the land and no physical activities are considered, the action is not expected to impact the soil. Ultimately the proposed remedial activities would improve soil conditions. The lands would still be protected through the NDEP Bureau of Water Pollution Control (BWPC) through the Storm Water Pollution Prevention Plan requirements for ground disturbance. This resource will not be carried through the analysis.
NA	Trails and Travel Management	The project area would no longer be subject to travel and transportation planning per the BLM Travel and Transportation Manual 1626. Any existing rights of way would remain through the change of ownership. The conveyance of land would not restrict access to dirt roads and trails to adjacent public lands. This resource will not be carried through the analysis.
NA	Vegetation	BEC Environmental, Inc. prepared the <i>Limited Biological Evaluation – Wildlife Species – Anaconda Copper Mine Bureau of Land Management Land Disposal</i> . About 70% of the study area is covered with mine waste materials and facilities. Other areas outside of the mine within the project area includes habitat described as Invasive Annual and Biennial Forbland (Including Disturbed Areas), Inter-Mountain Basin Mixed Salt Desert Scrub and limited Riparian along the Walker River. This resource will not be analyzed further.

Other Relevant Resources/Concerns		
NA, PI, NP*	Resource	Rationale for Determination
NA	Visual Resource Management (VRM) (<i>FLPMA 1976, NEPA 1969</i>)	Currently about 70% of the lands proposed to be conveyed are covered by mine waste materials or facilities. Future modifications would be under the purview of NDEP per the IAOC or will be protected through state and local zoning restriction. This resource will not be analyzed further.
NA	Water Resources	No water rights are included as part of the Proposed Action. Ground and surface water resources would remain under the administration of the NDWR. No use of water is allowed without benefit of a permit issued by NDWR. This resource will not be analyzed further.
NP	Wild Horses and Burros (WH&B) (<i>Wild and Free Roaming Horses and Burros Act of 1971, as amended</i>)	There are no wild horse and burro herd areas or herd management areas located within the project area. This resource will not be analyzed further.

*: Not Present (NP). Not Affected (NA). Potentially Impacted (PI)

3.4.1 Additional Resources Rationale Discussion

During public scoping the National Park Service brought up potential impacts to one of the routes of the California National Historic Trail. This trail is outside the area of potential effects (APE). The Proposed Action does not include any additional land disturbance, and the conveyance of the disposal lands would not have any physical or visual effect on the trail. This issue will not be analyzed further.

During public scoping, comments were made as to whether it is appropriate to convey the land beneath the Walker River. Retention of this land would create an “orphan” parcel of land that would not be suitable for efficient BLM management. Access to the Walker River would still be governed by current law, regardless of the Proposed Action. The Proposed Action would not include water rights to any water in the river, or groundwater in the basin. This issue will not be analyzed further.

3.5 Resources Present and Brought Forward for Analysis

A BLM IDT consisting of NEPA and resource specialists contributed to this EA. The IDT used various sources of information to prepare the EA, including existing data inventories and data collected during field visits or provided by contractors. The potential impacts to the resource, uses, and issues listed in Table 3-1 and Table 3-2 were evaluated by the IDT to determine if

detailed analysis would be necessary. Through this process, it was determined there were resources/uses that warranted a detailed analysis in this EA.

- Cultural Resources
- Native American Religious Concerns
- Geology /Mineral Resources / Energy Production
- Lands / Access / Rights-of-way
- Livestock Grazing
- Sensitive Species Animals

3.6 Cultural Resources

Affected Environment

Broadbent completed a Class I Reconnaissance Inventory and Class III Intensive Inventory of the entire ACMS and the disposal lands to comply with Section 106 of the NHPA according to the Cultural Resources Inventory Needs Assessment (CRINA) #CCDO-CR-19-116. The APE for the Proposed Action includes the disposal lands, consisting of 2,062 acres in five parcels located in and around the ACMS. The results of the inventories provided recommendations to the eligibility to the National Register of Historic Places (NRHP). In order to qualify for listing under the NRHP, a cultural resource generally must be at least 50 years old, possess integrity (of location, design, setting, materials, workmanship, feeling, and association), and must demonstrate significance under one or more of the following criteria:

- Criterion A – associated with major events that contributed to the development of the study area
- Criterion B – associated with the life or career of a Native leader, activist, or ethnohistorical informant or associated with individuals who made a substantial contribution to the historic development of a region
- Criterion C – demonstrate the distinctive characteristics of a type, period, or method of construction
- Criterion D – has the potential to provide additional significant information about prehistory or history

The Class I and III inventories resulted in the identification of 81 cultural resources in the APE. Of those, three were determined by the BLM to be eligible for inclusion in the NRHP, the ACMS Historic District ((D358; CrNV-03-11759; 26LY2886)), the Sagecrest Drive-in Historic District (D357; CrNV-03-11841; 26LY2887), and ethnohistoric site CrNV-03-10012 (26LY2588), a multi-component site of Native American and early twentieth-century historic assemblages. The remaining 78 sites were determined not eligible, and consist of site types such as historic artifact scatters, prospecting sites, historic road segments, and mining sites. The three sites that have been determined eligible are Historic Properties as defined in the NHPA. The ACMS District is eligible to the NRHP under Criteria A, B, C, and D. The Sagecrest Drive-in Historic District is eligible to the NRHP under Criteria A, C, and D. Site CrNV-03-10012 is eligible for the NRHP under Criterion D. The remaining cultural resources are not eligible for the NRHP and are therefore not Historic Properties. CrNV-03-11898, an additional Native American site determined to be eligible under Criterion D, was found and recorded during the mitigation of the Sagecrest Drive-in.

The results of the Class I Reconnaissance Inventory are presented in BLM Report No 3-2831.2 – *An Architectural Assessment of the Anaconda Copper Mine Site and the Sagecrest Drive-In Theater, Yerington Nevada*. The results of the Class III Intensive Inventory are presented in BLM Report No. 3-2831.1 – *An Assessment of Cultural Resources for the Anaconda Copper Mine Land Disposal, Yerington, Nevada*.

Conveyance of Historic Properties out of federal ownership is a categorical adverse effect as defined in 36 CFR 800.5.a.2.vii. Accordingly, The BLM determined the Proposed Action would constitute an adverse effect to all three Historic Properties listed above. Historic Properties that move out of federal ownership lose federal legal protections, such as those afforded by NHPA and the Archaeological Resources Protection Act of 1979. This loss in legal protections constitutes an adverse effect. The State Historic Preservation Officer (SHPO) concurred with these determinations on February 21, 2020. The sites determined not eligible were not considered further. The sites the BLM determined to be not eligible were typically small in scale, lacking integrity, lacking artifact diversity, did not meet the significance criteria outlined above, and/or would not contribute to our understanding of history, as defined in the historic contexts in the referenced reports.

To resolve adverse effects, the BLM consulted with the SHPO and other consulting parties on a Memorandum of Agreement (MOA), which was executed April 27, 2020. Pursuant to the MOA, Broadbent prepared *An Historic Properties Treatment Plan for the Anaconda Copper Mine Land Disposal and Anaconda Public Lands Remediation Projects, Yerington, NV (HPTP)* in March 2020. This report identified mitigation measures to avoid, minimize, or mitigate adverse effects to Historic Properties. The BLM consulted with the SHPO, the YPT, and the WRPT through each step of the cultural resources documentation and for the MOA. The YPT signed the MOA as a concurring party. The WRPT participated in the negotiation of the MOA but did not sign the document.

Environmental Consequences

Proposed Action

Under the Proposed Action, a Land Use Plan (LUP) amendment to the CRMP would be granted, and the land ownership and mineral estate of the disposal lands would be conveyed to ARC. The conveyed land would still be governed by the IAOC and the Deferral Agreement, which requires remedial design and remedial action be conducted under NDEP oversight (NDEP, 2018). Investigation and remedial activities are on-going at the ACMS, and as of the date of this report, ARC is performing remedial actions pursuant to the IAOC. Mitigation of adverse effects to Historic Properties would be completed per the HPTP as identified above.

Direct and Indirect Effects

The transfer or sale of property out of federal ownership or control, without enforceable restrictions to ensure long-term preservation, is an adverse effect under the Advisory Council on Historic Preservation’s regulations [36 CFR 800.5.a.2.vii.]. The land conveyance is expected to directly affect the following Historic Properties: the ACMS Historic District, Sagecrest

Drive-In Historic District, and the Native American sites. Mitigation of adverse effects to Historic Properties would be completed per the HPTP as identified above.

Cumulative Effects

Since the CESA is the same as the APE and the time horizon considered is 10 years, other than the pending remediation activities, no other RFFA were identified to be considered for cumulative effects. The remedial activities are currently under development and those proposed activities will be described as they are developed and approved at the NDEP Sharepoint site at <https://ndep.nv.gov/land/abandoned-mine-lands/anaconda-home/anaconda-site-docs> as described in Section 1. The executed MOA and the completion of the HPTP will reduce the potential effects to less than significant.

Environmental Protection Measures

The land conveyance is expected to have impacts on Historic Properties. The ACMS Historic District, Sagecrest Drive-In Historic District, and the Native American sites are Historic Properties identified within the APE. Mitigation of adverse effects to Historic Properties would be completed per the HPTP as identified above. In addition, access and construction activities at the site would be under the control of NDEP through the IAOC and the Deferral Agreement.

No Action

Under the No Action Alternative, the LUP amendment to the CRMP and land conveyance would not occur. Mitigation under the HPTP would still be performed as part of the administrative review of remedial activities.

Direct and Indirect Effects

Under the no action alternative, the Historic Properties would still be adversely affected as the remedial activity proceeds. Mitigation under the HPTP would still be performed as part of the administrative review of remedial activities.

Cumulative Effects

Under the no action alternative, the Historic Properties would remain under federal regulatory control but would be adversely affected by the remedy rather than transfer out of federal ownership. Mitigation under the HPTP would still be performed as part of the administrative review of remedial activities. The pending remedial activities would occur under the supervision of NDEP and the cumulative effects would be less than significant.

Environmental Protection Measures

Under the no action alternative, the Historic Properties would remain under federal regulatory control. Mitigation under the HPTP would still be performed as part of the administrative review of remedial activities.

3.7 Native American Religious Concerns

Affected Environment

The project area lies within the traditional lands of the *Numu*, Northern Paiute. The traditional tribal lands of the *Wa She Shu*, Washoe, lie to the west of the Pine Nut Mountain range,

approximately 20 miles west of the project area. The *Numu* bands living in Mason Valley and the surrounding Walker Lake Basin are called the *Agai dokado* (trout eaters), *Pugwi dokado* (fish or chub eaters), the *Toi dokado* (tule eaters), and *Tovusi dokado* (grass bulb eaters). On July 2, 2019, the BLM mailed consultation letters regarding the ACMS disposal to the YPT, WRPT, Pyramid Lake Paiute Tribe, Reno-Sparks Indian Colony, Washoe Tribe of Nevada and California, Bridgeport Indian Colony, and Susanville Indian Rancheria. Many of the tribes contacted did not respond or deferred to tribes closer to the project area. The BLM has a long history of communication with tribes regarding the ACMS due to the remediation of the site, and contacted tribes further from the site for this Proposed Action due to the level of controversy associated with activities at the ACMS. During previous consultation efforts regarding the ACMS, the YPT and the WRPT have requested to consult on all projects related to the ACMS.

The YPT and the WRPT are the federally recognized tribes nearest to the project area. The YPT reservation is approximately 2.5 miles north of the project area. The WRPT reservation is located approximately 11 miles northeast of the project area. There are no Tribal trust lands within the ACMS or the project area, but the Paiute people have a long history of use in the area. During a July 13, 2018, meeting with the YPT, the Tribal Chairperson and the Cultural Resources Contact described some of the indigenous uses of the project area and the surrounding landscape. In the past, the Paiute conducted rabbit drives in the area that is now the ACMS, and trout was also formerly available in the region. The YPT refer to themselves as the *Tovusi dokado* in Paiute. The Tribal Chairperson noted that their namesake, the *tovusi*, no longer grows in and near the project area, but was formerly available on the landscape. Buckberries are another traditional indigenous food in the vicinity of the ACMS that would have been collected in the summer.

The Yerington area and the Walker River Reservation were locations important to the development and revival of the “Ghost Dance” in the 1870s and the 1880s. The Ghost Dance was a fusion of the traditional Paiute Round Dance and the Cry Dance, which is a mourning dance. The Tribal Chairperson informed the BLM that a dance site was present in or near the project area, but a specific location was not disclosed to the BLM. The YPT and the WRPT did not indicate if any locations in the ACMS or the project area are still being used for ceremonial dances, however, the ACMS is fenced and controlled for safety reasons and therefore current uses of the ACMS are unlikely. The Tribal Chairperson and the Cultural Resources Contact noted other areas that have ceremonial or religious uses, but these areas were outside of the ACMS and project area.

Additionally, the YPT the WRPT are interested in Native American artifacts or archaeological sites that are present within the disposal lands, including site CrNV-03-10012 (26LY2588) and CrNV-03-11898 (26LY2916), which are turn-of-the-century Native American sites. There are no known Native American religious concerns associated with these sites, but the tribes do have an interest in the mitigation (excavation) of these sites. Throughout consultation with the WRPT and the YPT, the primary tribal concerns were environmental and not religious. They are concerned about access to clean water, clean air, and are concerned about the quality of the soils and the welfare of local wildlife and native plants. These concerns are related to the remediation of the ACMS, rather than to the Proposed Action. The BLM’s consultation with the YPT and the WRPT is ongoing.

Environmental Consequences

Proposed Action

Under the Proposed Action, the project area would be conveyed to ARC. Two Historic Properties, CrNV-03-10012 and CrNV-03-11898, affected by the Proposed Action may be culturally related to the YPT and the WRPT, but the sites have no known religious characteristics that could be affected by the Proposed Action or the mitigation of the ACMS. The HPTP contains mitigation for CrNV-03-10012. The same treatment for adverse effects is proposed for CrNV-03-11898 since they are similar in material, age, and cultural association. There is also potential for the presence of a former Native American ceremonial dance area in or near the project area, although the YPT and WRPT did not identify a specific dance area.

Direct and Indirect Effects

While the YPT and WRPT have a long history of use in the area in and near the project area, a specific religious concern was not identified. The BLM's consultation with the Tribes is ongoing, and should any religious concerns arise, the BLM would consult with the Tribes on how to avoid or minimize direct and/or indirect effects to such concerns. Ceremonial dance areas were noted as a potential religious concern, but no known specific area has been identified to the BLM. Should a dance area within the project area be identified by the Tribes, a potential effect could be access to the site. The effect would only occur if such an area is located outside of the fenced ACMS because access to the ACMS is already restricted for safety reasons.

Cumulative Effects

Since the YPT and the WRPT did not identify a specific religious concern, cumulative effects are not anticipated. The remedial activities are currently under development and those proposed activities would be described as they are developed and approved at the NDEP Sharepoint site at <https://ndep.nv.gov/land/abandoned-mine-lands/anaconda-home/anaconda-site-docs> as described in Section 1.

Environmental Protection Measures

During an MOA meeting, the tribes indicated an interest in being present during the excavation of CrNV-03-10012 and CrNV-03-11898. The BLM would invite the YPT and the WRPT to a field visit when the mitigation would occur. Both Tribes provided comments on the MOA and the HPTP during the negotiation of the MOA. The YPT signed the MOA.

The Deferral Agreement between the EPA and the State of Nevada was presented to both the Yerington Paiute Tribe as well as the Walker River Paiute Tribe and has provisions to ensure Tribal concerns are addressed in the proposed remedy. The Proposed Action does not alter the requirements of the Deferral Agreement. The State of Nevada has recently enacted laws to ensure Nevada agencies consult with Indian Tribes in the State of Nevada.

No Action

Under the No Action Alternative, the land conveyance would not occur. However, the effects of remediation would still occur. The Native American sites would be mitigated under the HPTP as

part of Section 106 compliance for the remedy. The Tribes have not identified any religious characteristics associated with these sites, but their interest in their mitigation remains.

Direct and Indirect Effects

The land conveyance under the Proposed Action would not occur, and the Native American sites would be mitigated under the HPTP as part of Section 106 compliance for the remedy.

Cumulative Effects

The land conveyance under the Proposed Action would not occur. However, the Native American sites would be mitigated under the HPTP as part of Section 106 compliance for the remedy. The pending remedial activities would occur under the supervision of NDEP and the cumulative effects would be less than significant.

Environmental Protection Measures

The land conveyance under the Proposed Action would not occur and EPMs associated with the Proposed Action would not occur. However, the Native American sites would be mitigated under the HPTP as part of Section 106 compliance for the remedy.

3.8 Geology / Mineral Resources / Energy Production

Affected Environment

SRK Consulting conducted a mineral resource assessment to assess the potential for energy and mineral resources for the five parcels comprising the disposal lands. The results of the study are presented in the Minerals Potential Report (MPR) prepared by SRK Consulting (SRK, 2020). The MPR was prepared in accordance with BLM Manual 3060.

The disposal lands are not prospective for leasable minerals, including coal and oil and gas resources. Potential for geothermal resources in the disposal lands is low, and there are no known geothermal occurrences on the disposal lands. Potential for salable minerals, such as aggregate or dimension stone, varies. Base metal deposits, principally copper, have greater prospectivity in the disposal lands.

Federal surface and mineral estates are part of the disposal lands. There are a total of 337 active unpatented lode or placer mining claims within the disposal lands.

Environmental Consequences

Proposed Action

Under the Proposed Action, the project lands would be conveyed to ARC. ARC would also obtain the mineral estate of the conveyed land but must abide by restrictions of the use of such minerals and surface estate dictated by the CERCLA remedy. Land use in the project area is limited by mine waste facilities and ongoing remediation activities. Mineral exploration and development work are potentially amenable with the current land use and would not be hindered by the Proposed Action. Future mineral exploration or mining work would be restricted to prevent disturbance or interference with the protectiveness of the CERCLA remedial action.

The disposal lands would no longer be regulated under the Mining Law of 1872, which allows for the claiming of locatable minerals on federal lands. After conveyance, all mining and development activities would be under state and local supervision as well as under the purview of NDEP under the IAOC and the Deferral Agreement. Any access or construction activities would have to be approved by NDEP. Large portions of the lands have been mined in the past and/or are covered by mine wastes, other facilities, and overburden. During the remediation activities, additional portions of the disposal lands would be encumbered by engineered grading and cover to protect the environment. If any future development activities would be proposed for the disposal lands, they would have to be approved by NDEP and other governmental authorities and the issues of impacts to the remedy addressed.

Direct and Indirect Effects

The Proposed Action would allow for the expedited remediation on the site as described in the IAOC and the Deferral Agreement. BLM would no longer manage mining claims and activities on the disposal lands. Any future proposed mining on the disposal lands would be under supervision of NDEP through the IAOC and the Deferral Agreement and regulated by other governmental agencies. Long term restrictive land use covenants would be placed on the private land to control future activities.

Cumulative Effects

The land proposed to be conveyed is currently being remediated by ARC under the Deferral Agreement and the IAOC. Any proposed future activity would be under the supervision of NDEP through the IAOC and the Deferral Agreement, regulated by multiple governmental agencies, and under covenants placed on the private land during the remedial activities as the closure progresses. The remedial activities are currently under development and those proposed activities will be described as they are developed and approved at the NDEP Sharepoint site at <https://ndep.nv.gov/land/abandoned-mine-lands/anaconda-home/anaconda-site-docs> as described in Section 1. No cumulative effects are identified.

Environmental Protection Measures

The site and any future activities would be under the supervision of NDEP under the IOAC. No access or construction activities could take place without review and approval of NDEP to protect the environmental remedy.

No Action

Under the No Action Alternative, the land conveyance would not occur. Mineral rights would still be constrained by the CERCLA remedy but remain under the management of the BLM. Existing mineral claims would have to be managed by BLM. Additionally, if a Plan of Operation were submitted, the BLM would have to consider such proposal and under current law cannot deny reasonable access to mining claimants.

Direct and Indirect Effects

Existing mineral claims would be managed by BLM. Additionally, if a Plan of Operation were submitted, the BLM would consider such proposal and under current law cannot deny reasonable access to mining claimants. The BLM would consider existing mineral claims in their review of remedial activities. This additional review time would delay some portion of

the proposed remedy, and the remediation schedule presented in the Deferral Agreement may not be met.

Cumulative Effects

A significant portion of the disposal lands proposed to be conveyed has already been mined and additional claims exist on the site. The mining claims that exist would continue to be managed by the BLM and applications would continue to be processed and would have to be coordinated with the remedial activity. The pending remedial activities would occur under the supervision of NDEP and the cumulative effects would be less than significant.

Environmental Protection Measures

If the Proposed Action does not occur, the lands and minerals would remain under the administration of the BLM. Existing and future claims would be processed under existing land use policies and would be subject to modification under future federal land use plans.

3.9 Lands / Access / Rights-of-Way

Affected Environment

The CRMP designates BLM public lands that are suitable for disposal (BLM 2001). Current documentation is inconclusive as to whether 60 acres of the disposal lands located within Parcel 2 are designated for disposal in the CRMP (See Map 2, Appendix A) . The remainder of the disposal lands are designated for disposal. BLM has determined to amend the CRMP to clarify and designate that these the 60 acres are marked for disposal.

Environmental Consequences

Proposed Action

Under the Proposed Action, the status of 60 acres of land would be changed in the CRMP and the land, along with the mineral estate in the disposal lands, would be conveyed to ARC. The conveyed land would still be governed by the IAOC and the Deferral Agreement, which requires remedial design and remedial action activities be conducted under NDEP oversight (NDEP, 2018). Investigation and remedial activities are on-going at the ACMS, and as of the date of this report, ARC is performing remedial actions pursuant to the IAOC.

Direct and Indirect Effects

The Proposed Action is not expected to have significant impacts on land uses and authorizations. The amount of land covered by the proposed LUP amendment is 3% of the total proposed disposal area. The remainder of the proposed disposal area is currently designated as suitable for disposal.

Cumulative Effects

Future remedial activities are currently under development and those proposed activities will be described as they are developed and approved at the NDEP Sharepoint site at <https://ndep.nv.gov/land/abandoned-mine-lands/anaconda-home/anaconda-site-docs> as described in Section 1. 60 acres would be reclassified as suitable for disposal to private

ownership. No other lands within or around the project area would be reclassified under the CRMP. No cumulative effects are identified.

Environmental Protection Measures

The land would still be under the supervision of state and local authorities for land planning issues and under the purview of NDEP under the IAOC and the Deferral Agreement. NDEP would have to approve access and construction activities on the parcel.

No Action

Under the No Action Alternative, the LUP amendment to the CRMP and land conveyance would not occur. ARC would still conduct remediation activities pursuant to the IAOC under the oversight of NDEP. If remediation activities are proposed on this area, individual applications for rights-of-way or land use authorizations may need to be prepared by ARC and authorized by the BLM. This additional review time would delay some portions of the proposed remedy and the remediation schedule presented in the IAOC and the Deferral Agreement may not be met. The BLM would continue to manage the mineral estate for the disposal lands and consider any future proposals for mining.

Direct and Indirect Effects

Under the no action alternative, the land uses, and authorizations would remain under federal regulatory control. The schedule of the remedial activities would most likely be delayed by additional review by the BLM. The BLM may have to consider land use authorizations necessary for the remediation. The BLM would continue to manage the mineral estate for the estate disposal lands and consider any future proposals for mining.

Cumulative Effects

Under the no action alternative, the disposal lands would remain under federal control. If BLM review times are considered, the remediation schedule may have to be extended or adjusted. The pending remedial activities would occur under the supervision of NDEP and the cumulative effects would be less than significant.

Environmental Protection Measures

Under the no action alternative, the disposal lands would remain under federal control, but remain subject to remedial activities under the IAOC.

3.10 Livestock Grazing

Affected Environment

The BLM manages two separate livestock grazing allotments on the lands identified for disposal. Parcel 2 would affect 60 acres of the 03512-Carson Hill allotment and 170 acres of the 03545-Hudson Hills allotment (See Appendix A, Drawing 4). Currently there is one grazing permit on the Carson Hill allotment (401 AUMs) and two grazing permits on the Hudson Hill allotment (3,509 AUMs & 966 AUMs) for a total of 4,876 AUMs. The Carson Hill allotment is a total of 5,392 acres while the Hudson Hill allotment is a total of 55,394 acres.

Environmental Consequences

Proposed Action

Under the Proposed Action, 60 acres would be removed from the Carson Hill allotment and approximately 170 acres would be removed from the Hudson Hill allotment.

Direct and Indirect Effects

The Proposed Action is not expected to have significant impacts on livestock and grazing. The Carson Hill allotment would be decreased in size by one percent with a potential loss of 4 AUMs. The Weed Heights Fence (RIP #544193) is located on the lands identified for disposal. The Hudson Hill allotment would be decreased by less than one percent, with a potential loss of 39 AUMs. This is a potential 1 percent loss in AUMs and three miles of fencing.

Cumulative Effects

Future remedial activities are currently under development and those proposed activities will be described as they are developed and approved at the NDEP Sharepoint site at <https://ndep.nv.gov/land/abandoned-mine-lands/anaconda-home/anaconda-site-docs> as described in Section 1. No other lands within or around the project area would be reclassified under the CRMP. No cumulative effects are identified.

Environmental Protection Measures

There are no environmental protection measures proposed for this resource.

No Action

Under the No Action Alternative, the LUP amendment to the CRMP and land conveyance would not occur. ARC would still conduct remediation activities pursuant to the IAOC under the oversight of NDEP. If remediation activities are proposed on this area, individual applications for rights-of-way or land use authorizations may need to be prepared by ARC and authorized by the BLM. This additional review time would delay some portions of the proposed remedy and the remediation schedule presented in the IAOC and the Deferral Agreement may not be met. The BLM would continue to manage the livestock and grazing resource on the lands.

Direct and Indirect Effects

Under the no action alternative, management of grazing allotments would remain under federal regulatory control. The schedule of the remedial activities would most likely be delayed by additional review by the BLM. The BLM may have to consider land use authorizations necessary for the remediation and impacts on grazing allotments.

Cumulative Effects

The schedule of the remedial activities likely would be extended or adjusted due to BLM obligations and timelines for reviews related to remedial activities. The pending remedial activities would occur under the supervision of NDEP and the cumulative effects would be less than significant.

Environmental Protection Measures

Under the no action alternative, the disposal lands would remain under federal control, but remain subject to remedial activities under the IAOC.

3.11 Sensitive Species Animal

Affected Environment

The disposal lands were the subject of biologic evaluation by BEC Environmental, Inc. (BEC, 2019). The majority (70%) of the lands to be conveyed have been disturbed by mining operations. Limited field investigations (outside of the existing mine site) showed two dominant habitat types: Invasive Annual and Biennial Forb land (including Disturbed Land) and Inter-Mountain Basin Mixed Salt Desert Scrub (Salt Desert Scrub).

The Nevada Department of Wildlife (NDOW) reported no known greater sage-grouse (*Centrocercus urophasianus*) habitat or leks in the vicinity of the project area; however they reported greater sage-grouse activity had been documented by two tracking locations in the vicinity of the project. BEC field investigations found that the required habitat was not present as sagebrush does not provide dense coverage.

BEC identified ten insects, two fish, three amphibians, , eleven birds, fifteen raptors and nineteen mammals that have the potential to occur in the project area. Each of the identified species is discussed below.

Big Game: Mule Deer and Pronghorn Antelope habitat is present in the Project Area although no critical winter habitat is identified.

Other Mammals: Dark kangaroo mouse and Pocket gopher habitat was identified in the Project Area along with habitat for nine bat species (Big brown bats, Brazilian free-tailed bat, California myotis, Canyon Bat, Fringed myotis, Hoary bat, Long-eared myotis, Long-legged myotis, Townsend's big-eared bat, Western small-footed myotis and Yuma Myotis). Bats inhabit or use many habitat niches including caves, abandoned mines, cliffs, springs, riparian and desert shrub. The lands to conveyed include the riparian areas along the Walker River and limited desert shrub.

Raptors: A number of raptors may be wide-spread throughout the area. The specific species include the American kestrel, Barn Owl, Burrowing owl, Ferruginous hawk, Osprey, Peregrine falcon, Prairie falcon, Red-tailed hawk, Rough-legged hawk, Short-eared owl, Swainson's hawk and Turkey vulture. These species may nest or forage in the area and all native North American birds of prey are strictly protected by the MBTA.

Eagles: Bald and Golden eagles may be present and are further protected by the BGEPA. No nests were identified, but any project activity proposed within 1 mile of any eagle nest would require consultation with the USFWS.

Amphibians: Habitat for two amphibians, Northern leopard frog and Western toad, was identified along the Walker River. No activities are planned along the waterway.

Fish: The Mountain whitefish and Warner sucker may be present in the Walker River. However, no activities are proposed along the waterway.

Insects: Three insects were identified as potentially present. Carson Valley Silverspot, Great Basin small blue and Monarch butterfly may be present. Milkweed and important flowering plants are not present in the area, save for the area along the Walker River.

Environmental Consequences

Proposed Action

Under the Proposed Action, the status of 60 acres of land would be changed in the CRMP and the land, along with the mineral estate in the disposal lands, would be conveyed to ARC. The conveyed land would still be governed by the IAOC and the Deferral Agreement, which requires remedial design and remedial action activities be conducted (NDEP, 2018). Investigation and remedial activities are on-going at the ACMS, and as of the date of this report, ARC is performing remedial actions pursuant to the IAOC.

Direct and Indirect Effects

The Proposed Action would not result in direct impacts to sensitive species as only the ownership of the land is considered. More than 70 percent of the land has been previously disturbed and the remaining 30 percent adjacent to this disturbance and is poor habitat. The amount of disposal land is small compared to the land available for forage for the raptors and bat species. No change in habitat along the Walker River is proposed.

During remedial activities, mobile animals would be displaced by noise and/or human presence. Some mortality could occur to small animals unable to move away and there would be some loss in habitat, although long-term the habitat could increase after remediation is complete.

Cumulative Effects

Future remedial activities are currently under development and those proposed activities will be described as they are developed and approved at the NDEP Sharepoint site at <https://ndep.nv.gov/land/abandoned-mine-lands/anaconda-home/anaconda-site-docs> as described in Section 1. Future potential ground disturbance activities during remediation could result in direct, indirect and cumulative effects to wildlife though these impacts would be minimized through compliance with state and federal regulations and implementation of appropriate BMP's. No significant cumulative effects are identified.

Environmental Protection Measures

Clearance surveys would be required under the Migratory Bird Treaty Act prior to any construction during the breeding season.

No Action

Under the No Action Alternative, the LUP amendment to the CRMP and land conveyance would not occur. ARC would still conduct remediation activities pursuant to the IAOC under the

oversight of NDEP. If remediation activities are proposed on land administered by the BLM, individual applications for rights-of-way or land use authorizations may need to be prepared by ARC and authorized by the BLM.

Direct and Indirect Effects

Under the no action alternative, the land uses, and authorizations would remain under federal regulatory control. The schedule of the remedial activities would most likely be extended or adjusted with BLM review. The BLM may have to consider land use authorizations necessary for the remediation. The BLM would continue to manage the mineral estate for the disposal lands and consider any future proposals for mining.

Cumulative Effects

The schedule of the remedial activities likely would be extended or adjusted due to BLM obligations and timelines for reviews related to remedial activities. The pending remedial activities would occur under the supervision of NDEP and the cumulative effects would be less than significant.

Environmental Protection Measures

Under the no action alternative, the disposal lands would remain under federal control, but remain subject to remedial activities under the IAOC. Any ground disturbance would be subject to clearance surveys required by the Migratory Bird Treaty Act.

3.12 Summary of Environmental Protection Measures

Environmental protection measures are listed in the order they appear in the above analysis. When an environmental protection measure applies to another section, the section name is listed, where applicable.

- Cultural Resources
 - The MOA
 - The HPTP
 - IAOC purview by NDEP
- Native American Religious Concerns
 - The MOA
 - The HPTP
 - IAOC purview by NDEP
- Geology / Mineral Resources/ Energy Production
 - IAOC purview by NDEP
- Land Uses and Authorizations
 - State and local regulations
 - IAOC purview by NDEP
- Sensitive Species Animal
 - MBTA clearance surveys

3.13 Monitoring

Under the Proposed Action, no monitoring would be required. The lands would be under private ownership, and activities would be under the purview of NDEP under the IAOC and the Deferral Agreement.

4.0 PERSONS, GROUPS, OR AGENCIES CONSULTED

Table 4-1: Persons, Groups, or Agencies Consulted

AGENCY/GROUP	PERSON/S CONTACTED
Yerington Paiute Tribe	Laurie Thom, former Chairman Ginny Hatch, Chairman
Walker River Paiute Tribe	Amber Torres, Former Chairman
State Historic Preservation Office	Rebecca Palmer

Table 4-2: Sierra Front Field Office Resource Specialists

Name	Title	Project Expertise
Kimberly Dow	Carson City District Manager	Authorized Officer
Shedra Rakestraw	Assistant Field Manager-Lands and Realty	Land Use Authorization; Access
Mary Feitz	Realty Specialist	Lands and Realty, Realty Specialist
Winston Miller	Archaeologist	Cultural Resources; Native American Religious and Other Concerns
Taylor Burnham	Geologist	Geology; Mineral Materials
Nicole Goehring	Hydrologist	Water Quality, Surface/Ground; Soils
Mike Withrow	Outdoor Recreation Planner	Recreation; Travel Management; Wilderness; Lands with Wilderness Characteristics; Visual Resources
Melanie Hornsby	Project Manager	NEPA Compliance, Military Liaison
Katrina Leavitt	Rangeland Management Specialist	Livestock Grazing, Vegetation, Wild Horses and Burros
Holley Kline	Supervisory Natural Resource Specialist	Wild Horse, and Burros; Migratory Birds; Threatened or Endangered Species; Special Status Species (BLM Sensitive Species); General Wildlife
Dean Tonenna	Botanist	Threatened or Endangered Plant Species; Special Status Species (BLM Sensitive Plant Species); Noxious and Invasive, Non-native Species
Cassandra Rivas	Fire Ecologist	Fire Management; Vegetation
Frank Giles	Air Resources Specialist, California and Nevada	Air Quality, Climate Change
Matt Fockler, PhD	Socioeconomic Specialist Great Basin Zone (Nevada, Idaho, Utah)	Socioeconomics and Environmental Justice

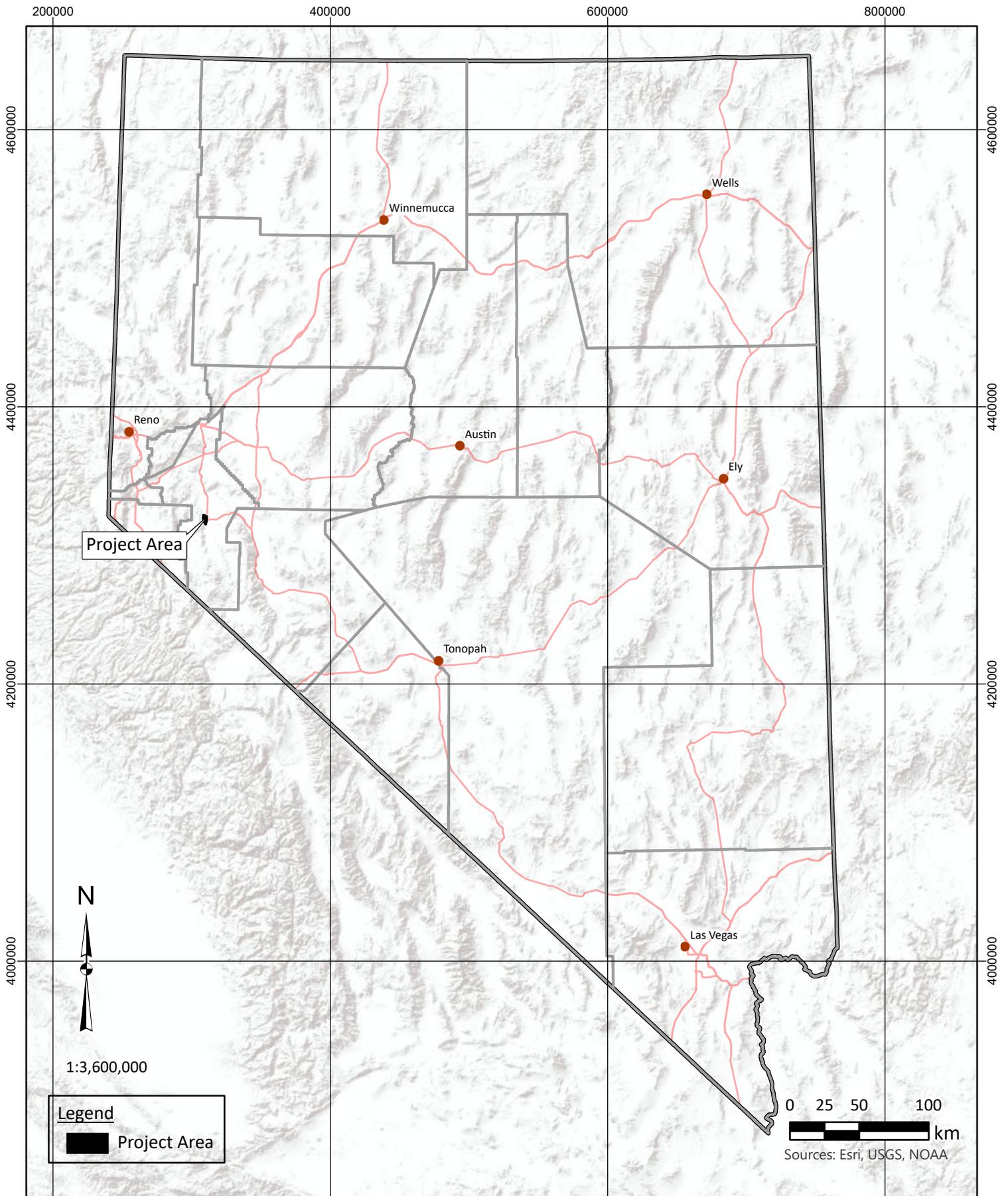
5.0 LIST OF REFERENCES

- BEC (BEC Environmental, Inc.). 2024. Limited Biological Evaluation – Wildlife Species – Anaconda Copper Mine Bureau of Land Management Land Exchange Mason Valley, Lyon County, Nevada. BEC Environmental Inc., Las Vegas, Nevada. October 2019.
- BLM (US Department of the Interior, Bureau of Land Management). 2001. Carson City Field Office Consolidation Resource Management Plan. U.S Department of Interior, Bureau of Land Management, Carson City, Nevada.
- _____. 2008. Handbook H-1790-1, National Environmental Policy Handbook. US Department of the Interior, Bureau of Land Management, Washington, DC. January 2008.
- _____. 2015. Nevada and Northeastern California Greater Sage-Grouse Approved Resource Management Plan Amendment. Nevada State Office. Reno, Nevada. September.
- Broadbent (Broadbent & Associates, Inc.). 2020. An Assessment of Cultural Resources for the Anaconda Copper Mine Land Disposal, Yerington, Nevada. BLM Report No. 3-2831.1. Broadbent & Associates, Inc., Reno, Nevada. December 2019. Revised February 2020.
- _____. 2020. An Architectural Assessment of the Anaconda Copper Mine Site and the Sagecrest Drive-In Theater, Yerington Nevada. BLM Report No. 3-2831.2. Broadbent & Associates, Inc., Reno, Nevada. January 2020.
- EPA (Environmental Protection Agency), 2017, Interim Record of Decision, Anaconda Copper Mine Site, Arimetco Facilities Operable Unit 8, Heap Leach Pads and Fluids Management System, Lyon County, Nevada.
- _____, 2018. National Priorities List Deferral Agreement between U. S. Environmental Protection Agency and Nevada Division of Environmental Protection, for the Anaconda Copper Mine Site, Lyon County, Nevada. February 5.
- NDEP (Nevada Division of Environmental Protection), 2018. Interim Administrative Settlement Agreement and Order on Consent for: (i) Remedial Design/Remedial Action, (ii) Site-Wide Remedial Investigation / Feasibility Study, and (iii) Fluid Management. February 5.

6.0 APPENDICES

Appendix A – Figures/Maps

Appendix A – Figures/Maps



Drawing 1: Location Map

Anaconda Copper Mine Site
Land Disposal Environmental Assessment



BROADBENT
Date: 3/17/2020
Project #: 18-02-202

Datum: NAD 1983 UTM Zone 11N Basemap: Esri World Terrain

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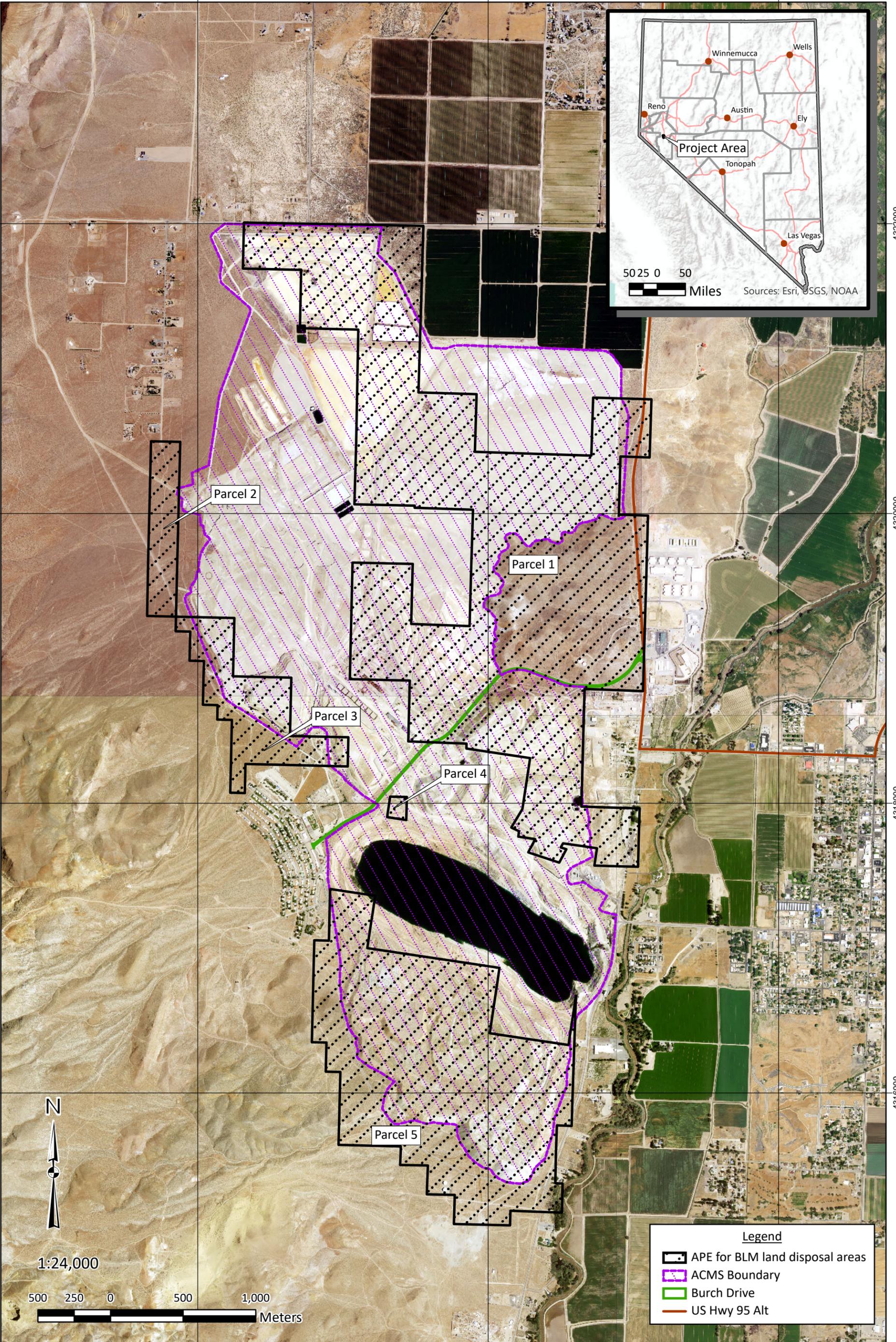
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Legend

- APE for BLM land disposal areas
- ACMS Boundary
- Burch Drive
- US Hwy 95 Alt

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Drawing 2: Project Area Map

Anaconda Copper Mine Site
Land Disposal Environmental Assessment

BROADBENT
Date: 3/17/2020
Project #: 18-02-202

Datum: NAD 1983 UTM Zone 11N Source: NAIP Digital Ortho Photo Image, 06/20/2017 and 07/12/2017

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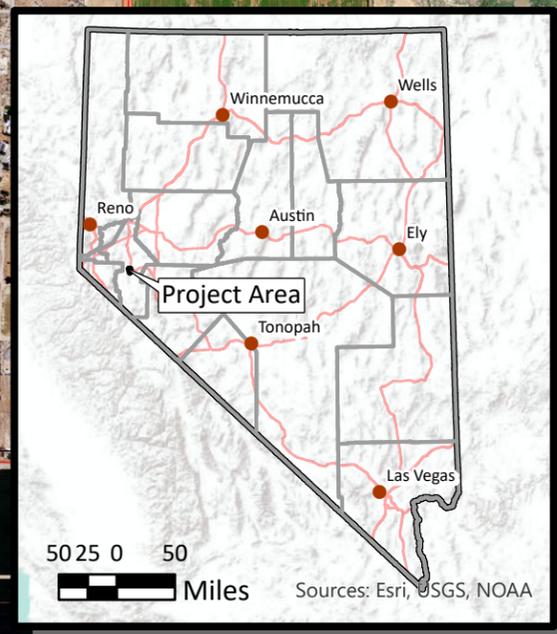
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Parcel 2

Parcel 1

Parcel 3

Parcel 4

Parcel 5

Legend

- APE for BLM land disposal areas
- ACMS Boundary
- 2001 RMP Alternative A
- Burch Drive
- US Hwy 95 Alt
- Section
- Land Status**
- BLM
- PVT



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Drawing 3: BLM Land Status Map

Anaconda Copper Mine Site
Land Disposal Environmental Assessment

BROADBENT
Date: 3/17/2020
Project #: 18-02-202

Datum: NAD 1983 UTM Zone 11N Source: NAIP Digital Ortho Photo Image, 06/20/2017 and 07/12/2017

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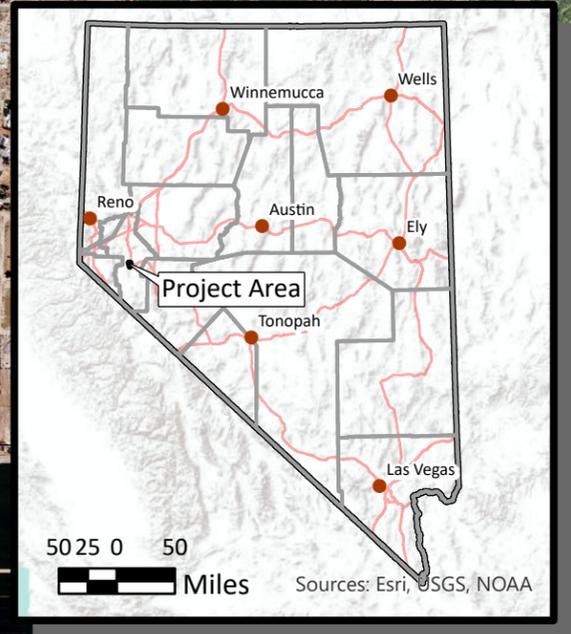
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03512 - Carson Hill

Parcel 2

Parcel 1

Parcel 3

Parcel 4

03561 - Mickey Pass

Parcel 5

03545 - Hudson Hills

Legend

- BLM Grazing Allotment
 - APE for BLM land disposal areas
 - ACMS Boundary
 - Burch Drive
 - US Hwy 95 Alt
- Land Status
- BLM
 - PVT



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Drawing 4: BLM Grazing Map

Anaconda Copper Mine Site
Land Disposal Environmental Assessment



Datum: NAD 1983 UTM Zone 11N Source: NAIP Digital Ortho Photo Image, 06/20/2017 and 07/12/2017

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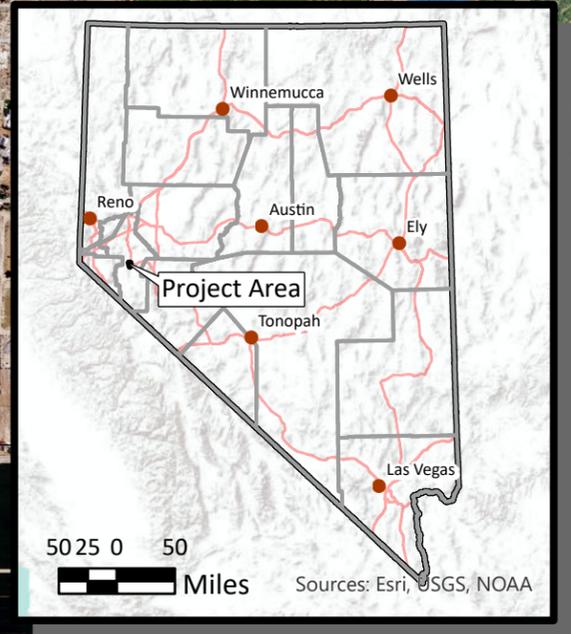
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Parcel 2

Parcel 1

Parcel 3

Parcel 4

Parcel 5

Legend

- APE for BLM land disposal areas
- ACMS Boundary
- Burch Drive
- US Hwy 95 Alt
- Base Flood Elevations (feet)

Flood Hazard Zones

- Flood Zone A, 1% Annual Chance Flood Hazard (ACFH)
- Flood Zone AE, 1% ACFH
- Flood Zone AO, 1% ACFH
- Flood Zone X, 0.2% ACFH



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Drawing 5: Flood Hazard Map

Anaconda Copper Mine Site Land Disposal Environmental Assessment

BROADBENT
Date: 3/17/2020
Project #: 18-02-202

Datum: NAD 1983 UTM Zone 11N Source: NAIP Digital Ortho Photo Image, 06/20/2017 and 07/12/2017

Lyon County Board of County Commissioners Agenda Summary

Meeting Date: January 6, 2025

Agenda Item Number:

15.d

Subject:

For Possible Action: Renew Appointment of Dr. Robin Titus, M.D., as Lyon County Health Officer and approve two year contract with compensation in the amount of \$1,000 per month plus mileage reimbursement (the same amount paid during the last two-year period).

Summary:

Dr. Titus has served continuously as the Lyon County Health Officer since 1988. She has been a licensed medical doctor that entire time. Dr. Titus desires to continue in that role as County Health Officer at the same rate of pay that she has received for the last two year period, \$1,000 per month plus mileage reimbursement. NRS 439.290 requires the BOCC to appoint a County Health Officer. The appointment is for a two year period. The Agreement provides for an automatic extension unless the BOCC appoints someone else as the County Health Officer.

Financial Department Comments:

This is the budgeted amount for the current year.

Approved As To Legal Form:

County Manager Comments:

Recommendation:

Appoint Dr. Titus and approve contract for public health office.

ATTACHMENTS

- [Public Health Officer Agreement with Dr. Titus 2025](#)

AGREEMENT FOR PUBLIC HEALTH OFFICER

This Agreement Amendment is hereby made and entered into this 6th day of January, 2025, by and between DR. ROBIN TITUS, M.D., hereinafter referred to as “Public Health Officer” and Lyon County, a political subdivision of the State of Nevada, hereinafter referred to as “County.”

WITNESSETH:

Whereas, Lyon County has the responsibility to appoint a County Public Health Officer, pursuant to NRS 439.290(1); and

Whereas, Public Health Officer meets the requirements of NRS 439.290(2), being a person learned in sanitary science, public health practice and diagnosis of infectious diseases; and

Whereas, the parties entered into an agreement on the 6th day of October 1988 for these services, and Dr. Titus has continuously served as the Lyon County Public Health Officer since that time; and

Whereas, the parties entered into an agreement in 2015 to provide compensation at the rate of Two Hundred Dollars (\$200.00) per month; and

Whereas, in November, 2022, the parties agreed to increase the compensation to One Thousand Dollars (\$1,000.00) per month beginning January 1, 2023; and

Whereas, Dr. Titus desires to continue in this service as County Public Health Officer and the parties desire to change the compensation and term of the original Agreement.

NOW, THEREFORE, pursuant to the provisions of Chapter 439 of the Nevada Revised Statutes, the parties agree as follows:

1. That the effective date of this agreement amendment shall be January 6, 2025.
2. The County continues the appointment of Dr. Robin Titus, M.D. as County Public Health Officer for a term of two years after the effective date of this Agreement, December 31, 2026.
3. This Agreement shall automatically renew for additional one (1) year terms, unless terminated by either party for cause or as provided herein.

4. The County shall compensate Dr. Robin Titus, M.D., for services as Public Health Officer, in the sum of One Thousand Dollars (\$1,000.00) per month, plus mileage reimbursement at the County rate in effect at the time the mileage is incurred.

5. Either party may terminate this agreement at the end of any calendar month by giving written notice of said intention to terminate at least thirty (30) days prior to the beginning of such calendar month

6. This agreement shall be in full force and effect from January 6, 2025, until notice of termination is given.

This Agreement is approved and entered into this 6th day of January, 2024

Robin Titus, M.D.
Public Health Officer

LYON COUNTY

_____, Chair
Lyon County Board of Commissioners

ATTEST:

Staci Lindberg
County Clerk

Lyon County Board of County Commissioners Agenda Summary

Meeting Date: January 6, 2025

Agenda Item Number:

16.a

Subject:

For Possible Action: Accept a grant from the Nevada Administrative Offices of the Courts in the amount of \$10,000 to be used for the first year of an Alternative Sentencing software program and the cost of implementation and staff training to be used in the Fernley Justice Court.

Summary:

The Fernley Justice Court has implemented an alternative sentencing program. The Administrative Office of the Courts has awarded a grant for \$10,000 to cover the cost of the first year of an alternative sentencing supervision software program (AIMS Diversion, \$6,000) and the cost of implementation and staff training (\$4,000).

Financial Department Comments:

There is no match required for this grant.

Approved As To Legal Form:

County Manager Comments:

Recommendation:

Accept a grant from the Nevada Administrative Offices of the Courts in the amount of \$10,000 to be used for the first year of an Alternative Sentencing software program and the cost of implementation and staff training to be used in the Fernley Justice Court.

ATTACHMENTS

- [AOC Grant for Alternative Sentencing Program](#)
- [SaaS Subscription Order Form](#)



Supreme Court of Nevada
Administrative Office of the Courts
 (hereinafter referred to as the AOC)

Subgrant #: SLFRFCTJC
 Budget Account: 1483
 Category: 62

NOTICE OF SUBAWARD

Program Name: ARPA-State and Local Fiscal Recovery Funds (SLFRF) Administrative Office of the Courts grants@nvcourts.nv.gov	Subrecipient's Name: Lyon County Canal Township Justice Court Alex Potichkin/ APOTICHKIN@LYON-COUNTY.ORG
Address: 201 S. Carson St., Ste. 250 Carson City, NV 89701	Address: 595 E. MAIN ST. FERNLEY, NV 89408
Subaward Period: Upon approval through 12/31/2026	Subrecipient's: EIN: <u>88-6000097</u> Unique Entity ID : <u>UT4JJ9N6L69</u>

Purpose of Award: The purpose of this award is to make the initial purchase and implementation of a case management system tailored for probationer (alternative sentencing) case supervision.

Region(s) to be served: Statewide Specific county or counties: Lyon County

Approved Budget Categories:	FEDERAL AWARD COMPUTATION:
1. Personnel	Total Obligated by this Action: \$ 10,000.00
2. Travel	Cumulative Prior Awards this Budget Period: \$ 0.00
3. Operating	Total Federal Funds Awarded to Date: \$ 10,000.00
4. Equipment	Match Required <input type="checkbox"/> Y <input checked="" type="checkbox"/> N
5. Contractual/Consultant \$10,000.00	Amount Required this Action: \$ 0.00
6. Training	Amount Required Prior Awards: \$ 0.00
7. Other	Total Match Amount Required: \$ 0.00
TOTAL DIRECT COSTS \$10,000.00	Research and Development (R&D) <input type="checkbox"/> Y <input checked="" type="checkbox"/> N
8. Indirect Costs	FOR AGENCY USE, ONLY
TOTAL APPROVED BUDGET \$10,000.00	

Source of Funds: American Rescue Plan Act of 2021	% Funds: 100%	CFDA: 21.027	FAIN: SLFRF2634	Federal Grant #: 22AGLCG01	Grant Award Date by Federal Agency: 6/4/2021
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Agency Approved Indirect Rate: N/A **Subrecipient Approved Indirect Rate:** N/A

Terms and Conditions:
 In accepting these grant funds, it is understood that:

- This award is subject to the availability of appropriate funds.
- Expenditures must comply with any statutory guidelines.
- Expenditures must be consistent with the narrative, goals and objectives, and budget as approved and documented
- Subrecipient must comply with all applicable Federal regulations
- Final report is due at the end of the project period unless specific exceptions are provided in writing by the grant administrator.
- Financial Status Reports and Requests for Funds must be submitted upon receipt of an invoice unless specific exceptions are provided in writing by the grant administrator.

Incorporated Documents:
 Section A: Grant Conditions and Assurances;
 Section B: Description of Services, Scope of Work and Deliverables;
 Section C: Budget and Financial Reporting Requirements;
 Section D: Audit Information Request;

Name	Signature	Date
Lori Matheus Justice of the Peace		07/01/2024
John McCormick Assistant Court Administrator Administrative Office of the Courts	John McCormick Digitally signed by John McCormick Date: 2024.07.10 09:42:34 -07'00'	

SECTION A GRANT CONDITIONS AND ASSURANCES

General Conditions

1. Nothing contained in this Agreement is intended to, or shall be construed in any manner, as creating or establishing the relationship of employer/employee between the parties. The Recipient shall at all times remain an "independent contractor" with respect to the services to be performed under this Agreement. Administrative Office of the Courts (hereafter referred to as "AOC") shall be exempt from payment of all Unemployment Compensation, FICA, retirement, life and/or medical insurance, and Workers' Compensation Insurance as the Recipient is an independent entity.
2. The Recipient shall hold harmless, defend and indemnify the AOC from any and all claims, actions, suits, charges, and judgments whatsoever that arise out of the Recipient's performance or nonperformance of the services or subject matter called for in this Agreement.
3. The AOC or Recipient may amend this Agreement at any time provided that such amendments make specific reference to this Agreement, and are executed in writing, and signed by a duly authorized representative of both organizations. Such amendments shall not invalidate this Agreement, nor relieve or release the AOC or Recipient from its obligations under this Agreement.
 - The AOC may, in its discretion, amend this Agreement to conform with federal, state or local governmental guidelines, policies and available funding amounts, or for other reasons. If such amendments result in a change in the funding, the scope of services, or schedule of the activities to be undertaken as part of this Agreement, such modifications will be incorporated only by written amendment signed by both the AOC and Recipient.
4. Either party may terminate this Agreement at any time by giving written notice to the other party of such termination and specifying the effective date thereof at least 30 days before the effective date of such termination. Partial terminations of the Scope of Work in Section B may only be undertaken with the prior approval of the AOC. In the event of any termination for convenience, all finished or unfinished documents, data, studies, surveys, reports, or other materials prepared by the Recipient under this Agreement shall, at the option of the AOC, become the property of the AOC, and the Recipient shall be entitled to receive just and equitable compensation for any satisfactory work completed on such documents or materials prior to the termination.
 - The AOC may also suspend or terminate this Agreement, in whole or in part, if the Recipient materially fails to comply with any term of this Agreement, or with any of the rules, regulations or provisions referred to herein; and the AOC may declare the Recipient ineligible for any further participation in the AOC's grant agreements, in addition to other remedies as provided by law. In the event there is probable cause to believe the Recipient is in noncompliance with any applicable rules or regulations, the AOC may withhold funding.
5. Records Retention, Inspection, and Audit: Subrecipient shall maintain all financial records, supporting documentation, and all other records (written, electronic or otherwise) relating to performance and billing under this agreement for a period of at least 7 years. The retention period begins upon completion of the project. The retention period shall be extended when an audit or dispute resolution process is scheduled or in progress for a period reasonably necessary to complete the audit or dispute resolution process. Subrecipient shall make all such records and documentation available to AOC for inspection, review and/or audit within 10 days of written notice of a request during the term of the agreement and throughout the retention period. Any such inspection, review and/or audit shall be conducted at a reasonable time during business hours, and in such a manner that does not interfere with Contractor's normal business activities.

Grant Assurances

A signature on the cover page of this packet indicates that the applicant is capable of and agrees to meet the following requirements, and that all information contained in this proposal is true and correct.

1. Adopt and maintain a system of internal controls which results in the fiscal integrity and stability of the organization, including the use of Generally Accepted Accounting Principles (GAAP).
2. Compliance with state insurance requirements for general, professional, and automobile liability; workers' compensation and employer's liability; and, if advance funds are required, commercial crime insurance.
3. These grant funds will not be used to supplant existing financial support for current programs.
4. No portion of these grant funds will be subcontracted without prior written approval unless expressly identified in the grant agreement.
5. Compliance with the requirements of the Civil Rights Act of 1964, as amended, and the Rehabilitation Act of 1973, P.L. 93-112, as amended, and any relevant program-specific regulations, and shall not discriminate against any employee for employment because of race, national origin, creed, color, sex, religion, age, disability or handicap condition (including AIDS and AIDS-related conditions).
6. Compliance with the Americans with Disabilities Act of 1990 (P.L. 101-136), 42 U.S.C. 12101, as amended, and regulations adopted there under contained in 28 CFR 26.101-36.999 inclusive, and any relevant program-specific regulations.
7. Compliance with Title 2 of the Code of Federal Regulations (CFR) and any guidance in effect from the Office of Management and Budget (OMB) related (but not limited to) audit requirements for grantees that expend \$750,000 or more in Federal awards during the grantee's fiscal year must have an annual audit prepared by an independent auditor in accordance with the terms and requirements of the appropriate circular. **To acknowledge this requirement, Section D of this notice of subaward must be completed.**
8. Compliance with the Clean Air Act (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1387), as amended— Contracts and subgrants of amounts in excess of \$150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).

9. Certification that neither the Recipient nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal AOC or agency. This certification is made pursuant to regulations implementing Executive Order 12549, Debarment and Suspension, 28 C.F.R. pt. 67 § 67.510, as published as pt. VII of May 26, 1988, Federal Register (pp. 19150-19211).
10. No funding associated with this grant will be used for lobbying.
11. Disclosure of any existing or potential conflicts of interest relative to the performance of services resulting from this grant award.
12. Provision of a work environment in which the use of tobacco products, alcohol, and illegal drugs will not be allowed.
13. An organization receiving grant funds through the Administrative Office of the Courts shall not use grant funds for any activity related to the following:
 - Any attempt to influence the outcome of any federal, state or local election, referendum, initiative or similar procedure, through in-kind or cash contributions, endorsements, publicity or a similar activity.
 - Establishing, administering, contributing to or paying the expenses of a political party, campaign, political action committee or other organization established for the purpose of influencing the outcome of an election, referendum, initiative or similar procedure.
 - Any attempt to influence:
 - The introduction or formulation of federal, state or local legislation; or
 - The enactment or modification of any pending federal, state or local legislation, through communication with any member or employee of Congress, the Nevada Legislature or a local governmental entity responsible for enacting local legislation, including, without limitation, efforts to influence State or local officials to engage in a similar lobbying activity, or through communication with any governmental official or employee in connection with a decision to sign or veto enrolled legislation.
 - Any attempt to influence the introduction, formulation, modification or enactment of a federal, state or local rule, regulation, executive order or any other program, policy or position of the United States Government, the State of Nevada or a local governmental entity through communication with any officer or employee of the United States Government, the State of Nevada or a local governmental entity, including, without limitation, efforts to influence state or local officials to engage in a similar lobbying activity.
 - Any attempt to influence:
 - The introduction or formulation of federal, state or local legislation;
 - The enactment or modification of any pending federal, state or local legislation; or
 - The introduction, formulation, modification or enactment of a federal, state or local rule, regulation, executive order or any other program, policy or position of the United States Government, the State of Nevada or a local governmental entity, **by preparing, distributing or using** publicity or propaganda, or by urging members of the general public or any segment thereof to contribute to or participate in any mass demonstration, march, rally, fundraising drive, lobbying campaign or letter writing or telephone campaign.
 - Legislative liaison activities, including, without limitation, attendance at legislative sessions or committee hearings, gathering information regarding legislation and analyzing the effect of legislation, when such activities are carried on in support of or in knowing preparation for an effort to engage in an activity prohibited pursuant to subsections 1 to 5, inclusive.
 - Executive branch liaison activities, including, without limitation, attendance at hearings, gathering information regarding a rule, regulation, executive order or any other program, policy or position of the United States Government, the State of Nevada or a local governmental entity and analyzing the effect of the rule, regulation, executive order, program, policy or position, when such activities are carried on in support of or in knowing preparation for an effort to engage in an activity prohibited pursuant to subsections 1 to 5, inclusive.
14. An organization receiving grant funds through Administrative Office of the Courts may, to the extent and in the manner authorized in its grant, use grant funds for any activity directly related to educating persons in a nonpartisan manner by providing factual information in a manner that is:
 - Made in a speech, article, publication, or other material that is distributed and made available to the public, or through radio, television, cable television or other medium of mass communication; and
 - Not specifically directed at:
 - Any member or employee of Congress, the Nevada Legislature or a local governmental entity responsible for enacting local legislation;
 - Any governmental official or employee who is or could be involved in a decision to sign or veto enrolled legislation; or
 - Any officer or employee of the United States Government, the State of Nevada or a local governmental entity who is involved in introducing, formulating, modifying or enacting a Federal, State or local rule, regulation, executive order or any other program, policy or position of the United States Government, the State of Nevada or a local governmental entity.

This provision does not prohibit a recipient or an applicant for a grant from providing information that is directly related to the grant or the application for the grant to the granting agency.

To comply with reporting requirements of the Federal Funding and Accountability Transparency Act (FFATA), the sub-grantee agrees to provide the AOC with copies of all contracts, sub-grants, and or amendments to either such documents, which are funded by funds allotted in this agreement.

Compliance with this section is acknowledged by signing the subaward cover page of this packet.

SECTION B

Scope of Work

Goal 1: Implement an effective case management system to enhance probationer supervision and support decision-making processes within the Department of Alternative Sentencing.

<u>Objective</u>	<u>Activities</u>	<u>Due Date</u>	<u>Documentation Needed</u>
1. To procure, install, and operationalize the AIMS software for probationer case management, enabling efficient tracking, reporting, and statistical analysis of supervision activities.	<ol style="list-style-type: none"> 1. Purchase the AIMS software and cover related startup fees using the subgrant of \$10,000. 2. Procure AIMS software license and necessary hardware if applicable. 3. Install and configure the software for optimal functionality. 4. Provide training to Department of Alternative Sentencing staff on using the AIMS software. 5. Commence probationer supervision tracking and reporting using the implemented system to generate statistics for county decision makers. 	12/31/2026	<ol style="list-style-type: none"> 1. Submit invoices with backup documentation to aocaccounting@nvcourts.nv.gov

Goal 2: Ensure the successful completion and compliance of the workstation modification project by conducting regular check-ins and monitoring progress.

<u>Objective</u>	<u>Activities</u>	<u>Due Date</u>	<u>Documentation Needed</u>
1. The AOC will conduct quarterly check-ins to monitor the progress of the workstation modification project.	<ol style="list-style-type: none"> 1. Quarterly check-ins via email or phone call 	Ongoing	<ol style="list-style-type: none"> 1. N/A

Compliance with this section is acknowledged by signing the subaward cover page of this packet.

SECTION C

Budget and Financial Reporting Requirements

Subrecipient agrees to adhere to the following budget:

Approved Budget Categories:	
1. Personnel	
2. Travel	
3. Operating	
4. Equipment	
5. Contractual/Consultant	\$10,000.00
6. Training	
7. Other	
TOTAL DIRECT COSTS	\$10,000.00
8. Indirect Costs	
TOTAL APPROVED BUDGET	\$10,000.00

Subrecipient will obtain written permission to redistribute funds within categories. **Note: the redistribution cannot alter the total not to exceed amount of the subaward. Modifications in excess of 10% require a formal amendment.**

- Equipment purchased with these funds belongs to the federal program from which this funding was appropriated and shall be returned to the program upon termination of this agreement.

The Subrecipient agrees:

To request reimbursement according to the schedule specified below for the actual expenses incurred related to the Scope of Work during the subaward period.

- Total reimbursement through this subaward will not exceed \$10,000.00;
- Requests for Reimbursement will be accompanied by supporting documentation, including a line item description of expenses incurred;
- Additional expenditure detail will be provided upon request from the AOC.

Additionally, the Subrecipient agrees to provide:

- A complete financial accounting of all expenditures to the AOC within 30 days of the CLOSE OF THE SUBAWARD PERIOD. Any un-obligated funds shall be returned to the AOC at that time, or if not already requested, shall be deducted from the final award.
- Any work performed after the BUDGET PERIOD will not be reimbursed.
- If a Request for Reimbursement (RFR) is received after the 45-day closing period, the AOC may not be able to provide reimbursement.
- If a credit is owed to the AOC after the 45-day closing period, the funds must be returned to the AOC within 30 days of identification.

The AOC agrees:

- Providing technical assistance, upon request from the Subrecipient;
- Providing prior approval of reports or documents to be developed;
- Forwarding a report to another party, i.e. CDC.
- The AOC reserves the right to hold reimbursement under this subaward until any delinquent forms, reports, and expenditure documentation are submitted to and accepted by the AOC.

Both parties agree:

- All reports of expenditures and requests for reimbursement processed by the AOC are SUBJECT TO AUDIT.
- This subaward agreement may be TERMINATED by either party prior to the date set forth on the Notice of Subaward, provided the termination shall not be effective until 30 days after a party has served written notice upon the other party. This agreement may be terminated by mutual consent of both parties or unilaterally by either party without cause. The parties expressly agree that this Agreement shall be terminated immediately if for any reason the AOC, state, and/or federal funding ability to satisfy this Agreement is withdrawn, limited, or impaired.

Financial Reporting Requirements

- A Request for Reimbursement is due upon receipt of an invoice.
- Reimbursement is based on actual expenditures incurred during the period being reported.
- Payment will not be processed without all reporting being current.
- Reimbursement may only be claimed for expenditures approved within the Notice of Subaward

SECTION D

Audit Information Request

1. Non-Federal entities that **expend** \$750,000.00 or more in total federal awards are required to have a single or program-specific audit conducted for that year, in accordance with 2 CFR § 200.501(a).
2. Did your organization expend \$750,000 or more in all federal awards during your organization's most recent fiscal year? YES NO
3. When does your organization's fiscal year end? June 30th
4. What is the official name of your organization? County of Lyon
5. How often is your organization audited? Annually
6. When was your last audit performed? 11/28/2023
7. What time-period did your last audit cover? 07/01/2022 - 06/30/2023
8. Which accounting firm conducted your last audit? Sciarani & Co.

Compliance with this section is acknowledged by signing the subaward cover page of this packet.

ORDER FORM

CUSTOMER INFORMATION

Customer:	Lyon County, NV	Address:	180 NW 5 th Street
Contact Name:	Alex Potichkin		Corvallis, OR 97330
Email Address:	apotichkin@lyon-county.org		
Phone:	775.575.3355		
Billing Contact:	Alex Potichkin	ACH:	<input type="checkbox"/>
Billing Email:	apotichkin@lyon-county.org	PO Required:	<input type="checkbox"/> PO No.:
Billing Phone:	775.575.3355	Tax Exempt:	<input type="checkbox"/>

Catalis Representative: Denton Bosco, dbosco@catalisgov.com

SUBSCRIPTION TERM

Subscription Start Date: 8/1/2024
 Subscription End Date: 7/30/2025
 Auto-Renewal: Yes (Annual)
 The Initial Term of the Subscription shall begin on the Subscription start date and will continue for 5 years.

PRICING

1. Fee Summary

Software Subscription Fees for Year 1 Total:	\$6,000
Professional Services One-time Fees Total:	\$4,000

Fee details for these totals are in the tables below.

2. Software Subscription Fees

	Year 1	Year 2	Year 3	Year 4	Year 5
AIMS-Diversion	\$6,000	\$6,360	\$6,742	\$7,146	\$7,575
Limit 1 Probation Program					
Total Subscription Fees	\$6,000	\$6,360	\$6,742	\$7,146	\$7,575

- 2.1. Year 1 Software Subscription Fees shall be billed upon the Subscription Start Date.
- 2.2. Future Year Software Subscription Fees shall be billed annually in advance.

3. One-Time Professional Services Fees

Implementation and Training	\$4,000
Tenant set-up and system configuration; Up to 3hrs of web-based end-user training	
Total One-time Fees	\$4,000

- 3.1. One-time Professional Services Fees shall be billed upon the Execution of this Order Form.

4. Additional Services

Future Professional Services, customizations, modifications, or integrations can be provided at a current year hourly services rate. Any additional work requested will require a Professional Services Work Order.

TERMS AND CONDITIONS

The Agreement incorporates by reference the following, in order of precedence:

This Order Form

The Master Software Subscription and Services Agreement

<https://catalisgov.com/master-software-subscription-and-services-agreement/>

The Service Level Agreement and Support Terms

<https://catalisgov.com/saas-service-level-agreement-and-support-terms/>

Schedule A: Software Description and Scope of Use

General Notes:

1. Capitalized terms used herein but not defined in this Order Form have the meanings given to them in the Master Software Subscription and Services Agreement.
2. The Parties agree to keep all aspects of this agreement confidential to the extent permitted by law.
3. Pricing and/or terms are subject to change if the Order Form is not signed within sixty (60) days of the Order Form Date.
4. The Pricing listed above is estimated based on the information available to Catalis at the time of the making of this Order Form. Following adoption of this Order Form, changes shall be memorialized with a written Amendment, without regard to whether the change affects costs, and shall be approved in writing by Catalis and the Customer. If the Amendment impacts cost to one or more Parties, an estimate of the cost impact shall be included in the written Amendment.
5. Any Recurring Fees will increase annually by the greater of six percent (6%) or the increase in the CPI for the prior calendar year (as reflected in the pricing table(s) above).
6. Invoices shall be due and payable within thirty (30) days following invoice by Catalis.
7. The solution, AIMS-Diversion, will be repurposed using the current configurations and functionality to support probation-related activities. Probation-specific functionality that may be requested by the Customer may be deemed unsupported within the diversion module.

ACCEPTANCE

By signing below, signatories represent that they are validly authorized to enter into this Order Form and accept their terms and conditions. The Order Form is dated effective and shall be considered binding upon execution ("Effective Date") by and between both parties.

Lyon County, NV

Catalis Courts & Land Records, LLC

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

Date: _____

Date: _____



SCHEDULE A: SOFTWARE DESCRIPTION AND SCOPE OF USE

This section provides a description of the Software Services being offered; however, it is understood that detailed Functional Specifications will also be available in separate Documentation provided for guidance on product functionality and usage.

AIMS-Diversion is the latest addition to the revolutionary AIMS platform providing criminal justice agencies a cutting edge case management system to track and analyze diversion programs. Guided by industry standards & best practices, this SaaS solution provides robust automation tools and workflows to facilitate efficiency and improve overall diversion program success.

Lyon County Board of County Commissioners Agenda Summary

Meeting Date: January 6, 2025

Agenda Item Number:

17.a

Subject:

For Possible Action: Approve the creation of four temporary Respite Program Assistant positions, at an A2 pay rate, to be 100% grant-funded through the Department of Health and Human Services, Administration for Community Living grant award, with a funding period ending August 31, 2025.

Summary:

Lyon County Human Services has been awarded a U.S. Department of Health and Human Services, Administration for Community Living, Congressionally Directed Community Projects grant to provide respite services for individuals throughout Lyon County. With this funding LCHS intends to hire four temporary part-time Respite Program Assistants. Similar positions offer an hourly rate of \$18/hour which falls within the A2 pay category. These positions will require a background check.

Respite services through this program will include scheduled in-home support and also support in the four local senior centers to allow caregivers to attend LCHS' Powerful Tools for Caregivers classes, support groups, as well as support during Dementia Friendly Nevada and other Senior Center activities. Services will be offered Monday - Friday, between the hours of 8am and 5pm.

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

Approve the creation of four temporary Respite Program Assistant positions, at an A2 pay rate, to be 100% grant-funded through the Department of Health and Human Services, Administration for Community Living grant award, with a funding period ending August 31, 2025.

ATTACHMENTS

- [Respite Program Assistant Job Description](#)



JOB DESCRIPTION

JOB TITLE:	Respite Program Assistant	FLSA:	Temporary Position
DEPARTMENT:	Human Services	GRADE:	\$18.00/Hour
REPORTS TO:	Program Supervisor	DATE:	12/18/2024

SUMMARY OF JOB PURPOSE:

Responsible for providing engagement of clients within the Respite Program, facilitating activities, and providing essential personal support for clients and caregivers.

ESSENTIAL FUNCTIONS:

This class specification lists the major duties and requirements of the job and is not all-inclusive. Incumbent(s) may be expected to perform job-related duties other than those contained in this document and may be required to have specific job-related knowledge and skills.

- Provides respite care to clients and caregivers both in the clients' home and within the Lyon County Senior Centers.
- Promotes a safe and supportive environment for clients and caregivers.
- Identifies social, economic, and physical needs, and barriers with clients; assesses client's support systems to determine how best to provide respite services.
- Demonstrates creativity and motivational skills to engage clients.
- Communicates effectively with clients, staff, and family members.
- Maintains all required documentation, records, and reports.
- Develops and maintains working relationships with other department staff and partner agencies to coordinate services for families.
- Ensures compliance with all federal, state, local, and department laws, regulations, and requirements.
- Contributes to the efficiency and effectiveness of respite service by offering suggestions and directing or participating as an active member of a work team.
- Represents the County with dignity, integrity, and high regard to client confidentiality.

QUALIFICATIONS:

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required.

Education and Experience:

High School Diploma/GED; AND at least 2 years of experience working with elderly individuals or experience in a similar care setting.

Required Knowledge and Skills

Knowledge of:

- Best practices in working with individuals with significant cognitive decline.
- Program policies and procedures related to the provision of human services.
- Crisis intervention and peer counseling techniques.

This job description indicates, in general, the nature and levels of work, knowledge, skills, abilities and other essential functions (as covered under the Americans with Disabilities Act) expected of the incumbent. It is not designed to cover or contain a comprehensive listing of activities, duties or responsibilities required of the incumbent. Incumbent may be asked to perform other duties as required.



RESPIRE PROGRAM ASSISTANT

Knowledge of (continued):

- Interviewing techniques and conducting assessments.
- Codes, laws, and regulations related to the position.
- Standard office practices and procedures, including filing and the operation of standard office equipment.
- Recordkeeping principles and practices.
- Correct business English, including spelling, grammar and punctuation.
- Techniques for communicating with a variety of individuals from various socioeconomic, ethnic and cultural backgrounds, in person and over the telephone.
- Computer applications related to work assignments, such as entering client information into online database.

Skill in:

- Working with individuals with diminished cognitive capacity.
- Providing client education and instruction.
- Using initiative and independent judgment within established procedural guidelines.
- Assessing cases as appropriate and discerning the most suitable community resources to provide effective client services.
- Interviewing and conducting client assessments.
- Use of desktop, laptop computer, and a smartphone.
- Maintaining accurate and organized records and files related to work performed.
- Collaboration and working as a team member towards the accomplishment of team goals, objectives and activities.
- Professional oral and written communication. Ability to effectively and professionally communicate with a variety of individuals from various socioeconomic, ethnic and cultural backgrounds, in person and over the telephone.
- Workload organization, time management, setting priorities and meeting critical deadlines.

REQUIRED CERTIFICATES, LICENSES, AND REGISTRATIONS:

Continued employment is contingent upon all required licenses and certificates being maintained in active status without suspension or revocation.

- Nevada Driver's License

PHYSICAL DEMANDS & WORKING ENVIRONMENT:

The physical demands described herein are representative of those that must be met by an employee to successfully perform the essential functions of the job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

This job description indicates, in general, the nature and levels of work, knowledge, skills, abilities and other essential functions (as covered under the Americans with Disabilities Act) expected of the incumbent. It is not designed to cover or contain a comprehensive listing of activities, duties or responsibilities required of the incumbent. Incumbent may be asked to perform other duties as required.



RESPITE PROGRAM ASSISTANT

Mobility to work in a typical office setting; strength and agility to lift materials weighing up to 50 pounds; stamina to stand and walk for extended periods of time; vision to read printed materials and computer screens; hearing and speech to communicate in person or over the telephone.

Work is subject to performance under exposure to extensive travel, bodily fluids, fumes, gases, noise and chemicals.

This job description indicates, in general, the nature and levels of work, knowledge, skills, abilities and other essential functions (as covered under the Americans with Disabilities Act) expected of the incumbent. It is not designed to cover or contain a comprehensive listing of activities, duties or responsibilities required of the incumbent. Incumbent may be asked to perform other duties as required.

Lyon County Board of County Commissioners Agenda Summary

Meeting Date: January 6, 2025

Agenda Item Number:

18.a

Subject:

For Possible Action: Authorize the Utilities Director to issue an Intent to Serve letter for sewer and water service for the Sage Vista Specific Plan Project PLZX-19-0081.

Summary:

The Sage Vista Specific Plan was approved by the Board of County Commissioners on December 17, 2020 and the majority of the property is outside of the Lyon County Utilities Department water and sewer service area. In order for the developer to continue with the entitlement process, state law requires utility providers to issue intent to serve letters to the developer. The Utilities Director is asking for authorization to issue an intent to serve letter for water and sewer service with the acknowledgement that the developer is proceeding at their risk.

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

Move to authorize the Utilities Director to issue an Intent to Serve letter for sewer and water service for the Sage Vista Specific Plan, so the developer can continue with the entitlement process.

ATTACHMENTS

- [Developer Request](#)
- [Sage Vista Staff Report and Backup BOCC 12.17.2020](#)
- [Sage Vista Specific Plan Approval](#)
- [Intent to Serve Letter](#)

KAREN A. PETERSON
JAMES R. CAVILIA
CHRIS MACKENZIE
RYAN D. RUSSELL
JOEL W. LOCKE
KYLE A. WINTER
DANIEL S. JUDD



ALLISON MacKENZIE

ATTORNEYS & COUNSELORS AT LAW

GEORGE V. ALLISON
JOAN C. WRIGHT
PATRICK V. FAGAN
MIKE PAVLAKIS
(OF COUNSEL)

ANDREW MacKENZIE
(1941 – 2018)
MIKE SOUMBENIOTIS
(1932 – 1997)

ROBERT MORGAN BEESLEY
KEITH KETOLA

October 2, 2024

Andrew Haskin, County Manager
David Bruketta, Utilities Director
Lyon County
27 S. Main Street
Yerington, Nevada 89447

Via Electronic Mail
ahaskin@lyon-county.org
dbruketta@lyon-county.org

Re: Sage Vista; APNs 016-021-29 and -30, 016-021-32, -34 and -35; Intent to Serve

Dear Messrs. Haskins and Bruketta:

Please accept this correspondence on behalf of LUCAS HOMES and DEVELOPMENT, LLC, owner of the above-described real property located in the Dayton area of Lyon County. The property owner is in the process of developing the described property and is seeking: 1. Acceptance into the Lyon County, Dayton Utility Service Area; and 2. A Letter of Intent to provide utilities to the Project.

The property owner explicitly acknowledges and understands that the issuance of an Intent to Serve Letter by Lyon County is not a guarantee that service will be provided at the time it is required. The Intent to Serve Letter is simply Lyon County's expression of its interest in providing the specified utility service if sufficient infrastructure and capacity is available. Upon the issuance of an Intent to Serve Letter, the property owner accepts that he will be proceeding at his own risk until such time as the development is ready to hook up to the County's then-existing infrastructure.

Thank you for your ongoing cooperation with this project. Please do not hesitate to contact me if you have any questions regarding Mr. Lucas and/or this property.

Very truly yours,
ALLISON MacKENZIE, LTD.

JAMES R. CAVILIA, ESQ.

JRC/bm

Cc: Don Smit, Manager – LUCAS HOMES and DEVELOPMENT, LLC



LYON COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT

BUILDING • DEVELOPMENT ENGINEERING • PLANNING

27 S. MAIN STREET
YERINGTON, NEVADA 89447
(775) 463-6591
FAX: (775) 463-5305

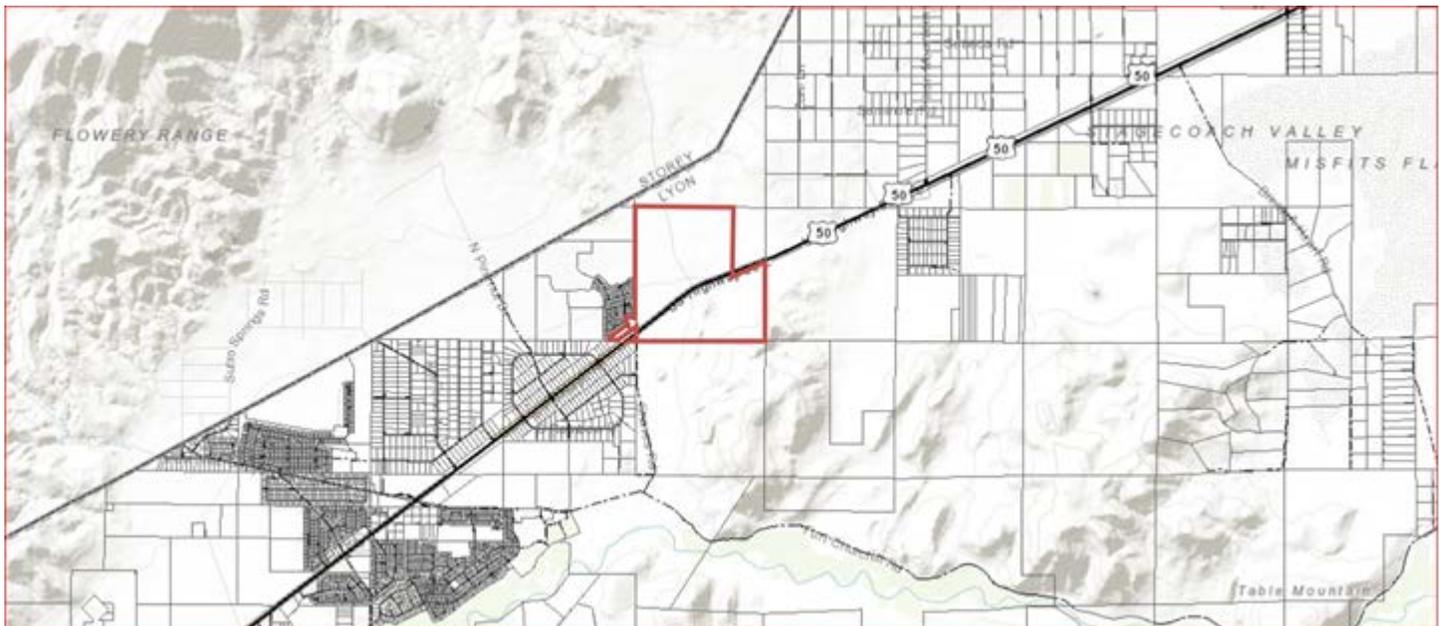
34 LAKES BOULEVARD
DAYTON, NEVADA 89403
(775) 246-6135
FAX: (775) 246-6147

MEMORANDUM

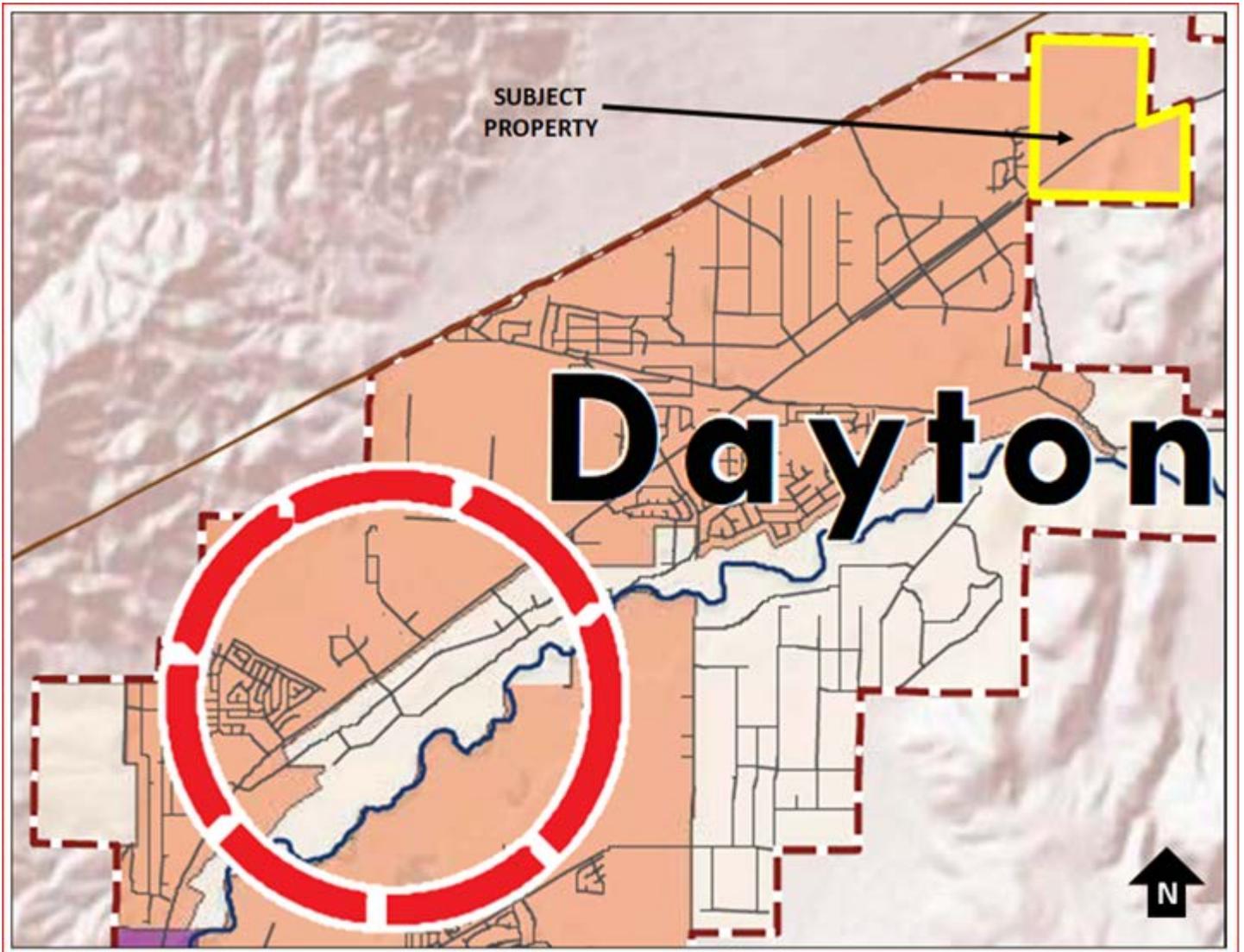
TO: Board of Commissioners, County Manager
FROM: Rob Pyzel, Senior Planner
SUBJECT: Reconsideration of Denial of Sage Vista Specific Plan application (PLZ-19-0081)
DATE: December 17, 2020

Background:

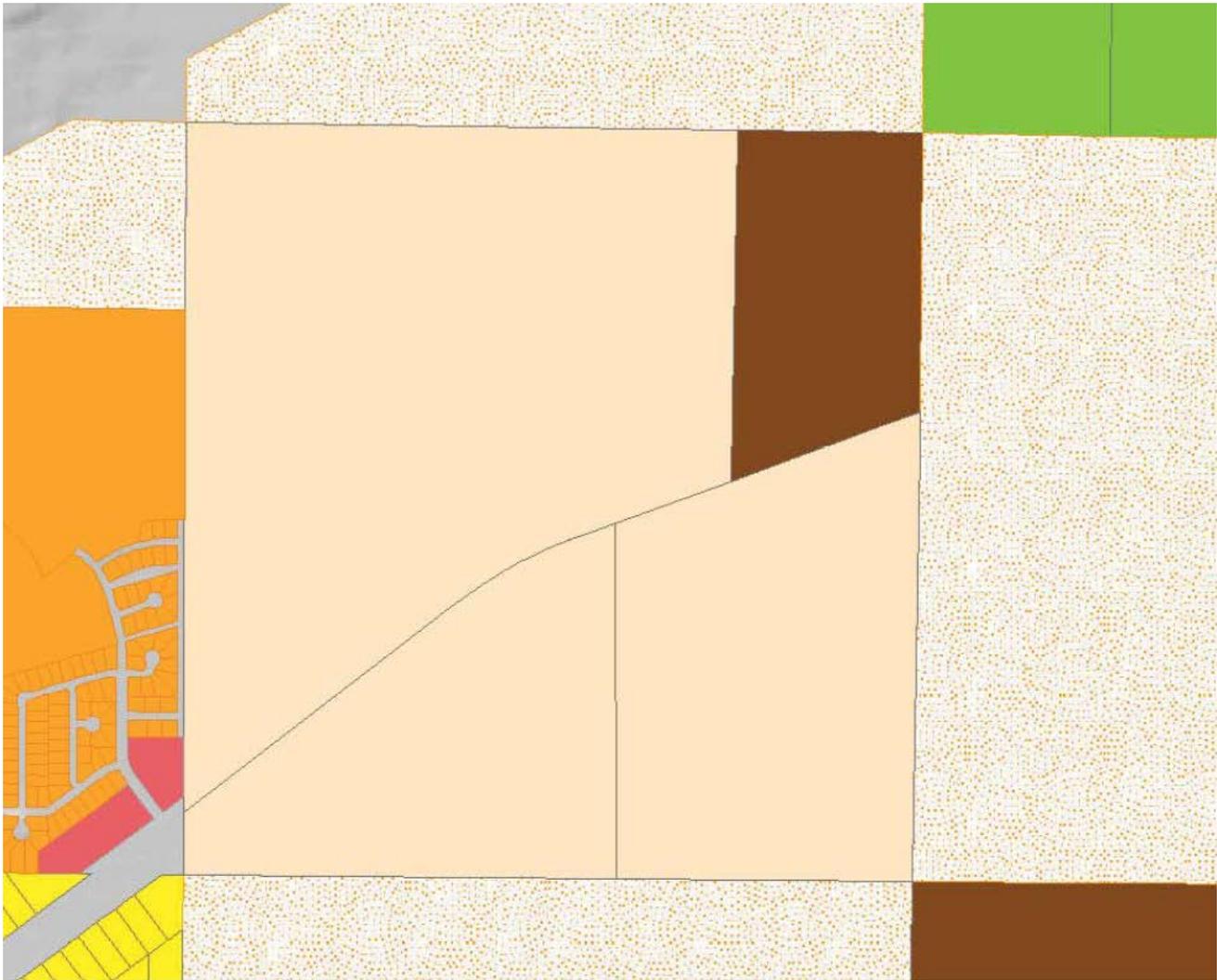
The subject site is located in the western portion of Stagecoach. The subject site is generally located on the north and south sides of US 50 at the intersection of US 50/Bryce Street/Chaves Road in Dayton (outlined in red below).



The subject site (highlighted in yellow below) is located within the eastern portion of the Dayton valley that currently has the designation of Suburban Character in the 2010 Comprehensive Master Plan.



The subject site has the land use designation of Specific Plan in the 2010 Comprehensive Master plan:



COUNTY-WIDE LAND USE MAP - DAYTON



Legend

<ul style="list-style-type: none"> — Railroads --- Community Boundaries ▨ Planning Incentive Overlay 	Land Use <ul style="list-style-type: none"> ■ AGRICULTURE ■ COMMERCIAL ■ FUTURE PLANNING AREA ■ JOINT PLANNING AREA ■ PARKS ■ RESOURCE ■ SUB 	<ul style="list-style-type: none"> □ CITY OF FERNLEY □ CITY OF YERINGTON ■ COMMERCIAL MU ■ EMPLOYMENT ■ INDUSTRIAL ■ OPEN SPACE ■ PUBLIC LAND ■ PUBLIC/QUASI PUB ■ RR ■ TRIBAL 	<ul style="list-style-type: none"> ■ HC MU ■ LDR ■ PARS ■ RR ■ SUB ■ TRICAL
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The 2010 Comprehensive Master Plan Land Use section includes a section that describes the Specific Plan Areas. Within the Ten Mile Hill section, the 2010 Comprehensive Master Plan states the following:

“4. Ten Mile Hill

The Ten Mile Hill Specific Planning Area encompasses approximately 611 acres of land owned by the Borda Family Trust north and south of US 50 at the extreme eastern boundary of the Dayton Valley Planning Area. The intent of this designation is to promote well planned mix of complementary and compatible residential, commercial and employment uses while providing open space, protecting the natural environment and wildlife, and establishing a clear demarcation between the Dayton Valley and Stagecoach communities.”

On April 2, 2020 the Board of Commissioners held a public hearing for the Sage Vista Specific Plan application (refer to the attached staff report). After the Planning Department staff’s

presentation, a presentation by the property owner's representatives and public comment, the application was subsequently denied 4-1 (Commissioners Keller, Gray, Hastings and Mortensen – yea; Commissioner Dini - nay) (refer to the attached action letter).

A petition for judicial review of the April 2, 2020 Board of Commissioners' decision on the Sage Vista Specific Plan application by the property owner's legal representative was received in 3rd District Judicial Court on April 23, 2020.

In seeking to avoid the costs and amount of staff time involved with a legal action, the District Attorney, County Manager and Planning Department staff suggested attempting to reach a negotiated settlement with the property owner. The Board of Commissioners agreed with Commissioner Gray volunteering to participate in the negotiations along with Planning Department staff and the District Attorney.

The outcome of the negotiations resulted in what is a revision to the original Sage Vista Specific Plan submission. The revisions alter the proposed minimum detached single family residential lot size within the project site from six thousand square feet (6,000 sq. ft.) to seven thousand five hundred square feet (7,500 sq. ft.), adds specific language regarding the process that the property owner/developer would have to go through in order to annex into the Lyon County Utilities Department Mound House – Dayton service area for domestic water and domestic sewer service and minor amendments to reflect the change in proposed land uses resulting from the negotiations.

Land Use:

The original submission for the Sage Vista Specific Plan proposed land use designations as shown below:

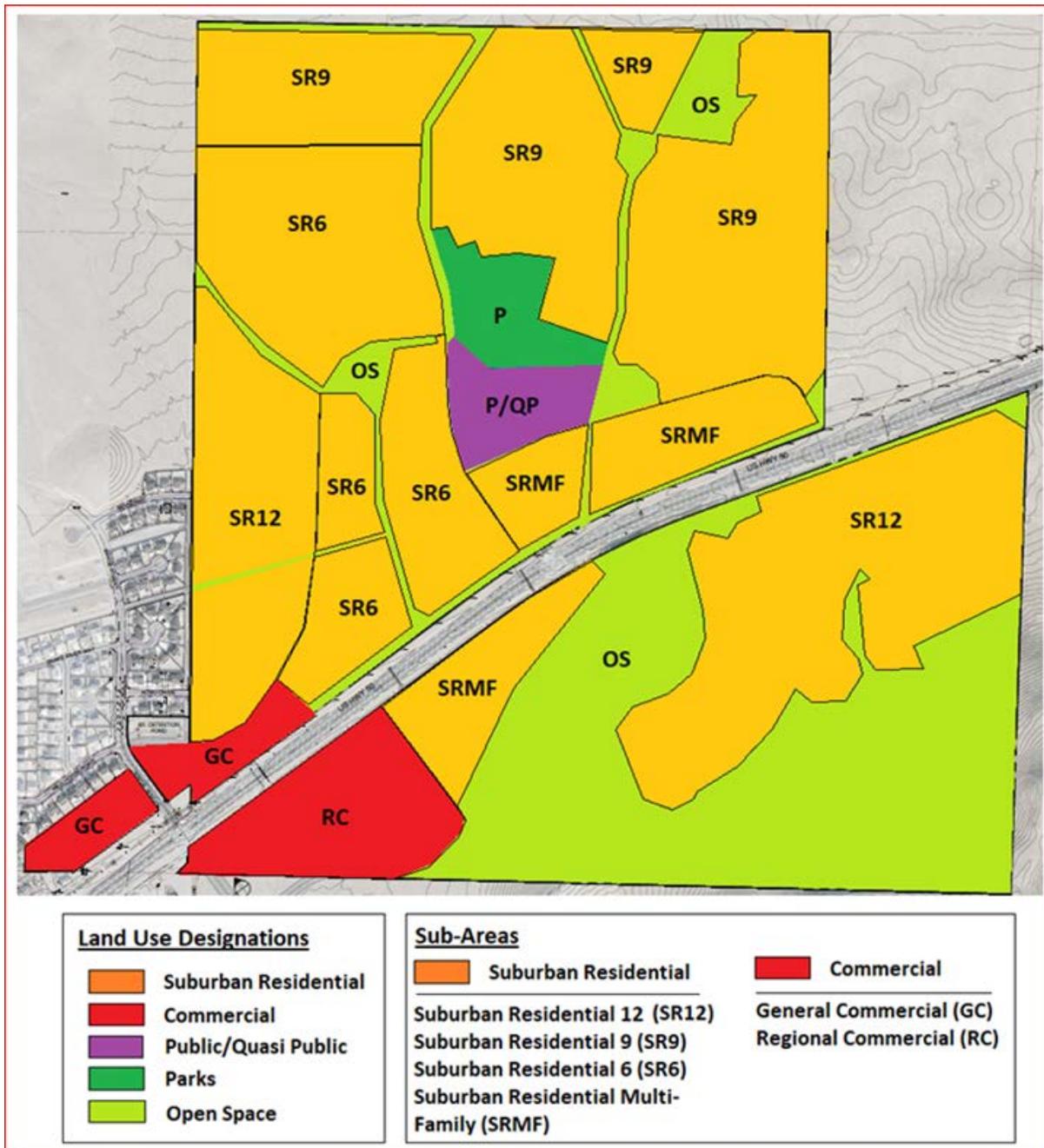


Table 2-1 in the original Sage Vista Specific Plan application showed the proposed land use classifications/acreages:

Table 2-1: Conceptual Land Plan – Proposed Use Breakdown

Land Use	Proposed Use	Acres +/-	% of Total Area	Residential Units
Sub. Residential	12,000 SF Lots	102.45	19%	253
Sub. Residential	9,000 SF Lots	113.3	21%	342
Sub. Residential	6,000 SF Lots	67.53	12%	299
Sub. Residential	Multi Family	33.31	6%	600
Commercial	Commercial	34.15	6%	0
Open Space	Open Space	174.79	32%	0
Park	Park	11.28	2%	0

Public/Quasi Public School	10.62	2%	0
Total	547.43	100%	1494

The conceptual land use map included in the original submission is show below:



As noted in the staff report at the time, the open space areas allowed for the historic storm drainage to pass through the site as well as protected areas within the project with steep slopes.

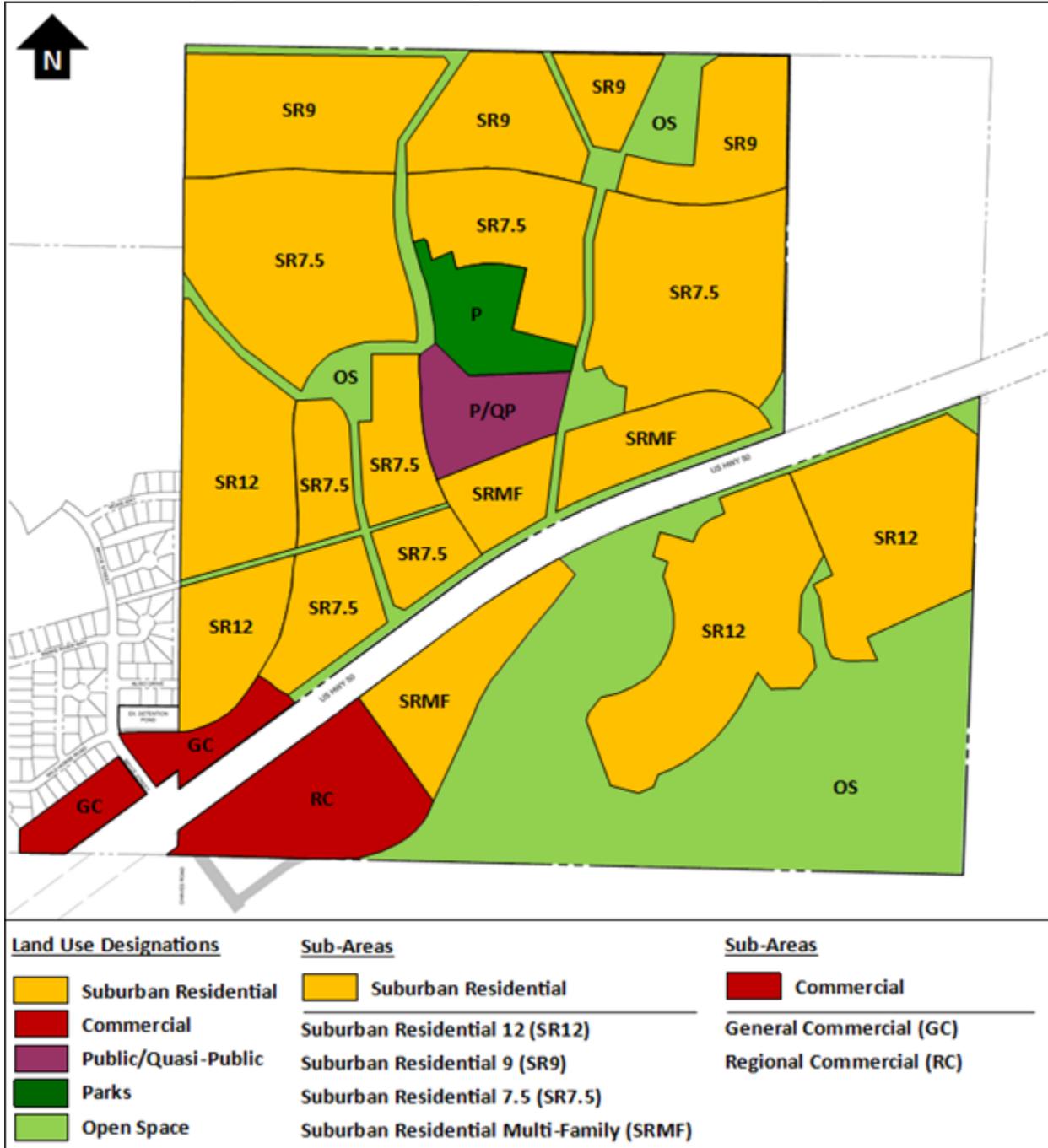
The proposed revisions based on the negotiations would result in the following land use classifications/acreages to Table 2-1:

Table 2-1: Conceptual Land Plan – Proposed Use Breakdown

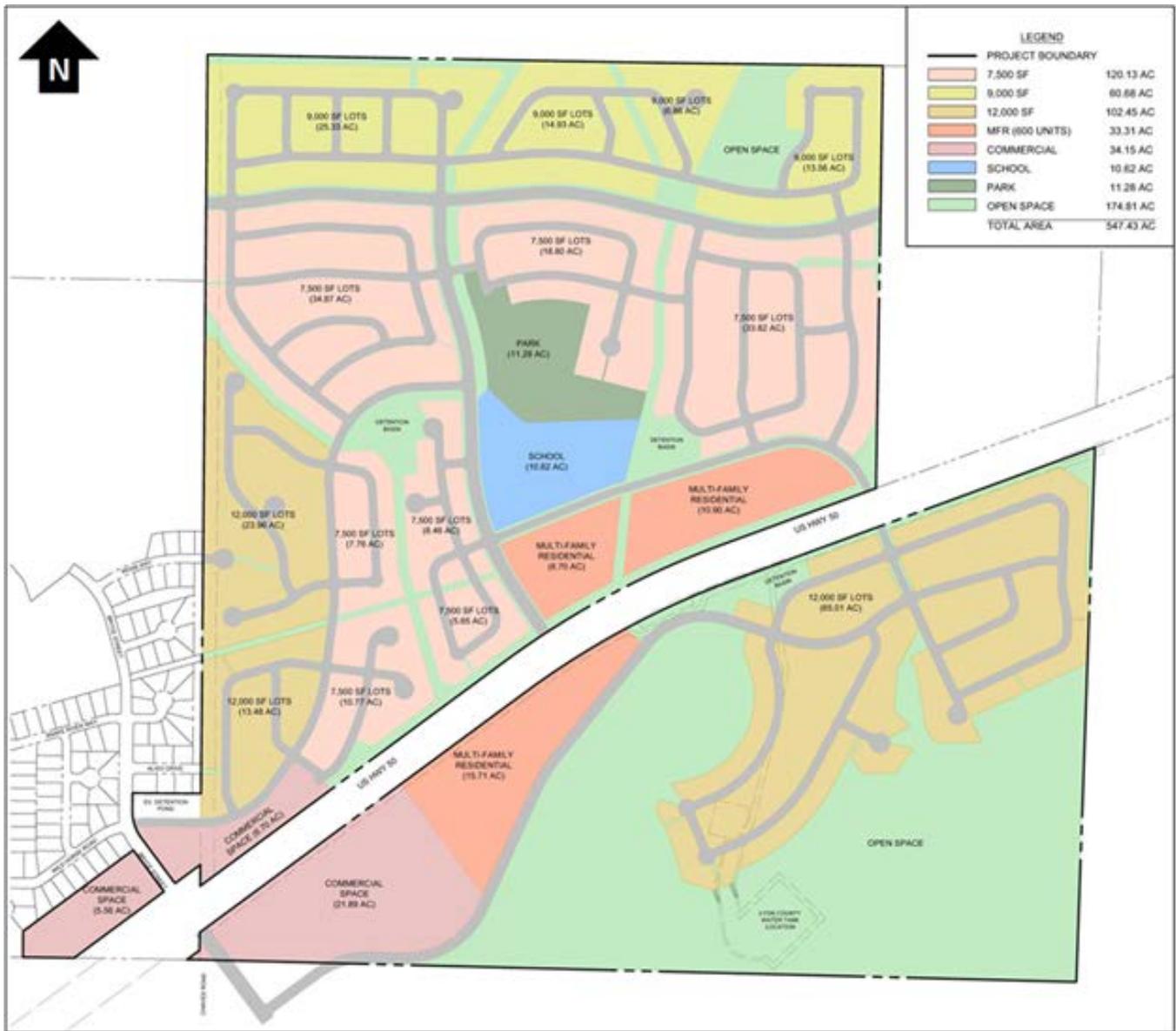
Land Use	Proposed Use	Acres +/-	% of Total Area	Residential Units
Sub. Residential	12,000 SF Lots	102.45	19%	253
Sub. Residential	9,000 SF Lots	60.68	11%	176
Sub. Residential	7,500 SF Lots	120.13	22%	433

Sub. Residential	Multi Family	33.31	6%	600
Commercial	Commercial	34.15	6%	0
Open Space	Open Space	174.81	32%	0
Park	Park	11.28	2%	0
Public/Quasi Public	School	10.62	2%	0
Total		547.43	100%	1462

This revision to the proposed land use designations would reflect the map shown below:



This revision to the original conceptual Sage Vista land use map is shown below:



The change would result in a reconfigured conceptual land use map with the larger 7,500 sq. ft. lots taking the place of the original 6,000 sq. ft. lots and removing a portion of the 9,000 sq. ft. lots as well.

The revisions proposed after the negotiations would result in a 32-lot reduction in the number of detached single family residential lots within the Sage Vista Specific Plan application.

It should be noted that the original and revised submission include language that if the Lyon County School District determines that the proposed school site within the project's boundaries does not needed, then the designated school area in the Sage Vista Specific Plan would revert to the Suburban Residential SR9 Sub-Area land use. Residential uses with a minimum lot size of 9,000 sf, may be developed provided the Sage Vista Specific Plan is granted an amendment to this land use. This language is in line with the tentative subdivision map requirement as stated in NRS 278.436 with regard to the offer of school site dedications.

Annexation into Lyon County Utilities Department Service Areas:

As part of the negotiations, language was added into the Sage Vista Specific Plan revisions in Chapter 4 – Public Infrastructure that clarify the processes for annexation into the Lyon County Utilities Department (LCUD) Mound House – Dayton service areas for both domestic water service and municipal sewer service. The specific language added (shown as underlined below) states the following:

“4.1 WATER FACILITIES

Annexation into the Lyon County Utilities Department (LCUD) water service area is required for the development of the Sage Vista Specific Plan. Sage Vista is currently located outside of the water service area. The Board of Commissioners would need to approve expanding the water service area to incorporate Sage Vista. The County Engineer would need to review an evaluation of the domestic water system developed by the professional engineer licensed in the State of Nevada to ensure that it is capable of handling the increase in demand for water service. All development within Sage Vista will connect to ...”.

“4.2 SEWER FACILITIES

Annexation into the Lyon County Utilities Department (LCUD) sewer service area is required for the development of the Sage Vista Specific Plan. Sage Vista is currently located outside of the sewer service area. The Board of Commissioners would need to approve expanding the sewer service area to incorporate Sage Vista. All development within Sage Vista will be required to connect to the LCUD municipal sewer system. The project includes three connections to the existing sanitary sewer system. The first connection is near the Bryce/Hwy 50 intersection. A second connection is provided at the Wild Horse Road/Bryce Street intersection. An additional connection is provided along the western project edge, at Moab Way.

Sewage from Sage Vista will be conveyed to the Rolling A Wastewater Treatment Facility in Dayton. The 2005 sewer master plan shows there is more potential flow in the existing service area than the sewer plant is capable of expanding to provide treatment for. Sage Vista is estimated to generate approximately 760,000 gallons per day of sewage at build out. The County Engineer would need to review an evaluation of the existing collection system by the professional engineer licensed in the State of Nevada to ensure that it is capable of handling the increase in flows. A professional engineering evaluation would need to be completed on the treatment and disposal capacity as well. The Rolling A plant is currently capable of expanding to 2.0 million gallons per day (MGD). The 2005 sewer master plan indicates a potential ability to increase treatment capacity to a flow of 4.0 MGD within the existing sewer service area which does not include Sage Vista. The new engineering evaluation would also need to review effluent disposal capacity.

There is the potential for an existing sewer main, to the south of the project, to run out of capacity with the buildout of Sage Vista. Should this occur, this main will be enlarged sufficiently to handle sewage flows from the project and the surrounding area. This upgrade will be pursued at the expense of the Sage Vista project and any surrounding projects that are contributing to the flows.”

With the changes included in the negotiations, staff believes that the findings listed in the April 2, 2020 Board of Commissioners staff report can be made and support the approval of the revised Sage Vista Specific Plan.

Planning Commission Recommendation:

On March 10, 2020, by majority vote (4-3: Commissioners Allen, Hendix, Casinelli and Ritter – yea; Commissioners Retzer, Hardcastle & Lake – nay; no abstentions) the Planning Commission forwarded a recommendation of approval.

Staff Recommendation:

Staff recommends approval of the request to adopt the Sage Vista Specific Plan application based on the Findings as listed below.

RECOMMENDED MOTION:

If the Board of Commissioners determines that they wish to approve adoption of the revised Sage Vista Specific Plan, then the Board of Commissioners may want to make the following motion:

The Board of Commissioners finds that:

- A. That the application is compatible with the Findings required by section 15.210.03 of Title 15:
 - 1. 15.210.03:
 - a. Consistency With The Master Plan: The applicant has demonstrated that the Specific Plan is in substantial compliance with and promotes the master plan goals, objectives and actions.
 - b. Compatible Land Uses: The proposed Specific Plan is compatible with the existing or master planned adjacent land uses, and reflects a logical change in land uses.
 - c. Response To Change Conditions: The proposed Specific Plan 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 Specific Plan represents a more desirable utilization of land.
 - d. No Adverse Effects: The proposed Specific Plan 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. Desired Pattern Of Growth: The proposed Specific Plan 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 consideration of natural resources, the physical geography and the efficient expenditure of funds for public services.
- B. That the proposed location of the development and the proposed conditions under which it will be operated or maintained is consistent with the goals, objectives and actions embodied in the master plan;
- C. That the proposed development is in accordance with the purposes and objectives of this title and, in particular, will further the purposes stated for each zoning district; and

D. That the proposed development will not be detrimental to the public health, safety or welfare of persons residing or working in or adjacent to the subject site; and will not be detrimental to the properties or improvements in the vicinity or to the general welfare of the County.

Based on the aforementioned Findings, I move that the Lyon County Board of Commissioners approve the request to adopt the revised Sage Vista Specific Plan for Stan Lucas/Project One on approximately 544.23 acres; generally located on the north and south sides of US 50 at the intersection of US 50/Bryce Street/Chaves Road, Dayton, NV (APNs 016-021-29; 016-021-30; 016-021-32; 016-021-34; and 016-021-35) PLZ-19-0081.

ALTERNATIVES TO THE PLANNING COMMISSION/STAFF RECOMMENDED FINDINGS AND MOTION:

The alternative motions suggested below are offered for Board of Commissioners' consideration.

ALTERNATIVE FOR CONTINUANCE

If the Board of Commissioners determines that additional information, discussion and public review are necessary for a more thorough review of the proposed specific Plan, then the Board should make appropriate finding listed below and move to continue the Public Hearing with a specific time period for the applicant to provide additional specific information necessary to complete a thorough analysis of the request, then the Commission may wish to consider a motion similar to the following:

The Board of Commissioners finds that:

A. Additional information, discussion and public review are necessary for a more thorough review of the proposed revised Sage Vista Specific Plan application.

Based on the aforementioned Finding, I move that the Lyon County Board of Commissioners continue the request to adopt the revised Sage Vista Specific Plan for Stan Lucas/Project One on approximately 544.23 acres; generally located on the north and south sides of US 50 at the intersection of US 50/Bryce Street/Chaves Road, Dayton, NV (APNs 016-021-29; 016-021-30; 016-021-32; 016-021-34; and 016-021-35) PLZ-19-0081 for ___ days based on the following finding and with the applicant's concurrence.

ALTERNATIVE FOR DENIAL:

If the Board of Commissioners determines that they wish to deny adoption of the Sage Vista Specific Plan, then the Board of Commissioners may want to make a motion similar to the following motion:

The Board of Commissioners finds that:

A. The Specific Plan application is not compatible with the Findings required by section 15.210.03 of this title:

1. 15.210.03:

a. Consistency With The Master Plan: The applicant has not demonstrated that the amendment is in substantial compliance with and promotes the master plan goals, objectives and actions.

- b. Compatible Land Uses: The proposed amendment is incompatible with the existing or master planned adjacent land uses, and does not reflect a logical change in land uses.
 - c. Response To Change Conditions: The proposed amendment has not demonstrated and does not respond to changed conditions or further studies that have occurred since the master plan was adopted by the Board, and the requested amendment represents a less desirable utilization of land.
 - d. No Adverse Effects: The proposed amendment would adversely affect the implementation of the master plan goals, objectives and actions, and would adversely impact the public health, safety or welfare.
 - e. Desired Pattern Of Growth: The proposed amendment would not promote the desired pattern for the orderly physical growth of the County, would not allow infrastructure to be extended in efficient increments and patterns, would not maintain relatively compact development patterns, and would not guide development of the County based on the consideration of natural resources, the physical geography and the efficient expenditure of funds for public services.
- B. That the proposed location of the development and the proposed conditions under which it will be operated or maintained would not be consistent with the goals, objectives and actions embodied in the master plan;
- C. That the proposed development would not be in accordance with the purposes and objectives of this title and, in particular, will not further the purposes stated for each zoning district; and
- D. That the development would be detrimental to the public health, safety or welfare of persons residing or working in or adjacent to such a development; and would be detrimental to the properties or improvements in the vicinity or to the general welfare of the County.

Based on the aforementioned Findings, I move that the Lyon County Board of Commissioners deny the request to adopt the revised Sage Vista Specific Plan for Stan Lucas/Project One on approximately 544.23 acres; generally located on the north and south sides of US 50 at the intersection of US 50/Bryce Street/Chaves Road, Dayton, NV (APNs 016-021-29; 016-021-30; 016-021-32; 016-021-34; and 016-021-35) PLZ-19-0081.

On March 10, 2020, by majority vote (4-3: Commissioners Allen, Hendix, Casinelli and Ritter – yea; Commissioners Retzer, Hardcastle & Lake – nay; no abstentions) the Planning Commission forwarded a recommendation of approval.

Staff Recommendation:

Staff recommends approval of the request to adopt the Sage Vista Specific Plan application based on the Findings as listed below in the staff report.

RECOMMENDED MOTION:

If the Board of Commissioners determines that they wish to approve adoption of the Sage Vista Specific Plan, then the Board of Commissioners may want to make the following motion:

The Board of Commissioners finds that:

A. That the application is compatible with the Findings required by section 15.210.03 of Title 15:

1. 15.210.03:

- a. Consistency With The Master Plan: The applicant has demonstrated that the Specific Plan is in substantial compliance with and promotes the master plan goals, objectives and actions.
- b. Compatible Land Uses: The proposed Specific Plan is compatible with the existing or master planned adjacent land uses, and reflects a logical change in land uses.
- c. Response To Change Conditions: The proposed Specific Plan 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 Specific Plan represents a more desirable utilization of land.
- d. No Adverse Effects: The proposed Specific Plan 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. Desired Pattern Of Growth: The proposed Specific Plan 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 consideration of natural resources, the physical geography and the efficient expenditure of funds for public services.

B. That the proposed location of the development and the proposed conditions under which it will be operated or maintained is consistent with the goals, objectives and actions embodied in the master plan;

C. That the proposed development is in accordance with the purposes and objectives of this title and, in particular, will further the purposes stated for each zoning district; and

D. That the proposed development will not be detrimental to the public health, safety or welfare of persons residing or working in or adjacent to the subject site; and will not be detrimental to the properties or improvements in the vicinity or to the general welfare of the County.

Based on the aforementioned Findings, I move that the Lyon County Board of Commissioners approve the request to adopt the Sage Vista Specific Plan for Stan Lucas/Project One on approximately 544.23 acres; generally located on the north and south sides of US 50 at the intersection of US 50/Bryce Street/Chaves Road, Dayton, NV (APNs 016-021-29; 016-021-30; 016-021-32; 016-021-34; and 016-021-35) PLZ-19-0081.

ALTERNATIVES TO THE PLANNING COMMISSION/STAFF RECOMMENDED FINDINGS AND MOTION:

The alternative motions suggested below are offered for Board of Commissioners' consideration.

ALTERNATIVE FOR CONTINUANCE

If the Board of Commissioners determines that additional information, discussion and public review are necessary for a more thorough review of the proposed specific Plan, then the Board should make appropriate finding listed below and move to continue the Public Hearing with a specific time period for the applicant to provide additional specific information necessary to complete a thorough analysis of the request, then the Commission may wish to consider a motion similar to the following:

The Board of Commissioners finds that:

A. Additional information, discussion and public review are necessary for a more thorough review of the proposed Specific Plan application.

Based on the aforementioned Finding, I move that the Lyon County Board of Commissioners continue the request to adopt the Sage Vista Specific Plan for Stan Lucas/Project One on approximately 544.23 acres; generally located on the north and south sides of US 50 at the intersection of US 50/Bryce Street/Chaves Road, Dayton, NV (APNs 016-021-29; 016-021-30; 016-021-32; 016-021-34; and 016-021-35) PLZ-19-0081 for ___ days based on the following finding and with the applicant's concurrence.

ALTERNATIVE FOR DENIAL:

If the Board of Commissioners determines that they wish to forward a recommendation of denial of adoption of the Sage Vista Specific Plan, then the Board of Commissioners may want to make a motion similar to the following motion:

The Board of Commissioners finds that:

A. The Specific Plan application is not compatible with the Findings required by section 15.210.03 of this title:

1. 15.210.03:

- a. Consistency With The Master Plan: The applicant has not demonstrated that the amendment is in substantial compliance with and promotes the master plan goals, objectives and actions.
- b. Compatible Land Uses: The proposed amendment is incompatible with the existing or master planned adjacent land uses, and reflects a logical change in land uses.
- c. Response To Change Conditions: The proposed amendment has not demonstrated and does not respond to changed conditions or further studies that have occurred since the master plan was adopted by the Board, and the requested amendment represents a less desirable utilization of land.
- d. No Adverse Effects: The proposed amendment would adversely affect the implementation of the master plan goals, objectives and actions, and would adversely impact the public health, safety or welfare.
- e. Desired Pattern Of Growth: The proposed amendment would not promote the desired pattern for the orderly physical growth of the County, would not allow infrastructure to be extended in efficient increments and patterns, would not maintain relatively compact

development patterns, and would not guide development of the County based on the consideration of natural resources, the physical geography and the efficient expenditure of funds for public services.

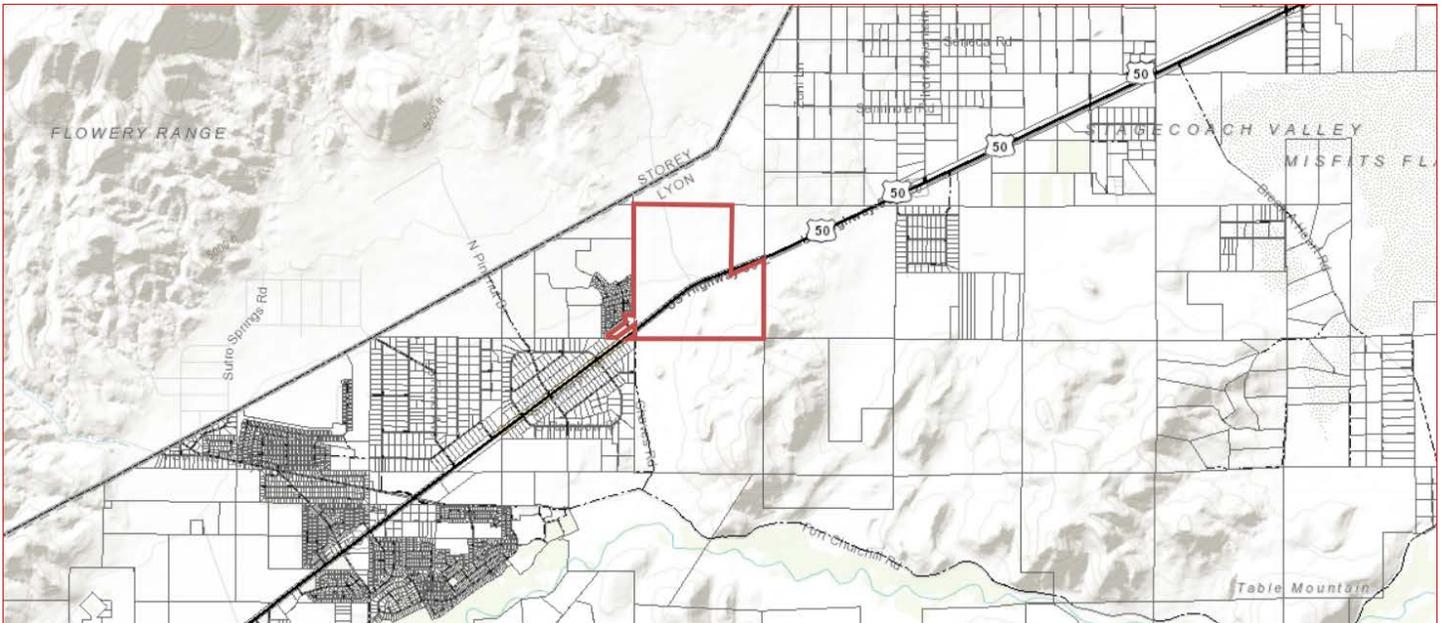
- B. That the proposed location of the development and the proposed conditions under which it will be operated or maintained would not be consistent with the goals, objectives and actions embodied in the master plan;
- C. That the proposed development would not be in accordance with the purposes and objectives of this title and, in particular, will not further the purposes stated for each zoning district; and
- D. That the development would be detrimental to the public health, safety or welfare of persons residing or working in or adjacent to such a development; and would be detrimental to the properties or improvements in the vicinity or to the general welfare of the County.

Based on the aforementioned Findings, I move that the Lyon County Board of Commissioners deny the request to adopt the Sage Vista Specific Plan for Stan Lucas/Project One on approximately 544.23 acres; generally located on the north and south sides of US 50 at the intersection of US 50/Bryce Street/Chaves Road, Dayton, NV (APNs 016-021-29; 016-021-30; 016-021-32; 016-021-34; and 016-021-35) PLZ-19-0081.

PROPERTY INFORMATION:

Location:

The subject site is located in the western portion of Stagecoach. The subject site is generally located on the north and south sides of US 50 at the intersection of US 50/Bryce Street/Chaves Road in Dayton.



Size:

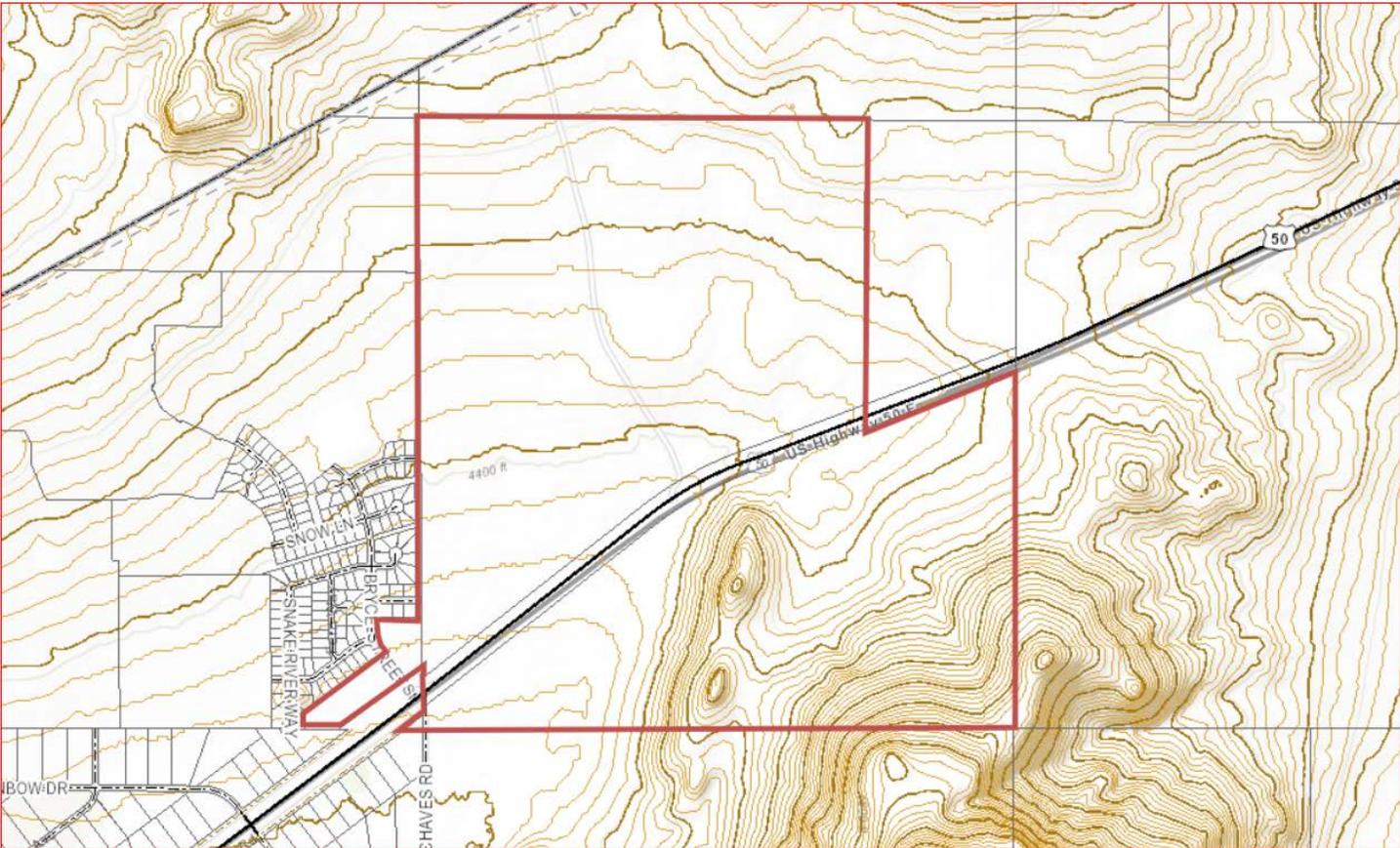
The subject site is approximately 544.23 acres in size and consists of five (5) parcels (outlined in blue below):

Assessor Parcel Number	Acreage
016-021-29	228.08 acres
016-021-30	316.88 acres
016-021-32	3.66 acres
016-021-34	5.56 acres
016-021-35	0.047 acres
Total acreage	544.23 acres



Physical and Topographic Attributes:

The topographic characteristics of the subject site does limit the development suitability of a portion of the project site. There are significant topographic features that should be protected on the northern and southern portion of the subject site.



The subject site does have significant topographic grade differences that would require extensive and expensive grading of the subject site in order to develop. The areas within the subject site with the topographic features are designated as open space/community park areas within the Sage Vista Specific Plan.

Access:

Access to the subject site is currently via Bryce Street, Chaves Road and three access aprons located on US 50 directly (locations indicated with yellow arrows below).



Flood Zone:

The subject site is located within the X Unshaded Flood Zone per FEMA FIRM Panel 32019C0305E (effective date 01/16/2009).

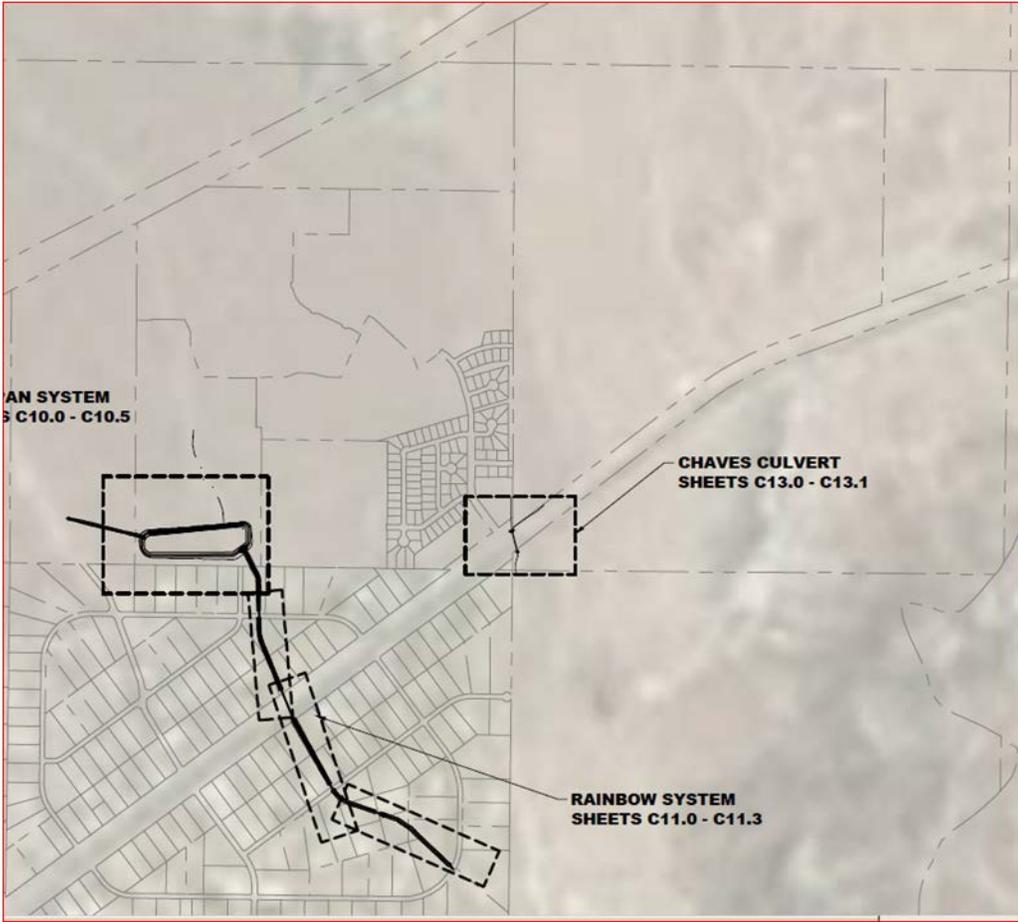
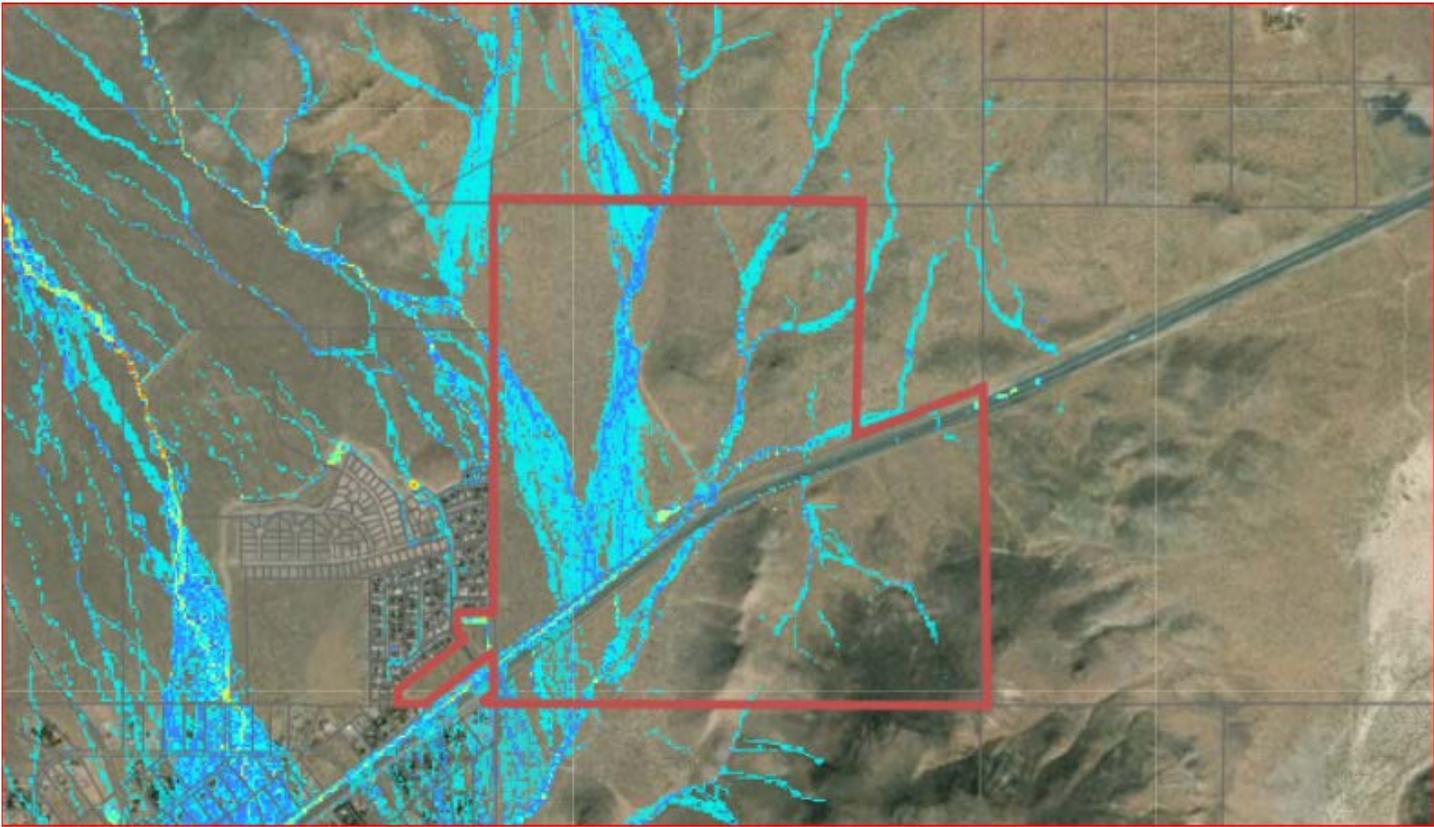


This flood zone designation indicates that the subject site is in an area of minimal flood hazard.

Storm Drainage:

The northern portion of the subject site generally slopes from a high point in the northeast to the southwest, while the southern portion of the property slopes from a high point in the southeast to the northwest before shifting to the southwest. The subject site does accept off-site storm drainage from properties located to the north, northwest and northeast. The southern portion of the subject site generates storm water drainage that flows to the north, then follows the general slope of the southern portion of the subject site and flows to the southwest.

Based on the modeled flows that resulted from the North Dayton Valley Area Drainage Master Plan (NDVADMP), the recommended storm drainage infrastructure is an improved culvert be located at the US 50/Chaves Road/Bryce Street intersection to convey storm water from the north side to the south side of US 50.





Current Land Use:

The site is vacant and undeveloped.

Project Description and Request

Stan Lucas/Project One have filed a Specific Plan application. The proposed Specific Plan would allow for the development of:

- Approximately 102.45 acres as detached single family residential with a minimum lot size of 12,000 square feet;
- Approximately 113.3 acres as detached single family residential with a minimum lot size of 9,000 square feet;
- Approximately 67.53 acres as detached single family residential with a minimum lot size of 6,000 square feet;
- Approximately 33.31 acres as multi-family residential;
- Approximately 34.15 acres as commercial;
- Approximately 10.62 acres as public/quasi-public;
- Approximately 11.28 acres as park; and
- Approximately 174.79 acres as open space.

“Chapter 15.211.06: COMPLIANCE WITH PROVISIONS:

- A. The specific plan designation shall not be used as the basis for development proposals unless and until a specific plan for the area is approved and adopted by the Board.*
- B. All discretionary permit applications submitted must be consistent with applicable provisions of a specific plan.*
 - 1. Should a property owner in the specific plan designation desire to develop, prior to adoption of a specific plan, an amendment to change the master plan designation from specific plan to another land use will be required before the development proposal is approved by Lyon County.*
 - 2. Should an area not be designated on the master plan land use map as a specific plan, it may be requested for specific plan designation accompanying a master plan amendment application. In such cases the specific plan designation will follow the review procedures identified in section 15.210.02 of this title for the commission and section 15.210.04 of this title for the Board.*
- C. All other standards as required by this title are applicable to the specific plan process.”*

As noted above, the subject site currently has the Specific Plan land use designation. As such, a Specific Plan application would have to be approved for any development to occur on

Approval of the Sage Vista Specific Plan land use designation would grant the applicant an initial entitlement to continue with more specific planning through the rezoning to the zoning districts currently contained in Title 15 or Planned Unit Development – tentative approval zone change process and tentative/final subdivision map approval processes. The applicants have not submitted a rezoning application or a merger/resubdivision - tentative subdivision map application to review concurrently with this Specific Plan application.

If approved, the requested Sage Vista Specific Plan would establish the basic guidelines, standards, design, and approximate densities/intensities of the land uses for the future development of the Sage Vista project. Approval of the Sage Vista Specific Plan would allow the applicant the ability to continue with a rezoning request and a merger/resubdivision - tentative subdivision map request.

Staff reviews Specific Plan applications based on the Findings listed in chapter 15.211.04 of the Lyon County Code Title 15. Chapter 15.211.04 lists the following Findings for the Planning Commission and the Board of Commissioners to consider when reviewing applications for Specific Plans. The individual findings are listed below in **bold type**, the application’s response to the Finding is in *italic type* immediately following each finding. Staff’s responses are listed beneath in standard type:

A. Findings required under section 15.211.04 of this title:

- 1. Consistency With The Master Plan: The applicant has demonstrated that the amendment is in substantial compliance with and promotes the master plan goals, objectives and actions.**

The application materials addresses this Finding with the following response:

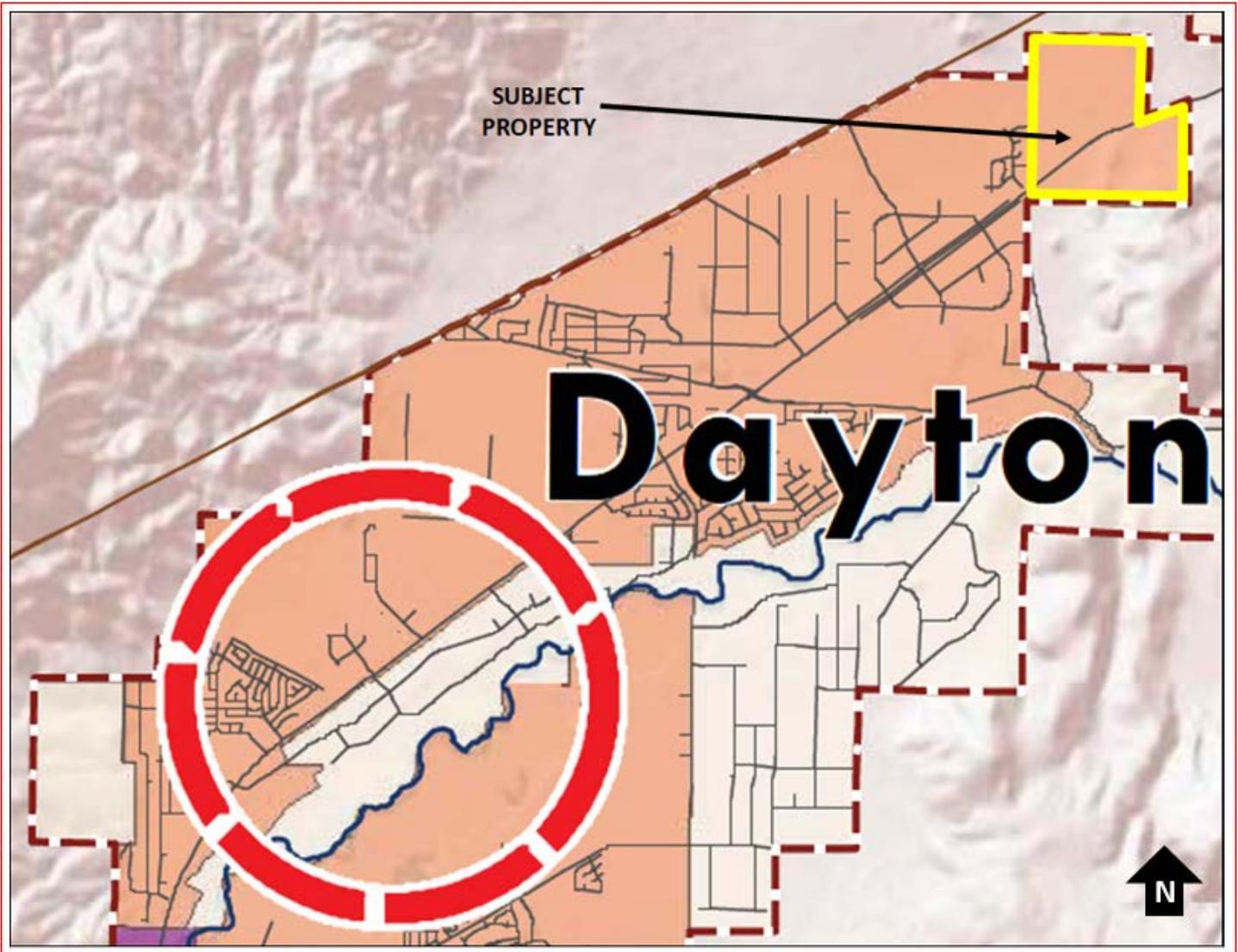
“While the Specific Plan process is technically a Master Plan Amendment and is required to meet both Master Plan Amendment and Specific Plan findings, it is important to note that the Sage Vista property area is already designated as a Specific Plan in the 2010 Lyon County Comprehensive Master Plan. This designation is intended to “...promote a well-planned mix of complementary and compatible residential, commercial and employment uses while providing open space, protecting the natural environment and wildlife, and establishing a clear demarcation between the Dayton Valley and Stagecoach communities.” In this description, the Master Plan lays the groundwork for what is desired in the Sage Vista/Ten Mile Hill location and the Specific Plan process provides the means to

achieve these goals. The proposed Sage Vista Specific Plan is consistent with and promotes the following goals and policies in the Master Plan:

Goal LU 1: Orderly Growth Patterns. Direct and Manage development in the County so that it is orderly and fiscally responsible.

- The Sage Vista Specific Plan is located in a suburbanizing area as identified in the Master Plan, indicating that it is in a location that fits the County's desire for orderly growth.
- Policy LU 1.1: Follow Development Patterns as Established on Countywide Land Use Plan or a More Specific Community Plan.
 - The Countywide Land Use Plan establishes the Sage Vista properties as Specific Plan to allow for a comprehensive overall land plan to be presented for adoption. The proposed land uses are consistent with the surrounding land uses and compatible with the Suburban Character District where the properties are located.
- Policy LU 1.2: Residential Development Patterns in Neighborhoods.
 - Creating a distinct community with individual neighborhoods is an important consideration for Sage Vista. Similar land uses and residential lot sizes have been grouped together in neighborhoods with the overall community creating a focus on attractive streetscapes for the local, collector and arterial streets. Open space and trail networks are provided, as are pathways and sidewalks to promote walkability. Commercial areas, a central park and future school site are also provided to create a sense of complete community within Sage Vista.

The subject site (highlighted in yellow below) is located within the eastern portion of the Dayton valley that currently has the designation of Suburban Character in the 2010 Comprehensive Master Plan.



Suburban Character districts are described as follows:

“Suburbanizing Districts

Suburbanizing Districts include those areas that are predominately medium to high density residential development with regional/community commercial, neighborhood, industrial and employment uses. Improvement standards will reflect the “suburban” character of these areas and will include requirements for municipal water and sewer, roadway design appropriate to the planned land uses, landscaping of public areas, and pedestrian facilities (sidewalks and paths). Roads are likely to have some bike and pedestrian facilities within road rights-of-way or separate paths.”

As such, the density/intensity of the proposed residential and commercial land use designations, the proposed improvement standards, the availability of municipal water and sewer service, roadway improvements, landscaping of public spaces, and pedestrian improvements included in the Sage Vista Specific Plan complies with the Suburban Character as described in the 2010 Comprehensive Master Plan. The conceptual land use plan (shown above in the staff report) does reflect a similar residential development pattern as exists and is currently being constructed in the adjacent Copper Canyon subdivision where it abuts the subdivision, while providing for additional more diverse residential development, commercial development, public facility (school), open spaces and a

community park where appropriate which would help increase walkability within the community and decrease the need for vehicle trips on US 50 when the subject site builds out.

- *Policy LU 1.3: Commercial and Mixed-Use Development to be Located in Centers.*
 - *The commercial areas proposed within Sage Vista are located at a major intersection that is planned for signalization. The commercial areas on the north side of the road will provide for local, neighborhood commercial uses and the commercial area on the south side is much larger to promote and attract larger commercial and/or retail center uses.*

The location of the commercial land use designation is at the intersections of local collector streets and US 50 where logic would dictate commercial activity would do well.

Goal LU 2: Services Coordinated with Growth. *Future residential development will be coordinated with development of schools, parks, libraries, and other public services so as to maintain or improve per resident service levels.*

- *A school site and central park site are provided as a part of the Sage Vista Specific Plan to create additional services for the community. As needed, other community services such as a library, police substation, fire department location, etc. could be located within the larger commercial areas.*
- *Policy LU 2.1: Residential Development in Areas with Services.*
 - *According to this policy, urban and suburban development will only locate in Suburbanizing Districts where municipal water and sewer can serve it and that are close to other municipal services and not “leapfrog” into rural areas. Sage Vista is located in a Suburbanizing District immediately adjacent to the Lyon County Utilities service area and immediately adjacent to water and sewer lines that can serve the project. Sage Vista is appropriately located to receive municipal water and sewer service and does not constitute “leapfrogging” into rural development areas.*

The development of the subject site would be coordinated with the development of open space areas, a community park and a school site which would provide benefits to the surrounding existing and planned developments.

The subject site is located just outside of the Lyon County Utilities Department (LCUD) service areas for both municipal water service and domestic sewer service. Prior to the submittal of an application for subdivision of the property (either parcel map or tentative subdivision map), the applicant must receive approval of annexation into the LCUD service areas for water and sewer service.

While the Rolling A Wastewater Treatment Plant is currently experiencing issues with Nevada Department of Environmental Protection in regard to treatment capacity and effluent disposal, within two to three (2 -3) years, these issues will be resolved through plant capacity expansion and effluent disposal improvements prior to approval of subdivision maps for the Sage Vista project.

Goal LU 5: Encourage Resource Sensitive Growth. *Development will be designed to reduce energy use and minimize environmental impacts.*

- *Policy LU 5.1: Encourage Resource-Sensitive Growth and Sustainable Design.*
 - *The Sage Vista Specific Plan has adopted policies and standards that will promote the use of solar facilities where possible and the reduction of water consumption by discouraging large expanses of turf and encouraging drought tolerant high desert landscaping.*

In addition to encouraging the use of solar facilities and requiring drought-resistant/low water-consumptive landscaping treatments, the conceptual land use designations and conceptual land use

map minimize the amount of areas with slopes can be disturbed which reduces the amount of environmental impact of the proposed Specific Plan.

Goal TR 1: Cohesive Transportation System. Lyon County's transportation system will provide transportation options where residents and goods can move safely and efficiently, including during peak travel times.

- Sage Vista offers an extensive internal network of local, collector and arterial streets that connect to surrounding properties where appropriate. These internal streets will allow for traffic movement to take place more readily and easily within the community rather than utilizing Highway 50 for all traffic movements.
- Policy TR 1.1: Integrated Roadway Network.
 - In addition to the internal roadway network in Sage Vista, regional connections consistent with the Transportation Master Plan have been provided to ensure that Sage Vista will integrate with surrounding properties and the community as a whole. The northern minor arterial that runs west to east (north side of Hwy 50) is one example of a regional road connection shown on the Transportation Master Plan, and the minor arterial that runs south to north (north side of Hwy 50) is another example of a regional road connection in the Transportation Master Plan.
- Policy TR 1.2: Intersection Safety.
 - Development within Sage Vista will implement traffic improvement recommendations from the traffic analysis to promote intersection safety at all locations. In addition, the Sage Vista plan proposes the realignment of the Chaves Road/Highway 50 intersection to create a safer intersection that will better allow for future traffic signal placement in this location.

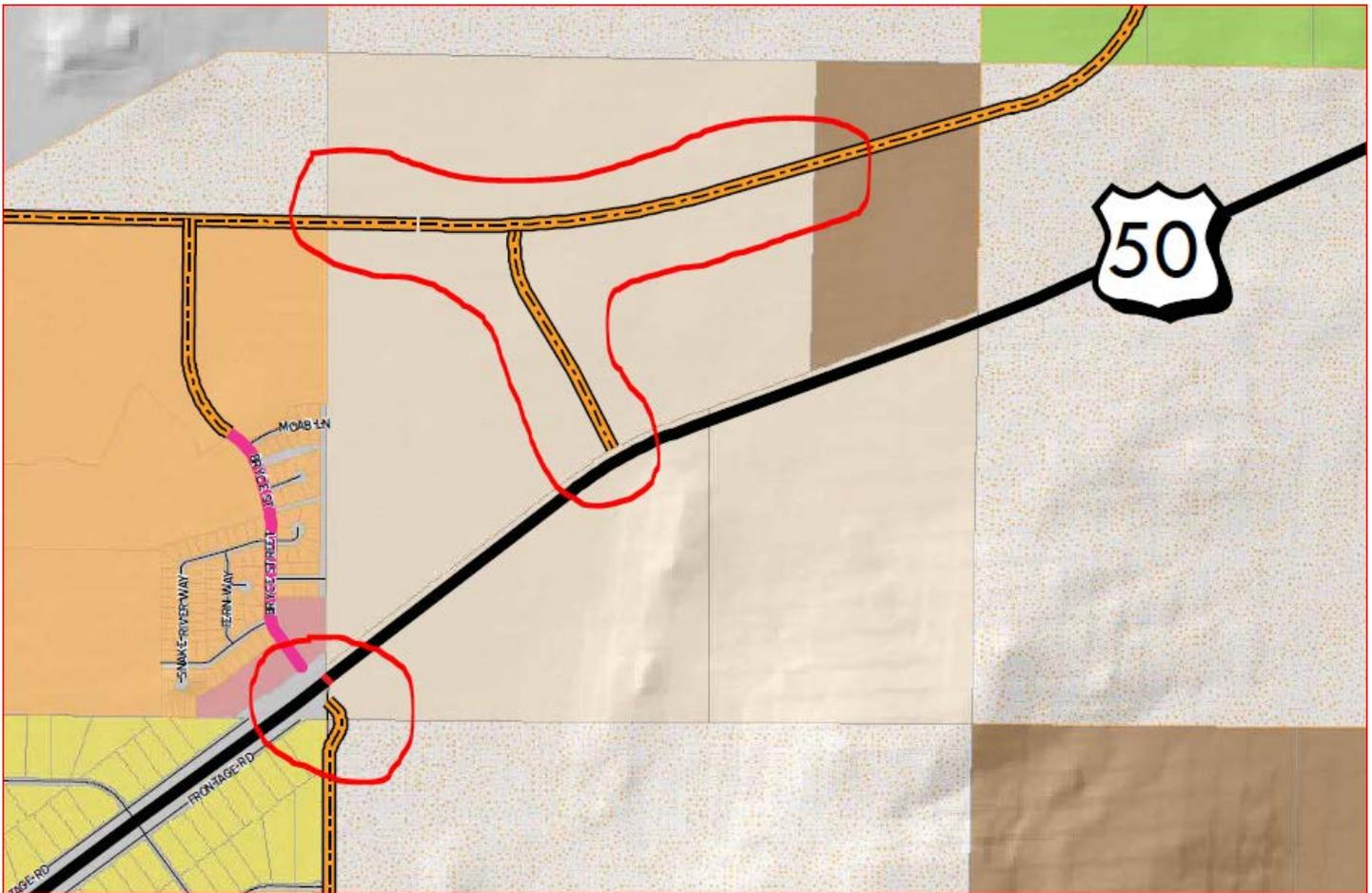
Goal TR 2: County Roads. Local roads will offer alternatives to primary highways.

- Policy TR 2.1: Local Access Roads.
 - Please see the responses to Goal TR 1 and Policy TR 1.1 above.

As shown below in the County-Wide Integrated Roadway Network map for Stagecoach detail, arterial roads (Chaves Road/US 50 intersection) and a northern connector arterial are included as a part of the Sage Vista Specific Plan (circled in red).

These collector arterials were included in the 2010 Comprehensive Master plan to help address the Goal and Policies listed above in regard to providing alternative means to access homes, schools, parks and commercial development rather than being forced to use US 50 for all vehicle trips.

Additionally, the realignment of the US 50/Chaves Road intersection would improve safety when compared to the existing intersection alignment.



Goal CC 1: Quality Design. *New development in Lyon County will improve the appearance and function of our communities.*

- *The Sage Vista Specific Plan outlines design and performance standards beyond code requirements that will enhance the appearance and function of the community.*
- **Policy CC 1.1: Quality New Development.**
 - *The layout and design of Sage Vista is intended to create a master planned community that promotes a sense of place, a balance of residential and commercial uses, generous open space and public amenities.*
- **Policy CC 1.2: Pedestrian Friendly Communities.**
 - *Walking paths and sidewalks are provided throughout Sage Vista with connections within and between all uses to create a pedestrian friendly environment.*
- **Policy CC 1.3: Design Tailored to Communities.**
 - *Streetscapes, landscaping, architecture and amenities as outlined in the Sage Vista Specific Plan have been designed to support a suburban, high desert environment that will be a quality addition to the Dayton community.*

The design guidelines proposed within the Specific Plan would improve the appearance and function of the adjacent residential development (Copper Canyon) by providing additional points of connection with US 50 as well as the function of the roadway system when the collector arterial is connected to additional extensions that divert traffic off of US 50.

The Sage Vista Specific Plan does promote pedestrian activity by providing access to commercial development, a school site, and community open space.

The design of the Sage Vista Specific Plan is tailored to the community by providing amenities that support the proposed and existing residential uses including commercial development, a school site, a community park and open space which also protects areas within the subject site with slopes that should be protected.

Goal NR 1: Public Access. *Public lands, lakes, and rivers in Lyon County will be easily accessible by residents and visitors for recreation and enjoyment.*

- *Policy NR 1.1: Access Points.*

- *The Sage Vista property is adjacent to Bureau of Land Management land in several locations. Access through internal open space, pathway corridors and roadways is provided in the conceptual land plan that will allow continued access to the public lands for recreation and enjoyment.*

Public lands are immediately adjacent to the subject site on the north, northwest, south and east. Common open space areas provide connection to the adjacent public land areas by internal open space areas and connections by paths.

Goal NR 3: Adequate, Clean Water. *Adequate water supply will be available for current and future needs in Lyon County, including safe, healthy drinking water for all Lyon County residents.*

- *Policy NR 3.1: Water Supply and Quality.*

- *Extensive water rights have been secured by the developer to support the Sage Vista development. In addition, two water tank sites (one on the north side and one on the south side) will provide added water storage and capacity to support an expanded utilities service area in this location.*

Adequate water rights sufficient to serve the development will have to be dedicated through the subdivision and building permit processes. The Specific Plan includes two future water supply tank locations (one on-site, the other off-site) for increased storage capacity.

Goal NR 4: Clean Air. *Lyon County residents will breathe clean air.*

- *Policy NR 4.1: Clean Air.*

- *Creating an inclusive master planned community with a variety of uses in close proximity to one another will allow for a more walkable, bikeable community. This will ultimately reduce vehicle trips and support the County's goal to maintain clean air.*

Staff concurs with this statement.

Goal NR 6: Natural Hazards. *The County will work to prevent and reduce natural hazards to residents and businesses, including risks from flooding, wildfire, earthquakes, and dust.*

- *Policy NR 6.2: No Increase Risk from Natural Hazards.*

- *Strategies identified for this goal and policy in the Master Plan include limiting new development on steep slopes and revising development standards to require stormwater control features in new development. The Sage Vista Specific Plan has extensive steep sloping that has been preserved as open space to support this policy, and drainage improvements have been planned throughout Sage Vista that are intended to meet new stormwater development standards recently adopted by the County.*

Staff concurs with this statement.

Goal NR 7: Open Space. Lyon County will identify and protect unique natural resources as permanent open space.

- Extensive open space that includes ridgelines and rock outcroppings has been preserved as a part of the Sage Vista Specific Plan.

Staff concurs with this statement.

Goal FS 1: Provisions of Services. Municipal water and sewer systems will be expanded only in areas where they are cost effective.

- Policy FS 1.1: Location of New Development. New urban development will occur in areas that are served by, or are adjacent to, areas with existing utility systems to avoid distant and costly extensions.
 - The Sage Vista Specific Plan area is located immediately adjacent to the existing Lyon County Utilities service area and both water and sewer lines are in the road rights-of-way next to the project. The project's proximity to the service area and existing utilities, as well as its location within the Suburban Character District allow for appropriate and cost-effective expansion and will not create distant and costly infrastructure extensions.

Although the subject site does have to annex into the LCUD service areas for water and sewer service, the location (immediately adjacent to the existing Copper Canyon subdivision and the LCUD service areas for water and sewer service) and municipal water and sewer lines stubbed to the subject site support a Specific Plan that would locate new suburban development within an area designated as Suburban Character in the 2010 Comprehensive Master Plan.

Goal FS 3: Schools. Lyon County public schools will maintain high performance standards.

- Policy FS 3.1: Quality Schools.
 - A school site is provided within the Sage Vista Specific Plan for dedication to the school district.

As noted in the Lyon County School District's presentation in the February 20, 2020 workshop regarding growth, there is available capacity for additional students within the elementary, intermediate and high schools in Dayton.

Additionally, the 2010 Comprehensive Master Plan Land Use section includes a section that describes the Specific Plan Areas. Within the Ten Mile Hill section, the 2010 Comprehensive Master Plan states the following;

"4. Ten Mile Hill

The Ten Mile Hill Specific Planning Area encompasses approximately 611 acres of land owned by the Borda Family Trust north and south of US 50 at the extreme eastern boundary of the Dayton Valley Planning Area. The intent of this designation is to promote well planned mix of complementary and compatible residential, commercial and employment uses while providing open space, protecting the natural environment and wildlife, and establishing a clear demarcation between the Dayton Valley and Stagecoach communities."

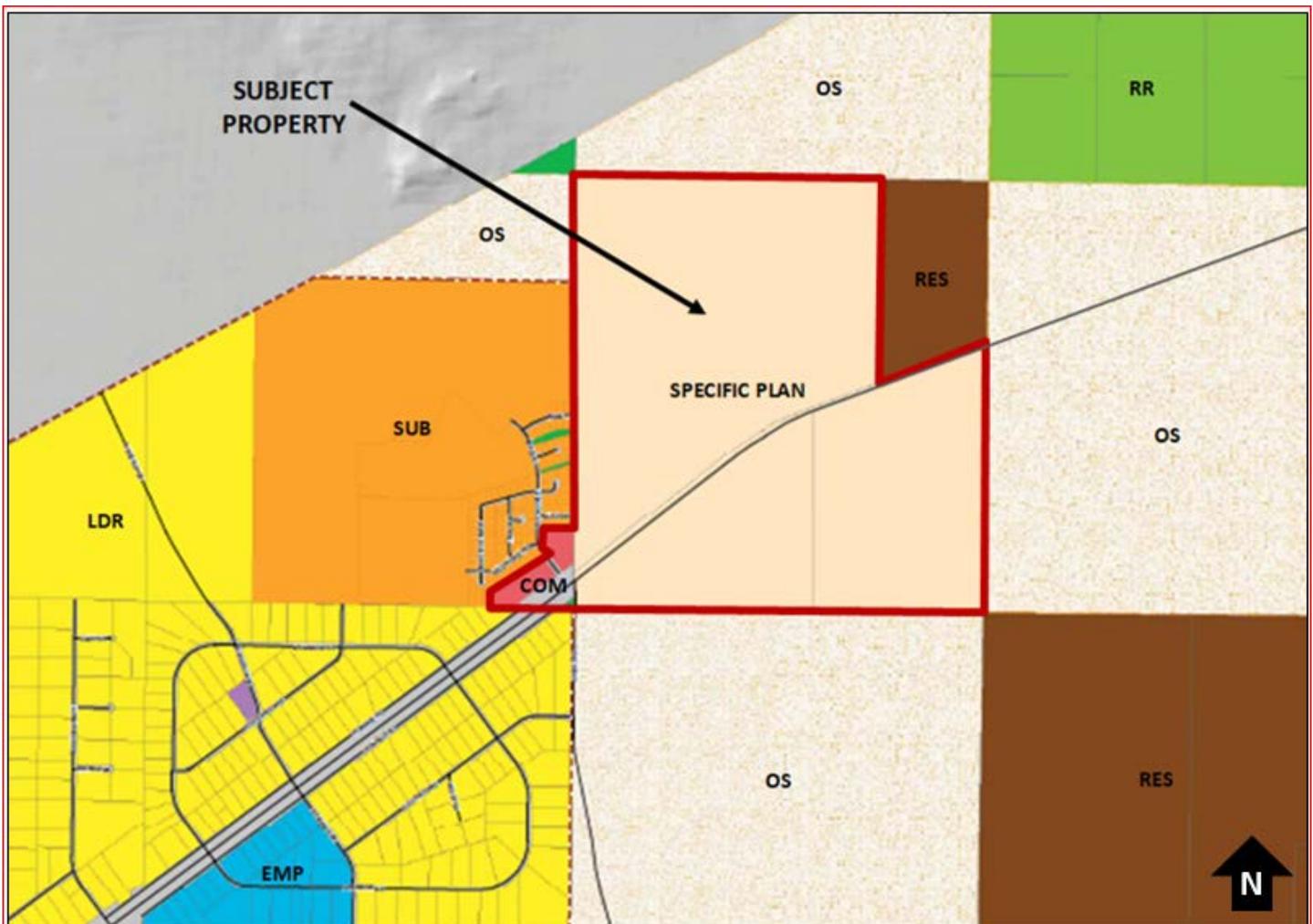
Staff believes that the applicant has demonstrated that the Sage Vista Specific Plan application is in substantial compliance with and promotes master plan goals and policies as well as the Ten Mile Hill Specific Planning Area found in the 2010 Comprehensive Master Plan.

2. Compatible Land Uses: The proposed amendment is compatible with the existing or master planned adjacent land uses, and reflects a logical change in land uses.

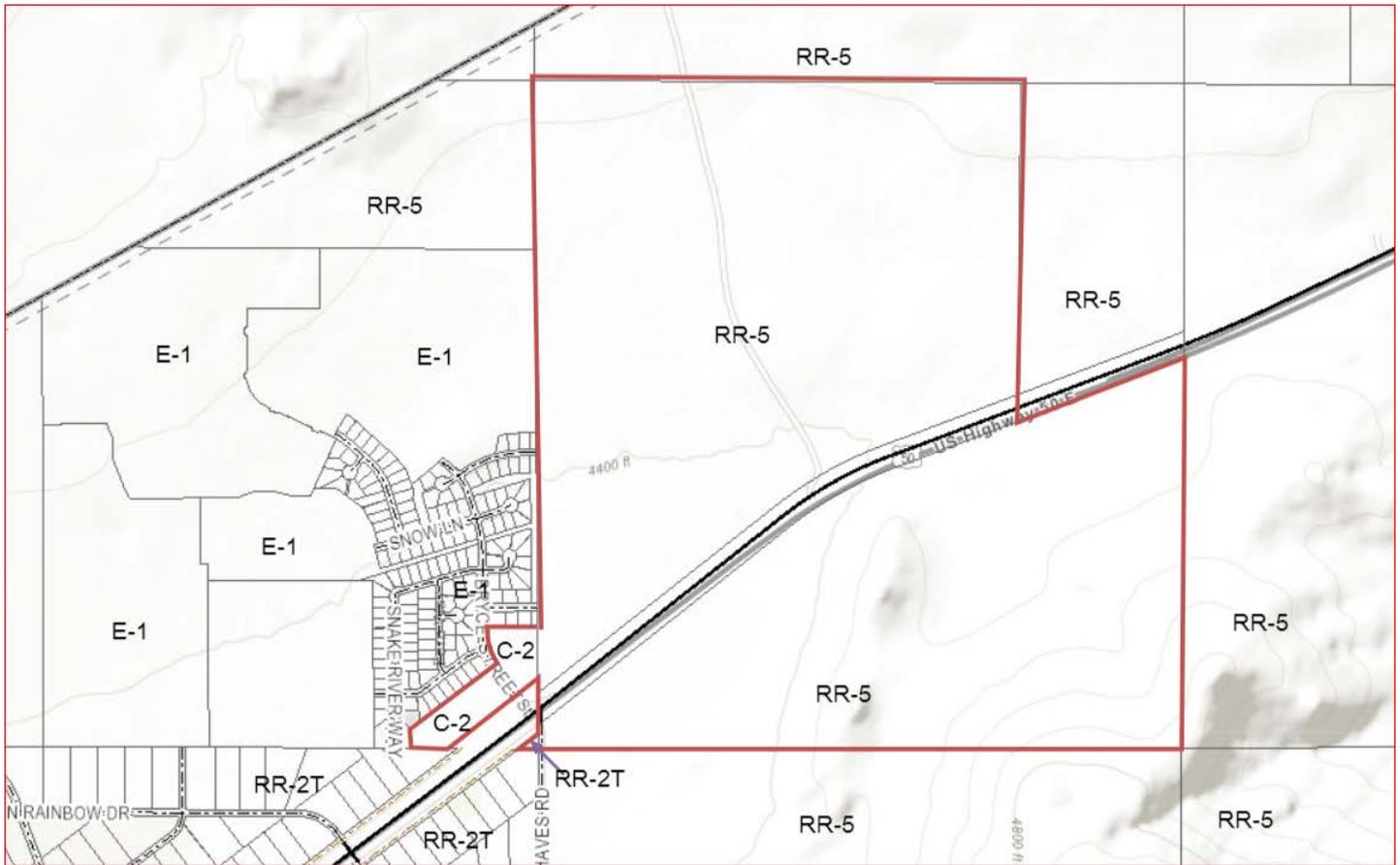
The application materials addresses this Finding with the following response:

The proposed Specific Plan for Sage Vista provides for a mix of residential and commercial land uses that are compatible with the surrounding existing suburban land uses, and are compatible with the intended uses and intensity in the Suburban Character District where the property is located. The Sage Vista properties are designated as Specific Plan within the Suburban Character District to allow for a comprehensive land plan to be presented consistent with the suburbanizing character of the area. The 2010 Master Plan's designation of the property as Specific Plan is a clear indication that the lands are intended for change to appropriate land use categories, and the project's location within the Suburban Character District indicates that suburban uses such as those proposed are appropriate.

The subject site has the land use designation of Specific Plan. The development site is in an area with the 2010 Comprehensive Master Plan land use designations of Specific Plan (tan) and Commercial (red). The development site is surrounded by areas with the 2010 Comprehensive Master Plan land use designations of Open Space (brown-speckled cream to the north, northwest, east and south); Resource (brown to the east and southeast); Rural Residential (light green to the northeast); Low Density Residential (yellow to the southeast); and Suburban Residential (orange to the west).



The map below shows the current zoning on the subject site and the surrounding parcels.



The subject property abuts properties that are currently zoned for single family residential with minimal parcels sizes ranging from 20-acres (RR-5), 2-acres (RR-2) and 12,000 sq. ft. The abutting surrounding properties would be allowed to develop those uses allowed with the RR-20 (Rural Residential - 20 acre minimum), RR-2 (Rural Residential – 2 acre minimum) and SR-12000 (Suburban Residential – 12,000 sq. ft. minimum) zoning districts based on the Exhibit A - Zoning Consistency Matrix that was adopted as a part of the November 1, 2018 adoption of Title 15 ordinance.

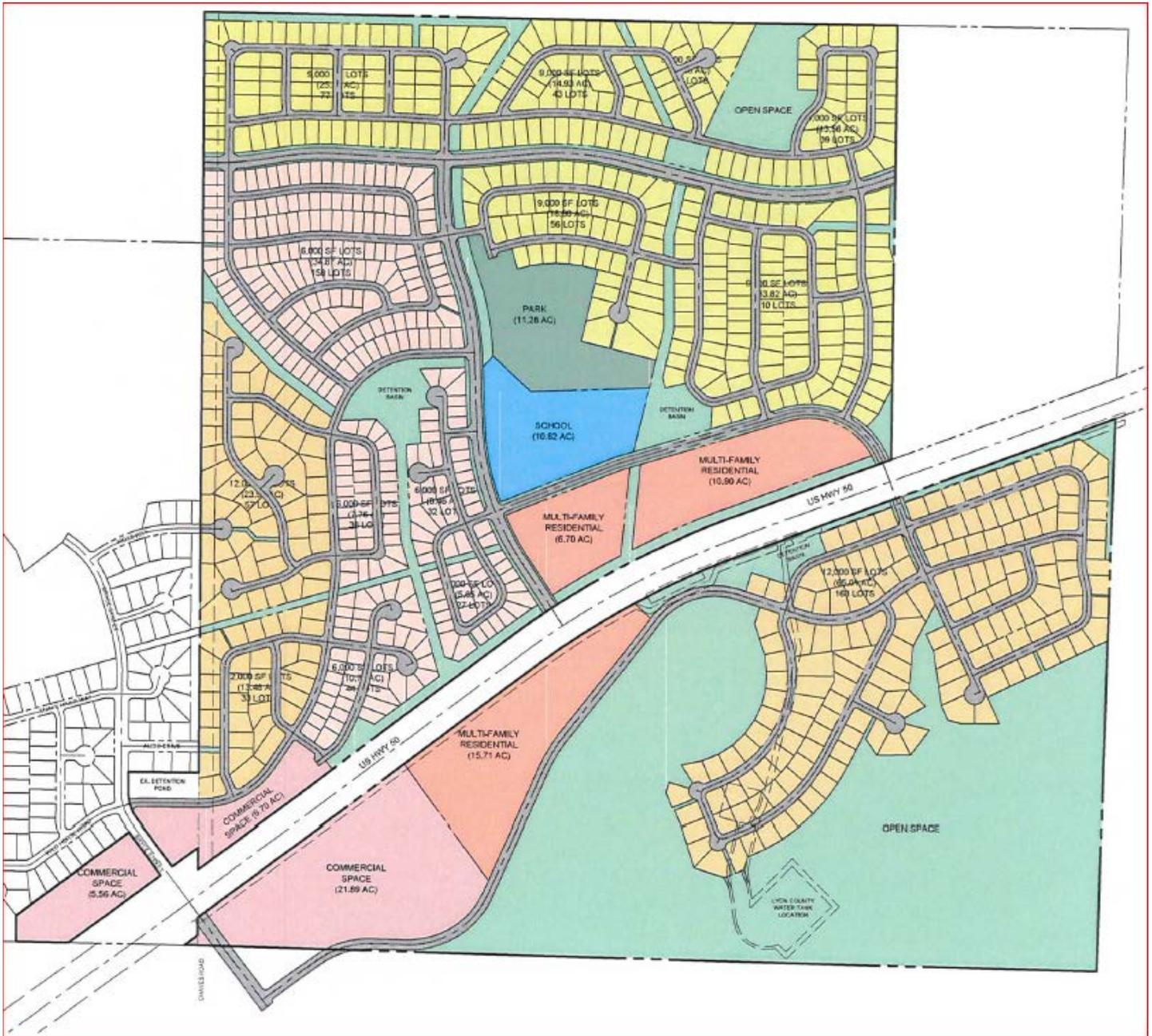
The table below shows the Master Plan land use designations, current zoning and current land uses on the subject site and the surrounding properties.

	<i>Current Master Plan Land Use Designation</i>	<i>Current Zoning</i>	<i>Current Land Use</i>
<i>Subject Property</i>	Specific Plan	RR-5, RR-2T, C-2	Vacant/undeveloped
<i>North</i>	Open Space; Rural Residential	RR-5	Vacant/undeveloped
<i>South</i>	Open Space; Low Density Residential	RR-2T, RR-5	Vacant/undeveloped; single family residential on 2 acres
<i>East</i>	Resource; Open Space	RR-5	Vacant/undeveloped
<i>West</i>	Suburban Residential, Open Space	E-1, RR-5	Copper Canyon subdivision (12,000 sq. ft. minimum lots); vacant/undeveloped

As noted on the table above, the only existing development in the area is located to the west of the subject site. The Copper Canyon subdivision is a detached single family residential development with a minimum lot size requirement of 12,000 sq. ft.

The Sage Vista Specific Plan shows matching density/lot sizes where the subject site would be adjacent to the Copper Canyon subdivision. Given the location at the intersection at what will be the eastern connection of road alignment for the second bridge across the Carson River in Dayton, the Specific Plan does show what will become a Community Commercial location at that intersection of Chaves Road/Bryce Street/US 50 as well as higher density residential immediately adjacent to the commercial area.

The conceptual land use plan included in the application illustrates the potential development pattern given the land use designations listed in the application:



The application materials support a belief that the project is the next logical extension of the type of Suburban density development encouraged in the Dayton Valley through the 2010 Comprehensive Master Plan.

The design of the project in light of the existing surrounding development does try to address compatibility concerns in regard to abutting residential developments through the use of buffering open space and walls/fencing to address and reduce the potential impacts to the immediate neighbors and transitioning in to higher residential density within the commercial land uses proposed in the center of the subject site.

3. Response To Change Conditions: 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.

The application materials addresses this Finding with the following response:

The 2010 Master Plan designated the Sage Vista property as Specific Plan, identified as Ten Mile Hill in the Master Plan document. At the time the Master Plan was adopted, it was known that change would be appropriate for the property, but a plan for development had not yet been created. The Specific Plan anticipates a change to more appropriate land uses on the property and provides a mechanism to create a plan that is compatible with the vision for the Ten Mile Hill area, which seeks to "...promote a well- planned mix of complementary and compatible residential, commercial and employment uses while providing open space, protecting the natural environment and wildlife, and establishing a clear demarcation between the Dayton Valley and Stagecoach communities."

Staff would note that this particular Finding is a bit of a misnomer in that the application for adoption of a Specific Plan is attempting to address the 2010 Comprehensive Master Plan's requirement for a Specific Plan for the Ten Mile Hill area in order to promote the type of Specific Plan that has been submitted.

4. No Adverse Effects: 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.

The application materials addresses this Finding with the following response:

The amendment in support of the Sage Vista Specific Plan does not adversely affect the Master Plan implementation, goals, objectives or actions, nor will the land uses proposed adversely impact the public health, safety or welfare. The Master Plan specifically identifies the Sage Vista parcels within the Suburban Character District and outlines the County's desire for these parcels to be planned in a cohesive manner consistent with Master Plan goals. As has been demonstrated through the numerous Master Plan goals and policies met with Sage Vista Specific Plan (outlined above in Finding A1), the plan proposed meets the intent for these properties as set forth in the Master Plan.

The proposed development application for the Sage Vista Specific Plan examines and addresses the goals, policies and actions called out in the 2010 Comprehensive Master Plan. Nothing in the examination points to adverse impacts to the implementation of the 2010 Comprehensive Master Plan's goals, policies and actions.

Similarly, nothing in the examination of the Sage Vista Specific Plan application indicates the plan would adversely impact the public health, safety or welfare,

Examining the current state of affairs regarding the immediate lack of treatment capacity and effluent disposal at the Rolling A Wastewater Treatment Plant, staff would note that the Utilities Department is in the process of resolving both issues. If approved, this proposed development would be required to

pay for improvements that would provide for additional wastewater treatment and additional effluent disposal to address the increased demand of this project.

- 5. Desired Pattern Of Growth: 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 consideration of natural resources, the physical geography and the efficient expenditure of funds for public services.**

The application materials addresses this Finding with the following response:

The Sage Vista Specific Plan is located at the eastern edge of Dayton within the Suburban Character District. It is also located immediately adjacent to the Lyon County Utilities service area. The creation of this Specific Plan with suburban land uses compatible with the surrounding area promotes the desired expansion of physical growth in the county while allowing the County to more accurately plan future water and sewer capacity and infrastructure needs for this anticipated suburban area.

The Sage Vista Specific Plan application would promote orderly growth along the Highway 50 corridor. The project would allow for water, sewer and road infrastructure to be extended in efficient increments. The project would allow for the extension of sewer infrastructure as well as treatment capacity expansion and effluent disposal. The design would promote compatibility with adjacent existing and planned residential development and provide commercial, public facilities and open space access for the community.

Staff is of the opinion that the proposed Specific Plan for the subject site will promote a 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 will provide guidance for development of the subject site based on the least amount of natural resource impairment and the efficient expenditure of funds for public services.

Water Rights:

The application materials state that as progress on the project moves forward, the amount of required water rights would be continuously reviewed and evaluated with LCUD staff and the State Division of Water Resources (DWR) with the submittal and review of the development applications that come forward, including tentative and final subdivision maps for the project. No final approvals that would allow for development to occur will be granted until the water rights dedications have been secured to the satisfaction of the State Engineer and LCUD. Part of the water rights review includes determining that the water rights are in good standing and have uncommitted water sufficient to fulfill the requested allocation.

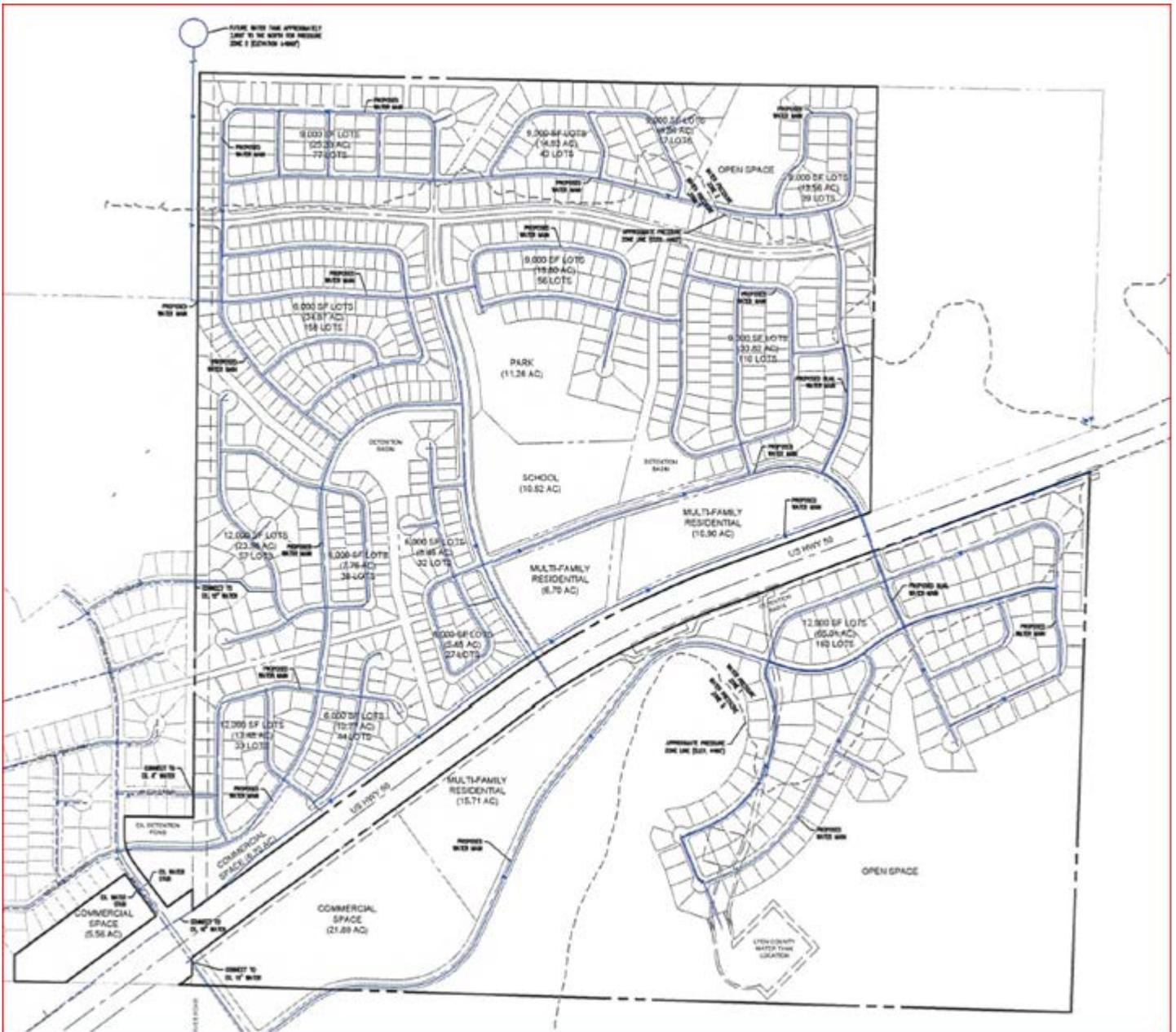
Public Facilities and Services:

LCUD currently has water lines stubbed to the subject site within the US 50 right-of-way, Bryce Street, Aliso Drive and Moab Way (shown in blue below).



The anticipated on-site water facilities within the Sage Vista Specific Plan area will consist of a series of water mains throughout the community connected to the existing water mains.

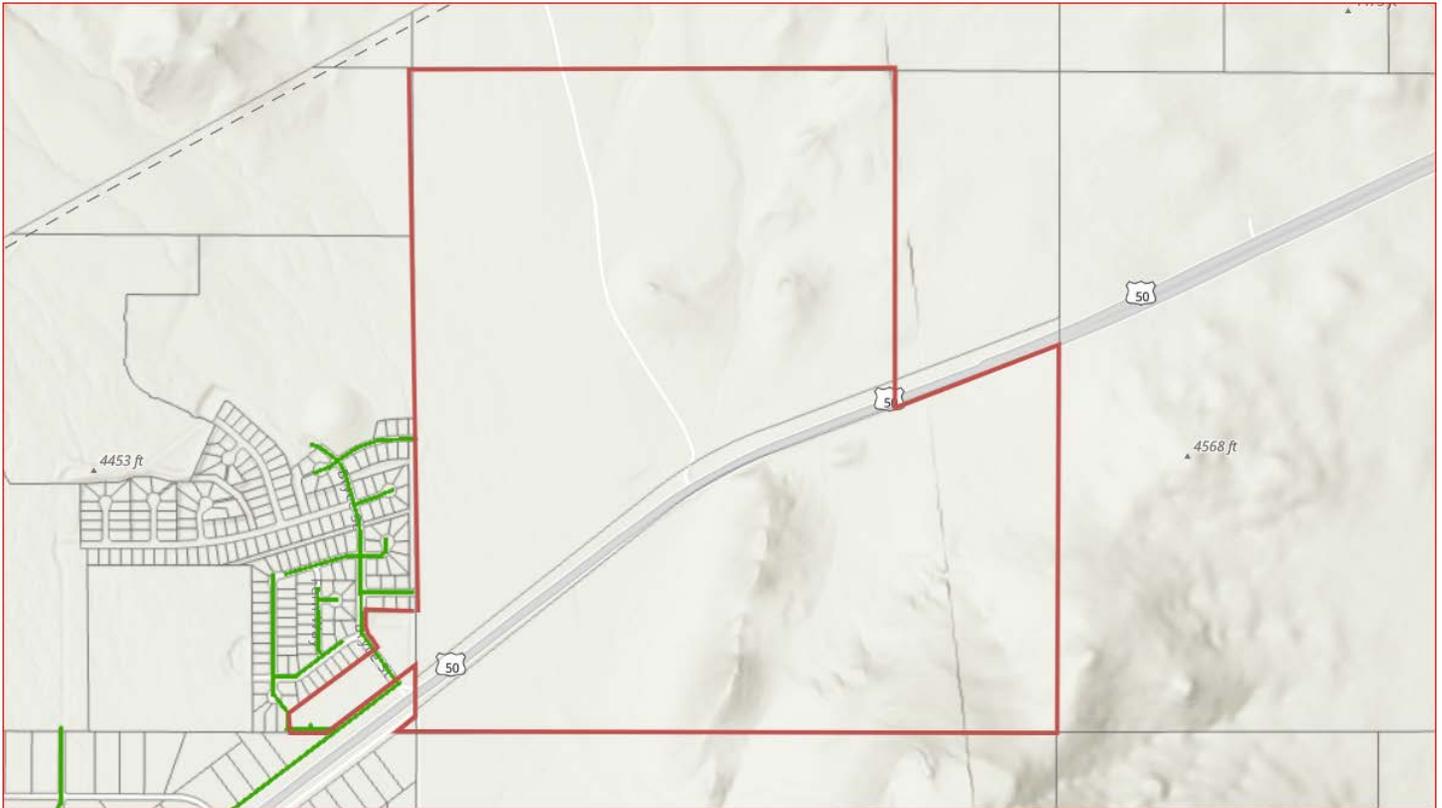
Two new water storage tanks are proposed on-site. The south tank has been planned for some time as part of the LCUD water master plan and the interlocal agreement with Stagecoach General Improvement District to provide water and support planned development in Dayton. The north tank is planned to serve the Sage Vista project as well as other proposed future development within Dayton.



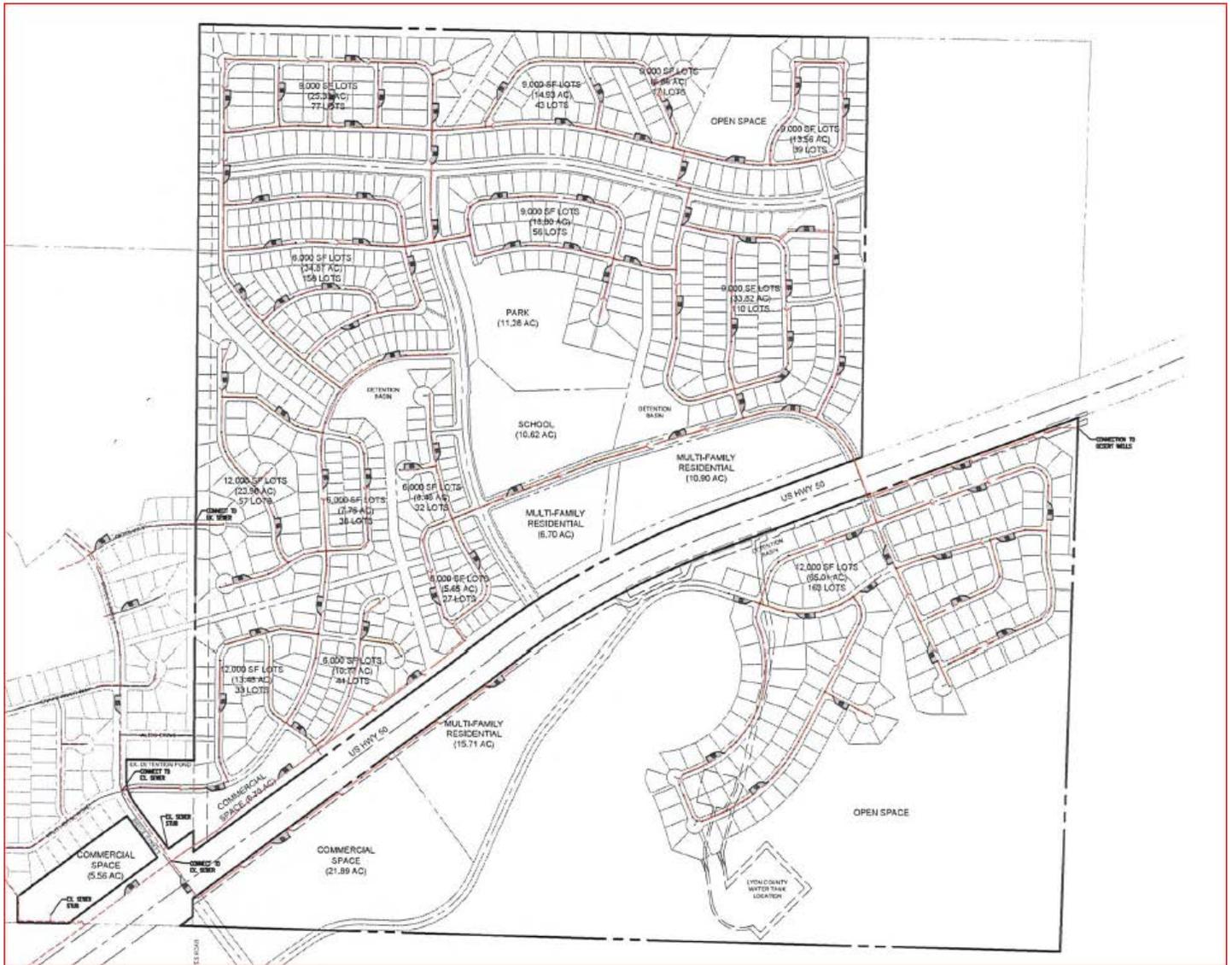
Sewer:

LCUD currently has sewer lines stubbed to the subject site within the US 50 right-of-way, Bryce Street, Aliso Drive and Moab Way (shown in green below).

The Sage Vista project will direct flows from the develop area of the site to the existing sewer mains that tie into the LCUD sewer system in Dayton. The development would utilize gravity flow to a connection at the intersection of Bryce Street/Chaves Road/Highway 50 where the sewage would make its way to the Rolling A Wastewater Treatment Plant.



The project is anticipated to generate approximately 760,000 gallons per day of sewage. Rolling A Wastewater Treatment Plant will require expansion prior to build-out of the project depending on the timing of other developments within the Dayton Valley and Mound House. The plant has sufficient property to allow for future expansion. The development projects that require plant capacity expansion and/or transmission line will pay for those expansions necessary for the development.

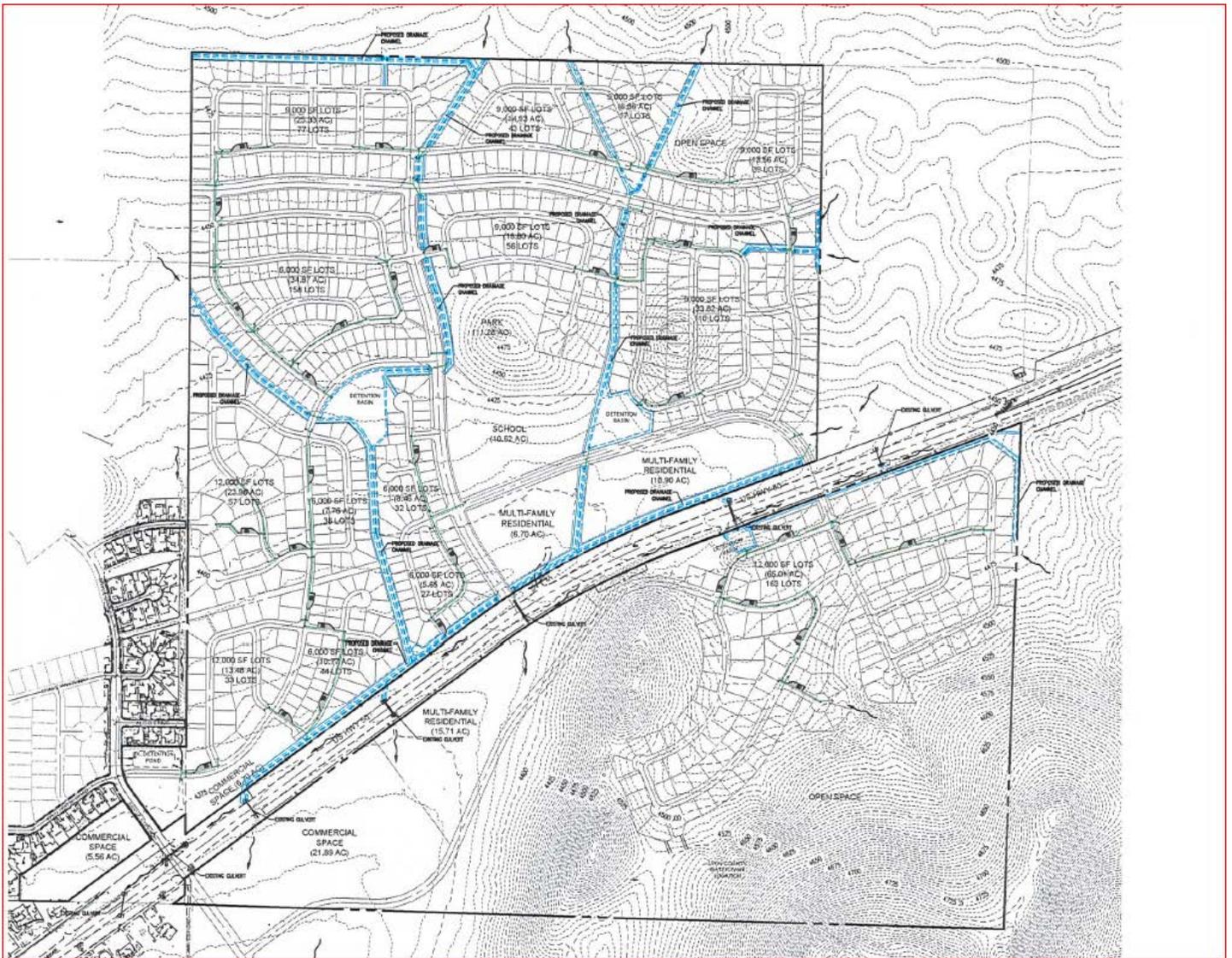


Storm Drainage:

Storm water currently enters the subject site from the surrounding hillsides and flows toward US 50, eventually flowing along the US 50 right-of-way toward the southwest.

The Sage Vista Specific Plan proposes to utilize drainage channels through the site to direct the flows into detention channels within the site which will meter water out in a manner that the post-development flows match the pre-development flows onto the historic drainage patterns downstream of the subject site. The facilities are designed to such that the detention ponds and channels will ensure a peak rate of discharge from a 100-year, 24-hour storm is not increased above the peak rate for the undeveloped condition.

The development of the Sage Vista Specific Plan will not increase upstream or downstream storm flow runoff rates, volumes, velocities or depths, and will not influence floodplain boundaries.



Development of the subject site will require planning and engineering to limit adverse impacts and design appropriate drainage and infrastructure improvements to mitigate the potential of additional storm drainage impacts created by increasing the impervious surfaces that occur with development such that post-development flows from the subject site are the same as the pre-development flows onto adjacent properties per Lyon County storm drainage improvement requirements.

The County currently does not have the ability to maintain major storm drainage facilities. The changes will most likely reflect the current standard which requires that an owners association (such as a homeowners association, a landscape maintenance association or similar type of maintenance association subject to approval by the County) be established prior to the approval of a final map or first in a series of final maps to subdivide the property. In this scenario, the developer would construct the facilities and the maintenance association would operate and maintain the major storm drainage facilities within the project site.

Other Public Services:

The site would be served by the Lyon County Sheriff's Department.

The subject property lies within the Central Lyon County Fire Protection District. There is a fire station located at the western side of Dayton (off of Six Mile Canyon Road).

Health care, public library, school, and other public facilities and services are currently located in Dayton. Staff would note that the applicant has set aside a 10-acre portion of the subject site designated as Public/Quasi-Public that could house in the future a school site.

The applicant has submitted significant amounts of design work included in the applications. The applications would promote orderly growth along the Highway 50 corridor. The project would allow for water and sewer infrastructure to be extended in efficient increments. The design would promote compatibility with adjacent residential development (through property line matching, placing larger lots comparable to those surrounding the project, open space and trails along certain edges of the development and buffering (including walls).

As such, staff believes that the project 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 consideration of natural resources, the physical geography and the efficient expenditure of funds for public services.

B. That the proposed location of the development and the proposed conditions under which it will be operated or maintained is consistent with the goals, objectives and actions embodied in the master plan;

The application materials addresses this Finding with the following response:

Please refer to Finding A1 for specific responses to applicable Master Plan goals and policies.

Staff concurs with the applicant's response to this Finding.

C. That the proposed development is in accordance with the purposes and objectives of this title and, in particular, will further the purposes stated for each zoning district; and

The application materials addresses this Finding with the following response:

The purposes for each anticipated future zoning district that will be proposed for adoption at a later date in conformance with the Sage Vista Specific Plan include and state the following:

Neighborhood Residential 4,500 sf minimum (NR): The zone is intended for the development of a variety of single-family attached and detached units in a traditional town or commercial mixed-use setting with a minimum lot size of 4,500 square feet and a maximum density of 9.68 units per gross acre... The NR Zone implements the suburban residential land use designation of the Master Plan in Suburban Character Districts.

Suburban Residential 9,000 sf minimum (SR-9000): This zone is intended for the development of a variety of single-family unit types in a traditional town or suburban setting located near major transportation facilities, supporting commercial and commercial mixed-uses, civic uses, and parks with a minimum lot size of 9,000 square feet and a maximum density of 4.84 units per gross acre... The SR-9000 Zone implements the suburban residential land use designation of the Master Plan in Suburban Character Districts.

Suburban Residential 12,000 sf minimum (SR-12000): This zone is intended for the development of a variety of single-family unit types in a suburban setting in close proximity to neighborhood service centers that include commercial, social, recreational, and civic services, with a minimum lot size of 12,000 square feet, and a maximum density of 3.63 units per gross acre... The SR-12000 Zone implements the suburban residential land use designation of the Master Plan in Suburban Character Districts.

Multi-Family Residential (MFR): This zone is intended for the development of higher-density residential areas located in close proximity to major transportation facilities, supporting commercial and commercial mixed-uses, civic uses, and parks and characterized by attached or

detached multi-family units, condominiums, townhouses or apartments... The MFR Zone implements the suburban residential land use designation of the Master Plan in Suburban Character Districts.

Community Commercial (CC): Community Commercial occurs in the Suburban Character Districts and provides a mix of commercial and retail services in a concentrated and unified center that serves the local community. The CC District implements the commercial land use designation of the Master Plan in Suburban Character Districts.

Regional Commercial (RC): Regional Commercial occurs in Suburban Character Districts and provides a mix of commercial and retail services in large retail centers with unique stores and characteristics that serve a regional market. The RC District implements the commercial land use designation of the Master Plan.

Open Space (OS): Open Space provides recreational linkages between different areas of the County; floodplain, wetland, drainage or view protection; and/or wildlife habitat. Public access may be provided with designated trails or bicycle facilities. In other areas lands may be left undeveloped to provide visual buffers along an important scenic area or between community boundaries.

Public Facilities (PF): The Public Facilities Zoning District provides for the provision of schools, government offices, community centers, fire stations, airports, libraries, hospitals, cemeteries, etc. to meet the needs of the community in which the facilities are located as well as the larger County-wide and regional community.

The Sage Vista Specific Plan has been carefully planned to create a cohesive community with a mix of uses that are compatible with the surrounding land uses and Suburban Character District. Each land use category and sub-category, where applicable, has been chosen based on anticipated need within the Dayton community and placed within Sage Vista to provide harmony amongst uses. The land use categories, development standards, and performance standards set forth in the Sage Vista Specific Plan are compatible with or enhance the purpose of the overall Land Development Code and each individual anticipated future zoning district by meeting or exceeding density and intensity standards and design requirements.

Staff would note that within the proposed NR zone, the application states that the minimum lot sizes within this area will not be less than 6,000 square feet minimum.

With the sole exception of the NR zoning minimum lot size noted above, the uses and development standards listed in the Sage Vista Specific Plan reflect the purposes and objectives of Title 15 and will further the purposes stated for each zoning district.

D. That the development will not be detrimental to the public health, safety or welfare of persons residing or working in or adjacent to such a development; and will not be detrimental to the properties or improvements in the vicinity or to the general welfare of the County.

The application materials addresses this Finding with the following response:

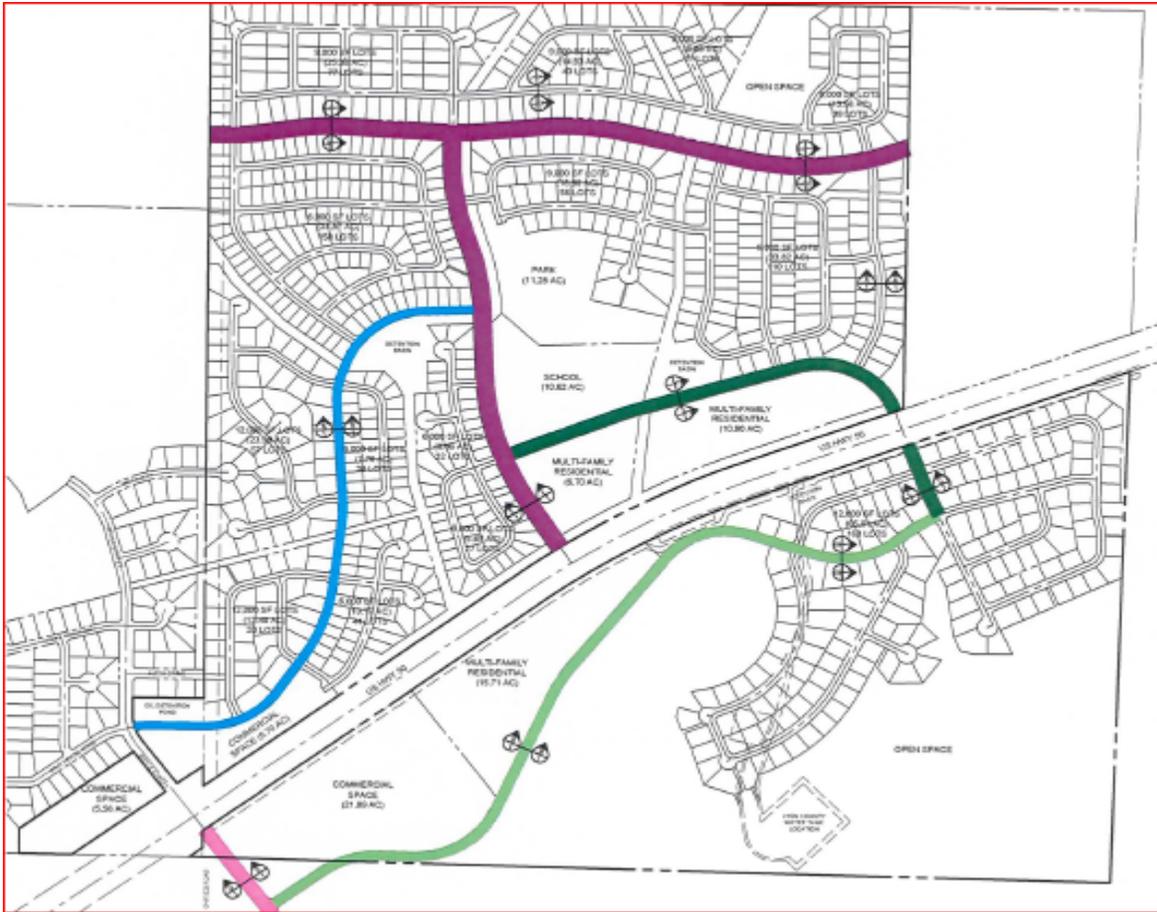
Creation of the Sage Vista Specific Plan will not be detrimental to the public health, safety or welfare of the public nor will it be detrimental to properties or improvements in the vicinity. The project is located in an area intended for suburban level development and has been identified in the Master Plan as an area that should include a well-planned mix of complementary and compatible residential, commercial and employment uses. Where impacts for traffic, drainage, existing use adjacency, etc. are identified, appropriate mitigation measures have been proposed including, for example, an extensive internal drainage channel and detention basin network, intersection realignment and improvements, lot size and product type matching and preservation of large amounts of open space to avoid development in inappropriate areas.

Water/Sewer/Storm Water:

As noted above elsewhere in the staff report, the Sage Vista Specific Plan application does address domestic water and sewer service as well as storm drainage improvements that adequately address the public health, safety and welfare in regards to safe water service and sewage disposal and providing for the safe transport of storm water through the project without damage to the adjacent/downstream properties.

Traffic:

The Sage Vista Specific Plan proposes to use the existing Bryce Street and Chaves Road roadways to access the project area as well as create two new intersections east of Chaves/Bryce on Highway 50. The general location of the proposed street system is shown below.



From Bryce Street, a new road (shown in blue) will be created south of the existing detention basin on the east side of Bryce Street. This street will align with Wild Horse Road in Copper Canyon Estates. Chaves Road (lavender) will be realigned to create a perpendicular intersection with Highway 50 on the south side of the highway, and a new road (light green) to access the southern portion of Sage Vista will be created and intersect with Chaves Road. A new main entrance intersection (US 50/West – purple) will be created on the north side of Highway 50 to access the majority of the project at around the halfway point of the project’s highway frontage. And finally, an intersection with entrances on both the north and south sides of Highway 50 (US 50/East – dark green) will be created further east for additional residential traffic access.

The applicants’ traffic engineer has coordinated with NDOT Sage Vista is estimated to generate approximately 20,110 average weekday trips, 1,469 total AM peak hour trips and 1,747 total PM peak hour trips. These totals include internal trips, pass-by trips, diverted trips and external trips. To accommodate the traffic impacts at the various existing and future intersections, improvement

recommendations are made that are outlined in detail in the Traffic Study included in the Sage Vista Specific Plan. The traffic engineer made these recommendations with input received from consultation with both the Nevada Department of Transportation and Lyon County representatives. The project is expected to generate 21,110 ADT at full build-out of the development based on the traffic anticipated to be generated from:

- 896 detached single family homes;
- 600 multi-family units;
- 34.48 acres of commercial development utilizing the traffic generation numbers of:
 - one 14,000 sq. ft. shopping center;
 - one 7,000 sq. ft. office building;
 - two 3,500 sq. ft. fast food restaurants with drive-through service; and
 - one 3,500 sq. ft. convenience store with gas pumps.

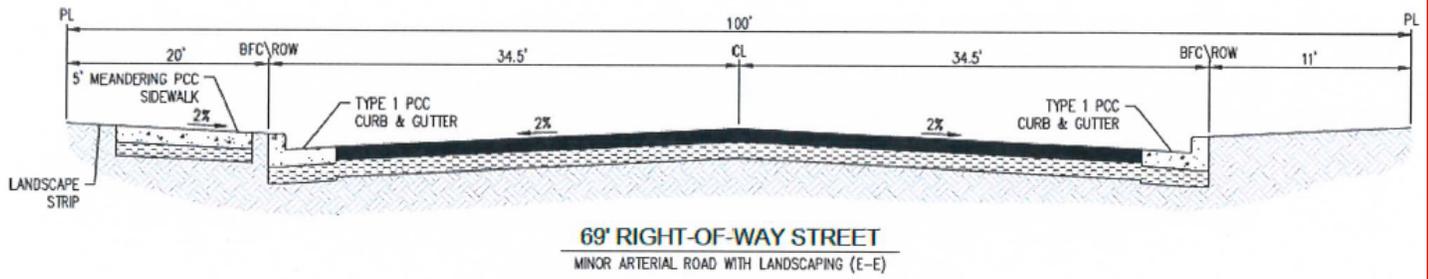
Based on the traffic engineer's review of the anticipated trips and the existing roads and traffic controls on County roads and NDOT US 50 rights-of-way, the following improvements are proposed:

- Any required striping, signage, or traffic control improvements comply with Nevada Department of Transportation and Lyon County Road Department requirements,
- Periodically review the traffic signal warrants for the US 50/Chaves Road/Bryce Street intersection with development of the project and a traffic signal be constructed by the Sage Vista developers when warranted with the signalized intersection improved to include an exclusive left turn lane at the southern approach that aligns with the existing left turn lane at the north approach.
- The US 50/West Access be designed to operate as a High-T intersection with:
 - a stop sign control at the north approach and separate left and right turn lanes at the north approach;
 - an exclusive right turn lane containing 705 feet storage/deceleration length at the east approach;
 - an exclusive left turn lane containing 805 feet storage/deceleration length at the west approach; and
 - a center eastbound acceleration lane containing 1,710 feet of acceleration/taper length.
- The US 50/East Access be designed to operate as a four-leg intersection with stop sign control at the north and south approaches with one right turn lane at both the north and south approaches, an exclusive left turn lane containing 805 feet of storage/deceleration length at the east approach and an exclusive right turn lanes containing 705 feet of storage/deceleration length at the east and west approaches.
- The traffic engineer notes that if the roadway grades exceed 2% slopes, then the acceleration and deceleration lane lengths stated above will need to be adjusted appropriately.

Proposed Street Sections:

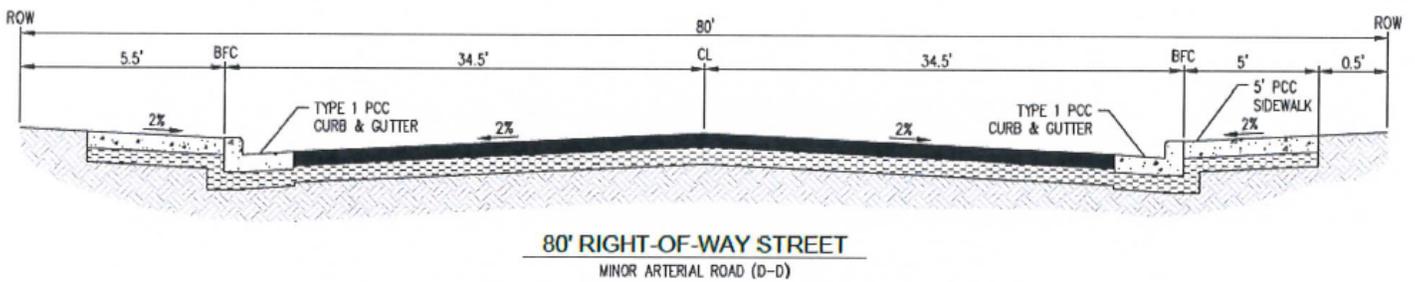
Minor Arterial – Main Entry would be a 69-foot wide right-of-way with two 34.5-foot travel lanes in each direction, 5-foot meandering sidewalk on one side within a 20-foot landscaped stripe and an 11-foot strip with an undetermined use. This street section would serve as the main entrance to the Sage Vista Specific Plan as well as the minor arterial connector shown in purple on the street map above.

Minor Arterial – Main Entry. This is a 69-foot wide right-of-way with two travel lanes in each direction, meandering sidewalk on one side and an 11-foot wide common area on one side, as shown in Figure 3-2.



Minor Arterial is an 80-foot wide right-of-way with two 34.5-foot travel lanes in each direction, 5-foot sidewalks on both sides and a 0.5-foot wide common area on one side. This road section would be used for Chaves Road within the Sage Vista Specific Plan.

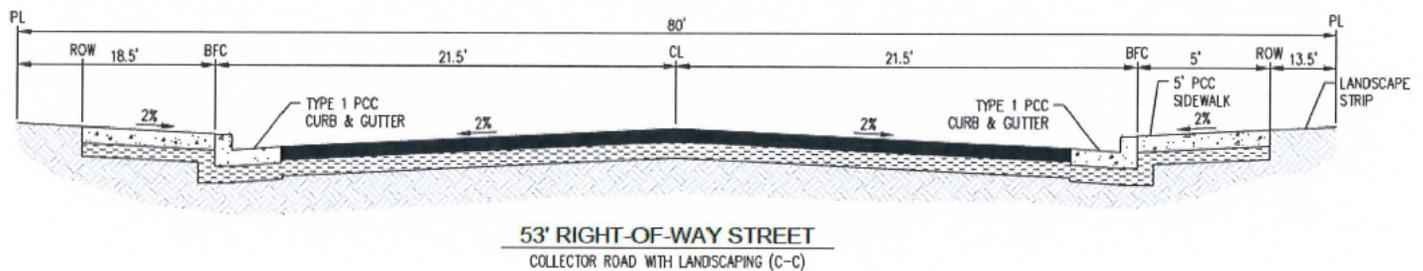
Minor Arterial – Chaves Road. This is an 80-foot wide right-of-way with two travel lanes in each direction with sidewalk on both sides, as shown in Figure 3-3.



East Entrance:

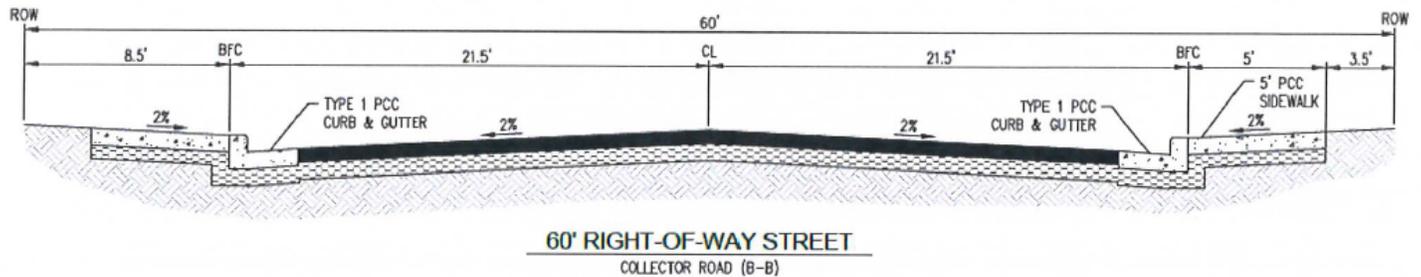
This road section is a 53-foot wide street section that consists of two 21.5 wide travel lanes in each direction, 5-foot wide sidewalks on each side and a landscape strip on each side of the street section.

East Entrance. This is a 53-foot wide right-of-way with one travel lane in each direction, sidewalk on both sides and common areas on both sides, as shown in Figure 3-4. This street section will be installed on both sides of the eastern entrance and will serve as a collector for residential traffic from the various neighborhoods.

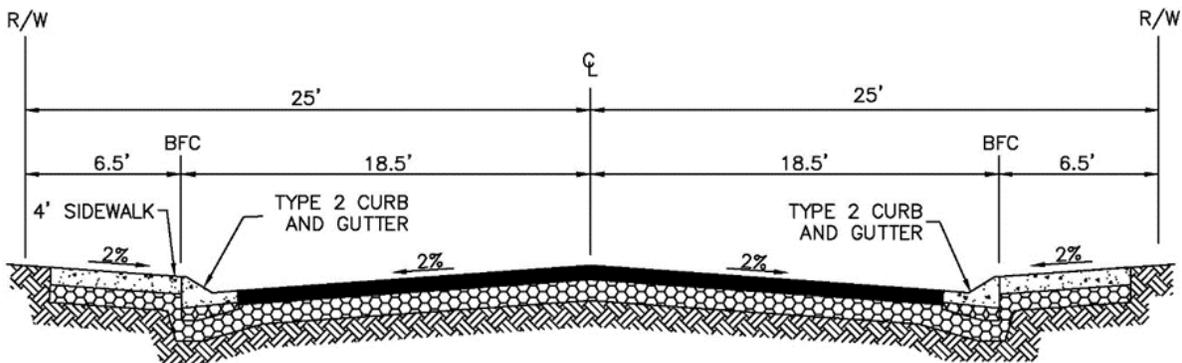


South Side Collector: This street section consists of a 60-foot wide right-of-way with a 21.5 travel lane in each direction, a 5-foot sidewalk and a 3.5-foot wide strip on both sides of the street section. This street section will serve as a collector on the south side of the subject site connecting Chaves Road to the new US 50/East intersection.

South Side Collector. The road on the south side of the project, connecting Chaves Road and the new East Entrance will be built to a collector standard as shown below in Figure 3-5. This is a 60-foot wide right-of-way with one travel lane in each direction with sidewalk on both sides. This street section is the same overall design and function as the 53'-ROW but includes additional ROW outside the sidewalks.



Local Street is a 50-foot right of way with one travel lane in each direction and sidewalk on both sides. This street will serve as local access for all single family residential lots within the Sage Vista Specific Plan area.



The Road & Fleet Department Director did comment that for this development, The Road Director did not want the development standards to include any landscaping within center medians and that any open space, including detention basins, drainage channels, walking paths, etc. need to be maintained by a homeowners association, landscape maintenance association, or other similar such association in which the property owners within the community assume the maintenance responsibilities. Lyon County will not be responsible for the maintenance of any of these areas and any associated improvements.

The Nevada Department of Transportation (NDOT) provided the following comments regarding the Sage Vista Specific Plan:

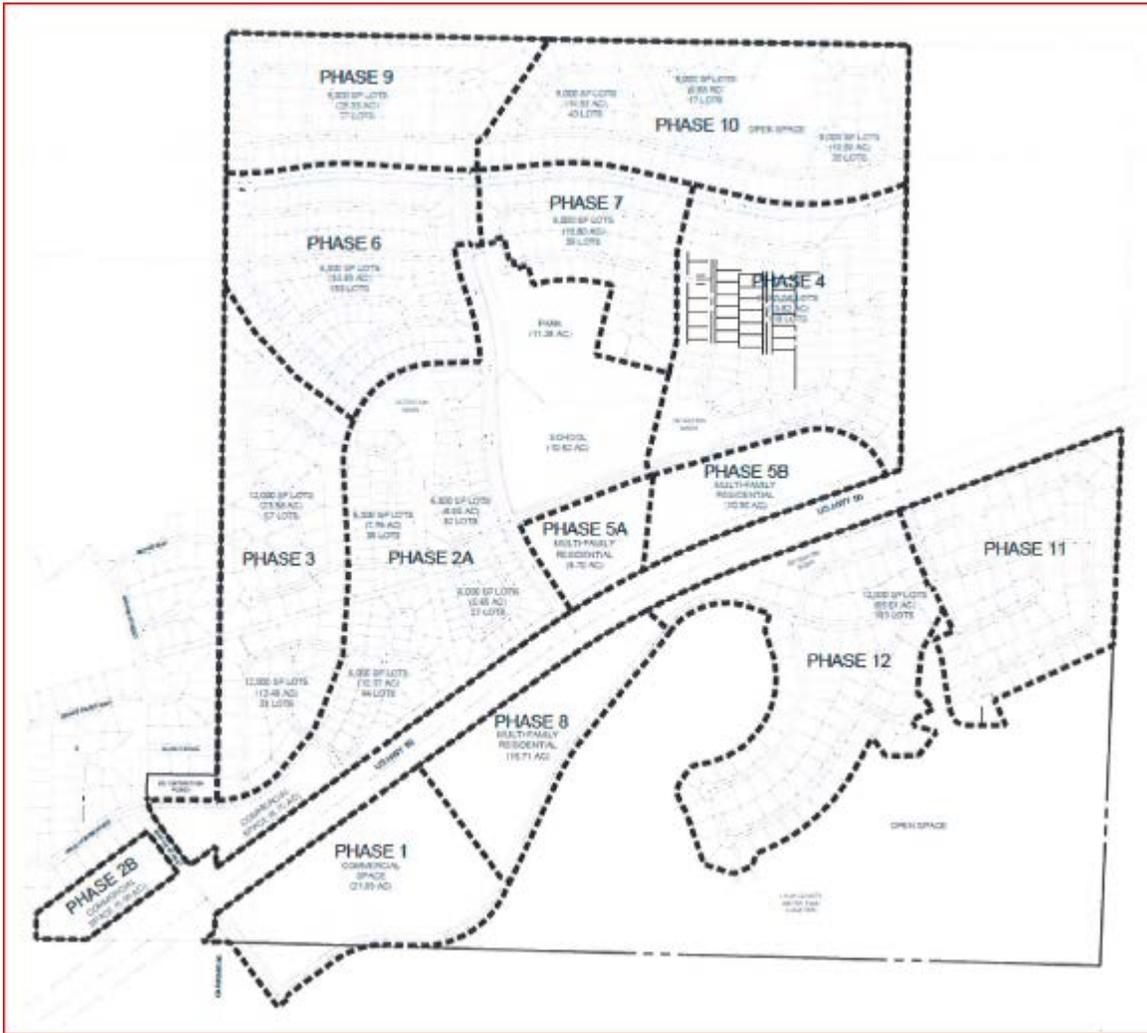
- The road proposes two new accesses to US 50 east of the existing Chaves Road/Bryce Street/US 50 intersection. US 50 is a State-maintained roadway that is functionally classified as a rural principal arterial.
- NDOT requires the use of only legal, permitted accesses onto State roadways. All driveway accesses to the state highway system will be required to comply with the NDOT Access Management System and Standards, and Terms and Conditions Relating to Occupancy Permits current at the time of application.
- Some applicants are required to provide cross access easements to each other in order to provide adequate access for development while meeting NDOT standards. The applicant may be required to provide a traffic impact study to determine the impacts of any new driveways to the state highway system and any required mitigation strategies. A new access permit is required for an existing access if the site is redeveloped or if there is a change in use.
- The applicants are encouraged to perpetuate existing and planned wildlife/vehicle mitigation measures for wild horses. This includes, but is not limited to, wildlife fencing and cattle guards.
- Prior to any grading within or adjacent to the NDOT right-of-way, a drainage form must be submitted to the NDOT District II Permits Office. The drainage form can be obtained by contacting NDOT District II Permits Office at (775) 834-8330.
- NDOT will require an occupancy permit for any work performed within the State's right-of-way. Please contact the NDOT District II Permits Office at (775) 834-8330 for more information relating to obtaining occupancy permits.
- The State defers to municipal government for land use development decisions. Public involvement for community development related improvements within NDOT rights-of-way should be considered during the municipal land use development process. Significant improvements proposed within NDOT rights-of-way may require additional public involvement. It is the responsibility of the applicant to perform such additional public involvement.

Enforcement of Proposed Design Standards:

Staff would note that the Desert Wells Preserve rezoning application from RR-3, RR-5 and C-2 to Planned Unit Development ("PUD") does include the design guidelines/standards as part of the tentative approval for the PUD application. As such, all of the design standards would be enforced through the development's Homeowners Association/Landscape Maintenance Association or similar such association, the project's Covenants, Conditions and Conditions ("CC&Rs") which the County does not enforce, and County staff's review of development applications for compliance with the Specific Plan design standards.

Phasing Plan:

Per the Sage Vista Specific Plan application materials, the development of Sage Vista is anticipated to occur in several phases over a period of approximately 10 years. The proposed phasing plan remain flexible to adjust to market or site conditions. The Development Phasing Plan is shown below and represents the anticipated phasing of the development.



A table with the description of improvements for each phase correlating to the Development Phasing Plan is also included in the Sage Vista Specific Plan application materials. The applicants' stated intention is that the proposed phasing plan remain flexible to adjust to market or site conditions and propose that the phasing plan shown below may be modified with the approval of the Community Development Director or his designee.

Project Termination or Abandonment:

In the event that the Sage Vista Specific Plan project requires termination or abandonment, the application materials includes a resolution outlined below shall be as follows:

- A Master Plan Amendment either modifying the Sage Vista Specific Plan accordingly, or abandoning it in favor of reverting back to the Master Plan land use designations in place prior to the adoption of the Sage Vista Specific Plan shall be required;
- Underlying zoning districts consistent with the Sage Vista Specific Plan that may have been adopted in support of the project shall remain in effect until changed through a Zoning Map Amendment;
- For any portion of the project that was developed consistent with the Sage Vista Specific Plan prior to abandonment or termination of the remainder, CC&Rs and a homeowners' association or other maintenance association shall remain in effect to enforce restrictions previously established;
- Any and all property owners of the remaining undeveloped portions of the Sage Vista Specific Plan shall agree to the abandonment or termination; no one property owner shall have the power

to abandon or terminate the Sage Vista Specific Plan without the consent of the other property owners.



BOARD OF COUNTY COMMISSIONERS
LYON COUNTY NEVADA
 27 South Main Street
 Yerington, Nevada 89447
 Phone: (775)463-6531 Fax: (775)463-6533

Bob Hastings, District 1
Vida Keller, District 2
Ken Gray, District 3
Joe Mortensen, District 4
Jay Dini, District 5

Jeffery A. Page
 County Manager

April 2, 2020

Project One
 Attn: Don Smit
 490 Hot Springs Road
 Carson City, NV 89706

RE: STANLEY H. LUCAS – ADOPTION OF THE SAGE VISTA SPECIFIC PLAN – Request to adopt the Sage Vista Specific Plan on five (5) parcels totaling 544.23 acres; located North and South of US 50 at the intersection of US 50/Bryce Street/Chaves Road, Dayton, NV (APNs 016-021-29; 016-021-30; 016-021-32; 016-021-34; and 016-021-35) PLZ-19-0081

Dear Mr. Smit;

On the date indicated above, a Notice of Final Action was filed with the Lyon County Clerk, pursuant to NRS 278.0235 and NRS 278.3195 which starts the commencement of the twenty-five day limitation period specified therein.

At their regularly scheduled meeting of **April 2, 2020**, the Lyon County Board of Commissioners considered the above-referenced application.

By majority vote (**4 Ayes – Keller, Gray, Hastings and Mortensen; 1 Nay - Dini; 0 Abstentions**) the Board of County Commissioners **denied** your request to adopt the Sage Vista Specific Plan on five (5) parcels totaling 544.23 acres; based on the following findings:

A. The Specific Plan application is not compatible with the Findings required by section 15.210.03 of this title:

1. 15.210.03:

- a. Consistency With The Master Plan: The applicant has not demonstrated that the amendment is in substantial compliance with and promotes the master plan goals, objectives and actions.
- b. Compatible Land Uses: The proposed amendment is incompatible with the existing or master planned adjacent land uses, and reflects a logical change in land uses.
- c. Response To Change Conditions: The proposed amendment has not demonstrated and does not respond to changed conditions or further studies that have occurred since the master plan was adopted by the Board, and the requested amendment represents a less desirable utilization of land.
- d. No Adverse Effects: The proposed amendment would adversely affect the implementation of the master plan goals, objectives and actions, and would adversely impact the public health, safety or welfare.

- e. Desired Pattern Of Growth: The proposed amendment would not promote the desired pattern for the orderly physical growth of the County, would not allow infrastructure to be extended in efficient increments and patterns, would not maintain relatively compact development patterns, and would not guide development of the County based on the consideration of natural resources, the physical geography and the efficient expenditure of funds for public services.
- B. That the proposed location of the development and the proposed conditions under which it will be operated or maintained would not be consistent with the goals, objectives and actions embodied in the master plan;
- C. That the proposed development would not be in accordance with the purposes and objectives of this title and, in particular, will not further the purposes stated for each zoning district; and
- D. That the development would be detrimental to the public health, safety or welfare of persons residing or working in or adjacent to such a development; and would be detrimental to the properties or improvements in the vicinity or to the general welfare of the County.

Please contact the Community Development Department at 775-463-6592 if you have questions or concerns regarding the action taken on this Planning item.

Sincerely,

Jeff Page,
Lyon County Manager

cc: File

Dayton Regional Advisory Board
Assessor's Office
Clerk's Office
Stan Lucas 2850 Temple Ave. Long Beach, CA 90806
Rubicon Design Group Attn: Derek Wilson 1610 Montclair Ave. Suite B Reno, NV 89509
Susan Pansky, AICP 615 Ubaldo Court Reno, NV 89521



BOARD OF COUNTY COMMISSIONERS
 LYON COUNTY NEVADA
 27 South Main Street
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Bob Hastings, District 1
 Vida Keller, District 2
 Ken Gray, District 3
 Joe Mortensen, District 4
 Jay Dini, District 5

Jeffery A. Page
 County Manager

December 17, 2020

Project One
 Attn: Don Smit
 490 Hot Springs Road
 Carson City, NV 89706

RE: STANLEY H. LUCAS — Specific Plan – Request to re-consider a previously denied request to adopt the Sage Vista Specific Plan on five (5) parcels totaling approximately 547.43 acres; located North and South of US 50 at the intersection of US 50/Bryce Street/Chaves Road, Dayton, NV APNs: 016-021-29; 016-021-30; 016-021-32; 016-021-34; and 016-021-35) PLZ-19-0081

Dear Mr. Smit;

On the date indicated above, a Notice of Final Action was filed with the Lyon County Clerk, pursuant to NRS 278.0235 and NRS 278.3195 which starts the commencement of the twenty-five day limitation period specified therein.

At their regularly scheduled meeting of **December 17, 2020**, the Lyon County Board of Commissioners considered the above-referenced application.

By majority vote (**3 Ayes – Commissioners Dini, Hastings and Mortensen; 2 Nay, Commissioners Gray and Keller ; 0 Abstentions**) the Board of County Commissioners **Approved** your request to adopt the Sage Vista Specific Plan on five (5) parcels totaling 544.23 acres; based on the following findings:

- A. That the application is compatible with the Findings required by section 15.210.03 of Title 15:
1. 15.210.03:
 - a. Consistency with The Master Plan: The applicant has demonstrated that the Specific Plan is in substantial compliance with and promotes the master plan goals, objectives and actions.
 - b. Compatible Land Uses: The proposed Specific Plan is compatible with the existing or master planned adjacent land uses, and reflects a logical change in land uses.
 - c. Response to Change Conditions: The proposed Specific Plan 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 Specific Plan represents a more desirable utilization of land.
 - d. No Adverse Effects: The proposed Specific Plan 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. Desired Pattern of Growth: The proposed Specific Plan 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 consideration of natural resources, the physical geography and the efficient expenditure of funds for public services.
- B. That the proposed location of the development and the proposed conditions under which it will be operated or maintained is consistent with the goals, objectives and actions embodied in the master plan;
- C. That the proposed development is in accordance with the purposes and objectives of this title and, in particular, will further the purposes stated for each zoning district; and
- D. That the proposed development will not be detrimental to the public health, safety or welfare of persons residing or working in or adjacent to the subject site; and will not be detrimental to the properties or improvements in the vicinity or to the general welfare of the County.

Please contact the Community Development Department at 775-463-6592 if you have questions or concerns regarding the action taken on this Planning item.

Sincerely,



Jeff Page,
Lyon County Manager

cc: File

Dayton Regional Advisory Board
Assessor's Office
Clerk's Office
Stan Lucas 2850 Temple Ave. Long Beach, CA 90806
Rubicon Design Group Attn: Derek Wilson 1610 Montclair Ave. Suite B Reno, NV 89509
Susan Pansky, AICP 615 Ubaldo Court Reno, NV 89521



LYON COUNTY UTILITIES DEPARTMENT

34 Lakes Blvd. Suite 103
P.O. Box 1699
Dayton NV 89403
Phone (775) 246-6220 Fax: (775) 246-6223
www.lyon-county.org

Sent via email to: don@project-one.com

Date January 6, 2024

Developer: Lucas Homes and Development LLC

RE: Intent to Serve letter – Water and Sewer
Project PLZ-19-0081: Sage Vista Specific Plan

Dear Mr. Smit:

Please consider this letter a formal notification that the Lyon County Board of County Commissioners have authorized the Lyon County Utilities Department (LCUD) to issue this intent to serve the Project, which was approved by the Lyon County Board of County Commissioners on December 17, 2020.

The project is not presently located within LCUD's service area, and therefore the intent to serve is approved by the Lyon County Board of County Commissioners. This letter shall not be construed as a guarantee that the service will be provided. A will-serve commitment must be obtained as a result of an application for service prior to approval of a Final Map.

LCUD reserves the right to deny or limit the water or sewer connections provided to ensure that growth within the service area does not exceed the available resource capabilities. This letter is not complete unless signed by the Utilities Director and the Owner, with the Owner Acknowledgement statement signed and dated.

Requirements for approval of an application for service shall include, but are not limited to, the following:

1. Dedication of water rights that have met the requirements of the State Engineer and LCUD.
2. Construction and dedication of infrastructure and site improvements necessary to serve the Project. This includes costs for any system improvements, off site improvements, and engineering review necessary to serve the Project. The Developer may apply for developer or reimbursement agreements in the event that the required improvements may serve other projects. Any developer agreements or reimbursement agreements shall be approved by the Planning Commission and BOCC, as applicable.
3. Recorded Final Map.
4. Satisfaction of all conditions of development set forth in the Lyon County Code, and identified in the Planning Commission and BOCC approval conditions for the Project.

5. Annexation of the Project to the Lyon County Utilities Service Area. This includes reimbursement of any expenses incurred by LCUD to evaluation inclusion of the property in the servie area.

The terms and conditions associated with this letter are valid for one year from the date of issuance, and it is incumbent upon the developer to request a renewal before expiration. If a will-serve letter is not issued or a renewal is not approved with a period of one year, this Intent to Serve Notificaiton is to be considered null and void.

If you have additional questions, please don't hesitate to contact me at (775) 246-6620.

Sincerely,

David Bruketta
Utilities Director

cc: Melissa Strobel and Sean Sinclair – Lyon County

OWNER ACKNOWLEDGEMENT

Owner acknowledges receipt of this letter. **Owner acknowledges that it has read and completely understands that County may be unable to provide sewer service to any new construction or fixtures in the Dayton Utilities Service Area due to limitations on effluent disposal capacity. Owner, therefore, assumes all risk of undertaking any improvements, with full knowledge and understanding that County may be unable issue any certificate of occupancy until such time as sewer service can be safely provided.** Owner further understands that Lyon County may not be able to provide sewer service to this property at this time, and the Owner and County do not know when or if the County will be able to provide sewer service. Owner accepts and assumes all risks of moving forward with the project.

Dated: _____

By: _____

Don Smit, Project One
Developer: Lucas Homes and Development LLC